WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227 11 of the Wisconsin Statutes

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes

Silvia R. Jackson / Electronic Case Reference Manual

Name of Individual Certifying this Document/Proposed Document

DOC Reentry Director

Title

Silvia R. Jackson

Signature

December 9, 2019

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis Stat § 227 112(6)
DOC-2910 (6/2019)

Electronic Case Reference Manual

User Manual

Created: Tuesday, November 19, 2019

Copyright © Department of corrections. All Rights Reserved.

WI DOC Electronic Case Reference Manual

copyright © Department of corrections. All rights reserved.
/

The information contained in this document is subject to change without notice.
This document contains proprietary information which is protected by copyright.
All rights are reserved. No part of this document may be photocopied, reproduced,
or translated to another language without the prior written consent of Department of corrections.

Table of Contents

Welcome 1
COMPAS Business Process 2
DAI Business Process 3
DCC COMPAS FAQ 4
DJC Business Process 8
Admission, Assessment & Evaluation 9
During Stay in the JCI 12
Upon Placement in 90-Day Transition Phase Prior to Release/Transfer from JCI 15
Upon Release/Transfer from the JCI 18
While the Youth is Under Community Supervision 19
Prior to the Youth Being Discharged from DJC Supervision 21
Special Circumstances-Dual Supervision Cases 22
Special Circumstances-Error in Previous Assessment 23
Appendix A-Use of Confidential Notes in COMPAS 24
Appendix B-Use of Note Subtypes 26
Appendix C-Case Transfers within COMPAS 27
Release of COMPAS Results 28
Division of Adult Institutions (DAI) 29
Arrest 30
Pre-Sentence 31
Intake 32
Intake COMPAS 48
Getting Into COMPAS 50
COMPAS Home 51
Cases Section 53
Assessment Tools 54
Completing a COMPAS Core Assessment 58
Risk & Criminogenic Needs 63
COMPAS Notes 66
Case Manager Module 70
Correcting Cross-Divisional Errors 73
Supervision 74
DAI Supervision COMPAS 105
COMPAS DAI Legacy 107
When to Complete a COMPAS DAI Legacy 108
Completing a COMPAS DAI Legacy or ReEntry Assessment 109
Program Enrollment 111
Case Plans 112
Discharge 119
DAI Discharge COMPAS Overview 135
DAI Discharge COMPAS Reentry Assessment 136
COMPAS ReEntry and a Unified Case Plan 137
DAI Discharge-Rules of Supervision 138
DAI Discharge-Terminating a Case 139
DAI Discharge-Closing a Lifecycle 140
Release Planning 141
ACA-Medicaid ForwardHealth Cards 143
Release Clothing 144

Copyright © 2012 [WI Department of Corrections]

Transportation Upon Release 145
Release Accounts Disbursement 146
Social Worker/Treatment Specialist Academy 147
Arrest and Adjudication 148
Potential Decision Points - Juvenile 149
COMPAS County Adult Usage 153
Pre-Sentence 157
DCC Pre-Sentence Investigation 158
DCC - COMPAS PSI Process 175
Intake 179
Division of Community Corrections (DCC) - Intake 180
Agent Responsibilities During Intake 181
Assessment Process 184
DCC Case Opening and Assignment 190
ES/Parole Intake 193
Financial Obligations and Supervision Fees 199
Law Enforcement Registration 207
Limited English Proficiency (LEP) 209
Offense Information 210
Operating While Intoxicated 211
Reporting Schedule 213
Rules of Supervision 214
Sex Offender Intake 217
Social History Information 228
Unified Case Plan 231
Division of Juvenile Corrections (DJC) - Intake 236
DJC - Intake Process 237
Case Management Forms - Alphabetical 238
DJC-Case Management Forms-Numerical List 244
1 Introduction to the Case Management System and Manual 250
2 Timeline and Staff Responsibilities 261
3 JCI Admission Procedures, Special Legal Commitments, and Direct Commitments 281
4 Orientation, and Assessment and Evaluation 293
Supervision 310
Division of Community Corrections (DCC) - Supervision 311
DCC - Supervision Process 312
Accessing Offender Programs and Services 313
Act 266 321
Amended Court Orders 324
Case Planning 325
Case Recording 326
Case Supervision Review (CSR) 328
Child Abuse Reporting Requirement 331
Common Forms Descriptions 332
Court Review or Modification of Conditions 345
DNA Verification 346
Dual Supervision (Juvenile/Adult/Other Agency) 352

Copyright © 2012 [WI Department of Corrections]

Employment Verification 355
Early Discharge 356
ERP (WSAP)/CIP 358
Firearm Laws 361
Intrastate Transfer 363
Interstate Compact 370
Intrastate Travel 389
Jail Confinement as a Condition of Probation 390
Law Enforcement Registration 391
Legal Issues 393
Mental Health/NGI 406
Modification of Rules of Community Supervision 410
Offender Civil Rights 411
Offender Complaint Process 412
Offender Contact Standards 414
Offender Report Form 417
Other Investigations 418
Out of State Travel 425
OWI 427
Permission to Own or Operate a Motor Vehicle 428
Pre-Release Planning 429
Probation Without Conviction 446
Records Management 447
- Releasing and Auditing COMPAS Information 449
- Case File Setup and Organization 451
- Audit of Case Records 460
- Records Disposal 461
- Open Records Law 462
- Record Amendment Process 466
- Telephones 467

Revocation 468
Sex Offender 494
Situation Alerts 501
Specialty/Treatment/Problem Solving Courts 503
Supervision Tools 505
Undercover Activity 515
Undocumented Persons 516
Violations 517
- Act 33 and 59: Aider and Aided Persons Immunity 518
- Aiding or Encouraging Violation of Supervision 520
- Apprehension of Absconders 521
- Attempts to Locate Absconders 523
- Detention Procedures 527
- EBRV-Evidence-Based Response to Violations 529
- Felony Hold Reimbursement 548
- Mechanical Restraints 558
- Search 560
  - Contraband Seizure and Disposal 565
  - Correctional Setting Phone Call Recording 567
  - Evidence Handling 569

Copyright © 2012 [WI Department of Corrections]

Short-Term Sanctions 571
Stop Time, Tolled Time, and Reinstatement 574
Transporting Offenders in Custody 576
Use of Force 579
Warrants for an Offender's Arrest 582
WI Offenders in Custody on Out-of-State Violations 583
Women's Risk/Needs Assessments 586
Division of Juvenile Corrections (DJC) - Supervision 589
DJC - Supervision Process 590
5 JPRC Conferences and OJOR Decisions 591
6 ICP, Progress Summary & Program Activity Documentation 599
7 JCI Programs 613
8 Leaves from JCI, Transfers Between JCIs, and Care Transfers 649
9 Court Proceedings 658
10 Re-Entry Planning ..... 675 Re-Entry Planning Phase 1: Institution Preparation before Transition Phase 678
Re-Entry Planning Phase 2A: Transition Phase 682
Role of the Corrective Sanctions Program Youth Counselors during 90-Day Transition Phase ..... 685 90-Day Transition Phase Procedure for Youth Held in a JCI until Expiration of Commitment Order ..... 686 90-Day Transition Phase Procedure for SJO Youth who will be Released from a JCI with no Type I Time Remaining 688
Transition Phase Reevaluation 689
Role of County during Transition Phase 690
Phase 2A Re-Entry Planning Continued 691
Phase 2B: Re-Entry Planning Transition Phase-First 30 Days in Community .....
Phase 3 Re-Entry Planning: Community Supervision and Stabilization 696
Section II-Community Placement Guidelines 697
Guiding Principles for Supervising Youth in the Community 699
Placement of Sex Offenders on Community Supervision 700
Referral to Placement/Program with Religious Components 702
Transfer Planning from a JCI to CSP 705
Release from CSP to DJC Aftercare 707
JCI to a Type 2 RCC on DJC Supervision 708
Transfer from a JCI to Type 2 RCC: County Supervision 710
Transfer from JCI to DJC Aftercare in an Alternate Care Setting 712
Transfer from a JCI to DJC Aftercare in Own Home 713
Transfer from JCI to County Aftercare Supervision 714
Transfer from JCI to County Aftercare in an Alternate Care Setting 715
Transfer from JCI to County Aftercare in Own Home 717
Transfer of Youth in Short Term Programs to Community Supervision 719
Transfer of SJO Youth from Type 2 Status to Aftercare 720
Medical Assistance 721
Cash Grants for Youth Leaving a JCI 723
Permanency Planning 724
Sample Notification Letter from New Agent to Youth's Parent/Guardian 731
Sample Notification Letter from New Agent to Youth 732

Copyright © 2012 [WI Department of Corrections]

Sample Transition Team Meeting Agenda 733
11 Victim/Witness Notification and Services 735
13 Community Supervision of VCSP & SJOP Youth & Sex Offenders 744
14 Supervision of Youth in a Type 2 CCI 773
15 Sanctions, Administrative Detention and Termination of Type 2 Supervision 775
16 Supervision of Youth on Aftercare 787
17 Violations and Revocation of Aftercare Supervision 800
19 Interstate Compact on Juveniles and Travel Permits 814
20 Youth with Adult Convictions 834
21 Financial Obligations of Youth 848
22 Sex Offenders-Legal Requirements 859
24 Observation Status & Administrative Confinement in a JCI 870
25 Social Services and Community Supervision Files 874
28 Case Management System/Transition Audit Procedures 879
Discharge 883
Division of Community Corrections (DCC) - Discharge Section 884
Case Closing 885
Division of Juvenile Corrections (DJC) - Discharge Section 893
18 Expiration of Commitment and Administrative Discharge 894

Copyright © 2012 [WI Department of Corrections]

Welcome

Copyright © 2012 [WI Department of Corrections]

COMPAS Business Process

Copyright © 2012 [WI Department of Corrections]

Division of Adult Institutions COMPAS Business Process and Operations Manual

As of September 8, 2015, DAI's COMPAS Business Process has been integrated into the ECRM by the stages of the Offender Lifecycle. Please see the below linked communication for further details.

DAI COMPAS Business Process Update Communication

Copyright © 2012 [WI Department of Corrections]

COMPAS Assessment Frequently Asked Questions

How is "current charge" and "current offense" defined?

For the entire Current Charges section, count "Current" as the most recent arresting event (misdemeanor or felony). All of the other criminal history would be considered in the prior record. Per Northpointe, the cardinal rule, no matter what the circumstance, is if there are distinct arresting events, then the latest arrest is the Current Charges (regardless of how it will be prosecuted or sentenced). All other arrests are history.

An agent somehow created 2 case manager cases when there should only be one. How should this be corrected and by whom?

The agent should notify the supervisor of the error and identify the case to be removed. The supervisor has the ability to merge the cases so the correct case remains. To merge cases, the authorized user, most commonly the supervisor, will need to open the offender's person summary page. The authorized user needs to click on the correct case that needs to be merged. Click the Action tab and select merge. The authorized user will need to select the case to merge with, meaning the incorrectly named case. Click "merge selected cases". The incorrect case will be deleted post-merge.

If commensurate with office policy, the program support supervisor should be notified of the requested change and will have the ability to merge the cases. Agents do not have the ability to perform this function.

When COMPAS prompts: CUSTODY STATUS, what drop down do I use?

ONLY use one of the following:

- Probation
- Parole
- ES
- NGI
- 980
- Legacy Case
- Interstate Compact-Probation or Parole

When COMPAS prompts: LEGAL STATUS, what drop down do I use when I am doing an assessment on an offender that has been released from prison?

ONLY use "Other"

When COMPAS prompts: PRISON ADMISSION STATUS, what drop down do I use?

ALWAYS use: "NOT APPLICABLE"

Is criminal traffic considered an arrest for a criminal charge?

Yes, the tips section also explains that this would also include criminal arrests where an appearance ticket was issued. This includes situations where an adult offender is not physical arrested but is issued a criminal citation with a mandatory court appearance.

When COMPAS prompts: #7 "CRIMINAL HISTORY: How many times has this person been arrested before as an adult or juvenile (criminal arrests only)?" What arrests am I using?

ONLY use criminal arrests resulting from criminal behavior and do not include DOC ONLY holds or apprehension request custodies. This includes a criminal case in which the individual does not go to jail, but instead is summoned and free to go. This includes arrests even if the individual's case was expunged or pardoned. Self-report of crimes from juveniles must be verified through official sources; however, self-report of crimes by adults does not require further verification, unless there is concern over the adult's cognitive/mental abilities. Multiple charges with a single arresting event counts as one arrest.

Official records of assessment notes "weapons" is a bit subjective. Can this be any item the person uses as a weapon, such as an iron, bottle, etc., or is it limited to firearms, knives, etc.? Related to this, if the charging arrest/conviction includes the weapon, do we count again? (for example: battery with use of a weapon is charge/conviction). Do we mark the weapon box and assault?

Yes, you should select the weapons box and the assault box. With respect to robbery and armed robbery offenses, you would only select the weapons box if the weapon was displayed during the commission of the offense. (For additional information refer to the tooltip definitions for Robbery and Weapons).

What is the meaning of "Associate" and "Member" on question #34 of the Reentry?

DOC has a procedure for identifying suspects and confirmed gang members (Security Threat Group-STG) by using the DOC-2684. DAI has been utilizing this procedure for many years where offenders are identified and interviewed upon entrance to DAI. If the offender meets one criterion on the DOC-2684 they are considered a suspect. If two or more are met, then the offender is considered a confirmed gang member. In both instances, a gang file is created and maintained by DAI. If there is any reason to believe the offender is a gang member, the regional STG coordinator can be contacted to confirm the information with DAI.

Can I do a Primary Needs or Core assessment on a 16 year old offender?

No, a Primary Needs, Core or Reentry cannot be completed for a 16 year old. There are simply not enough offenders of that age to be well represented in the norming
population. The agent needs to complete the COMPAS Youth V2 assessment by using the tool tips and technical assistance provided by Division of Juvenile Corrections staff located at Lincoln Hills/Copper Lake 715-536- 8386

How many times has this person been sentenced to jail for 30 days or more? Example: The offender had one sentencing date but had 5 counts sentenced to over 30 days jail. The 5 counts were from two separate cases. Is each jail sentence counted independently regardless of concurrent, consecutive, count or case(s)?

The criminogenic influence of being incarcerated is being captured in this question, so for all concurrent cases or counts we would only score one jail sentence of 30 days or more.

How many times has this person been sentenced to probation as an adult? Example: Offender was placed on probation on the same date for 5 counts on two separate cases. Do we focus on the number of sentencing dates and disregard the number of cases on one particular sentencing date?

If one arrest results in two or more court cases resulting in separate sentences to terms of probation, then each term of probation is counted separately.

- Same Judgment of Conviction with two or more charges at conviction = one probation term
- Two separate Judgments of Conviction with probation ordered on each Judgment of Conviction = two probation terms

How many times has this person's probation been violated or revoked? Example: Offender is revoked one time but on two separate cases. Should the focus be on admin actions regardless of how many cases are being revoked with the one admin action?

Each case would be counted separately for revocation, as each case is viewed as a separate term of probation. There may be instances where all cases are not revoked thus only count the number of revocations (i.e. a case is not revoked in order to let it discharge).

- One "formal finding" of violation on a single Judgment of Conviction = one violation/revocation event
- One "formal finding" of violation on two separate Judgments of Conviction = two violation/revocation events

- One “formal finding” of violation on one Judgment of Conviction, but not a second separate Judgment of Conviction = one violation/revocation event

Why do some offenders score high on the violence risk scale even though they have no violent history?

An offender who is young, unemployed, has an early age-at-first-arrest and a history of supervision failure, will score medium or high on the Violence Risk Scale even though the offender never had a violent offense. Risk assessment is about predicting group behavior (identifying groups of higher risk offenders). It is not about prediction at the individual level. The risk score is estimated based on known outcomes of groups of offenders who have similar characteristics. It is also important to note that staff are predicted to disagree with an actuarial risk assessment (e.g. COMPAS) in about 10% of the cases due to mitigating or aggravating circumstances to which the assessment is not sensitive. In those cases, staff should be encouraged to use professional judgment and override the computed risk as appropriate. This must be documented in COMPAS with the Override Reason for monitoring use by supervisory staff.

Does COMPAS work for sex offenders? Why use this for sex offenders?

Sex offenders are a part of the norming population. COMPAS is designed to assess the likelihood of sex offender’s general recidivism, and violent recidivism specifically. However, COMPAS is not designed to predict the likelihood of any specific crime classification including sex offenses, domestic violence, OWI, etc. COMPAS is just one tool to be used to augment other tools, professional judgment, etc.

How is “violation” or “formal or administrative response” defined on the following questions in COMPAS? Primary Needs questions 21 and 24, Core questions 25 and 28, Reentry questions 22 and 25, and Case Supervision Review question 20.

The definition is based on the response to the violation. Count any violations that resulted in the following actions:

- Revocation packet submitted to Regional Office.
- Institution based ATR
- Imposition of conditional time of 60 days or more
- Short Term Sanction of 60 days or more

Why does an assessment outcome of medium (5) for general risk and medium (5) for violent risk recommend a low supervision level?

The parameters for the specific scales for general recidivism risk and violent recidivism risk do not directly correlate to the parameters on the risk matrix that determines the recommended supervision level. The parameters for each risk scale are based on a comparison of a given offender's assessment data with the norming population, and are set to categorize as "Low" about 40% of those compared to that sample, or the 4th decile on the bar chart. Therefore, a "5" on a general or violent recidivism risk scale would be considered "Medium" for that specific scale's recidivism prediction.

There can be no direct correlation drawn from the label attached to the individual risk bars (in this case, "5" producing a "Medium" risk prediction for both risk scales), and the supervision level recommendation (in this case, "5" and "5", producing a "Low" supervision level recommendation). This is because Wisconsin has selected parameters for a "Low" supervision recommendation to include all assessments with combined risk scores of 5 or less for both risk of general recidivism and risk of violent recidivism.

Should a COMPAS assessment be completed on an NGI offender or any offender who has identified mental health issues or developmental disabilities but has not been found to be NGI?

Yes. Mental health concerns and developmental disabilities are common occurrences in the general population and are part of the norming population for COMPAS. A COMPAS assessment should be completed unless the symptoms of mental illness or developmental disability are so acute that it would preclude the offender from being able to understand or respond to the assessment questions. In most cases, if the offender can participate coherently in the interview process, COMPAS should be administered. If the offender is not capable of participating in the assessment due to a mental or physical health condition, the agent should complete the static questions that do not require offender input and staff the supervision level with the supervisor.

Division of Juvenile Corrections (DJC) COMPAS Business Process

Admission, Assessment & Evaluation
During Stay in the JCI
Upon Placement in 90-Day Transition Phase Prior to Release/Transfer from JCI
Upon Release/Transfer from the JCI
While the Youth is Under Community Supervision
Prior to the Youth Being Discharged from DJC Supervision
Special Circumstances
    Dual Supervision Cases
    Error in Previous Assessment
Appendix A-Use of Confidential Notes in COMPAS

Copyright © 2012 [WI Department of Corrections]

Admission, Assessment & Evaluation

Staff	Form or Task	Date Due	Information
Gatehouse	Create JJIS record and complete admission screen	Upon arrival of youth not previously under DJC supervision	JJIS assigns temporary number to a youth without an assigned DOC number.
Gatehouse	Complete admission screen	Upon arrival of youth with DOC number	Use existing DOC number.
Office Operations Associate (OOA)	Register youth in WICS, obtain DOC number and enter into JJIS	First working day after admission	Search for previous record in JJIS and WICS. If needed enter youth in WICS, including personal characteristics, demographics profile and close supervision event. Assign DOC number and then enter youth in JJIS. If youth already exists in WICS update existing information in WICS and JJIS.
OJOR-CO	Create OJOR file and schedule initial JPRC	Upon receipt of admission information from OOA	Create OJOR file in OJOR database and set tentative date for initial JPRC.
OOA	Admission Status Short Version (JJIS)	First working day after admission	Complete in JJIS for youth admitted for an administrative detention, sanction or on county secure detention in a JCI.
Reception Social Worker, HSU, or Clinical staff	Suicide risk screening – part of Intake Screening (DOC-2145) and/or the Self-Harm Assessment (DOC-2097)	Within 24 hours of youth's admission	All youth are screened for suicide risk. Referrals to clinical services are made when appropriate.
OOA	Obtain amended court order	Upon recognition by OOA or social worker that court order contains inaccurate/ incomplete information	When OOA or social worker notes inaccurate/incomplete information, IPC requests court to forward amended order.
OOA	Enter offense and type of commitment (JJIS)	Within 5 working days or when accurate court order is obtained	Enter this information from court order.
OOA	Face Sheet (DOC-1701) (JJIS)	Within 1 working day or when accurate court order is obtained	Complete for all youth. Send copy to Reception staff. Send copy to SORP when required. Be sure to indicate if DNA specimen is required or if victim/witness has requested notification.
Assigned Youth Counselor	Fingerprints	Within 3 working days	**New Commitments:** Submit youth fingerprints to DOJ via Live scan. **Returnees:** If notified no current SID #, submit youth fingerprints to DOJ via Live scan.
OOA	SID #	Upon e-mail response from DOJ	**New Commitments and Returnees:** OOA reviews the Fingerprint Results Outlook Mailbox or WICS for SID # and enters into JJIS. The OA informs assigned social worker that SID # has been received.
OOA	SID #	Within 1 working day	**Returnees:** OOA reviews JJIS for Type One Status to determine if SID # has been assigned. If no SID #, OOA notifies Reception Unit of status change and need to submit fingerprints.
Reception Social Worker and/or Security Director	Order to Detain (DOC-1915)	Within 7 days of admission	Review court documents to see if youth has detainer placed by authority other than DJC. If so, note in JJIS.
OOA or Reception Social Worker	Surcharge, restitution and other court ordered financial obligations	During A&E	Review court order to see if it contains any court ordered debts.
OOA and/or Reception Social Worker	Disbursement Request (DOC-184B) and Youth Restitution and Debt collection (DOC-1841)	During A&E	Complete DOC-1841 for youth with court ordered debt(s). Have youth sign DOC-184B. Distribute forms per JCI policy.
Business Office	Create youth's account and process debt(s) information	During A&E	Account created when admission processed. Enter information into JJIS regarding court ordered debt(s) upon receipt of DOC-1841, DOC-184B and court order.
OOA	Admission packet for parent(s)/guardian	Within 5 days of admission	Mail JCI admission packet to parent(s)/ guardian.
OOA	Create SS file	Upon admission	File should be set up according to DJC standardized format.
OJOR-CO	Victim/Witness Notification Program (DOC-1717)	Upon receipt of cards	Enter victim/witness requests in JJIS. May occur during or after A&E.
OOA	Stamp SS file for victim/ witness notification	Upon receipt of the notification request from OJOR-CO	May occur during or after A&E.
OOA	Chapter 980 Master List	Within 5 working days or when accurate court order is obtained	Only for youth adjudicated/convicted for certain offenses.
Various staff and youth	Orientation process	During first 21 days following youth's admission	Staff informs youth about JCI, conduct rules, disciplinary process, complaint procedures and case management system.
Reception Social Worker	Make contact with family and county worker to discuss case	Prior to completing COMPAS – Youth assessment	Gather information to use in assessment.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Reception Social Worker	COMPAS – transfer person and/or case record to DJC and applicable location	At least 7 working days prior to initial JPRC	Conduct name query in COMPAS to see if youth record exists. If record exists under a SID, determine if new admittance requires a new lifecycle or is part of existing lifecycle. If a record exists under both a county juvenile identifier and a SID, contact appropriate personnel to merge youth records. If record exists only under county identifier and SID is known, replace the county identifier with the SID. If youth is being received from a county utilizing COMPAS, transfer the person and/or case to DJC using the person and case transfer functionality in COMPAS. Select proper location from dropdown of DJC locations, LHS or CLS.
Reception Social Worker	COMPAS – Youth assessment completed and notification sent to State Agent	At least 7 working days prior to initial JPRC	Social Worker assesses Need Scales and selects 2-3 high needs areas. These high need areas are documented on the AER. Record any pertinent information regarding the youth as an Assessment Note. This would include youth's cooperation and truthfulness, mental stability, trouble in comprehending assessment questions, corrected or copied assessments, etc. **Note: If youth being returned to the institution is 18 years or older, no admitting assessment is completed. A Reentry assessment will be completed when youth is placed in transition. Social worker notes any pertinent information it is felt was not identified in the assessment by using an assessment note in COMPAS. DJC will conduct its own assessment of the youth even if an assessment was recently done by the committing county.
Reception Social Worker	COMPAS Bar Scale	At least 7 days prior to initial JPRC	Give to OOA. Email to JPRC participants.
Reception Social Worker	Administer Trauma Assessments in COMPAS 1. Adverse Childhood Experience 2. CANS – Trauma & Adjustment to Trauma (questions 1-14)	Complete prior to completing AER	Social Worker notes any CANS trauma items that score a 2 or 3 or a total ACE score of 4 or higher along with the source of information on the AER. Social Worker also documents any CANS scores of 2 or 3 or ACE score of 4 or higher as an assessment note in COMPAS.
Social Worker Psychologist Assigned to Sex Offender Program	Score J-SOAP II scales 1 and 2 for male sex offenders being considered for SOAR CORE C in COMPAS Alternative Screening Tools	Complete at least 7 working days prior to the initial JPRC	Scales 1 and 2 are scored by the assigned Treatment Social Worker and Psychologist and enters scores in COMPAS. Scales 1 and 2 are discussed by JPRC participants to determine placement in SOAR CORE C. Scale 3 is scored within 30 days intake into sex offender treatment program and the Social Worker enters or updates the scores as necessary.
Reception Social Worker	COMPAS Substance Use	Complete prior to completing AER	Note information on any reported controlled substance use including amount, frequency, age first used, date last used.
Reception Social Worker	COMPAS – Bar Scale	Prior to JPRC	Meets with youth to explain assessment results and to give youth a copy of Bar Scale.
Reception Social Worker	Assessment and Evaluation Report (AER) (DOC-1933 in JJIS)	Complete in JJIS at least 7 working days prior to the initial JPRC	
OOA	Bar Scale and Assessment and Evaluation Report (AER)	When received from Social Worker	Copied and placed in youth's social service file. Sent by email to county worker/liaison.
Reception Social Worker	Current Status Report (CSR) (DOC-1935 in JJIS)	Complete in JJIS at least 7 days prior to the initial JPRC after re-admission	Complete only for youth returning to JCI due to termination of type 2 status, revocation from aftercare, or new commitment within 6 months from end of prior commitment.
Reception Social Worker	Chapter 980 Internal (DOC-1946)	Complete upon admission	Only applies to youth who commit a chapter 980 offense.
Reception Staff	Human Biological Specimen (DNA) (DOC-1940) **and** Wisconsin DNA Databank Buccal Swab Collection Kit and DNA Specimen Tracking Form (DOC-2536)	Obtain sample and complete forms within 21 days of admission	Only applies to youth adjudicated for certain offenses or convicted for any felony.
Teacher	Daniel Memorial Institute Assessment of Independent Living Skills.	Complete at least 7 days prior to initial JPRC	Computer scored assessment. Youth completes a booklet that assesses a broad range of independent living skills. This assessment is also used in the Transitional Independent Living Program.
Reception Social Worker	COMPAS – Youth (Part 3) Substance Abuse Scales	7 working days prior to initial JPRC	If Part 3 scales (12, 13, 14) score 4 or more in any one scale, refer youth for an AODA Assessment (ADI-L (DOC-2127).
Agent	Initial contact with or letter of introduction to youth and parent(s)/ guardian	Within 5 working days of case assignment	Mail introduction letter to the youth and either call the youth's parent(s)/guardian or mail letter.
Agent	Family and Home Assessment (FHA) (DOC-1939)	Complete in JJIS at least 3 working days prior to the initial JPRC	Completion of DOC-1939 more than 3 days prior to the initial JPRC is highly recommended.
Agent	Identify primary language and possible LEP needs	During home visit	Complete DOC-2664 for every custodial parent/guardian. Refer to DJC Policy 13-03.
HSU	Health Screening—DJC (DOC-3387)	During A&E	Perform physical and dental exams/lab work necessary to complete DOC-3387 and forward to social worker to include into AER.
Agent	Contact the youth's social worker	Within 3 days following the initial home visit	Agent shall discuss the results of the home visit with the social worker.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Teacher	Educational Evaluation Report (EER) (DOC-1936)	Complete at least 7 working days prior to the initial JPRC	
JPRC	Establish no more than 4 youth's goals based on criminogenic needs and preliminary release/ transfer plan	Initial JPRC held within 21 days of youth's admission	Members of JPRC have specific roles and responsibilities described in Manual. JPRC establishes youth's broad goals, and discusses length of stay at JCI and community supervision plans. Most youth should have an education goal (#5); however it is not required when a youth has a number of high need areas that do include school. The comments and observations denote what criminogenic needs the goals were based on. Youth placed into JCI short-term programs are placed into Transition Phase upon entry.
OJOR	Department Order (DOC-1722A)	Complete and distribute within 7 days of JPRC conference	Directs placement of youth from reception to JCI and lists broad goals
Reception Social Worker	Admission Assessment Dialog in JJIS	Complete immediately after initial JPRC or within 35 days of admission	Detailed instructions are described in the Manual to complete this dialog.

Copyright © 2012 [WI Department of Corrections]

During Stay in the JCI

Staff	Form or Task	Date Due	Information
Reception Social Worker	Transfer COMPAS Case	Complete within 21 days of initial JPRC	Reintegration Social Worker assumes management of case by the Reception Social Worker transferring the case to the Reintegration Social Worker using the case transfer function. If youth is placed at MJTC, the location should also be updated.
Reintegration Social Worker	COMPAS Case Plan	Complete within 21 days of initial JPRC	Social Worker directly involves youth in developing case plan which may be revised as significant changes occur. No more than 1-2 tasks should be assigned for each goal. Send electronic version of case plan to OJOR, assigned state agent and/or county worker.
Youth	COMPAS Case Plan	During placement at JCI	Youth play active role in developing and implementing case plan objectives and tasks. Youth signs the case plan and retains copy.
Reintegration Social Worker	Signed COMPAS Case Plan	21 days after JPRC	Social Worker gives signed case plan to OOA's. OOA's file in social services file.
OOA	Distribute signed COMPAS Case Plan	Upon receipt	Place signed case plan in social service file and send copy to parents. Sent by email to county worker/liaison.
Youth, Reintegration Social Worker, Youth counselors and other staff	Program Activity Documentation	Complete daily, weekly or monthly as required	Some documentation requires DOC forms and other requires institution-specific forms. Verbal input to social workers is also important.
Social Worker and Sex Offender Treatment Team	Score J-SOAP II scales for male sex offenders in COMPAS Alternative Screening Tools	Within 30 days intake into sex offender treatment program	Scales 1 and 2 are scored by the assigned Treatment Social Worker and enters scores in COMPAS. Scales 1 and 2 are discussed by the Treatment Team who also scores scale 3. Scores are finalized and the Social Worker enters or updates the scores as necessary.
JCI Youth counselors	• Interact daily with youth in unit/cottage • Provide safety and security of youth, staff & JCI property • Provide goal oriented counseling to youth • Provide input to social worker on youth's progress	Daily	Youth counselors play an integral role in the daily lives of all youth and provide vital information to all staff working with youth.
Multidisciplinary Living Unit Team Meetings	Carey Case Consultation Staffing Sheet (optional)	Prior to Social Worker or Agent updating Case Plan before JPRC	A "staffing" is held to review case. The staffing sheet form is completed and may reflect changes to COMPAS Case Plan. Completed staffing sheet forms are filed in the Social Worker's working file.
OOA	Carey Case Consultation Summary Sheet (if completed above)	Upon receipt	Files in social services file.
Business Office	Youth Restitution and Debt Collection (DOC-1841)	During placement at JCI	Track payments made and balance(s) remaining in JJIS.
Reintegration Social Worker	Youth Restitution and Debt Collection (DOC-1841)	During placement at JCI	Payments of debts must be discussed at JPRC conferences/OJOR reviews, and Transition Team meetings.
Teacher	Lifework Education Portfolio Checklist (DOC-2313)	Update portfolio contents and checklist prior to each formal OJOR review.	Date of last Individual Education Plan (IEP) must be listed if relevant.
Agent and Youth Counselor	Face-to-face and phone contacts with youth, parents and social worker	Youth -1 time every 3 months face to face; Parent – 1 time every 3 months face to face or phone; JCI staff – 1 time every 3 months face to face or phone	Document in COMPAS Notes. Enter the appropriate event date for each note. Up to three note subtypes may be selected for each note type.
Supervising Youth Counselor	COMPAS Drug Tests	Upon receipt of test results	Record results of any drug test to include test type, date and results. See DJC Policy 13-04.
All Social Workers	COMPAS Employment History	During placement in JCI	Document any job skills learned by youth.
Reintegration Social Worker	Progress Summary	Every 90 days, about 7 days prior to JPRC Conference	To record youth's progress with regards to the overall case plan, the Social Worker creates a report in Microsoft Word using provided Progress Summary template. SW then copies and pastes the Word document into a Case Note in COMPAS. To permit filtering of notes by JPRC review cycle, enter the appropriate JPRC cycle associated with the review period.
Reintegration Social Worker	Progress Summary	Prior to signing Progress Summary	Review Progress Summary with Youth and finalize.
Reintegration Social Worker	Progress Summary	At least 7 days prior to JPRC Conference	Print and sign copy of Progress Summary and give to OOA. Send electronic version to OJOR, assigned state agent and/or county worker.
OOA	Progress Summary	Upon receipt	File Progress Summary in Social Services file. Sent by email to county worker/liaison.
Reintegration Social Worker	Contact family and county worker to discuss case	Prior to updating case plan	Use information if applicable to update case plan.
Reintegration Social Worker	COMPAS Case Plan	Update activities, tasks, goals and completions dates after every meeting with youth or related significant event to track youth's progress or lack thereof	Social Worker directly involves youth in updating case plan as changes occur. Social Worker prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan.
OOA	COMPAS Case Plan	Upon receipt	Place signed case plan in social service file and send copy to parents. Sent by email to county worker/liaison.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Reintegration Social Worker	COMPAS Case Plan	7 days prior to JPRC conference	Using designated format, social worker prepares progress summary as a case plan note within the case plan. Prints case plan utilizing date filters to include only most recent progress summary case plan note. The progress summary should also include a copy of the current case plan tracking the youth's progress or lack thereof in accomplishing the assigned goals, tasks and activities. Sends to JPRC participants.
All JCI Staff	COMPAS Notes	Ongoing during JCI placement	Staff utilizes Notes feature in COMPAS to record information regarding the youth's case and progress. • General Notes: Used to document case activity, contacts, rules & conditions, requirements, violations, staffing, etc. • Case Plan Notes: Used to document information related directly to case plan. • Program Notes: Used only to document information regarding the youth's programs. Enter the appropriate event date for each note. Up to three note subtypes may be selected for each note type. Any note should be marked "confidential" if it contains any protected health or treatment information. Any non-confidential information should be placed in a separate note. (See Appendix A-Use of Confidential Notes). Note subtypes are to be utilized to effectively categorize the various types of information being recorded on youth contacts/events, program categories or case plan events. (See Appendix B)
OJOR reviewer	Formal and informal reviews of youth's progress; Summary of Decisions and Department Order (DOC-1722A)	• Conduct formal JPRC conferences every 3 months or more frequently if requested by JPRC member (at least every 6 months for SJO youth) • Conduct informal reviews as needed for SJO youth • Issue Summary of Decisions weekly and DOC-1722A following all formal & informal reviews • Update decision information on DOC- 2313	The reviews assess youth's progress toward meeting goals and objectives, and to discuss community supervision plans. OJOR reviewer issues a Summary of Decisions on a weekly basis and DOC-1722A following all reviews and forwards to OJOR-CO.
OJOR-CO	Schedule informal and formal reviews	Upon receipt of Summary of Decision and/or DOC-1722A from OJOR reviewer	Set dates for reviews. Ensure that formal JPRC reviews are held every 3 months (at least 6 months for SJO youth).
Agent	Community Supervision Plan (Aftercare Plan) (DOC-1736)	When requested by OJOR, complete within 30 days	DOC-1736 provides an optional home study that can be done upon OJOR's request or initiated by the field when a youth has been in the JCI longer than 6 months and the viability of placement in the home needs to be reevaluated.
JPRC	Formal reviews	Every 3 months (at least 6 months for SJO youth)	Members prepare for and attend JPRC conferences.
Agent	Social Worker Contact	Prior to each JPRC	Agent contacts the social worker to monitor progress and participates in conferences.
Reintegration Social Worker and Security Director	Order to Detain (DOC-1780)	Prior to a youth leaving the JCI to attend a court proceeding	Social worker completes the DOC-1780 and forwards to Security Director who submits to appropriate law enforcement authority.
Teacher	Educational Report to JPRC (HSED) (DOC-1937)	Complete at least 7 days prior to JPRC	
Teacher	Educational Report to JPRC (DOC-1938)	Complete at least 7 days prior to JPRC	
OOA	Education Reports to JPRC (DOC-1937/DOC-1938)	When received from Teacher	Sent by email to county worker/liaison.
OJOR-CO	Victim/Witness Notification Request	Upon receipt from county	Forward request to OOA.
OOA	Maintain up-to-date victim/witness notification information	Upon receipt of notification request from OJOR-CO	Stamp SS file which indicates that victim/ witness notification is required.
OOA	Face Sheet (DOC-1701) in JJIS	Revise during stay at JCI as needed.	DOC-1701 must be revised when victim/ witness notification request is received; if sex offender registration or DNA is required due to a new offense; or other information changes.
Security Director or Shift Supervisor	Apprehension Request (DOC-58J)	Upon notice youth has escaped from or during leave from JCI.	Complete DOC-58 and forward to appropriate law enforcement authorities.
OOA	Chapter 980 Master List	Forward to OJOR reviewer on a monthly basis	Updating and accurateness by OOA is vital to ensure legal timelines are not missed. OJOR reviewers must be aware which youth on their caseload are on the Master List so SPVC can review cases in a timely manner.
OJOR, Reintegration Social Worker, and OOA	Cover Sheet (DOC-2640), Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Milwaukee County—**Social worker submits documents to OOA so OOA can mail to the court 9 weeks prior to the expiration date	Only applies when OJOR agrees that the court should be asked to extend a youth's Dispositional Order.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
OJOR, Reintegration Social Worker, and OOA	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	Social worker submits documents to OOA so OOA can mail to the court 6 weeks prior to the expiration date	Only applies when OJOR agrees that the court should be asked to extend a youth's Dispositional Order. Timelines and court procedures may vary by county.
Sexually Violent Persons Committee (SVPC)	Sexually Violent Persons (Chapter 980) Evaluation	Complete at least 4 months prior to anticipated release or expiration date. Youth reviewed for a possible Ch. 980 referral may be recommended for Transition Phase after being cleared by the local institution SVPC and completing other curriculum program markers.	Only applies to youth who committed certain offenses and are on the Chapter 980 Master List. **Legal timelines must not be missed.**
Reintegration Social Worker	Review Program Markers to identify youth readiness for Transition Phase	A youth, who receives a Ch. 980 referral for further evaluation and is within 90 days of release, may only be placed in transition contingent upon the outcome of the evaluation.	
Reintegration Social Worker	Request for Action (ANR) (DOC-1734)	Complete 90 days prior to anticipated transfer if no JPRC is scheduled/required. Complete for SJO's so that they have at least 30 days of Type 1 time remaining upon release to community, if possible. Complete 90 days prior to expiration of a regular commitment order for youth held until expiration.	File request early enough to obtain a 90-day Transition Phase.
Reintegration Social Worker	Transfer case to another social worker	As needed upon transfer	Reintegration Social worker transfers the case to the new social worker.

Copyright © 2012 [WI Department of Corrections]

Upon Placement in 90-Day Transition Phase Prior to Release/Transfer from JCI

Staff	Form or Task	Date Due	Information
Assigned Agent of record prior to transfer of case	COMPAS Alternate Screening – CANS	Prior to alternate care referrals being made	When alternate care is considered for 10 – 17 year old, a full CANS is completed using youth's case file, JPRC reviews and youth self report. CANS is saved and generates reports: scoring summary, level or need (LON) ranked needs and strengths and mental health status. Any mismatch between LON and recommended placement type should be discussed with supervisor and county caseworker. Supervisor must approve LON override. A printed copy of CANS scoring summary and list of action items is placed in youth's social service file and given to alternate care placement.
Regional field office and Assigned Agent	Assign agent for Transition Phase based on expected placement location and program. Transfer case via JJIS or intra-office process.	Within 30 days of youth being placed in Transition Phase.	Assign Youth Counselor along with Agent where applicable.
Assigned Agent	Begin completing Reentry Checklist as tasks are done using DOC-2659	30 days after release to the community	
Assigned Agent	Determine if sex offender youththe proposed placement location is restricted by local ordinances	Within 1 week of receiving referral packet or case transfer placement in transition phase.	Notify field supervisor if affected
Reintegration Social Worker	Generate a treatment summary to date for any juvenile sex offender. Re-score scales 1 – 3 of the J-SOAP II risk assessment tool using Alternate Screening in COMPAS.	Complete within 10 days of youth's placement in transition phase. Upon completion of treatment, prior to youth's departure from the JCI.	Distribute treatment summary to Transition Team Meeting participants and OJOR.
Reintegration Social Worker /Teacher	Youth's Release Action Plan (DOC-2312)	Complete within 10 working days of youth's effective date of placement in Transition	Complete with youth and distribute.
Sending Agent**	Contact receiving agent to discuss release/transfer date, ICP, family issues and needs, victim issues, and dispositional order.	Within 30 days of youth being place in transition phase	**Only applicable when youth is going into alternate care with an assigned liaison or being released to a different county. **Only applicable when youth is going into alternate care with an assigned liaison or being released to a different county.
Sending Agent**	Formally transfer case to receiving agent	3 days after case has been accepted	Transfer case in COMPAS **Only applicable when youth is going into alternate care with an assigned liaison or being released to a different county.
Sending Agent**	Forward Youth's field file to receiving agent.	Within 7 days of the transfer being accepted	**Only applicable when youth is going into alternate care with an assigned liaison or being released to a different county.
Assigned Agent	Review: COMPAS Case Plan, Youth's Release Action Plan (DOC 2312), Lifework Education Portfolio Checklist (DOC-2313), IEP (I-13), Progress Reports, and Compas notes	Within 15 days of youth's placement in transition phase	Identify needs and appropriate community-based services
SPED teacher	Update Individual Education Plan if necessary and provide Transition Summary (I-13) to SW and to agent with parent or guardian's permission	Within 30 days of youth being placed in transition.	IEP teacher gives input to Transition Team.
Reintegration Social Worker	Complete COMPAS Youth or COMPAS Reentry	Within 30 days of youth being placed in Transition	If 16 or younger and no COMPAS Youth has been completed within the past year, complete COMPAS Youth. If 17 or older and no COMPAS Reentry has been completed within the past year, complete COMPAS Reentry. Give to OOA.
Reintegration Social Worker	COMPAS Youth or COMPAS Reentry	Upon completion of assessment	Inform state agent or county worker that assessment is complete.
OOA	Completed COMPAS Youth or Reentry assessment	When received from Social Worker	Copied and placed in youth's social service file. Sent by email to county worker/liaison.
Assigned Agent	Establish Transition Team membership and schedule Transition Team Meeting. Schedule Families Count if applicable	60 -30 days prior to release/transfer	

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Assigned Agent	COMPAS Case Plan (for those youth returning to their home or to independent living)	Update activities, tasks, goals and completions dates after every meeting with youth or related significant event to track youth's progress or lack thereof. Results are reviewed with youth during every visit.	Agent directly involves youth in updating case plan as changes occur. The Case Plan update may use input from a variety of sources including RCC staff, parents or other alternate care staff. The Case Plan tasks for youth not living at a residential care center will include work on JCIP Phase 3, Challenges, if the youth completed Phase 1 and 2 while at the JCI or the youth committed a sex offense. There should be no more than 1 – 2 tasks per goal. The existing institution youth assessment-based case plan will be used and updated as needed by the agent to conform to those needs, goals and tasks the youth will address while under community supervision. The only circumstance under which a case plan is to be copied forward is when the youth's community case plan is to be based on the transition Reentry assessment. This permits the youth to continue working on currently active needs from the youth assessment while allowing the agent to assign new needs, goals and tasks assigned based on the Reentry assessment.
Assigned Agent	Chair Transition Team meeting	Complete prior to 15 days before release	Completion 30 days pre-release highly recommended. Document completion date on Juvenile Release Authorization (DOC-1788)
Reintegration Social Worker	For boys, deliver Lesson 1 of Families Count For girls, deliver Lesson 1 and 2 of Families Count during one meeting in the JCI	Complete at conclusion of transition team meeting. CLS delivery of Families Count is in a group format, quarterly.	Document completion of Families Count on Juvenile Release Authorization (DOC-1788)
Treatment Social Worker	Send Families Count preparatory work to Reintegration Social Worker and Agent	Prior to JPRC	Provide results of assignments after each session. Upon completion of Families Count and/or JCIP 1 & 2 provide updates and assignment results.
Reintegration Social Worker	Communicate progress in JCIP 1 and 2 to JPRC.	At JPRC meeting	Convey youth's status on JCIP 1 and 2 to JPRC as applicable.
Reintegration Social Worker	Sex Offender Registration Form (DOC-1759) and Sex Offender Registration Form (Part 2) (DOC-1759a). [DOC-1759S for Spanish speaking individuals]	Complete and submit to SORP at least 10 calendar days prior to release or discharge. Provide copy to agent.	Applies to youth who committed certain offenses who are moving to Type 2 status or aftercare, or reaching expiration. Youth cannot see the DOC-1759a.
OJOR and DJC Administrator	SJO-release/transfer to community or discharge from DJC supervision	Time frames depend on offense committed	
Reintegration Social Worker	Information Transmittal and/or Request for Action (ANR) (DOC-1734)	Make a reasonable effort to complete at least 15 calendar days prior to movement of a youth without a state agent	Deadline is 5 working days prior to the release date.
Reintegration Social Worker	If no formal JPRC is scheduled, complete ANR to recommend release	Complete 20 days prior to release	
Assigned Agent	Juvenile Release Authorization (DOC-1788)	Make reasonable effort to complete at least 15 calendar days prior to movement of a youth with a state agent	Deadline is 5 working days prior to the release date. If completed less than 15 calendar days prior to release the agent must obtain supervisor's approval and document the reason the DOC-1788 could not be completed 15 days prior to release.
OOA	Notice of Release/ Transfer of Youth to Community Supervision (DOC-1627) **or** Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630)	• Make reasonable effort to complete and distribute at least 15 calendar days prior to release, transfer or discharge to the community • Send to ICJ coordinator if youth will be placed out of state	OOA requires receipt of the Juvenile Release Authorization (DOC-1788) or ANR (DOC-1734) in order to complete the DOC-1627 or DOC-1630.
OJOR-CO	Victim/Witness Notification Letter (regarding release date & type of placement)	OJOR-CO sends letter to victim/witness at least 15 calendar days prior to release or transfer date, when possible	Agents and social workers must follow proper procedures to enable OJOR to send notification letters in a timely manner.
OOA and OJOR	Chapter 980 Master List	Ongoing	OOA updates list of Chapter 980 youth monthly and OJOR reviewers monitor the list. OJOR reviewers must ensure legal timelines are met.
Reintegration Social Worker	Trial Visit and Pre-Placement Agreement (DOC-1718) or Trial Visit to Parental Home Agreement (DOC-1720)	Youth and section manager must sign prior to release	Only applies to youth leaving a JCI for a trial visit. Social worker prepares the DOC-1718 or DOC-1720 and obtains signatures.
Agent, youth and Reintegration social worker	Community Supervision Rules in COMPAS	Agent completes and reviews with youth at Transition Team meeting. Obtains youth's signature prior to youth leaving JCI	Social worker obtains youth's signature on supervision rules printed from COMPAS if not signed earlier. This includes all standard rules along with any applicable Special Rules or Sex Offender Rules.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Reintegration Social Worker /Teacher and youth	Lifework Education Portfolio	Transfer to Gatehouse for pickup along with youth's belongings at release.	Attach 3 job listings from JobNet website for youth aged 16-22.
Assigned Agent	COMPAS Case Plan	30 days prior to discharge to community supervision	Agent develops a Case Plan with youth for when youth is released to community supervision. There should be no more than 1 – 2 tasks per goal.
Reintegration Social Worker	COMPAS Case Plan	30 days prior to termination of Juvenile Order	Social worker develops a Case Plan with youth for when Juvenile Order terminates. There should be no more than 1 – 2 tasks per goal.
Reintegration Social Worker	COMPAS Case Plan	15 days prior to discharge and/or terminations of Juvenile Order	Youth signs. Copy of Case Plan is emailed to all JPRC participants.
OOA	COMPAS Case Plan	Prior to youth leaving	Files the Case Plan in the social service file.

Copyright © 2012 [WI Department of Corrections]

Upon Release/Transfer from the JCI

Staff	Form or Task	Date Due	Information
Reintegration Social Worker	Release Assessment Dialog in JJIS	Complete 10 days after release, expiration or discharge	
Agent/CSP Youth Counselors	First community supervision meeting	Within 3 days after release or transfer to the community	Review job listings in Lifework Education Portfolio for appropriate youth.
Agent	COMPAS Case Plan (for youth in alternate care)	About 21 days after initial placement.	Agent directly involves youth in updating case plan as changes occur. The Case Plan update may use input from a variety of sources including JCI staff, parents or other alternate care staff. There should be no more than 1 – 2 tasks per goal. The existing institution youth assessment-based case plan will be used and updated as needed by the agent to conform to those needs, goals and tasks the youth will address while under community supervision. The only circumstance under which a case plan is to be copied forward is when the youth's community case plan is to be based on the transition Reentry assessment. This permits the youth to continue working on currently active needs from the youth assessment while allowing the agent to assign new needs, goals and tasks assigned based on the Reentry assessment.
Agent	Schedule, facilitate and complete Transition Team Meeting.	Complete within 30 days of placement in community	
Agent	Families Count Lesson 3 follow-up for youth who receive JCIP 1 and 2.	Within 75 days of community placement	
Reintegration Social Worker	Transfer youth's record or close case	Upon release to agency other than DJC, discharge or expiration	Release: • Youth to county juvenile agency using COMPAS – transfer both person and case record to appropriate county juvenile location and new case manager. • Youth to county juvenile agency not using COMPAS – transfer person record to appropriate county juvenile location and close DJC case. Discharge or Expiration (no pending holds): • Close DJC case. Discharge or Expiration (transfer to DAI) Close DJC case (WICS/COMPAS interface should transfer person to DAI).
Reintegration Social Worker, Agent or OOA	Transfer youth's record	Upon release from JCI to DJC field supervision	Transfer person and case record to appropriate DJC field location and assigned agent.

Copyright © 2012 [WI Department of Corrections]

While the Youth is Under Community Supervision

Staff	Form or Task	Date Due	Information
Agent	Receive adult offender from DCC for supervision	Upon receipt	Update person record location in COMPAS, create assessments and juvenile case as required to supervise offender.
Interstate Compact Coordinator	Create record in WICS, JJIS and COMPAS	Upon receipt of documentation	Enter person in WICS creating a DOC number. Create record in JJIS and COMPAS.
Agent	Interstate Compact Youth create COMPAS assessment		Assess youth using the Wisconsin Primary Needs assessment.
Agent	Interstate Compact Youth create COMPAS case plan	Within 21 days of accepting case	Agent directly involves youth in developing case plan which may be revised as significant changes occur. No more than 1-2 tasks should be assigned for each goal.
Youth	COMPAS Case Plan	During community supervision	Youth play active role in developing and implementing case plan objectives and tasks. Youth signs the case plan and retains copy.
Agent	Community Supervision Rules In COMPAS.	During aftercare supervision	Conditions and rules may be revised at anytime during community supervision. Complete and obtain youth's signature for any changes.
Youth	Community Supervision Rules and Conditions (DOC-1741)	During community supervision	Youth must follow all rules and conditions of community supervision.
Youth	COMPAS Case Plan	During community supervision	Youth must work to complete goals, objectives and tasks of the Case Plan.
Youth	Complete JCIP Phase 3 as assigned by the agent	During community supervision	Youth must work to complete the Lessons of the JCIP Phase 3, Challenges, and Student Workbook.
CSP Youth counselors (SERO)	• Staff youth's case with agent • Assist in updating goals for COMPAS Case Plan • Provide safety and security • Provide goal oriented counseling to youth • Assist youth in securing services and/or employment • Maintain contact standards with youth • Assist agent with supervising youth	Daily or as needed	Youth counselors play an integral role in the daily lives of all youth and provide vital information to all staff working with youth.
Youth	Youth Report (DOC-1943)	Complete and submit to agent	The agent may request a youth to complete this form.
Agent/Youth Counselor/ Support Staff	COMPAS Notes	Ongoing during supervision	Staff utilizes Notes feature in COMPAS to record information regarding the youth's case and progress. General Notes: Used to document case activity, contacts, rules & conditions, requirements, violations, staffing, etc. • Case Plan Notes: Used to document information related directly to case plan. • Program Notes: Used only to document information regarding the youth's programs. Enter the appropriate event date for each note. Up to three note subtypes may be selected for each note type. Any note should be marked "confidential" if it contains any protected health or treatment information. Any non-confidential information should be placed in a separate note. (See Appendix A-Use of Confidential Notes). Note subtypes are to be utilized to effectively categorize the various types of information being recorded on youth contacts/events, program categories or case plan events. (See Appendix B)
Agent, Youth Counselor or OOA	COMPAS Address	During community supervision	Maintain up-to-date address and contact information in COMPAS Contact Information fields
Agent/Youth Counselor	COMPAS Drug Tests	During community supervision	Record results of any drug test to include test type, date and results.
Agent	COMPAS Education History	During community supervision	Record information on school attended or any change of educational information.
Agent	COMPAS Employment History	During community supervision	Record information on any employment, change in employment status or job skills obtained.
Agent	Progress Summary	Complete 90 days after release from JCI and every 90 days thereafter	Using designated format, Agent prepares progress summary as a case plan note within the case plan. The progress summary should also include a copy of the current case plan tracking the youth's progress or lack thereof in accomplishing the assigned goals, tasks and activities.
Agent	Update COMPAS Case Plan	Update activities, tasks, goals and completions dates after every meeting with youth or related significant event to track youth's progress or lack thereof.	Agent directly involves youth in updating case plan as changes occur. Agent prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Agent	Review need to re-score Scales 1 & 2 of the J-SOAP II in COMPAS Score Scales 3 & 4 of the J-SOAP II in COMPAS	Complete 90 days after release from JCI and every 180 days thereafter	If youth is receiving sex offender treatment, agent sends copy of scale 3 to treatment provider requesting the provider scores the scale.
Agent/Youth Counselor	Face to Face Registration with Law Enforcement (DOC- 1759)	Complete using instructions on form after release from JCI	Only applies to youth required to register as sex offenders with SORP.
Agent	Sex Offender Registration Annual/Update (DOC-1796) **or** Youth Report (DOC-1943)	Complete either form to report changes in residence, school, employment or vehicle and forward to SORP	Only applies to youth required to register as sex offenders with SORP.
Agent/OOA	Transfer case to another agent	As needed upon transfer	Agent sending the case updates COMPAS by transferring the case to receiving agent.
Agent and supervisor	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Milwaukee County—** documents due to court 9 weeks prior to expiration date	Agent and supervisor determine need for extension of commitment for youth on state supervision.
Agent and supervisor	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Other counties—** documents due to court 6 weeks prior to expiration date	Agent and supervisor determine need for extension of commitment for youth on state supervision.
Agent	COMPAS Substance Use	During community supervision	Note information on any reported controlled substance use including amount, frequency, age first used, date last used.
Agent	Violation Investigation Report (DOC-1783) only for youth on Aftercare	Complete within 7 days of discussing violation(s) with youth	Applies to youth who are alleged to have committed a major violation of aftercare rules/conditions.
Agent	Juvenile Aftercare Revocation Notice and Waiver (DOC-1795)	Within 7 days of initial detention	Only for youth on Aftercare Supervision.
Field Supervisor	Detention Notice and Appeal (DOC-1614)	Within 7 days of initial detention	Applies to youth undergoing Aftercare Revocation process.
Agent	Revocation Packet only for youth on Aftercare	Signed by supervisor at least 10 days prior to hearing, and distributed no less than 5 days prior	Applies to youth undergoing aftercare revocation process.
Agent	Complete and serve youth with Type 2 Violation Report (DOC-1911 and DOC-1912)	Within 24 hours or no longer than 3 days with supervisory approval	To be completed when youth violates Type 2 Supervision. If youth is sanctioned, a DOC-1911 and DOC-3387 Health Screening is to be completed as well.
Agent	Termination Packet applies only to Type 2 youth	Complete within 7 days of placement back at JCI or when status changes to pending termination	Applies to type 2 youth who commit a violation resulting in termination of type 2 community supervision.
Agent/OOA	Transfer youth to JCI	Within 7 days of placement at JCI	Transfer offender record and case to appropriate JCI.
Reception Social Worker	COMPAS – Youth assessment	At least 7 working days prior to scheduled JPRC	Youth being returned to JCI will need to have a COMPAS Youth Assessment if they have not had a COMPAS Youth in the past year. This includes youth who have been revoked or Type 2 terminations, regardless of how long the youth has been on field supervision.

Copyright © 2012 [WI Department of Corrections]

Prior to the Youth Being Discharged from DJC Supervision

Staff	Form or Task	Date Due	Information
Youth & Agent	Planning for reintegration back into the community	Prior to discharge from DJC supervision	Youth and agent develop plans for youth's living situation, school and/or employment and strategies to avoid re-offending.
Agent	Sex Offender Registration Form (DOC-1759)	Complete and send to SORP 10 days prior to discharge from DJC supervision	Agent must inform the youth of his or her obligation to continue to register with SORP for the next 15 years.
Agent & OJOR	Victim/Witness Notification Letterexpiration (regarding youth's expiration from DJC supervision)	Agent provides OJOR with date by phone or FAX as soon as date is known	OJOR-CO sends letter to victim/witness at least 15 days prior to expiration of youth's supervision.
Agent	Notice of Release of Youth from Community Supervision (DOC-1626) **or** Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630)	Make reasonable effort to complete and distribute at least 15 days prior to expiration or discharge	
Agent	COMPAS Case Plan	30 days prior to discharge and/or termination or Juvenile Order	Agent updates Case Plan with youth for when youth is discharged. There should be no more than 1 – 2 tasks per goal.
Agent	COMPAS Case Plan	15 days prior to discharge andor termination of Juvenile Order	Youth signs. Copy of Case Plan is emailed to all JPRC participants. The Case Plan is filed.
Agent/OOA	Transfer case to county supervision	Upon transfer of supervision	• Youth to county juvenile agency using COMPAS – transfer both person and case record to appropriate county juvenile location and new case manager. • Youth to county juvenile agency not using COMPAS – transfer person record to appropriate county juvenile location and close DJC case.
Agent/OOA	Close DJC Case	Upon discharge from DJC Supervision	Discharge/Expiration (no pending DOC cases): • Close DJC Case Discharge/Expiration (pending DAI or DCC case): • Close DJC Case, DAI or DCC will create new adult case. WICS/COMPAS interface should transfer person record.

Copyright © 2012 [WI Department of Corrections]

Special Circumstances-Dual Supervision Cases

Staff	Form or Task	Date Due	Information
Minor sentenced as adult in DJC facility			
DAI Staff	Fingerprints & Photographs	Upon arrival	Intake processing and brief orientation prior to transfer to DJC.
WICS-COMPAS Interface	Create person record in COMPAS		Automated interface will create COMPAS person record upon receipt of SID from DOJ.
Reception Social Worker	COMPAS – Youth assessment completed		Create a new juvenile case in COMPAS when creating the assessment. Social Worker assesses Need Scales and selects 2-3 high needs areas. Record any pertinent information regarding the youth as an Assessment Note. This would include youth's cooperation and truthfulness, mental stability, trouble in comprehending assessment questions, corrected or copied assessments, etc. Social worker notes any pertinent information it is felt was not identified in the assessment by using an assessment note in COMPAS. DJC will conduct its own assessment of the youth even if an assessment was recently done by another agency.
All Institution Staff	Update COMPAS case as needed to insure integrity or data.	As needed	Continue to update case information as needed until youth is returned to DAI.
Social Worker	Close COMPAS juvenile case and transfer person	When youth returned to DAI institution	Close COMPAS juvenile case Using code "Transferred" to insure confidentiality of juvenile data. Transfer person record upon youth's transfer back to a DAI facility.
DAI Staff	Create COMPAS Adult case	Upon return to DAI facility	Create an adult case in COMPAS for use while youth is under DAI and any subsequent DCC supervision.
DJC Supervised Youth Receives Adult Probation			
DCC Agent	Create Adult case in COMPAS	Upon assignment	Adult COMPAS case used to document work done while youth is under DJC supervision.
Agent	Adult Community Supervision Rules in COMPAS	Agent completes and reviews with youth and obtains signature	Set any applicable adult rules in addition to existing juvenile rules and obtain signature on printed adult rules. This includes all standard rules along with any applicable Special Rules or Sex Offender Rules.
Agent/OOA	Update both juvenile and adult COMPAS cases as needed pursuant to current business process.	During period of supervision update activities, tasks, goals and completions dates after every meeting with youth or related significant event to track youth's progress or lack thereof	Agent directly involves youth in updating case plan as changes occur. Continue to update case information as needed until youth is placed under DCC supervision. Agent prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan. Communicate with DCC Agent as necessary.
Agent/OOA	Close COMPAS juvenile case	Upon termination of DJC supervision and transfer to DCC.	Close juvenile case to insure confidentiality of information.
Agent/OOA	Transfer person to DCC	Upon termination of DJC supervision and transfer to DCC.	If applicable, transfer person record to applicable DCC unit.
DCC Agent	Update adult COMPAS case.	During period of supervision	Continue to update case information as needed while individual is under DCC supervision.
DCC Agent	Close adult COMPAS case	Upon completion of supervision	Close case when individual is no longer under DOC supervision.
When PSI is created for individual with COMPAS Juvenile case			
PSI agent	Create a new adult lifecycle for the PSI when only a juvenile lifecycle exists.	When creating PSI in COMPAS.	In order to insure the total confidentiality of the juvenile COMPAS case, any adult case must exist in a separate lifecycle.
PSI agent	Notify DJC agent (if applicable)	Upon creation of adult COMPAS case	If juvenile case is open, notify currently assigned DJC agent and advise of current court actions.
Agent/OOA (if applicable)	Verify PSI has been created in a new adult case in COMPAS	As made aware of PSI being required for supervised or formerly supervised youth.	In order to insure the total confidentiality of the juvenile COMPAS case, any adult case must exist in a separate lifecycle.
PSI agent	Create PSI in COMPAS	Prior to date set by sentencing court	Perform actions necessary to complete court-ordered PSI using COMPAS.
PSI agent	Close adult COMPAS case	Upon completion of PSI	Close adult COMPAS case when PSI has been completed. If individual is sentenced to DOC case may be reopened.

Copyright © 2012 [WI Department of Corrections]

Special Circumstances-Error in Previous Assessment

Staff	Form or Task	Date Due	Information
Social Worker or Agent	Document error in previous COMPAS assessment	When discovered	If youth is still under supervision of the person creating the original assessment, discuss with assessor. The person completing the original assessment will edit the original assessment and make note using assessment notes. If youth is no longer under the supervision of the original assessor, staff recognizing the error should do the following: • Copy the original assessment forward using the same assessment type • Make the necessary changes to the copied-forward assessment • Calculate the assessment • Complete an assessment note documenting the reason for the new assessment • Contact the assessor who made the error and politely inform them of the error and corrected assessment • DO NOT delete the incorrect assessment

Copyright © 2012 [WI Department of Corrections]

Appendix A-Use of Confidential Notes in COMPAS

In order to share as much information with our county partners as able, while still protecting certain confidential information, DOC has activated the use of the "confidential notes" button in COMPAS.

Because the assessment and case plan goals and tasks do contain specific treatment or diagnostic information, there is no requirement to keep this information confidential; however, DOC understands there is a need to capture treatment and diagnostic information within the system to ensure appropriate case planning activities. While this diagnostic information can be shared within DOC for those who have a business need to know the information, it should not be shared with our county partners without a release. Relevant definitions that affect this process are as follows:

HIPAA Definitions

Individually identifiable health information – Information that identifies an individual, including demographic information, created or received by a health care provider that relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual.

Protected Health Information (PHI) – Individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium.

Ch. 146, Wis. Stats. Definition of Health Care Record

"Patient health care records" means all records related to the health of a patient prepared by or under the supervision of a health care provider; and all records made by an ambulance service provider, as defined in s. 256.01 (3), an emergency medical technician, as defined in s. 256.01 (5), or a first responder, as defined in s. 256.01 (9), in administering emergency care procedures to and handling and transporting sick, disabled, or injured individuals. "Patient health care records" includes billing statements and invoices for treatment or services provided by a health care provider and includes health summary forms prepared under s. 302.388 (2). "Patient health care records" does not include those records subject to s. 51.30, reports collected under s. 69.186, records of tests administered under s. 252.15 (5g) or (5j), 343.305, 938.296 (4) or (5) or 968.38 (4) or (5), records related to sales of pseudoephedrine products, as defined in s. 961.01 (20c), that are maintained by pharmacies under s. 961.235, fetal monitor tracings, as defined under s. 146.817 (1), or a pupil's physical health records maintained by a school under s. 118.125.

It is important to understand that different roles within corrections have different expectations for confidentiality. For example, medical, psychiatric, or psychologist staff entering notes about an appointment would require checking the confidential button. However, an agent or social worker would not need to check a note confidential if it contains no treatment or diagnostic information (example: Joe successfully attended his court mandated Psych Evaluation).

- The confidential button in COMPAS notes shall be checked for any confidential information including all individually identifiable medical, dental, mental health and AODA information. This includes diagnosis of a need for medical, dental, mental health and AODA treatment, and any health care services (treatment) provided, victim information (phone number, address, sensitive crime details, victim view on early discharge, etc.), and indications of acting as a confidential informant. This information shall be stored in a separate note than other non-confidential information which should be made available. In other words, do not restrict shareable information by combining it in one note with confidential information and marking the entire note confidential.

- DOC Employees should only access records in COMPAS that are related to their caseload.

  Acceptable: Checking notes of a co-defendant for payment information
  Not Acceptable: Checking in COMPAS for the name of a person in the paper today, who has no connection to your caseload.

- Requests for confidential notes will require a **DOC-1163A**, Authorization for Use and Disclosure of Protected Health Information. These requests should be processed like any other request for records.

- In order to share as much information as possible, any diagnosis and treatment post-diagnosis information should be documented in a separate note marked confidential. The example below shows our existing notes and what the new notes would look like:

  Historical:

Joe went to his support groups. He attended three this week and has found a sponsor.
Joe attended his court ordered AODA assessment. He was diagnosed with substance abuse and dependency. He will be attending treatment three times per week for two hours per session. He attended his first treatment session where they learned about the effects of alcohol and drugs on the brain.
A random UA was taken and showed positive for cocaine use. Joe indicated he used 3 days ago and has been in contact with his sponsor several times since then, which he believes has helped.
Joe attended his psychiatric evaluation and was diagnosed with depressive disorder. He will continue to see Dr. Jones one time per week for treatment of his condition.
Joe attended Cognitive Behavioral Treatment and is working on the ABC model. He practiced his skills in group.

As of March 10th, 2014:

NOTE NOT MARKED CONFIDENTIAL		**SEPARATE NOTE MARKED CONFIDENTIAL**
Joe went to his support groups. He attended three this week and has found a sponsor. Joe attended his court ordered AODA assessment. A non- treatment related random UA was taken and showed positive for cocaine use. Joe indicated he used three days ago and has been in contact with his sponsor several times since then, which he believes has helped. Joe attended his psychiatric evaluation. **(Unless entered by someone qualified to make a diagnosis, such as a psychiatrist, psychologist, etc. If this is entered by a qualified person, this note would be marked confidential)** Joe attended Cognitive Behavioral Treatment and is working on the ABC model. He practiced his skills in group.		Joe's assessment diagnosis was substance abuse and dependency. He will be attending treatment three times per week for two hours per session. He attended his first treatment session where they learned about the effects of alcohol and drugs on the brain. **PLEASE NOTE IF THIS WAS A TREATMENT ORDERED UA, IT WOULD BE MARKED CONFIDENTIAL** Joe attended his psychiatric evaluation and was diagnosed with depressive disorder. He will continue to see Dr. Jones one time per week for treatment of his condition.

Copyright © 2012 [WI Department of Corrections]

Appendix B – Use of Note Subtypes

Note subtypes should always be used, although may not be applicable for certain note types (i.e. Assessment note).. The use of note subtypes permits for efficient filtering of notes specific to a certain category of contact. Note subtypes are most commonly used in General, Case Plan and Program Notes.

Examples of:

General Note Subtypes	Program Note Subtypes	Subtypes Applicable to Multiple Note Types
Collateral	Anger Management	Education
Community Visit	Career Technical	Court Appearance
Home Visit	Cognitive Behavioral	JMCORP
Jail/Detention Visit	Domestic Violence	Release Planning
JCI Face-to-Face Visit	Program Review	Skill Practice
Mail/Email/Telephone	Program Sex Offender	Staffing
Office Visit	Psychological	Violation
Video Conference	Restorative Justice	Work Release
	Substance Abuse	

Copyright © 2012 [WI Department of Corrections]

Appendix C – Case Transfers within COMPAS

At the point of Divisional intersections, DAI, DCC, and DJC case managers shall facilitate a seamless Unified Case Plan transition as the offender moves from one division to the other, or within an existing Division. Examples of transitions include, but are not limited to, release from DAI to DCC, revocation from DCC to DAI, and transfers from one P&P Agent/Social Worker to another.

When the offender is exiting an existing Division or transferring within the same Division, the sending case manager shall review all incomplete tasks/activities and select the Completion Code of Unsuccessful for any that were unsuccessful (failed) as a direct result of the offender's actions or lack thereof. All other incomplete tasks and activities shall be left open for potential continuation in the receiving location. The receiving case manager shall then review the existing incomplete tasks/activities for potential continuation. The receiving case manager also has the option to start new tasks/activities based on Division or site-specific programs or services. In the event that an incomplete task/activity is no longer applicable, the receiving case manager shall close the task/activity by selecting the Completion Code of Closed. Any time a task or activity is updated or closed, a task note shall be created, documenting the action. Note, during the transition the goal should generally remain the same, as it is primarily driven by the assessment and not Division-specific.

In the case of transition from DJC to an adult Division, the receiving Division's case manager shall create a new case (Lifecycle) and case plan because the juvenile case plan will be closed at the same time as the case (Lifecycle) is closed. The case manager shall review the previous juvenile case plan for continuity and to avoid redundancy when creating the new case plan based on an adult assessment.

Copyright © 2012 [WI Department of Corrections]

Release of COMPAS Results

Introduction

WI DOC complies with Public Records Law by striving to be as transparent as possible as it relates to the use of the COMPAS risk/need assessment system. Only when the release of this record would compromise the rehabilitation of a person in the custody of the Department of Corrections, or would endanger the security, including the security of the population or staff, of state prisons and other facilities as identified in Wis. Stat. sec. 19.35(1)(am)2.c. will denials be made on a case-by-case basis under the advisement of the Office Legal Counsel. Otherwise, WIDOC's obligation will be to release the record. As such, upon receipt of request for the disclosure of the COMPAS results, the applicable Legal Custodian will compile and release the COMPAS Bar Chart and Narrative Summary.

Process

1. Upon receipt of request for the disclosure of the COMPAS results (hereby defined as the Bar Chart and Narrative Summary), the receiving staff person shall route the request to the appropriate Legal Custodian.
2. The Legal Custodian shall retrieve the Bar Chart and Narrative Summary either by accessing COMPAS him/herself or asking the assigned case manager to compile them.
3. In accordance with Executive Directive 21, the Legal Custodian shall provide the COMPAS results to the requestor.

Authority

ss. 15.04 (1) (a), 15.14, and 19.21-19.39
Executive Directive 21

Timeline

Each Legal or deputy custodian, upon a request for any record, shall, as soon as practicable and without delay either fill the request or notify the requestor of the Department's determination to deny the request in the whole or in part and the reason therefore. The legal or deputy custodian shall fulfill any small and straightforward request within 10 business days of receipt whenever it is practicable to do so.

Copyright © 2012 [WI Department of Corrections]

Division of Adult Institutions (DAI)

Copyright © 2012 [WI Department of Corrections]

There are no DAI Social Worker responsibilities in the Arrest offender lifecycle stage.

Copyright © 2012 [WI Department of Corrections]

There are no DAI Social Worker responsibilities in the Pre-Sentence offender lifecycle stage.

Copyright © 2012 [WI Department of Corrections]

DAI Intake Overview and Social Worker/Treatment Specialist Responsibilities

Americans with Disabilities Act (ADA)
Advance Directives for Health Care (Power of Attorney for Health Care and Living Will)
Attorney Phone Calls
COMPAS
Disciplinary Rules
Drug Testing
Family Illness & Emergencies
HIPAA
In Memoriam, Audio Video Recording Review
Initial Classification
Inmate Complaint Review System
Inmate Portfolio
Inmate Pregnancy & Childbirth
Inmate Vital Documents
International Transfer
Limited English Proficiency (LEP)
Litigation
Media Contacts
Notification and Visitation of Inmate Patients
PREA
Security-Conduct Reports
Security-Incident Reports
Special Placement Needs (SPN)
State Clothing
Telephone Calls
Visiting Intake/Reception
Visiting Regulations

Americans with Disabilities Act (ADA) Back to Top

Under DAI 300.00.35, the Department is committed to assuring fair and equitable treatment of individuals with disabilities who are under its supervision or who seek access to its programs, services, or activities. Under the ADA, discrimination against inmates, juveniles, and offenders with disabilities or other individuals with disabilities is prohibited.

- Upon intake at a DOC facility, inmates shall be advised of their rights to reasonable accommodations to include the method for requesting such accommodation and the procedures for seeking an administrative remedy of a denial or modification of such requested accommodation.
- DOC-2530 Reasonable Modification-Accommodation Request shall be completed by the inmate and forwarded to the institution/center ADA Coordinator.

  If an inmate requests reasonable accommodations:
  - ADA Coordinator will acknowledge receipt of the DOC-2530 and return a copy to the inmate
  - HSU and/or PSU staff and ADA Coordinators shall obtain and review all relevant medical and mental health history to determine extent and origin of the disability and need for accommodations for the inmate.
    - A signed authorization by the inmate is not required for an ADA Coordinator to access Protected Health Information (PHI) contained in DOC records such as the Health Care

Copyright © 2012 [WI Department of Corrections]

- Record and Social Service File when the information directly relates to the ADA request.

  A signed DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI) is required for an ADA Coordinator to obtain external health records (i.e. information obtained by community health providers prior to incarceration)

- The ADA Coordinator shall make arrangements with the HSU Manager and/or PSU Supervisor for evaluation by qualified experts (e.g. audiologist, ophthalmologist, etc.) to verify any functional impairment and determine the need for reasonable accommodation. DOC shall obtain a signed DOC-1163A prior to providing a non-DOC evaluator with access to any Protected Health Information (PHI).
- The Security Director/Designee shall review all ADA recommended devices for security concerns.
- The ADA Advisory Committee may be consulted in determining accommodations.
- The ADA Coordinator will implement reasonable accommodations, if approved.

NOTE: If staff believe an inmate has an ADA need after initial intake, the ADA Coordinator shall be notified.

Social Worker/Treatment Specialist Responsibilities:

Ensure inmate is referred to the ADA Coordinator for any ADA needs. If the inmate has an obvious disability that requires assistance, e.g. hearing impaired, blind, mobility issues, discuss with the ADA Coordinator how to facilitate services to the inmate for any social worker interactions with the inmate.

Advance Directives for Health Care (Power of Attorney for Health Care and Living Will) Back to Top

The Power of Attorney for Health Care Form (DHS Form F-00085) makes it possible for adults in Wisconsin to authorize other individuals (called health care agents) to make health care decisions on their behalf should they become incapacitated. The Living Will Form (DHS Form F-00060) makes it possible for adults in Wisconsin to state their preferences for life-sustaining procedures and feeding tubes in the event the person is in a terminal condition or persistent vegetative state.

Social Worker/Treatment Specialist Responsibilities:

The Power of Attorney and Living Will documents may be available through the Social Worker, Library, and/or HSU. Please refer to specific institution policies. The Social Worker should review the documents for completion with the inmate to ensure all of the information is completed on the form. Two witnesses are required for Power of Attorney and Living Will. Witnesses cannot be a health care provider who is providing health care services at the time of the document being signed or an employee of the health care provider unless the employee is a chaplain or social worker. Once the form is signed by the inmate and two witnesses, the form should be returned to the Health Services Unit. For additional information, please refer to the DAI 500.00.10 Advance Directives for Health Care policy.

At this time, a review of Emergency Contact Information is encouraged.

Attorney Phone Calls Back to Top

Inmates may call attorneys regarding legal matters with the permission of the appropriate staff member. Such calls may be made regardless of the inmate's security status. An inmate's telephone calls to an attorney are not subject to the maximum limit in number, and an attorney's name need not be on the inmate's approved visiting list. Properly placed and approved attorney telephone calls will not be recorded. Calls may be limited based on time and space availability at the institution.

Collect telephone calls to attorneys can be made utilizing the inmate phone system. To ensure these calls are not monitored and or recorded the inmate should complete a Telephone Request Attorney Add/Delete (DOC-1631 or DOC-1631S) form and forward to the appropriate staff member. The facility/institution will forward the form to the inmate phone carrier/vendor, who will then send a letter to the attorney to verify that they are the attorney of record and willing to accept the inmate's collect call/s. The inmate phone carrier/vendor will enter attorney phone

Copyright © 2012 [WI Department of Corrections]

numbers into the phone system upon receipt of affirmative response from the attorney and will notify the facility/institution by returning the approved form.

Attorneys can initiate phone calls with their clients by calling the facility/institution to arrange.

Social Worker/Treatment Specialist Responsibilities:

Based on institution procedures, Social Workers may be involved in scheduling attorney phone calls.

For additional information, the following references may be utilized:

- WI Statute s. 309.405 – Telephone Calls to Attorneys
- DAI Policy 309.39.01 – Monitoring and Recording of Inmate Telephone Calls

Disciplinary Rules Back to Top

DOC Chapter 303 disciplinary rules apply to all inmates in its legal custody regardless of the inmates' physical placement. All staff are responsible for knowing and understanding the disciplinary rules for inmates and how to write a conduct report (DOC-0009) when necessary.

Institutions may make specific procedures for the operation of the institution in accordance with department policy. Inmates may be disciplined for violations of department policy, including institution regulations. Many rules are found in individual institution handbooks.

Each institution shall maintain at least one official method for notifying inmates about notices of general applicability. Most institutions use the institution library as the official method of notifying inmates of general rules.

When an inmate receives a conduct report, the inmate has certain rights that must be afforded to him which are called “due process.” If the inmate does not contest the charges or recommended disposition, the process ends and the inmate serves the disposition imposed. Inmates are given an opportunity to make a statement regarding the alleged rule violation(s) and in a major rule violation, they may have an option of a hearing with or without witnesses and a staff representative. A hearing officer holds the hearing and determines a finding of guilt and penalty imposed.

Social Worker/Treatment Specialist Responsibilities:

An employee who observes or becomes aware of a rule violation shall verify that a violation has occurred and shall write a conduct report. If more than one employee knows of the same incident, only one of them shall write a conduct report. Forms are available on all housing units. Social Workers may refer to Security staff for assistance in the report writing process. As part of a major conduct report hearing, Social Workers may be called as a witness to testify regarding the alleged rule violation.

In the conduct report, the employee shall describe the facts and list which rules were allegedly violated. Social Workers also play a key role in counseling inmates regarding their rule violations and using available tools to encourage pro-social behaviors. As an example, tools such as Carey Guides, BITS, and/or Thinking Reports may be utilized with the inmate.

For additional information, the following references may be utilized:

- Wisconsin State Statute ss. 301.03 (2), 302.04, 302.07, 302.08, and 302.11 (2)
- Administrative Code Chapter 303 – Discipline
- DAI 303.00.02 Restrictive Housing Programs and Review
- DAI 303.00.03 Temporary Lock Up
- DAI 303.00.04 Disciplinary Guidelines
- DAI 303.00.05 Law Enforcement Referrals

DAI 303.72.01 Establishing Restitution for Disciplinary Dispositions

Drug Testing Back to Top

Copyright © 2012 [WI Department of Corrections]

The Division of Adult Institutions performs drug testing of inmates to protect the public and provide a drug free and safe environment for staff and inmates.

The drug-testing program includes random testing, saturation testing, targeted testing, testing for cause, and testing while in treatment. The inmate may request a confirmation test when the test results come back positive. The inmate will be responsible for the cost of the confirmation test it the results are consistent with the initial test results.

Each facility designates a facility coordinator to oversee this process. Designated staff who have received training are responsible for specimen collection and processing.

The DOC may utilize drug-testing methods other than urinalysis, such as saliva and hair analysis in certain situations.

COMPAS is used to record all drug testing results performed on inmates.

Social Worker/Treatment Specialist Responsibilities:

Review conduct reports for use of intoxicants as that may have an impact on classification hearings, programming recommendations, case planning, and release planning.

For additional information, the following references may be utilized:

- DAI 306.17.01 Inmate Drug Testing 11-01-15
- DAI Policy 500.30.66 – Intoxication and Withdrawal

Family Illness & Emergencies Back to Top

The institution receives information regarding the death of a family member and verifies its accuracy. The inmate's social worker, assigned psychologist, unit sergeant, chaplain, and security supervisors are informed. An emergency phone call to family can be allowed at this time.

Social Worker/Treatment Specialist Responsibilities:

Upon receiving information that an inmate's family member has passed away, social worker should ask for information to verify accuracy – hospital, police department, funeral home, and/or coroner. Social Workers are expected to inform inmates of information regarding the death of a family member when they are in work status. Social Workers should relay pertinent information to unit staff, assigned psychologist, chaplain, and security supervisors upon completion of phone call. Social Workers should also document all pertinent information in a COMPAS note. In the event of an emergency phone call, the DOC-0831 should be completed and routed to appropriate institution staff (to be determined-follow-up).

HIPAA -(Health Insurance Portability and Accountability Act 1996) Back to Top

Employees of the Department of Corrections shall request, access, use and disclose confidential Protected Health Information (PHI) in accordance with federal HIPAA regulations, and other relevant Wisconsin and federal laws. The DOC shall mitigate, to the extent practicable, any known harmful effect resulting from a use or disclosure of PHI by the DOC or a Business Associate that violates HIPAA regulations. Protected Health Information includes, but is not limited to, any medical records, AODA/Substance Use Disorder treatment information, and psychological records. A DOC employee, upon becoming aware of possible violation by a DOC employee, including agency and contracted staff, interns and volunteers, or a Business Associate of the DOC, of a policy or procedure, or a Federal or Wisconsin law regarding the use or disclosure of PHI has a duty to report the possible breach to the DOC HIPAA Compliance Officer via telephone, email and/or by completing a DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information (PHI).

Social Worker/Treatment Specialist Responsibilities:

- Fully complete and review the 1163 or 1163A with the inmate and have the inmate sign the authorization.
- Provide copies to the inmate and requested parties needing to have disclosure of the protected health information following the distribution list on the 1163 or 1163A.

Copyright © 2012 [WI Department of Corrections]

For additional information, the following references may be utilized:

- Policy 500.50.01 Minimum Necessary and Duty to Mitigate HIPAA Standards
- DOC-1163 – Authorization for Disclosure of Non-Health Confidential Information
- DOC-1163A – Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information

In Memoriam Visit, Audio Video Recording Review Back to Top

An inmate who has experienced the recent death of a close family member may be offered the opportunity to participate in an in memoriam visit or video/audio recording review of the community memorial service. The inmate should request this through the Chaplain/Designee and it will be evaluated, approved, or denied, in accordance to DAI 309.00.08 In Memoriam Visit, Audio Video Recording Review. If approved by the Warden/Designee, the Chaplain/Designee will arrange a day and time for the viewing.

Social Worker/Treatment Specialist Responsibilities:

Social Worker should educate the inmate on the policy and institution procedure. Chaplain may collaborate with social worker on information provided by inmate to verify appropriate relationships.

Initial Classification Back to Top

Upon arrival at a DAI intake center and within eight weeks of arrival, inmates are assessed and evaluated for custody, program/treatment needs, and placement per Chapter DOC 302, Inmate Classification, Sentence, and Release Provisions.

Custody: Factors in assigning inmate custody are:

1. nature and seriousness of the offense
2. criminal record
3. length of sentence
4. motivation for the crime
5. attitude towards the crime
6. conduct
7. time served
8. medical and clinical needs
9. risk to a victim, witness, or the public
10. program performance
11. pending legal matters or detainers
12. decisions by the Parole Commission
13. the results of risk rating instruments
14. inmate vulnerability.

Program/Treatment Needs: Inmates may be considered for academic/vocational assignments or treatment program assignments if the following are met:

1. based upon an evaluation of the criminogenic needs, which result in program assignment;
2. space availability;
3. inmate attains the custody level needed to transfer to site where the program is available;
4. inmate meets program prerequisites;

Copyright © 2012 [WI Department of Corrections]

5. inmate may choose to not participate in program or treatment assignments with the understanding that a refusal could affect custody classification and placement.

Placement: Considerations for site placement include:

1. inmate custody is matched with the security level of the facility;
2. program assignments;
3. sentence structure;
4. area of release.

THE FOLLOWING PROCESSES ARE COMPLETED PRIOR TO or DURING THE INMATE'S INITIAL CLASSIFICATION (IC) STAFFNG INTERVIEW:

- COMPAS Core Assessment
- Alternative Screening Tools
- Risk Assessment in WICS
- Pre-Release Curriculum

Reentry Portfolio

Social Worker/Treatment Specialist Responsibilities:

Refer inmate to the Offender Classification Specialist with any questions regarding this process.
For additional information, the following references may be utilized:

- DOC Chapter 302 – Inmate Classification, Sentence, and Release Provisions

Inmate Complaint Review System (ICRS) Back to Top

Inmates in all institutions have a process available to them so their grievances can be expeditiously raised, investigated, and decided.

All institutions and centers have a designated Institution Complaint Examiner (ICE) who is charged with investigating complaints (DOC-0400 Inmate Complaint) and making recommendations to the appropriate reviewing authority (RA). The RA decides the complaint. If dissatisfied with the RA's decision, the inmate has the option of filing an appeal (DOC-0405 Request for Corrections Complaint Examiner Review) to either the RA (for rejected complaints) or the Corrections Complaint Examiner (CCE), who then makes a recommendation to the Secretary of the Department. Prior to submitting complaints, inmates are required to attempt to resolve the issue by following the designated process specific to the subject of the complaint; normally by following the institution's chain of command.

Social Worker/Treatment Specialist Responsibilities:

Social Workers should be familiar with the chain of command so they may re-direct inmates to resolve their complaints with the appropriate department.

If the inmate chooses to submit a complaint and the ICE directs the inmate to contact the Social Worker in an attempt to resolve the issue, the Social Worker must respond to the request in writing, or schedule the inmate to be seen (if necessary). If seen, the Social Worker should let the ICE know that they met with the inmate to discuss the complaint issue. Social Workers are also responsible for responding to any inquiries made by the ICE in the investigation process.

For additional information, the following references may be utilized:

- DOC Chapter 310 Complaint Procedures
- DAI 310.00.01 Inmate Complaints Regarding Staff Misconduct
- DAI 310.00.03 Inmate Property Depreciation Sched & Calc Spreadsheet

Copyright © 2012 [WI Department of Corrections]

- DAI 310.00.03 Inmate Property Depreciation Schedule

Inmate Portfolio Back to Top

The Division of Adult Institutions requires inmates to develop and maintain a portfolio that must contain data and information to assist the inmates during their incarceration and reentry into the community.

Social Worker/Treatment Specialist Responsibilities:

Upon initial classification, all inmates will be issued a portfolio.

Inmates not previously issued a portfolio at the time of intake must be provided a portfolio at the earliest convenience, such as at reclassification, or at time of assessment and case planning.

Inmates must be directed to sign a DOC-2425 (Acknowledgement of Receipt of Reentry Portfolio) acknowledging receipt. If an inmate refuses to sign the form, a staff member must sign and note the inmate's refusal to sign.

The portfolio must be kept in the inmate's personal property during the term of their incarceration and must be used to retain important documents identified on DOC-2399 (Portfolio Checklist).

Staff must review inmate portfolio for appropriateness of content in preparation for formal meetings. The portfolio must be requested and presented at all formal meetings.

Staff must also assist in the acquisition of essential educational documents. Upon release, the facility must provide inmates that have had access to electronic file folders on DOC EdNet, copies of any requested employment, education or release planning documents on an approved portable storage media.

Social Worker/Treatment Specialist Responsibility: Tasks may vary by facility. The SW/TS should review the portfolio with the inmate during case planning and in preparation for reclassification hearings. If the portfolio is damaged or lost the inmate will be assessed a $4.00 replacement cost.

For additional information, the following references may be utilized:

DAI 300.00.15 - Development and Use of Inmate Portfolio

- DAI 300.00.14 – Pre-release Curriculum

Inmate Pregnancy & Childbirth Back to Top

Upon intake all inmates are given a pregnancy test to determine status. Inmates who are found to be pregnant will be evaluated by HSU for any appropriate restrictions. HSU staff will complete forms notifying the appropriate individuals within the institution of the inmate's status.

Social Worker/Treatment Specialist Responsibilities:

Upon receiving notice from HSU, the Social Worker will interview the inmate regarding intended placement of the child upon birth. The Social Worker will inform the Human Services Department in the guardian's county of residence to identify any concerning matters. If the first placement is found to be inappropriate, other placement options will be evaluated. Once placement is confirmed, the inmate completes the DOC-1498 Newborn Placement with assistance by the DOC Social Worker, who forwards to the Social Worker assigned to the Maternity Unit at St. Agnes Hospital. After the birth of the child, visitation with the guardian and child may be approved and facilitated by the Social Worker.

Limited English Proficiency (LEP) Back to Top

Inmates, offenders and youth in WI DOC custody and supervision are provided with language assistance if needed to have meaningful access to documents, services and programs. This ensures that they are not precluded from accessing or participating in important programs or proceedings including those which may affect the duration and conditions of their confinement or supervision.

The Secretary appointed a cross-divisional LEP Executive Committee to provide guidance on implementation of ED#71 and division policies.

Language Assistance – Services used to effectively communicate information between DOC staff and LEP inmates, while retaining the same meaning (true and accurate; not summarized).

- Interpretation – Verbal conversion of dialogue from one language to another and may be provided in

Copyright © 2012 [WI Department of Corrections]

- person or via telephone and/or video conference. The interpretation must retain the exact meaning.

  Translation – Written conversion of documents from one language to another.

Two different avenues of document translation include (but are not limited to):

1. Certain routinely used DOC or division forms and documents shall be translated (written) pre-emptively if LEP inmate/offender/youth population meets or exceeds the percentage threshold of the total population as recommended by the US DOJ, or if determined to reduce DOC administrative workload and costs.The LEP Executive Committee provides guidance on need for pre-emptive document translation.
2. Individual inmate/offender/youth document translation - written translation and/or verbal interpretation shall be provided for documents and proceedings if relating to individual "vital documents" as defined in ED #71.For example, classification/parole/revocation reports, COMPAS Unified Case Plans (UCPs) and complaint responses would be provided in the inmate/offender/youth primary language (Spanish or other).The English-language version remains the official record.

On Intake, inmates' primary and secondary languages are identified and documented in WICS. Their ability to speak, read, write and understand English is also documented. As part of an inmate's educational assessment, staff must identify and document the need for ESL/ELL classes. It is also acknowledged that some inmates deemed bilingual for routine, day-to-day communication may need Language Assistance for comprehension of Vital Communications.

Each facility has a designated LEP Coordinator to monitor compliance with LEP laws and policies, assist with the provision of language assistance, and maintain records related to language assistance.

Social Worker/Treatment Specialist Responsibilities:

Social Workers shall ensure inmates have access to language assistance if need is identified for either translation of vital communications or verbal interpretation. Vital communications are any written, electronic or verbal communication associated with an inmate's legal issues, health, safety, length of incarceration/supervision, conditions of confinement and discipline (e.g. classification decisions, case plans, conduct reports, medical documents, records office documents, treatment groups).

Social Workers should contact their institution LEP Coordinator to arrange language line resources, when necessary. When the language line is utilized for a LEP inmate, an incident report (DOC-2466) must be completed in WICS.

For additional information, the following references may be utilized:

- Executive Directive 71 - Language Assistance Policy and Implementation for Addressing Needs of Offenders with Limited English Proficiency (LEP)
- DAI 300.00.61 - Language Assistance for Limited English Proficiency (LEP) Inmates
- POC-0067 Staff Handbook Communicating with Spanish Speaking Offenders;
- "I SPEAK" Cards

LEP mailbox for inquiries to the LEP Executive Committee – DOCLEP@wisconsin.gov

Litigation Back to Top

Each DAI facility has a Litigation Coordinator/Designee who is authorized to accept service for institution staff and inmates. Service may be accomplished by the sheriff's department personally serving the institution, by U.S. Mail, or a process service. An inmate may contact the Litigation Coordinator/Designee to request to serve a legal document to a staff member at their facility. Inmates shall utilize outside third parties to serve defendants at other facilities.

Upon receipt of legal action the Litigation Coordinator/Designee should scan and email all documents related to the inmate lawsuit, including service of process information to the designee/liaison at Department of Justice (DOJ) and

Copyright © 2012 [WI Department of Corrections]

the DOC Office of Legal Counsel (OLC), and any other identified designees of the facility.
The Litigation Coordinator will assist any Social Worker/Staff Member through the litigation process, if they are required to respond to affidavit, declaration, etc.

Social Worker/Treatment Specialist Responsibilities:
Present any legal documents received at home to your facility's Litigation Coordinator as soon as possible and document the incident on an Incident Report (DOC-2466). Respond to any requests from the Litigation Coordinator, DOC OLC or DOJ as promptly as possible.

Prison Rape Elimination Act (PREA) Back to Top

The Prison Rape Elimination Act (PREA) was passed in 2003. The law created the National Prison Rape Elimination Commission (NPREC) and charged it with developing standards for the elimination of sexual abuse in confinement. The law required the Department of Justice (DOJ) to review the NPREC standards, make revisions as necessary, and pass the final standards into law.

The final rule became effective on August 20, 2012. The national standards were established to prevent, detect, and respond to sexual abuse and sexual harassment in confinement.

The Wisconsin Department of Corrections maintains a zero tolerance standard for sexual abuse and sexual harassment.

Under the Office of the Secretary, the PREA Office of the Wisconsin Department of Corrections is responsible for education, interpretation, compliance, investigations, auditing and data collection.

Inmate Education – Inmates shall receive education during the intake and transfer process and document receipt of such education in WICS using a signature pad.

Risk Screening – Screenings shall be conducted within 72 hours of admission and again within 30 days. Inmates shall also be rescreened when the facility receives new information that might bear upon their safety.

Sexual Abuse Incident Reviews – A team consisting of facility leadership, investigator(s), medical/mental health, and victim services coordinator(s) (VSC) shall conduct reviews within 30 days of the close of the substantiated and unsubstantiated sexual abuse investigation.

Retaliation Monitoring – VSC shall monitor inmates who allege sexual abuse for a period of at least 90 days (at least one status check every 30 days), or until the allegation is determined to be unfounded.

Staff Training – All staff, volunteers and contractors who have contact with inmates shall receive PREA training.

Social Worker/Treatment Specialist Responsibilities:
If an inmate reports sexual abuse while confined you shall notify a security supervisor immediately. If the alleged abuse occurred within or around 120 hours, request that the alleged victim not take any actions that could destroy evidence (e.g. brush teeth, shower, use toilet, change clothing, drink or eat). Act to protect the offender from immediate harm. Gather basic information about the offender's risk. Document the reported allegation, any concerns, notifications made and response by completing an incident report in WICS. Apart from reporting to designated supervisors, staff shall not reveal any knowledge, suspicion or information related to sexual abuse other than to the extent necessary to make treatment, investigation and other security and management decisions.

Copyright © 2012 [WI Department of Corrections]

For additional information, the following references may be utilized:

- Executive Directive 72 - Sexual Abuse and Sexual Harassment in Confinement (PREA) DAI
- Policy 410.30.01: Screening for Risk of Sexual Abusiveness and Sexual Victimization PREA
- Page on MyDOC (Directories>Central Office>PREA)

Notification and Visitation of Inmate Patients Back to Top

Inmates who are hospitalized may be permitted visitation from close family members (inmate's natural, adoptive, step and foster parents; spouse, children, grandparents, grandchildren or siblings. A parent surrogate is within the definition of parent if an inmate substantiates that a claimed surrogate did act as a parent to the inmate, although the parent surrogate was not an adoptive, foster, or step-parent.) or Guardian or Health Care Agent when one has been appointed.

Notification of admittance for inpatient hospitalization and/or allowance of visitation shall only take place when one or more of the following criteria are met:

- An inmate is considered as being on his/her death bed, where death is imminent, as determined by a licensed physician.
- Medical circumstances have occurred that are deemed as unusual by the Warden of the sending facility, such as:
    - Major/vital organ surgery/transplants (e.g., kidney, heart, liver, etc).
    - Life threatening medical condition as determined by a licensed physician.
    - Extended stays (anticipated long-term admission in excess of 14 days).
    - Neurosurgical procedures that shall cause the inmate to be unable to make informed consent for a period of time.
- An inmate has been declared incapacitated by two licensed physicians.
- When the Warden believes it would be in the best interest of the inmate patient to allow.

Allowable Visits

- Approved visitors include only close family members of the inmate as designated on the inmate's visiting list or a Guardian or Health Care Agent when one has been appointed. The Warden/Designee may approve special circumstance visits.
- Visit requests shall be processed on a case by case basis by facility staff.
    - Facility staff shall notify respective DOC staff at the hospital of any impending visits.
    - Information relayed should include anticipated time of occurrence, number of respective visitors, ages, etc.
- Approved visitors are limited to a maximum of two adults and two children under the age of 18 in the room at one time. Allowing additional visitors is at the discretion of the Warden/Designee, dependent on the inmate's medical status and hospital regulations.
- Visitation shall be coordinated with hospital personnel, considering hospital policies and requirements regarding visiting times, length, location, etc. The medical needs of the inmate patient shall take precedence over any visitation.

Visiting Regulations

- Visitors may be subject to metal detection using approved hand held metal detectors.

Copyright © 2012 [WI Department of Corrections]

All visits shall occur in the inmate's assigned room, unless otherwise directed by a supervisor and/or at the request of hospital personnel.

- Visitors shall be permitted to embrace the inmate at the beginning and end of the visit and may hold hands during the visit. Visitors are not permitted to sit, lay, lean, etc., on the hospital bed and shall utilize provided chairs.
- Visitation is limited to a maximum of one hour during standard hospital visitation hours. The facility Warden/Designee may authorize additional visiting time.
- Visitors are responsible for supervising their children at all times.
- Visitors showing signs of having ingested an intoxicating substance shall not be permitted to visit. In such cases, hospital security or local law enforcement shall be contacted.

Visitors are allowed to bring in items consistent with DAI Policy 309.06.01.

- Visits may be terminated at any time if they interfere with medical treatment or if visitors violate acceptable visiting conduct.
  - Problematic or non-approved visitors shall be required to leave the area.
  - Refusal to do so shall result in hospital security and/or local law enforcement being contacted.

Once the visit is completed, visitors shall leave the room/area immediately. If a visit is terminated early, staff shall notify their respective supervisor and complete DOC-2466 Incident Report.

Social Worker/Treatment Specialist Responsibilities:

Once criteria are met, facility staff, under the direction of the Warden, shall provide notification to emergency contact, next of kin, or close family member(s) when inpatient hospitalization occurs. Social Worker responsibilities may vary by facility.

In cases where an inmate has not been declared incompetent or otherwise unable to make his/her medical choices known, a DOC-1163A (Authorization for Use and Disclosure of Protected Health Information- PHI), authorizing the disclosure of his/her medical condition/location to authorized parties must be obtained prior to notification. The Social Worker will work with the staff at the facility to get the form signed.

The Social Worker shall maintain contact with facility security staff and/or a corrections security unit staff to ensure that all parties are advised of tentative visitors and to maintain appropriate security levels.

For inmates placed in a corrections security unit or hospice facility, the Social Worker shall direct the emergency contact/next of kin, close family member(s) to make contact with security personnel at those locations to coordinate visit times.

For inmates placed in hospitals without a corrections security unit, the Social Worker shall provide the close family member(s) with the necessary visiting information and coordinate this with facility security staff, as well as hospital personnel.

For additional information, the following references may be utilized:

- DAI 306.00.12 - Notification and Visitation of Inpatient Inmates
- DAI 309.06.01 – Visiting
- DAI 500.00.01 – Advance Directives for Health Care
- Wisconsin Administrative Code Ch. 306 – Security

Wisconsin Administrative Code Ch. 309 – Resources for Inmates

Copyright © 2012 [WI Department of Corrections]

Security- Incident Reports Back to Top

In order to provide a uniform means of communication to report incidents and ensure supervisory review staff in DAI shall complete an Incident Report (IR) in WICS. All serious unusual incidents should be verbally reported to the Shift Supervisor immediately and then followed up by completing an IR. In all incidents which involve any level of use of force, IRs should be completed by all staff involved and prior to departure from the institution. IRs are also used to communicate less serious incidents that are important to the efficient, secure management of the institution. Examples of less serious incidents are an unlocked door, a visiting issue, or evidence of some activity that needs further investigation. The IR should be generated in clear, concise language and only contain factual information regarding the incident.

After a staff member completes an IR, a supervisor should acknowledge and respond prior to referral to the Security Director/Designee. The Security Director/Designee shall review all IRs and assign investigations, assign follow up and forward copies to appropriate staff. This document is confidential for staff use only and staff shall not make copies unless authorized to do so.

Social Worker/Treatment Specialist Responsibilities:

Complete Incident Reports as needed after involvement in an unusual serious incident or a less serious incident. If there is any question on if an IR should be completed contact a supervisor for direction. Upon receiving the final review by the Security Director/Designee follow through with any recommendation directed by the Supervisor or Security Director/Designee.

Common incidents for an Incident Report may include:

- Limited English Proficiency (LEP) Services
- PREA
- Threats to self or others
- Witness to a medical emergency or security disturbance
- Fraternization
- Phone calls, mail, inmate and media contacts (including via social media) outside of the work place

For additional information, the following references may be utilized:

- DAI 306.07.01 Use of Force
- DAI 309.03.01 Reporting Serious Incidents, Events of Special Interest, Media Contact and Legislative Inquiries
- WICS Manual for Incident Reports (on MyDOC)

Special Placement Needs of Inmates (SPNs) Back to Top

DAI has established operational guidelines to facilitate special placement of inmates who may have issues with staff, other inmates, or particular facilities. Inmates may be physically separated by:

- Facility between inmates
- Housing Units between inmates within a facility
- Facility between inmates and a DOC staff
- Physical separation of an inmate from a specific facility

Inmates may request separation by submitting the Inmate Request for Separation (DOC-1803) which must be made available. Designated staff are assigned to investigate requests for separation and make decisions. Decisions are entered into WICS for any special handling instructions and separation needs. Requests not approved are also entered into WICS. SPNs are considered during all classification reviews.

Social Worker/Treatment Specialist Responsibilities:

Copyright © 2012 [WI Department of Corrections]

Provide the DOC-1803 form to the inmate upon request. Report any concerns to security staff. Complete an incident report (DOC-2466) in WICS as needed.

When forming program groups, Social Workers should screen for any separations by housing unit in WICS. For additional information, the following references may be utilized:

- DAI 306.00.23 Special Placement Needs of Inmates (RESTRICTED)

State Clothing Back to Top

Upon intake all inmates are given state clothing per procedure. Individuals needing to exchange state clothing should do so by request through the Laundry Department.

DAI shall provide appropriate treatment and accommodations for inmates who are transgender, meet DSM-5 criteria for Gender Dysphoria or have a verified intersex condition. Please reference DAI 500.70.27 for specific policies and procedures.

Social Worker/Treatment Specialist Responsibilities:

Social Workers are to educate inmates on how and where to address concerns regarding their state clothing. Social Workers should direct inmates to PSU who express interest in being assessed for Gender Dysphoria. Refer to institution policies and procedures.

Telephone Calls Back to Top

The department shall encourage communication between an inmate and an inmate's family and friends. The Division of Adult Institutions monitors/records telephone call to ensure the safety of staff, inmates, victims and the community.

Collect Calls

Inmate shall sign the Acknowledgment of Monitoring PIN Number Usage and Recording of Telephone Calls (DOC-1556). Each inmate is permitted to make a minimum of one telephone call per month. Where resources permit, more than one telephone call may be allowed and is encouraged. All calls should be made collect on the inmate phone system unless payment from the inmate's general account is approved. Inmates may be prohibited from using the inmate phone system if in restrictive housing status or on loss of phone.

Inmates may only place outgoing collect calls to family and friends and cannot receive incoming calls to their facility. In order to receive calls from an inmate, a billing account needs to be established with Securus Correctional Billing Services (SCBS). Inmate family and friends may call SCBS at (800) 844-6591 or visit their website to set up an account.

Inmates are not authorized to open an account, but may send money to an established account through SCBS. In order to do so, the inmate must have the telephone number, account number, and name of the person on the account. Without this information, money cannot be applied to the account. Once an account has been created and funded, it may take up to 24 hours for inmates to be able to place calls.

TDD/TTY/Video Phone Calls

Telephone calls placed using TDD/TTY/video phone shall be granted timeframes three times longer than regular telephone calls. Telephone calls involving relay services including deaf and hard of hearing inmates as well as deaf and/or hard of hearing members of the public, shall be granted with prior approval from staff. Deaf and hard of hearing members of the public shall return a completed Relative/Associate Requesting Telephone Relay Accommodations (DOC-2649) to the attention of the facility ADA Coordinator prior to receiving a relay call.

Emergency Call

In cases of verified emergencies, including but not limited to critical illness or death of a close family member of an inmate, a special telephone call may be permitted regardless of the security status or the number of calls already made during that month. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored.

Inmate to Inmate Call

The department shall permit an inmate to make a telephone call to the inmate's spouse, parent, or child

Copyright © 2012 [WI Department of Corrections]

committed to another Wisconsin correctional or mental health institution. The department shall permit calls under this section only after prior arrangements through appropriate staff have been made. Social Worker needs to verify the relationship utilizing collateral information. Inmate to inmate calls shall be paid for from the account of the inmate originally requesting the call. The inmate requesting the call shall complete a disbursement request to authorize payment. These calls are subject to the limit for collect calls to family or friends; including the amount of calls allowed per month and length of calls. Inmate to inmate telephone calls shall be monitored by staff. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored. Inmates in restrictive housing status may be prohibited from placing inmate to inmate calls.

International Call

Inmates may place an international telephone call to a close family member (natural, adoptive, step and foster parents; spouse, children, grandparents, grandchildren, or siblings. Parent surrogate is within the definition of parent if an inmate substantiates that a claimed surrogate did in fact act as a parent to the inmate, although the parent surrogate was not an adoptive, foster, or step-parent) once per month. The inmate is responsible for the actual cost of the call. Staff shall advise inmate that international calls, especially to mobile numbers, may be expensive. The call shall not exceed ten minutes without Warden/Superintendent/designee approval. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored. Inmates in restrictive housing status may be prohibited from placing international calls.

For additional information, the following references may be utilized:

- DAI Policy 309.39.01 – Monitoring and Recording of Inmate Telephone Calls
- WI Statute s. 309.39 – Inmate Telephone Calls
- WI Statute s. 309.41 – Incoming and Emergency Calls
- WI Statute s. 309.42 – Calls between Inmates

Visiting – Intake/Reception Back to Top

The following section only pertains to inmates in A&E/intake status. For general population visiting, refer to the Supervision Section.

The Department of Corrections encourages and supports visiting opportunities to offenders and their approved visitors. The Department shall administer a visitation program which regulates visitation of inmates by family members, friends, and others consistent with resources available, the Department's responsibility for the secure and orderly operation of institutions, public safety, and the protection of visitors, staff and inmates.

Social Worker/Treatment Specialist/Designee Responsibilities:

Anyone wishing to visit an inmate must be listed on the inmate's visitors list.

All prospective visitors, including children, must complete (or have someone complete for them) the Visitor Questionnaire (DOC-21AA), which is an application for approval to visit. It is the inmate's responsibility to obtain and mail the visitor's questionnaire to a prospective visitor. The proposed visitor will then need to return the form to the institution for approval to be added to the inmate's visitor list. Inmates will be notified when a visitor has been added to their visiting list. Visitors may be denied approval for visitation on a number of grounds, specified in administrative code. If denied, a visitor must wait 6 months to re-apply for approval.

Any child or minor, that is, any person under the age of 18, must have the written consent of the legal, non-incarcerated parent or guardian prior to visiting. This consent is contained on the visitor questionnaire. Unless a minor visitor is the legal spouse of the inmate, any visitor not yet 18 shall be accompanied by an adult who is on the approved visitors list.

Dodge Correctional Institution (DCI) and Taycheedah Correctional Institution (TCI) - Inmates in A&E status will be permitted to have up to four adult, close family member visitors on their visiting list. Close family

member for this purpose is an inmate's natural, adoptive, step, foster parents, spouse, children, grandparents, grandchildren or siblings. If the spouse's last name is different than the inmate's, the spouse must send a copy of the marriage license to verify the relationship. Children under the age of 18 may also be on their visiting list, which does not count against their limit of four visitors on their visiting list. However, children under the age of 18 that are not the children of the inmate shall not be allowed to visit. Inmates with sexually related offenses will not be permitted to have visitors under the age of 18 on their visiting lists.

Milwaukee Secure Detention Facility (MSDF) – DAI inmates in A&E status will be permitted to have 12 adult visitors on their approved visiting list. Children under the age of 18 may also be on their visiting list, which does not count toward their limit of 12 visitors. At MSDF, visitors do not need to be immediate family as long as they are approved by the agent of record.

For additional information, the following references may be utilized:

- DOC Administrative Code 309.06 Visitation

Visiting Regulations Back to Top

- Visitors may be subject to metal detection using approved hand held metal detectors.
- All visits shall occur in the inmate's assigned room, unless otherwise directed by a supervisor and/or at the request of hospital personnel.
- Visitors shall be permitted to embrace the inmate at the beginning and end of the visit and may hold hands during the visit. Visitors are not permitted to sit, lay, lean, etc., on the hospital bed and shall utilize provided chairs.
- Visitation is limited to a maximum of one hour during standard hospital visitation hours. The facility Warden/Designee may authorize additional visiting time.
- Visitors are responsible for supervising their children at all times.
- Visitors showing signs of having ingested an intoxicating substance shall not be permitted to visit. In such cases, hospital security or local law enforcement shall be contacted.
- Visitors are allowed to bring in items consistent with DAI Policy 309.06.01.
- Visits may be terminated at any time if they interfere with medical treatment or if visitors violate acceptable visiting conduct.
  - Problematic or non-approved visitors shall be required to leave the area.
  - Refusal to do so shall result in hospital security and/or local law enforcement being contacted.

Once the visit is completed, visitors shall leave the room/area immediately. If a visit is terminated early, staff shall notify their respective supervisor and complete DOC-2466 Incident Report.

Social Worker/Treatment Specialist Responsibilities:

Once criteria are met, facility staff, under the direction of the Warden, shall provide notification to emergency contact, next of kin, or close family member(s) when inpatient hospitalization occurs. Social Worker responsibilities may vary by facility.

In cases where an inmate has not been declared incompetent or otherwise unable to make his/her medical choices known, a DOC-1163A (Authorization for Use and Disclosure of Protected Health Information- PHI), authorizing the disclosure of his/her medical condition/location to authorized parties must be obtained prior to notification. The Social Worker will work with the staff at the facility to get the form signed.

The Social Worker shall maintain contact with facility security staff and/or a corrections security unit staff to ensure that all parties are advised of tentative visitors and to maintain appropriate security levels.

For inmates placed in a corrections security unit or hospice facility, the Social Worker shall direct the emergency

Copyright © 2012 [WI Department of Corrections]

contact/next of kin, close family member(s) to make contact with security personnel at those locations to coordinate visit times.

For inmates placed in hospitals without a corrections security unit, the Social Worker shall provide the close family member(s) with the necessary visiting information and coordinate this with facility security staff, as well as hospital personnel.

For additional information, the following references may be utilized:

- DAI 306.00.12 - Notification and Visitation of Inpatient Inmates
- DAI 309.06.01 – Visiting
- DAI 500.00.01 – Advance Directives for Health Care
- Wisconsin Administrative Code Ch. 306 – Security

  Wisconsin Administrative Code Ch. 309 – Resources for Inmates

Copyright © 2012 [WI Department of Corrections]

Intake COMPAS Overview

Getting into COMPAS
- Training Site
- Production Site

COMPAS Home
- Reason for Viewing Record
- Searching for an Inmate
- Viewing Multiple Inmates
- Adding / Removing an Inmate to Caseload

Cases Section
- Assessments
- Case Plans
- Alternative Screenings
- Pre- Sentence Investigation
- Drug Test History
- Rules of Supervision
- Case Termination
- Behaviors and Rewards
- Custom Fields
- Transferring a Case

Assessment Tools
- COMPAS WPN
- COMPAS Core
  - When to Complete a COMPAS Case
  - Interstate Corrections Compact and Inter-Governmental Agreements Inmates
  - Updating COMPAS Assessment on Certain DCC Inmates

Completing a COMPAS Core Assessment
- Core: Official Record
- Core: Interview
- Core: Self-Report
- Limited English Proficiency
- Inmates with Hearing or Vision Impairments
- Starting an Assessment
- Instructions for Completing the Assessment Wizard
- Creating a New Assessment Using an Existing Assessment
- Completing an Incomplete Assessment
- Refusing an Assessment

Risk & Criminogenic Needs
- Bar Chart and Narrative
- Validity
- Typology
- Classification
- Program Assignment and Criminogenic Needs Scales
- Criminogenic Needs and Alternative Screening Tools

COMPAS Notes
- Assessment Notes

Copyright © 2012 [WI Department of Corrections]

Case Plan Notes
General Notes
Program Notes
Note Sub-Types
Use of Confidential Notes Button
Case Manager Module
Education History
How to Enter Education Information
Instructions for Entering Education Information
Education Assessment Scores
Additional Assessment Information
Employment History
How to Enter Employment Information
Additional Assessment Information
Substance Use History
How to Enter Substance Use Information
Additional Assessment Information
Drug Test History
Correcting Cross-Divisional Errors

Copyright © 2012 [WI Department of Corrections]

Getting into COMPAS

Production Site

This site is used for users who have completed training and have access to COMPAS. Users will receive an email from Northpointe that the user's COMPAS account is active.

Directions:

- Go to MyDOC Homepage
- Click on UCC under Department Info on the right side of the screen or My Quick Links- Applications
- Log In: User's network login (e.g., SmithAB)
- Temporary password: Password1#

  Users have 5 attempts to login before the user's account is locked. Contact your site coordinator for assistance with unlocking your account and resetting the password.

Note: If the user is still unsuccessful, contact the site coordinator for assistance. Site coordinators have the capabilities to reset passwords and unlock accounts.

Copyright © 2012 [WI Department of Corrections]

COMPAS Home

Reason for Viewing Record
Searching for an Inmate
Viewing Multiple Inmates
Adding/Removing an Inmate to Caseload

The COMPAS Home page opens after logging in. On this page, all users may view the last 10 cases opened. Users who attended the 2-day COMPAS training have the abilities to customize their dashboard, which may include caseload, incomplete assessments, last ten records viewed, etc.

Reason for Viewing Record

When users attempt to access an offender outside of the user's location, the user will receive a prompt requesting a reason the user is accessing that case. Upon completion of the reason, the user will be able to access the record as normal. The process, known as "Pop the Bubble" (PTB), was put in place as a means to safeguard the protected information of our offenders and is an additional reminder/auditing feature has been initiated in COMPAS. This functionality will assist in better audit tracking and "need to know" compliance within the DOC. The Audit policy can be reviewed on MyDOC.

PTB is intended to do four things when a user attempts to access an offender record outside of the user's location in COMPAS:

1. Provide an alert/reminder that the user is accessing an offender outside of the users assigned work location.
2. Provide the user with an opportunity to justify why he/she has a need to access that record.
3. Provide a reminder if either the user's location or offender's location is incorrect so it can be updated.
4. Allow COMPAS Administrators to report on how often and why users are accessing offenders outside of the user's location.

Inmate location in COMPAS is driven by WICS Supervising Location. If the Supervising Location is incorrect in WICS, the institution Records Office should be contacted to verify and correct.

There may be times when a DAI inmate's case in COMPAS is transferred to DCC so a PSI can be completed. This temporary case assignment to DCC will require DAI staff to pop the bubble in order to access the case.

NOTE: If the user's location changes, for example transfer to a different institution, the user should contact the site coordinator for assistance to have the user's location changed in COMPAS.

Searching for an Inmate

Users can search for an inmate in COMPAS by:

- Using the Quick Search Feature in the upper right corner of the screen. Users are able to start typing the name of the inmate (no commas) or select a specific search criteria by clicking on the "All IDs" drop down to limit it a particular field. This option will bring up the first 25 offenders that may fit those criteria. Click on the hyperlinked SID number to access the case.
- Using the "Search" tab allows users to search by name, State Identification Number (SID), FBI #, or DOC# to find an inmate. Select the "All Agencies" value in the agency field, to search all possible entries within the DOC and counties. To narrow the search results, select specific agency and/or location. Click on the hyperlinked SID number to access the case.

If an inmate does not exist in COMPAS:

Directions:

- Locate the Inmate in WICS
- Verify there is a state identification number (SID#) found in WICS on the Inmate Synopsis screen.
  - If yes, contact the Records Office to verify the accuracy of the SID#.

Copyright © 2012 [WI Department of Corrections]

- If no, Records Office is responsible to enter the SID# in WICS. The number will migrate into COMPAS overnight. Should this not occur, re-contact Records.

Viewing Inmates

Only one case can be open at a time.When a case is open, the name will appear on the tab along the top Only one person can edit the record at a time (others will be able to view the case as “read only”). The inmate’s name will appear red. Clicking on the inmate’s name in the tab will show the name of the user who is in the account. If a case is closed improperly (utilizing the Red X box in upper right corner of the screen), it will lock the case to edit for all users for a period of two hours. To properly close a case/logout user can click “log out” at the top of the screen or close the inmate’s case tab.

Adding/Removing an Inmate to Caseload

This option is available to all users, which allows the user to place the inmate’s name as a shortcut/favorite on the user’s caseload on the home page. Users will have to manually add or remove the inmate from the user’s caseload from the Person Summary page.

Copyright © 2012 [WI Department of Corrections]

Cases Section

The Cases summary page contains the following information:

- Assessments
- Case Plans
- Alternative Screenings
- Pre- Sentence Investigation
- Drug Test History
- Rules of Supervision
- Case Termination
- Behaviors and Rewards (Currently only used by DCC)

Custom Fields

Assigning Cases Managed

WICS is used to track the case manager's institution caseload. The assigned institution case manager, generally a social worker or treatment specialist, shall assign him/herself as the case manager under the cases section. DAI staff are not responsible for transferring an inmate in COMPAS ("cases managed") to an agent upon release or for institution based ATRs.

This is completed by selecting the current lifecycle-' Actions-' Transfer-' Select Correct Agency, Location, and Case Manager.

Copyright © 2012 [WI Department of Corrections]

Assessment Tools

Wisconsin COMPAS Youth
Wisconsin COMPAS WPN
Wisconsin COMPAS Core
When to Complete a COMPAS Case
Interstate Corrections Compact and Inter-Governmental Agreements Inmates
Updating COMPAS Assessment on Certain DCC Inmates
Wisconsin Women's Core

There are seven main assessments within the COMPAS suite, as well as, many supplemental assessments (e.g. URICA, TCU Drug Screening, TCU Criminal Thinking, VASOR, Static 99, etc.).

- Wisconsin Youth (for inmates age 17 and under)
- Wisconsin Primary Needs (WPN) (No longer used in DAI)
- Wisconsin Core
- Wisconsin Women's Core
- Wisconsin DAI Legacy (See Supervision section for additional information)
- Wisconsin ReEntry (See Discharge section for additional information)

  Wisconsin Women's ReEntry

COMPAS Youth

Note: Inmates under the age of 17 will initially be incarcerated in a DJC facility as a rule. DJC will create the COMPAS case and complete the Youth assessment.

Reference the DJC Business Process (Link to DJC BP) for the rules pertaining to completing a COMPAS Youth Assessment.

When the inmate reaches age 18 and is transferred to a DAI facility, an adult COMPAS assessment will be administered to provide the criminogenic scales utilized within DAI. Please note, in the event that a 17 year old inmate is transferred to a DAI facility from LHS/CLS, an adult COMPAS assessment will be administered. In the case of the youth entering a DAI facility with an open juvenile COMPAS case the juvenile case will be closed by DJC using the Case Termination code of “Transferred” to protect the disclosure of youth records outside of DOC. The DAI staff member will create a subsequent adult case (e.g., SID#-2) and document in Notes.

- Assessment to be Utilized:
  - If the inmate served less than 1 year at the juvenile facility, administer the Core.
  - If the inmate served 1 year or greater at the juvenile facility, administer the DAI Legacy.

- Staff Responsible for Completion / Timing:
  - If the inmate is transferred from Lincoln Hills School or Copper Lake Girls School, a brief placement at DCI or TCI (respectively) will occur to provide the orientation to DAI. During this stay, the assigned Initial Classification Specialist will complete the COMPAS assessment, regardless whether it is the Core or DAI Legacy.
  - If the inmate is already in a DAI facility (other than DCI or TCI intake), the assigned social worker will complete the COMPAS assessment no later than the next scheduled Reclassification recall.

Wisconsin WPN

The WPN content is included within the Core, and provides the Risk Scores and a few of the Criminogenic Needs scales. DAI discontinued the use of this assessment in 2012; however, DCC still utilizes it. Additional information

Copyright © 2012 [WI Department of Corrections]

regarding when and how the WPN is used can be found in the DCC (Link to ECRM DCC Business Process)

Wisconsin Core

Effective January 2012, inmates will have a COMPAS Core assessment as a part of their Initial Classification staffing at DCI and TCI. The results will be utilized to identify program needs, enrollment priority, and build the Unified Case Plan (UCP).

When to Complete a Wisconsin Core

- There are occasions where pending charges are filed *after* the Initial Classification process has been completed and the inmate has been transferred to another site. Should this occur, resulting in a conviction, a Core assessment will need to be completed to determine the appropriate program needs and provide the foundation for the UCP.
  - The case will be referred to the Re-Classification Specialist who will refer the case to the DCI IC designee (copy the case manager) to complete the Incarcerated Core Static Questions. These will be entered into COMPAS and saved as an incomplete assessment.
  - Upon completion, the DCI IC designee will notify the social worker/case manager for completion of the remaining portion of the assessment. The UCP will be subsequently developed.
  - The results will be utilized at the next classification hearing to review the program assignments and modify as needed.

COMPAS Core Status	Direction to IC OCS Staff
Less than 6 months to serve with NO PENDING CHARGES	No COMPAS completed at IC. (*See caveat in bold below.)
Less than 6 months to serve with PENDING CHARGES	Complete new COMPAS Core.
Last COMPAS completed was WPN	Complete COMPAS Core
COMPAS Core never completed	Complete COMPAS Core
COMPAS Core Previously Completed - Less than 2 years old	If no new criminal arrest since last completion – No new COMPAS If a new criminal arrest since last completion, DCC is to start a new Incarcerated Language Core, complete the Static Questions only, and save in "Incomplete" Status. IC OCS will complete the assessment as a part of the staffing. • **Regardless of the confinement timeframe, all Incomplete Core assessments must be completed at Initial Classification.**
	If a new criminal arrest since last completion, and DCC did not start a new Incarcerated Core, the IC OCS will complete the new COMPAS in full.
COMPAS Core Previously Completed - 2 years old or greater	Complete new COMPAS Core
Last COMPAS assessment was a Reentry	Complete new COMPAS Core

Interstate Corrections Compact (ICC) and Inter-Governmental Agreements (IGA)

- An assessment should be completed on an inmate from another state who is housed in a Wisconsin facility. Please use the information outlined in the Assessment Tools section to determine which assessment to complete.
- An assessment should be completed when an inmate is returned to Wisconsin from out of state. Please use the information outlined in the Assessment Tools section to determine which assessment to complete.

Updating COMPAS Assessment on Certain DCC Inmates

This is a cooperative effort between DCC and DAI, with our mutual Business Processes synchronized to give staff in both divisions the same message.

Instruction for DCC (understanding their process will assist us in understanding the DAI process):

The static portion (Questions 1-30) of the COMPAS Core assessment will be updated by the DCC Agent using the Create function, following the decision to revoke when:

- A new criminal arrest prompted one of the allegations, **and**
- The offender is facing or has the potential to face prison confinement.

Examples of when the Core Static Questions will be completed by the DCC Agent:

- An offender with an imposed and stayed prison sentence who also has a new criminal arrest prompting one of

the allegations;

- If an offender has a withheld felony sentence and also has a new criminal arrest prompting one of the allegations;
- This requirement includes formal institution ATRs where new criminal arrests resulted in the ATR.

If the previous assessment completed was a WPN or ReEntry, the agent will use the Create function to forward and update the static information into a new Core assessment. The Create function copies only the static information from the official records section. In the Reason for Assessment field, the agent will choose "revocation update required". The agent will complete this updated assessment within 30 days of the service of the DOC-414. This assessment will show as "incomplete". An Assessment note will be entered by the agent for all cases where the offender is facing or has the potential to face prison confinement. This note will make it clear for DAI the reason an assessment was or was not completed. For example:

- Assessment not updated: no new criminal arrest.
- Assessment updated: new criminal arrest.

If the offender is not revoked, the agent will complete the remaining sections of the Core assessment within 60 days of the decision not to revoke.

Instructions for DAI:

If the offender is revoked and has an incomplete COMPAS Core, DAI will complete the assessment at Initial Classification. The Offender Classification Specialist will update/complete, regardless of whether it is in Community Language or Incarcerated Language. At no time will the Incomplete Core be left unfinished. The steps are:

- Transfer the case to DAI
- Open the Incomplete Core assessment
- Under Actions tab; select "Edit Information"
- Update the fields within the Screening Information Wizard including the screener name and location. Save.

Edit the assessment by completing Questions 31 – 137. Calculate.

The OCS will then enter an Assessment Note in COMPAS.

Wisconsin Women's Core

As the Wisconsin Department of Corrections (DOC) continues to implement evidence-based risk/need assessment protocols, research suggests it is important to adhere to the responsivity principle. The responsivity principle indicates a benefit is derived when accommodations are made based on the individual characteristics presented by offenders. Gender is one such characteristic that warrants consideration in all facets of case management.

The addition of the Women's Risk/Need Assessments to the COMPAS suite enables Wisconsin DOC to:

1. Gain additional gender-responsive need information at an aggregate level to inform future treatment services.
2. Apply gender-responsive assessment principles to the targeted female offender population. The

Women's risk/needs assessments will enable identification of such needs as:

Anger/Hostility	Conflict with Family of Origin
Gender-Responsive Employment/Financial	Experiences of Abuse as a Child
Experiences of Abuse as an Adult	History of Mental Illness
Housing Safety	Mental Health: Current Symptoms of Depression
Mental Health: Current Symptoms of Psychosis	Parental Involvement Strengths
Parental Stress	Relationship Difficulties
Sexual Abuse	Post-Traumatic Stress Disorder
Relationship Stability	Physical Abuse
Relationship Support	Self-Efficacy Strengths

Copyright © 2012 [WI Department of Corrections]

Support from Family of Origin Strengths	Educational Needs

Additionally, the Women's Risk/Needs Assessment results will delineate each inmate's strength scales, as well as needs scales. Inmate strength and needs scales will be used to promote and ensure gender responsivity in correctional practices including, but not limited to, inmate classification, unified case planning, and program delivery.

Copyright © 2012 [WI Department of Corrections]

Completing a COMPAS Core Assessment

Core: Official Record
Core: Interview
Core: Self-Report
Limited English Proficiency
Inmates with Hearing or Vision Impairments
Starting an Assessment
Instructions for Completing the Assessment Wizard
Creating a New Assessment Using an Existing Assessment
Completing an Incomplete Assessment
Refusing an Assessment
Completing a Wisconsin's Women's Core

See COMPAS Help tab for screen shots or step-by-step directions regarding software. Ask the site coordinator or supervisor if the user is still unsure of the process after reviewing COMPAS Help tab.

There are three components to the Core assessment:

1. Official Record:

This section is always completed first and contains information regarding current offense and offense history, commonly known as the "Static Questions". Information in this section is based upon a review of the inmates file.

Prior to the interview, the assessor will review all available documents. These include, but are not limited to:

- Portal 100-A new Portal 100 report shall be generated for any new assessment created regardless of type (See Communication DAI 16-01 Use of Portal 100s for all Assessments)
- Criminal Complaint
- DCC information; e.g., Pre-Sentence Investigation, Revocation Summary, Administrative Law Judge Reports, Violation Reports, etc.
- Prior WICS information, including Inmate Classification Reports
- CCAP
- COMPAS Information (prior assessments, Notes, UCP)

STG information required to complete assessments should be obtained by contacting the site STG Coordinator/designee. STG information shall be utilized to complete the assessment but this information shall not be placed in Notes.

2. Interview:

Information in this section is obtained from a guided conversation with the inmate. Questions pertaining to protected health information (Substance Use History and Mental Health) should be asked directly to the inmate. This information should not be obtained by referencing information found in WICS, PSU file, Social Service file, PSI, etc.

During the inmate interview, review the questions from the Official Records section with the inmate.If an inmate disputes the information on the static questions:

- Discuss the discrepancies with the inmate. The scoring on the question will be based on professional judgment if the inmate reports a different number than the resource.
- If the inmate reports a higher number, use it. Make assessment note.

Copyright © 2012 [WI Department of Corrections]

- If the inmate reports a lower number, do not accept. Make assessment note.
- If official juvenile information is not available, self-report is accepted.

3. Self-Report:

This is to be completed in the same meeting as the Interview section. For this section, always utilize the inmate's response. If a discrepancy exists between the inmate's response and other known information document the discrepancy via an assessment note.
A screening for reading level should be done prior to meeting with the inmate by reviewing most recent TABE or BADER test results in WICS. According to Northpointe, an inmate's reading level should be 5th to 6th grade or above to complete the Self-Report section. Inmates with sufficient reading ability will be given the self-report section to read and answer. At no time is the inmate allowed to leave the assessor's office / line of sight with the blank questionnaire.

If the inmate's reading level is *below* 5th or 6th grade reading level, ask the Self-Report questions to the inmate during interview. While the interview is being conducted, enter the inmate responses into COMPAS.

Completing a Wisconsin Women's Core

1. The Women's Core Assessment will be administered to all female intakes to the Wisconsin Women's Correctional System (WWCS) in DAI. The assessment contains 114 additional gender-responsive questions added to the end of the traditional COMPAS Core.
2. The initial (traditional) 137 COMPAS Core questions of the Women's Core will be administered to newly admitted Wisconsin Women's Correctional System (WWCS) inmates by the Offender Classification Specialist/LTE. Upon completion of this first set of questions, the OCS/LTE will calculate the assessment and choose "Women's Core Pilot" as reason for incomplete assessment. This will allow the OCS/LTE to complete the initial classification process.
3. Once this is complete, the assigned Social Worker will complete the gender-responsive section of the assessment (questions 138 through end) in conjunction with the development of the case plan. This is intended to be within 90 days post-intake.
4. The Women's Reentry Assessment will be utilized for inmates releasing as long as they served a minimum of 12 months in DAI prior to completing the Women's Reentry Assessment. This assessment will be completed by the assigned Social Worker within 9 months of release.
5. Proper utilization of the Women's Core Assessment also calls for a formal reassessment process. After initial assessment, the assigned Social Worker/Case Manager will conduct a reassessment annually. Only the gender-responsive scales will need to be re-administered on this timeline. The Social Worker/Case Manager will access the most recent Women's Core Assessment, copy it forward into a new assessment, and review questions 138 - 251 with the inmate, making revisions as needed.
6. The Women's Core Assessment scales will be considered during the course of program delivery. Likewise, they shall inform the development of the offender's case plan while confined and when in the community. DAI Social Workers shall collaborate with DCC Agents to ensure continuity of case planning efforts.

In the event of transition to a non-pilot site (either from DAI or Region 3), the sending and receiving case manager shall discuss the case plan and related goals for continuation versus completion or temporary suspension given the receiving case manager's "non-pilot" status. Goals/tasks/activities determined to be discontinued shall be ended in the offender's case plan and identified with a completion code of "Closed." In addition, a case plan note shall be entered documenting the status and reason for closure.
As the need for future assessment arises (re-assessment, PSI, etc.) outside of the targeted pilot site, the

Copyright © 2012 [WI Department of Corrections]

Women's Core or Reentry Assessment should be copied into a traditional COMPAS Core.
Please note that if you have not received the gender-responsive assessment training, you shall not administer the assessment.

7. The Women's risk/need assessments enable assessment and identification of adverse childhood experiences and, as such, the Adverse Childhood Experience (ACE) questionnaire will not be administered in conjunction with the Women's Risk/Need Assessments.

Limited English Proficiency (LEP)

An inmate's determination of LEP will occur in accordance with Executive Directive 71. The COMPAS assessments are available in English or Spanish. The Language Line or an approved bi-lingual staff will be utilized, in accordance with Departmental policy. The DOC 1163T shall be signed prior to utilizing an outside vendor for interpretation services.

Information regarding inmate's primary language can be obtained from WICS under the Prison Tab-' Programs-' Inmate Program Plan.

Inmates with Hearing and Vision Impairments

Interpreter services will be offered to inmates who have hearing impairments when completing an assessment or case plan. Request for assistance should be made to the site ADA Coordinator.

If an inmate has vision impairments, the assessor will assist the inmate in completing the self-report section of the assessment, which may include reading it to the inmate.

Starting an Assessment

Prior to creating an assessment, ensure the Agency is correct under Cases. If DAI is not the agency listed the Case needs to be transferred to DAI. Doing this will ensure the correct drop downs are available.

Directions:

- Click Cases-' Actions-' Transfer
- Select DAI from New Agency dropdown.
- The DAI institution drop downs will appear in the Location field. Select the appropriate location.
- The New Case Manager should be the institution assigned social worker/case manager. Select appropriate user and save.

Under the Assessments tab, select "Create". When beginning a new assessment, a "New Assessment Wizard" will appear. If the case already exists and it is the correct Lifecycle, select "Existing Case." If no case exists, select "New Case". The software will automatically assign a case number/lifecycle. See Site Coordinator for additional assistance.

Instructions for Completing the Assessment Wizard:

- Location: Select the prison site
- Marital Status: Select applicable status
- Custody Status: Select "Prison Inmate" only
- Legal Status: Select "Other" only

Reason for Assessment:

At Intake: Choose DAI Intake

- Inmates who entered DAI prior to 2012 but are not time frame appropriate for ReEntry: Choose DAI Legacy
- For ReEntry or for an identified Reentry initiative: Choose ReEntry

Copyright © 2012 [WI Department of Corrections]

Probation Start Date: Leave Blank

- Prison Admission Status: Select applicable status from the current WICS Classification Report
- Prison Release Status:
  - For the ReEntry Assessment only, Parole means either Parole Grant, MR or ES.
  - Max Out: For Max Discharge (Do not use)
  - First Parole this term/sentence: For 1st release ES/MR
  - Re-parole this term/sentence: For 2nd+ release on same case

PV New Term: DO NOT USE

Creating a New Assessment Using an Existing Assessment

Users should click create, under the actions tab when starting a new assessment. The COMPAS system will automatically copy the static information from the most recent assessment into the new assessment. A Portal 100 report must be requested for all new assessments.

- The new assessment is now open and ready to start.
- Review information that was carried over from the Official Records section for accuracy. If a change is necessary, create an Assessment note identifying specific information that was changed and why.
- Always re-interview the inmate and update the inmate self-report section of the assessment. Sections that specifically need to be redone are as follows:
  - Core- Interview and Self-Report
  - DAI Legacy or ReEntry- Institutional Records/Case File, Screener Evaluation, Interview, and Self-Report.

Completing an Incomplete Assessment

There may be times when an assessment is started by a different division or institution. Should this occur, the screener information will need to be updated.
This can be completed as follows:

Select the incomplete assessment to open to the Assessment Summary page.

- Under Actions tab; select “Edit Information”
- Update the fields within the Screening Information Wizard, which may include changing screener name and location to the individual who is completing the assessment (e.g., DAI Legacy Assessments started at DCI with LTE assistance). Save.

Once the screener information has been updated, the screener can move on to completing the incomplete assessment.

- On the Assessment Summary page, Under Actions tab; select “Edit” to edit the assessment.
- Review the Official Record section for accuracy.
- Click “Next Unanswered” to take the assessor to the next incomplete question.
- The remaining portions of the assessment will be completed with the inmate as outlined in the Completing a COMPAS Core Assessment or Completing a COMPAS DAI Legacy/ReEntry Assessment sections.

Refusing an Assessment

Inmates refusing to participate in the COMPAS Assessment process will be informed of the possible impact(s) of their decision, which includes but is not limited to:

- Program Enrollment

- Development of Unified Case Plan
- Potential impact on Classification, Reclassification and/or Parole decisions which may impact reduction in custody levels.

Should an inmate at any time choose not to participate in this assessment process; appropriate attempts to motivate the inmate's participation shall be made.
If attempts to complete the assessment are unsuccessful, solely complete the static questions.

- Leave the assessment incomplete.
- Select appropriate reason from drop down.
- Make assessment note indicating why assessment was left incomplete.

Inmates will be encouraged to participate in a COMPAS Assessment throughout their incarceration and will be afforded the opportunity to complete it when appropriate, at a minimum of annually prior to reclassification hearing.

Copyright © 2012 [WI Department of Corrections]

Risk & Criminogenic Needs

Bar Chart and Narrative
Release of COMPAS Results
Validity
Typology
Classification
Program Assignment and Criminogenic Needs Scales
Criminogenic Needs and Alternative Screening Tools
Programs Without Identified COMPAS Needs Scales

COMPAS Bar Chart and Narrative

After an assessment is completed and calculated, the COMPAS Bar Chart and Narrative is generated. This can be viewed at any time by clicking "Bar Chart" or "Narrative" under the assessment menu.

- Upon arrival at the post intake site, the assessor/case manager shall review the Bar Chart and/or Narrative with the inmate prior to creating/updating the Unified Case Plan
- Inmates will not receive a copy of the Bar Chart, Narrative, or Assessment for the following reasons:

  The release of this record would compromise the rehabilitation of a person in the custody of the department of corrections, and would endanger the security, including the security of the population or staff, of state prisons and other facilities identified in Wis. Stat. sec. 19.35(1)(am)2.c. Inmates may gain a false sense of bravado from the results, thus adversely affecting how they communicate and associate with their peers or staff. Inmates are not trained how to read the Bar Charts. As such, they are likely to misinterpret the document, and because of this misinterpretation, inmates may make decision about or within their treatment process that is contrary to their rehabilitative success. Furthermore, if enough inmates are able to compare and contrast the results of the evaluation by comparing bar charts, inmates will learn to manipulate the evaluation, rendering the results invalid.
- The COMPAS Bar Chart and Narrative are not to be placed in the social service file.

Release of COMPAS Results

INTRODUCTION

WIDOC complies with Public Records Law by striving to be as transparent as possible as it relates to the use of the COMPAS risk/need assessment system. Only when the release of this record would compromise the rehabilitation of a person in the custody of the Department of Corrections, or would endanger the security, including the security of the population or staff, of state prisons and other facilities as identified in Wis. Stat. sec. 19.35(1)(am)2.c. will denials be made on a case-by-case basis under the advisement of the Office Legal Counsel. Otherwise, WIDOC's obligation will be to release the record. **As such, upon receipt of request for the disclosure of the COMPAS results, the applicable Legal Custodian will compile and release the COMPAS Bar Chart and Narrative Summary.**

PROCESS

Upon receipt of request for the disclosure of the COMPAS results (hereby defined as the Bar Chart and Narrative Summary), the receiving staff person shall route the request to the appropriate Legal Custodian.

The Legal Custodian shall retrieve the Bar Chart and Narrative Summary either by accessing COMPAS him/herself or asking the assigned case manager to compile it.
In accordance with Executive Directive 21, the Legal Custodian shall provide the COMPAS results to the requestor.

AUTHORITY

ss. 15.04 (1) (a), 15.14, and 19.21-19.39

Executive Directive 21

TIMELINE

Each Legal or deputy custodian, upon a request for any record, shall, as soon as practicable and without delay either fill the request or notify the requestor of the Department's determination to deny the request in the whole or in part and the reason therefore. The legal or deputy custodian shall fulfill any small and straightforward request within 10 business days of receipt whenever it is practicable to do so.

Validity

The COMPAS assessments test to respondent validity; that is, the consistency and integrity of their responses.

- When the "Validity Check" hyperlink is clicked, a list of items in question will appear. If a concern is present, it will indicate such.
- The assessor can then re-check with the inmate, or merely keep that check in mind when working with the inmate.
- The assessor is to utilize their professional judgment regarding entering a COMPAS Assessment Note about this concern.

Typology

The Core and ReEntry COMPAS assessments will indicate a Typology. Typology is a study of offender types that cluster and pattern factors which are common within their grouping.

- This may be utilized to develop a deeper explanation of the inmate and may assist in their case planning.
- Please refer to "Northpointe: Treatment Relevant Offender Typologies 'Prototypes' in COMPAS" for further explanation of the eight typology's in COMPAS.
- This is available in MyDOC, COMPAS Core and ReEntry 2-Day Training Participant Manual.

Note: There will not be a typology or validity check when completing the COMPAS WPN or COMPAS DAI Legacy because there are not enough scale sets to measure this information.

Classification

The COMPAS Risk Level Recommendation is used by DCC to determine the level the offender will be supervised at during their period of time on community supervision. It **does not determine** DAI custody level, but may be used as one of the many factors considered when reducing an inmate's custody level during the reclassification process. For example: A maximum custody inmate is being seen for his regular reclassification hearing. He is requesting a reduction in custody to medium. The social worker supports this request. The Reclassification Committee may take the Risk Level Recommendation into consideration when making their recommendations.

Program Assignment and Criminogenic Needs Scales

Program assignment(s) are based on the COMPAS criminogenic needs scales as well as a comprehensive review of all collateral information demonstrating aggravating/mitigating factors that are not evident through the COMPAS tool. Professional judgment should be exercised in all cases when assigning programs and interventions. Program assignment will be done in accordance with the table below, which outlines the nexus between criminogenic need and primary program assignment.

PROGRAM	CRIMINOGENIC NEEDS SCALES		
	CORE	**LEGACY**	**REENTRY**
ANGER MANAGEMENT	Anger	Anger	Anger
AODA	Substance Abuse	Reentry Substance Abuse	Reentry Substance Abuse
CGIP	Criminal Thinking Self-Report	Criminal Thinking Observation	Criminal Thinking Observation
	Criminal Personality	Negative Social Cognitions	Criminal Personality
	Criminal Opportunity	Reentry Cognitive Behavioral	Reentry Cognitive Behavioral
	Cognitive Behavioral	Criminal Involvement	Criminal Involvement
	Criminal Associates and Peers	Prison Misconduct	Negative Social Cognitions
	Criminal Involvement		Prison Misconduct
DVC	N/A	N/A	N/A
SEX OFFENDER TREATMENT	N/A	N/A	N/A

Copyright © 2012 [WI Department of Corrections]

Criminogenic Needs and Alternate Screening Tools (AST)

According to Northpointe, a COMPAS assessment is a "broadband" assessment, and there are times when additional information is necessary to reach a decision as to program assignment. In these situations, a "narrowband" Alternate Screening Tool is applied. Ultimately, the decision to assign programming will be based on the accumulation of all the information available (e.g., Criminogenic Needs Scale, AST, file information, inmate interview, etc.). If an inmate refuses a COMPAS Assessment, BOCM will still assign programs based on all other information. Program assignment will be evaluated in the future if the inmate chooses to participate in the COMPAS assessment process.

Highly Probable / High: *Typically* an AST is not applied.

- If case information supports this score, assign the correlating program. An AST is not necessary.
- If there is a conflict between the case information and this score, apply the applicable AST (as available).
- The decision to assign the program will be based upon the accumulation of all the information available.

Probable / Medium: Apply an AST (if one is available):

Anger Management: DOC-2677 Anger Management Screening Guidesheet

AODA:

- UNCOPE: An UNCOPE score of 2 or greater signifies a need for treatment.
- Note: A separate process will be used to determine AODA level (i.e., Residential, Relapse or Dual Diagnosis)

- CGIP: No AST available. A "probable" score on any of the designated COMPAS Criminogenic Needs will suffice to assign.
- DVC: DOC-2654 Domestic Violence Counseling Screening Guidesheet

Sex Offender: PSU will determine the need for sex offender programming, in accordance with departmental practices. If program assignment is warranted, PSU will advise and designate the treatment level.

Unlikely / Low: Typically an AST is not applied.

- If case information supports this score, do not assign the correlating program. An AST is not necessary. If there is a conflict between the case information and this score, apply the applicable AST (as available).
- The decision to assign the program will be based upon the accumulation of all the information available.

NOTE: If a program is added or removed *after* initial classification, the Reclassification OCS shall apply the appropriate AST and document the use of the AST and justification for adding/removing the program utilizing COMPAS Program Notes.

Programs Without Identified COMPAS Needs Scales

DVC: DOC-2654 Domestic Violence Counseling Screening Guidesheet

COMPAS does not identify a potential need for domestic violence programming. In cases where the dynamics of the offense or violations (past or present) indicate that it was domestic violence related, the DOC 2654 shall be administered and documented in both the classification report and COMPAS Program Notes.

Sex Offender Treatment: PSU will determine the need for sex offender programming, in accordance with departmental practices. If program assignment is warranted, PSU will advise and designate the treatment level.

Copyright © 2012 [WI Department of Corrections]

COMPAS Notes

Assessment Notes
Case Plan Notes
General Notes
Program Notes
Note Sub-Types
Use of Confidential Notes Button

Refer to current COMPAS Notes Reference Guide located on MyDOC.

- All DAI staff trained in COMPAS will use notes to report pertinent information about an inmate.
- USERS ARE NOT TO COPY AND PASTE E-MAILS.
  - Information received via E-mail, and not already entered as a note, is to be summarized.
  - If a user finds an email has been copied/pasted into a COMPAS note, a supervisor shall be notified to have the email removed and replaced with a summary of the email.
  - The Site Coordinator may contact the DAI UCC Lead to work with another division to have a note amended if it rises to that level of concern.
- Notes are to be written in a professional manner and should include only information relating to the inmate.
- Notes are subject to Open Records.
  - If an Open Records request is received, contact the site coordinator and Records Custodian for the site.
-
- Only one note can be opened at a time, however, more than one note type may be entered at the same time.
- User can edit notes up to 8 hours after initial entry. Any notes that need to be edited after this period of time, user should contact their supervisor to unlock the note for editing or deleting.
- Check with a supervisor before entering notes about an open investigation, especially that involving law enforcement.

Reference to warning cards or conduct reports should not be documented, however, observed behavior can and should be.

  - *Do this*: "Inmate was involved in a physical altercation with another inmate in the dayroom. Additional medical attention was required for the individuals involved."
  - *Not this*: "Inmate was in a physical altercation with another inmate in the day room. Shift supervisor was contacted and he was placed in TLU. Inmate was issued a conduct report for fighting. Additional medical attention was required for the individuals involved. He was found guilty of fighting and received 30 days disciplinary separation plus restitution for medical costs."
  - *Do this*: "While conducting a search of the inmate's property, he was found to be in possession of several items that are not permissible per institution policy. Inmate was advised contraband would need to be destroyed."
  - *Not this*: "While conducting a search of the inmate's property, he was found to be in possession of several items that are not permissible per institution policy. Inmate was told he would be receiving a conduct report."

- PREA cases can be highly sensitive and highly confidential and should be marked as such. It is recommended that the Victim Services Coordinator and COMPAS Site Coordinator be involved in determining appropriateness of entering a note into COMPAS. Observed behavior should be captured in COMPAS notes after discussion with

Copyright © 2012 [WI Department of Corrections]

immediate supervisor. Alleged behaviors need to be reviewed on an individual basis. These notes may not be entered until conclusion is drawn. Victim information is not to be included in Notes

- Security Threat Group (STG) information can be highly sensitive and highly confidential and should be marked as such. It is recommended that a STG Coordinator and COMPAS Site Coordinator be involved in determining appropriateness of entering a STG related note into COMPAS.

Note Types

DAI will use the following Note types:

Assessment Notes:

This pertains only to the COMPAS assessment process (including the AST). An assessment note shall be written regarding the inmate's level of cooperation during the assessment process. It shall also provide a summary of the discussion with the inmate regarding the results of the assessment.

Examples of what should be documented:

- Inmate's level of participation (e.g., cooperation, resistance, refusal, etc.)
- Discrepancies between file information and inmate self-report
- When changing information previously entered by a different screener (e.g., number of arrests, current arrest, types of arrest, etc.)
- Use of additional services (e.g., LEP or ADA services requested/refused, read to inmate due to low reading level)
- Any additional information provided by the inmate outside of questions being asked as part of the process interview/screener evaluation process

Case Plan Notes:

Pertains to information related to the inmate's Unified Case Plan (UCP). A Case Plan note will be created whenever there is a change/update to the Case Plan.

Examples of what should be documented:

- Inmate's level of participation (e.g., cooperation, resistance, refusal, motivation, etc.)
- Use of additional services (e.g., LEP or ADA services requested/refused, full translation of UCP for inmate's record)
- Any additional information provided by the inmate outside of questions being asked as part of the process interview/screener evaluation process
- Completion or addition of assigned tasks/activities

General Notes:

This pertains to information related to the general case management of the inmate.

Examples of what should be documented:

- Observed behaviors (positive and negative) related to conduct, interaction with others, abnormal, work performance, etc.
- Referral to another department
- Correspondence with inmate directly or third party
- Use of BITs or other alternative interventions to address problematic behavior/attitudes

Program Notes:

All COMPAS trained program providers shall utilize COMPAS notes to document inmate program participation. There are subtypes for each primary program. When making a note regarding a non-primary program, select subtype "Program-Other." This pertains to information related to the inmate's current program involvement and replaces chronological notes.

Examples of what should be documented:

- Program enrollment/refusal
- Program participation/progress
- Counseling regarding attitude/performance

Note Sub-Types

DAI has created specific subtypes for notes, which are required for General and Program notes. This will assist when filtering notes.

Note: Conduct reports and warnings shall not be referenced in Notes. Observed behavior can and should be documented in "Behaviors/Observations."

Use of the Confidential Notes button:

- The confidential button in COMPAS notes shall be checked for any confidential information including all individually identifiable medical, dental, mental health and AODA information. This includes diagnosis of a need for medical, dental, mental health and AODA treatment, and any health care services (treatment) provided, victim information (phone number, address, sensitive crime details, victim view on early discharge, etc.), and indications of acting as a confidential informant. This information shall be stored in a separate note than other non-confidential information, which should be made available. In other words, do not restrict shareable information by combining it in one note with confidential information and marking the entire note confidential.
- DOC Employees should only access records in COMPAS that are related to their caseload or if there is a legitimate business reason to access the record.

  Acceptable: Checking notes of a co-defendant for payment information
  Not Acceptable: Checking in COMPAS for the name of a person in the paper today, who has no connection to the user's caseload.
- Requests for confidential notes will require a DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI). These requests should be processed like any other request for records.
- In order to share as much information as possible, any diagnosis and treatment post-diagnosis information should be documented in a separate note marked confidential. See the example below:

  Historical:

Joe went to his support groups. He attended three this week and has found a sponsor. Joe attended his court ordered AODA assessment. He was diagnosed with substance abuse and dependency. He will be attending treatment three times per week for two hours per session. He attended his first treatment session where they learned about the effects of alcohol and drugs on the brain. A random UA was taken and showed positive for cocaine use. Joe indicated he used 3 days ago and has been in contact with his sponsor several times since then, which he believes has helped. Joe attended his psychiatric evaluation and was diagnosed with depressive disorder. He will continue to see Dr. Jones one time per week for treatment of his condition. Joe attended Cognitive Behavioral Treatment and is working on the ABC model. He practiced his skills in group.

As of March 10, 2014:

Copyright © 2012 [WI Department of Corrections]

NOTE NOT MARKED CONFIDENTIAL		SEPARATE NOTE MARKED CONFIDENTIAL
Joe went to his support groups. He attended three this week and has found a sponsor. Joe attended his court ordered AODA assessment. A non- treatment related random UA was taken and showed positive for cocaine use. Joe indicated he used three days ago and has been in contact with his sponsor several times since then, which he believes has helped. Joe attended his psychiatric evaluation. **(Unless entered by someone qualified to make a diagnosis, such as a psychiatrist, psychologist, etc. If this is entered by a qualified person, this note would be marked confidential)** Joe attended Cognitive Behavioral Treatment and is working on the ABC model. He practiced his skills in group.		Joe's assessment diagnosis was substance abuse and dependency. He will be attending treatment three times per week for two hours per session. He attended his first treatment session where they learned about the effects of alcohol and drugs on the brain. **PLEASE NOTE IF THIS WAS A TREATMENT ORDERED UA, IT WOULD BE MARKED CONFIDENTIAL** Joe attended his psychiatric evaluation and was diagnosed with depressive disorder. He will continue to see Dr. Jones one time per week for treatment of his condition.

Copyright © 2012 [WI Department of Corrections]

Case Manager Module

Education History
- How to Enter Education Information
- Instructions for Entering Education Information
- Education Assessment Scores
- Additional Assessment Information

Employment History
- How to Enter Employment Information
- Additional Assessment Information

Substance Use History
- How to Enter Substance Use Information
- Additional Assessment Information
- Drug Test History

Education, Employment and Substance Use History is to be entered into the Case Manager Module in COMPAS. Use discretion and professional judgment when documenting information self-reported by the offender. While it is not required that the information provided is formally verified or substantiated, the COMPAS user should exercise good judgment in assessing the reasonableness and authenticity of offender-reported information

Education History

The following Education Information should be entered into COMPAS and at the following times:

- Intake: During the intake (reception) process, Education staff will enter all education data revealed during case research, which may include test scores, “Can this person read?’ and other education related information.
  - NOTE: If Education staff is unavailable to complete the initial education assessment, the Classification staff will complete the “Can this person read?’ question based upon the inmate’s ability to complete the self-report section of the COMPAS Assessment.
- Post-Intake: Education Staff at the inmate’s permanent site shall enter any further education information, which may include TABE testing and GED/HSED Testing.

How to Enter Education Information:

From the Person Summary Screen education, information will be entered as follows:

- Click on the Person Summary tab on the left side of the screen
- Select Work and Education
- Select Education History
- To enter education information, click “Actions” next to Education Information. Treat this information as current.

  Click Edit to enter applicable information into the following sections. Save once completed.

Instructions for Entering Education Information

- Current Student: Identify if the student is enrolled in school part-time or full-time.
- Where: Enter the name of the school the student is currently enrolled in.

  Highest Grade Completed: The student's self-report may be utilized for this field if no other verifiable
- information is available.
- High School Completion: Check if any of the selections are applicable to the inmate.
- Can a person read?: An answer of “Yes” requires at least a score of 6.0 on the TABE D/TABE Adaptive.

  Vocational Training: If the inmate is currently enrolled in vocational programming, check yes and enter where.

Copyright © 2012 [WI Department of Corrections]

- Schools: This area is for historical information regarding the high school/college(s) from which the inmate graduated. N/A can be entered in the address field. Type in the city and state.

Education Assessment Scores

TABE and/or TABE Adaptive scores must be entered for Reading and Math. Sites may further enter sub-scores of various assessments if they choose to do so (Math- Applied, Math-Computation etc.).

Additional Assessment Information

This section of the Education History automatically populates from the Offenders COMPAS assessment. This scale assesses the degree of success or failure in the areas of work and education. A high score represents a lack of resources. Those who score high will present a combination of failure to complete high school, suspension or expulsion from school, poor grades, no job skills, no current job, poor employment history, and access only to minimum wage jobs, etc. Thus, the scale represents a lack of educational and/or vocational resources. This scale appears in the Education History section for informational purposed for staff.

Employment History

The Employment History will be utilized throughout DAI, DCC, and DJC to document an offender's employment history in the community. A goal of Employment History is to facilitate the transition back to the community upon release by documenting the inmate's known skills and employment.

The following employment information should be entered into COMPAS:

- Intake: If case research or inmate self-report reveals employment information, enter it into the Employment History during the Initial Classification Staffing Process.
- Post-Intake: The Work Release Coordinator, Employment Support Specialist, Work Assignment Supervisor or Case Manager at the inmate's permanent site shall enter any further historical employment information, including jobs held at Badger State Industries (BSI).
- The Work Release Coordinator or Employment Support Specialist should enter job information when the inmate begins or is terminated from a work release job. Institution work assignments, with the exception of BSI, should not be entered into the Employment History, however, skills learned can be.
- A staff member facilitating the pre-release Employment Module shall add additional employment information as it becomes known.

How to Enter Employment Information:

From the Person Summary Screen Employment information will be entered as follows:

- Click on the Person Summary tab on the left side of the screen
- Select Work and Education
- Select Work History
- To enter employment information, click Actions→ Edit next to Employment Information. Treat this information as current.

  To enter information related to Job Skills and Employment history click Create. Save once completed.

Additional Assessment Information

Similar to the Education History information, this section of the Employment History automatically populates from the Offenders COMPAS assessment. This scale assesses the degree of success or failure in the areas of work and education. Those who score high will present a combination of failure to complete high school, suspension or expulsion from school, poor grades, no job skills, no current job, poor employment history, and access only to minimum wage jobs, etc. Thus, the scale represents a lack of educational and/or vocational resources. This scale appears in the Employment History section for informational purposes for staff.

Substance Use History

Copyright © 2012 [WI Department of Corrections]

The Substance Use History will be utilized throughout DAI, DCC, and DJC to document an offender's substance use both in the community and during incarceration (if applicable). A goal of Substance Use History is to document the inmate's historical use of alcohol, illegal drugs or misuse of prescription/OTC medications.

Substance Use History information should be entered into COMPAS:

- Intake: If case research or inmate self-report reveals substance use information, enter it into the Substance Use History during the Initial Classification Staffing Process.
- Post-Intake: During initial screening for entry into an AODA treatment program. Previously unknown information shall be entered prior to the inmate beginning the treatment group at the institution. Any previously unknown information disclosed while enrolled in a substance abuse program shall also be entered into the Substance Use History.

How to Enter Substance Use Information:

From the Person Summary Screen Substance Use information will be entered as follows:

- Click on the Person Summary tab on the left side of the screen
- Select Medical
- To enter use history click Create next to Substance Use History.
- Enter self-reported use. Click save once complete.

Additional Assessment Information

This section of the Substance Use History automatically populates from the inmates COMPAS assessment. The present scale is a general indicator of substance abuse problems. A high score suggests a person has drug or alcohol problems and may need substance abuse treatment intervention. The items in this scale cover prior treatment for alcohol or drug problems, drunk driving arrests, blaming drugs or alcohol for present problems, drug use as a juvenile, and so on.

Drug Test History

Urinalysis (UA) screenings will be recorded in COMPAS by all divisions. The results can be found in this section of Substance Use History. Information specifically available includes date of test, test type, and test results. Only staff specifically trained in the UA screening process will enter this information.

Copyright © 2012 [WI Department of Corrections]

Correcting Cross-Divisional Errors

Based on the severity of the issue and if he/she feels comfortable (discretion is important here), the discovering user should politely and professionally seek out the user perceived to be responsible for clarification and planning to rectify the problem.

If the problem is perceived to be more severe/egregious or the discovering user simply does not feel confident enough to problem-solve the situation, his/her front line supervisor should be enlisted. The supervisor should then contact the other user's supervisor to discuss a solution.

For particularly severe or serious infractions, the discovering user should immediately notify his/her supervisor who should in turn contact the UCC lead. These issues will be addressed by UCC leadership.

See below for a list of example issues:

1 Routine problems likely to be addressed user-to-user:	2 Higher-significance issues that may need supervisor involvement:	3 Serious violations to be escalated to UCC leadership:
Incorrect or inaccurate data (wrong dates, criminal or social history information, etc.)	Copy/paste infractions.	Modifications to an assessment without any documented valid reason why.
Assessments overdue.	Disagreements on assessment scoring.	Suspicion of breaches of the "need to know" model for confidentiality protection.
Improper naming conventions (i.e.- lifecycle creation/naming).	Disagreements on the appropriateness of an override.	Any inappropriate or blatantly unprofessional note documentation.
Departures from previously prescribed case planning at transition points.		Any ongoing pattern of noncompliance or neglect for business process.

Copyright © 2012 [WI Department of Corrections]

DAI Supervision Overview and Social Worker/Treatment Specialist Responsibilities

Americans with Disabilities Act (ADA)
Advance Directives for Health Care (Power of Attorney for Health Care and Living Will)
Attorney Phone Calls
Carey Guides & BITS
COMPAS
Disciplinary Rules
Drug Testing
Emergency Contact Information
Earned Release Programs-Earned Release Program (ERP)/Wisconsin Substance Abuse Program (WSAP) and Challenge Incarceration Program (CIP)
Family Illness & Emergencies
Funeral and Death Bed Visits
HIPAA
In Memoriam, Audio Video Recording Review
Initial Classification
Inmate Complaint Review System
Inmate Institution Work Assignments
Inmate Marriage
Inmate Orientation
Inmate Portfolio
Inmate Pregnancy & Childbirth
Inmate Vital Documents
International Transfer
Limited English Proficiency (LEP)
Litigation
Media Contacts
Minimum Custody Inmates Offsite Authorization- Community Service/Project Crew/Work Release
Notary Services
Notification & Visitation Inpatient Inmates
Parole Eligibility and Hearing
Petition to Modify Geriatric-Extraordinary Health Conditions
Prison Rape Elimination Act (PREA)
Pre-Release Curriculum
Primary Programs
Reclassification
Release of Information
Security-Conduct Reports
Security-Incident Reports
Security-SPN
Sex Offender Registration
Special Placement Needs of Inmates (SPNs)
Telephone Calls
Visiting

Americans with Disabilities Act (ADA) Back to Top

Under DAI 300.00.35, the Department is committed to assuring fair and equitable treatment of individuals with

disabilities who are under its supervision or who seek access to its programs, services, or activities. Under the ADA, discrimination against inmates, juveniles, and offenders with disabilities or other individuals with disabilities is prohibited.

- Upon intake at a DOC facility, inmates shall be advised of their rights to reasonable accommodations to include the method for requesting such accommodation and the procedures for seeking an administrative remedy of a denial or modification of such requested accommodation.
- DOC-2530 Reasonable Modification-Accommodation Request shall be completed by the inmate and forwarded to the institution/center ADA Coordinator.
- If an inmate requests reasonable accommodations:
  - ADA Coordinator will acknowledge receipt of the DOC-2530 and return a copy to the inmate
  - HSU and/or PSU staff and ADA Coordinators shall obtain and review all relevant medical and mental health history to determine extent and origin of the disability and need for accommodations for the inmate.
    - A signed authorization by the inmate is not required for an ADA Coordinator to access Protected Health Information (PHI) contained in DOC records such as the Health Care Record and Social Service File when the information directly relates to the ADA request.
    - A signed DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI) is required for an ADA Coordinator to obtain external health records (i.e. information obtained by community health providers prior to incarceration)
- The ADA Coordinator shall make arrangements with the HSU Manager and/or PSU Supervisor for evaluation by qualified experts (e.g. audiologist, ophthalmologist, etc.) to verify any functional impairment and determine the need for reasonable accommodation. DOC shall obtain a signed DOC-1163A prior to providing a non-DOC evaluator with access to any Protected Health Information (PHI).
- The Security Director/Designee shall review all ADA recommended devices for security concerns.
- The ADA Advisory Committee may be consulted in determining accommodations.
- The ADA Coordinator will implement reasonable accommodations, if approved.

NOTE: If staff believe an inmate has an ADA need after initial intake, the ADA Coordinator shall be notified.

Social Worker/Treatment Specialist Responsibilities:

Ensure inmate is referred to the ADA Coordinator for any ADA needs. If the inmate has an obvious disability that requires assistance, e.g. hearing impaired, blind, mobility issues, discuss with the ADA Coordinator how to facilitate services to the inmate for any social worker interactions with the inmate.

Advance Directives for Health Care (Power of Attorney for Health Care and Living Will) Back to Top

The Power of Attorney for Health Care Form (DHS Form F-00085) makes it possible for adults in Wisconsin to authorize other individuals (called health care agents) to make health care decisions on their behalf should they become incapacitated. The Living Will Form (DHS Form F-00060) makes it possible for adults in Wisconsin to state their preferences for life-sustaining procedures and feeding tubes in the event the person is in a terminal condition or persistent vegetative state.

Social Worker/Treatment Specialist Responsibilities:

The Power of Attorney and Living Will documents may be available through the Social Worker, Library, and/or HSU. Please refer to specific institution policies. The Social Worker should review the documents for completion with the inmate to ensure all of the information is completed on the form. Two witnesses are required for Power of Attorney

Copyright © 2012 [WI Department of Corrections]

and Living Will. Witnesses cannot be a health care provider who is providing health care services at the time of the document being signed or an employee of the health care provider unless the employee is a chaplain or social worker. Once the form is signed by the inmate and two witnesses, the form should be returned to the Health Services Unit. For additional information, please refer to the DAI 500.00.10 Advance Directives for Health Care policy.

At this time, a review of Emergency Contact Information is encouraged.

Attorney Phone Calls Back to Top

Inmates may call attorneys regarding legal matters with the permission of the appropriate staff member. Such calls may be made regardless of the inmate's security status. An inmate's telephone calls to an attorney are not subject to the maximum limit in number, and an attorney's name need not be on the inmate's approved visiting list. Properly placed and approved attorney telephone calls will not be recorded. Calls may be limited based on time and space availability at the institution.

Process:

Collect telephone calls to attorneys can be made utilizing the inmate phone system. To ensure these calls are not monitored and or recorded the inmate should complete a Telephone Request Attorney Add/Delete (DOC-1631 or DOC-1631S) form and forward to the appropriate staff member. The facility/institution will forward the form to the inmate phone carrier/vendor, who will then send a letter to the attorney to verify that they are the attorney of record and willing to accept the inmate's collect call/s. The inmate phone carrier/vendor will enter attorney phone numbers into the phone system upon receipt of affirmative response from the attorney and will notify the facility/institution by returning the approved form.

Social Worker/Treatment Specialist Responsibilities:

Attorneys can initiate phone calls with their clients by calling the facility/institution to arrange. Based on institution procedures, Social Workers may be involved in scheduling attorney phone calls.

For additional information, the following references may be utilized:

- WI Statute s. 309.405 – Telephone Calls to Attorneys
- DAI Policy 309.39.01 – Monitoring and Recording of Inmate Telephone Calls

Carey Guides and BITS Back to Top

The Carey Guides set includes thirty-three guides to help corrections professionals use Evidence Based Practices (EBP) with their clients. There are thirteen Blue Guides that address criminogenic needs and twenty Red Guides that address case management concerns. Each Guide follows a consistent format: background information provides the corrections professional with important research findings and contextual information to support the application of evidence-based approaches. Each Guide also contains a number of "skill practice tools."

The Tools are designed for use by offenders, with the assistance of their corrections professionals, to understand key criminogenic issues and build plans for successful behaviors in the future. The entire Guide should not be provided to the offender. The first section of the Guide (i.e., the narrative portion) is intended for the corrections professional. Correctional professionals only provide offenders copies of the actual Tools. The Tools themselves provide enough information to enable offenders to fill them out properly.

Each site has been provided with sets of the Carey Guides and can be copied for use by WI DOC staff only and cannot be utilized by contracted providers at this time.

The Brief Intervention Tools (BITS)

The BITS assist any corrections professional to effectively address key skill deficits through brief, structured interventions. The tools can be used as an effective supplement to The Carey Guides.

The BITS are available on MyDOC and are beneficial due to being:

Brief

- User-friendly

- Few in number
- Require minimal preparation or training
- Versatile
- Developed particularly (but not exclusively) for spontaneous situations

Effective_____Uses of BITS

- As a quick response to an issue that presents itself during the offender's supervision
- As a method to help an offender get "unstuck"
- As a way to avoid relapse

The Brief Intervention Tools (BITS) are available on MyDOC:

Tool	Use When….	Likely Criminogenic Need
Problem Solving	You have observed a situation in which the offender made decisions that were harmful and could have benefited from a more thoughtful process of analyzing options before acting	Antisocial personality/ temperament
Overcoming Thinking Traps	You suspect that the offender had an automatic destructive thought–feeling–action pattern that could be replaced with more prosocial thoughts–feelings–actions	Antisocial cognition (thoughts & beliefs) Attitudes personality (temperament)
Who I Spend Time With	You are aware that peers are influencing the offender negatively and you believe the offender could benefit from examining whether these relationships are helpful or harmful	Antisocial associates
Thinking Traps	You see a pattern of harmful decisions that can be linked to one or more harmful world views and/or you want to establish a case management approach that builds on a cognitive behavioral foundation	Antisocial cognition (attitudes & beliefs)
Making a Decision	You see the offender is ambivalent about wanting to change and could benefit from examining the pros and cons of changing	Any of the eight needs
Overcoming Automatic Responses	You are working with the offender around preventing relapse to previous, destructive patterns of thinking and behaving	Any of the eight needs

Social Worker/Treatment Specialist Responsibilities:

Carey Guides and BITS worksheets can be used when an offender may be displaying some of the following: not following rules or staff directives, displaying anti-social attitude/behavior with staff or other offenders, offender struggles to hold him/herself accountable for his/her actions, or the offender may be struggling in an area that the Carey Guide or BITS worksheet covers. The TS/SW or security staff can provide the offender with the Carey Guide or BITS worksheet to complete. The TS/SW/Security staff will inform the offender the expectations of the assignment and will direct the offender as far as when it's to be completed and who will go over it with him/her

Copyright © 2012 [WI Department of Corrections]

(TS/SW or security staff). If an offender continues to struggle with the attitude or behavior that he/she received the Carey Guide and BITS worksheets, then the TS/SW will determine if a behavior contract needs to be administered.

Disciplinary Rules Back to Top

DOC Chapter 303 disciplinary rules apply to all inmates in its legal custody regardless of the inmates' physical placement. All staff are responsible for knowing and understanding the disciplinary rules for inmates and how to write a conduct report (DOC-0009) when necessary.

Institutions may make specific procedures for the operation of the institution in accordance with department policy. Inmates may be disciplined for violations of department policy, including institution regulations. Many rules are found in individual institution handbooks.

Each institution shall maintain at least one official method for notifying inmates about notices of general applicability. Most institutions use the institution library as the official method of notifying inmates of general rules.

When an inmate receives a conduct report, the inmate has certain rights that must be afforded to him which are called “due process.” If the inmate does not contest the charges or recommended disposition, the process ends and the inmate serves the disposition imposed. Inmates are given an opportunity to make a statement regarding the alleged rule violation(s) and in a major rule violation, they may have an option of a hearing with or without witnesses and a staff representative. A hearing officer holds the hearing and determines a finding of guilt and penalty imposed.

Social Worker/Treatment Specialist Responsibilities:

An employee who observes or becomes aware of a rule violation shall verify that a violation has occurred and shall write a conduct report. If more than one employee knows of the same incident, only one of them shall write a conduct report. Forms are available on all housing units. Social Workers may refer to Security staff for assistance in the report writing process. As part of a major conduct report hearing, Social Workers may be called as a witness to testify regarding the alleged rule violation.

In the conduct report, the employee shall describe the facts and list which rules were allegedly violated.

Social Workers also play a key role in counseling inmates regarding their rule violations and using available tools to encourage pro-social behaviors. As an example, tools such as Carey Guides, BITS, and/or Thinking Reports may be utilized with the inmate.

For additional information, the following references may be utilized:

- Wisconsin State Statute ss. 301.03 (2), 302.04, 302.07, 302.08, and 302.11 (2)
- Administrative Code Chapter 303 – Discipline
- DAI 303.00.02 Restrictive Housing Programs and Review
- DAI 303.00.03 Temporary Lock Up
- DAI 303.00.04 Disciplinary Guidelines
- DAI 303.00.05 Law Enforcement Referrals

DAI 303.72.01 Establishing Restitution for Disciplinary Dispositions

Drug Testing Back to Top

The Division of Adult Institutions performs drug testing of inmates to protect the public and provide a drug free and safe environment for staff and inmates.

The drug-testing program includes random testing, saturation testing, targeted testing, testing for cause, and testing while in treatment. The inmate may request a confirmation test when the test results come back positive. The inmate will be responsible for the cost of the confirmation test it the results are consistent with the initial test results.

Copyright © 2012 [WI Department of Corrections]

Each facility designates a facility coordinator to oversee this process. Designated staff who have received training are responsible for specimen collection and processing.

The DOC may utilize drug-testing methods other than urinalysis, such as saliva and hair analysis in certain situations.

COMPAS is used to record all drug testing results performed on inmates.

Social Worker/Treatment Specialist Responsibilities:

Review conduct reports for use of intoxicants as that may have an impact on classification hearings, programming recommendations, case planning, and release planning.

For additional information, the following references may be utilized:

- DAI 306.17.01 Inmate Drug Testing 11-01-15
- DAI Policy 500.30.66 – Intoxication and Withdrawal

Earned Release Programs- Earned Release Programs (ERP) and Challenge Incarceration Program (CIP) Back to Top

The Earned Release Program (ERP) is pursuant to the Wisconsin State Statutes, Sec 302.05, and utilizes two core curriculums, Thinking for a Change (T4C) and Cognitive Behavioral Interventions for Substance Abuse (CBISA). In conjunction with these primary curriculums, a wide range of ancillary programs are offered. Program length is determined by the inmate's assigned program needs. Upon receipt of an amended JOC granting release, the inmate's release shall occur no later than six working days.

The Wisconsin Women's Correctional System utilizes two core curriculums that are gender responsive, Moving On (cognitive behavioral program) and Helping Women Recover.

The Challenge Incarceration Program (CIP) is pursuant to the Wisconsin State Statutes, Sec 302.045 and committed to the use of evidence-based practices in furtherance of the core principles of effective Alcohol and Other Drug Abuse intervention strategies and in-depth group interaction. Inmates also have an opportunity to attend school with individual tutoring as they work towards earning a High School Equivalency Diploma. CIP is designed to allow a participant to successfully complete all program components in a minimum of 140 days. The program is voluntary; however, all program elements are mandatory. Program components are structured around personal orientation and rehabilitative programming. The program includes rigorous physical activity, manual work assignments, regimentation and discipline, and instruction on military bearing.

Copyright © 2012 [WI Department of Corrections]

DAI Policy 300.00.12 Earned Release Programs
Attachment B - CIP and ERP Dosage and Supporting Program Availability
Revised: August 29, 2018

A supporting program anger management (A/M), domestic violence (DV), cognitive-behavioral program (CBP)) is completed when the inmate has an assigned need and the program is available. **Minimum arrival time is a guideline** used for case planning. DAI resources, bed management and sentence structure will impact arrival and may not allow for arrival at minimum time frames.

Male ERP Site	Minimum arrival time prior to bed date *	COMPAS Risk Level Recommendation	Approximate Dosage	Domestic Violence (DV)	Anger Management (A/M)	CBP (T4C)	ABE/HSED - Availability on-site
BRCC	1 month	Low	12 weeks	No	No	No	Yes - Prior to enrollment & during program
BRCC	1 month	Medium	20 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
CVCTF	1 month	Medium/High	20 weeks	Yes	Yes	Yes	Yes - Prior to enrollment & during program
DACC	4 months	Medium/High	20 weeks	Yes	Yes	Yes	No classes, Testing Yes
FCC	4 months	Medium/High	20 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
PDCI	4 months	Medium/High	20 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
RCI	4 months	Low	12 weeks	No	No	No	Yes - Prior to enrollment & during program
RCI	4 months	Medium/High	20 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
OCI	1 month	Medium/High	20 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
OSCI - MICA	2 months	Low/Medium/High	39-47 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program

Female ERP Site	Minimum arrival time prior to bed date *	COMPAS Risk Level Recommendation	Dosage	Domestic Violence	Anger Management	CBP (Moving On)	Availability of ABE/HSED on-site
MWCC	1 month	Low	12 weeks	No	No	No	No classes, testing Yes
MWCC	1 month	Medium	14 weeks	No	No	Yes	No classes, testing Yes
MWCC	1 month	High	16 weeks	No	Yes	Yes	No classes, testing Yes
REECC & TCI	1 month	Low	12 weeks	No	No	No	Yes - Prior to enrollment & during program
REECC & TCI	1 month	Medium	14 weeks	No	No	Yes	Yes - Prior to enrollment & during program
REECC & TCI	1 month	High	16 weeks	No	Yes	Yes	Yes - Prior to enrollment & during program
TCI - Strength	N/A	Low/Medium/High	20 weeks	No	Yes	Yes	Yes- prior to enrollment & during program

Male Female CIP Site		COMPAS Risk Level Recommendation	Dosage	Domestic Violence	Anger Management	T4C	Availability of ABE/HSED on-site
SCCC	N/A	Medium/High	20 weeks	No	Yes	Yes	Yes - during program

Social Worker/Treatment Specialists Responsibilities:
HSU clearance occurs prior to a recommendation for program enrollment. The Social Worker/Treatment Specialist shall facilitate the inmate's completion of the DOC-3552 (Challenge Incarceration Program (CIP) Candidate Health Pre-Screening) prior to a referral by BOCM to HSU for CIP. If an inmate is offered enrollment and refuses participation in ERP or CIP the assigned Social Worker/Treatment Specialist shall complete DOC-2439 (Primary Program Status). The Social Worker/Treatment Specialist shall update WICS to reflect rejected by program – inmate refused.

For additional information, the following references may be utilized:

- DAI Policy 300.00.12 Earned Release Programs for more information on ERP/CIP eligibility and suitability, recommendation for enrollment, refusal, completion, extension, withdrawal, termination or removal.

Family Illness & Emergencies Back to Top

The institution receives information regarding the death of a family member and verifies its accuracy. The inmate's social worker, assigned psychologist, unit sergeant, chaplain, and security supervisors are informed. An emergency phone call to family can be allowed at this time.

Social Worker/Treatment Specialist Responsibilities:
Upon receiving information that an inmate's family member has passed away, social worker should ask for information to verify accuracy – hospital, police department, funeral home, and/or coroner. Social Workers are expected to inform inmates of information regarding the death of a family member when they are in work status. Social Workers should relay pertinent information to unit staff, assigned psychologist, chaplain, and security supervisors upon completion of phone call. Social Workers should also document all pertinent information in a COMPAS note. In the event of an emergency phone call, the DOC-0831 should be completed and routed to appropriate institution staff (to be determined-follow-up).

Copyright © 2012 [WI Department of Corrections]

Funeral and Death Bed Visit Request Back to Top

Under DAI 325.00.02 Temporary Release Under Supervision-Funeral and Death Bed Visits, the Department shall ensure inmates that have minimum or minimum community custody status may be considered for a temporary release under supervisor to attend a private visitation following the death of a close family member or a visit with a terminally ill close family member.

- A close family member is defined in DAI 325.00.02 as an inmate's natural, adoptive, step and foster parents; spouse, children, grandparents, grandchildren or siblings. A parent surrogate is within the definition of a parent if the inmate substantiates that a claimed surrogate did in fact act as a parent to the inmate, although the parent surrogate was not adoptive, foster or step parent.
- Attendance to a funeral or deathbed visit is limited to the State of Wisconsin.
- An inmate is restricted to either one deathbed visit or a funeral visit for each close family member. Any exceptions shall be approved by the DAI Administrator, including any assessed costs of the visit, as determined by Wisconsin Administrative Code s. DOC 325.13.
- Deathbed visit is a visit to a terminally ill close family member for whom death is imminent.
  - Only the inmate and the terminally ill close family member may be present at the private deathbed visitation, except with the Warden's approval.
- A Private funeral visit is an event attended by the inmate and up to 3 close family members on the inmate's approved visiting list.
  - Private funeral visits shall not be more than 60 minutes in duration. It must be scheduled either to conclude 30 minutes prior to the funeral, wake or memorial service or to begin 30 minutes after that funeral, wake or memorial service has concluded.
- A deathbed or funeral visit shall not be at a private residence unless approved by the DAI Administrator.
- The Secretary of the DOC or the DAI Administrator may waive certain requirements of DAI 325.00.02 in exceptional circumstances.

Social Worker/Treatment Specialist Responsibilities

- The inmate will complete their section on DOC-1820 Funeral or Death Bed Request and submit to the Social Worker/Treatment Specialist.
- The Social Worker/Treatment Specialist shall verify the inmate's relationship to the close family member by reviewing all available sources of information including but not limited to; Social Services File, COMPAS, and Birth Certificate.
- The Social Worker/Treatment Specialist will verify the deathbed or funeral information by calling the Doctor, Nurse, Funeral Director or Coroner.

  Upon verification of information the Social Worker/Treatment Specialist shall complete their appropriate section on DOC-1820, document close family member requested to be present and make a recommendation prior to submission to Unit Manager/Social Services Supervisor.
  - Within WCCS the Social Worker/Treatment Specialist may submit the form directly to the Superintendent/Designee.
  - The decision for ATR (Alternative to Revocation) cases to attend shall be determined by the Warden/Designee in consultation with the DCC Agent/Supervisor. DCC shall be responsible for the transportation and supervision of the inmate.

Copyright © 2012 [WI Department of Corrections]

- Video visitation through a web service may be arranged for deathbed visits if time and circumstances permit and temporary release is not possible.

  If approved, ensure completion of DOC-45 (Temporary Release – Request/Order/Cancellation) in WICS. Security staff will then be arranged to transport the inmate in a state vehicle.
  - The visit may be terminated at any time the escorting staff believes there is a threat to the safety of staff, the inmate or public.
- Notify the inmate if the request is denied or approved and if approved, the conditions of the visit. The Warden/Designee may deny the visit due to security or safety concerns for the staff, inmate or public.

  If denied, the Warden/Designee shall notify the DAI Administration/Designee and forward a copy of the final DOC-1820.

HIPAA -(Health Insurance Portability and Accountability Act 1996) Back to Top

Employees of the Department of Corrections shall request, access, use and disclose confidential Protected Health Information (PHI) in accordance with federal HIPAA regulations, and other relevant Wisconsin and federal laws. The DOC shall mitigate, to the extent practicable, any known harmful effect resulting from a use or disclosure of PHI by the DOC or a Business Associate that violates HIPAA regulations. Protected Health Information includes, but is not limited to, any medical records, AODA/Substance Use Disorder treatment information, and psychological records. A DOC employee, upon becoming aware of possible violation by a DOC employee, including agency and contracted staff, interns and volunteers, or a Business Associate of the DOC, of a policy or procedure, or a Federal or Wisconsin law regarding the use or disclosure of PHI has a duty to report the possible breach to the DOC HIPAA Compliance Officer via telephone, email and/or by completing a DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information (PHI).

Social Worker/Treatment Specialist Responsibilities:

- Fully complete and review the 1163 or 1163A with the inmate and have the inmate sign the authorization.
- Provide copies to the inmate and requested parties needing to have disclosure of the protected health information following the distribution list on the 1163 or 1163A.

- For additional information, the following references may be utilized:
- Policy 500.50.01 Minimum Necessary and Duty to Mitigate HIPAA Standards
- DOC-1163 – Authorization for Disclosure of Non-Health Confidential Information
- DOC-1163A – Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information

Initial Classification Back to Top

Upon arrival at a DAI intake center and within eight weeks of arrival, inmates are assessed and evaluated for custody, program/treatment needs, and placement per Chapter DOC 302, Inmate Classification, Sentence, and Release Provisions.

Custody: Factors in assigning inmate custody are:

1. nature and seriousness of the offense
2. criminal record
3. length of sentence
4. motivation for the crime
5. attitude towards the crime

6. conduct
7. time served
8. medical and clinical needs
9. risk to a victim, witness, or the public
10. program performance
11. pending legal matters or detainers
12. decisions by the Parole Commission
13. the results of risk rating instruments
14. inmate vulnerability.

Program/Treatment Needs: Inmates may be considered for academic/vocational assignments or treatment program assignments if the following are met:

1. based upon an evaluation of the criminogenic needs, which result in program assignment;
2. space availability;
3. inmate attains the custody level needed to transfer to site where the program is available;
4. inmate meets program prerequisites;
5. inmate may choose to not participate in program or treatment assignments with the understanding that a refusal could affect custody classification and placement.

Placement: Considerations for site placement include:

1. inmate custody is matched with the security level of the facility;
2. program assignments;
3. sentence structure;
4. area of release.

THE FOLLOWING PROCESSES ARE COMPLETED PRIOR TO or DURING THE INMATE'S INITIAL CLASSIFICATION (IC) STAFFNG INTERVIEW:

- COMPAS Core Assessment
- Alternative Screening Tools
- Risk Assessment in WICS
- Pre-Release Curriculum

Reentry Portfolio

Social Worker/Treatment Specialist Responsibilities:

Refer inmate to the Offender Classification Specialist with any questions regarding this process.
For additional information, the following references may be utilized:

- DOC Chapter 302 – Inmate Classification, Sentence, and Release Provisions

In Memoriam Visit, Audio Video Recording Review Back to Top

An inmate who has experienced the recent death of a close family member may be offered the opportunity to participate in an in memoriam visit or video/audio recording review of the community memorial service. The inmate should request this through the Chaplain/Designee and it will be evaluated, approved, or denied, in

accordance to DAI 309.00.08 In Memoriam Visit, Audio Video Recording Review. If approved by the Warden/Designee, the Chaplain/Designee will arrange a day and time for the viewing.

Social Worker/Treatment Specialist Responsibilities:
Social Worker should educate the inmate on the policy and institution procedure. Chaplain may collaborate with social worker on information provided by inmate to verify appropriate relationships.

Inmate Complaint Review System (ICRS) Back to Top

Inmates in all institutions have a process available to them so their grievances can be expeditiously raised, investigated, and decided.

All institutions and centers have a designated Institution Complaint Examiner (ICE) who is charged with investigating complaints (DOC-0400 Inmate Complaint) and making recommendations to the appropriate reviewing authority (RA). The RA decides the complaint. If dissatisfied with the RA's decision, the inmate has the option of filing an appeal (DOC-0405 Request for Corrections Complaint Examiner Review) to either the RA (for rejected complaints) or the Corrections Complaint Examiner (CCE), who then makes a recommendation to the Secretary of the Department. Prior to submitting complaints, inmates are required to attempt to resolve the issue by following the designated process specific to the subject of the complaint; normally by following the institution's chain of command.

Social Worker/Treatment Specialist Responsibilities:
Social Workers should be familiar with the chain of command so they may re-direct inmates to resolve their complaints with the appropriate department.

If the inmate chooses to submit a complaint and the ICE directs the inmate to contact the Social Worker in an attempt to resolve the issue, the Social Worker must respond to the request in writing, or schedule the inmate to be seen (if necessary). If seen, the Social Worker should let the ICE know that they met with the inmate to discuss the complaint issue. Social Workers are also responsible for responding to any inquiries made by the ICE in the investigation process.

For additional information, the following references may be utilized:

- DOC Chapter 310 Complaint Procedures
- DAI 310.00.01 Inmate Complaints Regarding Staff Misconduct
- DAI 310.00.03 Inmate Property Depreciation Sched & Calc Spreadsheet
- DAI 310.00.03 Inmate Property Depreciation Schedule

Inmate Institution Work Assignments Back to Top

The Division of Adult Institutions shall establish guidelines for facilities to maintain a process for placement, removal, or transfer of all compensated inmate work assignments. Each facility shall review criteria for assigning, removing or continuing an inmate work placement. Each institution has a procedure for placement, evaluation and removal of inmates from facility work assignments. The hiring staff is responsible for completing the DOC-1408 (Offender Work/Program Placement) and submitting to inmate payroll staff for processing. They also track work placements, transfers, and removals for accurate inmate compensation. A DOC-0780 (Offender Performance Evaluation) is to be completed a minimum of every six months or as needed. Facility work assignments shall be for no more than two years unless otherwise approved by the Warden/designee.

Social Worker/Treatment Specialist Responsibilities:
Provide input to staff when requested on inmate's behavior and suitability for the positions.

For additional information, the following references may be utilized:

- DAI Policy Number: 309.00.01 Inmate Work Placement.

Inmate Marriage Back to Top

DAI may allow inmates in general population to marry while incarcerated if the following conditions are met as

outlined in DAI 309.00.06 Inmate Marriages:

- The marriage does not pose a threat to the security of the facility or a threat to the safety of the public, or threatens other legitimate penological interests such as prison security, crime deterrence, rehabilitation, resource allocation, protecting visitors, deterring substance abuse, and protecting the safety of correctional staff and inmates.
- There are no legal impediments to the marriage.
- The inmate is not scheduled for release within nine months.
- The proposed spouse or the proposed spouse's children are not victims of the inmate, have never been convicted in any criminal activity with the inmate and have been on the inmate's visiting list for a minimum of one year or is able to demonstrate a longstanding relationship with the proposed spouse.
- Marriage between two inmates confined in DOC facilities is prohibited.
- The marriage ceremony shall be performed on site in the facility where the inmate is incarcerated. DAI shall not arrange for inmates to be transported for marriage ceremonies.

The Warden shall approve the DOC-1671 (Request for Marriage), counseling plans, marriage, and wedding arrangements.

- The number of joint counseling sessions required is determined by the inmate's timeframe to release.
- Wedding rings must comply with DAI property specifications according to DAI 309.20.02. The ring should enter the facility according to established facility property procedure.

Each facility shall have a designated marriage coordinator. The marriage coordinator is responsible for:

- Reviewing inmate files and making recommendations to the Warden on appropriateness or legality of the proposed marriage.
- Sending the intended spouse a letter to include the following inmate's information; name of commitment and any aliases, current and previous committing offenses, length of sentence, projected release from prison if available, any other information the coordinator believes is appropriate and shall said the intended spouse in making an informed decision.
- Notifying the intended spouse to report to the facility to meet with a multi-disciplinary team to discuss the marriage request, if deemed necessary.

Social Worker/ Treatment Specialist Responsibilities:
At some facilities the role of the Social Worker may be defined in institution procedure. Their role may include providing the inmate form DOC-1671, reviewing the DAI 309.00.06 Inmate Marriages policy with the inmate; assisting the marriage coordinator in reviewing inmate file documents, case records, and WICS visiting list information; contacting the intended spouse's agent of record to obtain input on the marriage request; verify inmate account balances for costs of premarital counseling, wedding ceremony, marriage license fees, and officiate fees.

Inmate Orientation Back to Top
Within DAI upon arrival at each institution/center, the inmate should receive an orientation as identified in facility procedure. A preliminary orientation may occur on the inmate's date of arrival to the institution/center. General topics of preliminary orientation may include: safety requirements such as emergency procedures, fire drills, restricted areas, etc.; daily expectations such as counts, meal times, program/leisure hours; visiting hours; who to contact concerning any special medicals, and dietary or separation concerns.
A more comprehensive orientation may occur within a week of the inmate's arrival to the institution/center. The comprehensive orientation may have staff identified from multiple disciplines to present on the major areas of;

Copyright © 2012 [WI Department of Corrections]

Security, Programming, Business Office, Program Review Committee, Inmate Complaints, Social Services department, Library, Education Department, Records Department, Health Services Unit, Religious Programs, Prison Rape Elimination Act (PREA), and Institution work assignments. All new inmates should be given a copy of the institution/center handbook. An inmate may be issued a PREA booklet or DOC 303 Disciplinary Rules booklet if he states he hasn't yet received one.

The PREA orientation shall include the video "PREA: What You Need to Know", receipt and review of POC-41 Sexual Abuse and Sexual Harassment Prevention and Intervention Booklet, victim advocacy services, telephone numbers 777 and 888 hotline information, facility procedure on Cross Gender Announcements, and information about zero tolerance policy regarding sexual abuse or harassment. Designated institution/center staff will coordinate the completion of DOC-2781A PREA Screen Female Transfer Assessment and Reassessment or DOC-2781B PREA Screen Male Transfer Assessment and Reassessment. Using information results from the PREA assessment, appropriate housing assignments shall be made.

Social Worker/Treatment Specialist Responsibilities:

If identified in institution/center procedure assist in the coordination and orientation for new arrival inmates. Present on Social Services Department topics such as; local reclassification planning, visiting list additions or updates, release planning and programming information.

For additional information, the following references may be utilized:

- Institution/center handbook
- Executive Directive 72- Sexual Abuse and Sexual Harassment in Confinement (PREA)
- POC-41 Sexual Abuse and Sexual Harassment Prevention and Intervention booklet

Inmate Portfolio Back to Top

The Division of Adult Institutions requires inmates to develop and maintain a portfolio that must contain data and information to assist the inmates during their incarceration and reentry into the community.

Social Worker/Treatment Specialist Responsibilities:

Upon initial classification, all inmates will be issued a portfolio.

Inmates not previously issued a portfolio at the time of intake must be provided a portfolio at the earliest convenience, such as at reclassification, or at time of assessment and case planning.

Inmates must be directed to sign a DOC-2425 (Acknowledgement of Receipt of Reentry Portfolio) acknowledging receipt. If an inmate refuses to sign the form, a staff member must sign and note the inmate's refusal to sign.

The portfolio must be kept in the inmate's personal property during the term of their incarceration and must be used to retain important documents identified on DOC-2399 (Portfolio Checklist).

Staff must review inmate portfolio for appropriateness of content in preparation for formal meetings. The portfolio must be requested and presented at all formal meetings.

Staff must also assist in the acquisition of essential educational documents. Upon release, the facility must provide inmates that have had access to electronic file folders on DOC EdNet, copies of any requested employment, education or release planning documents on an approved portable storage media.

Social Worker/Treatment Specialist Responsibility: Tasks may vary by facility. The SW/TS should review the portfolio with the inmate during case planning and in preparation for reclassification hearings. If the portfolio is damaged or lost the inmate will be assessed a $4.00 replacement cost.

For additional information, the following references may be utilized:

- DAI 300.00.15 - Development and Use of Inmate Portfolio
- DAI 300.00.14 – Pre-release Curriculum

Inmate Pregnancy & Childbirth Back to Top

Upon intake all inmates are given a pregnancy test to determine status. Inmates who are found to be pregnant will

Copyright © 2012 [WI Department of Corrections]

be evaluated by HSU for any appropriate restrictions. HSU staff will complete forms notifying the appropriate individuals within the institution of the inmate's status.

Social Worker/Treatment Specialist Responsibilities:

Upon receiving notice from HSU, the Social Worker will interview the inmate regarding intended placement of the child upon birth. The Social Worker will inform the Human Services Department in the guardian's county of residence to identify any concerning matters. If the first placement is found to be inappropriate, other placement options will be evaluated. Once placement is confirmed, the inmate completes the DOC-1498 Newborn Placement with assistance by the DOC Social Worker, who forwards to the Social Worker assigned to the Maternity Unit at St. Agnes Hospital. After the birth of the child, visitation with the guardian and child may be approved and facilitated by the Social Worker.

Limited English Proficiency (LEP) Back to Top

Inmates, offenders and youth in WI DOC custody and supervision are provided with language assistance if needed to have meaningful access to documents, services and programs. This ensures that they are not precluded from accessing or participating in important programs or proceedings including those which may affect the duration and conditions of their confinement or supervision.

The Secretary appointed a cross-divisional LEP Executive Committee to provide guidance on implementation of ED#71 and division policies.

Language Assistance – Services used to effectively communicate information between DOC staff and LEP inmates, while retaining the same meaning (true and accurate; not summarized).

- Interpretation – Verbal conversion of dialogue from one language to another and may be provided in person or via telephone and/or video conference. The interpretation must retain the exact meaning.
- Translation – Written conversion of documents from one language to another.

Two different avenues of document translation include (but are not limited to):

1. Certain routinely used DOC or division forms and documents shall be translated (written) pre-emptively if LEP inmate/offender/youth population meets or exceeds the percentage threshold of the total population as recommended by the US DOJ, or if determined to reduce DOC administrative workload and costs. The LEP Executive Committee provides guidance on need for pre-emptive document translation.
2. Individual inmate/offender/youth document translation - written translation and/or verbal interpretation shall be provided for documents and proceedings if relating to individual "vital documents" as defined in ED #71. For example, classification/parole/revocation reports, COMPAS Unified Case Plans (UCPs) and complaint responses would be provided in the inmate/offender/youth primary language (Spanish or other). The English-language version remains the official record.

Process:

On Intake, inmates' primary and secondary languages are identified and documented in WICS. Their ability to speak, read, write and understand English is also documented. As part of an inmate's educational assessment, staff must identify and document the need for ESL/ELL classes. It is also acknowledged that some inmates deemed bilingual for routine, day-to-day communication may need Language Assistance for comprehension of Vital Communications.

Each facility has a designated LEP Coordinator to monitor compliance with LEP laws and policies, assist with the provision of language assistance, and maintain records related to language assistance.

Social Worker/Treatment Specialist Responsibilities:

Social Workers shall ensure inmates have access to language assistance if need is identified for either translation of vital communications or verbal interpretation. Vital communications are any written, electronic or verbal communication associated with an inmate's legal issues, health, safety, length of incarceration/supervision,

Copyright © 2012 [WI Department of Corrections]

conditions of confinement and discipline (e.g. classification decisions, case plans, conduct reports, medical documents, records office documents, treatment groups).

Social Workers should contact their institution LEP Coordinator to arrange language line resources, when necessary. When the language line is utilized for a LEP inmate, an incident report (DOC-2466) must be completed in WICS.

For additional information, the following references may be utilized:

- Executive Directive 71 - Language Assistance Policy and Implementation for Addressing Needs of Offenders with Limited English Proficiency (LEP)
- DAI 300.00.61 - Language Assistance for Limited English Proficiency (LEP) Inmates
- POC-0067 Staff Handbook Communicating with Spanish Speaking Offenders;
- "I SPEAK" Cards

LEP mailbox for inquiries to the LEP Executive Committee – DOCLEP@wisconsin.gov

Litigation Back to Top

Each DAI facility has a Litigation Coordinator/Designee who is authorized to accept service for institution staff and inmates. Service may be accomplished by the sheriff's department personally serving the institution, by U.S. Mail, or a process service. An inmate may contact the Litigation Coordinator/Designee to request to serve a legal document to a staff member at their facility. Inmates shall utilize outside third parties to serve defendants at other facilities.

Upon receipt of legal action the Litigation Coordinator/Designee should scan and email all documents related to the inmate lawsuit, including service of process information to the designee/liaison at Department of Justice (DOJ) and the DOC Office of Legal Counsel (OLC), and any other identified designees of the facility.

The Litigation Coordinator will assist any Social Worker/Staff Member through the litigation process, if they are required to respond to affidavit, declaration, etc.

Social Worker/Treatment Specialist Responsibilities:

Present any legal documents received at home to your facility's Litigation Coordinator as soon as possible and document the incident on an Incident Report (DOC-2466). Respond to any requests from the Litigation Coordinator, DOC OLC or DOJ as promptly as possible.

Minimum Custody Inmates Offsite Authorization- Community Service/Project Crew/ Work Release Back to Top

The Division of Adult Institutions may allow inmates who are housed at minimum security facilities to participate in approved off grounds activities and on community service, project crews, work release and inmate driver assignments.

Inmates are selected for participation in approved off grounds activities by a multi-disciplinary facility team. The multi-disciplinary team's selection criteria shall include but is not limited to; inmate request, criminal history, appropriate facility conduct history, education and vocational skills, positive work evaluations in facility job assignments and inmate need for specific employment skill. Only the Warden/designee may permit an inmate to leave the institution/center. However, the Warden/Deputy Warden shall review and make a final decision on high profile case (sex offenders, lifers and cases which has received media attention or would prompt community scrutiny or sensitivity to the crime).

The Warden/Superintendent/Designee shall screen inmates using DOC-2570 Inmate Offsite Review to determine if they are appropriate for consideration. The criteria that shall be considered includes, but is not limited to: nature and seriousness of the inmate's offense, the inmate's prior criminal record, the inmate's risk to escape, any history of absconding while on community supervision or walking away from a halfway house or Huber facility placement, potential victim issues, the inmate's DOC conduct record, the amount of time the inmate has served, the amount

Copyright © 2012 [WI Department of Corrections]

of time remaining before the inmate's anticipated release date, verification that the inmate has had a DNA sample completed, completion of and/or motivation to complete identified primary programs, detainers or criminal cases pending against the inmate, and medical or psychological concerns that may adversely affect the inmate's ability to safely operate a vehicle or interact with the public. The results of the screening process are documented in the case notes section of COMPAS.

Work Release & Study Release:

Work release is a program that grants selected inmates the privilege of leaving the confines of the state correctional facilities to participate in employment programs. Work release applies only to placement for employment. Study release is a release program for educational purposes in a technical workshop, or program designed to improve an inmate's skills and abilities.

To be eligible for work/study release the inmate is classified minimum community custody, has met the criteria for work/study release and has the approval of the Warden/Superintendent to participate in a work/study release assignment. In addition the inmate shall complete an initial observation period not to exceed 30 days from the date they were transferred to the facility from another non-work release facility. Work and study release are a privilege, not a right.

Inmate work release compensation includes work release wages, tips, paid leave, workers compensation, unemployment compensation, and bonus or cash gifts from the work release employer. Room, board and transportation charges shall be deducted from work release compensation as outlined in DAI Policy 309.45.02. An inmate's identified programming needs take precedence over any work/study release placement. If an inmate has unmet programming needs, he/she shall be removed from their work/study release placement when that programming becomes available and they may reapply for work release eligibility upon the completion of the program.

A work release placement may be terminated by the Warden/Superintendent based on changes in an inmate's program need, negative work evaluation or the inmate's conduct. When negatively removed, the inmate will be placed in Voluntary Unassigned Status (VUNA) status and not compensated for a minimum of 90 days. The 90 days VUNA may be waived by the Warden/Superintendent if required by facility operational needs.

Project Crew:

Project crew services are only provided for governmental or non-profit agencies within the State of Wisconsin that are within 50 miles one way of the institution/center. Project crews that are agency supervised consist of one to five minimum-community custody inmates approved to perform supervised assignments outside the facility perimeter. Project crews that are facility supervised can consist of one to 12 minimum or minimum-community custody inmates approved to perform supervised assignments outside the facility perimeter.

A DOC-2570 Inmate Offsite Review form shall be completed for all inmates being considered for project crew placement. Only the Warden/Superintendent is authorized to permit inmates to leave the facility for participation on project crews.

Inmates that are assigned to project crews are not employees of the agency receiving the service and the agency may not negotiate or alter the rate of reimbursement for the inmate labor.

The project crew pay scheduled is indicated below.

Community Service:

Community service shall only be provided for governmental or non-profit organizations. Community service sites shall not be more than 50 miles one way from the facility. Inmates shall be supervised by either facility staff or an approved agency supervisor.

A DOC-2570 Inmate Offsite Review form shall be completed for all inmates being considered for community service placement. Only the Warden/Superintendent is authorized to permit inmates to leave the facility for participation on project crews.

Inmates that are assigned community service are not employees of the agency receiving the service therefore are

Copyright © 2012 [WI Department of Corrections]

not compensated by the agency or the DOC.

Social Worker/Treatment Specialist Responsibilities:

Social Workers may be involved in completion of Inmate Offsite Review form (DOC-2570), contacting the DCC agent to determine victim information, contacting Office of Victim Services to determine the location of the victim if there is a registered victim identified in WICS and documenting in COMPAS note. The Social Worker will also participate in the Multi-Discipline off grounds review meetings, document the result of the off grounds meeting in a COMPAS note and assist inmates with obtaining their vital documents to participate in work release.

For additional information, the following references may be utilized:

- DAI Policy 309.45.02 Inmate Trust System Deductions
- DAI Policy 324.00.01 Work and Study Release
- DAI Policy 325.00.08 Minimum Custody Inmates Offsite Authorization
- DAI Policy 325.00.09 Project Crews

DAI Policy 325.00.10 Community Services

Notary Services Back to Top

Per DAI 300.00.56 Notary Services to Inmates, specific documents may be notarized upon inmate request. Documents not specifically listed must be accompanied with official written documentation specifying its requirement before it will be notarized. Each institution will designate staff to perform notarial acts, and will identify a procedure for the completion of notary requests.

Social Worker/Treatment Specialist Responsibilities:

Refer the inmate to a notary public at the institution.

Parole Eligibility and Hearing Back to Top

The Parole Commission may release an incarcerated inmate to supervision in the community prior to the completion of the maximum sentence imposed by the court or prior to release mandated by statute when, in the judgment of the Parole Commission, the inmate had met the criteria for parole. The Parole Commission is the final authority for granting parole for sentences for crimes committed before 12/31/99.

Types of Sentence

- Old Law: Crimes committed before 06/01/84. The MR date is established by applying statutory good time and extra good time.
- New Law: Crimes committed on or after 06/01/84 but before 12/31/99. The MR date is established at two-thirds of the sentence.
- PMR (Presumptive Mandatory Release): Certain serious felonies committed between 04/21/94 and 12/31/99.
- TIS-1: Crimes committed on or after 12/31/99. The sentence consists of a term of confinement followed by a term of extended supervision.
- TIS-2: Crimes committed on or after 02/01/03. Inmate could petition the court for review of sentence adjustment.
- TIS-3: This applies to sentences that are imposed for crimes occurring on or between 10/01/09-08/03/11. Inmates serving prison time for certain Felonies are eligible for review and consideration for early release, under designated tracks, with the sentencing court having the final releasing authority.

Inmates sentenced under TIS-1, 2 or 3 are eligible to petition the courts for sentence adjustment.

Process:

The Records Office will calculate the parole eligibility date (PED), in accordance with statutory requirements. An

interview will be scheduled by the Records Office according to the eligibility date and notice of the interview will be provided to the inmate.
Inmates may waive their parole consideration by signing the Waiver/Reapplication of Parole Consideration (DOC-1202). Inmate can also reapply for parole consideration by utilizing the same form. This form requires a witness signature. If an inmate waives his/her PMR Interview, the Parole Commission must conduct a review and render a decision in absentia.
Before the parole hearing, the Judge, District Attorney and Victim (if any) are notified and have the opportunity to comment on the upcoming review. In addition, should an individual meet the statutory definition of a victim, they may elect to attend the parole hearing in person.
Interviews are conducted at the institution but may also occur by telephone, video conference, other virtual communication means or may be done by file review.
Interviews are recorded and the digital recordings are retained for 6 months. Inmates may request a copy of the interview tape or their digital equivalent by contacting the Parole Commission in writing. There is an associated fee.
After review of all relevant information, a commissioner will make a recommendation. The inmate may be deferred for a specific period of time, deferred until his/her MR date or a recommendation may be made for release on parole. Any recommendation to release an inmate or a deferral of more than 12-months requires the approval of the chairperson.
The following criteria will be taken into consideration when a case is reviewed for parole consideration: Statutory eligibility based on sentence, if it is believed inmate has served sufficient time, conduct while confined, participation in and completion of required offense related programs, release plan, potential risk to others in the community, if there is a detainer from Bureau of Immigration and Customs Enforcement (BICE)/Immigration and Customs Enforcement (ICE) or another jurisdiction and if release is in the interest of justice. The criteria for consideration under PMR are as follows: Protection of the public and/or refusal to participate in counseling or treatment that the social services or clinical staff determines is necessary.
There is no administrative appeal of a recommendation by a commissioner.
Social Worker/Treatment Specialist Responsibilities:
Social Worker provides notice to the inmate through the use of Notice of Parole Commission Consideration (DOC-1204) or Notice of Parole Commission for Presumptive Mandatory Release (DOC-1204A). Social Worker provides a Release Plan (DOC-745) to the inmate to complete. Upon completion of the Release Plan by the inmate Social Worker comments are added. The Release Plan should be saved in LOCATOR.
For additional information, the following references may be utilized:

- WI Statute s. 304.01 – Parole Commission and Commission Chairperson; general duties
- WI Statute s. 304.06 – Parole from State Prison and House of Correction
- Parole Administrative Code (PAC 1)

Petition to Modify Geriatric-Extraordinary Health Conditions Back to Top
The petition to modify sentences for geriatric/extraordinary health condition (DAI 302.00.13 TIS Petition to Modify Bifurcated Sentences for Geriatric/Extraordinary Health Condition) is coordinated and determined by BOCM staff. An inmate who meets the criteria may submit a petition to BOCM at the Correctional Institution/Center where he or she is located or the assigned BOCM Offender Classification Specialist (OCS) requesting a modification of the bifurcated sentence.
An inmate who is serving a bifurcated sentence for a crime, other than a Class A or B felony, may seek modification of the bifurcated sentence if he or she meets one of the following criteria per Wisconsin Statues s.302.113 (9g):

A. Is 65 years of age or older and has served at least five years of the term of confinement in prison portion of

the bifurcated sentence. Inmate shall serve the specified time on each count

B. Is 60 years of age or older and has served at least 10 years of the term of confinement in prison portion of the bifurcated sentence. Inmate shall serve the specified time on each count

C. Has an EHC – Extraordinary Health Concern

Social Worker/Treatment Specialist Responsibilities:
The Social Worker acts primarily as a liaison throughout the petition process.
Before the re-classification hearing, the Social Worker shall:

- Provide and assist with the completion of the DOC-0745 Release Plan Information;
- Facilitate the release planning process with the DCC agent and/or HSU;
- Request and obtain the completed DOC-0007E from the Agent;
- Complete a COMPAS Reentry assessment (as outlined in the COMPAS Reentry Assessment section) upon request from BOCM; and
- Facilitate ACA and/or Social Security processes, as applicable.

After the petition packet and materials listed above are completed and received by BOCM, the OCS will coordinate the re-classification hearing to review the petition with members including, but not limited to, the Regional OCS, BOCM Director/designee, a supervisor representing Social Services from the site at which the inmate is located, and the inmate's assigned social worker.

Prison Rape Elimination Act (PREA) Back to Top

The Prison Rape Elimination Act (PREA) was passed in 2003. The law created the National Prison Rape Elimination Commission (NPREC) and charged it with developing standards for the elimination of sexual abuse in confinement. The law required the Department of Justice (DOJ) to review the NPREC standards, make revisions as necessary, and pass the final standards into law.

The final rule became effective on August 20, 2012. The national standards were established to prevent, detect, and respond to sexual abuse and sexual harassment in confinement.

The Wisconsin Department of Corrections maintains a zero tolerance standard for sexual abuse and sexual harassment.

Under the Office of the Secretary, the PREA Office of the Wisconsin Department of Corrections is responsible for education, interpretation, compliance, investigations, auditing and data collection.

Inmate Education – Inmates shall receive education during the intake and transfer process and document receipt of such education in WICS using a signature pad.

Risk Screening – Screenings shall be conducted within 72 hours of admission and again within 30 days. Inmates shall also be rescreened when the facility receives new information that might bear upon their safety.

Sexual Abuse Incident Reviews – A team consisting of facility leadership, investigator(s), medical/mental health, and victim services coordinator(s) (VSC) shall conduct reviews within 30 days of the close of the substantiated and unsubstantiated sexual abuse investigation.

Retaliation Monitoring – VSC shall monitor inmates who allege sexual abuse for a period of at least 90

Copyright © 2012 [WI Department of Corrections]

days (at least one status check every 30 days), or until the allegation is determined to be unfounded.

Staff Training – All staff, volunteers and contractors who have contact with inmates shall receive PREA training.

Social Worker/Treatment Specialist Responsibilities:

If an inmate reports sexual abuse while confined you shall notify a security supervisor immediately. If the alleged abuse occurred within or around 120 hours, request that the alleged victim not take any actions that could destroy evidence (e.g. brush teeth, shower, use toilet, change clothing, drink or eat). Act to protect the offender from immediate harm. Gather basic information about the offender's risk. Document the reported allegation, any concerns, notifications made and response by completing an incident report in WICS. Apart from reporting to designated supervisors, staff shall not reveal any knowledge, suspicion or information related to sexual abuse other than to the extent necessary to make treatment, investigation and other security and management decisions.

For additional information, the following references may be utilized:

- Executive Directive 72 - Sexual Abuse and Sexual Harassment in Confinement (PREA) DAI
- Policy 410.30.01: Screening for Risk of Sexual Abusiveness and Sexual Victimization PREA
- Page on MyDOC (Directories>Central Office>PREA)

Pre-Release Curriculum Back to Top

The Division of Adult Institutions provides a semi-structured, Pre-Release Curriculum to inmates to assist in facilitating their transition to the community.

All facilities, irrespective of custody level, must make available the Pre-Release Curriculum to inmates in a library or reentry resource room. Facilities will have full discretion as to the manner in which the curriculum is shared in these designated spaces.

Inmates participating in release planning meet with appropriate case planning staff to develop a plan to work on meeting identified goals and objectives on their case plan in COMPAS. These individualized plans take into account the inmate's anticipated program requirements, work assignments and/or pending transfers in determining the time frame for participation in release planning activities.

Facilities must hold inmates accountable for meeting the objectives outlined in their case plan.

Pre-Release Needs – Identified topic areas that affect the likelihood inmates will be successful upon release include:

- Education
- Employment
- Family Support
- Financial Literacy
- Health
- Housing
- Personal Development
- Transportation
- Wellness

Social Worker/Treatment Specialist Responsibilities:

- Ensure Pre-Release Curriculum materials are being offered and made available to inmates in Library or Reentry Resource room.

- Distribute portfolios as needed in accordance with DAI Policy 300.00.15, Development and Use of Inmate Portfolio, as determined by facility.
- Establish a process to evaluate whether an inmate has successfully completed the goals, tasks and activities consistent with that inmate's case plan.
- Develop methods of making the Pre-Release Curriculum accessible to inmates assigned to Restrictive Housing units.
- Purchase updated resource material as needed.

Develop strategies to motivate and encourage inmates to actively participate in release planning.

For additional information, the following references may be utilized:

- DAI P&P 300.00.14 – Pre-Release Curriculum
- DAI P&P 300.00.15 – Development and Use of Inmate Portfolio

Primary Programs Back to Top

DAI offers five primary treatment programs to inmates. The treatment programs include: Anger Management, Substance Use Disorder (SUD), Cognitive Behavioral Program (CBP), Domestic Violence, and Sex Offender Treatment (SOT). Also included as a primary program is Education. Primary treatment programs are offered at all three custody levels (Minimum, Medium, Maximum), however some programs are only offered at higher custody levels due to the nature and severity of the offense that prompted the program recommendation such as Sex Offender Treatment. Successful completion of such programs could then assist the inmate to reduce in custody and continue their rehabilitation for a successful reintegration into the community upon their release.

The Bureau of Classification and Movement (BOCM) will document the need for all primary programs during the initial classification process and/or subsequent reclassification hearings.

Primary Programs include:

- Substance Use Disorder
- Challenge Incarceration Program (CIP)
- Wisconsin Substance Abuse Program (formerly known as the Earned Release Program)
- Anger Management Program
- Cognitive Behavioral Program (CBP)
- Domestic Violence Program •Domestic Violence Counseling (Male)
- Violence in Relationships (Female)

Employability

Sex Offender Treatment (SOT)

Social Worker/Treatment Specialist Responsibilities:

Program providers/Staff at individual sites assign program start and end dates; program providers at individual sites facilitate programming. SW/TS have the authority to make referrals to BOCM that a program may need to be added.

SW/TS utilizes WICS program status search to establish a list of potential inmates to be considered for enrollment into primary programs.

The Program Delivery Schedule designates site-specific projected start and end dates for primary programming and is provided through the Office of Program Services.

The SW/TS shall use the DOC-2439 Primary Program Status Participation/Refusal/Withdrawal form to document

Copyright © 2012 [WI Department of Corrections]

inmates' participation, refusal and withdrawal from all primary programs.

A listing of available primary programs can be found on MyDOC-Directories-Central Office-Office of Program Services. The Wisconsin Department of Corrections Opportunities and Options Resource Guide provides program descriptions to staff and offenders on treatment and education programs.

Reclassification Back to Top

The Reclassification (RC) process ensures continuous review of an inmate's custody, program need assignments, and institution placement per Chapter DOC 302 Inmate Classification, Sentence and Release Provisions.

Custody: The factors in assigning inmate custody are found in DOC 302.11.

Program Need assignments: Inmates will be considered for academic/vocational assignments and/or program assignments in accordance with DOC 302.13 and DOC 302. 14.

Institution Placement: Considerations for site placement include:

1. Inmate's assigned custody and the security level of the facility
2. Program needs
3. Sentence structure
4. Area of release

Two types of RC reviews:

1. Scheduled – A scheduled review is determined by an established recall date.
2. Early – When there is a significant change affecting custody level, program needs or institution placement, an inmate or a designated staff member per DOC 302.17 may request an early review be conducted. Inmates requesting an early recall shall complete the DOC 2212 Early Reclassification (RC) Hearing Request.

Reclassification Hearing

Upon completion of the pre-hearing process, the designated classification staff shall schedule inmates for their reclassification hearings. The designated staff member shall use the DOC-2795 Reclassification Hearing Agenda/Results to identify the inmates who will appear or waive their reclassification hearing.

Hearing Preparation:

The hearings are conducted in accordance with DOC 302. The BOCM staff shall review the pre-hearing information, file information and consult with institution staff and/or program providers as needed to prepare the case for the hearing.

Committee Membership:

Refer to DAI Policy 302.00.01 BOCM Reclassification Committee Membership.

Hearing:

Reclassification hearings shall be conducted by a reclassification committee to determine custody, institution placement, program need and the date of the next reclassification hearing. Reclassification hearings shall be conducted in accordance with 302.17.

Recommendation/Decision:

Upon completion of the reclassification hearing the inmate is advised of the recommendation regarding:

- Inmate Custody Classification
- Program need Assignment(s)
- Institution Placement
- Reclassification Recall Date (month/year)

When a Reclassification committee is unable to reach a unanimous decision, the hearing will advance to the Second Step process.

Copyright © 2012 [WI Department of Corrections]

Second Step Process:

This committee is compromised of the BOCM Sector Chief and Warden/designee. The members will review the case facts and communicate and make a recommendation/ regarding custody, program, and placement.

When the second step committee cannot come to a unanimous decision, the hearing will advance to the third step process.

Third Step Process:

This final process is conducted by the BOCM Director.

The Director will review the case facts and make a decision regarding custody, program, and placement.

Inmate Classification Report (ICR):

At the conclusion of the Reclassification hearing, BOCM staff shall prepare a report in WICS Classification Action ICCSO11B in accordance with DOC 302.17 and DAI Documentation Standards.

ICR Decision-making and Document Distribution:

Two processes of decision-making occur in WICS:

- Third Party Decision-Maker: When a classification action does not meet the criteria for an automatic approval, it requires the review of a third party employed within BOCM and meeting the qualifications for this level of responsibility.
- The BOCM Director/ designee shall review recommended custody, institution placement, and program needs and make the final decision by approving, disapproving or altering the recommendation. The BOCM Director/designee also ensures a date for a reclassification hearing does not exceed 12 months from the date of the classification hearing.

Automatic Approval:

The classification action is automatically approved when:

- There is no change in custody, and
- There is no change in location, and
- The WICS Risk Rating is a Determinate or Discretionary guideline.

The finalized ICR is distributed to the inmate and the social service file. A web-based record is maintained in WICS.

Administrative Review

Using the DOC-1292 Administrative Review of Classification Decision, the inmate may file a request for formal review of the classification decision within ten calendar days of receipt of a written decision, if it is believed the decision was based on erroneous information. This is mailed to BOCM staff at Central Office in Madison. The inmate will receive a written decision on DOC-1292B within a reasonable period of time following receipt of the request for review.

Social Worker/Treatment Specialist Responsibilities:

Institution Social Workers/Treatment Specialist are responsible for completion of the pre-hearing components of the Inmate Classification Report (ICCR204) in WICS and ensure all information, including an Inmate Risk Assessment (ICCS030B), is complete and accurate.

Social Workers/Treatment Specialist utilize the WICS Social Worker Caseload Search to identify scheduled recalls for the month.

To complete the pre-hearing process, the Social Workers/Treatment Specialist will complete the following sections in WICS according to the Reclassification WICS User Guide, DAI Documentation Standards, and the BOCM Risk Rating Instructions.

- Risk Rating
- Current Offense Description

Copyright © 2012 [WI Department of Corrections]

- Current Field Supervision Violation Comments
- Pending charges
- Offense History
- Adjustment Comments
- Pre-hearing Inmate Comments

Staff Appraisal and Recommendations

Risk Rating:

The Risk Rating is an external classification tool which assesses the risk presented by the inmate while incarcerated and the degree of custody/control required to ensure public, staff, and inmate safety.

1. The Risk Rating is the first item completed during the pre-hearing process and is completed within the WICS Inmate Risk Assessments screen (ICCS030B) and auto-fills into the WICS Inmate Classification Action screen (ICCS011B).
2. Adhere to the BOCM Risk Rating Instructions to determine scores of High, Moderate, or Low.
3. Refer to the Reclassification WICS User Guide for data entry of the BOCM Risk Rating into WICS.

Documentation:

To obtain information for the pre-hearing process the so Social Workers/Treatment Specialist shall do all of the following:

- Collect, investigate and document information necessary to evaluate risk and need factors under DOC 302.11 and DOC 302.13.
- Complete department required risk and need instruments
- Conduct an interview with the inmate that allows the inmate and opportunity to provide information about custody, program need and institution placement.

After review of the all relevant case information and inmate interview, the Social Workers/Treatment Specialist shall prepare a report for the reclassification committee in WICS per the DAI Documentation Standards that includes all of the following:

- The reason for the review and the facts being considered.
- A summary of the information gathered and collected in preparation for the pre hearing review.
- A recommendation of custody, program needs and institution placement that reflects an evaluation and analysis of the information.
- A statement as to whether the inmate wants to appear or waive attendance at the reclassification review.

Release of Information Back to Top

For authorization to disclose non-health confidential information such as education, employment, legal or other, an AUTHORIZATION FOR DISCLOSURE OF NON-HEALTH CONFIDENTIAL INFORMATION must be completed and signed by the inmate.

Security- Incident Reports Back to Top

In order to provide a uniform means of communication to report incidents and ensure supervisory review staff in DAI shall complete an Incident Report (IR) in WICS. All serious unusual incidents should be verbally reported to the Shift Supervisor immediately and then followed up by completing an IR. In all incidents which involve any level of use of force, IRs should be completed by all staff involved and prior to departure from the institution. IRs are also used to communicate less serious incidents that are important to the efficient, secure management of the

Copyright © 2012 [WI Department of Corrections]

institution. Examples of less serious incidents are an unlocked door, a visiting issue, or evidence of some activity that needs further investigation. The IR should be generated in clear, concise language and only contain factual information regarding the incident.

After a staff member completes an IR, a supervisor should acknowledge and respond prior to referral to the Security Director/Designee. The Security Director/Designee shall review all IRs and assign investigations, assign follow up and forward copies to appropriate staff. This document is confidential for staff use only and staff shall not make copies unless authorized to do so.

Social Worker/Treatment Specialist Responsibilities:

Complete Incident Reports as needed after involvement in an unusual serious incident or a less serious incident. If there is any question on if an IR should be completed contact a supervisor for direction. Upon receiving the final review by the Security Director/Designee follow through with any recommendation directed by the Supervisor or Security Director/Designee.

Common incidents for an Incident Report may include:

- Limited English Proficiency (LEP) Services
- PREA
- Threats to self or others
- Witness to a medical emergency or security disturbance
- Fraternization
- Phone calls, mail, inmate and media contacts (including via social media) outside of the work place

For additional information, please reference the following:

- DAI 306.07.01 Use of Force
- DAI 309.03.01 Reporting Serious Incidents, Events of Special Interest, Media Contact and Legislative Inquiries
- WICS Manual for Incident Reports (on MyDOC)

Sex Offender Registration Back to Top

DAI shall ensure convicted and/or adjudicated sex offenders register. Registration serves as a means for monitoring and tracking, providing registry information to law enforcement, victims, organizations and the public to promote public safety and help detect and prevent crime. All offenders convicted of any included offense defined under WI Statute s. 301.45 or whose compliance is mandated by the court shall be required to register with the Department of Corrections. Offenders whose conviction/adjudication/commitment emanates from another state may be required to register in Wisconsin.

Social Worker/Treatment Specialist Responsibilities:

- Complete the Sex Offender Registration (DOC-1759)
- Read ‘Notice of Requirement to Register ‘to the inmate from the back of the Sex Offender Registration.
- Inmate shall sign and date the Sex Offender Registration and initial #3 on the back side of this form. If the inmate refuses, note in the registrant’s area, sign and date. (SORP shall be notified of non-compliance)
- Provide inmate with their copy
- Complete DOC-1759a/Part 2, without inmate being present, by using collateral/file information. The SW completing Part 2 must sign the bottom. A copy of this should go into the Social Services file.
- Distribute the completed DOC-1759 to the inmate (only Part 1), DOC SORP, Social Services File, and make

Copyright © 2012 [WI Department of Corrections]

- a copy for the agent. The completed Sex Offender Registration shall be mailed to DOC SORP at least ten (10) days prior to release except if cases are identified as a Special Bulletin Notice (SBN). If the case is identified as a SBN a copy of the Sex Offender Registration should be forwarded approximately 44 days prior to schedule release. The original can be sent in at least ten (10) days prior, as previously noted.

Inmate releasing to maximum discharge or to detainer/interstate compact are also required to register as above. Some additional procedures are needed, refer to policy.

For additional information, please reference the following resources:

- WI Statute s. 301.45 – Sex Offender Registration
- WI Statute s. 301.46 – Sex Offender Community Notification Law
- DAI policy 300.00.45 – Sex Offender Registration and Community Notification Law
- POC-0042 – What you need to know about your reporting requirements as a Registered Sex Offender in WI (brochure)
- DOC-1759 – Sex Offender Registration
- DOC-1759a – Sex Offender Registration

Sex Offender Registry Tool (SORT) – found on myDOC/Applications

Special Placement Needs of Inmates (SPNs) Back to Top

DAI has established operational guidelines to facilitate special placement of inmates who may have issues with staff, other inmates, or particular facilities. Inmates may be physically separated by:

- Facility between inmates
- Housing Units between inmates within a facility
- Facility between inmates and a DOC staff
- Physical separation of an inmate from a specific facility

Inmates may request separation by submitting the Inmate Request for Separation (DOC-1803) which must be made available. Designated staff are assigned to investigate requests for separation and make decisions. Decisions are entered into WICS for any special handling instructions and separation needs. Requests not approved are also entered into WICS. SPNs are considered during all classification reviews.

Social Worker/Treatment Specialist Responsibilities:

Provide the DOC-1803 form to the inmate upon request. Report any concerns to security staff. Complete an incident report (DOC-2466) in WICS as needed.

When forming program groups, Social Workers should screen for any separations by housing unit in WICS.

- For additional information, the following references may be utilized:

  DAI 306.00.23 Special Placement Needs of Inmates (RESTRICTED)

Telephone Calls Back to Top

The department shall encourage communication between an inmate and an inmate's family and friends. The Division of Adult Institutions monitors/records telephone call to ensure the safety of staff, inmates, victims and the community.

Process:

Collect Calls

Inmate shall sign the Acknowledgment of Monitoring PIN Number Usage and Recording of Telephone Calls (DOC-1556). Each inmate is permitted to make a minimum of one telephone call per month. Where resources permit, more than one telephone call may be allowed and is encouraged. All calls should be made **collect on the**

inmate phone system unless payment from the inmate's general account is approved. Inmates may be prohibited from using the inmate phone system if in restrictive housing status or on loss of phone.

Inmates may only place outgoing collect calls to family and friends and cannot receive incoming calls to their facility. In order to receive calls from an inmate, a billing account needs to be established with Securus Correctional Billing Services (SCBS). Inmate family and friends may call SCBS at (800) 844-6591 or visit their website to set up an account.

Inmates are not authorized to open an account, but may send money to an established account through SCBS. In order to do so, the inmate must have the telephone number, account number, and name of the person on the account. Without this information, money cannot be applied to the account. Once an account has been created and funded, it may take up to 24 hours for inmates to be able to place calls.

TDD/TTY/Video Phone Calls

Telephone calls placed using TDD/TTY/video phone shall be granted timeframes three times longer than regular telephone calls. Telephone calls involving relay services including deaf and hard of hearing inmates as well as deaf and/or hard of hearing members of the public, shall be granted with prior approval from staff. Deaf and hard of hearing members of the public shall return a completed Relative/Associate Requesting Telephone Relay Accommodations (DOC-2649) to the attention of the facility ADA Coordinator prior to receiving a relay call.

Emergency Call

In cases of verified **emergencies**, including but not limited to critical illness or death of a close family member of an inmate, a special telephone call may be permitted regardless of the security status or the number of calls already made during that month. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored.

Inmate to Inmate Call

The department shall permit an inmate to make a telephone call to the inmate's spouse, parent, or child committed to another Wisconsin correctional or mental health institution. The department shall permit calls under this section only after prior arrangements through appropriate staff have been made. Social Worker needs to verify the relationship utilizing collateral information. **Inmate to inmate calls** shall be paid for from the account of the inmate originally requesting the call. The inmate requesting the call shall complete a disbursement request to authorize payment. These calls are subject to the limit for collect calls to family or friends; including the amount of calls allowed per month and length of calls. Inmate to inmate telephone calls shall be monitored by staff. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored. Inmates in restrictive housing status may be prohibited from placing inmate to inmate calls. International Call

Inmates may place an **international telephone call** to a close family member (natural, adoptive, step and foster parents; spouse, children, grandparents, grandchildren, or siblings. Parent surrogate is within the definition of parent if an inmate substantiates that a claimed surrogate did in fact act as a parent to the inmate, although the parent surrogate was not an adoptive, foster, or step-parent) once per month. The inmate is responsible for the actual cost of the call. Staff shall advise inmate that international calls, especially to mobile numbers, may be expensive. The call shall not exceed ten minutes without Warden/Superintendent/designee approval. Calls will be placed on the institution phone system in the presence of staff as these calls are not recorded or monitored. Inmates in restrictive housing status may be prohibited from placing international calls.

For additional information, the following references may be utilized:

- DAI Policy 309.39.01 – Monitoring and Recording of Inmate Telephone Calls
- WI Statute s. 309.39 – Inmate Telephone Calls
- WI Statute s. 309.41 – Incoming and Emergency Calls
- WI Statute s. 309.42 – Calls between Inmates

Copyright © 2012 [WI Department of Corrections]

Visiting Back to Top

The Department administers a visitation program which regulates visitation of inmates by family members, friends, and others consistent with resources available, the department's responsibility for the secure and orderly operation of institutions, public safety, and the protection of visitors, staff and inmates.

Inmates are permitted up to 12 adult visitors as approved by the Warden/designee. Any proposed visitor under the age of 18 shall have written consent from a non-incarcerated parent or legal guardian in order to apply for approval. Any additions or deletions for an individual visitor on an inmate's WICS Visitor List are permitted only once every six months.

Additional limitations may be placed on the WICS Visitor List by the Warden or by the inmate's status (e.g., programs, Initial Classification, Restrictive Housing, or other situations as appropriate).

Visitor List Forms are kept in the following locations:

- Social Services file, Visiting Section, shall contain forms with no (Personally Identifiable Information) PII, accessible by the inmate
- Visitor Information File (Confidential) will contain the following documents which are not accessible by the inmate

Visitor Questionnaire (DOC-21AA) Processing

- DAI inmates are responsible for mailing copies of the DOC-21AA to proposed visitors.
- Each proposed visitor, including minors, shall complete a DOC-21AA.
- The proposed visitor completes the DOC-21AA and returns it to the institution. They may not send it directly to the inmate.

  If the inmate receives the visitor questionnaire directly through the mail, the visitor questionnaire will not be processed and a DOC 2411 Visitor Questionnaire Not Processed shall be completed. This does not constitute as a denial and the visitor may resubmit the DOC 21AA Visitor Questionnaire for consideration. The six month waiting period for reapplication does not apply.
- The inmate is responsible for notifying the proposed visitor.

Visitor Information Change

- Inmates shall complete a Visitor Information Change form (DOC-884) and submit to designated staff when visitor information changes. Visitors may also submit a DOC-884 when information changes.
- Facilities will provide visitors access to these forms in the visitor entrance area and Visiting Room areas of the facility. The DOC-884 will be retained for six months from the date of change and will be subsequently destroyed.

Background Check

Background checks for proposed visitors will be conducted in the following areas:

- WICS Visitor List (Relatives/Associates screen) in the event a proposed visitor already exists on another visiting list(s).
- Inmate file, including PSI (Pre-sentence Investigation), Judgment of Conviction, Criminal Complaint(s) and Revocation Summary(s).
- CCAP for information on individuals who have convictions and other court activity in the State of Wisconsin.
- Portal 100 check is required for out-of-state visitors and may be done for in-state visitors.
- WICS Special Handling Module.

  DAI Volunteer Database.

Copyright © 2012 [WI Department of Corrections]

Social Workers/Treatment Specialists may be involved in all or part of this process.

Certain issues constitute a need for further investigation and/or denial of the proposed visitor. Refer to the Visiting policy for the list of situations.

Social Worker Review

Input from an agent may be requested via the DOC-2429 in WICS under circumstances such as:

- The proposed visitor has a criminal history.
- The Judgment of Conviction limits contact with a certain individual or class of individuals and there is insufficient information available to determine if the proposed visitor is an individual in such a class.
- The proposed visitor's name appears in the inmate's file with some indication that he or she might have been involved in any victimization or criminal activity with the inmate.

When considering visitors for inmates with sexually-related offenses, input from Psychological Services staff shall be requested and documented on DOC-2427 Offender Visitor Review/Removal/Denial/Approval, when there is a possibility of victimization and staff cannot arrive at a clear decision regarding visitation. Such situations may include but are not limited to:

- The proposed visitor is potentially vulnerable and the inmate has a history of violent behavior, sexually-related crimes, domestic violence, or anger management problems.
- The proposed visitor fits the inmate's victim profile, even if the inmate's crimes have been nonviolent in nature. The
- proposed visitor is a past victim or perpetrator of the inmate.

Agent Visitor Recommendation Processing

The agent will complete the DOC-2429 Agents Visitor Recommendation in WICS for any denials.

Refer to the Visiting policy for further guidelines.

Denial Process

- If a proposed visitor is not approved, a DOC-161 Visitor List – Removal or Denial shall be completed.
- Denial shall be based on criteria identified under Wisconsin Administrative Code s. DOC 309.08(4).
- All visitor denials shall be staffed with a supervisor prior to finalization of the denial.
- Proposed visitors who are denied may appeal to the Warden/designee of the facility where the inmate is located.
- Inmates may appeal through the Inmate Complaint Review System.
- Denied visitors may not submit a new DOC-21AA for reconsideration for a minimum of six months after denial.

A narrative explanation on DOC-2427 shall be completed for all denials.

Voluntary and Involuntary Removal Processes

Voluntary Removal Process

- A visitor may be removed from a WICS Visitor List by visitor or inmate written request through the use of the DOC 884 Visitor Information Change form.
- Removed visitors may not submit a new DOC-21AA for reconsideration for a minimum of six months after removal.

Involuntary Removal Process

- Removals generated by staff shall be staffed with a supervisor and have written supervisory approval.
- A narrative explanation on DOC-2427 shall be completed for all removals.

Copyright © 2012 [WI Department of Corrections]

Revocation/Termination/Suspension of Visiting Privileges

A supervisor may terminate a visit.

- Allegations that a visitor has violated Wisconsin Administrative Code, DAI policies or facility procedures shall result in investigation by the Security Director/designee.
- Allegations that an inmate has violated visitation rules, policies, or procedures during a visit may result in a written DOC-9 Adult Conduct Report.

The Warden or Security Director may revoke or suspend visiting privileges due to:

- Visitor violations of facility rules and procedures.
- Visitor violations of State and/or Federal Statutes.
- Established criteria for removal under Wisconsin Administrative Code s. DOC 309.08(4).

The visitor and inmate shall be informed in writing of the revocation or suspension and the reasons for the decision. This notice shall be retained in the Visitor Information File (Confidential).

Visitors who have visiting privileges revoked or suspended may appeal the decision to the facility Warden.

Statewide revocations or suspensions are authorized/coordinated by the office of the DAI Security Chief.

Special Visits

Inmates may initiate requests for special visits to their assigned Social Worker/Treatment Specialist. Background checks will be conducted per policy and the Social Worker/Treatment Specialist will complete the DOC-1115 at least 5 business days in advance of the anticipated visit. Exceptions may be approved by the Warden/Superintendent. The Social Worker/Treatment Specialist must notify the inmate of approval or denial of the request.

Extended Visits

For an extended visit, the Social Worker/Treatment Specialist is to complete DOC-1115 at least 5 business days in advance. Exceptions shall be approved by the Warden/Superintendent. The Social Worker/Treatment Specialist must notify the inmate of approval or denial of the request.

Professional, Pastoral & Attorney Visits

Proposed professional and pastoral visitors must request permission from designated facility staff to visit.

DOC-2674 DAI Volunteer Application (Including Pastoral Visitor/Program Guest/Intern) shall be completed for Pastoral/Religious visit requests. Approvals shall be entered into the “Relatives/Associates” screen WICS.

No Contact Visits

No contact visits may be imposed by order of the Warden, as a condition in response to the proposed visitor’s initial application, or at any later time upon subsequent review of the status of an inmate or visitor.

No contact visits may be imposed for all visitors of an inmate, or for a specific visitor or visitors of an inmate.

No contact visits may be imposed for all visits of a specific visitor to any and all inmates, and can be imposed at any or all facilities.

The Security Director can impose no contact visiting if:

- An inmate or visitor has introduced contraband into any facility or has engaged in behavior that threatens security or interferes with the rights of others.
- An inmate is in Restrictive Housing status.

Penalties for visiting violations may include any provided in the disciplinary rules. In addition, the Warden or Security Director may impose no contact visiting for up to one year.

Information regarding no contact visitation shall be entered into the “Relatives/Associates” screen and/or the “Visitor Profile” screen in WICS, as applicable.

For visitor entrance procedures, including visitor dress code, allowed items, the process for denials, and regulation

Copyright © 2012 [WI Department of Corrections]

of visits, refer to the DAI policy.

Social Worker/Treatment Specialist Responsibilities:

Varies by institution/center if not specified in policy.

For additional information, the following references may be utilized:

- DAI Policy 309.06.01 Visiting
- DAI Policy 309.06.02 Visitor Entrance – Special Needs
- DOC 309.06 Visitation – Wisconsin Administrative Code

Copyright © 2012 [WI Department of Corrections]

Supervision COMPAS Overview

Getting into COMPAS
- Training Site
- Production Site

COMPAS Home
- Reason for Viewing Record
- Searching for an Inmate
- Viewing Multiple Inmates
- Adding / Removing an Inmate to Caseload

Cases Section
- Assessments
- Case Plans
- Alternative Screening Tools
- Pre-Sentence Investigation
- Drug Test History
- Rules of Supervision
- Case Termination
- Behaviors and Rewards
- Custom Fields
- Transferring a Case

COMPAS DAI Legacy

When to Complete a COMPAS DAI Legacy Assessment

Completing a COMPAS DAI Legacy or ReEntry Assessment
- Legacy/ReEntry: Official Record
- Legacy/ReEntry: Institution Records/Case File
- Legacy/ReEntry: Screener Evaluation
- Legacy/ReEntry: Interview
- Legacy/ReEntry: Self-Report
- Limited English Proficiency
- Inmates with Hearing or Vision Impairments
- Starting an Assessment
- Instructions for Completing the Assessment Wizard
- Creating a New Assessment Using an Existing Assessment
- Completing an Incomplete Assessment
- Refusing an Assessment

Risk & Criminogenic Needs
- Bar Chart and Narrative
- Validity
- Typology
- Classification
- Program Assignment and Criminogenic Needs Scales
- Criminogenic Needs and Alternative Screening Tools

Program Enrollment

Case Plans
- Unified Case Plan and Education Plan Translation for LEP Inmates
- Education Plan

Copyright © 2012 [WI Department of Corrections]

Involving the Inmate
Intervals for Updating the Education Plan
Unified Case Plan (UCP)
Information Reviewed
Involving the Inmate in the UCP Development and Review
Intervals for Updating the UCP and Education Plan within DAI
Updating the Unified Case Plan and Education Plan Received from Another Division
COMPAS Notes
Assessment Notes
Case Plan Notes
General Notes
Program Notes
Note Sub-Types
Use of Confidential Notes Button
Case Manager Module
Education History
How to Enter Education Information
Instructions for Entering Education Information
Education Assessment Scores
Additional Assessment Information
Employment History
How to Enter Employment Information
Additional Assessment Information
Substance Use History
How to Enter Substance Use Information
Additional Assessment Information
Drug Test History
Correcting Cross-Divisional Errors

Copyright © 2012 [WI Department of Corrections]

COMPAS DAI Legacy

The COMPAS DAI Legacy assessment is a subset of the ReEntry assessment. It will provide some of the Risk Scores and Criminogenic Needs Scales.

When to Complete a COMPAS DAI Legacy
Completing a COMPAS DAI Legacy or ReEntry Assessment

Copyright © 2012 [WI Department of Corrections]

When to Complete a COMPAS DAI Legacy

A DAI Legacy assessment is only completed for inmates who have not had a COMPAS Core Assessment but are not timeframe appropriate for a COMPAS ReEntry Assessment and have served at least 12 months in DAI custody. The DAI Legacy Assessment may be completed for the following reasons:

- In conjunction with the Reclassification process to identify potential programming needs, or consideration for a reduction in custody (primarily maximum custody to medium custody)
- Consideration for program enrollment
- Development of a UCP
- Upon request from Parole

DCI OCS LTE's are providing assistance to the post-intake sites in completing the Official Record (static questions) starting with releases in 2016. Requests made for assistance for inmates who are being considered for program enrollment are given priority. Screeners should contact their site coordinator for additional information regarding the request process.

Copyright © 2012 [WI Department of Corrections]

Completing a COMPAS DAI Legacy or ReEntry Assessment

Legacy/ReEntry: Official Record
Legacy/ReEntry: Institution Records/Case File
Legacy/ReEntry: Screener Evaluation
Legacy/ReEntry: Interview
Legacy/ReEntry: Self-Report
Limited English Proficiency
Inmates with Hearing or Vision Impairments
Starting an Assessment
Instructions for Completing the Assessment Wizard
Creating a New Assessment Using an Existing Assessment
Completing an Incomplete Assessment
Refusing an Assessment

There are five components to the DAI Legacy and ReEntry assessments:

1. Official Record:

This section is always completed first and contains information regarding current offense and offense history, commonly known as the "Static Questions". Information in this section is based upon a review of the inmates file.

Prior to the interview, the assessor will review all available documents. These include, but are not limited to:

- Portal 100 - A new Portal 100 report shall be generated for any new assessment created regardless of type (See UCC Communication DAI 16-01 Use of Portal 100s for All Assessments).
- Criminal Complaint
- DCC information; e.g., Pre-Sentence Investigation, Revocation Summary, Administrative Law Judge Reports, Violation Reports, etc.
- Prior WICS information, including Inmate Classification Reports
- CCAP
- COMPAS Information (prior assessments, Notes, UCP)

STG information required to complete assessments should be obtained by contacting the site STG Coordinator/designee. STG information shall be utilized to complete the assessment but this information shall not be placed in Notes.

2. Institution Records/Case File:

The assigned case manager (e.g., social worker, treatment specialist, program provider, etc.) will research institutional history / information prior to the self-report and interview. Information pertaining to this section can be found by reviewing the DOC- 120 ID Card or social service file. When counting the number of infractions it is important to remember that this number is based on the number of guilty findings *not* number of conduct reports that occurred during the 24-month period before the completion of this assessment. This includes any conduct reports received during a previous term of incarceration within that timeframe ceven if they have released from DAI custody and have since returned.

For example: An inmate may receive one conduct report with multiple 303 violations on it (e.g., Disrespect, Being in an unassigned area, Disobeying Orders). He may be found guilty of Disrespect and Being in an unassigned area but not guilty of Disobeying Orders. This would count as two guilty findings.

Copyright © 2012 [WI Department of Corrections]

Note: When reviewing information related to reason custody elevation it is important to research the reason for elevation is as a direct result of disciplinary reasons, not due to increase in parole deferment, psychological or medical concerns, program refusal, etc. This information can typically be found by reviewing the classification report associated with the custody elevation.

3. Screener Evaluation:

This section is to be completed during the same meeting as the interview and self-report section with the inmate. Questions pertaining to protected health information (Substance Use History and Mental Health) should be asked directly to the inmate. This information should not be obtained by referencing information found in WICS, PSU file, Social Service file, PSI, etc.

During the inmate interview, review the questions from the Official Records section with the inmate.If an inmate disputes the information on the static questions:

- Discuss the discrepancies with the inmate. The scoring on the question will be based on professional judgment if the inmate reports a different number than the resource.
- If the inmate reports a higher number, use it. Make assessment note.
- If the inmate reports a lower number, do not accept. Make assessment note.

If official juvenile information is not available, self-report is accepted.

4. Interview:

Information in this section is obtained from a guided conversation with the inmate and should be asked directly to the inmate.

5. Self-Report:

This is to be completed in the same meeting as the Screener Evaluation and Interview section. For this section, always utilize the inmate's response. If a discrepancy exists between the inmate's response and other known information document the discrepancy via an assessment note.

A screening for reading level should be done prior to meeting with the inmate by reviewing most recent TABE or BADER test results in WICS. According to Northpointe, an inmate's reading level should be 5th to 6th grade or above to complete the Self-Report section. Inmates with sufficient reading ability will be given the self-report section to read and answer. At no time is the inmate allowed to leave the assessor's office / line of sight with the blank questionnaire.

If the inmate's reading level is *below* 5th or 6th grade reading level, ask the Self-Report questions to the inmate during interview. While the interview is being conducted, enter the inmate responses into COMPAS.

Copyright © 2012 [WI Department of Corrections]

Program Enrollment

Program enrollment is based upon professional judgment in combination with the review of several factors including, but not limited to; COMPAS Risk Level Recommendation found under Supervision Recommendation Summary, priority level (WICS), case dynamics and program resources. Inmates that have refused to participate in a COMPAS assessment will not be enrolled in the following programs until an assessment is completed: Anger Management, AODA, Cognitive Behavioral and Domestic Violence.

It is critical to remember that The Risk Principle drives the following:

- Differentiating risk levels through risk assessment maximizes the use of resources
- Matching the intensity and duration of treatment, intervention and supervision to the level of risk
- Avoiding mixing low risk populations with medium and high risk; as such associations actually increase the risk that the low risk individuals will recidivate.

DAI has made the following determination regarding risk level and priority;

- High Risk = High priority
- Medium Risk = High priority
- Low Risk = Low priority
    - Inmates identified as low risk shall not have their need removed and will remain on the Wait List in WICS with the addition of the sub-status “Unmet Program Perquisite.” Program provider will add a note in the Comments section of the Program Tracking History indicating reason for non-enrollment.

There will be times when statute, code or policy drives program enrollment decisions. Inmates with program needs that are eligible and suitable for earned release (CIP, ERP, RRS), sex offender treatment, and Presumptive Mandatory Release (PMR) inmates may be enrolled regardless of risk level.

Prioritizing program resources in an effort to provide programming to higher risk offenders, prior to lower risk offenders, is in compliance with evidence-based practices.

Copyright © 2012 [WI Department of Corrections]

Case Plans

Education Plan
- Involving the Inmate
- Intervals for Updating the Education Plan

Unified Case Plan (UCP)
- Overview
- Procedure
- Updating the UCP
- Translating a UCP or Education Plan
- Information Reviewed
- Involving the Inmate in the UCP Development and Review

Unified Case Plan and Education Plan Translation for LEP Inmates
Intervals for Updating the UCP and Education Plan within DAI
Updating the Unified Case Plan and Education Plan Received from Another Division

Education Plan

An Education Plan will be created for all inmates enrolled in educational programming by education staff for all academic and career technical needs. The Education Plan shall be initially developed upon enrollment and updated throughout the inmate's participation in educational programming. Staffing patterns at each site will dictate the responsible parties for entering this information.

Involving the Inmate in the Education Plan Development and Review

- The guidance counselor/designee will meet with the inmate to engage him/her in the Education Plan process. It is emphasized that the inmate is to be an integral participant in the process and to accept ownership of his/her Education Plan.
- Pre-loaded Goals and Tasks will be utilized. The specific wording of the Goals and Tasks were created to address FERPA (Family Educational Rights and Privacy Act) and other potential confidentiality concerns.
- Activities are not preloaded and therefore can be customized / individualized based on the inmate's needs. FERPA must be maintained.
- The guidance counselor/teacher/designee will maintain primary responsibility for writing and updating the Education Plan for the inmate.
- The inmate will receive a printed copy of the initial and any subsequent Education Plans. The inmate is to store the Education Plan within his/her Reentry Portfolio.
- Any notes entered regarding the Education Plan should be entered in the Notes section on the person summary screen. Education staff should use the note type "Program" and note sub-type "Program Education."
- Do not file in the education file. The Education Plan is an electronic record within COMPAS.
- The inmate is expected to bring a copy of the Education Plan to occasions where the Education Plan will be reviewed.
  - These include, but are not limited to:
    - Formal meetings with education staff as well as with the social worker / case manager, or other occasions per the direction of staff.
    - Re-Classification Committee Hearings
    - Parole Commission Interview

Copyright © 2012 [WI Department of Corrections]

Intervals for Updating the Education Plan, if necessary, within DAI

- In preparation for a Re-Classification Hearing/Parole Commission Interview
- Significant events that may warrant an update such as completion of GED/HSED or Career Technical Education/Vocational Programs
- Completion of a new academic assessment
- Other as deemed pertinent for the Education plan

Changes may include adding, closing, updating:

- Education Goals, Tasks, and Activities
- Making appropriate COMPAS notes to include notes surrounding Education Needs and Goals the inmate is not currently addressing
- Entering the completion status on all Education goals, tasks and activities
- Once the inmate has completed all educational needs including career technical education programs in DAI, contact the inmate's case manager to close the Vocational/Educational need on the inmate's case plan.
- If an inmate is releasing from DAI while enrolled in educational programming, any remaining goals, tasks and activities should be coded using the most applicable completion code.

Unified Case Plan

Overview of Unified Case Plan

The UCP is the focal point of the inmate's incarceration. A UCP should be created for all inmates and follow the inmate through the lifecycle in the institution and the community. The case planning process is intended to be fully interactive and transparent with the inmate.

Goals are developed for incarceration based on the initial intake assessment, COMPAS assessment results, additional assessment tools and inmate input. The UCP clearly defines for the inmate, case manager and others, the desired outcome of incarceration and how it will be achieved. Goals should focus on rehabilitation and be based on identified criminogenic factors. The goals are to be positively stated behavioral outcomes that are: specific, measurable, achievable, realistic, and time framed (SMART).

Risk reduction should be the primary purpose of the UCP. It is not always possible or feasible to develop a UCP to encompass all of the risk and need areas that have been identified. In these instances, priorities must be established and progressive case planning implemented.

For a case plan to be effective, it must:

- involve input from the inmate, the case manager and if appropriate treatment/other service providers and the inmate's family members;
- focus on the top two to three criminogenic needs identified by the COMPAS assessment
- contain practical and concrete goals for the inmate
- include short term objectives (obtainable within 6-12 months)
- build on an inmate strengths; and
- address barriers to success.

Procedure:

A Unified Case Plan (UCP) will be created for all inmates regardless of risk level.

The UCP will be built off the most recent assessment. In these cases, the UCP shall be completed within 90 days of inmate's arrival at institution post DAI A&E intake or in conjunction with reclassification/parole hearing; whichever occurs first.

Copyright © 2012 [WI Department of Corrections]

When a Legacy Assessment has been completed, a UCP shall be completed within 90 days of assessment completion. UCP's may be developed upon completion of the ReEntry assessment as needed or as appropriate based on individual case dynamics.

Procedure:

COMPAS allows the case manager to choose from a drop down menu to identify the assessment from which the UCP is based and develop. The UCP shall be developed off the most recent assessment and is created for all inmates regardless of the COMPAS Risk Level Recommendation.

A UCP shall be completed within 90 days of an inmate's arrival at an institution post DAI A&E intake or in conjunction with a reclassification/parole hearing; whichever occurs first.

When a Legacy Assessment is completed, a UCP shall be completed within 90 days of assessment completion. UCP's may be developed upon completion of the ReEntry assessment as needed or as appropriate based on individual case dynamics.

The case manager shall complete the following steps to create an effective case plan:

Step 1: Review All Relevant Case Information

- WICS Inmate Classification Report; in particular,
  - Primary education
  - Treatment/program assignments
- COMPAS information, including the most recent assessment.
- Pertinent information from other departments (i.e.: HSU, PSU, Social Services, job supervisor, etc.)

Step 2: Development of the UCP

- The inmate shall be present when creating the UCP.
- Engage the inmate by encouraging involvement in the creation of the UCP, explaining the purpose, and helping the inmate take ownership of the UCP. The UCP needs to reflect inmates' individual characteristics to engage them as this leads to reduced recidivism and increased public safety.
- During the UCP development with an inmate, no more than three (Criminogenic) Needs, with respective Goals, Tasks and Activities will be addressed at one time.
- The Goals, Tasks and Activities should be directly related to the Criminogenic Needs identified in the COMPAS assessment. Include at least one of the "Top 4" criminogenic needs as a part of the UCP.

Identifying the Driver - Criminogenic Needs:

It is important to determine the criminogenic need that is the driver of the criminal behavior and include it in the case plan. Consider:

- Not all criminogenic needs are of equal contribution
- The "drivers" tend to be in the top four, or substance abuse
- The presence of some criminogenic needs are often derivatives of others
- Need to find the pattern of cause in each risk area

Determine which needs are driving the behavior .

Top Four Criminogenic Needs:

1. Anti-social cognition
2. Anti-social companions
3. Anti-social personality or temperament

Copyright © 2012 [WI Department of Corrections]

4. Family and/or marital

Lesser Four Criminogenic Needs:

1. Substance Abuse
2. Employment
3. School
4. Leisure and/or recreation

Is there any reason to think that substance abuse may be driving the others? If so, elevate and choose this need as the driver. Also consider the inmate's input and your professional judgment.

Step 3: Add Goals, Tasks and Activities

- Use strengths to help motivate and give inmates confidence they can achieve success with their case plan goals.
- The case manager will maintain primary responsibility for writing and updating the UCP with the inmate. Only utilize pre-loaded Needs, Goals and Tasks. T
- Activities are not pre-loaded and may be customized / individualized based on the inmate's needs HIPAA / PHI confidentiality must be maintained.
- Under the Tasks tab, the case manager must choose applicable tasks that relate to the chosen goal. The case manager may document start/end dates when available and completion information as applicable.
- If the goal, task or activity is not completed, enter the end date the inmate is no longer participating and enter the appropriate completion code.
- The case manager may include or consult with other staff (DOC or contracted program providers) in this process as pertinent to the case.

A Case Plan note shall be entered on the Person Summary page upon completion, successful or otherwise, of a Goal, Task or Activity. Any Task or Activity note entered on the Case Plan itself will appear on the printed copy and be reflected in the notes section of the Person Summary page.

Education:

If an inmate is involved in educational programming, the education provider shall work on the vocational/educational need with the inmate utilizing the Education Plan. The Social Worker/case manager shall refer to the Education Plan within the case plan by selecting "Refer to DAI Education Plan" as the goal under the vocational/education need.

Step 4:

Identify and Add Triggers (Optional)

- Ask the inmate to list the people, places and things that tend to stimulate anti-social behavior or lead to destructive decision making (i.e. What kinds of situations tend to trip you up? Who can you surround yourself with to achieve greater things?).
- Formulate a response plan with inmates to deal with triggers (i.e.. what might we do to overcome some of the barriers? How can you make success more likely?).

Step 5:

Identify and Add Incentives (Optional)

Incentives are one of the main links between people and change. Incentives should be used to encourage and reinforce pro-social behavior. Effective incentives must be individualized to the inmate so as to be meaningful.

Copyright © 2012 [WI Department of Corrections]

The goal is for the inmate to learn intrinsic responses through this process.

- Positive Affirmations/Reinforcement
- Provide more affirmations than criticisms at a 4:1 ratio.
- Make sure the affirmation is individualized so as to be meaningful to the inmate.
- Use positive feedback more frequently in place of silence or negative feedback.
- Establish a positive rapport employing respect, effective listening, strength-based guidance, and authenticity to create a professional alliance that is inherent in its authority.

Step 6:

Print out the UCP

- Once completed, the case plan is printed (use person version), reviewed with the inmate and signed by the inmate and case manager. The inmate is provided a signed copy for his portfolio. The inmate will receive a written copy of the initial and subsequent UCP (Person Version). Be sure to filter printing options to hide Case Plan Notes.

As the case plan is updated when there is a change or addition to a goal or task, or activity, this process should be repeated.

Storage of UCP:

Case plans are not filed in the Social Service file. The UCP is an electronic record within COMPAS.

The inmate is to store the UCP within his/her ReEntry Portfolio and is expected to bring a copy of the UCP to occasions where the UCP will be reviewed which may include, but are not limited to:

Formal meetings with case manager, or other occasions per direction of the case manager.

- Re-Classification Committee Hearings
- Parole Commission Interview

Updating the UCP

The case manager will update the UCP when receiving an inmate on their institution caseload or in conjunction with the reclassification process; whichever is sooner. The most recent assessment will be utilized for updating the UCP by copying and editing the existing UCP. The software will automatically close the existing UCP when copied forward.

To further enhance and create ownership in the inmate's case plan, the inmate should be encouraged to contact the case manager when he/she has completed at task or activity. By doing this, it will provide an opportunity for the inmate to process the work he/she has done and seek guidance if needed. It will also allow for the addition of new tasks or activities.

Events that warrant an update:

- In preparation for a Re-Classification Hearing/Parole Commission Interview
- Completion of a new assessment
- Completion of a task or activity

Changes may include adding, closing, updating:

- Criminogenic Needs
- Goals, Tasks, and Activities
- Contacting DCC agent to update any active DCC task and activities

Copyright © 2012 [WI Department of Corrections]

- Making appropriate COMPAS notes to include notes surrounding Needs and Goals the inmate is not currently addressing
- Entering the completion status on all active activities and tasks

NOTE: Temporary Placement: Upon the temporary receipt of an inmate on the social worker / case manager cases, an entry into the UCP is not required unless, based upon staff discretion, there is a need to make an entry. Examples of temporary placements include, but are not limited to:

- Short term unit placement within the same site (as determined by site administration)
- Short term segregation placement (as determined by site administration)
- Medical (e.g., DCI Infirmary)

NOTE: If an inmate arrives at the post intake site with an assessment completed, but no UCP started and is within 90 days to release, the assigned case manager may start a case plan if time permits.

Updating Case Plans and Education Plans Received from Another Division

At the point of Divisional intersections, DAI, DCC, and DJC case managers shall facilitate a seamless Unified Case Plan transition as the offender moves from one division to the other, or within an existing Division. Examples of transitions include, but are not limited to, release from DAI to DCC, revocation from DCC to DAI, and transfers from one P&P Agent/Social Worker to another.

When the offender is exiting an existing Division or transferring within the same Division, the sending case manager shall review all incomplete tasks/activities and select the Completion Code of Unsuccessful for any that were unsuccessful (failed) as a direct result of the offender's actions or lack thereof. All other incomplete tasks and activities shall be left open for potential continuation in the receiving location. The receiving case manager shall then review the existing incomplete tasks/activities for potential continuation. The receiving case manager also has the option to start new tasks/activities based on Division or site-specific programs or services. In the event that an incomplete task/activity is no longer applicable, the receiving case manager shall close the task/activity by selecting the Completion Code of Closed. Any time a task or activity is updated or closed, a task note shall be created, documenting the action. Note, during the transition the goal should generally remain the same, as it is primarily driven by the assessment and not Division-specific.

In the case of transition from DJC to an adult Division, the receiving Division's case manager shall create a new case (Lifecycle) and case plan because the juvenile case plan will be closed at the same time as the case (Lifecycle) is closed. The case manager shall review the previous juvenile case plan for continuity and to avoid redundancy when creating the new case plan based on an adult assessment.

Unified Case Plan and Education Plan Translation for LEP Inmates

When a Unified Case Plan (UCP) or Education Plan is created for LEP inmates, it shall be translated to primary language via approved vendor. A DOC 1163T is required prior to utilizing an outside vendor.

If the UCP contains Protected Health Information a DOC-1163A Authorization for Use and Disclosure of Protected Health Information (PHI) should be signed by the inmate prior to proceeding with translation.

Process for translating a UCP or Education Plan:

- Case plan and Education Plan shall be translated at the inmate's request when goals/tasks/activities are created or updated.
- The translated version will be loaded into Virtual Folders by case manager/designee and stored in the Release Planning section
- Translated case plans should use the following naming convention: DOC#.Last Name_ Initial of First Name.UCP-Language(MMDDYY).
  - For example: Inmate John Jones DOC# 123456 has a UCP that is translated in Spanish should be saved as 123456.Jones_J.UCP-Spanish(012215).

Copyright © 2012 [WI Department of Corrections]

- Translated Education plans should use the following naming convention: DOC#.Last Name_ Initial of First Name.Education Plan-Language(MMDDYY).
  - For example: Inmate John Jones DOC# 123456 has an Education Plan that is translated in Spanish should be saved as 123456.Jones_J.Education Plan-Spanish (012215).

- A copy of the translated UCP or Education Plan and English copy will be given to the inmateto be stored in the inmate's portfolio and documented in COMPAS notes and WICS when appropriate

Copyright © 2012 [WI Department of Corrections]

DAI Discharge Overview and Social Worker/Treatment Specialist Responsibilities

Alternative to Revocation (ATRs)
Civil Commitment/Chapter 980/ECRB
COMPAS
DOES (Disabled Offender Economic Security) Project
Health Insurance Portability and Accountability Act 1996 (HIPAA)
Interstate Compact
Maximum Discharge Releases
OARS Program
Windows to Work Program

Alternative to Revocation (ATR) Back to Top

Alternative to Revocation (ATR) placements are established in DAI when there are programs that serve to address issues and promote restoration of the offender to community supervision. The structured programs consist of evidence based practices that are cognitive and skill based. Available programs are:

MALES

- Cognitive Behavioral Intervention (CBI-CC)
- Cognitive Behavioral Intervention for Substance Abuse (CBI-SA)
- Thinking for a Change (T4C)
- Advanced Practice (AP)
- Dual Diagnosis/AODA
- Mental Health
- Sex Offender Treatment (SOT)

Thinking for a Change for Domestic Violence (T4C for DV)

FEMALES

- Dual Diagnosis
- Helping Women Recover
- Connections
- Beyond Violence

Moving On

DAI ATR referrals begin with the Agent submitting the DOC-2265 (Institution ATR Referral) to the appropriate mailbox – males: DOC DAI ATR Referral Male and females: DOC DAI ATR Referral Female for review and then forwarded to the appropriate program by the individual who monitors those mailboxes.

- **Social Worker/Treatment Specialist Responsibilities:**
- Document offender's progress in COMPAS notes
- Communicate with Agent regarding any significant changes in programming

Update Agent with tentative completion date of program so that plans can be arranged for offender's release from the facility and transportation must occur within 48 business hours from discharge or termination.

Civil Commitment / Chapter 980 / ECRB Back to Top

Chapter 980, Sexually Violent Person Commitments, creates a legal process whereby a court may order an indefinite civil commitment for treatment purposes of persons who have committed certain offenses and meet the

statutory requirements. The process begins as the person nears the end of their criminal sentence in a DAI facility, juvenile commitment to a DJC facility, or commitment to the DHS as Not Guilty by Reason of Mental Disease or Defect.

The 980 law is statute-driven. Inmates can only be civilly committed if they are incarcerated for 980 eligible crimes; namely a Sexually Violent Offenses or a Sexually Motivated Offenses (noted below).

Phase I – Ch. 980 Specialist Screens

- One Year Out (Estimated)
  - The 980 Specialist receives weekly lists of inmates a year (or less) away from release, and who are statutorily eligible (for commitment) or tagged in WICS as Sex Offenders.The 980 Specialist conducts file reviews to monitor eligibility, assess potential risk, and determine if further scrutiny is necessary.Cases that merit further attention ("Screen Ins") are referred to the End of Confinement Review Board (ECRB).The 980 Specialist assigns these cases to ECRB writers.

Phase II – ECRB

- 6 Months Out (Estimated)
  - The given ECRB writer reviews inmate's institution and field files, tracks down missing reports (e.g., police reports, juvenile file information, etc.), uses risk assessment tools to assess predicted risk, and prepares detailed report (DOC 1490).The ECRB writer presents report to the ECRB team for voting (majority rules though 980 Specialist has veto power)."ECRB Yes" cases are referred (by 980 Specialist) to the 980 Forensic Team for a Special Purpose Evaluation (SPE).

Phase III – SPE

- 30-60 Days Out (Estimated)
  - The given 980 Forensic Psychologist reviews file and ECRB report, and conducts interview with the inmate. (The inmate can accept or reject the interview request.) The psychologist renders a recommendation ("May Meet" or "May Not Meet") based on the evaluation and a peer review. "May Meet" (or "SPE Yes") cases are referred to the Department of Justice (DOJ), so long as the Secretary of the Department of Corrections authorizes the referral.

Commitment Criteria:

1. Eligible Crime – Adjudicated, convicted or Not Guilty by Reason of Mental Disease or Defect of "Sexually Violent Offense" or "Sexually Motivated Offense" (noted below).
2. Mental Disorder which predisposes person to engaging in acts of sexual violence and makes it more likely than not that the person will engage in future acts of sexual violence.

WI Department of Justice (DOJ)

The WI DOJ has the authority to reject or accept "SPE Yes" cases, though rejections are rare. The DOJ (or, in some cases, a District Attorney) petitions the court for 980 commitment and the legal process begins in court.

Social Worker/Treatment Specialist Responsibilities:

Educate/inform inmate on the process during release planning. Provide inmate with trifold (POC-0059) "Wisconsin Chapter 980 Program."

For additional information, the following resources may be referenced:

- Wisconsin Chapter 980, Sexually Violent Person Commitments

Copyright © 2012 [WI Department of Corrections]

DOC 1490 – End of Confinement Review Board (ECRB) Report

- DOC 2364 – Static 99-R / Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR) Scoring Sheet

Sexually Violent Offenses (16)

940.225(1)	First Degree Sexual Assault
940.225(2)	Second Degree Sexual Assault
940.225(3)	Third Degree Sexual Assault
944.01	Rape (Old)
944.06	Incest
944.10	Sexual Intercourse with a Child (Old)
944.11	Indecent Behavior with a Child (Old)
944.12	Enticing a Child for Immoral Purposes (Old)
948.02(1)	First Degree Sexual Assault of a Child
948.02(2)	Second Degree Sexual Assault of a Child
948.025	Repeated Acts Sexual Assault - Same Child
948.06	Incest with a Child
948.07	Child Enticement
948.085	Sexual Assault of a Child in Substitute Care
971.17	Not Guilty by Reason of Mental Disease or Defect (for a Sexually Violent Offense)
975.06	Sex Crimes Law Commitment

Sexually Motivated Offenses (14)

940.01	First Degree Intentional Homicide
940.02	First Degree Reckless Homicide
940.03	Felony Murder
940.05	Second Degree Intentional Homicide
940.06	Second Degree Reckless Homicide
940.19(2),(4),(5),(6)	Aggravated Battery (Felony)
940.195(4) or (5)	Aggravated Battery to Unborn Child (Felony)
940.30	False Imprisonment
940.305	Taking Hostages
940.31	Kidnapping
941.32	Administer Dangerous or Stupefying Drug
943.10	Burglary
943.32	Robbery
948.03	Physical Abuse of Child

Disabled Offenders Economic Security Project (DOES) Back to Top

The Disabled Offenders Economic Security (DOES) Project is a DOC contract to provide civil legal services to disabled and mentally ill offenders. Eligible inmates at participating facilities can retain a public benefits attorney who will assist with public benefits applications including Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). Attorneys will follow clients' cases into the community after release from prison and continue to advocate for benefits until appeals are exhausted or benefits are achieved.

DOES Eligibility includes:

1. MH-2 Classification
2. Developmental Disability
3. High HSU need or HSU onsite designation
4. Special circumstances referrals (Often, these referrals include individuals with recently-diagnosed, debilitating or terminal illnesses).

Referral Process:

DOC generates a list of potentially eligible inmates for DOES Project staff covering designated facilities who are 6

Copyright © 2012 [WI Department of Corrections]

to 9 months to release. The DOES attorney contacts the institution with a list of eligible candidates. If an individual is not on the list but requires special consideration, contact the DOES attorney to discuss a special circumstances referral.

DOES Attorney Responsibility:

Attorneys will complete a retainer agreement, explain the scope of services, get releases of information signed, facilitate applications submissions, and act as authorized representatives.

After release, attorneys will continue to advocate for the individual in the community and file reconsiderations and appeals as necessary.

Designated DOES facilities include:

- Columbia Correctional Institution
- Dodge Correctional Institution- Infirmary
- Fox Lake Correctional Institution
- Green Bay Correctional Institution
- Jackson Correctional Institution
- Kettle Moraine Correctional Institution
- Oshkosh Correctional Institution
- Racine Correctional Institution
- Redgranite Correctional Institution
- Robert E. Ellsworth Correctional Center
- Stanley Correctional Institution

Taycheedah Correctional Institution

Wisconsin Resource Center/Wisconsin Women's Resource Center

Social Worker/Treatment Specialist Responsibility:

The social worker or treatment specialist shall Meet with inmate(s) and explain benefits of the project.

If the inmate is interested, the social worker or treatment specialist shall complete the DOES Attorney Conflict Memo with the potential client and forward completed DOES Attorney Conflict Memo to Legal Action of Wisconsin Point of Contact. The social worker or treatment specialist shall communicate potential concerns like application for interstate compact or facility transfers to the attorney. The social worker or treatment specialist shall notify agent of record of referral.

Document referral made and ongoing updates in COMPAS Notes:

- Type: General
- Sub-type: Release Planning

Note: If the inmate retains the attorney, continue to communicate with the attorney about general release planning.

For additional information, the following resources may be utilized:

- DOES Conflict Form

HIPAA -(Health Insurance Portability and Accountability Act 1996) Back to Top

Employees of the Department of Corrections shall request, access, use and disclose confidential Protected Health Information (PHI) in accordance with federal HIPAA regulations, and other relevant Wisconsin and federal laws. The DOC shall mitigate, to the extent practicable, any known harmful effect resulting from a use or disclosure of PHI by

the DOC or a Business Associate that violates HIPAA regulations. Protected Health Information includes, but is not limited to, any medical records, AODA/Substance Use Disorder treatment information, and psychological records. A DOC employee, upon becoming aware of possible violation by a DOC employee, including agency and contracted staff, interns and volunteers, or a Business Associate of the DOC, of a policy or procedure, or a Federal or Wisconsin law regarding the use or disclosure of PHI has a duty to report the possible breach to the DOC HIPAA Compliance Officer via telephone, email and/or by completing a DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information (PHI).

Social Worker/Treatment Specialist Responsibilities:

- Fully complete and review the 1163 or 1163A with the inmate and have the inmate sign the authorization.
- Provide copies to the inmate and requested parties needing to have disclosure of the protected health information following the distribution list on the 1163 or 1163A.

- For additional information, the following references may be utilized:
- Policy 500.50.01 Minimum Necessary and Duty to Mitigate HIPAA Standards
- DOC-1163 – Authorization for Disclosure of Non-Health Confidential Information
- DOC-1163A – Authorization for Use and Disclosure of Protected Health Information (PHI)
- DOC-3490 – Employee Complaint Alleging Violation of Privacy of Protected Health Information

Interstate Compact Back to Top

A request to transfer supervisor to another state is completed utilizing Interstate Compact Offender Tracking System (ICOTS). ICOTS is an internet-based application for compact transfer processes and case-based transactions. An inmate while incarcerated is eligible to apply for a transfer if the inmate has approval of the DCC Agent and DAI Social Worker, is in substantial compliance in Wisconsin, has a reason to transfer, a valid plan of supervision in the receiving state and at least three months (90 days) of supervision remaining at the time of release (ICAOS Rule 3.101).

A request may be submitted in ICOTS at any point in the final 120 days before release, but no sooner. The receiving state shall accept transfer of an eligible inmate if they meet eligibility criteria. Mandatory transfer reasons include the inmate is a resident of the receiving state or has resident family in the receiving state who indicates a willingness and ability to provide assistance as specified in the supervision plan plus they have lived in the receiving state for six months or more. A receiving state may accept transfer of an eligible inmate who is not a resident or has no resident family if it is consistent with the purpose of the compact. However, under no circumstances is an inmate allowed to proceed to a receiving state without formal acceptance and reporting instruction from the receiving state via ICOTS.

There is an interstate compact application fee of $150 for each proposed residence. If a plan is denied due to a technical reason not relating to a valid plan of supervision and the application is resubmitted to the same residence, a subsequent application fee is not required.

A signed DOC-1163 and DOC-1163A is required but is not required as part of the Transfer Request in ICOTS. The documentation is maintained in the Social Service file.

Social Worker/Treatment Specialist Responsibilities:

- The DAI social worker or treatment specialist shall review the DOC-745 Release Plan Information with the inmate.
- Discuss the interstate compact process. Advise the inmate there is no guarantee of acceptance, and there is no refund of the application fee.
- Assigned social worker shall discuss the proposed residence with the assigned Agent to determine

Copyright © 2012 [WI Department of Corrections]

whether the plan is reasonable and appropriate prior to submitting a request.

- At this time the social worker can also ask the Agent for COMPAS Rules of Supervision.
- The proposed address should be verified using United State Postal Service (www.USPS.com).

- If the plan is determined to be appropriate the social worker should contact the family member or the host (and landlord, if applies) to verify residence plan, understand WI rules, means of support, transition plan and application fee process.
- After verification of proposed plan and the family member or host verified the inmate may reside with them the social worker shall log into the WICS system and generate an IC Application Letter, which establishes the $150 IC application fee obligation.
- The social worker then provides the IC Application Letter to the inmate who will either submit payment by completing a DOC-184 Disbursement Request or if the family member or host accepts responsibility for payment it is the inmate's responsibility to mail the completed IC Application Letter to them.
- After the social worker verified in WICS the application fee payment was received they may proceed with completion of the Transfer Request in ICOTS.

The following documents or information shall be included or attached to the transfer request in ICOTS. Creating a New Transfer Request

- Use the drop-down menu to select the receiving state.
- Click Sending State or Receiving State to designate the offender's current location.

Offender Information:

- This section includes basic demographic information about the inmate. Some examples include: Full Name, Aliases, Security Threat Group affiliation, Country of Origin, race, gender, FBI number, etc.
  - **The inmate's Social Security Number should never be entered as demographic information.**

Offender's Application:

This form is auto populated after other sections of the transfer request are completed. It must be downloaded from ICOTS by clicking the Download Offender Application button. Print the application for the inmate and DOC staff witness signatures and dates. Signature dates must match.

- Prior to signature by inmate verify proposed residence and host information is accurately entered. Review and explain the terms and conditions of the transfer request noted on the application. Reiterate to the inmate that agrees to waive any right he/she may have to extradition and does so freely, voluntarily and intelligently.
- Click the Yes radio-button to verify you had the offender sign the form and that you also have retained the signed form.
- Scan and save the completed application to attach to the transfer request by browsing to it, selecting the file, and clicking Open to attach the file.
- Click Add to add the form to this application.

Transfer Reason

- Add the Intended Departure Date
  - Note: This field will be disabled if the offender has already departed.
- Click a radio-button next to the reason for transfer eligibility to the receiving state.

- Note: Clicking Resident family AND Employment or Means of Support opens a screen requiring the address of family and employment information of means of support for the offender.
  - Resident Family Member Definition – A parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian or step-parent who has resided in the receiving state for 180 days or longer.

- Clicking Discretionary requires a description of the reason and additional information to create a stronger case for approval.

Transfer Justification

- Enter detailed information regarding the reason for transfer to establish a case for the transfer to be accepted.
- Information in this section should include but is not limited to:
  - The host's name, verified relationship to applicant, and date the host was contacted
  - Statement of willingness and ability to support inmate upon release until he/she is reestablished in the community
  - Verbal verification that a landlord has approved inmate to reside there, if applicable (written document may be attached to the application)
  - Employment status
  - Names, relationship to host/inmate of any other individuals who reside in the home
  - Any other individuals who may be on supervision
  - Weapons

- Enter any known Security Threat Group affiliation in the demographic information. Provide additional documentation in the Transfer Justification section if known or no known Security Threat Group status.
  - If there is no known Security Threat Group affiliation state: “No known gang affiliation”.

Receiving State Residence

Enter the offender’s proposed new address and living situation. Include host contact information if applicable.

Receiving State Employment/Means of Support

Enter either the offender’s employment information or describe any other means of support, or both. Multiple employments may be added.

Instant Offense Details

- Always select Parole when adding new case information.
  - Note: If you are sending a dual supervision (both probation & parole) case to a bifurcated state, the system only allows you to fill out one type per request. A message appears in the Add Case section stating you can only add the specific type (either parole or probation). A separate request must be completed for the other type. Use the Add Case feature to complete this task.
- Enter the Case Number.
- Use the drop-down menu to select the State and County of Conviction.
- Enter the Sentenced On date for each case.

Enter the Supervision Begins On date (date of expected release to the community).

- Enter the Supervision Ends On date (date of expected discharge from supervision).
  - If applicable, check the Lifetime Supervision checkbox. Selecting this greys out the Supervision Ends On date.
- Click Add Case and the case selection information appears.

Click a case's Select radio-button and the Add offenses (counts) to case section appears to add criminal offenses related to the case. Click Add Offense to add all offenses (counts) related to the case.

- Enter a description of the offense if prompted. Refer to the NCIC Codes spreadsheet.
  - Note: The description field will appear if a generic offense code is used. Provide additional information as appropriate.
- Attach all Judgement of Convictions and law enforcement reports (e.g., criminal complaint, etc.) to each separate case.

Repeat this process to add all active Parole cases with community supervision.

Click Save & Continue and the Transfer Request summary screen appears with a checkmark in the Instant Offense Details Progress checkbox.

Note: Once the case becomes an active case, if you can add a Compact Action Request to communicate to the receiving state caseworker any information concerning the case. Select a case from the Active case list, then use the drop-down list to select Compact Action Request.

Institutional History

- Always click Yes if the offender is currently in an institution. This will open the Institutional History screen.
- Enter the name of the current Institution or Correctional Center; the inmates DOC number; and proposed/actual release date from the institution.
- Provide prison discipline in the last 2 years of incarceration by summarizing major or minor conduct reports received in the topic area. This may include information from a prior term of incarceration if it is within the last 2 years. The intent is to provide the receiving caseworker whether you believe behaviors will continue or be of concern and indicate risk in the community.
- Attach a DOC-3711 Mental Health Summary covering the last 2 years of incarceration is entered here. This can be obtained by contacting the Psychology Supervisor to request completion of this form. PSU staff shall complete the form within seven days or less.
- Click Save & Continue to complete the Institutional History process.

Contact Restrictions

- Click yes If the inmate has any contact restrictions, such as no contact with victim, minors, co-defendants, etc. Enter a description of the contact restriction and attach any related documents supporting the restriction. If a restraining order is in effect but the document is unavailable, attach CCAP case printout.

Protective Orders

- Click yes if the inmate is the petitioner in any protective orders.
- Enter a description or attach the protective order.

Sex Offender Registration

- If offender is required to register in either state, they are a sex offender for compact transfer purposes.

- Check in advance with the receiving state registry.
- Click the radio-button next to the correct response regarding the sex offender registry status for the offender.
- If applicable, enter the years and months the offender has been registered.
- If available and not included elsewhere in the Transfer Request, attach the following:
  1. Assessment information, including sex offender specific assessments – The DOC forms for the SO assessments would be DOC-3776 for males and the DOC-3776A for females.
  2. Social history – Presentence Investigation (PSI) or Social History
  3. Information relevant to the sex offender's criminal sexual behavior – PSI/Criminal Complaint is sufficient
  4. Law enforcement report that provides specific details of sex offense – Attach a copy of the sex offense police report or indicate why it isn't available in the Supervision history topic area.

- Victim information
  - The name, sex, age and relationship to the offender – should be covered if you attach a police report. Otherwise include the specifics or state that the information is not available.
  - The statement of the victim or victim's representative – if available or indicate if it is not available.

- The sending state's current or recommended supervision and treatment plan. – Attach current COMPAS case plan in Supervision history area

Victim Sensitive Details

- Always select No per definition.Wis. Stats. Ch. 950 does not meet ICAOS rules definition: **Victim-Sensitive** – means a designation made by the sending state in accordance with its definition of "crime victim" under the statutes governing the rights of crime victims in the sending state. The receiving state shall give notice of offender's movement to the sending state as specified in Rules 3.108 and 3.108-1.

Pre-Sentence Investigation

- Enter a description and attach the following documents if available:
  - Pre-Sentence Investigation
  - DOC 179 Probation Social Investigation, when Pre-Sentence Investigation is not available.
  - COMPAS Bar Chart and Narrative, note if it is not available.
  - Criminal Complaints or offense details

    DOC 745 Release Planning information

Supervision History

- Select Yes, if inmate has returned to prison on revocation.
- Enter a description and attach the following documents if available:
  - All revocation summaries associated with current, active cases
  - When COMPAS Notes are extensive, summarize for receiving state instead of attaching pages and pages—not applicable to institution staff as above-referenced revocation summary will be sufficient.

Copyright © 2012 [WI Department of Corrections]

- Relevant COMPAS notes related to current offense or violations

Financial Obligations

- Select Yes if the offender has any financial obligations relevant to the current transfer. Examples of financial obligations may include but are not limited to: restitution, court costs, fines, child support, etc.
- Enter the required financial obligation and collection agency information including the address and total amount owed.

Conditions of Supervision

- Signed DOC 10 Rules of Supervision from COMPAS. Include any DOC 10 rules that are translated in another language.
- DOC 2352 Ineligible Voting Notice and Acknowledgment

Offender Photographs

- Attach the most recent front-view photograph of inmate from Locator.

The Social Worker will receive an automated email from ICOTS when the receiving state has made a decision. The social worker should then notify the inmate of the decision and advise the inmate of the approval or denial of application. Please do not share the other state's Reply to Transfer with denial decision with inmate. Although ICOTS is open records, when the receiving state generates any ICOTS action they are considered the owner of that record, and they release the actual document, redacted, to a requestor.

If the Transfer Request is approved the social worker shall:

- Review whether the receiving state can comply with WI rules/conditions and whether they impose additional conditions per their standards. As part of reentry staff case with the agent to determine if offender will be allowed to depart under the modified conditions. Review conditions with inmate before release and departure planning.
- Notify the inmate of the reporting instructions which is within 72 hours of the date the Notice of Departure is entered, gather the inmate's transportation plans, notify the agent and request a DOC-50 Travel Permit and provide details of mode of transportation for example: the make, model and license plate of a car; flight, bus or train information.
- The agent will forward the DOC-50 Travel Permit to the social worker for the inmate to sign. Forward copies of the signed DOC-10 and DOC-50 to the agent.
- If needed, contact the Health Services Unit to request a two week supply of medication.
- Submit a Notice of Departure in ICOTS on the inmate's release date if the inmate is traveling directly to the receiving state upon release.
    - The inmate must report to the receiving state by the 5th business day following departure.
    - If the inmate is reporting to the WI Agent prior to travelling to the receiving state the Notice of Departure should be completed by the Agent.
- Send an email the DOC DCC Interstate Compact and request transfer of inmate from Social Worker's active ICOTS Compact Workload to WI DCC agent of record. CC the agent of record.

If the Transfer Request is denied the social worker shall:

- Notify the inmate the inmate the reasons for the denial. A rejected transfer for the same state may be revised and resubmitted.
    - If submitted to a new address a new $150 application fee is required.

Copyright © 2012 [WI Department of Corrections]

- If the inmate no longer wishes to transfer, the social worker should notify the receiving state using the ICAOS Compact Action Request form in ICOTS and "Withdraw" the ICOTS case from the active ICOTS workload.
- Notify the WI DCC Agent of the denial and work on gathering information for his residency plans in WI.

If a transfer decision has not been received and the inmate is ten working days from release and no residence is available in Wisconsin the social worker should discuss with the DCC Agent alternate, temporary residence options in Wisconsin.
If a transfer decision by the receiving state is past due, the social worker should submit a Request for Reporting Instruction (expedited reason) in ICOTS. If the reporting instructions are denied or have not been received by the time the inmate is releases the inmate may not be given a DOC-50 and they must remain in the State of WI. For additional resources reference DAI Policy 328.14.01 Interstate Compact for Supervision of Wisconsin Parole Cases Requiring Transfer to Other States, DAI 328.14.01 Attachment- ICOTS Entry Procedures and ICAOS Website at www.interstatecompact.org.
For additional information, the following resources may be utilized:

- ICOTS Transfer Request Summary Screen- Recommended Placement of Required Documents (Revised:03-19-18)
- Screenshots of ICOTS
- Pre-filled out 1163 and 1163A (Email)
- List of WI Statutes with NCIC Codes (Email)
- List of states with Bifurcated supervision- Separate Parole and Probation offices

ACTIVITY- Different proposed residences scenarios- construct transfer request for submission

Maximum Discharge Releases Back to Top

Maximum discharge occurs when an inmate releases to the community without a term or period of WI DOC community supervision. Cases will be closed/terminated for inmates who release on maximum discharge from DAI. **Social Worker/Treatment Specialist Responsibilities:**

The Social Worker should communicate with the Records Department and Agent of Record to ensure there are no consecutive cases to the maximum discharge case. If it is determined that an inmate will be max discharging from DAI, that person will release on the date of their discharge and not the Tuesday before that date. A DOC-0745 should be completed to assist with release planning (link to section). The Social Worker should communicate with the Records Department and the Agent of Record to clarify any other documentation that may be requested to be completed.
Upon release, the Social Worker should make a note in COMPAS indicating that the person has reached maximum discharge. WI DOC DCC is responsible for closing out the Lifecycle in COMPAS.

Opening Avenues to Reentry Success (OARS) Back to Top

A voluntary pre- and post-release case management program for the reintegration of mentally ill offenders returning to Wisconsin's communities. The Opening Avenues to Reentry Success (OARS) Program is a joint DOC/DHS Program. The OARS Program is managed by DOC in the Reentry Unit and by the Department of Health Services (DHS) in the Division of Mental Health and Substance Abuse Services (DMHSAS), Office of Community Forensics Services.
To be eligible for the OARS Program, inmates must have:

- MH-2 classification with priority to MH-2A offenders;
- Moderate or high risk COMPAS Recommended Risk Level;
- A release location in one of the OARS-covered counties (https://www.dhs.wisconsin.gov/cf/oarsmap.pdf);

- A minimum of 6 months community supervision remaining after release;
- No approved Interstate Compact or active and indefinite detainers. The DHS OARS specialists can work with individuals that may have detainers lasting days or weeks.
- Willingness to volunteer;
- Motivation to participate in treatment and programming.

Social Worker/Treatment Specialist Responsibilities:

- Use tools to evaluate caseload and determine potential eligibility for the OARS Program using the eligibility criteria.
- Complete OARS Referral (DOC-2774) and forward to both of the DHS OARS Specialists listed on the form If the inmate is enrolled, the referring Social Worker becomes part of OARS team prior to release.
- Team members participate in conference calls and provide ongoing information for case managers as they produce the prerelease assessment and Individualized Service Plan (ISP).

OARS Site Coordinator:

- The Reentry Disabilities Coordinator will send out a monthly potential eligibility list, target enrollment numbers, and release timeframes to OARS Site Coordinators.
- Site Coordinators will disseminate potential participants' information within the facility and provide prioritization of referrals if necessary.

DHS OARS Specialists:

- OARS specialists split responsibilities by region as shown on the OARS Coverage Map. One of the specialists manages the Southeastern Region, while the other handles the Fox Valley, Northern, Western, and Dane County Regions.
- OARS Specialists receive referrals, screen for eligibility and set up enrollment interviews. They will collaborate with facility staff and meet in person with the potential participant to assess motivation and stages of change. If the OARS specialist and inmate determine the OARS program is a good match for their reentry needs, the inmate signs the voluntary consent and they are enrolled in the program.
- The OARS specialist will obtain Releases of Information (ROI's) for both Non-Health (DOC-1163) and Protected Health Information (DOC-1163A) for the Regional OARS case management agency. They will leave the forms at the facility to be turned in to the Records Department. Instructions on ROI's distribution are found on the cover page.
- The OARS Specialists are the point of contact for questions regarding referrals, enrollments, and the prerelease process.

Contracted Case Managers:

- The OARS Program currently contracts with Lutheran Social Services, Adult Care Consultants, Journey Mental Health, and Wisconsin Community Services to provide OARS case managers.
- OARS Case Managers and DCC Mental Health OARS agents are assigned immediately after enrollment based on the region of release.
- OARS Case Managers complete a DOC background check and are approved to enter facilities. They will meet with the participant, collaborate with the OARS team, compile information, and develop the prerelease assessment and ISP prior to the participant's release. They will arrange for an Initial Core Conference Call (Institution Social Worker, DCC OARS agent, OARS Case Manager and DHS OARS

Copyright © 2012 [WI Department of Corrections]

Specialist). Prior to release, they will also arrange for an OARS team ISP conference call, including participant, whom may lead the discussion.

- Timelines:
- The standard OARS referral takes place 6-9 months prior to release.
- Standard enrollment interviews occur 6-7 months prior to release.
- Inmate Fast-track referrals can occur 4-6 months prior to release (enrollments depend on caseload availability).
- Inmate Fast-track enrollments must allow 90 days prior to release.
- For additional information, the following references may be utilized:
- Monthly OARS Eligibility Spreadsheet (sent from the Reentry Unit to the OARS Site Coordinators)
- DHS OARS website (includes brochure, coverage map, procedure manual, annual reports, and a description of program development) https://www.dhs.wisconsin.gov/oars/index.htm

Windows to Work Back to Top

Windows to Work is a pre- and post-release program designed to address criminogenic needs that can lead to recidivism, including: employment, education, anti-social cognition, anti-social personality, and anti-social companions. DOC holds a contract with each of Wisconsin's 11 Workforce Development Boards (WDB) to provide, or subcontract to provide, a Windows to Work program at selected state correctional institutions or county jail facilities in each workforce development area.

Pre-Release Services:

Both individual and group participation begins approximately 3 to 9 months prior to release from incarceration. The Windows to Work Coach provides participants with classroom training in core curriculum content areas, and focuses on five main components:

1. Cognitive Intervention (CBI-EMP)
2. General Work Skills and Expectations
3. Financial Literacy
4. Community Resources
5. Job Seeking, Applications, and Resumes

In coordination with the institution social worker and/or community corrections agent, individual release/case planning takes place.

Post-Release Services:

In coordination with the institution social worker and/or community corrections agent, individual release/case planning takes place. Windows to Work coaches assist participants with job search and job retention activities for approximately 12 months after release from incarceration. Coaches use a variety of assessment tools to assist in determining skill level and career path choices. Participants receive assistance in accessing available community resources to address needs for food, shelter, clothing, transportation, and other services. Windows to Work programs sometimes have limited funds to assist participants in addressing barriers to employment, such as transportation, education, identification and work supplies.

Windows to Work Eligibility Requirements:

- Medium-to high-risk on a validated assessment (COMPAS)
- Currently incarcerated at a participating institution/county jail
- Releasing from incarceration no less than 60 days or more than 12 months after enrollment into program

Copyright © 2012 [WI Department of Corrections]

- (length of pre-release portion of program varies from area to area).
- At least one year remaining on community supervision after release.
- Not medically identified as "no work" status.
- Mental health stability adequate for participation in competitive full time employment.
- No detainers that would prevent participation post-release.
- No history of SSI/SSDI benefits within 12 months preceding current incarceration and will not be eligible for SSI/SSDI upon release.

Priority enrollment will be given to participants whose established agent of record is within the WDB area tied to the participating facility

*Note: There may be additional eligibility requirements depending on area of release.

Windows to Work Facilities:

Workforce Development Board Area	Supporting Sites
Bay Area	Taycheedah Correctional Institution (TCI) Oshkosh Correctional Institution (OSCI) Kettle Moraine Correctional Institution (KMCI)
Fox Valley	Redgranite Correctional Institution (RGCI) Oshkosh Correctional Institution (OSCI)
Employ Milwaukee	Racine Correctional Institution (RCI) Milwaukee Secure Detention Facility (MSDF)
North Central	Wood Co. Jail Adams Co. Jail
North West	Stanley Correctional Institution (SCI) Chippewa Valley Correctional Treatment Facility (CVCTF) Douglas Co. Jail
South Central	Oakhill Correctional Institution (OCI) Fox Lake Correctional Institution (FLCI)
Southeast	Racine Correctional Institution (RCI)
Southwest	Prairie Du Chien Correctional Institution (PDCI) Rock Co. Jail
West Central	Stanley Correctional Institution (SCI) Chippewa Valley Correctional Treatment Facility (CVCTF)
Western	New Lisbon Correctional Institution (NLCI) Jackson Correctional Institution (JCI)
WOW	Waukesha Co. Huber

Timelines:

- The standard Windows to Work referral can take place approximately 12 months prior to release (for institution programs), or at any point during incarceration in a county jail (for jail programs)
- Both individual and group participation begins approximately 3 to 9 months prior to release (for institution programs)
- Windows to Work coaches assist participants with job search and job retention activities for approximately 12 months after release from incarceration

Windows to Work Site Coordinator

- Each Windows to Work site has a DOC staff member assigned as the site coordinator for Windows to Work.

- Every month, the Reentry Employment Coordinator sends out a monthly potentially eligible list to Windows to Work Site Coordinators and the corresponding Windows to Work coach.
- Site Coordinators will disseminate potential participants' information within the facility and provide prioritization of referrals if necessary.

Windows to Work Coach:

- The Windows to Work Coach is the contracted staff member primarily responsible for the implementation of Windows to Work programming. He/she is employed by the WDB or the subcontracted agency and is given limited access to DOC technology resources and, upon acceptance to the program, participant information.
- Windows to Work Coaches receive referrals and set up enrollment interviews. They will meet with facility staff and the potential participant to gage appropriateness for enrollment.
- The Windows to Work coach serves as a link between incarceration and the community.
- During the pre-release phase of the program, the Coach provides classroom training in the five core program components, as well as providing individual release/case planning in conjunction with the institution social worker and/or DCC Agent (please note that for jail programs, portions of the classroom instruction may actually occur in the community).
- The Windows to Work Coach develops and maintains contacts in each community, forming a network of employers, residential property owners, educational institutions, community support agencies and treatment providers willing to assist Windows to Work participants.
- In coordination with the DCC Agent, Windows to Work Coaches assist participants with job search and job retention activities for approximately 12 months after release from incarceration. Participants receive assistance in accessing available community resources to address needs for food, shelter, clothing, transportation, and other services. Windows to Work programs sometimes have limited funds to assist participants in addressing barriers to employment, such as transportation, education, identification and work supplies.

DCC Agent

- The Windows to Work Coach will notify the DCC Agent of a participating offender's enrollment in the program.
- The Windows to Work Coach will collaborate with the Division of Community Corrections (DCC) agent to assist participants with job search and job retention activities.
- The Windows to Work Coach will work in collaboration with the DCC Agent when appropriate for purposes of evaluating program participation, and general supervision concerns and/or questions.

Social Worker/Treatment Specialist Responsibilities:

The social worker or treatment specialist shall understand the eligibility requirements and enrollment process for the Windows to Work program. The social worker or treatment specialist shall evaluate the assigned caseload and determine clients who are potentially eligible for the Windows to Work Program and communicate that information with the Windows to Work coach or site coordinator. The social worker or treatment specialist shall meet with inmate(s) and explain benefits of the program. The social worker or treatment specialist may Contact the Windows to Work coach and Site Coordinator with any questions pertaining to potentially eligible participants, or to set up a meeting between the coach and inmate. Social workers and treatment specialist may assist in the recruitment of appropriate inmates to the Windows to Work program by providing information to inmates in person, through flyers and brochures, and/or information sessions.

Copyright © 2012 [WI Department of Corrections]

When an inmate is interested and eligible the social worker or treatment specialist shall complete DOC 2541 Windows to Work Referral and send to the Windows to Work Coach and Site Coordinator. The referral must include the bar chart and narrative from the most recent COMPAS assessment. If no assessment has been completed, refer to the DAI COMPAS Business Process to determine the appropriate assessment. A DOC 2541 may still be forwarded to the Windows to Work Coach and Site coordinator if an inmate is ineligible for tracking purposes. The COMPAS bar chart and narrative are not required, unless they are enrolled.

The social worker or treatment specialist will coordinate with Windows to Work Coach to complete DOC 1163 Authorization for Disclosure of Non-Health Confidential Information and DOC 1163A Authorization for Use and Disclosure of Protected Health Information. The referral and relevant update, including enrollments shall be documented in COMPAS notes. The social worker or treatment specialist shall notify the agent of record that a referral has been submitted.

If the inmate is enrolled, the referring social worker or treatment specialist will be informed of inmate progress, and the Windows to Work Coach is available to assist with release planning. Social workers and treatment specialists should be proactive in reaching out to the Windows to Work question with any questions they may have. For additional information, the following resources may be utilized:

- DOC 2541- Windows to Work Program Participant Referral
- Windows to Work Program Sites
- Windows to Work Program Map
- Referral Process Sheet

Back to Top of Page

DAI Discharge COMPAS Overview

COMPAS ReEntry Assessment
- When to Complete a COMPAS ReEntry Assessment

Completing a COMPAS DAI Legacy or ReEntry Assessment
- Legacy/ReEntry: Official Record
- Legacy/ReEntry: Institution Records/Case File
- Legacy/ReEntry: Screener Evaluation
- Legacy/ReEntry: Interview
- Legacy/ReEntry: Self-Report

COMPAS ReEntry and a Unified Case Plan

Case Plans
- Unified Case Plan and Education Plan Translation for LEP Inmates
- Education Plan
  - Involving the Inmate
  - Intervals for Updating the Education Plan
- Unified Case Plan (UCP)
  - Information Reviewed
  - Involving the Inmate in the UCP Development and Review
  - Intervals for Updating the UCP and Education Plan within DAI
- Updating the Unified Case Plan and Education Plan Received from Another Division

Rules of Supervision

Terminating a Case

Closing a Lifecycle

DAI COMPAS ReEntry Assessment

This assessment will be completed in the preparation for an inmate's release to community supervision.

When to Complete a ReEntry Assessment

- Inmates who are not enrolled in ERP or CIP shall have their ReEntry assessment completed no sooner than 9 months prior to release but no less than 6 months prior to release.
- Inmates who are enrolled in Low Risk ERP shall have their ReEntry assessment completed between Weeks 8-10.
- Inmates who are enrolled in Medium/High Risk ERP shall have their ReEntry assessment completed between Weeks 15 – 16.
- Inmates who are enrolled in Medium/High Risk CIP shall have their ReEntry assessment completed between Weeks 15 – 16.

Requirements for completing a ReEntry assessment for ES/MR/PMR Releases:

- Inmate must be releasing to Wisconsin DCC supervision.
- Inmate has one year or greater to serve from his/her prison admission date the ReEntry can be started between the 9 and 6 month mark prior to release.
  - Note: 12 months within a WI DAI facility does not include county jail / MSDF time prior to DAI A&E Intake.
- DAI shall complete the ReEntry assessment within 30 days upon request from DCC for half-way house referrals, treatment program referrals, etc. (must still meet all other requirements of a ReEntry assessment)
- If an inmate releases from DAI (and a ReEntry Assessment was created), but then returns to DAI, another ReEntry Assessment is needed if the inmate is sentenced to DAI for 12 months or more.
- Assessments will be completed on inmates with detainers if there is potential for the inmate to be placed on DCC supervision within the year following release (i.e. Cost Commitments). Assessments will not be completed on inmates with known ICE/BICE/Federal/Out of State detainers.
- Interstate Compact Request: If status is unknown at the time of release, complete ReEntry.
- Chapter 980 Commitments – A ReEntry assessment should be completed as it is not known when or if 980 commitment will occur.
- Chapter 51 Commitments – These should be reviewed on a case-by-case basis depending on mental capacity at time of assessment.

Indication of Possible Release Prior to ES/MR/PMR:

Examples include, but are not limited to:

- Parole Commission request
- Certain Earned Release (per DAI Policy 302.00.09)
- Risk Reduction Sentence Review (per DAI Policy 302.00.11)
- Extraordinary Health Conditions / Geriatric (per DAI Policy 302.00.13)
- Petition of Sentence Adjustment to Court- 75% and 85% (per DAI 302.00.14)
- Positive Adjustment Time Review (per DAI Policy 302.00.18)

Copyright © 2012 [WI Department of Corrections]

COMPAS ReEntry and a Unified Case Plan

The DAI social worker/case manager will complete the COMPAS ReEntry Assessment as a component within the pre-release process. There may be times when it is appropriate to case plan off of the ReEntry assessment while the inmate is in DAI custody.

NOTE: If an inmate arrives at the post intake site with an assessment completed, but no UCP started and is within 90 days to release, the assigned case manager will not start a case plan.

Copyright © 2012 [WI Department of Corrections]

Rules of Supervision

As part of the Reintegration process, Agent of Record will create Rules of Supervision in COMPAS. This will include Standard Rules, Sex Offender Rules, and Special Rules as applicable.

- Case manager will print Rules from COMPAS, review with offender, and both parties will sign. If there are multiple pages, the offender will initial each page prior to the signature page.
- Social Worker will enter a general note in COMPAS documenting Rules have been signed.
- Social Worker will scan and email the Rules to the assigned DCC Agent of record. Upon completion, the original hard copy must be shred. The original should not be given to the inmate in order to reduce the possibility of the rules being altered in any way. A copy of the signed rules may be provided to the inmate.

NOTE: The English version of the Rules of Community Supervision (DOC- 10) that are produced within COMPAS are no longer turned into the records office as part of the release process. They will not be placed in the Legal or Social Service file. The Spanish (DOC-10S) and Hmong (DOC-10H) versions of the Rules of Community Supervision are not available within COMPAS. The DOC- 10S and DOC-10H will need to be requested from the agent if additional rules are added or printed from MyDOC. The originals of these documents must be forwarded to records as part of the release process.

Copyright © 2012 [WI Department of Corrections]

Terminating a Case

Cases will be closed/terminated for inmates who release on maximum discharge from DAI or pass away while in DAI custody. Case Termination can be found under the Case Summary tab. Document in general notes reason for terminating a case.

Closing a Lifecycle

DCC will be responsible for entering the date and reason for closing a lifecycle regardless of the reason for termination. This includes inmates who release as a Maximum Discharge from DAI or pass away in DAI custody.

Copyright © 2012 [WI Department of Corrections]

DAI Release Planning

Institutions/Centers, irrespective of custody level, will facilitate release planning for all inmates.

- Initial release planning begins with completion of the COMPAS Reentry Assessment per the DAI COMPAS Business Process.
- At six months to release (or sooner at work release sites), Social Workers shall verify/assist inmate to obtain Vital Documents (Supervision Inmate Vital Documents section) and update COMPAS Case/Custom Fields/Release Plan to reflect status of vital documents.
- A paper application and information about the Medicaid pre-release application process will be provided during a release planning session if the inmate did not receive documents during pre-release modules on Financial Literacy and Health.
    - A custom field entry is required for the ForwardHealth Card for every inmate during release planning. There are five choices in the ForwardHealth Card custom field drop-down menu. They are listed and defined here:
        - **Institution Property Envelope**-The ForwardHealth card has been received by the facility, the inmate was sent a receipt, and the card is stored in the DOC-236D Identification Property Access Record
        - **Application in Process**-Inmate wants to apply and has received DOC information and a paper application. Screening for additional staff assistance has been completed. Inmate will apply during the correct timeframe for his/her release date.

          Not Eligible-Inmate has applied and been determined ineligible by Income Maintenance Consortia staff
        - **Residency Status Prohibits**-Inmate does not have legal residency in the United States
        - **Declined**-Inmate declines to apply for BadgerCare Plus prior to release from a DOC facility
    - The ForwardHealth Card status, action date, and staff member name boxes shall be completed. Staff updating the record shall enter their name, classification, and location (e.g. TBlack SW at JCI). When necessary, include comments sharing any useful information that supports the documentation. There will only be one record for the ForwardHealth Card. Subsequent entries will be reflected by editing the existing record and action date.
- For those inmates who are releasing on Extended Supervision or Mandatory Release, Social Worker generates DOC-0745 Release Plan; inmate completes plan and returns to Social Worker.
- Social Worker scans Release Plan via e-mail to Parole Agent:
    - Copy is given to inmate and original is stored in the inmate's Social Service File and saved to Offender Locator, Documents tab/Release planning folder.
- A Pre-Release phone call, video conference, or institution visit is scheduled with the Parole Agent to review release plan information.
- If inmate is requesting residence in another state, refer to Interstate Compact section.
- Parole Agent must generate supervision rules in COMPAS (refer to DAI COMPAS Business Process) and submit an Inmate Release Authorization (DOC-0015) at least 30 days prior to the offenders release date. Except for maximum discharge, inmates are ordinarily released on the Tuesday prior to the official date of release. This procedure also applies in the event the inmate is released to a detainer.
- No Release Plan or Authorization for Release is needed for maximum discharge inmates.

Copyright © 2012 [WI Department of Corrections]

Reentry Resource Handout

The *General Resources for Releasing Offenders* handout contains contact information for community-based resources such as food, clothing, shelter, employment and education, medical assistance, etc., to assist inmates who are transitioning back into Wisconsin communities.

At six (6) months prior to release, the Social Worker or Treatment Specialist will provide a copy of the handout to the inmate.

NOTE: This document will be updated routinely to reflect current availability of services. Make sure to retrieve the latest version go to MyDOC > Reentry Unit and click on the link titled, "General Resources for Releasing Offenders".

Social Worker/Treatment Specialist Responsibilities:

- Ensures inmate has obtained Vital Documents and records in COMPAS - Custom Fields;
- Completes COMPAS Reentry, when applicable;
- Generates DOC-0745, routes accordingly;
- Facilitates contact with Parole Agent;
- Completes all relevant release paperwork generated by institution and field agent;
- Prints Agent generated COMPAS Rules, processes with inmate, routes accordingly;
- Ensures proper documentation in WICS Release Plan screen.

Documents progress and actions taken in a note in COMPAS.

- DCC Agent:
- Reviews DOC-0745;
- Facilitates contact with Social Worker and inmate;
- Generates COMPAS Rules;
- Generates DOC-0015 and routes accordingly.

Inmate:

- Ensures Portfolio is updated and present at all formal meetings;
- Ensures Vital Documents are secured;
- Completes DOC-0745 Release Plan Information;
- Establishes release clothing and transportation;

Updates Community Resources Worksheet (per Portfolio checklist DOC-2399).

For additional information, the following resources may be utilized:

DAI 300.00.14 Pre-Release Curriculum
DAI 300.00.15 Development and Use of Inmate Portfolio
DAI 300.00.15 Development and Use of Inmate Portfolio - Administrator Jess Memo
DAI 309.45.02 Inmate Trust System Deductions Attachment A - Release Funds Allowable Uses

Copyright © 2012 [WI Department of Corrections]

Affordable Care Act (ACA)-Medicaid ForwardHealth Card

A paper application and information about the Medicaid pre-release application process will be provided during a release planning session if the inmate did not receive documents during pre-release modules on Financial Literacy and Health.

- A custom field entry is required for the ForwardHealth Card for every inmate during release planning. There are five choices in the ForwardHealth Card custom field drop-down menu. They are listed and defined here:
  - **Institution Property Envelope**-The ForwardHealth card has been received by the facility, the inmate was sent a receipt, and the card is stored in the DOC-236D Identification Property Access Record
  - **Application in Process**-Inmate wants to apply and has received DOC information and a paper application. Screening for additional staff assistance has been completed. Inmate will apply during the correct timeframe for his/her release date.

    Not Eligible-Inmate has applied and been determined ineligible by Income Maintenance Consortia staff
  - **Residency Status Prohibits**-Inmate does not have legal residency in the United States
  - **Declined**-Inmate declines to apply for BadgerCare Plus prior to release from a DOC facility
- The ForwardHealth Card status, action date, and staff member name boxes shall be completed. Staff updating the record shall enter their name, classification, and location (e.g. TBlack SW at JCI). When necessary, include comments sharing any useful information that supports the documentation. There will only be one record for the ForwardHealth Card. Subsequent entries will be reflected by editing the existing record and action date.

Copyright © 2012 [WI Department of Corrections]

Release Clothing

Inmates will need to secure release clothing prior to release. This should be discussed during the release planning process and documented in the WICS Release Plan screen.

1. Personal Clothing:

- Personal clothes including sweats or shorts and state issued socks and underwear may be worn for release.
- Will dress out in these clothes prior to leaving the institution/center.

2. Purchased Clothing:

- Purchases can be made from their release account no earlier than 30 days prior to release.
- Social Worker will approve disbursement of up to $150.00 per DAI 309.45.02 Inmate Trust System Deductions Attachment A - Release Funds Allowable Uses.
- One of each item including socks and underwear will be allowed.
- Release clothing will be maintained in institution property until day of release.

3. Sent In Clothing:

- Family/friends may assist with obtaining release clothing per Institution Policy and Procedure under 309.20.03 and 309.45.02.
- Clothes may not be sent in earlier than 30 days prior to release.
- Only one of each item will be allowed.
- Institution Property Department will send inmate a notice when clothes arrive onsite.

4. Institution assisted non-profit agency (i.e. Salvation Army, Goodwill):

- If options above are not available, sites may have a procedure to secure release clothing (see individual institution policies for details).
- Social Worker will determine if clothing assistance is needed and will follow site procedures.

Copyright © 2012 [WI Department of Corrections]

Transportation Upon Release

Per DOC 309.495, the Department shall arrange for the transportation of an inmate released from an institution to the inmate's release placement location in the state, or shall give the inmate the means to procure transportation to that location. Transportation should be discussed during the release planning process and documented in the WICS Release Plan screen by the institution Social Worker.

1. DCC Agent can designate inmate be transported by DCC Agent or DOC Transport Sergeant on the DOC-0015 Offender Release Authorization form.
2. Inmate can designate family/friend to transport.
   - This arrangement should be discussed and approved with their DCC Agent during release planning.
   3. Institution/Center shall assist inmate with local bus transportation, if available.
4. Inmate may use funds from release account for transportation purposes per DAI 309.45.02 Inmate Trust System Deduction Attachment A - Release Funds Allowable Uses.
5. If approved for interstate transfer see Interstate Compact section for Travel Permit procedure.

Copyright © 2012 [WI Department of Corrections]

Release Accounts Disbursement

Before releasing an inmate to field supervision, the releasing institution shall inform the DCC Agent of the balances in the inmate's general account, release account under DOC 309.46.01, and segregated account, if any. The Agent shall instruct the institution Business Manager, via documentation of the DOC-0015, as to where these balances shall be transferred. Following release, the former inmate may use funds formerly held in his or her institution accounts only with the approval of their Agent. When the offender is discharged from field supervision, any remaining funds from these accounts shall be paid to the client.

Copyright © 2012 [WI Department of Corrections]

Social Worker/Treatment Specialist Academy Resources

Business Office Overview
Classification and Reclassification
Emotional Intelligence for Social Workers
Interstate Compact
Mentor Guide
Office of Victim Services Overview
Parole Commission Overview
Pre-Release SORP
Primary Programming Overview
Policy, Procedure, and Resources Overview
Records
Reentry Initiatives
Sentencing and Records
Sex Offender Release
SWTSA Student Guide
Wisconsin Sentencing
Visitation

Copyright © 2012 [WI Department of Corrections]

Arrest and Adjudication

Copyright © 2012 [WI Department of Corrections]

ASSESSMENT TOOLS

County's Juvenile Intake, Juvenile courts and Human/Social Service agencies will be significantly impacted by COMPAS assessments. The COMPAS will be used at:

- Intake conference;
  O Youth Risk O Youth Primary Needs O
- Youth Deferred prosecution termination/cancellation;
  O Youth Risk O Youth Primary Needs O
- Youth Consent decree;
  O Youth Risk O Youth Primary Needs O
- Youth Disposition hearing;
  O Youth Risk O Youth Primary Needs O
- Youth Change of placement;
  O Youth Risk O Youth Primary Needs O
- Youth Revision of dispositional order;
  O Youth Risk O Youth Primary Needs O Youth
- Extension of order;
  O Youth Risk O Youth Primary Needs O

Youth

Permanency hearing levels;

O Youth Risk O Youth Primary Needs O Youth

Other:

O Youth Risk O Youth Primary Needs O Youth

Unified Case Plan

O County will be creating case plans in COMPAS.

Overrides

O County will be using Supervision Level Overrides.

Notes

O County will be using COMPAS Notes.

Alternative Screening Tools

O County will be using the Detention Screening Tool.

O Temporary Custody Request O Custody Hearing

O County will be using Alternate Screening Tools.

Each component of our juvenile justice program has been constructed based upon one or more of the following seven governing principles:

1. Assessment tools should be utilized to identify risk to re-offend, criminogenic needs and appropriate programming;
2. Intense programming is reserved for medium and high-risk youth;
3. Programming for medium and high-risk youth is focused on individual criminogenic needs;
4. Responses to misconduct should be swift, certain and proportionate;

5. Positive reinforcements are more effective than sanctions and should outnumber them;
6. Programming delivered in natural settings is more effective than programming in institutional settings, and;

Copyright © 2012 [WI Department of Corrections]

7. Sanctions without programming do not reduce recidivism.

Ordered Programming

Referrals or court orders for programming will be based sole upon needs identified through the COMPAS. Programming offered will be in part based on program availability. All programs will adhere to Evidence Based Programming guidelines.

Community Referrals

All youth referred by the courts will be assessed using the COMPAS and provided the appropriate programming as needed.

Supervision Determination Process

Low risk individuals

- Low-risk individuals generally not placed on supervision.
  - Low-risk individuals tend to self-correct.
  - Supervision may be counterproductive in that it may interfere with positive influences in low-risk individual's life or negatively impact that individual through exposure to medium or high-risk individuals.
- Determination of low-risk status initially made by the COMPAS Youth Pre-Trial Risk Assessment and then by the Youth Primary Needs Assessment as needed.
- Public interest exceptions may warrant supervision of low-risk individuals.
  - e.g., some sexual assault cases.
  - e.g., some theft cases with very large amounts of restitution.

Plea/Disposition negotiations

- COMPAS must be sought before disposition recommended or imposed
- COMPAS obtained as early in plea negotiation process as possible.
- COMPAS obtained through referral to county Human or Social Services agency.
- COMPAS automatically distributed to all parties and court.
- COMPAS sealed in court file.

Youth declining to participate in COMPAS process continue through system as in pre evidence based system.

Interpretation of COMPAS

- Supervision recommended or imposed only if COMPAS confirms presence of one or more of the eight criminogenic needs at level warranting supervision.
- Eight recognized criminogenic needs.

Treatment Programs

- Once criminogenic needs identified, there must be consideration of whether programming available to address needs.
- Review DJC Program guide or county resources for information on available programs.
- Recommendation for imposition of supervision or commitment should be accompanied by statement of available program to address identified criminogenic needs.

Public interest/safety may warrant supervision or commitment even absent identified criminogenic need or available treatment program.

Copyright © 2012 [WI Department of Corrections]

Conditions of dispositional order

- Establishment of treatment/program conditions left to DJC or county Human or Social Service agency.
  - In best position to assess availability of programming.
  - In best position to prioritize treatment of multiple criminogenic needs.

Parties may recommend and courts impose non-treatment/program conditions such as no contact conditions.

Judges should apprise youth of likely supervision/commitment conditions through motivational interviewing technique.

General points

Given limited supervision and programming resources, some limit on supervision cases may be necessary. Cases involving relatively minor criminal conduct.

Cases involving youth not likely to benefit from supervision.

Supervision generally not imposed solely or primarily to collect restitution.

Length of Supervision

Length of probation determined by same factors considered as to imposing probation.

As an incentive for positive performance, probationers should be apprised of possibility of early release upon successful completion of programming and other conditions.

Detention as a Condition of Adjudication

Minimal detention time

- Detention imposed as condition of adjudication should be as minimal as can be, consistent with public interest considerations.
  - Purpose of supervision is community protection through treatment, not punishment;
  - Need for detention as consequence minimized by fact supervision itself is consequence;
  - Need for detention minimized by fact that if youth does not succeed on supervision, he will face sentence after revocation.

- Factors to consider.
  - Seriousness of criminal conduct at issue and youth's history;
  - Will detention deter future criminal conduct by youth?
  - Will detention provide any meaningful general deterrence?
  - Will victim or community be as satisfied with temporary punishment as from knowing maximum effort undertaken to change wrong-behavior?

Rationale for detention

- Any recommendation for or imposition of detention should be accompanied by specific explanation as to why detention is required or is as minimal as reasonable.

Straight Detention Sentences

Sanctions without programing – do not reduce recidivism

- Straight detention sentences largely are a sanction without programming.
- Since sanction of straight detention sentence without programming is not likely to reduce recidivism, parties

Copyright © 2012 [WI Department of Corrections]

and court must specifically explain desired purpose of sentence and why sentence advances that purpose.

Sentences after revocation

- Beginning point is recognition that supervision term was itself a consequence.
- Sentence after revocation should be based upon need/benefit of further consequence.

Detention Sentences

Research-based sentencing information

- Any argument for detention placement must be accompanied by attempt to have COMPAS completed. Prior to
- imposing any detention sentence, court should order or seek a COMPAS assessment.

Rationale for detention sentences

- Any detention recommendation or sentence must be accompanied by a specific statement of the purpose or rationale for a detention sentence.

Copyright © 2012 [WI Department of Corrections]

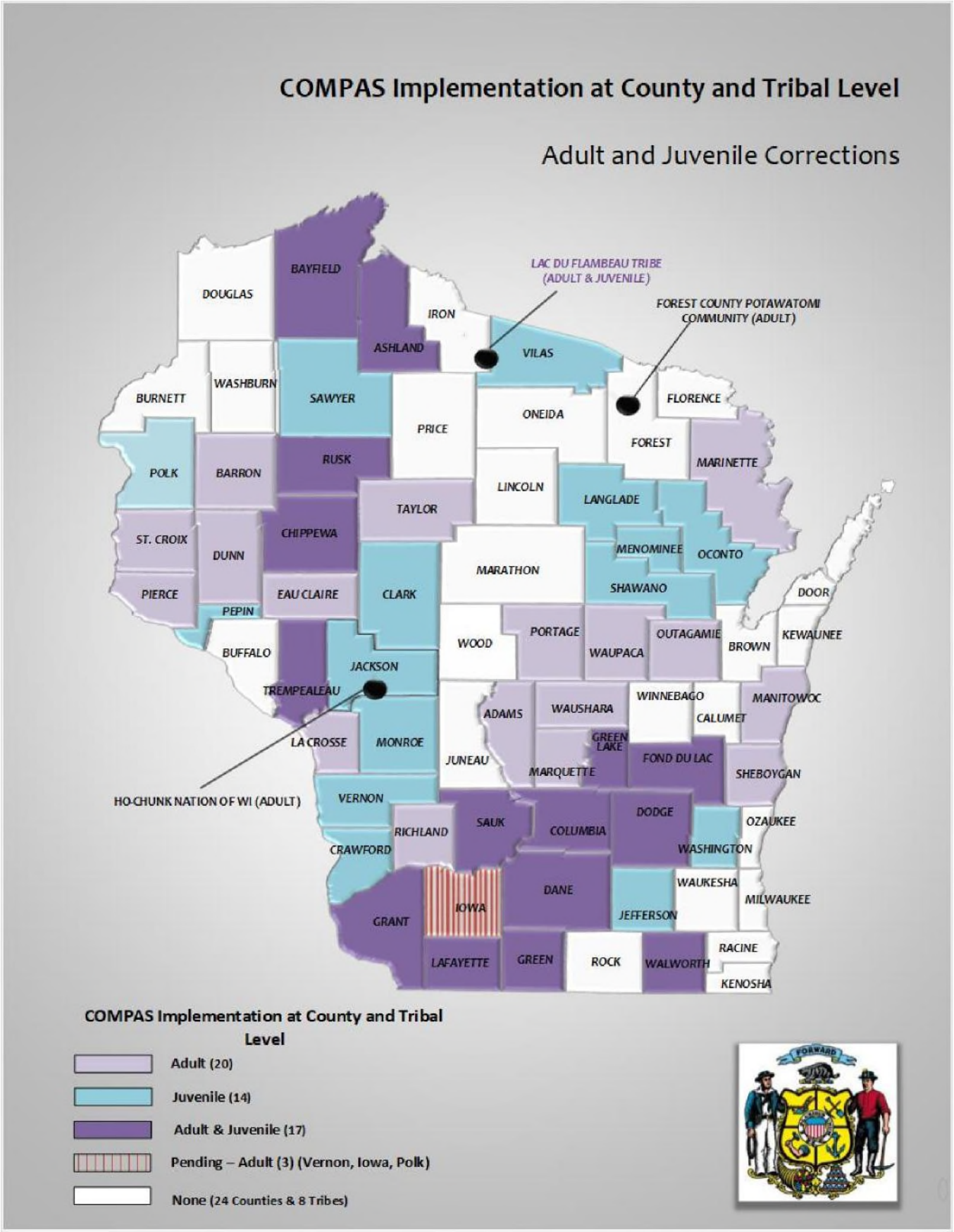
COMPAS County Usage

The DOC is currently partnering with counties throughout the state in the use of COMPAS.

Adult Usage:

- County FAQs
- Potential Decision Points for Adult Counties

Copyright © 2012 [WI Department of Corrections]



County Business Process Library:

- Adams
- Ashland

- Barron
- Bayfield
- Buffalo
- Burnett
- Calumet
- Chippewa
- Clark
- Columbia
- Crawford
- Dane
- Dodge
- Douglas
- Dunn
- Eau Claire
- Fond du Lac
- Forest County Potawatomi
- Grant
- Great Lakes Inter-Tribal Council
- Green
- Green Lake
- Ho-Chunk Nation
- Iowa
- Jackson
- Jefferson
- Juneau
- La Crosse
- Lac du Flambeau Tribe
- Lafeyette
- Langlade
- Lincoln
- Manitowoc
- Marinette
- Marquette
- Milwaukee

Copyright © 2012 [WI Department of Corrections]

- Monroe
- Oconto
- Oneida
- Outagamie
- Pepin
- Pierce
- Polk
- Portage
- Potawatomi
- Richland
- Rusk
- Sauk
- Sawyer
- Sheboygan
- St. Croix
- Taylor
- Trempealeau
- Vernon
- Vilas
- Walworth
- Washburn
- Washington
- Waupaca
- Waushara

Copyright © 2012 [WI Department of Corrections]

Pre-Sentence

Copyright © 2012 [WI Department of Corrections]

Pre-Sentence Investigation Overview
PSI General Information
Truth In Sentencing (TIS) Recommendation Grids
Pre-Sentence Investigation Outline
Pre-Sentence Investigation Format
Mandatory and Presumptive Minimum Sentence Recommendations
PSI on an Undocumented Person

PRESENTENCE INVESTIGATIONS

.01 AUTHORITY

Wisconsin Statutes 972.15, 973, 980, 301.48

Wisconsin DOC Chapter 328, Chapter 302

.02 PURPOSE

The purpose of any investigation is to furnish meaningful information and analysis for use in the correctional process.

The investigation is a careful study of how the individual's personal characteristics, criminogenic needs, risk factors, environmental factors, and behavioral patterns have interacted to produce the present situation.

.03 PRESENTENCE INVESTIGATION

After a conviction for a felony, a Court may order the Department to prepare a Presentence Investigation. Investigation due dates are usually set by the court. A Court may order a Presentence Investigation when there has been no felony conviction, but the Court may not order the Department to conduct the investigation.

Wisconsin Statute and Code provide that the Court will disclose the contents of the report to the defense attorney and to the district attorney prior to sentencing. The district attorney and defense attorney are entitled to have and keep a copy of the presentence investigation. If the defendant is not represented by counsel, the contents will be disclosed to the defendant by the Court. Although the defendant may view the report, he/she is not

entitled to keep a copy of the report. All of these persons must keep the report and its contents confidential.

Although confidentiality of the Presentence report is governed by statute, the agent cannot guarantee confidentiality to any source of information. The agent should tell potential informants how their information will be used. The potential informant's concerns about confidentiality should be discussed before information is obtained, and the informant should be informed of agent's limitations in controlling the confidentiality of sources, as well as the information itself. The agent may ask the Court to protect the identity of certain sources of information. Procedural details for protecting identity should be negotiated with the Court. After the investigation is delivered to the Court, it is the responsibility of the Court to control access to the report in accordance with the statute and its own wishes. The agent must comply with confidentiality laws when securing and disclosing medical, psychiatric, psychological, and educational information. HIV/AIDS information may be communicated in a PSI if there is specific relevancy, but may not be included in any other social investigation.

4. GENERAL INFORMATION

The following provisions apply to all Presentence Investigations prepared on any offender, including those crimes committed both before and after December 31, 1999:

1. All Presentence Investigations must be reviewed prior to being sent to the Court. Review may be done by the supervisor or through a case staffing involving other division staff, including the supervisor. Both the investigating agent's and reviewing supervisor's signatures will appear on the last page of the investigation report;
2. Pertinent investigation worksheets (DOC-179, DOC-180, etc), should be completed prior to the interview. The COMPAS Core assessment must be completed on all offenders for pre-sentence investigations. However, if an assessment was completed within the last two years, it can be copied forward and the agent will need to review and update for any changes since the last assessment was completed. For offenders under age seventeen, a Juvenile Core assessment must be completed. The COMPAS Core assessment must be completed and entered prior to creating the pre-sentence investigation in COMPAS.
3. The agent completes any necessary Alternative Screenings. Currently, the only alternative screening applicable for use during the pre-sentence investigation process is the Static-99R. Please see the section entitled Division of Community Corrections

(DCC) - Intake/Assessment/Alternative Screening Tools for a description and explanation of its use.

4. The agent is required to review the offender's criminal history record. If the agent identifies a sex offense conviction on the offender's criminal record, in Wisconsin or any other state, the agent will call the Sex Offender Registration Program within the state of conviction. If the offender is required to register in another state other than Wisconsin, the agent will provide information as to the whereabouts of the offender to the other state's registry. The agent should note, in the Sexual Behavior section of the Presentence Investigation document, that the offender is required to register as a sex offender and the originating state;
5. The agent is required to consider and cite any aggravating or mitigating circumstances that have affected the recommended sentence. (For TIS sentences, refer to the TIS training booklet);
6. It is required that the goals of sentencing (protection of the public, gravity of the offense, rehabilitative needs of the defendant, and any applicable mitigating or aggravating factors) be considered and addressed as part of the recommendation;
7. Unless excused by the Court, the agent of record who prepared the Presentence Investigation must appear at the time of sentencing. The cover agent or a liaison agent may appear for the agent of record if there has been a comprehensive review of the Presentence Investigation and the liaison is confident that he/she can properly represent the agent of record and the recommendations made.
8. If the defendant does not appear for his/her PSI interview or generally elects not to participate in the PSI development process, the PSI writer shall use discretion and staff the situation with his/her supervisor. In this scenario there are several typical procedures that may be appropriate based on the context of the situation and the preference of the local court:
    1. Complete as much of the PSI as possible using any collateral or other information available. In this scenario, clearly indicate the defendant chose not to participate in the Defendant's version section of the PSI. A recommendation shall still be submitted unless the PSI Writer/Supervisor does not feel there is enough information to make one.
    2. Rather than proceeding with the PSI, notify the court of the defendant's lack of participation and request further direction.

    Workload credit shall be determined based on the decision chosen.

9. Supervisory staff should review with agents, the protocol to be followed by agents when making appearances and ensure that perception of neutrality is maintained. This would

include the directive that agents not sit next to the District Attorney during the sentencing process.

10. Presentence Investigations shall be completed in the county of conviction, unless the offender is already on supervision in another county. In these cases, the Presentence Investigation shall be completed by the agent of record. The county of conviction shall supply the agent with relevant Court data, arrest reports, or other information requested. By mutual agreement between the units, PSIs may be completed by the county where the offender resides rather than the county of conviction or reassigned based on workload.
11. The agent in the county of conviction, who has responsibility for the Presentence, may request assistance from an agent in another county to gather information.
12. When reviewing the District Attorney file information, any written notes may not be reflected in the pre-sentence investigation.
13. If significant inaccuracies are revealed after the investigation has been distributed, the preparer shall be responsible for ensuring that all copies are corrected.

Truth in Sentencing:

Truth in Sentencing encompasses both TIS I and TIS II. TIS I applies to all felons sentenced for crimes that occurred on or after December 31, 1999, and before February 1, 2003. TIS II applies to all felons sentenced for crimes that occurred on or after February 1, 2003. The provisions of this law impact directly on the scope and nature of Presentence recommendations made to the Court by the Department. Truth in Sentencing:

1. Abolishes parole;
2. Eliminates Intensive Sanctions as a sentencing option;
3. For prison sentences, requires a Judge to impose a bifurcated sentence with an initial term of confinement in prison of not less than 1 year, followed by a term of extended supervision in the community;
4. Mandates that the extended supervision portion of the bifurcated sentence be at least 25% of the length of the confinement term imposed by the Judge for classified felonies. For unclassified felonies (TIS I) and enhanced misdemeanors (TIS II), the term of confinement may not exceed 75% of the total length of the bifurcated sentence;
5. Authorizes the Judge to impose conditions on the extended supervision term;
6. Does not change current practice for probation sentences.

.05 PRESENTENCE INVESTIGATION OUTLINE

The Investigation Worksheet (DOC-180) is a guide for the preparation of a Pre-Sentence investigation. All topical areas contained in the outline should be discussed with the defendant Other areas, as applicable should be discussed with collateral resources. The Sexual Behavior and Military sections are to be completed only if relevant to the case. If a particular topic heading is not relevant to the case, the topic heading must still be included but noted that it is not applicable.

COVER PAGE: The first page of the pre-sentence investigation will be a cover page that is generated from information entered into COMPAS. This page contains specific demographic information, offense and court data, and other considerations which can be utilized for sentencing.

For TIS I and TIS II pre-sentence investigations, information related to eligibility by statute for the Challenge Incarceration Program or the Wisconsin Substance Abuse Program (formerly known as ERP) will be captured in the initial data entered on the cover page of the investigation. A defendant is not eligible if the current conviction is for the following statutes: 940 or 948.02, 948.025, 948.03, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, and 948.095. The Division of Adult Institutions will make the final determination as to suitability of the defendant to enter either program.

The following will begin on Page Two:

SECTION	TOPICS
PRESENT OFFENSE	Description of Offense Defendant's Version Victim's Statement Other Statement
PRIOR RECORD	Adult Record Juvenile Record Pending Charges Correctional Experience Other Relevant Offenses Defendant's Explanation of Record

FAMILY BACKGROUND	Identifying Information Family Attitudes, Stability and Values
PERSONAL HISTORY	Vocation/Education/Employment Mental Ability Financial Companions Emotional and Physical Health Sexual Behavior Attitudes and Beliefs Substance Usage History Military Leisure Time Activities Residential History Defendant's Strengths
SUMMARY AND CONCLUSIONS	Agent Impressions Restitution Agent Recommendation Recommended Conditions of Probation or Extended Supervision Anticipated Supervision Plan
SOURCES OF INFORMATION	Include all sources that provided information used in creation of the document.

.06 PRESENTENCE INVESTIGATION FORMAT

It is advised to build the pre-sentence investigation in COMPAS by following the data element tabs within the COMPAS PSI Builder. The first tab (Person Summary) will be auto-populated when the offender is created in COMPAS. Starting with the second tab, (Person Summary Custom Fields), the user should enter all custom fields sections sequentially as prompted by COMPAS. Once completed, return to the general PSI Builder section and

proceed by entering the required information in the remaining fields (Statement of Offense, Defendant's Statement, Victim's Statement, etc.).

In various sections of the PSI, Criminogenic Needs scale information will automatically be displayed. The agent will then have the opportunity to provide a narrative including any additional pertinent information. When completing the narrative sections in the PSI, the information populated from the COMPAS Core assessment is to be considered by the agent. The agent narrative should not be a repetition of the Criminogenic Needs scale information.

PRESENT OFFENSE

Description of Offense: This is a descriptive, nonlegal and factual narrative of what happened (who, what, where, when). It should include extent of damage, injury to the victim, use of threats, and the extent to which the offender profited from the crime. "Read-ins" and any misdemeanor convictions that were part of the PSI order should be included. The description should a brief summary of the critical elements of the offense(s) from police report or Court documents. Simply re-stating from these documents verbatim, or referring to the Criminal Complaint and attaching it to the investigation is not acceptable. Reduction in charges due to plea-bargaining should be included.

Defendant's Version: This section contains a summary of a current interview with the defendant, which includes the defendant's account of the offense. Word for word repetition of written statements is not appropriate in the body of the report. The agent should include information such as explanatory statements concerning drugs, alcohol, companions, economic necessity, emotional factors, remorse, and attitudes toward victim and toward the offense. It is appropriate to include limited pertinent quotes.

Note: Compelled statements given by an offender in regard to a violation while on supervision which lead to a subsequently ordered pre-sentence investigation may not be used. However, the writer may question the offender about the violation during the PSI process.

Victim's Statement: This section contains a summary of the victim's thoughts, feelings, and residual effects of the impact of the crime. Word for word repetition of written statements is not appropriate in the body of the report. Limited pertinent quotes are acceptable. Other relevant information will include the victim's description of the offender's behavior at the time of the offense, any use of threats, and nature of relationship to the defendant. Significant effects of the crime on the victim such as physical injury, psychological problems, or losses incurred should also be addressed. Attempts to conduct personal interviews with victims are required in assaultive offenses when the victim is available and willing. This is also required when the crime has resulted in a change in the lifestyle of the victim and of their family. All victims, including victims of read-in offenses, shall be given an opportunity to provide a victim statement. It is important to document contact attempts and if the victim chooses not to participate.

When interviewing any victim, agents should exercise professional judgment. In cases where the victim is a juvenile, an agent shall obtain parental or legal guardian consent prior to interviewing a juvenile victim. In situations when it is not appropriate to interview the victim, input from the parent or legal guardian, the use of a video-taped interview, or input from the Victim-Witness Coordinator or other advocate would also be acceptable. Identification of juvenile victims should follow the identification method used in the Criminal Complaint. The particular circumstances of the case should dictate an agent's approach to the interview.

Adult victims should be identified as indicated in the Criminal Complaint. It is also appropriate and helpful to identify the age of the victim so the judge does not have to calculate while reading the report. If you list the minor's age, then you can omit the DOB because it will already be in other documents such as the criminal complaint and information. Age of victims should always be identified if it is a factor relevant to the charge involved whether it be child sexual assault and or battery to an individual over the age of 62 years.

2013 Wisconsin Act 338 and 2013 Wisconsin Act 362 contain provisions that authorize victims to view portions of presentence investigation reports generated under WI. Stat. § 972.15. Act 338 creates a right of a victim to view portions of a PSI. DCC is not authorized

to provide victim access to the PSI. It has been determined that this responsibility is apportioned to the district attorney, or a person designated by the district attorney under WI. Stat. § 950.02(2m), in the same way as the other victim rights in Chapter 950.

Other Statement(s): This section should include any relevant input or statements from other individuals such as collaterals, co-defendants, character references, etc. If no other relevant statements are obtained, document "Not Applicable" in this section.

Prior to attempting to obtain a statement from a co-defendant who has a pending case, the agent must legally get prior permission from that individual's attorney. Other information obtained from existing Department of Corrections records or other collateral sources may be cited and used.

The report should identify any and all documents submitted to the court with the PSI report. If letters are submitted to the PSI writer, they should be summarized within the contents of the report. They should also be submitted with the PSI in order to be included in the official, sealed PSI file with the Court.

PRIOR RECORD

Adult Record: This section will include the following information related to the defendant's prior record: Date of Offense, Date of Conviction, Date of Sentencing, Location (County, State), Offense (to include Dismissed, but Read-In), and Disposition. These elements will be captured through data entry in custom fields within COMPAS, which will then automatically be converted into a chronological table listing prior record by date of offense. Each case is to be entered separately. If there are multiple counts within one case, in the Date of Offense data field, enter the earliest offense date. In the Offense data field, enter the Case number and then each count, the specific offense, and the date of offense. In the Disposition data field, enter each count on a separate line with its respective disposition.

All criminal convictions, including read-ins, and dispositions must be listed. If there are certain data elements that are not available, note "Not Available" in the relevant data field.

The following items should not be included in this section:

- Present Offense
- Pending Charges
- Traffic, unless criminal
- Disposition unknown (unless confirmed by defendant)
- Charges/offenses for which defendant was found to be not guilty
- Dismissed cases
- Held open cases (i.e.. Deferred Prosecution, Stricken on Leave, etc.)

Juvenile Record: The Court may only consider adjudications prior to 1968 where the juvenile defendant was represented by counsel (Gault, 1968). For all reported adjudications prior to 1968, an attempt should be made to verify counsel represented the defendant. If unable to verify, do not include in this section. Instead, list in the Other Relevant Offenses section and indicate that you were unable to verify counsel representation.

This section will include the following information related to the defendant's prior record: Date of Offense, Date of Adjudication, Date of Disposition, Location (County, State), Offense (to include Dismissed, but Read-In), and Disposition. These elements will be captured through data entry in custom fields within COMPAS, which will then automatically be converted into a chronological table listing prior record by date of offense. Each case is to be entered separately. If there are multiple counts within one case, in the Date of Offense data field, enter the earliest offense date. In the Offense data field, enter the Case number and then each count, the specific offense, and the date of offense. In the Disposition data field, enter each count on a separate line with its respective disposition.

All adjudications, including read-ins, and dispositions must be listed. If there are certain data elements that are not available, note "Not Available" in the relevant data field.

The following items should not be included in this section:

- Present Offense
- Pending Charges
- Traffic, unless criminal
- "Information Only" (as listed on Portal 100/CIB)

- Informal supervision
- Counseled and Closed
- Disposition unknown (unless confirmed by defendant)
- Charges/offenses for which defendant was found to be not guilty
- Dismissed cases
- Held open cases (i.e.. Deferred Prosecution, Stricken on Leave, etc.)
- Issues such as Truancy, Smoking and Curfew
- Consent Decrees
- Deportations and Administrative actions through Immigration and Custom Enforcement (ICE)

Other Relevant Offenses: This section will include other offense information only if the Pre-Sentence Investigation writer has determined it to be relevant. The following information is appropriate to be included in this section:

- Municipal ordinance violations
- Non-criminal traffic records
- Not Guilty by Reason of Insanity cases (NGI)
- Chapter 980 commitments
- Military crimes
- Stricken on Leave
- Deferred Prosecution
- Cases that were counseled and closed
- Held open
- Expunged Cases

Correctional Experience: This section should include a summary of the defendant's positive and/or negative adjustment to: prior incarcerations, community supervision, and diversion programs. Dates, places and significant events should be noted. Information related to the following should be noted: absconding, discharges, prior revocations, alternatives to probation, periods of formal and informal juvenile supervision, juvenile placements, etc.

Pending Charges: This section is to include pending criminal matters, i.e.., warrants, current revocations, detainers, etc. This should include basic information discovered as part of the investigation and should only include unsolicited information. A simple statement of what charges are pending, current status of charges, location of charges and identification of attorney would be sufficient. The defendant has a 6th Amendment right to counsel for charges that are pending, so should not be questioned about pending charges by the PSI writer. If unsolicited, the defendant voluntarily wishes to speak about pending charges, the attorney is to be contacted first to seek permission and or his/her presence during this portion of questions. Note this specifically in this section.

Defendant's Explanation of Record: The defendant shall be given an opportunity to account for their criminal record (i.e.., explain circumstances and rationale, clarify discrepancies identified within the prior record, and explain motivations and problems related to the criminal history, etc.). This section could also include information presented by the offender that is not mentioned by any other sources,

FAMILY

Identifying Information: This section will include the following information related to the defendant's family: Mother, Father, Spouse/Significant Other, Dependents, Siblings, Other (Name, Street Address, City, State and Zip Code of current residence). These elements will be captured through data entry in custom fields within COMPAS, which will then automatically be converted into tables for each.

In the narrative sections for each family member (Mother, Father, Spouse/Significant Other, etc.), the agent shall enter any additional, significant demographic information. This narrative portion, for each family member field, is captured through entry in COMPAS in the PSI Builder section. This includes, but is not limited to:

- information related to the defendant's family of origin,
- adoptive and/or foster family
- current family members (dependents, adult children, spouse/significant other, etc.)
- dates of birth
- occupations

- marital status
- divorces
- remarriages
- Significant event dates, if available
- DOC # of family member if on supervision

Family Stability, Attitudes & Values: This narrative section should contain relevant family history and dynamics that contributed in a significant manner to the defendant's personality and criminal behavior. Key elements are the family's achievements or under-achievements, areas of conflict or destructive patterns, i.e.., alcohol abuse, drug abuse, violence, cohesiveness, alienation, criminal patterns, involvement with social agencies, methods of discipline, economic problems, history of employment, mental or physical health problems, and emotional stability. If is appropriate to conduct a verification of criminal record for mother, father, significant other, and siblings utilizing resources such as CCAP or DOC Locator. However, official searches utilizing Portal 100 or the Crime Information Bureau should not be utilized unless relevant and necessary. It is important that you are not disclosing information that is law enforcement sensitive and only authorized information is to be included in report.

This section should include how the defendant was viewed by family members before the offense and after, how they explain the defendant's involvement in crime, family opinions as to when the trouble began, contributing factors, whether or not the family accepts any responsibility for the course of the defendant's life, and the family's ideas on what is necessary for the defendant to avoid further criminal involvement. The agent will also report the defendant's feelings and attitudes about his/her family. Discuss the stability of the marriage/current relationship, the nature of interpersonal relationships, the spouse's/significant other's attitude toward the defendant, relationship dynamics, the offense, and the effect of the offense on the marriage/relationship. Include a presentation of the facts indicative of how the defendant performs the role of a parent; i.e.., time spent in activities with children or evidence of child abuse.

PERSONAL HISTORY

Vocation/Education/Employment: Information related to Education History and Employment History will be captured through entry in COMPAS. Information for these fields may have been auto-populated from prior entries in the Education and Employment History modules. If information is not current or complete, additional information may be entered.

This narrative section should contain the defendant's level of educational/training history, along with behavior patterns while at school. Key elements are attendance records, response to authority, achievement, ability, special education, test scores, multi-disciplinary team results, participation in school activities, attitude toward school, and reason for suspension/expulsion.

Summarize prior vocational programming, training, completion of certificate programs, post-secondary degrees obtained, and plans for future education/training.

Summarize prior employment, amount of time employed, length at current job, job classification (skilled, unskilled, clerical, etc.). Key elements are reasons for leaving, how long employed and why, barriers to employment (cultural, physical, etc.), relationships with co-workers and supervisors, and attendance record.

Mental Ability: This narrative section should contain a summary of the individual's ability to function independently in society. Discuss observations and information regarding ability to comprehend verbal/written communications, developmental disabilities, and involvement in sheltered workshops or use of SSI benefits.

Financial: This narrative section should contain a summary of the level of income, public assistance, debts, assets, expenses, ability to manage finances, and significant problems such as bankruptcy or garnishments.

Companions: This narrative section should contain a summary *of* positive and negative influences of significant persons in the defendant's life, with focus on the nature of the peer group, Security Threat Group (STG)/gang affiliations, their common interests, values, and activities. Attention should be given to the degree of affiliation or time spent with pro-social peers and/or anti-social acquaintances.

Emotional and Physical Health: This narrative section should contain a summary of past and current mental health or physical health issues that limit the defendant's ability to function in society. Summarize current and past psychological evaluations, diagnoses and treatment history including medications and whether or not the defendant or others believe treatment is needed. Discuss early developmental history if relevant. Report all significant health problems and/or disabilities. Include any crisis/trauma events or sexual victimization. Consider current medications, somatic complaints, and personal care concerns (i.e.. hygiene, nutrition, general appearance, etc.). If relevant to the case, information concerning HIV/AIDS may be communicated in a Pre-Sentence Investigation. See limitations of 968.38 and provisions of 968.38. Further considerations are where the test result itself is critical to the underlying crime.

Sexual Behavior: This narrative section should be completed only if relevant to the case or criminal history. If there is no relevance, enter "Not Applicable." This section will contain a summary of sexual attitudes and preferences. Discuss sexual aberrations, assaultive sexual behavior, sexual victimization or sexual development problems. If a Static-99R has been completed on a sex offender, summarize the risk results.

Attitudes and Beliefs: This narrative section should discuss a summary of the defendant's behavior that would provide evidence for the existence of antisocial thoughts and feelings. Considerations should include the defendant's patterns of problem solving, thinking errors (cognitive distortions), coping skills, rationalization/justification for his/her behavior and how they view the world around them in general. COMPAS Criminogenic need scales of Criminal Personality, Criminal Thinking Self Report, Anger, Cognitive Behavior, and Social Adjustment Problems will provide insight into the defendant's attitudes and beliefs. Remember to keep comments factual, based on the defendant's demonstrated behavior or comments. Include report of inconsistent response pattern or potential faking concern as identified in the assessment. Place special emphasis on the offender's beliefs regarding:

- The criminal justice system
- His/her offense and culpability/responsibility for it
- Common social conventions such as school and work

- Victim-stance
- Respect for him/herself or others
- Attitude toward his/her victim

Substance Usage History: Information related to Substance Usage History will be captured through entry in COMPAS. Information for these fields may have been auto-populated from prior entries in the Substance Usage History module. If information is not current or complete, additional information may be entered. Please refer to COMPAS Business Process for further clarification regarding completion of these modules.

This narrative section should discuss the influence that alcohol and other drug usage has had on the defendant's life, including the extent to which their personality and behavior has been affected. Consider the extent of the problem, duration, involvement in treatment programs, and the defendant's statement regarding the problem.

Military: This narrative section should be completed only if relevant to the offender, the present case, or criminal history. If not relevant, enter "Not Applicable." Summarize military experience to include date(s) of entry, type and date of discharge, attitude toward service, highest rank achieved, combat experience, disciplinary action, duties and training, AWOLs, service related disabilities, hospitalizations, and eligibility for Veteran's Benefits.

Leisure Time Activities: This narrative section should consider how the defendant spends non-working/non-sleeping hours, i.e.., interest in hobbies, sports, creative work, organizations, TV watching, sitting in taverns, volunteer work, etc. Attention should be given to the pro-social/ anti-social significance or impact of their leisure activities.

Residential History: Information related to Residential History will be captured through entry in COMPAS. Information for this field may have been auto-populated from prior entries in the Residential History module. If information is not current or complete, additional information may be entered. Please refer to COMPAS Business Process for further clarification regarding completion of these modules.

This narrative section, should describe the current living situation, frequency of moves/stability, reasons for moving, relationship with landlords, and with whom the defendant has lived. If known, note physical conditions of the home and neighborhood.

Defendant Strengths: Certain defendant strengths are auto-populated from the COMPAS assessment, or as entered previously by the agent. As they are identified during the interview process, additional strengths should be entered on the Person Summary page.

SUMMARY AND CONCLUSIONS

Agent's Impressions: The purpose of this section is to interpret and analyze the facts from the body of the Pre-Sentence Investigation and to build the rationale for recommendation based on key information gathered. This section includes a professional analysis of the defendant, not personal opinion. This section should not include information copied from other sections in the body of the report.

This section should also include a reference to the primary factors the court takes into account at sentencing:

- The gravity of the offense;
- The rehabilitative needs of the defendant;
- The protection of the public; and
- The applicable aggravating or mitigating factors

All recommendations for incarceration must be based on one or more of these factors.

In addition, the Agent will integrate the COMPAS assessment information and any Alternative Screening Tool results with their professional judgment in a narrative format. The following areas should be addressed from the COMPAS and interview with defendant:

- Defendant Strengths (these may include Criminogenic Need scales that scored low in COMPAS;
- Criminogenic Needs specific to the defendant which are most likely to affect future criminal behavior;

- Risk to reoffend;
- Patterns of criminal or social behavior that are present and have contributed to the defendant being involved in criminal activity (Typologies, if applicable to the defendant, may be referenced);
- Inconsistent response pattern/Potential faking concern;
- Culpability;
- Community attitudes, including the victim's, should be considered;

Refer to the Order for Pre-Sentence Investigation report for pertinent statute information. Agent will take into consideration all aggravating factors as identified in Wisconsin Statute Ch. 973.017(3)to(8). These aggravation factors include, but are not limited to:

- Disguising/Concealing/Altering identity
- Gang-related activity
- Committing a serious sex crime while infected with HIV
- Violence against elderly persons
- Domestic abuse in the presence of a child

Restitution: This narrative section should include any restitution information acquired from a review of the District Attorney/Victim Witness file or the victim interview. The agent should recommend that court-ordered restitution should also be paid during the period of incarceration. Personally identifiable victim information (address, phone number, etc.) should not be documented in this section.

Agent Recommendation: This narrative section should identify an appropriate sentencing recommendation for the defendant, within statutory guidelines. The use of COMPAS in formulating a sentence recommendation does not replace professional judgment on the part of individuals who are using COMPAS in decision-making and should not be the sole or deciding factor in a sentencing recommendation. Sentencing recommendations can include fines and court costs, county jail time, probation, probation with conditional jail time, or a bifurcated prison term. A specific recommendation is to be made for each count regarding a range of time for imprisonment or probation. If the recommendation is for probation, the recommendation should include whether imposed and stayed or withheld. This recommendation must be based on the assessment instruments, aggravating and mitigating

circumstances of the offense, and the goals of sentencing, as previously discussed in the Agent Impressions section.

Reference to any existing plea agreements or DA recommendation(s) should not be included in the pre-sentence investigation. Plea agreements are between the prosecutor and the defense. The judge is not bound by the plea agreement and it will be up to those parties to inform the court of any plea agreement. Reference to the plea agreement removes an element of neutrality in the report even if you are aware of the agreement.

If the Court requests that no recommendation be made, include the following in this section: "In compliance with the Judge's instructions on the Order for Pre-Sentence Investigation Report, no sentencing recommendation has been included in this report."

If felony PSI order includes a request for sentence recommendations on additional, misdemeanor offenses, the Department will provide recommendations for these also.

Effective 10/17/16, the following language will be automatically populated in the Pre-Sentence Investigation on a page prior to the bar chart:

Appendix A

ASSESSMENT CONSIDERATIONS

COMPAS (Correctional Offender Management & Profiling for Alternative Sanctions) is a validated actuarial assessment tool that predicts the general likelihood that a person will engage in subsequent criminal behavior in comparison to others with a similar history of involvement in the criminal justice system. In addition to recognizing general levels of risk to re-offend, COMPAS identifies criminogenic needs specific to the person that are most likely to impact future criminal behavior.

For purposes of evidence-based sentencing, actuarial assessment tools are especially relevant to: 1. Identify offenders who are most appropriate for intervention. 2. Identify dynamic risk factors to target through conditions of supervision[1]. Nonetheless, criminal

justice practitioners should also be aware of the limitations of risk/need assessments and be cognizant of following considerations:

1. *It is important to remember that while risk scores may assist in informing sentencing decisions based on the risk principle by categorizing medium and high risk individuals who are appropriate for intervention, they should never be the sole and deciding factor in determining the severity of the sentence or whether an offender should be incarcerated.*
2. *Functioning only as a general risk assessment instrument, COMPAS does not attempt to specifically predict the likelihood that an individual offender will commit a certain type of offense within the follow-up period.Rather, offense-specific instruments may be used to provide additional insight.*
3. *The proprietary nature of COMPAS has been invoked to prevent disclosure of information relating to how factors are weighed or how risk scores are determined.*
4. *The use of risk/need assessments in the sentencing context is a relatively new development in Evidence-Based Decision Making[1].COMPAS was not developed for use at this decision point.Rather, it was intended for use by correctional agencies in making determinations regarding treatment, supervision, and parole.*
5. *Risk assessment tools should be constantly monitored and re-normed for accuracy due to changing populations and subpopulations. Despite being validated in other states and jurisdictions, the statewide COMPAS implementation in Wisconsin will include a commitment to continuous research.COMPAS was normed on a Wisconsin population in February of 2016. Likewise, it has been exposed to significant inter-rater reliability testing and measurement under a continuous quality improvement framework.Some studies of COMPAS risk assessment scores have raised questions about whether they disproportionately classify minority offenders as having a higher risk of recidivism.The Wisconsin Department of Corrections will conduct independent validation studies of COMPAS that will examine general predictive validity as well as disparity across race and will remain committed to replicating these studies over time*

Bearing these considerations in mind, research suggests criminal justice officials will be positioned to make more informed decisions at all decision points, including the sentencing event, as a result of understanding risk/need information.

[1] *Casey, P., Warren, K., & Elek, J. (2011). Using Offender Risk Needs Information at Sentencing: Guidance for Courts from a National Working Group. Retrieved from http://www.ncsc.org/~/media/Microsites/Files/CSI/RNA%20Guide%20Final.ashx*

TRUTH IN SENTENCING PENALTY CHARTS

For felony offenses committed prior to February 1, 2003, the original term of probation shall not be less than 1 year, nor more than 3 years or the maximum term of imprisonment for the offense, whichever is greater. For offenses committed on or after February 1, 2003, the original term of probation for a felony is not less than 1 year, nor more than 3 years or the maximum term of confinement in prison, whichever is greater.

Please note that additional language related to sentence calculation in 973.09 (2)(a)(b) should also be included if applicable.

The agent should avoid recommending consecutive prison sentences unless the aggravating circumstances and goals of sentencing dictate the need for long-term restraint and punishment.

Agents should use the Bifurcated Sentence Recommendation Grids when making PSI sentencing recommendations on TIS I and TIS II offenses. TIS Booklet

Agents should use profession judgment when making PSI sentencing recommendations on the following:

- Old law offenses (crimes committed prior to June 1, 1984)
- New law offenses (crimes committed between June 1, 1984 and December 30, 1999)
- Unclassified felonies
- Attempted crimes
- OWI offenses

Steps for using the Bifurcated Sentence Recommendation Grids:

1. Based on the date of the offense, determine if it is a TIS I or TIS II offense.
2. Complete a COMPAS assessment to determine the offender's risk level.

3. Classify the offense as Mitigated, Neutral, or Aggravated. Agents must consider both Statutory Aggravating Factor and additional Aggravating/Mitigating Factors.
4. Locate the appropriate cell on the grid to determine the initial confinement and extended supervision recommendations.
5. Additional risk factors should be considered when deciding between a prison or probation recommendation.
6. If recommending probation, you will need to determine if you are making an imposed and stayed or withheld sentence recommendation.See the charts below for probationary term limits.

If requesting a deviation from the grid recommendations, approval must be granted through a staffing with the regional office.

Truth in Sentencing I Penalty Chart and Guidelines

FOR CLASSIFIED OFFENSES COMMITTED BETWEEN 12/31/99 AND 01/31/03

FELONY CLASS	MAXIMUM IMPRISONMENT	MAXIMUM INITIAL CONFINEMENT	EXTENDED SUPERVISION*	MAXIMUM PROBATION
A	Life	Life		
B	60 years	40 years	20 years (Max could be up to 59 years)	60 years
BC	30 years	20 years	10 years (Max could be up to 29 years)	30 years
C	15 years	10 years	5 years (Max could be up to 14 years)	15 years
D	10 years	5 years	5 years (Max could be up to 9 years)	10 years
E	5 years	2 years	3 years (Max could be up to 4 years)	5 years

*Minimum ES = 25% of the initial incarceration

*Maximum ES = maximum allowable imprisonment minus initial confinement

- Bifurcated Sentence (Maximum Imprisonment) = Initial Confinement + Extended Supervision

- Minimum Term of Initial Confinement = 1 year
- Minimum Term of Extended Supervision = 25% of the Initial Confinement.
- Maximum Term of Extended Supervision =maximum allowable imprisonment minus initial confinement
- Initial Confinement + Extended Supervision may not exceed the Maximum Imprisonment set forth by statute.
- For Unclassified felonies, the initial term of confinement may not exceed 75% of the total length of the bifurcated sentence.
- When placing the defendant on probation with an Imposed and Stayed prison sentence, the imposed and stayed prison sentence must be bifurcated.
- A Bifurcated sentence is **not** permitted for a felon or misd sentenced to the county jail or house of corrections.

Probation Terms for Misdemeanors under ACT 25 (crimes committed on or after 7/27/05): not less than 6 months nor more than 1 year probation

- Up to 3 years if defendant is convicted of 2-4 misd at the same time
- Up to 4 years if defendant is convicted of 5 or more misd at the same time

Probation Terms for Assaultive Misdemeanors: not less than 6 months nor more than 2 years probation

- A misdemeanor that the defendant committed while possessing a firearm
- A misdemeanor in the act of domestic abuse (domestic abuse means against spouse/former spouse or an adult that the person resides or formerly resided or against an adult with whom the person has a child in common)
- A misdemeanor under 940.225(3m) – 4th degree sexual assault
- A misdemeanor under Chapter 948 – crime(s) against children

Truth in Sentencing I Unclassified Offense Penalty Chart

FOR UNCLASSIFIED OFFENSES COMMITTED BETWEEN 12/31/99 AND 01/31/03

*The term of confinement may not exceed 75% of the total length of the bifurcated sentence.

*The term of extended supervision may not be less than 25% of the confinement time.

MAXIMUM IMPRISONMENT	MAXIMUM CONFINEMENT TIME	RECOMMENDED CONFINEMENT GRID RANGES	MAXIMUM EXTENDED SUPERVISION (if max confinement time given)	RECOMMENDED EXTENDED SUPERVISION GRID RANGES
45 YEARS	33 YRS 9 MOS	1-11 YRS (1-33%) 11-22 YRS (33-66%) 22-33 YRS 9 MOS (66-100%)	11 YRS. 3 MOS	5-8 YRS 5 YRS-11 YRS. 3 MOS. 5 YRS. 6 MOS.-11 YRS.3 MOS
30 YEARS	22 YRS 6 MOS	1-7 YRS (1-33%) 7-15 YRS (33-66%) 15-22 YRS 6 MOS (66-100%)	7 YRS 6 MOS.	10-15 YRS 5-11 YRS 3 YRS 9 MOS - 7 YRS 6 MOS
22 YRS 6 MOS	16 YRS 10.5 MOS	1 YR - 5 YRS 6 MOS (1-33%) 5 YRS 6 MOS - 11 YRS (33-66%) 11 YRS - 16 YRS 10.5 MOS (66-100%)	5 YRS 6 MOS	7-11 YRS 4-8 YRS 2 YRS 9 MOS – 5 YRS 6 MOS
15 YEARS	11 YRS 3 MOS	1-4 YRS (1-33%) 4-7 YRS (33-66%) 7 YRS - 11 YRS 3 MOS (66-100%)	3 YRS 9 MOS	5-8 YRS 3-5 YRS 1 YR 9 MOS - 4 YRS
7 YRS 6 MOS	5 YRS 7.5 MOS	1 YR 3.6 MOS (OR) 2 YRS – 5 YRS 7.5 MOS	1 YR 10.5 MOS	2 YRS – 5 YRS 7.5 MOS (OR) 1-3 YRS
6 YEARS	4 YRS 6 MOS	1-3 YRS (OR) 2 - 4 YRS 6 MOS	1 YR 6 MOS	2 YRS – 4 YRS 7.5 MOS (OR) 1-3 YRS
4 YRS 6 MOS	3 YRS 4.5 MOS	1-3 YRS 4.5 MOS	1 YR 1.5 MOS	3 MONTHS - 1 YR 1.5 MOS
36 MONTHS	27 MONTHS	12-27 MONTHS	9 MONTHS	3-9 MONTHS

27 MONTHS	20 MOS 8 DAYS	12-20 MONTHS	6 MOS 23 DAYS	3-7 MONTHS
24	18 MONTHS	12-18	6 MONTHS	3-6 MONTHS

Truth in Sentencing II Penalty Chart and Guidelines

FOR CLASSIFIED OFFENSES COMMITTED AFTER FEBRUARY 1, 2003

FELONY CLASS	MAXIMUM IMPRISONMEN	MAXIMUM CONFINEMENT	MAXIMUM EXTENDED SUPERVISION	MAXIMUM PROBATION
A	Life	Life		
B	60 years	40 years	20 years	40 years
C	40 years	25 years	15 years	25 years
D	25 years	15 years	10 years	15 years
E	15 years	10 years	5 years	10 years
F	12.5 years	7.5 years	5 years	7.5 years
G	10 years	5 years	5 years	5 years
H	6 years	3 years	3 years	3 years
I	3.5 years	1.5 years	2 years	3 years

TIS II -- § 973.01, et al (as amended by 2001 Wisconsin Act 109)

- Applies to offenses committed on or after February 1, 2003
- Maximum Imprisonment = Initial Confinement + Extended Supervision
- Minimum Term of Initial Confinement: 1 year
- Minimum Term of Extended Supervision: not less than 25% of the term of Initial Confinement
- Initial Confinement + Extended Supervision may not exceed Maximum Imprisonment
- Minimum Term of Probation:1 year for felony; 6 months for misdemeanor

Probation Terms for Misdemeanors under ACT 25 (crimes committed on or after 7/27/05): not less than 6 months nor more than 1 year probation

- Up to 3 years if defendant is convicted of 2-4 misd at the same time
- Up to 4 years if defendant is convicted of 5 or more misd at the same time

Probation Terms for Assaultive Misdemeanors: not less than 6 months nor more than 2 years probation

- A misdemeanor that the defendant committed while possessing a firearm
- A misdemeanor in the act of domestic abuse (domestic abuse means against spouse/former spouse or an adult that the person resides or formerly resided or against an adult with whom the person has a child in common)
- A misdemeanor under 940.225(3m) – 4th degree sexual assault
- A misdemeanor under Chapter 948 – crime(s) against children

Probation Terms for Felonies:

- 973.09(2)(b)1 Not less than 1 year nor more than either the maximum term of confinement in prison or 3 years, whichever is greater.
- 973.09(2)(b)2 If the probationer is convicted of 2 or more crimes, including at least one felony, at the same time, the maximum original term of probation may be increased by one year for each felony conviction.
  - One felony and one misdemeanor conviction would allow for an additional year of probation at sentencing.

.07 MANDATORY AND PRESUMPTIVE MINIMUM SENTENCE RECOMMENDATIONS

The agent shall utilize the sentencing recommendation grid to determine the recommendation for offenses that that have mandatory minimum or presumptive minimum penalties. If the grid recommendation is lower than the mandatory or presumptive minimum, the recommendation shall be the be the mandatory or presumptive minimum for that offense unless override procedures are followed.

Mandatory Minimum Sentences - WI Stat § 939.616

Offense	Felony Classification	Mandatory Minimum Confinement

948.02(1)(am)- Sexual intercourse with a person who has not attained the age of 13 and causes great bodily harm	A	25 yrs
948.025(1)(a) - 3 or more violations under 948.02, at least 3 of the violations were of 948.02(1)(am)	A	25 yrs
948.02(1)(b) - Sexual intercourse with a person who has not attained the age of 12	B	25 yrs
948.02(1)(c) - Sexual intercourse with a person who has not attained the age of 16 by use or threat of force or violence	B	25 yrs
948.025(1)(b) - 3 or more violations of 948.02(1)(am), (1)(b) or (1)(c)	B	25 yrs
948.02(1)(d) - Sexual contact with a person who has not attained the age of 16 yrs by use or threat of force or violence; and actor must be at least 18 years of age	B	5 yrs
948.025(1)(c) - 3 or more violations where at least 3 were violations of 948.02(1)(am), (b), (c) or (d)	B	5 yrs

Presumptive Minimum Sentences - WI Stat § 939.617

Offense Penalty	**Felony Classification**	**Presumptive Minimum Confinement**
948.05 - Sexual Exploitation of a Child*	C	5 yrs.
948.075 - Use of a Computer to Facilitate Child Sex Crime	C	5 yrs.
948.12- Possession of Child Pornography*	D	5 yrs.

The presumptive minimum penalties do not apply if the offender is under 18 years of age when the crime was committed. Per sec. 939.617(2), the court may impose a sentence

that is less than the sentence required, or may place the person on probation, if the court finds that the best interests of the community will be served and the public will not be harmed and if the court places its reasons on the record.

* The court shall impose a child pornography surcharge of $500 for each image or each copy of an image associated with the crime.

.08 UNDOCUMENTED PERSONS

During the presentence investigation process, if the offender admits that he/she is undocumented or if other credible information is received indicating this, the agent should send a request for verification of the offender's identity and immigration status to the Immigration and Custom Enforcement (ICE) office in Milwaukee. This request should contain, if available, the offender's name, date of birth, social security number, NCIC number, state identification number, as well as the name and telephone number of the requesting agent. The investigating agent should attempt to obtain as much specific information as possible regarding the offender's ties to the United States and his country of origin.

If the agent learns the offender's Immigration A#, it should be documented in the presentence investigation. If the offender is confirmed to be in the United States illegally, the agent should determine whether ICE intends to place an immigration detainer on the offender.

Offender is to be Deported:

If ICE reveals the offender to be an undocumented person and has confirmed the intent to deport the offender immediately or upon completion of local or state incarceration, the detainer should be documented in the Pending Charges Section. If the offender is deported after the assessment has been completed, last known address should be entered and "Foreign Country" should be selected from the "State" drop down menu.

When a term of supervision is being recommended by the agent, the following court-ordered conditions should also be recommended:

1. Not enter or be in the United States without proper documentation of lawful presence;
2. Report to probation/parole agent within 72 hours of entry, legal or illegal, into the United States;
3. Report any changes in immigration status to probation/parole agent within 72 hours;
4. Contact probation/parole agent within 24 hours of release from ICE custody within the United States.

Offender is not to be Deported:
If ICE determines that the offender is undocumented, but does not plan to deport either immediately or upon completion of a term in local custody, document this information in the Residence Section.

.09 Recommended Conditions of Probation or Extended Supervision: Conditions of supervision are to always include:

- Supervision fees;
- Submission of a DNA sample, if not previously obtained;
- Payment of court obligations;
- Treatment, if applicable. When recommending conditions related to programming or treatment needs, it is preferred that it is phrased that the offender is required to com comply with any treatment/programming as deemed appropriate by the COMPAS assessment and agent;
- Other conditions as appropriate to include community service; and
- Relevant restrictions

Anticipated Supervision Plan: If probation is being recommended, this sections provides a narrative of identified criminogenic need drivers and suggested case plan goals. References regarding treatment should not include a specific provider or site recommendations. This may restrict the necessary flexibility needed due to factors related to the defendant and the dynamic nature of readiness for treatment or changing needs.

Agent e-signature, followed by the Supervisor's e-signature: Required on all pre-sentence investigations.

Sources of Information: This required section includes all sources utilized in the investigation.

PSI File Material Routing: Upon completion of the pre-sentence investigation, all file materials must be processed according to one of the following:

- If the defendant is already on community supervision or will be under DOC supervision, materials will be retained and incorporated with the active case file.
- If the defendant is sentenced to a straight jail term or non-DOC supervision the PSI file shall be retained.

After the PSI has been e-signed by both agent and supervisor, the PSI shall be generated. Once the PSI is generated, the system will verify and transmit electronically to CCAP/County Courts. To correctly transmit to the county, the Court Case Number(s) must be entered under PSI – Offense and Court Data – Current Offenses. The format must be 2019CF012345 or 19CF12345. No other text shall be entered in the field. The area allows for entry of separate case numbers in the event the PSI is needed for different cases. Dismissed and Read-in cases are not to be entered into this section.

If the PSI requires an attachment (i.e. DOC-2652 Sex Offender Evaluation Report), the court must be notified an amendment will be forthcoming. The PSI must be manually uploaded with the attachment included as one PDF file via the CCAP File Upload Utility. Select the DOCPSIA doctype.

The PSI will automatically be saved to Virtual Folders. If the offender already has a DOC number, it will be saved in folder labeled with that offender's DOC number. If the offender does not have a DOC number, the PSI document will be saved in the PSI_REVOCATION Virtual Folder but not in a specific offender folder. The document is named by County, Court Case Number, and Last, First, MI. If an offender without a DOC number is then sentenced to either prison or probation supervision, the PSI must be moved upon issuance of the DOC number to the folder labeled with the appropriate offender number in Virtual Folders. If the offender receives a Non-DOC sentence, the PSI must be removed from Virtual Folders.

Portal 100/NCIC/CIB records must be destroyed immediately following sentencing.

DCC COMPAS PSI PROCESS

After a conviction for a felony, the Court may order the Department to prepare a Pre-Sentence Investigation (PSI). The PSI format is located in COMPAS and is the only format that may be used.

PSIs created in COMPAS shall not be accessed by anyone other than the PSI writer and appropriate supervisors until after sentencing. This document is a confidential document ordered by and created for the court and it shall not be used for any other purposes until sentencing has occurred.

Completing the PSI in COMPAS:

The agent shall begin the PSI in COMPAS by choosing/creating the appropriate Case (lifecycle) as described above, and then navigating to the PSI section on the Case page and choosing Actions then Create PSI. Note that if a PSI has been created in the same case (lifecycle) in the past, the agent may select the historical PSI instead and copy the information forward. The Copy and Edit option is located on the PSI Summary page within the historical PSI. If there is a historical PSI from a different case (lifecycle), the agent should create a new PSI, which will still pull all previously entered offender-based information related to prior record and family. After creating the PSI, the writer will be asked to enter information about the PSI including the assessment to use (should be either be Core or Youth), the Agent, the Agent's Location, and Title of the PSI. Note the Agent and Location fields will populate the cover page of the PSI and can be edited in the event they change during the PSI process. The title should use a naming convention of County and Court Case Number (e.g.., Dane - 07CF1234).

Once in the new PSI, the writer will have the option of four different screens:

- PSI Summary – This page provides an overview of the information entered above. It displays a historical event log of PSI-related information and allows users to E-Sign, Copy and Edit, and Delete.
- PSI Custom Fields – These contain information related to the PSI itself, including most information on the Cover Page (Offense and Court Data, Other Considerations, and Current Offenses). The writer can either access this screen to enter the information or navigate through the section listing on the Form Review page. To correctly transmit to the county, the Court Case Number(s) must be entered in the field(s) under PSI – Offense and Court Data – Current Offenses. The format must be 2019CF012345 or 19CF12345. No other text

shall be entered in the field. The area allows for entry of separate case numbers in the event the PSI is needed for different cases. Dismissed and Read-in cases are not to be entered into this section.

- Form Review – This page is where the majority of the PSI construction will take place. Writers will work through every tab to enter information into the PSI. As stated earlier, the PSI Custom Fields can also be accessed from this list.
- Documents The final, generated PSI is stored as a PDF under this tab. Historical PSIs created prior to COMPAS may be found in the Documents tab in Locator.

The agent should create the PSI as described above and enter the required information by working through the Form Review section. This includes both PSI Custom Fields and Person Summary Custom Fields sections (all located in the Form Review section).

E-signing and Generating the PSI

Once the PSI is completed, the Agent shall add his/her electronic signature by selecting Agent Electronic Signature from the PSI Summary Page. Likewise, once the Supervisor has completed his/her review and approved the PSI, he/she shall select Supervisor Electronic Signature. Upon the addition of E-signatures, the information below will auto-display in the PSI printout:

E-Signed by John Smith E-Signed by Judy Johnson
Probation & Parole Agent Supervisor

For the Narrative Contact Information Line 1 and 2 entries, language should consistently identify Agent number and Agent Phone Number for Line 1 and Supervisor Unit Number and Supervisor Phone Number for Line 2. For example:

Agent Number 11111 Unit 111
(608) 555-5555 (608) 555-5556

The PSI can only be generated after it has been e-signed by both agent and supervisor. The PSI will then be automatically uploaded to CCAP, saved in the Documents link in COMPAS, and in virtual folders/Locator. Note that the status on the Case Summary page will indicate whether or not the PSI has been e-signed. Please note instructions above in the "PSI

Custom Fields" section above for data entry to ensure the PSI is successfully submitted to the county.

PSI Attachments

If the PSI requires an attachment (i.e. DOC-2652 Sex Offender Evaluation Report), then the court must be notified an amendment will be forthcoming. The PSI must be manually uploaded with the DOC 2652 included as one PDF file via the CCAP File Upload Utility. Select the DOCPSIA doctype.

PSI Changes/Addendums

For edits after a PSI has been e-signed and generated, the supervisor must first remove his/her e-signature, advising the agent to do the same and make the needed changes. Once the changes have been made, the agent and supervisor shall again e-sign the PSI and a second version should be generated. If the addendum is required prior to sentencing, the previous generated version shall be deleted once the updated version has been generated. Post-sentence changes require a second version of the PSI to be generated while keeping the first version for posterity.

Deleting PSIs

The need to delete a PSI should be rare and only a select few staff and Bureau of Technology Management have the permissions in COMPAS to do so. A supervisor must be consulted should the need arise (e.g. accidently created in error, document generated prematurely, unforeseen changes, etc.) There are two separate delete features in the PSI module:

- An entire PSI can be deleted. This is completed on the PSI Summary page and will remove the entire PSI, including all narrative information, PSI custom fields, etc. The PSI will no longer be displayed on the Case Summary page.
- A generated version of the final PDF report can be deleted. This is completed on the Documents tab by navigating to the Edit Details section and choosing Delete. This will keep the entire PSI intact, but simply delete the generated PDF version.
- The file in Virtual Folders shall be manually deleted after it is deleted from COMPAS.

Assessment Process:

The Pre-Sentence Worksheet (DOC-180) shall be used interactively with the offender and must not be sent to the offender ahead of time. This form is the main information-gathering tool prior to completing the PSI in COMPAS. The Probation Social Investigation (DOC-179) can be provided to the offender ahead of time for completion prior to the interview.

A Core assessment must be completed for all PSIs regardless of when any previous assessments may have been completed. If a Pre-Sentence investigation has been completed within the past two years, the Agent may complete an Updated PSI. Information from the previous PSI can be copied forward. All sections of the PSI shall be reviewed with the defendant for accuracy and updates. The original PSI shall be listed as a source of information.

The Agent may copy forward the COMPAS assessment. The Agent will need to review and update any changes since the last assessment.
If the offender is under the age of seventeen, COMPAS Youth assessment must be completed to populate the PSI. The agent should contact the Division of Juvenile Corrections designee as needed for assistance.

If a PSI is ordered for an offender who is currently on supervision to the Division of Juvenile Corrections, the DCC agent will create a -2 case and use that for documentation and communication pertaining to the concurrent work. The agent will close the -2 case when the pre-sentence investigation work is concluded.

The agent shall complete any necessary Alternative Screenings. Please refer to the Assessment Process section under Intake for more information on Alternative Screenings.

An agent writing a PSI on an Limited English Proficiency (LEP) offender who is on supervision should make an LEP COMPAS entry just as for any other LEP service related interaction with that offender.
An agent writing a PSI on an LEP defendant who is not already on supervision should make the LEP COMPAS entry as a part of the PSI process. If the courts provide an LEP interpreter for the PSI report, indicate the LEP service was provided by the court in the Comments section of LEP COMPAS.

Any pertinent comments regarding the assessment should be entered into the Assessment Notes. Entries under this type will include anything related specifically to the assessment only. For example, the user might want to note that the offender appeared untruthful, apathetic, etc. during the assessment process or if the Agent felt they were mentally unstable at the time of the assessment. Inconsistencies may also be noted under this type as well. This will be beneficial to others who are involved with this case.

Examples of pertinent Assessment Notes:

- Offender did not appear to be providing accurate or truthful information during the assessment.
- Offender did not appear to be mentally stable during the assessment.
- Offender appeared to be very truthful and forthcoming during the assessment.
- Offender appeared to have a hard time understanding many of the questions and the agent is not sure if there is full comprehension.

Completing the PSI in COMPAS:

The agent shall begin the PSI in COMPAS by choosing/creating the appropriate Case (lifecycle) as described above, and then navigating to the PSI section on the Case page and choosing Actions then Create PSI. Note that if a PSI has been created in the same case (lifecycle) in the past, the agent may select the historical PSI instead and copy the information forward. The Copy and Edit option is located on the PSI Summary page within the historical PSI. If there is a historical PSI from a different case (lifecycle), the agent should create a new PSI, which will still pull all previously entered offender-based information related to prior record and family. After creating the PSI, the writer will be asked to enter information about the PSI including the assessment to use (should be either be Core or Youth), the Agent, the Agent's Location, and Title of the PSI. Note the Agent and Location fields will populate the cover page of the PSI and can be edited in the event they change during the PSI process. The title should use a naming convention of County and Court Case Number (e.g.., Dane - 07CF1234)

Once in the new PSI, the writer will have the option of four different screens:

- PSI Summary – This page provides an overview of the information entered above. It displays a historical event log of PSI-related information and allows users to E-Sign, Copy and Edit, and Delete.
- PSI Custom Fields – These contain information related to the PSI itself, including most information on the Cover Page (Offense and Court Data, Other Considerations, and Current Offenses). The writer can either access this screen to enter the information or navigate through the section listing on the Form Review page
- Form Review – This page is where the majority of the PSI construction will take place. Writers will work through every tab to enter information into the PSI. As stated earlier, the PSI Custom Fields can also be accessed from this list.
- Documents – Once generated, this is where the final PSI is stored as a PDF. Historical PSIs may be retrieved from here.

The agent should create the PSI as described above and enter the required information by working through the Form Review section. This includes both PSI Custom Fields and Person Summary Custom Fields sections (all located in the Form Review section).

E-signing and Generating the PSI

Once the PSI is completed, the Agent shall add his/her electronic signature by selecting Agent Electronic Signature from the PSI Summary Page. Likewise, once the Supervisor has completed his/her review and approved the PSI, he/she shall select Supervisor Electronic Signature. Upon the addition of E-signatures, the information below will auto-display in the PSI printout:

E-Signed by John Smith	E-Signed by Judy Johnson
Probation & Parole Agent	Supervisor

For the Narrative Contact Information Line 1 and 2 entries, language should consistently identify Agent number and Agent Phone Number for Line 1 and Supervisor Unit Number and Supervisor Phone Number for Line 2. For example:

Agent Number 11111	Unit 111
(608) 555-5555	(608) 555-5556

The PSI can only be generated after it has been e-signed by both agent and supervisor. The PSI will then be saved under the Documents tab. Note that the status on the Case Summary page will indicate whether or not the PSI has been e-signed.

PSI Changes/Addendums

For edits after a PSI has been e-signed and generated, the supervisor must first remove his/her e-signature, advising the agent to do the same and make the needed changes. Once the changes have been made, the agent and supervisor shall again e-sign the PSI and a second version should be generated. If the addendum is required prior to sentencing, the previous generated version shall be deleted once the updated version has been generated. Post-sentence changes require a second version of the PSI to be generated while keeping the first version for posterity.

Deleting PSIs

The need to delete a PSI should be rare and only a select few staff and Bureau of Technology Management have the permissions in COMPAS to do so. A supervisor must be consulted should the need arise (e.g.. accidently created in error, document generated prematurely, unforeseen changes, etc.) There are two separate delete features in the PSI module:

- An entire PSI can be deleted. This is completed on the PSI Summary page and will remove the entire PSI, including all narrative information, PSI custom fields, etc. The PSI will no longer be displayed on the Case Summary page.
- A generated version of the final PDF report can be deleted. This is completed on the Documents tab by navigating to the Edit Details section and choosing Delete. This will keep the entire PSI intact, but simply delete the generated PDF version.

Incorporating COMPAS and Alternative Screenings

Under Agent Impressions, the agent will integrate the COMPAS and Alternative Screening Tool results with their professional judgment in a narrative format to explain the COMPAS and Alternative Screenings results. The following areas should be addressed from the COMPAS results: offender strengths, criminogenic needs that were identified as highly probable, and the risk levels.

The agent shall incorporate the COMPAS results (low, medium/medium with override consideration, high) into the TIS I and TIS II Bifurcated Sentence Recommendation Grid, using aggravating and mitigating factors as applicable and document in general notes. A sentencing recommendation will be made utilizing the grid recommendation. Per the criteria in the Sentencing TIS I and II Guidelines, any aggravating, mitigating or other risk factors are to be considered in a sentencing recommendation. If requesting a deviation from the grid recommendations, regional office approval is needed.

PSI Testimony Related to COMPAS:

As a trained COMPAS assessor, you may be asked to testify to COMPAS related questions during various hearings, including but not limited to, Pre-Sentence Investigations, Revocation Hearings, Sentencing After Revocation Hearings, etc.

It is important to remember that, you can only testify about things you have direct knowledge about. DCC staff were trained solely as a COMPAS assessors. This training did not include question weighting and scoring calculation in terms of how a particular question will affect the overall outcome of the assessment. If you become aware that the Court would like to subpoena someone who can testify to any of the following, please consult with your supervisor:

- The weights of certain questions and how they affect the assessment;
- The validation and/or norming process used by Northpointe;
- Any information related to the science behind the assessment tool

Hearings, etc.

It is important to remember that, you can only testify about things you have direct knowledge about. DCC staff were trained solely as a COMPAS assessors. This training did not include question weighting and scoring calculation in terms of how a particular question will affect the overall outcome of the assessment. If you become aware that the Court would like to subpoena someone who can testify to any of the following, please consult with your supervisor:

- The weights of certain questions and how they affect the assessment;
- The validation and/or norming process used by Northpointe;
- Any information related to the science behind the assessment tool

Copyright © 2012 [WI Department of Corrections]

Intake

Copyright © 2012 [WI Department of Corrections]

Division of Community Corrections (DCC) - Intake

AGENT RESPONSIBILITIES DURING INTAKE

.01 State Identification Number

The State Identification Number (SID) is utilized in the COMPAS software to identify offenders. The SID number is a number recognized by courts, law enforcement, and other criminal justice agencies. Upon the first office contact with an offender, DCC will employ Electronic Fingerprint Submission (EFS) technology to verify the offender's identity and retrieve the offender's SID number. If EFS is not available, the SID number may be obtained by alternate methods, but care must be taken to correctly determine the offender's identity and SID number. The SID number is always found on the Computerized Criminal History (CCH) and may be found on the arrest report or jail booking records.

Infrequently, an offender will not have an SID number at the time he or she is received on supervision. When this occurs, the offenders shall be directed to report to a local law enforcement agency to provide a full set of fingerprints and if required, a DNA sample. The law enforcement agency will transmit the fingerprint set to CIB and a SID number will be assigned.

.02 Case Opening

To prepare for supervision and the first meeting with an agent, all offenders shall receive an orientation packet upon being placed on supervision. The orientation packet shall, at a minimum, include an offender handbook, Rules of Community Supervision, the DOC-179 Probation Social Investigation and contact information for the assigned agent or office.

The following case opening activities shall be accomplished within the first 30 days of case opening activities:

- Obtain information about the offense.
- Obtain and review Criminal History Record Information (CIB/NCIC). The agent must use the Prior Record Listing DOC-2354 to document prior record. The original form is kept in the DCC Offender Case File; a copy is stored in Locator in the PSI Revocation Prior Record folder under the Documents tab. The naming convention used for the Prior Record Listing DOC-2354 will be **2354_DOC#(MMDDYY).** For the date in parenthasis, use the date saved to Locator. When the DOC-2354 is updated due to new information or the offender returns to supervision on a subsequent case, the agent will access the copy of the DOC-2354 in Locator and review the copy for accuracy. The agent will add new arrests and convictions and save the updated DOC-2354 in Locator as a Word document, usi the naming convention. The official copy is printed and kept in the offender case file. The Criminal History Record Information will also determine if the offender is required to register as a sex offender in Wisconsin or any other state. If required to register in another state, the agent shall provide relevant information to the other state's registry.
- Review Court Order
- Review the Rules of Community Supervision with the offender.
- Complete COMPAS Core assessment
- Inform the offender of reporting requirements.
- Explain the offender complaint process to the offender, and explain how the offender can access the Request for Administrative Review *(DOC-127)*.
- Review the status of court-ordered financial obligations.
- Inform the offender of supervision fee payment requirements and how payments can be made.
- Make initial home visit. If offender is in a detention facility at the onset of the period of supervision, the initial home visit shall be made within 30 days of the offender's release from custody. The agent shall set the next home visit due date by using the date selector within the COMPAS home visit note. The address shall be documented in COMPAS as the primary address.

Copyright © 2012 [WI Department of Corrections]

- Complete COMPAS case plan for offenders classified at LOW
- Notify the school district of any offender who is employed by a public or private school district, employed by a company under contract to a school district, or who works on school district property within seven calendar days of the the onset of supervision.
- Review the CCH obtained through CIB to verify DNA status. If DNA status on the CCH is "Conviction Sample On File", check WICS "DNA Collection and Tracking" screen and ensure that there is a date in the "DNA Verified Date" field. If both of these requirements are met, DNA does not need to be addressed again until 90 days prior to discharge unless you are notified by the SAFE Team of an issue. If either of these requirements are not met, the agent should continue following up with the offender until both of these requirements are met. See the DNA Requirements section of the ECRM for further information. Verify that the WICS DNA Obligation (blue button) accurately reflects the offender's status for DNA obligation.
- Enter note in COMPAS regarding DNA status when it is verified or if the offender still needs to take action.
- Agents should contact victims of convictions and read-ins by sending them a Victim Request for Notification (DOC-2623) during the offender's intake process. The DOC-2623 will explain the goals and objectives of supervision, including revocation and early discharge. The DOC-2623 provides the victim with the opportunity to request notification should either revocation or early discharge occur. The victim also has the option to decline notification.
  A complete list of tasks and responsibilities can be found on the DOC-2625 DCC Intake Offender Checklist. Verification of intake completion should be provided by the agent to the supervisor by due date or work due will be considered incomplete and remain on the work due list until completed. Once approved by the supervisor, this should be communicated to the status keeper by scanning and emailing the completed DOC-2625 in order for the work due to be removed.
  During the intake process, the status should be set at Intake. If the Core assessment's supervision recommendation level is Low, the agent will enter in a screener recommendation of Low and complete all other work due on the DOC-2625 unless an override is requested. At that time, the DOC-2625 task is removed and the offender is classified at Minimum. If the Core assessment's supervision recommendation level is Medium or higher or if by policy or override the supervision level is set higher than Minimum, the Intake status date will be extended an additional 30 days (for a total of 60 days from date of assignment).
  If COMPAS Core Assessment (and override approval if requested) is not completed in the required time frame, the case goes to pending status until completed. If the assessment was completed by the agent within the required time frame, and the supervisor is not able to review/approve override request by the work due deadline, the status keeper should verify completion in COMPAS, and default to the COMPAS classification until override approval/denial is received from the supervisor. Supervisors are responsible for ensuring timely completion of work due. Supervisors will regularly review work due and discuss any overdue work with the agent. In addition, Regional Office will review overdue work in the unit with supervisors.
  In order for an intake to be considered completed and the DOC-2625 task due removed, the COMPAS assessment must be completed and Unified Case Plan initiated (in addition to all other intake steps as outlined in the ECRM and per other related policies for special types of cases) and verified by the supervisor. Verification of intake completion should be provided to the supervisor by the DOC-2625 task due date. Work will be considered incomplete and remain on the task due list until completed. Once approved by the supervisor, this should be submitted to the status keeper.

.03 Risk Reduction Supervision

In addition to the items listed on the DOC-2625, agents will begin the process of building professional alliance during the intake period. The foundation of building rapport begins at the first appointment by clarifying to the offender the agent's dual role during the course of supervision and by clearly outlining expectations of

supervision. As a first step in risk reduction, agents and offenders will work collaboratively to identify personal strengths and meaningful rewards. Various tools and resources exist to engage the offender in the supervision process and will be used in this process. Take home assignments and in-office skill practice is an expectation of supervision for offenders classified at medium or higher level of supervision.

Following completion of the COMPAS assessment, agents will share the assessment results with the offender as the second step in risk reduction. Agents will begin discussions on identified criminogenic needs. Assessment results may also identify areas of strengths, particularly in areas where criminogenic needs are absent.

The third step of risk reduction is to identify one or two case plan goals. At least one of these goals should be a highly influential criminogenic need, preferably the driver; one may be an acute stabilization or responsivity issue; mental health or housing for example or a second highly influential need. During this step, offenders will complete the Driver Worksheet to explore prior problem situations. The agent and offender will review the responses of Driver Worksheet, the circumstances of the current offense along with the needs identified by the COMPAS assessment, to identify the most influential criminogenic need. As noted, a variety of tools and resources can be used in addition to the Driver Worksheet in preparation for case plan development.

In most cases, the first three steps in risk reduction will be accomplished between four and eight appointments over the course of the 60 day intake period. There may be unique case circumstances which may interfere with conducting one or more of the first three steps during the intake period; examples may include responsivity factors, resistance or noncompliance, or lengthy periods of jail condition time. In these situations, agents should consult with their supervisor to discuss case management strategies and record anticipated plans in a staffing note.

COMPAS notes will reflect any updates of court ordered conditions and rule compliance, such as residence, employment status or AODA use; however each note shall also document review of take-home assignments, in-session skill practice and new homework assignments. See Offender Contact Standards.

INTAKE AFTER PSI

If a PSI has been completed on a new offender, the offender will be in COMPAS and will have a case that was created specifically for the PSI. The offender will be given a status of Intake After PSI. A CORE assessment will have been completed, however the agent will need to copy forward the CORE assessment into a new CORE assessment and change the reason for the assessment to DCC-Intake.

The case used for the PSI will be reused, and all remaining items listed on the 2625 will need to be completed to remove the "2625 Due" task.

This does not apply to offenders on supervision who have had a PSI completed and have a new case added and does not apply to offenders who have NGI, or OWI 2/3 cases, or are supervised as sex offenders. Please see respective chapters for Intake process.

PARTIAL INTAKE

A partial intake will be set for an offender for the following reasons:

- Offender on supervision receives new case
- Offender returning to supervision less than 1 year after last COMPAS Assessment

In these instances, the agent will need to complete all items listed under the Partial Probation area of the 2625A. NGI, Sex offenders and OWI 2/3 cases do not follow this intake process. Please refer to the respective areas in the ECRM.

Copyright © 2012 [WI Department of Corrections]

ASSESSMENT PROCESS

Assessment Overview
Entering Cases in COMPAS
Choosing the Lifecycle
Completing the COMPAS Assessment
Alternative Screening Tools
Overrides
Testimony Related to COMPAS

Assessment Overview

Research indicates that offender recidivism can be reduced when risk, need, and responsivity are addressed.

- *Risk* – Research shows that the level of supervision and programming provided to offenders is most effective in reducing recidivism when we focus interventions on medium and high risk offenders. For this reason, assessment of risk is used to determine the appropriate supervision level for each offender.
- *Need* – Criminogenic needs are attributes of offenders that are directly linked to criminal behavior. Effective correctional treatment should target criminogenic needs in the development of a comprehensive case plan. The chart below shows the eight criminogenic needs that, when targeted through programming and other interventions, reduce offender recidivism:

CRIMINOGENIC NEEDS				
The Top Four	Anti-Social Beliefs	Anti-Social Companions	Temperament/Self Regulation	Family Stressors
The Other Four	Substance Abuse	Employment	Education	Leisure/Recreation

- **Responsivity** – Individuals respond to interventions in different ways based upon their personal traits and circumstances. Factors to consider with responsivity are functional ability (cognitive deficits, attention span), learning style, level of motivation, mental health, limited English proficiency, cultural background, and gender. Matching offenders to service providers and programs that work well with these areas, results in greater success for the offender.

The assessment of risk and need determines the appropriate supervision level for each offender. This is accomplished by completing the COMPAS. COMPAS does not replace professional judgment on the part of the agent who is using the tool as part of the decision-making process. This supervision level can be overridden by means of the screener and actual supervision recommendation in COMPAS.

Entering Cases in COMPAS: Before the offender can have a COMPAS assessment done, the case must be set up in COMPAS. If a COMPAS assessment was previously completed by an outside agency and the offender record is under that agency's security access, the agent has "read only" access. The DCC OOA has security access to transfer primary access to the agent. This is done by transferring the offender at both the Offender and the Case level and has to be done by the primary agency.

Instructions for Agency Transfer: Open the offender record in COMPAS then go to Person Summary page (left side option). Under "Person Summary" option on right, click Actions and choose the drop down option of "Transfer" and fill in the instructions to transfer the offender to DCC. Next, down at the bottom on the right, choose the active "Case Manager" option, then click on the active case and click "Actions" next to the "Case Information." Choose

Copyright © 2012 [WI Department of Corrections]

the drop down of "Transfer" and transfer the case there also.

Choosing the Lifecycle: The lifecycle is the offender's journey through the criminal justice system. It begins when an offender enters the criminal justice system and ends when the offender is discharged from the criminal justice system.

When entering preliminary information in the screens that come up prior to completing an assessment, it should be noted that at the time of setting up an initial assessment within an "offender life cycle" term, the agent or county agency should choose the drop down option of "assign a new case number" and allow the software to assign the case number (the first one will be the SID# - 1). Assigning a new case number should only be done once in a continuous life cycle of an offender. Once that is completed, the user is to choose the drop down of utilizing this existing Case number throughout that same continuous lifecycle of the offender, until all cases are terminated in the criminal justice system (examples include absolute discharge, resolution of pending charges, and completion of jail sentences.). If they return to supervision at a later time, then a new "offender lifecycle" begins, and a different Case number should be generated (the second one will then be SID# - 2). Any criminal activity that occurs within the same lifecycle, even if convicted following discharge, is still considered to be in that lifecycle. If supervision is terminated and the criminal behavior occurs following that date, the next lifecycle should be initiated if the offender comes back onto supervision.

Completing the COMPAS Assessment:
The agent meets with offender and completes COMPAS assessment and case plan along with other Intake requirements. COMPAS is to be completed as trained; utilizing a combination of investigation and review of external information, interactive discussion/questioning with offender, and self-report. Alternative screenings can also be utilized as described below. The only section of the COMPAS assessment actually provided to the offender to fill out is the Self Report section unless an offender is identified as Limited English Proficiency (LEP), or otherwise approved by the Corrections Field Supervisor.

1. If a COMPAS assessment was completed within the last year, the agent will copy it forward to a new assessment and update. If no COMPAS has been previously completed, a COMPAS Core will be completed with the offender during intake process. The Primary Needs Assement will not be used unless the offender will be transferring to another state via Interstate Compact.
2. If the offender is placed on community supervision after the completion of a PSI, the status in Workload Manager will be Intake After PSI, because COMPAS has already been completed.
3. The agent reviews the Probation Social Investigation DOC-179 data and uses it as a guide for COMPAS assessment completion and interactive discussion with offender.
4. The agent must use the Prior Record Listing DOC-2354 to document prior record.
5. The agent completes any necessary Alternative Screenings. The use of any Alternative Screenings other than the URICA, TCU Criminal Thinking, Static 99R screener, or IDA should be approved by the supervisor.
6. The agent may complete a URICA on offenders that will be supervised at a higher than MIN level. The URICA will be explained to the offender, telling them that the assessment will give information about their readiness for programming. The URICA should be done for their primary program/criminogenic need. If the offender scores pre-contemplative, a referral will be done during the intake period to the Pre-Treatment Curriculum program, if available. If a Pre-Treatment Curriculum program does not exists in the area, the results of the URICA should be shared with the primary program treatment provider to promote additional cognitive behavior, knowledge and skills practice during their primary treatment group.
7. Once COMPAS assigns a risk level, the agent will need to decide whether or not the supervision level should

Copyright © 2012 [WI Department of Corrections]

match the risk level. If the agent enters the Screener Recommended Supervision Level that matches the risk level, the Actual Supervision Level will auto-populate. In cases of "Medium with Override Consideration", a Screener Recommended Supervision Level of Medium will autofill an Actual Supervision level of Medium. If the agent wishes to supervise the offender at any other level they are to follow the "Overrides" section below.

8. The agent will also enter the "Start Date" and the "Next Review Date" at the bottom of the Supervision Recommendation page of the Core Recommendation page. The "Start Date" will be the date that the assessment was completed. The "Next Review Date" should be six months/one year the date of assessment unless otherwise approved by a supervisor. The agent will add this date by entering 180 or 365 in the "Add Days" section next to the "Next Review Date". The "Add Days" tool calculates the days from the current date, not the "Start Date" entered. If entering the next review date later than the "Start Date", the agent should use the calendar tool. When reviewing the "Actual Supervision Level", supervisors must verify the "Next Review Date" entered by the agent. The agent must ensure that the correct dates are entered as these dates will set the next review date for the CSR.

0. If an override is requested, the "Supervisor Approval" screen in Workload Manager will be updated under the "Supervision Level Assignment" screen. The supervisor will then enter the "Actual" supervision level. Before entering the "Actual" supervision level, the supervisor will need to verify the "Start Date" and "Next Review Date" for accuracy.

0. The agent then initiates the Unified Case Plan and completes other required intake procedures.

1. For Interstate Compact cases that will be leaving the state prior to acceptance, the agent will complete the Primary Needs assessment only and will not enter a "Screener Recommendation", "Start Date", or "Next Review Date" in the Supervision Recommendation Screen. A Unified Case Plan will not be created.

Alternative Screening Tools: Alternative screening tools can be used to gather further information about an offender. Currently, the tools authorized for use are:

- University of Rhode Island Change Assessment Scale (URICA) – This assessment will provide the screener with information on the offender's "stage of change", or readiness for treatment. The URICA is a point in time assessment. An offender may move to various stages and back depending on their personal circumstances. An agent may reassess using the URICA at any time throughout the course of supervision.
- Texas Christian University Criminal Thinking Scales (TCUCTS) – The TCUCTS is designed to measure "criminal thinking" based on six scales which include entitlement, justification, personal irresponsibility, power orientation, cold heartedness, and criminal rationalization. These scales represent concepts with special significance in treatment settings for correctional populations. It was also found to be an effective measure as a pre- and post-test for cognitive behavioral treatment. It has been determined that the COMPAS Criminogenic Needs Scales provide ample information to make Cognitive Intervention Programming referrals.
- Static-99R - The Static-99R was developed as an objective actuarial tool for use in predicting sexual recidivism in adult male sex offenders. The tool has subsequently been updated to reflect the latest research, particularly related to the impact of age on risk. The tool uses commonly available information including criminal history, victim characteristics, and demographics to assist in classifying offenders into risk categories. The Static-99R tool is appropriate for adult male offenders only and can be used in cases of contact and some non-contact offenses. It is not to be used with female offenders or with offenders under the age of 18, and not all criminal sexual behavior perpetrated by adult males can be evaluated using the instrument. Rules for determining when the tool is appropriate to use are provided at official trainings. The tool should not be used by staff who have not been trained. Only staff

Copyright © 2012 [WI Department of Corrections]

who have completed the approved training may use the Static 99R to assist in developing supervision strategies and determining treatment needs.

- Adverse Childhood Experience (ACE) - The ACE is now available in COMPAS; however, this tool may not be utilized until there further direction and training has occurred. The ACE Questionnaire is intended to measure adverse childhood experience, and the association between those experiences and risk behaviors in later life. Questions cover family dysfunction; physical, sexual and emotional abuse and neglect by parents or caregivers; peer violence; witnessing community violence, and exposure to collective violence. ACEs are strongly related to development and prevalence of a wide range of health problems, including substance abuse, throughout the lifespan.
- Impaired Driving Assessment (IDA)- The Impaired Driving Assessment (IDA) screening tool is an offense-specific risk assessment tool that was designed for individuals under community supervision for driving while impaired (DWI) offenses that are not prison-bound and will be sentenced to probation. The IDA will provide guidelines for DCC staff to assess the risk to reoffend, service-level needs, level of responsiveness to supervision and services, and the degree to which the DWI has jeopardized traffic and public safety among individuals arrested and convicted of DWI offenses. Staff trained on the IDA may administer the screening tool to offenders who are placed on Probation for a new operating while intoxicated (OWI) offense during the intake phase along with the COMPAS Assessment.

Other screening(s) available in COMPAS are:

- UNCOPE - The UNCOPE screening consists of six questions which provide a simple and quick means of identifying risk for abuse and dependence for alcohol and other drugs. It should be noted that the COMPAS Criminogenic Needs Scales provide ample information to identify substance abuse issues.

The offender will be supervised at manual standards based on COMPAS score risk level. The following COMPAS supervision risk levels equate to DCC supervision levels:

COMPAS RISK LEVEL SCORE	SUPERVISION LEVEL
Low	Minimum
Medium	Medium
Medium with Override Consideration	Medium
High	Maximum

Assessment Not Completed Due to Offender Refusal or Inability:

When an offender refuses or is not capable to participate in the assessment due to a mental or physical health condition, the agent should complete the static questions that do not require offender input. The calculation will be incomplete. The agent will create an assessment note detailing why the assessment could not be completed and recommended supervision level. The agent and supervisor will staff the level of supervision recommended and the supervisor will create an assessment note approving the level of supervision. The supervisor or agent will communicate this decision to the status keeper so the assessment task can be removed. A customized case plan should be completed in COMPAS. Refer to the unified case plan section for further direction. When the offender complies or is capable of participating, the agent will complete the original assessment and amend the case plan accordingly.

Overrides:

If the agent determines that the level of supervision established is inappropriate, the level can be raised or lowered by completing the override procedure described below. Any override change in classification must be justified in

Copyright © 2012 [WI Department of Corrections]

COMPAS and approved by the supervisor.

The classification assigned should be the lowest possible level consistent with protection of the community and treatment of the offender. Ideally, offenders should move to a progressively lower level of supervision with early discharge considered when appropriate. Overrides increasing the level of supervision should not be used strictly as punishment for rules violations or as alternatives to revocation. All overrides must be periodically reviewed by the agent and supervisor to ensure the continued need for the override. The agent must justify the continuing need for any override.

Persons showing consistent accountability and positive adjustment may be staffed with the supervisor to be set at the administrative status. Administrative status can also be used for offenders in other circumstances as approved by the supervisor.

Levels of supervision shall not be overridden solely for the collection of financial obligations in the absence of demonstrated failure to comply with the payment plan. All cases on an extension for financial reasons only shall not exceed the medium level of supervision. Levels of supervision should not be overridden to a higher level to monitor offenders in treatment programs where agent or staff liaison to the program is available.
Offenders, other than sex offenders, serving a jail term of more than sixty days shall be set at no higher than medium status until the last thirty days of the confinement. In order to reduce a sex offender to medium who is serving jail time or in a residential facility, a DOC-2065 Sex Offender Reclassification Checklist must be completed and a copy submitted to the status keeper.

Research validates that it is the quality of the contacts, not the quantity; that brings forth behavioral change in the offender. It is important to use more intense interventions for medium to high risk population, allowing low risk offenders to receive minimal intervention. The COMPAS is an actuarial assessment tool which has been validated on a national norming population. This means that it predicts the general likelihood that those with a similar history of reoffending are either less likely or more likely to commit another crime generally within the two year period following release from custody. The COMPAS assessment does not attempt to predict specifically the likelihood that an offender will commit a certain type of offense within the same two year period. For that prediction, an alternative screening tool which is normed specifically for that offender population should be used.

Various overrides can be justified due to offender criminogenic needs or other considerations. Justification for overrides should be based not only on the presence of criminogenic need(s), but also on the additional intervention/action that will be accomplished by the agent in the case plan process in order to address the need. Simply seeing the offender on a more frequent basis without any action or nexus in the case plan is not an acceptable justification for an override to a higher supervision level.

Policy overrides will be reflected in the offender's status. A status is a pre-configured group of tasks that can be assigned to a user. Statuses may or may not have a point value assigned. The appropriate status will be communicated to the status keeper by submitting the DOC-2625 with the correct status listed.

Override Procedure
Once the COMPAS assessment is completed, the agent can recommend a different supervision level if it is believed an override is appropriate.

- An override reason shall be selected from the dropdown box in COMPAS and the agent should also provide a narrative in the Comments box (please see previous examples). Note: The “medium with override

Copyright © 2012 [WI Department of Corrections]

consideration" recommended supervision level suggests that the offender is high in either general recidivism or violent recidivism, but is low or medium on the other. Should the offender score at this level, the agent should critically assess the appropriateness of an override. If it is determined appropriate, the agent should enter a "Screener Recommendation" of medium and no override will be necessary.

- The override approval will then appear on the supervisor's approval dashboard. The supervisor will approve or deny the recommendation and inform the status keeper in order to enter the status in COMPAS. Once the agent completes the assessment, the assessment task will automatically be removed from the task due list. The DOC-2625 task will remain until the form is submitted to the status keeper via the supervisor.

Testimony Related to COMPAS - As a trained COMPAS assessor, you may be asked to testify to COMPAS related questions during various hearings, including but not limited to, Pre-Sentence Investigations, Revocation Hearings, Sentencing After Revocation Hearings, etc.

It is important to remember that, you can only testify about things you have direct knowledge about. DCC staff were trained solely as a COMPAS assessors. This training did not include question weighting and scoring calculation in terms of how a particular question will affect the overall outcome of the assessment. If you become aware that the Court would like to subpoena someone who can testify to any of the following, please consult with your supervisor:

- The weights of certain questions and how they affect the assessment;
- The validation and/or norming process used by Northpointe;
- Any information related to the science behind the assessment tool

Copyright © 2012 [WI Department of Corrections]

CASE OPENING AND ASSIGNMENT

.01 AUTHORITY

Wisconsin Statutes 973.09

Wisconsin Administrative Code - DOC 328.04(2)(a)-(h)

.02 GENERAL STATEMENT

Case supervision begins immediately upon being placed on probation, unless the Court stays supervision during an appeal of the Court's Order.

.03 CASE FILE SET UP/INTAKE

The process for case file set-up varies greatly throughout the state and local practice takes precedence.

.04 COURT ORDER

After placing an individual on probation, the Court will provide an electronic Judgment of Conviction (E-JOC) to the Department of Corrections E-JOC folder. The Extradition and Admissions Unit will review the document for accuracy. The local office is responsible for reviewing the E-JOC folder each day.

.05 FACE SHEET

The Face Sheet (DOC-3A) is completed at the point of intake. This document becomes part of the file and is reviewed for agent area assignment.

.06 DIGITAL PHOTOGRAPH

All offenders under the supervision of DCC must have a digital photo taken upon intake, ideally at first contact with the DCC office, and uploaded into WICS. This includes offenders under the supervision of DCC as part of Interstate Compact and offenders required to register under the Wisconsin Sex Offender Registry Program (SORP). In addition to digital cameras, staff may use their DOC-issued smartphones to take digital photos of the offender, but must follow the instructions below.

Staff in offices with digital cameras must maintain the equipment, obtain appropriate photos as outlined below, and forward the photos in a timely manner as assigned. It is recommended a digital camera be mounted on a tripod to establish a stable platform and to maintain a standard camera position throughout a session. Digital cameras and related equipment, like all other equipment DOC issued equipment, shall be used exclusively for DOC purpose and are not for personal use.

Photographs shall be transmitted to WICS via the web-based photo database application (PICS). Staff member transmitting the photos will designate the photo type in PICS. Photo 1 (index photo) will have placard added from program.

In addition, offenders on active supervision must have a photo that is less than two years old. Unit offices should have staff assigned to run the appropriate report to ensure that offender photos are current.

Digital photos of sex offender registrants not on supervision should be addressed by the local sex offender registry specialist.

To control the size of the image when taking photos with either a digital camera or a smartphone, choose an image size setting that is in the middle; not the highest and not the lowest. Since DOC does not use a standard camera/smartphone, you will need to review the specific instructions for your device. When taking a photo and saving it to your PC or emailing it, check the clarity and actual file size. The file should be less than 500 kb (or as close as possible). If it is too large, PICS will not display the photo correctly.

Photo requirements:

- A neutral gray, non-reflective background that is plain, smooth, and flat should be used
- Offenders should stand roughly three feet in front of the background
- The offender's face must be well lit

Copyright © 2012 [WI Department of Corrections]

Subject positioning:

- The offender's face must be centered in the photograph
- The image shall be of the offender's face, including the base of the neck.
- The left and right photos will include the neckline and top of the offender's shoulder
- Offenders must remove hats, coats, or other items blocking the face and neck
- Employer or other logos or company names must not be visible in the photo

Offenders with medical conditions requiring oxygen or other devices which may obstruct the photo should not be made to remove their medical devices

Required photos:

Offenders without glasses - 4 photos per session:

- Photo 1 (index photo):Front view of offender from mid-torso to top of head.
- Photo 2:Front view of offender from base of neck to just above top of head.
- Photo 3:Right profile of offender from base of neck to just above top of head.
- Photo 4:Left profile of offender from base of neck to just above top of head.

Offender with glasses – 5 photographs per session:

- Photo 1 (index photo):Front view of offender from mid-torso to top of head without glasses.
- Photo 2: Front view of offender from base of neck to just above top of head without glasses.
- Photo 3: Right profile of offender from base of neck to just above top of head without glasses.
- Photo 4: Left profile of offender from base of neck to just above top of head without glasses.
- Photo 5: Front view of offender from base of neck to just above top of head wearing glasses.

.07 CASE ASSIGNMENT

Upon notification from the court of placement on probation and review of demographic information, an agent assignment and initial work assignment is made. The file is forwarded to the OOA for entry into WICS. The OOA completes a DOC-2625/DOC-2625A and forwards it to the status keeper mailbox for entry into COMPAS. WICS will add the offender to COMPAS every fifteen minutes of entry into WICS. Cases can be immediately entered in COMPAS in case of an emergency. The file is forwarded to the agent.

.08 EXTRADITION AND ADMISSIONS UNIT (EAU)

Upon receipt of the Judgment of Conviction, the Extradition and Admissions Unit assigns a DOC number. If an individual has previously been on supervision, the case is reassigned the previous DOC number. The Extradition and Admissions Unit enters the information from the Judgment of Conviction into the Wisconsin Integrated Corrections System (WICS). After the Judgment of Conviction has been entered into WICS, an electronic version of the DOC-44A is available on MyDOC in the forms section. The electronic form will pre-populate all relevant information which is available from WICS.

CONSECUTIVE CASES

.01 GENERAL STATEMENT

The court may not order probation consecutive to other probation terms. However, the court may order a probation term to be served consecutive to an already imposed sentence. Consecutive probation begins only upon discharge of the parole or extended supervision case, not upon the offender's release from the institution. Cases may be ordered consecutive to a local jail sentence. If a court orders a consecutive probation to begin on the

Copyright © 2012 [WI Department of Corrections]

release date, the Extradition and Admissions Unit (EAU) will not honor these orders. When an improper court order is received, the agent should contact the sentencing court in an attempt to obtain a corrected order. If the court declines to modify the order, the original order will then be submitted to EAU. EAU will send a request to the sentencing court requesting that the order be corrected. Legal Counsel should be contacted for resolving illegal orders that cannot be resolved locally.

.02 COURT ORDER

The court will provide the Department of Corrections with an electronic Judgment of Conviction (E-JOC) placing the offender on consecutive probation.

.03 EXTRADITION AND ADMISSIONS UNIT (EAU)

Upon receipt of the Judgment of Conviction for a probation case consecutive to a local jail sentence, the EAU will set the case up in WICS once the jail sentence has discharged. On cases that are consecutive to a prison case, EAU will follow for the expiration of the sentence and then set up on records. The DOC-44 electronic form will then be available on MyDOC in Forms.

.04 RECEPTION ON PROBATION

The agent shall complete new Rules of Community Supervision and make a notation in the case notes indicating that the parole or extended supervision case has been terminated and the consecutive probation case has begun. The case plan and Case Supervision Review schedule are not affected.

.05 TERMINATION NUMBER

EXTENDED SUPERVISION/PAROLE INTAKE

.01 AUTHORITY

Wisconsin Statutes 302.05

.02 GENERAL STATEMENT

The Division of Community Corrections (DCC) and the Division of Adult Institutions (DAI) developed the following procedures to assist with the reintegration of offenders back into the community. When notified of the release eligibility date, the agent must prepare and submit the Inmate Release Authorization (DOC-15) 30 days prior to the release date. This date will be set as a task in workload manager. In discretionary parole cases, the agent will direct release on the date of eligibility, or as soon as possible thereafter, consistent with release planning. Supervision responsibility begins immediately upon release.

Under unusual circumstances, the agent may recommend to the supervisor a release date earlier than that set by the Parole Commission. The supervisor will contact the Regional Chief to discuss the request and the reasons for it. If the Regional Chief concurs, the chief will contact the Chairman of the Parole Commission who may consider setting an earlier release date under the following conditions:

- legal release eligibility has been attained;
- the period between the parole grant and the eligibility date set by the Commission is not needed for further observation or for some other stated reason;
- essential program involvement will not be prematurely ended;
- the Social Service Department of the institution has verified placement plan with the Division of Community Corrections.

.03 DAY OF RELEASE (MANDATORY RELEASE/EXTENDED SUPERVISION)

Inmates to be released on mandatory release or extended supervision are released on the Tuesday preceding the calculated release dateincluding holidays. In the event DCC staff cannot facilitate a Tuesday release, the Regional Chief or designee may approve the offender to be released on the Wednesday preceding the calculated release date if there are extenuating circumstances. Additional hours of work may be authorized to facilitate a holiday release in accordance with the Additional Hours of work policies and procedures. Release plans should be formulated accordingly. Supervision responsibility begins immediately upon release.

.04 CONTROL OF INMATE FUNDS

When the agent determines that it is necessary to control an offender's funds upon release, the specific reasons will be indicated on the Inmate Release Authorization (DOC-15). Management of the inmate's funds will be done only through an account in the offender's name controlled by the Department of Corrections. In order for an agent to control an inmate's funds, it is necessary that at least one of the following conditions apply:

- the court has ordered payment of financial obligations;
- the offender requests it;
- the agent believes it is necessary to control funds in order to teach money management;
- reimbursement is necessary for the costs of purchased services; or
- to insure payment of past supervision fees.

.05 AGENT RESPONSIBILITIES UPON RELEASE

All prison releases with be set at “New Release” status upon release for 30 days unless identified as a sex offender. The agent will need to complete the necessary assessments and the 2625A tasks during the new release process. If the offender is identified as a sex offender, the offender will be set at “New Release Sex Offender” status.

Copyright © 2012 [WI Department of Corrections]

On the date of release, or as soon thereafter as possible, the agent will conduct the initial face-to-face interview with the offender. At this time the agent will read and explain the Rules of Community Supervision to the offender. In granting parole to an inmate, the Parole Commission may order special conditions for supervision. In this event, the supervising agent will incorporate the special conditions on the Rules of Community Supervision. The Parole Commission may also offer advisory comments to the supervising agent. These comments should be taken into account in establishing the conditions of supervision.

If the agent identifies a sex offender conviction on the offender's criminal history record, in Wisconsin or any other state, the agent will call the sex offender registration program within the state of conviction. If the offender is required to register in a state other than Wisconsin, the agent will provide information as to the whereabouts of the offender to the other state's registry and will complete a Sex Offender Registration Form (DOC-1759) and submit to the Wisconsin Sex Offender Registration Program. Agents may utilize the internet or SORP specialist to obtain telephone contact information for other states.

In the case of Special Bulletin Notice cases that are released to the community, agents will be responsible for transporting or for securing DOC transportation from the institution to their community placement on the day of their release. Agents are to attempt to schedule the offender's face-to-face registration with law enforcement on the day of release.

Field case files for all Special Bulletin Notification (SBN) offenders are required to have a label placed prominently on the front of the file which reads, "This Offender is required to comply with the Face-to-Face Contact requirements of the Sex Offender Notification Law. Any address change requires Law Enforcement Notification."

.06 AGENT RESPONSIBILITIES DURING INTAKE

Within the first 30 days following release, the assigned agent will complete the following activities:

- Complete all items listed on the DOC-2625A;
- inform offender of reporting requirements;
- prepare initial entry in COMPAS Notes;
- inform the offender of the offender complaint process;
- conduct an initial home visit. If the offender is in a detention facility upon beginning supervision, the initial home visit will be accomplished within 30 days of release from the detention facility;
- within seven calendar days, notify the school district of any offender who is employed by a public or private school district, employed by a company under contract to a school district, or who works on school district property;
- establish supervision fee payment schedule;
- DNA Program – For those offenders convicted of felony offenses, verify via WICS that the offender has provided a DNA specimen while in prison. If the offender does not have a DNA specimen on record, immediately make arrangements for collection of a DNA specimen.

.07 PROCEDURE

Please refer to the Division of Community Corrections - Supervision/Supervision Process/Pre-Release Planning/Agent Contact During Incarceration for procedures relating to pre-release planning expectations and contacts that must occur prior to release.

Upon Release:

- The OOA will transfer the offender in COMPAS to the DCC agency. This is done by transferring the offender at both the Offender and Case Manager level. Instructions for Agency Transfer: Go to the offender in COMPAS. Go to Person Summary page (left side option). Under "Person Summary" option on right, click "Actions" and the drop down option of "Transfer" and transfer the offender to DCC. Then, down at the bottom on the right,

Copyright © 2012 [WI Department of Corrections]

choose the active "Case Manager" option, then click on the active case and click "Actions" next to the "Case Information." Choose the drop down of "Transfer" and transfer the case there as well.

- The agent will review the most recent assessment completed in the institution and enter is a Screener Supervision Level Recommendation. The agent will also enter a Supervision Start date and a Next Review date. The Supervision Start date is the date the agent entered the Screener Supervision Level Recommendation. If no assessments were completed in the institution, the agent shall complete a Core Community Language assessment with the offender. The agent shall complete all items on the DCC Offender Intake Checklist (DOC-2625A) and route it to the supervisor for review. The supervisor is responsible for entering the Actual Supervision Level and approving the DCC Offender Intake Checklist (DOC-2625A). Once the date computed complete is reached for the New Release status, the primary flag will automatically drop off and the status keeper will set the status as indicated on the DOC-2625A and the DOC-2625A task will be removed.
- The agent may complete the URICA upon reentry if the offender will be referred to programming in the community.

SPECIAL ACTION RELEASE

.01 AUTHORITY

Wisconsin Administrative Code DOC 302.32

.02 GENERAL STATEMENT

Special Action Release (SAR) is a program through which the Secretary of the Department of Corrections authorizes the release of selected inmates by administrative order. Such decisions are final and are not subject to appeal.

.03 ELIGIBILITY

Parole-eligible and has served six months in the institution;

- Within 12 months of mandatory release and has an approved parole plan;

No conviction for crimes on the exclusion lists below;

- No new convictions if previously granted SAR;
- Voluntarily accepts SAR supervision and agrees to abide by any special rules or conditions which may be imposed (i.e., electronic monitoring);
- Inmates with a history of assaultive conduct which did not lead to a conviction may be considered for SAR if one or
- more of the following conditions apply:
- assaultive conduct occurred more than five years prior to SAR review;
- acted in self-defense or defense of property;
- will be released to structured living arrangement (i.e. halfway house);

conduct was isolated occurrence, not likely to be repeated;

age or physical condition precludes repetition of assaultive conduct;

- Inmates with out-of-state release plans may be considered for SAR if screening criteria are met. The out-of-state transfer request should include all information presently submitted, as well as an indication that the inmate is being considered for special release prior to mandatory release. The receiving state need not agree to supervise the individual at an intensive or accelerated level.

Inmates with active detainers may be considered for SAR without meeting screening criteria if the jurisdiction issuing the detainer intends to assume custody of the inmate upon release. The sentence imposed by the other jurisdiction must be equal to or longer than the remaining Wisconsin sentence. Such inmates may not

Copyright © 2012 [WI Department of Corrections]

waive SAR eligibility.

.04 CRIMES EXCLUDED FROM SAR CONSIDERATION

The following crimes as well as those listed under 939.05 (PTAC), 939.30 (solicitation), 939.31 (conspiracy), and 939.32 (attempt) are excluded from SAR consideration:

CHAPTER 940 - CRIMES AGAINST LIFE AND BODILY SECURITY

Statute	Offense
940.01	First Degree Murder
940.01	First Degree Intentional Homicide
940.02	Second Degree Murder
940.02	First Degree Reckless Homicide
940.02(2)	Felony Murder
940.03	Felony Murder
940.03	Manslaughter
940.05	Second Degree Intentional Homicide
940.06	Homicide by Reckless Conduct
940.06	Second Degree Reckless Homicide
940.07	Homicide Resulting from Negligent Control of a Vicious Animal
940.08	Homicide by Negligent Use of a Vehicle or Weapon
940.08	Homicide by Negligent Handling of a Dangerous Weapon, Explosives or Fire
940.09	Homicide by Intoxicated Use of a Vehicle or Firearm
940.10	Homicide by Negligent Operation of a Vehicle
940.12	Assisting Suicide
940.19(1)	Misdemeanor Battery
940.19(a)(m)	Felony
940.19(a)(m)	Felony Battery
940.19(3)	Felony Battery
940.20(1)	Battery by Prisoner
940.20(2)	Battery to Law Enforcement Officers and Firefighters
940.20(3)	Battery to Witnesses and Jurors
940.20(4)	Battery to Public Officers
940.201	Abuse of Children
940.203	Sexual Exploitation of Children
940.205	Battery to Department of Revenue Employees
940.21	Mayhem
940.22	Sexual Exploitation by Therapist
940.225(1)	First Degree Sexual Assault
940.225(2)	Second Degree Sexual Assault
940.225(3)	Third Degree Sexual Assault
940.23	Injury by Conduct Regardless of Life
940.24	Injury by Negligent Use of a Weapon
940.245	Injury by Negligent Use of a Vehicle
940.25	Injury by Intoxicated Use of a Vehicle
940.285	Abuse of Vulnerable Adults
940.29	Abuse of Residents of Facilities
940.30	False Imprisonment
940.305	Taking Hostages
940.31	Kidnapping
940.32	Abduction
940.43	Intimidation of Witnesses (Felony)
940.45	Intimidation of Victims (Felony)

CHAPTER 941 - CRIMES AGAINST PUBLIC HEALTH AND SAFETY

Copyright © 2012 [WI Department of Corrections]

Statute	Offense
941.20	Reckless Use of a Weapon
941.20	Endangering Safety by Use of Dangerous Drugs
941.26	Possession of Machine Guns and Other Weapons
941.30	Endangering Safety by Conduct Regardless of Life
941.30	Recklessly Endangering Safe

CHAPTER 943 - CRIMES AGAINST PROPERTY

Statute	Offense
943.06	Molotov Cocktails
943.10(2)(a)(b)	Armed Burglary and Burglary with Aggravating Circumstances
943.23	Reckless Injury
943.23	Injury by Negligent Handling of Dangerous Weapon, Explosives or Fire
943.32(1)	Robbery
943.32(2)	Armed Robbery

CHAPTER 944 - CRIMES AGAINST SEXUAL MORALITY

Statute	Offense
944.05	Incest
944.12	Enticing a Child for Immoral Purposes

CHAPTER 946 - CRIMES AGAINST GOVERNMENT AND ITS ADMINISTRATION

Statute	Offense
946.01	Treason

CHAPTER 948 - CRIMES AGAINST CHILDREN

Statute	Offense
948.02	Sexual Assault of a Child
948.03	Physical Abuse of a Child
948.04	Causing Mental Harm to a Child
948.05	Sexual Exploitation of a Child
948.06	Incest with a Child
948.07	Child Enticement
948.08	Soliciting a Child for Prostitution
948.09	Sexual Intercourse with a Child Age 16 or Older
948.21	Neglecting a Child (Felony)

.05 PROCEDURE

~~Institution Social Worker:~~

- Contacts the agent of record by telephone to confirm eligibility of inmate for SAR, to discuss appropriateness of the parole plan, and to report any assaultive conduct;
- Prepares Parole Planning Information Sheet (DOC-11) with an addendum addressing prior record, assaultive conduct, institution programming, adjustment and parole board information;
- Sends all information to the agent through the SAR Coordinator who reviews the packet, forwards a request for a Pre-Release Investigation (DOC-7E) to the agent, and sends notification to the sentencing court and district attorney.

Agent:

- Completes a Pre-Release Investigation (DOC-7E) within 30 days of receipt of Assists institution social worker in developing an alternative plan if the SAR plan is unacceptable;
- Sends one copy of the completed DOC-7E to the SAR Coordinator, one copy to the institution and one copy to the Central Records Center;
- If approved by the secretary, reviews and verifies special conditions of release with the institution social worker

and the inmate;

- Establishes an appropriate release date with the institution social worker; and
- Submits the Inmate Release Authorization (DOC-15).

.06 SUPERVISION STANDARDS

Upon release, SAR offenders will be seen in person by the agent once a week. A home visit will be made once every 30 days. This supervision level must continue for a minimum of 90 days. SAR supervision may be extended beyond the 90-day period with supervisory approval when SAR supervision terminates. The field supervisor's approval and the reasons must be documented in COMPAS. When Intensive supervision terminates the offender will be supervised at Maximum until the Case Supervision Review (CSR) is completed, indicating the next level of supervision.

.07 SPECIAL REQUIREMENTS

The agent will forward a copy of all Violation Investigation Reports, including the evidence-based response to violations reports, to the SAR Coordinator in the Central Office until discharge from parole.

Copyright © 2012 [WI Department of Corrections]

FINANCIAL OBLIGATIONS AND SUPERVISION FEES

.01 AUTHORITY
.02 GENERAL INFORMATION
.03 SUPERVISION FEES
.04 RESTITUTION
.05 OTHER COURT OBLIGATIONS
.06 CHILD SUPPORT
.07 CONTROL OF OFFENDER RELEASE FUNDS

.01 AUTHORITY

Wisconsin Administrative Code 328
Wisconsin Statutes 304.074, 303
Wisconsin Statutes 973
Wisconsin Statutes 814
2015 WI Act 355
DCC Administrative Directive 16-06 Supervision Fees

.02 GENERAL INFORMATION

Payment of financial obligations by an offender is an important part of supervision. Restitution payments demonstrate concern for the victim through monetary reparation of financial loss. Payment of financial obligations fosters rehabilitation by making the offender financially responsible for illegal behavior. Payment planning from the onset of supervision attempts to ensure timely payment of financial obligations.

During the intake period, the agent will inform the offender of their responsibility to meet financial obligations to victims, the court, and the Department and establish a payment plan, if necessary. The agent may require the offender to provide an itemized budget by completing the Budget Worksheet (DOC-8B). The agent should also consider specific orders of the court, the total amount owed, and the length of supervision. In planning for the collection of the ordered financial obligations, the agent will attempt regular and reasonable collection. Refusal to pay financial obligations is a violation of supervision. Utilizing an

evidence-based response to violations approach, the appropriate response will be implemented.

Wisconsin Integrated Corrections System (WICS) maintains the official accounting system of all offender accounts.

Wisconsin Statutes establishes the order of priority for the disbursement of money collected from offenders. This priority order is set in WICS. The distribution schedule for DCC offenders as of October 2017 is:

Priority	DCC Offender Distribution Priority	Percentage
1	DCC Reimbursement Accounts	100%
2	Court Ordered Restitution (open cases paid in full in order of discharge date)	100%
3	Interstate Compact Application Fee	100%
4	Supervision Fees	100%
5	Victim Witness Surcharge A	100%
6	Victim Witness Surcharge B	100%
7	DNA Surcharge	100%
8	Child Pornography Surcharge	100%
9	973.20 (11)(a) Surcharge (5% Surcharge)	100%
10	Fines	100%
11	Court Costs	100%
12	Attorney Fees	100%

CRIME VICTIM COMPENSATION FUND

Victims of crimes or their families involving personal injury or death may be eligible for compensation under Chapter 949 of the Wisconsin Statutes, Awards for Victims of Crimes. This program is administered by the Wisconsin Department of Justice.

REVIEW OF PAYMENTS WHEN RECEIVED BY STAFF:

Money orders or cashier's checks are the only acceptable payment types for DOC staff to accept. Cash payments or personal checks are not acceptable forms of payment and must be refused. Offenders who want to pay their supervision fees using a credit or debit card must complete a DOC-1563C and mail the form directly to the U.S. Bank address on the form. Credit cards are not accepted for court-ordered obligation payments.

Offenders who want to pay both supervision fees and court obligations must submit separate money orders or cashier's check for these payments and these payments must be processed as separate WICS transactions and mailed in separate envelopes to U.S. Bank.

Account errors and discrepancies can be avoided if payments are reviewed and verified when presented by offenders. Upon receiving a payment, staff should verify:

- Current date: Money order values diminish over time. If a payment is accepted too long after the money order was issued, the full value is not available. Money orders with an issue date of more than 30 days prior to submission should be refused and the offender asked to submit a current money order.
- Payable to: The money order must be made payable to "Department of Corrections", "DOC" or "WI DOC". Money orders payable to an agent or other staff member are not permitted and must be refused.
- Paid in full: If the payment or coupon states "Paid in Full" or "PIF", the payment should be refused as these are rejected by the bank.
- Signature: Ensure the money order is signed by the offender when accepting the payment. Unsigned payments are rejected by the bank.
- Offender's name: Ensure the offender's name is on the money order. If it is not, please fill it in prior to submitting for processing. Payments with no name are rejected by the bank.

.03 SUPERVISION FEES

Supervision fees are charged on a monthly basis including for the month or partial month placed on supervision. Supervision fees are charged on the 8th of the month and are for the previous month's fee. For example, supervision fees charged on June 8th are for May supervision fees.

2015 WI Act 355, effective July 1, 2016, requires that any active restitution account balance be paid in full prior to applying any payments to supervision fees. Offenders will be charged the supervision fee for each month or partial month on supervision, however, DOC will not be able to collect the supervision fees until active restitution orders have been paid or a civil judgment has been entered with the court.

During intake, staff will review and complete the Payment Agreement form located in the Supervision Fee Payment Book, DOC-1563. Remove the white copy of the Payment Agreement and place in the offender's case file. The pink copy remains in the Supervision Fee Payment Book for the offender's records.

Staff shall also ensure the offender's social security number and current address are accurately entered into the appropriate DOC system (COMPAS or WICS). These two pieces of data are necessary for submission of an offender's unpaid supervision fee balance to the Department of Revenue's Tax Refund Intercept Program (TRIP).

If a payment is presented in a DCC office that is a payment for a current DAI inmate, information should be provided on where to have that payment submitted. DCC staff should not accept or process payments on behalf of DAI inmates due to the differences in the WICS distribution priority process.

Supervision fees may be waived for cause by the DCC Administrator.

SUPERVISION FEE PAYMENT SCHEDULE

When an offender is activated in WICS, the system will automatically begin charging the offender at the $20 monthly supervision fee schedule. When a DAI inmate is activated in WICS, they are also assigned the $20 schedule, however, they are not charged supervision fees until they are released from DAI. During intake, the agent is responsible for reviewing an offender's income to determine if the appropriate supervision fee schedule should be at the $40 or $60 level. Sources of income to be considered when determining the supervision fee schedule are listed on the Budget Worksheet (DOC-8B). The following are not to be considered as a source of income: WIC (Women, Infants and Children Program administered

by DHS); Food Share; Social Security Income (SSI) for a child recipient, and child support for the recipient of such support (e.g., person who has custody of the child).

Supervision fee earnings levels are currently set at:

MONTHLY GROSS INCOME	MONTHLY SUPERVISION FEE SCHEDULE
$0 - $799	$20.00
$800 - $1,499	$40.00
$1,500 and above	$60.00

SUPERVISION FEE EXEMPTIONS

If an offender has circumstances making them unable to pay supervision fees for either a short span of time or have circumstances that make it impossible for them to pay their supervision fees over a longer period of time, there are exemptions to being charged supervision fees. To be eligible, offenders are required to provide a release of information so the agent can verify prior to approving the exemption. Documentation of the exemption shall be entered in COMPAS including the reason, date, and any special circumstances.

Current exemptions schedules are:

- Offenders who are in jail with no Huber privileges: If an offender is in jail for more than 30 days with no Huber privileges, they should be exempt from being charged supervision fees. Upon serving of a DOC-414, a DOC-1682 exemption request must be submitted. Short-term sanctions longer than 30 days without Huber privileges shall be exempt as well. The beginning date of the sanction shall be used to determine the date the exemption applies.
- NGI/Chapter 980 DHS clients: Offenders who are being supervised by DCC but are DHS clients are not charged supervision fees as DCC is reimbursed by DHS directly.
- Medical exemption: The offender has a statement from a licensed physician stating the offender is unable to work due to a short-term or a long-term medical condition.
- Full-time student exemption: This exemption applies during the time an offender is attending a full-time course of instruction:
  - Enrolled in an accredited course of instruction and registered for more than nine credits in post-secondary education, or
  - Full-time high school or junior high education program.

- Treatment exemption: The offender is undergoing inpatient psychological, chemical or medical treatment consistent with the supervision plan and is unable to be employed. This exemption does not apply to outpatient treatment or aftercare while the offender may be employed.
- Unemployment exemption: The offender has used all reasonable and appropriate means to obtain employment but has been unable to obtain employment. This exemption does not require an outside agency verification.
- Other Facility/Out-of-State Facility/Federal Facility: Offenders who are in custody in another state or federal facility are exempt from supervision fees. This does not apply to Interstate Compact offenders whose WI supervision fees will stop once the offender's status in WICS becomes "Interstate Compact".

Certain other supervision events that stop supervision fees from being charged are done within WICS including discharges, Interstate Compact, revocations, and concurrent prison sentences. These changes do not need to have a DOC-1682 submitted.

Supervision fee exemptions are to be submitted, reviewed, and then entered into WICS within 10 business days upon receipt of all required documentation. The supervision fee exemption becomes effective the date of action noted on the DOC-1682 and entered into WICS. Backdating of supervision fee exemptions is allowed, however, no refunds of supervision fees are allowed due to backdating of an exemption schedule. Offenders will be charged supervision fees until the exemption schedule is entered.

All supervision fee exemptions must be reviewed at least every six months to assess whether the offender continues to be eligible for an exemption or has the ability to pay supervision fees.

SUPERVISION FEE REFUNDS – Prepayment or Overpayment

Refunds of supervision fees will be made in instances of either overpayment or prepayment. Refunds will be processed following termination or discharge from supervision. Agents must submit a DOC-1682 to the regional supervision fee specialist for processing and enter a COMPAS note related to the refund. Refunds shall be processed within 90 days of the Business Office receiving the DOC-1682. Situations that would warrant a refund include, but are not limited to:

- Death of an offender – upon request from the offender's estate
- At discharge it was determined the offender overpaid supervision fees
- Court terminates or vacates probation

COLLECTION OF SUPERVISION FEES

Offenders should make their supervision fee payments by mailing a money order or cashier's check to U.S. Bank by using their coupon books or a DOC-1563C.

If offenders pay their supervision fees in the office, DCC staff will receipt supervision fee payments directly into WICS. Supervision fee payments and the bar-coded receipt should be mailed to U.S. Bank on a daily basis to avoid delays in processing. Supervision fee payments and court obligations must be sent in different envelopes to U.S. Bank as there are different lockboxes for processing.

If an offender attempts to make a supervision fee payment while they have any active restitution balances, they will be advised that they must pay their restitution balances before any monies received will be credited to supervision fees.

DOC utilizes Department of Revenue's Tax Refund Intercept Program (TRIP) for collection of unpaid supervision fee balances for active offenders when their supervision fee balance reaches $200 and all accounts for discharged offenders. An annual letter is sent to all offender's notifying them that their supervision fee balance has been referred to TRIP for collection.

SUPERVISION FEE POLICIES FOR ABSCONDERS

Offenders who are supervised one day or more in the month prior to or after absconding will be charged supervision fees for that month. If supervision fees were not discussed with the offender prior to absconding, the agent must discuss the fees with the offender upon return to active status. When an offender absconds and their WICS sub-status becomes absconder, supervision fee charging stops. When the offender is apprehended and their WICS sub-status is no longer abscond, the offender returns to an active fee schedule status unless an

exemption schedule is entered. The date selected for return to the active fee schedule status is dependent on whether time is tolled.

Effective Date of Return to Active Fee Schedule: Time Tolled

When time is tolled, the effective date of the return to the active fee schedule is the apprehension date, or if not in custody, the date the offender's whereabouts became known.

Effective Date of Return to Active Fee Schedule: No Time Tolled

When time is not tolled, the effective date of the return to active fee schedule is the day after the date of absconder status.

RESOLVING SUPERVISION FEE ACCOUNT DISCREPANCIES:

When an offender reports that there may be a discrepancy with their supervision fee account, field staff shall perform a review of COMPAS and WICS to determine the status of the account. Based on that account review, it may be necessary for the field staff to refer the offender's account to the regional supervision fee specialist for reconciliation and/or submit a DOC-1682 to update the supervision fee schedule. Once the account has been reviewed and reconciled, the agent will document the review in COMPAS notes and notify the offender in writing of the results along with providing appropriate documentation. If the offender's concerns have not been resolved and they feel the account is still in error, offenders should be advised to utilize the Request for Administrative Review (DOC-127) process for resolution.

BANKRUPTCY – SUPERVISION FEES ONLY

Supervision fees are not dischargeable through bankruptcy. Upon receipt of a notice that an offender has filed for bankruptcy, staff shall forward that notice to the Supervision Fee Emailbox. The offender's obligation to pay supervision fees stays intact during the bankruptcy proceeding and are collectible upon the bankruptcy disposition.

.04 RESTITUTION

DETERMINATION OF RESTITUTION

4274. can only be determined by the court. Upon receipt of the case, the agent will determine if the Victim Restitution Ordered (DOC-31) has been completed and

submitted to the Cashiers Unit. The DOC-31 or other court document contains the names and addresses of the victims as well as policy or claim numbers if victim's insurance is due the restitution. If the amount of restitution is stated on the court order, the DOC-31 need not be signed by the judge.

The Cashiers Unit will mail restitution checks directly to the victim according to the information provided on the (DOC-31) or other document received from the District Attorney's Office. If a restitution check is returned by the post office as undeliverable, the Cashiers Unit will ask the agent to locate the victim's current address. If a current address cannot be found, funds will continue to accumulate in WICS, however, no funds will be mailed until an address is provided. Restitution payments that have not been disbursed and are held are transferred to the State Treasurer as unclaimed funds on an annual basis.

AGENT ASSISTANCE IN DETERMINING RESTITUTION

Under 973.20(13) Wisconsin Statutes, the district attorney has the primary responsibility to determine the amount of loss from the victim prior to sentencing. The DOC will extend full cooperation and assistance to the district attorney. In disputed cases when ordered by the court, the agent will establish the financial loss to the victim. This includes out-of-pocket monetary loss as a result of taken or damaged property or medical expenses. It also includes reasonable out-of-pocket expenses incurred by the victim in assisting with the prosecution of the criminal case including:

- return, repair or replacement of property, cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care and treatment;
- cost of necessary physical or occupational therapy and rehabilitation;
- income lost by an injured person as the result of the crime; and
- funeral or related services if death resulted.

If the district attorney does not know the amount of restitution at the time of sentencing and the court orders the department to determine restitution, the agent will contact the victim directly to ascertain the amount of loss. The Affidavit of Claim (DOC-29) may be used to obtain information from the victim. The victim should submit the claim in writing and provide reasonable verification of loss. The agent will make every reasonable effort to assist the victim in making a claim. The victim should be given at least 30 days to respond to

the DOC-29 request. The agent may provide the victim with non-PHI information concerning the offender's ability to pay, payment plan, and DOC procedures for the collection and distribution of court-ordered payments.

RESTITUTION COURT ORDER

When the amount of restitution owed is not known or not determined at the time of sentencing, the matter must be returned to the court. If the amount established by the district attorney is disputed by any party, a hearing may be held by the court to determine the amount of loss. The court's restitution determination must be indicated on a signed court order and forwarded to the Cashiers Unit for entry into WICS. Priority of restitution payments is based on discharge date of the case. If there are multiple cases discharging on the same date, restitution payments are determined by JOC sequence in WICS.

If the victim chooses to make no claim, the amount recommended to the court is zero. The offender should be advised that the victim may enter a claim at any time during the period of probation.

MULTIPLE VICTIMS

When multiple victims are involved, the court must determine the amount each victim is due. Unless the court orders otherwise, these victims should be advised that they will receive proportionate shares of payments made by the offender. In certain circumstances, the courts may order priority payments to victims. If a DOC-31 is prepared, the agent should indicate priority payments ordered by the court. If a restitution order is for $50 or less, WICS will prioritize and pay this restitution order first.

JOINT AND SEVERAL RESTITUTION ORDERS

When two or more defendants are involved in the same offense, the court may issue a joint and several restitution order. This means that each co-defendant is responsible for the total amount of the restitution ordered. There is no "fair share" concept in cases where restitution is ordered jointly and severally. When any of the offenders under the order makes a payment, it is credited to each offender subject to the joint and several order. The status of the co-defendants' accounts can be checked by viewing the WICS Offender Payee (COP010) screen.

In those cases where the offender feels that s/he has paid an equitable share of restitution, that offender may wish to approach the court and request that their restitution amount be amended from joint and several to sole payment. It should be noted, however, that funds already disbursed by the department cashier will not be affected by such an amendment.

PRIORITY OF RESTITUTION

Per 2015 Wisconsin Act 355, supervision fee payments may not be collected from an offender with an active restitution account with an unpaid balance, as shown in WICS. When an offender makes a payment, staff must review the WICS Offender Payee screen (COP010) to determine if the offender has an active restitution account. If the offender has an active restitution account, inform the offender that any payments must be first applied to the active restitution account and receipt the payment as a court obligations payment.

.05 OTHER COURT-ORDERED FINANCIAL OBLIGATIONS

The court may impose other charges such as fines, victim witness surcharges, DNA surcharges, attorney fees, and court costs. These other court-ordered financial obligations will be collected and paid after restitution is paid in full and as listed on the DCC Offender Distribution Priority. These dollar amounts are set by the court and imposed on the Judgment of Conviction.

DCC 5% ADMINISTRATIVE SURCHARGE

For offenses committed after May 7, 1982, the department is authorized by ss. 973.20(11)(a) to collect a surcharge to reimburse the agency that collects the court obligation. The Department collects the 5% surcharge when it is imposed on the judgment of conviction.

RESOLVING OFFENDER FINANCIAL ACCOUNT DISCREPANCIES

When an offender reports there may be a discrepancy with one or more of the court-ordered financial obligations, field staff should review WICS with the offender to find the grounds of the issue. Any discrepancies that cannot be resolved can be referred to the regional Cashiers Unit emailbox for review.

.06 Child Support

Court-Ordered Support Payments

If the court orders child support, the agent will direct the offender to pay the support money directly to the appropriate local agency. Child support payments shall not accepted by DOC staff or receipted into WICS. The agent will regularly require the offender to provide proof of payment of the ordered support. Even though the agent is not directly involved in collection of ordered support payments, failure to pay child support is a violation of supervision. Appropriate responses will be imposed consistent with an evidence-based approach to violations decision-making process. If the court orders child support to be paid as restitution, then those payments are accepted and receipted into WICS as with any other court-ordered financial obligation.

.07 Control of Inmate Release Funds

An agent may assist in the management of the offender DAI inmate release fund only in special circumstances. When the agent deems this as necessary, a DOC-15 must be completed and routed through the Regional Office for approval. Funds may only be held in an account in the offender's name.

Law Enforcement Registration

.01 AUTHORITY

Wisconsin Statute 304.06(1)(g)
Wisconsin Statute 301.45
Wisconsin Administrative Code DOC 328.04(2)(j)

.02 GENERAL STATEMENT

Local practice may necessitate that offenders have contact with local law enforcement agencies. This is frequently required of offenders who transfer into a new area or are received on interstate compact supervision. An agent may wish to use this procedure to verify an offender has reported to law enforcement to resolve minor warrants (i.e., non-criminal traffic, failure to pay fines, etc.).

The Department is required to provide advance notification to local law enforcement agencies of a prison inmate's release to field supervision. This practice is mandatory. Some sex offenders are required to have face to face contact with local law enforcement upon release from an institution or receipt on probation. These offenders must also have face to face contact with local law enforcement officials whenever they move to another law enforcement jurisdiction during the course of their supervision. This practice is mandatory.

.03 DISCRETIONARY FACE TO FACE CONTACT WITH LAW ENFORCEMENT

The agent prepares a Face Sheet (DOC-3A) and instructs the offender to take it to the appropriate law enforcement agency. This contact usually includes photographing and/or fingerprinting. The completed form must be returned to the agent with a signature from the law enforcement agency as verification of required contact. This practice does not apply to "non-conviction cases."

.04 MANDATORY FACE TO FACE CONTACT

Sex offenders who are required to register with the Sex Offender Registration Program must also have face to face contact with local law enforcement while under DOC supervision.

If, on or after 12/25/93, an offender has been convicted of, adjudicated, or committed for a violation, solicitation, conspiracy, or attempt to commit any of the following crimes, that individual must register as a sex offender and have face to face contact with local law enforcement.

Offenses requiring registration:

1. 940.225(1) First-Degree Sexual Assault
2. 940.225(2) Second-Degree Sexual Assault
3. 940.225(3) Third-Degree Sexual Assault
4. 940.22(2) Sexual Exploitation by Therapist
5. 940.30 False Imprisonment **
6. 940.31 Kidnapping **
7. 940.06 Incest (formerly 940.32)
8. 948.02(1) First-Degree Sexual Assault of a Child
9. 948.02(2) Second-Degree Sexual Assault of a Child
10. 948.025(0) Repeated Acts of Sexual Assault–Same Child
11. 948.05 Sexual Exploitation of Child
12. 948.055 Forced Viewing of Sexual Activity
13. 948.06 Incest with a Child
14. 948.07 Child Enticement

Copyright © 2012 [WI Department of Corrections]

15. 948.08 Soliciting a child for Prostitution
16. 948.11 Exposing a Child to Harmful Materials
17. 948.30 Abduction of Another's Child
18. 975.06 Sex Crimes Law Commitment
19. 980 Sexually Violent Person Commitment

Offenders must also have face to face contact with local law enforcement while on DOC supervision if the court determined that the crime involved sexually-motivated behavior, and it would be in the best interest of public protection, and orders registration for crimes involving:

1. Chapter 940 Crimes Against Life and Bodily Security
2. Chapter 944 Crimes Against Sexual Morality
3. Chapter 948 Crimes Against Children
4. 971.17 Not Guilty by Reason of Mental Disease
5. 943.01 to 943.15 Certain Crimes Against Property

- Any offender who has been convicted on or after 12/25/93 of a comparable registerable offense in another state and who is on supervision in Wisconsin must have face-to-face contact with local law enforcement.

  Any person who has been sentenced to Lifetime Supervision under Wis. Stats. 939.615 must have face to face contact with local law enforcement.
- In general, offenders must register if they are on Interstate Compact Supervision and being supervised in Wisconsin for any felony sexual assault or behavior.

The agents shall prepare the Face Sheet (DOC-3A) which will be presented to the local law enforcement agencies by the offender. The offender must return the signed form to the agent.
When an offender moves to a new residence that results in a change to a new law enforcement jurisdiction, the agent shall complete a new DOC-3A reflecting the current address, which will be presented to local law enforcement by the offender and returned to the agent by the offender. A copy of the new DOC-3A shall be sent to the county sheriff and chief of police where the offender previously resided.

.05 MANDATORY NOTICE OF PAROLE OR EXTENDED SUPERVISION RELEASE

An Inmate Release Authorization (DOC-15) is prepared for all inmates being released from the institution to field supervision. Law enforcement copies of the Inmate Release Authorization shall be mailed or delivered immediately upon completion of the form.
In the event release is necessary prior to the institution receiving the Inmate Release Authorization, the institution will ensure notification to the applicable law enforcement agencies and the agent of record prior to releasing the inmate. If release notification is done by telephone, the agent will note the date of notification on the Inmate Release Authorization.
The notification requirement does not apply if the municipal Police Department or the County Sheriff's office submit to the Department a written statement waiving the right to be notified. Any such notice will be forwarded to the Division Administrator and filed.

Copyright © 2012 [WI Department of Corrections]

Limited English Proficiency (LEP)

DOC Executive Directive 71 and DCC Administrative Directive 14-02 provides direction in regard to providing meaningful access to documents, services, and programs for offenders who have limited proficiency with the English language. Staff must document the language the offender has identified as his/her primary language in WICS and assess the need for LEP Services. Once a need for LEP services is identified, the following actions should occur:

Non-Bilingual Agents

When any service is used for translation or interpretation to include a non-bilingual agent utilizing a bilingual agent for translation purposes, the following information shall entered into COMPAS as a specific entry:

- Type of Service Provided
- Name of Provider (e.g.. agent's name, contractors name or company such as Language Line)
- Method
- Purpose of Service
- Number of Sessions
- Time
- Comments

Any other relevant information fields

Bilingual Agents

If a need for a bilingual agent is determined, the agent must make an initial entry in COMPAS for that offender to include the following:

- Type of Service – Bilingual Agent
- Name of provider – Agent's Name
- Purpose of service – Ongoing Workload.
- The bilingual agent may leave blank:
  - Number of Sessions
  - Estimated Time

Bilingual Agents are not required to make an entry for each separate action. COMPAS notes will reflect all the LEP work provided by a bilingual agent with each LEP offender he/she supervises.

Denial of LEP Services:

All agents must document any denial of LEP services in COMPAS. Denials should be rare. An example might be a request for translation of something that does not represent a liberty interest for the offender (e.g.. An offender asking the DOC to provide a translator for a divorce proceeding). If staff are unsure, e-mail DOC-LEP for guidance. For further information regarding LEP services for purposes of completing a PSI, please refer to the PSI section. Sign language services for the deaf and hard of hearing are Americans with Disabilities Act accommodations, not LEP, and should not be entered in LEP COMPAS.

Copyright © 2012 [WI Department of Corrections]

ΟΦΦΕΝΣΕ ΙΝΦΟΡΜΑΤΙΟΝ

In order to develop a clear understanding of the behavior underlying the offense, a statement regarding the present offense will be obtained from the offender. Information will also be gathered from collateral sources including the Criminal Complaint, police reports, victims (if appropriate), and/or any other appropriate sources.

Copyright © 2012 [WI Department of Corrections]

OPERATING WHILE INTOXICATED

.01 AUTHORITY

2009 Wisconsin ACT 100

2015 Wisconsin Act 371

.02 GENERAL STATEMENT

This chapter outlines a supervision model for offenders convicted of Operating While Intoxicated.

.03 AGENT RESPONSIBILITIES DURING INTAKE

Within the first 60 days of supervision, the assigned agent has the responsibility to accomplish the following case opening activities in addition to the normal intake procedures. For prison releases, a 30 day intake period shall be provided at "New Release" status. These standards apply to all individuals supervised for an OWI related offense.

- Review the Rules of Community Supervision with the offender. Include specific rules requiring compliance with Driver Safety Plan and Ignition Interlock Device.
- Review and complete the Application to Purchase and/or Operate a Motor Vehicle (DOC-56). The offender is also required to show proof of insurance on all vehicles they operate.
- Provide offender with Ignition Interlock Device (IID) information and verify that they have arranged for installation with a local provider. This must be completed before the offender will be given permission to operate any motorized vehicle on public roadways. The IID is required on all vehicles that an offender is listed on the title or any other vehicle they may be operating, unless waived by court. IIDs shall be required as specified on the Judgment of Conviction. It is the expectation that agents review IID compliance reports.
- Review and obtain the Authorization for Disclosure of Non-Health Confidential Information (DOC-1163) and the Authorization for Use and Disclosure of Protected Health Information (DOC-1163A) as needed.
- Review requirements for Driver Safety Plan with offender. Obtain copy of Driver Safety Plan (if already completed) or verify that offender has scheduled an appointment with local county Human Service Agency that is responsible for Driver Safety Planning and assessments.
- Obtain urine specimen and document results in the Drug Testing section in COMPAS.
- The Impaired Driving Assessment (IDA) screening tool shall be administered during the intake phase along with the COMPAS assessment.

- Following completion of the COMPAS assessment, IDA Screening Tool, case plan, and review of the Driver Safety Plan assessment, the agent will consult with their supervisor and determine the appropriate supervision level. Medium and High Scores on the IDA Assessment can be utilized as a justification to override the actual supervision level. Supervision strategies will be based on the combination of risk scores, overall supervision recommendation, and assessment bar charts. Enhanced supervision level may be utilized based upon individual needs and staffing with the supervisor.
- Use of Alcohol Monitoring Equipment is recommended based on risk and needs assessment tools. If an offender scores MED/HIGH Risk on the IDA and the offender is on probation supervision related to a 2nd or 3rd OWI conviction, the alcohol monitoring equipment is required to be installed within 7 business days of calculating the risk level and for a minimum of 60 days. Other OWI offenders who are not 2nd or 3rd offense probationers may be placed on discretionary alcohol monitoring equipment. The required length of time for the monitoring equipment can be extended based on issues of noncompliance or with a staffing with the supervisor. If the offender is in custody at the time of the assessment being calculated, the alcohol monitoring equipment must be installed within 7 business days of their release from custody.
- If an offender's behavior as described in the criminal complaint is for operating under the influence of drugs and the offender does not have a history of alcohol abuse, use of alcohol monitoring equipment may be waived by the regional chief or designee.

- The use of DOC equipment is not required if the offender is being monitored by an outside agency or community partner (i.e. County Jail, Diversion, Courts). If the outside agency does not cover the minimum expectations, then DOC alcohol monitoring equipment must be used for the remainder of the initial 60 days. Regional office may also waive a requirement for alcohol monitoring based on previous participation with treatment and monitoring.

.04 SUPERVISION

- Agents shall have frequent contacts with treatment providers, family members, and other collateral contacts to review compliance with treatment plan.
- Ignition Interlock Device (IID) shall be required as specified on the Judgment of Conviction.
- OWI offenders shall be referred for services based on needs identified either through the Intoxicated Driver's Program or through an additional Substance Use Disorder (SUD/AODA) assessment.

- Case planning shall include completion of Driver's Safety Plan, addressing criminogenic needs, drivers of the criminal behavior, compliance with monitoring equipment and other treatment as deemed necessary.
- Completion of the Case Supervision Review tool will determine appropriate supervision level. Reduction in supervision level is supported based on offenders' compliance with supervision. Below are some areas of demonstrated compliance:
- Demonstrated collateral, prosocial activities and community support network
- Compliance with IID requirements
- Completed SUD assessment and Driver Safety Plan requirements
- Compliance with treatment requirements
- Demonstrated sobriety
- Relapse Plan in place
- Demonstrated stability with housing, employment and education
- Overall Compliance with supervision

.05 OPERATING WHILE INTOXICATED CHARTS

The links below outline the penalty schedules for OWI convictions. NOTE: The date of offense, not the date of conviction or sentencing, determines which OWI law is in effect and which chart should be used.

OWI Chart for Crimes Committed after 01-01-2017

OWI Chart for Crimes Committed between 07-01-2010 and 12-31-2016

REPORTING SCHEDULE

The agent will establish a reporting schedule based on the level of supervision determined during the intake process, focusing on quality of contacts as this has the higher likelihood of reducing recidivism. The agent will consider such factors as home visits, employment visits, and offender circumstances when developing the reporting schedule. The importance of reporting should be emphasized to the offender.

LEVELS OF SUPERVISION AND STATUSES

Offenders are assigned to the highest level of supervision indicated by COMPAS assessment tool and professional judgment as described in the Assessment Process section of DCC Intake. The three levels of supervison are:

- Low
- Medium
- High

Once the appropriate supervision level has been determined, the offender's status will need to be set. If the offender will require contact standards that match the supervision level in COMPAS, the status will be set accordingly (Low=Minimum status, Medium=Medium status, High=Maximum status.) A status may need to be entered to adhere to departmental policies if the policy does not match the supervision level. These statuses are listed below:

Status	Description
Enhanced	Enhanced status is in addition to the three standard levels of supervision. Enhanced offender identification, supervision standards, and status keeper instructions are located in the DCC Supervision Process – Supervision Tools section.
Administrative	Administrative status is in addition to the three standard levels of supervision. Administrative status may be used for offenders who have shown positive adjustment to supervision and whose primary case plan goals are satisfaction of financial obligations. This classification may be also used for offenders who are incarcerated out of state, in medical or mental health placements, or whose circumstances do not require standard supervision as approved by the supervisor.
Intensive - Sex Offender (INTSO)	The Intensive status is used only for sex offenders under active supervision in the community. A sex offender is defined as "a person whose criminal history includes a conviction, adjudication, or read-in for sexually motivated behavior; or a person who has a substantiated allegation (e.g. through PREA investigation, revocation proceedings, or other means) of sexually assaultive or sexually motivated behavior where or not it has been criminally charged; or a person who is required to register as a sex offender" per Wisconsin State Statute 301.45.
	"Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim. A sex offender is defined as "a person whose criminal history includes a conviction, adjudication, or read-in for sexually motivated behavior; or a person who has a substantiated allegation (e.g. through PREA investigation, revocation proceedings, or other means) of sexually assaultive or sexually motivated behavior where or not it has been criminally charged; or a person who is required to register as a sex offender" per Wisconsin State Statute 301.45.
	"Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim.

Refer to the Supervision Process Offender Contact Standards section for direction related to the contact standards for each classification level.

Copyright © 2012 [WI Department of Corrections]

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 offender and a copy provided to the offender. Local practices for intake may vary. Therefore, if an OOA reviews the rules and provides a copy to the offender, the DOC-10 may be used. When an agent performs this function upon the offender's first contact with the office or any time thereafter, the Rules of Community Supervision available in COMPAS must be utilized. Anytime that rules are initiated or modified, the rules must be reviewed with the offender as well as a copy provided. The paper process will continue to be utilized for offenders 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 offender'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 an offender 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 offender. 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 offender, and will sign the form and date it. A signed copy will be provided to the offender.

Court-ordered conditions of supervision should not routinely be added to the rules. 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 offender and to the protection of the public; they should not be so broad or vague that the offender does not know how to comply; and they should be reasonable so the offender can comply with the special conditions. When imposing special rules, the agent must consider the ability to detect violation of the rule and willingness and ability to hold offender accountable for violation of the rules.

The agent will inform the offender 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 offender 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 offender 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 offender's current Lifecycle.

Standard Rules:

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

1. Open the offender's person record and select the case. If the offender 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 offender'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 offenders 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 offender's current lifecycle.
2. Choose *Actions* then *Recommended Conditions*.
3. Choose *Special Rules* from the *Filter Condition by Type* dropdown box.
4. Type the special 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.

Modification of Special Rules:

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.

Confidential Rules:

1. Open the *Rules of Supervision* module under the offender's current lifecycle.
2. Choose *Actions* then *Recommended Conditions*.

Copyright © 2012 [WI Department of Corrections]

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.

Copyright © 2012 [WI Department of Corrections]

Sex Offender Definition
Introduction
Static-99R
Initial Steps
Court Order
Contact Standards
Sex Offender Rules
Case File Notification Labels
Sex Offender Registration
Special Bulletin Notification
Law Enforcement Notification
Residence Assessment
Homeless Sex Offenders
Employment Assessment
Electronic Monitoring Program/GPS
Sex History
Initial Case Plan
Treatment Referrals
980 Offender Supervision

SEX OFFENDER DEFINITION

For the purposes of the Division of Community Corrections sex offender supervision policies and procedures, a sex offender is defined as "a person whose criminal history includes a conviction, adjudication, or read-in for sexually motivated behavior; or a person who has a substantiated allegation (e.g. through PREA investigation, revocation proceedings, or other means) of sexually assaultive or sexually motivated behavior whether or not it has been criminally charged; or a person who is required to register as a sex offender per Wisconsin State Statute 301.45. "Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim.

INTRODUCTION

The completion of a comprehensive intake and assessment of the sex offender is a critical step in providing quality supervision. The Division shall make every effort to reduce the risks that sex offenders pose to the community by conducting effective intake assessments, imposing rules that are based on risk, needs, and responsivity factors, making evidenced-based classification determinations, making regular and meaningful contacts with offenders and collaterals, utilizing evidence-based incentives and sanctions, monitoring residential stability, and maintaining accurate and thorough documentation. All the procedures outlined in the ECRM are still relevant when supervising sex offenders; this section outlines the additional procedures specific to the supervision of sex offenders.

STATIC-99R

The COMPAS risk assessment does not include risk factors specific to sex offenders. In order to establish a comprehensive risk profile, the Static-99R should be utilized in addition to COMPAS when assessing sex offenders. The score on the Static-99R should be used to assist in making the determination of the appropriate level of supervision.

In order to utilize the Static-99R, an employee must have attended a training specific to this instrument. Agents who are supervising a sex offender, but have not attended this training, should consult with their supervisor. In some cases, other dynamic risk factors may be relevant in making determinations of supervision level. In such cases, agents should use professional judgment in consultation with their supervisor.

INITIAL STEPS

Copyright © 2012 [WI Department of Corrections]

When an offender is identified as a sex offender at intake, either by current case, prior record, or as listed under Lifetime Considerations in COMPAS, the status keeper will be notified as such and a status of "Intake Sex Offender" will be added by the status keeper.

In addition to case opening activities listed in ECRM-Agent Responsibilities During Intake the assigned agent shall accomplish the activities listed on the Sex Offender Intake Checklist (DOC-2084) within 60 days of the start of supervision.

Sex offenders being placed on probation will have a status of Intake Sex Offender for the first 60 days of their supervision. Sex offenders being released from an institution will have a status of New Release Sex Offender for the first 30 days of their supervision. At the end of the intake period, the status will be assigned based on the COMPAS risk and needs assessment process. Agents trained in the use of the STATIC-99R should use this instrument to guide supervision levels along with professional discretion regarding dynamic risk factors. Approval of the Regional Chief or Assistant Regional Chief is required to classify sex offenders as minimum or administrative levels of supervision.

In exceptional cases, a waiver of intake requirements and the INT-SO classification standards during the intake period may be warranted. Criteria for waiving all or a portion of the INT-SO classification and standards are as follows: completion of COMPAS assessment of risk and needs, completion of all activities listed on the DOC-2084 Sex Offender Intake Checklist and approval of Supervisor. Waiver of the INT-SO classification without meeting the above criteria may only be granted with approval of the Regional Chief.

COURT ORDER

The court order is to be reviewed early in the intake process. The statute number should be checked to determine whether or not the offense requires the offender to register with the Wisconsin Sex Offender Registry Program (SORP; described below). Court ordered conditions such as the following should be carefully reviewed, considered, and addressed with the offender:

- Contact restrictions
- Participation in evaluations and treatment
- Requirements for payment of restitution
- Requirements for payment of the DNA surcharge
- Occasionally, certain conditions may present problems to supervision of the offender. Examples of such conditions are included below:
- Short length of supervision period
- Huber privileges allowed for provision of child care
- Provisions allowing contact with the victim or children
- Court orders which include provisions that may be contrary to statutory requirements (i.e., preclusion from the sex offender registry.) Occasionally, a judge will order that a person convicted of a mandatory registration offense will not be required to register. If this occurs, the agent should send a copy of the Judgment of Conviction to SORP. SORP has a process in place to ensure that these issues are addressed with the court. To avoid the potential for court action holding the Department in Contempt of Court, the agent should not complete the Sex Offender Registration Form (DOC-1759) until this issue is resolved.
- Provisions which contradict standard or special sex offender rules of supervision
  The length of the supervision period may not provide sufficient time to allow completion of sex offender treatment. Huber privileges allowed for the provision of childcare may place children at risk. The agent is to address these types of issues with the court and, in some cases, may need the assistance of DOC Legal Counsel.

Copyright © 2012 [WI Department of Corrections]

Contact Standards

The classification system establishes standards for the frequency of face-to-face contacts between offenders and representatives of the department. Whenever feasible, the department's representative will be the offender's agent of record. If the agent of record is not available, the department's representative may be another agent, field supervisor, or an approved correctional officer or intern. The minimum standards for each status are:

Enhanced	Once every 7 days *
Intensive/Sex Offender (INTSO)	Once every 7 days *
Maximum	Once every 14 days
Medium	Once every 30 days
Minimum	Once every 90 days
Administrative	Once every six months

*Offenders supervised under the INT/SO or Enhanced status also require a monthly face to face, phone, or email contact with one collateral contact every thirty days.

A collateral contact is an individual who is actively involved in the offender's life. The purpose of the collateral contact is to verify compliance with the rules of supervision, confirm offender participation in a particular activity, or assist in completing the tasks or practicing the skills identified on the case plan. Examples of collateral contacts include but are not limited to employers, significant others and additional support systems. Multiple collateral contacts should be identified. In most cases, agents should alternate contacts, such that the same individual is not contacted in consecutive months. In cases where there are limited collateral contacts, agents should clearly document why the same individual was contacted in consecutive months.

Treatment providers should be contacted monthly as part of the case plan and therefore do not represent a collateral contact. Additional collateral contacts should be considered based upon the offender's case plan needs. If required contacts are not made by an approved representative of the department, the agent of record must discuss appropriate action with his/her supervisor.

Sex Offender Rules

In addition to the standard Rules of Community Supervision (DOC-10) and procedures outlined in the ECRM, sex offenders receive the Standard Sex Offender Rules (DOC-10SO) at intake. As with Standard Rules of Supervision, the Standard Sex Offender Rules are intended to apply to all sex offenders. However, a rule may be waived after consultation with the supervisor, justification that is clearly documented, and approval from the supervisor. To add rules in COMPAS

Open the *Rules of Supervision* module under the offender's current lifecycle.

1. Choose *Actions* then *Recommended Conditions.*
2. Choose *Sex Offender* from the *Filter Condition by Type* dropdown box.
3. 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.
4. 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:

There are approved special rules that may be applicable to certain offenders. The special rules should be used to address criminogenic needs, or specific personal or criminal dynamics that are not already addressed in the Standard Rules of Supervision or the Standard Sex Offender Rules of supervision. The decision grids below are designed to assist the agent in determining the appropriateness of a particular rule based on different variables. Agents should review the grids and consider the offender's specific criminogenic needs when determining if a rule is appropriate for an offender. Unless otherwise noted, Rules of Community Supervision and Standard Sex Offender Rules apply to all Sex Offenders. A detailed rationale for the rule can be found on the Special Sex Offender Rules-

Copyright © 2012 [WI Department of Corrections]

Gridlines page on the Division of Community Corrections page.

	Male	Female
Offender is Required to Register	-Special Rules as Appropriate Based on Crime/Victim Dynamics -SSO-008 -SSO-009	Same as Males
Computer used In facilitation of Offend	SSO-003	Same as Males
Offense Involves Child Pornography	SSO-001 SS0-002 SSO-003 SSO-004 SSO-005 SSO-006	Same as Males
Hands-on Offense Involving Children under 18	SSO-001 SSO-002 SSO-005 SSO-006 SSO-007	Victim under 13 – same rules as males Victim 13-18 – no additional rules
Hands-Off Offense Involving Children under 18 (facilitation or co-facilitation)	SSO-001 SSO-002 SSO-005 SSO-006 SSO-007	Same as Males
Violence in Commission of Assault	SSO-004 SSO-007	Same as males
Crime with Adult Victim	SSO-004 SSO-007 Offense specific rules (e.g. curfew)	Request Consultation with CFS regarding case-specific rules.
Sexual Recidivist	Consult with Supervisor for additional evaluation Impose strictest rule set pending completion of supervisory consultation and/or further evaluations SSO-001 SSO-002 SSO-003 SSO-004 SSO-005 SSO-006 SSO-007 Impose offense specific rules	Consult with Supervisor for additional evaluation Impose strictest rule set pending completion of supervisory consultation and/or further evaluations
Offender with both adult and child victims	Impose strictest rule set SSO-001 SSO-002 SSO-003 SSO-004 SSO-005 SSO-006 SSO-007 Impose offense specific rules	Consult with Supervisor for additional evaluation Impose same additional rules as males pending completion of supervisory consultation and/or further evaluations
Special Concerns: does not meet any of the considered dynamics	Consult with Supervisor for additional evaluation Impose offense specific rules	Consult with Supervisor for additional evaluation Impose offense specific rules
Low IQ	Consider referral for evaluation Impose offense specific rules	Consider referral for evaluation Impose offense specific rules

Copyright © 2012 [WI Department of Corrections]

Severe Mental Illness (MH-2A if releasing from institution)	Consider referral for evaluation Impose offense specific rules	Consider referral for evaluation Impose offense specific rules
Special Medical Condition	Consider referral for evaluation Impose offense specific rules	Consider referral for evaluation Impose offense specific rules
Static-99R Score in Moderate or Higher Range	Consult with Supervisor for additional evaluation Impose strictest rule set pending completion of supervisory consultation and/or further evaluations SSO-001 SSO-002 SSO-003 SSO-004 SSO-005 SSO-006 SSO-007 Impose offense specific rules	Does not apply to females

Note: DHS rules for offenders 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.

To add the Special Rules in COMPAS:

1. Open the *Rules of Supervision* module under the offender's current lifecycle.
2. Choose *Actions* then *Recommended Conditions*.
3. Choose *Special Rules* from the *Filter Condition by Type* dropdown box.
4. Type the special 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.

   Please note agents are not able to use COMPAS Rules for non-English Speaking Offenders. Agents should use form DOC-0010SS, which includes the Standard Sex Offender rules and the 9 Special Sex Offender rules. Agents must delete the Special Sex Offender rules which do not apply to their offender.

Case file notification labels

Field case files for all registrants are required to have a label placed prominently on the front of the file which reads, “Sex Offender Registrant – This offender is required to comply with face-to-face contact with law enforcement.”

Field case files for all registrants who have had a Special Bulletin Notice disseminated during the current active supervision case are required to have a label prominently displayed on the front of the file which reads “Sex Offender Registrant/Special Bulletin Notice – This registrant is subject to a Special Bulletin Notice (SBN).” **SEX OFFENDER REGISTRATION**

Per Wisconsin statute 301.45, an offender is required to register as a sex offender with the Sex Offender Registration Program (SORP) if, on or after 12/25/93, the offender has been convicted of, adjudicated, or committed for a violation, solicitation, conspiracy, or attempt to commit any of the following crimes:

940.22(2)	Sexual Exploitation by Therapist
940.225(1)	First-Degree Sexual Assault
940.225(2)	Second-Degree Sexual Assault
940.225(3)	Third-Degree Sexual Assault
940.30	False Imprisonment (victim was minor and not the offender’s child)
940.302(2)	Human Trafficking (if 940.302(2)(a)1b applies)

Copyright © 2012 [WI Department of Corrections]

940.31	Kidnapping (victim was minor and not the offender's child)
944.01	Rape (old statute)
944.06	Incest
944.10	Sexual Intercourse with a Child (old statute)
944.11	Indecent Behavior with a Child (old statute)
944.12	Enticing Child for Immoral Purposes (old statute)
948.02(1)	First-Degree Sexual Assault of a Child
948.02(2)	Second-Degree Sexual Assault of a Child
948.025	Repeated Acts of Sexual Assault of a Child
948.05	Sexual Exploitation of a Child
948.051	Trafficking of Child
948.055	Forced Viewing of Sexual Activity
948.06	Incest with a Child
948.07(1) - (4)	Child Enticement
948.075	Use of a Computer to Facilitate a Child Sex Crime
948.08	Soliciting a Child for Prostitution
948.085	Sexual Assault of a Child Placed in Substitute Care
948.095	Sexual Assault of a Student by School Staff 948.11(2)(a)
or (am) Exposing Child to Harmful Material-FELONY SECTIONS	
948.12	Possession of Child Pornography
948.13	Convicted Child Sex Offender Working with Children
948.30	Abduction of Another's Child
971.17	Not Guilty by Reason of Mental Disease-of a listed sex offense
975.06	Sex Crimes Law Commitment
980.01	Sexually Violent Person Commitment

Any person who has been sentenced to Lifetime Supervision under Wisconsin Statute 939.615 must register.
The agent shall inform the offender of the requirement to register with the Sex Offender Registration Program immediately following sentencing or release from an institution.
If the agent identifies a sex offender conviction on the offender's criminal history record, in Wisconsin or any other state, the agent will call the sex offender registration program within the state of conviction. If the offender is required to register in a state other than Wisconsin, the agent will provide information as to the whereabouts of the offender to the other state's registry.
The agent shall enter all information on the Sex Offender Registry Update (DOC-1759) and submit the DOC-1759 to the Wisconsin Sex Offender Registration Program (SORP). The offender must sign this form and initial the back of the DOC-1759, Part 2, on the designated line, indicating understanding of the registration requirements. If the offender refuses to sign, the agent shall note "Refuses to Sign" in the registrant signature block and have a witness initial the form. (Refusal may constitute a violation of supervision). The registry must also be provided with a current photograph of the offender. This form must be mailed to SORP as soon as it is completed, but must be given to the Registry within the intake period.
The agent shall, upon completion of the form, provide the offender with the registrant copy containing the Notice of Requirements to Register on the reverse side.
Any time an offender changes residence, employment and/or school enrollment, that information must be recorded on the Sex Offender Registry Update (DOC-2705) and a copy shall be emailed to SORP (DOCBOPADMIN@wisconsin.gov). The Registry must be notified within 24 hours when a parolee changes their information. The Registry must be updated within 10 days when a probationer changes information. Registrants may not change their name or identify themselves by another name.

Periodically and randomly, offenders will be required to verify information with the registry. SORP will send the offender a verification letter, requiring a response within 10 calendar days. A copy of the letter is sent to the agent of record, who should monitor compliance. Providing false information to the registry or failing to respond to the verification letter is a violation of supervision and may be a violation of the law.

If an offender moves to another state as an Interstate Compact transfer and is accepted in the receiving state, the offender must be informed of the requirement to register with the receiving state, as well as continue to register with SORP in Wisconsin.

Offenders are required to register with SORP ten days prior to discharge from supervision. The agent shall inform the offender that any further changes must be reported to SORP directly by calling 1-888-963-3363, and that failure to comply with registration laws is a criminal offense. Agents should inform offenders that failure to comply with sex offender registration is a Class H Felony, for which they could be prosecuted.

Per AD 15-06, agents should check the Sex Offender Registry Active Supervision Noncompliance List on DOCNET weekly. If the offender appears on the list, the agent shall immediately attempt to locate that individual. If a home visit has been conducted within the previous 30 days and the offender was present in the home, a Sex Offender Registrant Information/Home Visit form (DOC-2287) should be faxed to (608) 240-3355 or e-mailed to bopadmin@doc.state.wi.us.

Attempts to bring the offender into compliance with the registry shall be documented on the Sex Offender Registration Non-Compliance Investigation Worksheet (DOC-2247) and forwarded via fax or as an e-mail attachment to the area Sex Offender Registration Specialist. (To access the non-compliance list, go to myDOC, DOC Division, DCC, Sex Offender Supervision, and click on SOR Active Supervision N/C).

SPECIAL BULLETIN NOTIFICATION

When a sex offender has been identified in the institution as a two strike case, 980 case, or ECRB (End of Confinement Review Board) case, the Division of Community Corrections, Sex Offender Programs, is required to issue a NOTICE OF SPECIAL BULLETIN (SBN) prior to the offender's mandatory release date. The notice will need to be routed to the status keeper and the status of "SBN" offender will be added to workload manager. Upon receipt of the Notice, the agent shall prepare the SBN RELEASE PLAN (DOC-2143) within the timelines indicated on the Notice. Law Enforcement does not receive a copy of the plan, but it is discussed as part of the CORE Team meeting.

Because of the nature of offenders meeting the criteria of Special Bulletin Notice dissemination, all information in the plan must be verified and specific. A confirmed, approved residence with exact address must be provided. In the event an offender will be homeless, The plan must identify the city and county where the offender will be most frequently located.

If any changes in the plan occur prior to the dissemination of the SBN, they must be submitted in writing to the Sex Offender Programs; however, no changes will be made to the SBN Release Plan once the bulletin has been issued. Law enforcement may then choose to notify the community. An SBN will be issued at least thirty (30) days prior to release on all cases meeting statutory criteria as well as those referred for a Special Purpose Evaluation by the End of Confinement Review Board (ECRB).

When an SBN case is released to the community, the agent is responsible for transport or for securing DOC transportation from the institution to their community placement on the day of their release. The agent should attempt to schedule the offender's face-to-face registration with law enforcement on the day of release.

Field case files for all Special Bulletin Notification (SBN) offenders are required to have a label placed prominently on the front of the file which reads, "This Offender is required to comply with the Face-to-Face Contact requirements of the Sex Offender Notification Law. Any address change requires Law Enforcement Notification." If the offender has a mandatory SBN, GPS is required. If the offender has discretionary SBN, GPS is not required and is at the discretion of the agent.

RESIDENCE ASSESSMENT

Copyright © 2012 [WI Department of Corrections]

For offenders placed on probation supervision and for institution releases, a thorough on-site inspection of the residence and neighborhood, including visual inspection of the offender's sleeping quarters, is required prior to approving the residence. Interviews with others living within the residence are also necessary. A copy of the offender's rules and the criminal complaint describing the offense should also be given to other adult household members as appropriate. The Sex Offender Residence Assessment DOC-2110 outlines the steps an agent must take.

When investigating potential residences for sex offenders with profiles that include child victims, agents are required to check with county Departments of Children and Families to determine if there are licensed or certified daycare facilities in the proposed area. By statute, sex offenders released on parole are prohibited from establishing a residence in a county where the offender received specialized sex offender treatment in a correctional institution; unless that county was the county of residence on the date the offender committed the offense.

As a general rule, upon release from a correctional institution or center sex offenders are to reside in the county of conviction. A sex offender who is not subject to special bulletin notification (SBN) procedures may be released to a county other than the county of conviction or may move from the county of conviction during the course of supervision if a viable plan exists in the other county and with the prior approval of the agent and supervisor in that county. Placement of a sex offender released from a correctional institution or center in a county other than the county of conviction (or county of residence, if applicable) who is subject to special bulletin notification (SBN) procedures must have the approval of the DOC Secretary's Office. Also, for the duration of their supervision, all sex offenders subject to SBN must have the approval of the Secretary's Office to move from the county of conviction and for any successive moves thereafter. Additionally, due to community notification requirements and the high profile nature of some sex offenders, securing a residence within the community often requires additional time, planning, and coordination with community representatives/agencies prior to release from the institution.

Agents are reminded to notify law enforcement agencies whenever the registrant's address changes, assure the registrant has face-to-face contact with law enforcement whenever the offender moves to a different law enforcement jurisdiction, and review rules of supervision and update as needed whenever the offender's address changes.

HOMELESS SEX OFFENDERS

Agents should make every effort to find a suitable living placement for a registered sex offender. If a residence is not located and the registrant is homeless, registrants will be placed on discretionary GPS within 5 days of becoming homeless. The agent must update COMPAS to reflect the registrant is homeless. Additionally, the agent should contact the registry to provide an emergency contact person and telephone contact number for the purposes of contacting the registrant and submit a DOC-2705. Agents should review the GPS points, at a minimum, once every week to verify information provided by registration and document the review in COMPAS.

If the registrant meets the statutory requirement of Special Bulletin Notice and does not have a residence upon release, DOC staff shall meet with law enforcement specified in the Special Bulletin Notification, prior to the registrant's release from prison, to coordinate the release and discuss supervision.

The agent should inform the registrant of the following and document that the conversation occurred in COMPAS:

1. The registrant must remain in the county of supervision, unless an exception is granted for employment, offense related programming, or other pre-approved activities.
2. The registrant, unless meeting with the agent on a weekly basis, must call and speak with the agent at least once every seven days, on a weekday, to report "HOMELESS" status and the location(s) in the city where he/she has been frequenting and sleeping for the past seven days and plans to frequent/or sleep for the next seven days.

   Once an offender has approved housing, the use of discretionary GPS tracking should be reviewed with the Corrections Field Supervisor to determine if continued use of GPS is necessary.

Copyright © 2012 [WI Department of Corrections]

EMPLOYMENT ASSESSMENT

In addition to completing the tasks related to employment verification in the ECRM, agents must be aware sex offenders are to be restricted from seeking or maintaining employment that may place them in contact with potential victims or which provides insufficient supervision and structure to adequately monitor their movement and activities. If an offender meets the criteria below, the agent must complete the Sex Offender Employment Assessment (DOC-2261).

Wisconsin Statutes (ss. 948.13) restrict sex offenders convicted of certain crimes from employment and volunteer work that places them in direct contact with children under the age of 16.

Offenders convicted of the following crimes are subject to these restrictions:

- If the victim was under age 18 at the time of the offense:
  - 940.22(2) Sexual Exploitation by a Therapist
  - 940.225(2)(c) Second Degree Sexual Assault
- Anyone convicted of the following crimes:
  - 948.02(1) First Degree Sexual Assault of a Child
  - 948.02(2) Second Degree Sexual Assault of a Child
  - 948.025(1) Repeated Acts of Sexual Assault Same Child
  - 948.05(1) Sexual Exploitation of Child

    948.07(1-4) Child Enticement
- Anyone convicted of a similar crime under federal law or in another state

  For offenders convicted of the above crimes, agents must include the following specialized rule on the DOC-10SO:

  "You shall not attempt to engage in an occupation nor participate in volunteer activities that place you in direct contact with children under 16 years old."

LAW ENFORCEMENT NOTIFICATION

Sex offenders who are required to register with the Sex Offender Registration Program (SORP) must also have face to face contact with local law enforcement while under DOC supervision. The agents shall prepare the Face Sheet DOC-3A which will be presented to the local law enforcement agencies by the offender. The offender must return the signed form to the agent.

When an offender moves to a new residence that results in a change to a new law enforcement jurisdiction, the agent shall complete a new DOC-3A reflecting the current address, which will be presented to local law enforcement by the offender and returned to the agent by the offender. A copy of the new DOC-3A shall be sent to the county sheriff and chief of police where the offender previously resided.

In cases where offenders have been convicted of sexual assault or their underlying conviction is sexually motivated, DOC has the authority to notify others, who in the judgment of the agent may need this information to protect against criminal conduct. This may include landlords, employers, and neighbors. Only an offender's status as a sex offender and supervision and conviction information may be released. Agents or law enforcement officers are to carry out this notification.

ELECTRONIC MONITORING PROGRAM/GPS

There are several options for electronic monitoring of sex offenders. If monitoring is not ordered by the court, the agent should staff the need for monitoring with their supervisor; the procedure is outlined in the Electronic Monitoring Technology section. Lifetime GPS offenders determined by s. 301.48 which requires the Department to place certain sex offenders on lifetime GPS tracking upon their release from prison (parole, extended supervision,

Copyright © 2012 [WI Department of Corrections]

maximum discharge); or, upon being placed on probation for a serious child sex offense (Level 1 or Level 2 child sex offense); or, upon being granted supervised release; or being discharged from a s. 971 or s. 980 commitment. Because of the additional work required when a sex offender is on GPS, there are COMPAS statuses of GPS 1 (90 days), 2 (90 days) and 3 (indefinite), that may be assigned to reflect this work differential. These codes do not change how supervision is conducted, and the standards for Maximum, Medium, or Minimum still apply.

SEXUAL HISTORY

Use of the DOC-2474 during the intake process provides a baseline for obtaining sexual history information. The sexual history is important in identifying the offender's targeted victim groups and patterns of behavior contributing to offenses. Explicit personal questions are asked that are not typically asked when interviewing other types of offenders. Initially, the offender may not be very comfortable or cooperative in providing information; however, updating the sexual history is an ongoing process as the offender may divulge more information over time.

The use of the polygraph in completing sexual history/disclosure examinations can provide a means to disclose and verify the offender's lifetime sexual history and scope of sexual deviance.

INITIAL CASE PLAN

Similar to case planning with other offenders, the case plan process forms the basis for supervision of the sex offender. The plan should be developed in conjunction with the offender who must be fully aware of the agent's expectations as well as the goals/objectives of supervision. This plan should drive interactions with the offender and focus on specific criminogenic needs. The document is updated on an ongoing basis, utilizing the SMART criteria for development of goals.

Using information gathered through interviews and a review of records/documents, a case plan is to be developed which addresses identified offender risks and needs. The case plan is to include strategies that effectively target criminogenic needs, monitor offender activities, focus on increasing offender knowledge/skills, and serve to restore the victim and the community. ECRM steps for creating a case plan should be followed. The agent should regularly review the case plan with the offender and make modifications as needed.

Specific needs related to sex offenders are not listed in case plan under the COMPAS drop down options. The agent should develop a case plan based on criminogenic needs identified from COMPAS and the unique needs relative to sex offenders. A low risk sex offender may not present with any specific sex offender needs. Agents should work with treatment providers of high risk sex offenders to determine the appropriate criminogenic needs. The unique criminogenic needs for sex offenders include:

- Significant Social Influences
- Capacity for Relationship Stability
- Emotional Identification with Children
- Hostility towards Women
- General Social Rejection/Loneliness
- Lack of Concern for Others
- Impulsive Acts
- Poor Cognitive Problem Solving
- Negative Emotionality/Hostility

Sexual Preoccupation

Use of Sexual Activity for Coping

Copyright © 2012 [WI Department of Corrections]

- Deviant Sexual Interests
- Cooperation with Supervision
- Victim Access

TREATMENT REFERRALS

If the offender has been ordered to treatment, the agent must ensure that a DOC-1163A is completed so the agent and treatment provider can exchange information related to supervision of the case.

If an offender has not been ordered to treatment, treatment may still be needed. Agents should make referrals to treatment providers or the Regional Psychologist to determine if treatment is necessary using the DOC-1336 for a treatment provider or the DOC-2601 for a Regional Psychologist.

Information revealed in treatment concerning the offender's prior conviction(s) cannot be used against them in criminal proceedings. Consistent with the Department's standards for sex offender treatment, offenders need not admit offenses or details of the offense as a condition of treatment. Failure to admit to the offense or provide a detailed description of the offense is insufficient for revocation.

980 OFFENDER SUPERVISION

The Wisconsin Sexually Violent Person Law became effective June 2, 1994. The law creates a process for the indefinite civil commitment, for treatment purposes, of persons previously convicted, adjudicated, or committed for certain sexually violent or sexually motivated offenses.

The law applies to adults and juveniles convicted of or committed under the applicable statutes, which coincide with the applicable statutes under Chapter 975 offenders (see 06.40). The commitment process requires the cooperation of the Department of Corrections (DOC), the Department of Health Services (DHS), the Department of Justice (DOJ), County District Attorneys (DA), and the Courts.

All 980 offenders on Supervised Release are under the care of Department of Health Services (DHS), but are supervised under a contract by DOC. In some cases, the individual may have supervision as a result of a different case, but 980 Supervised Release rules supersede traditional supervision procedure. Cases are supervised according to standards applied to other sex offenders. A special set of rules is required for Chapter 980 cases placed in the community on supervised release. The Supervised Release Rules (F-25615) take the place of the Probation and Parole Rules (DOC-10) in these cases. Offenders with concurrent criminal convictions are also required to comply with Probation and Parole Rules (DOC-10).

Case management of Chapter 980 cases requires joint planning between DCC and DHS. This is most important with regard to locating and funding appropriate residential placements and correctional programming/treatment. DOC Purchase of Goods and Services funds may not be used. Ongoing communication between the DCC agent and the DHS supervised release specialist is critical in maintaining a team approach to the management of these cases. Agents are not required to complete a case plan in COMPAS on these offenders, but should receive a copy of the treatment plan from DHS and tailor supervision according to the needs identified on that plan.

Strategies for the day-to-day supervision and control of Chapter 980 cases are similar to those recommended for convicted sex offenders.

Offenders being supervised under Chapter 980 may not travel out of state.

The case file is physically kept and maintained by the supervising DOC agent. However, any requests for records or information contained in the file can only be granted by the DHFS.

Copyright © 2012 [WI Department of Corrections]

SOCIAL HISTORY INFORMATION

The Probation Social Investigation (DOC-179) or Pre-Sentence Investigation (if available) is used to gather the social history, in conjunction with the COMPAS and other instruments. The information is supplemented or verified as necessary with parents, spouse, employer, schools, or other appropriate contacts.

The COMPAS assessment also contains a section that is related to the offender's social history, attitudes and beliefs. This section is intended to be the offender's self report. The agent may utilize motivational interviewing techniques to question the offender further about the responses, but the offender's final response should be entered into the COMPAS assessment. It is suggested that offices have pre-printed self report sections of the COMPAS Core that are ready to be handed to the offender. These sections can be found under "print pages" in "My Compas."

If the offender indicates on the DOC-179 that he/she is not a United States Citizen, the agent must ask for proof of legal status (e.g., "green" card, visa, etc). If credible evidence is found that the person is undocumented, either by his/her own admission or other means, the agent should send a request for verification of the offender's identity and immigration status to the Immigrations and Customs Enforcement (ICE) office in Milwaukee. This request should contain, if available, the offender's name, date of birth, social security number, NCIC number, state identification number, as well as the name and telephone number of the requesting agent.

DOCUMENTING SOCIAL HISTORY IN COMPAS

The preferred practice for data entry for education and employment history only is by OOA staff at initial contact, when the offender reports at intake, or when a report form is submitted reflecting changes. If the information is not immediately known, it may be entered and/or updated by OOA staff or the current case manager regardless of the offender's current division placement. Substance Abuse history is only to be documented by the agent.

Education History

The Education History section is to provide a comprehensive and individualized record of the offender's educational achievements to be used in the development of the case plan. Education information may be entered at any time during an individual's lifecycle. Any reported or verified information regarding an individual's education should be entered into the appropriate data field as part of the intake process. Any subsequent information, such as certificates, diplomas, degrees earned during an individual's period of supervision, should be entered by the case manager or OOA staff as they are achieved. The case manager should also review this section at the time a Case Supervision Review is completed to insure accuracy of the information.

Employment History

The Employment History section will be utilized to document an offender's employment history and known skills in the community. Employment information shall be entered at any time during an individual's lifecycle. Any reported or verified information regarding an individual's employment shall be entered into the appropriate data field as part of the intake process. Any subsequent changes during an individual's period of supervision, shall be entered by the case manager or OOA staff as they occur. The case manager should also review this section at the time a Case Supervision Review is completed to insure accuracy of the information.

Substance Use History

The Substance Use History will be to document an offender's substance use. A goal of Substance Use History is to document the offender's current and/or historical use of alcohol and drugs. Substance Use information should be entered by the offender's case manager. If the information is not immediately known, it may be entered and/or updated by any subsequent case manager regardless of the offender's current division placement.

Copyright © 2012 [WI Department of Corrections]

Substance Use information may be entered at any time during an individual's lifecycle. Any reported/verified information regarding an individual's use of substances should be entered at their introduction to the COMPAS system as part of the intake process. Any subsequent information, such as emerging patterns of use, during an individual's period of supervision, should be entered by the case manager as events occur. The case manager should also review this section at the time an SRT is completed to insure accuracy of the information.

Copyright © 2012 [WI Department of Corrections]

SUPERVISION FEES

.01 AUTHORITY

Wisconsin Administrative Code – 328.07
Wisconsin Statutes 304.074, 303
2015 WI Act 355

.02 GENERAL STATEMENT

Payment of supervision fees by offenders is an important condition of supervision. These fees increase the accountability of offenders for their supervision, and also provide funding support to the Division of Community Corrections' field supervision services. These supervision fees are to be paid in addition to any other court-ordered obligations. The supervision fees described in this section of the manual apply to all offenders on active supervision except those offenders who have been approved for an exemption from supervision fees. NGI or SVP offenders who have a concurrent probation, parole or extended supervision term are required to pay fees. Offenders with a life term owe supervision fees for the duration of their supervision.

2015 WI Act 355, effective July 1, 2016, requires that any active restitution account balances be paid in full prior to paying supervision fees. Offenders will be charged the supervision fee for each month or partial month that they are on supervision; however, DOC will not be able to collect the supervision fees until every active restitution order has been paid or a civil judgment has been entered.

.03 PAYMENT PRIORITY

Supervision fees along with court-ordered obligations are financial obligations that must be fulfilled by an offender on supervision. Supervision fees can be assessed but not collected for offenders who have active restitution cases. Supervision fees are owed for each month or partial month of supervision and are due on the 8th day of each month for the prior month fee.

The offender owes the full supervision fee for each month of supervision, including the month placed on supervision. If the offender pays the fees in this manner, the final payment will be made the month prior to termination from supervision.

.04 PAYMENT SCHEDULE

The payment schedule is based on the amount of money the offender and his/her spouse receive monthly including salary, interest or dividends, government subsidy such as Supplemental Security Income (SSI), social security benefits, retirement benefits, veterans benefits, unemployment benefits, or a trust fund. When both spouses are under supervision, the joint gross income will determine the payment for each offender. For purposes of establishing the gross income of an offender who is 17 years of age or younger, the agent will use the offender's gross income and spouse's gross income, not the parents' or guardian's gross income.

In addition to the sources of income listed on the Budget Worksheet (DOC-8B), SSI for the offender or the offender's spouse and alimony are to be considered as a source of income. The following are not to be considered as a source of income: Temporary Assistance to Needy Families (TANF); WIC; Food Stamps; SSI for a child recipient, and child support for the recipient of such support (e.g.. person who has custody of the child).

Copyright © 2012 [WI Department of Corrections]

UNIFIED CASE PLAN

At the point of Divisional intersections, DAI, DCC, and DJC case managers shall facilitate a seamless Unified Case Plan transition as the offender moves from one division to the other, or within an existing Division. Examples of transitions include, but are not limited to, release from DAI to DCC, revocation from DCC to DAI, and transfers from one P&P Agent/Social Worker to another.

When the offender is exiting an existing Division or transferring within the same Division, the sending case manager shall review all incomplete tasks/activities and select the Completion Code of Unsuccessful for any that were unsuccessful (failed) as a direct result of the offender's actions or lack thereof. All other incomplete tasks and activities shall be left open for potential continuation in the receiving location. The receiving case manager shall then review the existing incomplete tasks/activities for potential continuation. The receiving case manager also has the option to start new tasks/activities based on Division or site-specific programs or services. In the event that an incomplete task/activity is no longer applicable, the receiving case manager shall close the task/activity by selecting the Completion Code of Closed. Any time a task or activity is updated or closed, a task note shall be created, documenting the action. Note, during the transition the goal should generally remain the same, as it is primarily driven by the assessment and not Division-specific.

In the case of transition from DJC to an adult Division, the receiving Division's case manager shall create a new case (Lifecycle) and case plan because the juvenile case plan will be closed at the same time as the case (Lifecycle) is closed. The case manager shall review the previous juvenile case plan for continuity and to avoid redundancy when creating the new case plan based on an adult assessment.

Overview:

Goals and objectives are developed for supervision based on the initial intake assessment, COMPAS assessment results, additional assessment tools, and offender input. The case plan clearly defines for the offender, agent, and others, the desired outcome of supervision and how it will be achieved. Goals are to be focused on rehabilitation and based on identified criminogenic factors. They are to be positively stated behavioral outcomes that are specific, measurable, achievable, realistic, and time framed (SMART) goals. Risk reduction should be the primary purpose for the UCP; therefore, the case plan should not focus on conditions of supervision and contact standards unless they are directly related to an offender's criminogenic needs. It is not always possible or feasible to develop a case plan to encompass all of the risk and need areas that have been identified. In these instances, priorities must be established and progressive case planning implemented. Customized Needs may need to be entered for specialized needs that are not identified by COMPAS (i.e.. Sex Offender issues or Mental Health issues). Best practice indicates that triggers, incentives, and sanctions should be discussed and included under the goal or task of the driver.

In order for a case plan to be effective, it must:

- involve input from the agent, the offender, treatment and other service providers and if appropriate, the offender's family members;
- focus on the top two to three criminogenic needs identified by the COMPAS assessment and driver worksheet, so as not to overwhelm the offender;
- contain practical and concrete goals for the offender;
- include short term objectives, allowing the offender to build a sense of accomplishment and achievement;
- build on an offender's strengths; and

  address barriers to success.

  The case plan is the focal point of the offender's supervision. The case plan is created at the onset of the

offender's lifecycle and will follow the offender through the lifecycle in the community and the institution. The case planning process is intended to be fully interactive and transparent with the offender.

Procedure:

COMPAS will allow agents to choose from a drop down menu to identify the assessment on which the case plan is based. This drop down selection automatically becomes the name of the case plan and can be seen on the Person Summary screen.

The agent will complete the below listed steps in order to create an effective case plan. Once the case plan is initiated, the "Create Case Plan" task will automatically be removed.

Step 1: Engage the offender by encouraging involvement in the creation of the case plan, explaining the purpose, and helping the offender take ownership of the case plan. Case plans need to reflect offenders' individual characteristics to engage them as this leads to reduced recidivism and increased public safety.

Step 2: Target medium and high risk offenders. Low risk offenders need only minimal case planning whereas very high risk offenders require monitoring and surveillance. During the UCP development with the offender, no more than three Needs, with respective Goals, Tasks and Activities will be addressed at one time. Use the drop down options unless working under a customized need track for Sex Offender issues or Mental Health issues. The Customized Needs track should only be utilized if COMPAS does not identify a specific need such as Sex Offender or Mental Health issues.

Criminogenic Needs: Identifying the Driver

- Not all criminogenic needs are of equal contribution
- The "drivers" tend to be in the top four, or substance abuse
- The presence of some criminogenic needs are often derivatives of others
- Need to find the pattern of cause in each risk area

Sequence Selection Process of Criminogenic Needs

Determine which needs are criminogenic:

- Top Four Criminogenic Needs
  1. Anti-social cognition
  2. Anti-social companions
  3. Anti-social personality or temperament
  4. Family and/or marital
- Other Four
  1. Substance Abuse
  2. Employment
  3. School
  4. Leisure and/or recreation
- Is there any reason to think that substance abuse may be driving the others? If so, elevate and choose this need as the driver. Also consider the offender's input and your professional judgment.

Responsivity: Matching Offenders to Appropriate Interventions and Supervision Strategy

- Maximize the offender's ability to learn from an intervention by providing cognitive behavioral approaches and tailoring any intervention to the learning style, motivation, abilities, and strengths of the offender. This

Copyright © 2012 [WI Department of Corrections]

includes gender and other individual characteristics.

- Adjust the supervision approach and interventions accordingly.

Step 3: Review court ordered conditions and explain to offender that conditions and criminogenic needs will be addressed during their supervision, but the conditions may not be in the case plan.

Step 4: Assess the offender's motivation to address criminogenic needs. This can be accomplished by use of motivational interviewing techniques, URICA, thinking reports, Carey Guides/BITS, Thinking 4 Change, or other motivation enhancement strategies.

Step 5: Add strengths, goals and tasks

- Use strengths to help motivate and give offenders confidence that they can achieve success with their case plan goals.
- Ask the offender to list their strengths and add custom strengths such as education, employment, residential stability, family support, driver's license, high motivation level, etc.
- During the UCP development with offender, no more than three Needs, with respective Goals, Tasks and Activities will be identified at one time. Use the drop down options unless working under a customized need track for Sex Offender issues or Mental Health issues. The Customized Needs track should only be utilized if COMPAS does not identify a specific need such as Sex Offender issues or Mental Health issues. Refer to Handout on Customization under the Case Planning Tab in the COMPAS Participant Manual. Under the Tasks tab, the agent must choose applicable tasks that relate to the chosen goal. In addition to choosing the task, the agent must also document all start/end dates, completion information as applicable. Incentives, sanctions, triggers, etc. are optional. It is important to determine the criminogenic need that is the driver of the criminal behavior and include it in the case plan. In addition, best practice is that triggers, incentives and sanctions should be discussed and included under the goal or task of the driver. Also, if no strengths are determined by the assessment, discuss offender strengths and include as custom strengths.

- Add service provider, start and projected end dates in the task details of the task. In order to locate a provider, for example, enter DCC then R5, followed by the program code (i.e.. DCC R5 AODA) Utilize the Program Codes that are listed in Section VIII Program/Referrals. This will generate a list of choices. Click on the chosen provider. The Advanced Search function will allow you to search providers by county. If not listed, do not enter any provider information at this time. Notify the regional program and policy analyst so that the missing provider can be entered. Once added, go back in and select in order to add to UCP.
- Referrals are made to appropriate agencies to meet the criminogenic needs. For the service providers that have received training and have approved COMPAS access, once applicable releases are signed and the offender begins programming, the agent will notify the "Access Admin" staff member. This person will grant temporary access for that offender only to the service provider for the specified time period.
- Add hours per day and total days in the task details of the task. This is referred to as dosage and the higher the risk level the more dosage is needed. Time spent working on evidenced-based tools count as dosage (i.e. Thinking Reports, 15 minute tools, treatment participation). However, assessments and support groups do not count as dosage.
- Add end dates and completion codes. If the goal, task or activity is not completed, enter the end date the offender is no longer participating and enter the appropriate completion code.

Step 6: Identify and Add Triggers

- Ask the offender to list the people, places and things that tend to stimulate anti-social behavior or lead to destructive decision making (i.e.. What kinds of situations tend to trip you up? Who might you want to avoid to achieve greater things?).

Copyright © 2012 [WI Department of Corrections]

- Formulate a response plan with offenders to deal with triggers (i.e.. what might we do to overcome some of the barriers? How can you make success more likely?).

Step 7: Identify and Add Incentives

Incentives are one of the main links between people and change. Incentives should be used to encourage and reinforce pro-social behavior. Effective incentives must be individualized to the offender so as to be meaningful. The goal is for the offender to learn intrinsic responses through this process.

Types of Incentives

- Internal incentives (i.e.. maintain freedom, ability to attend college, maintain family relationships).
- External incentives (i.e.. extra time out, travel permit, extended curfew, fewer drug tests, reduced reporting).
- Positive Affirmations/Reinforcement
- Provide more affirmations than criticisms at a 4:1 ratio (i.e.. thanks for reporting, being on time, looking presentable, waiting patiently in the lobby, filling out the ORF, bringing in a payment, attending work, completing community service).
- Make sure the reward is individualized so as to be meaningful to the offender.
- "Stack" the rewards so that the offender receives consistent positive feedback in the first few months of supervision.
- Apply them frequently for optimal learning.
- Promise only incentives that can be administered and avoid those that cannot due to cost or policy.
- Use positive feedback more frequently in place of silence or negative feedback.
- Establish a positive rapport employing respect, effective listening, strength-based guidance, and authenticity to create a professional alliance that is inherent in its authority.
- Step 8: Identify and Add Sanctions
- Reserve the use of jail and revocation for serious, high risk offenders.
- Be creative, the sanction should impact the offender.
- Internal sanctions (i.e.. level of remorse, family disappointed).
- External sanctions (i.e.. jail, halfway house, EMP, Sobrietor).
- Step 9: Add Activities
- Identify the incremental steps needed to complete a task.
- Activities are ideally are short term and may frequently change (i.e.. Save $200 for the assessment by a certain date).
- Activity Notes will both appear on the printed copy of the case plan and automatically appear in the COMPAS Notes.
- Step 10: Print Out the Case Plan
- Once completed, the case plan is to be printed (use person version), reviewed with the offender, and then signed by the offender and agent. A signed, hard copy of the case plan (manager version) should be placed in the offender's file. The offender must be provided a copy and told to bring it to each visit with the agent.
- The case plan is reviewed at every visit with the offender. This emphasizes the importance of the plan as well as the responsibilities for progressing on the goals.
- As the case plan is updated when there is a change or addition to a goal or task, this process should be

Copyright © 2012 [WI Department of Corrections]

repeated.

Step 11: Discharge

The agent will enter end dates, completion codes of all goals, tasks, and activities then close out the case plan upon discharge.

Division of Juvenile Corrections (DJC) - Intake

Copyright © 2012 [WI Department of Corrections]

Intake Overview

1 Introduction to the Case Management System and Manual
2 Time-line and Staff Responsibilities
3 JCI Admission Procedures, Special Legal Commitments and Direct Commitments
4 Orientation, and Assessment and Evaluation

Copyright © 2012 [WI Department of Corrections]

Case Management Forms - Alphabetical

Key **J** = Form must be completed in JJIS
D = Available in MyDOC for pinting and/or for completing via computer
M = CM Manual Only
C = COMPAS
R = Result/action recorded in JJIS
A = Available in MyDOC for review only; information must be entered in JJIS
I = Internet

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-2152	ACRC Hearing Decision and Review of Placement in Administrative Confinement	3/02	D	24
DOC-2149	Administrator's Decision on Appeal by Youth in Observation Status	3/02	D	24
N/A	Admission Assessment Dialog	JJIS	J	4
DOC-2127	Adolescent Diagnostic Interview-Light (ADI-L)	10/01	D, R	4
DOC-2109	Aftercare Administrative Detention	7/13	J	17
N/A	Aftercare Revocation Checklist		M	17
DOC-2125	Aftercare Revocation Report	JJIS Screen	J	17
DOC-2180	Agent Statement and Supervisor Decision on Youth Complaint	10/02	D	23
DOC-2180S	Agent Statement and Supervisor Decision on Youth Complaint – Spanish	10/02	D	23
DOC-1752	Appeal Review and Decision	6/09	D	5
DOC-2054	Appeal to Administrator and Decision	10/02	D	23
DOC-2054S	Appeal to Administrator and Decision - Spanish	10/02	D	23
DOC-58A	Apprehension Cancellation	2/02	D, R	13, 17
DOC-0058J	Apprehension Request - Juvenile	3/14	D, R	2, 13, 17
DOC-1933	Assessment and Evaluation Report (AER)	JJIS Screen	J	2, 4, 7
DOC-1163	Authorization For Disclosure of Non-Health Confidential Information	3/15	D	9, 10
DOC-1163A	Authorization For Use and Disclosure of Protected Health Information (PHI)	2/12	D	3, 9, 10
DOC-1916	Cancellation of Order to Detain	7/01	D, R	9, 17
DOC-1946	Chapter 980 Internal Report	9/07	D	2, 4, 22
DOC-1736	Community Supervision Plan	JJIS Screen	J	2, 5, 6
DOC-1741	Community Supervision Rules and Conditions	2/14	C	2, 8, 10, 13, 16
DOC-1741S	Community Supervision Rules and Conditions – Spanish	2/14	D	2, 8, 10, 13, 16
DOC-2179	Complaint by Youth on Community Supervision	11/02	D	23
DOC-2179S	Complaint by Youth on Community Supervision – Spanish	11/02	D	23
DOC-2052	Complaint Mediator's Report	10/02	D	23
DOC-2052S	Complaint Mediator's Report – Spanish	10/02	D	23

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-2108	Confidentiality of Alcohol and Drug Abuse Information	6/04	D	7
DOC-2128	Contact Standards Amendment	7/01	D	10, 13, 16, 28
DOC-2555	Contractor Confidentiality Agreement	8/10	D	27
DOC-1707	Court Petition	9/02	D	2, 9
DOC-1935	Current Status Report	JJIS Screen	J	2, 3
DOC-1770	Daily Self-Harm Assessment	4/15	I	24
CFS-2197	DCFS Scholarship Application for Youth in Out-of-Home Care (available on WI DCF website)	5/06	I	7
DOC-1722	Department Order – Administrative Discharge	11/11	D	18
DOC-1722A	Department Order - OJOR	JJIS Screen	J	2, 5, 6, 7, 8, 9, 11
DOC-1700	Department Order - Revocation	JJIS Screen	J	7, 17
DOC-1722B	Department Order –Termination Type 2 Supervision	JJIS Screen	J	15
DOC-1614	Detention Notice and Appeal	11/14	A	17
DOC-0184B	Disbursement Request	11/00	D	2, 21
JD-1745	Dispositional Order (Completed by the Court)	5/14	M	3
DOC-2659	DJC Re-Entry Checklist	5/14	D	10
POC-0068	DJC Youth Institution Handbook	10/11	D	4
POC-0068S	DJC Youth Institution Handbook – Spanish	10/11	D	4
DOC-1936	Education Evaluation Report (EER)	JJIS Screen	J	2, 4, 7
DOC-1938	Educational Report to JPRC	JJIS Screen	J	2, 6, 7
DOC-1937	Educational Report to JPRC (HSED)	JJIS Screen	J	2, 6, 7
DOC-2196	Emergency Medical Authorization for a Minor	5/14	D	3
DOC-2196S	Emergency Medical Authorization for a Minor – Spanish	6/14	D	3
DOC-2739	Exit Evaluation – Parent/Guardian	4/15	D	18
DOC-2740	Exit Evaluation – Youth	4/15	D	18
DOC-1701	Face Sheet	JJIS Screen	J	2, 3, 11, 13
DOC-0003A	Face Sheet - Intake and Investigation (For Sex Offender Registration with Law Enforcement)	8/08	D	22
DOC-1939	Family and Home Assessment (FHA)	JJIS Screen	J	4, 7
DOC-1979	Field Case Management Checklist and Audit	1/13	D	28
DOC-9001A	Form IA-VI Interstate Compact for Juveniles	1/11	D	19

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-9002	Form II Interstate Compact for Juveniles	1/11	D	19
DOC-9003	Form III Interstate Compact for Juveniles	1/11	D	19
DOC-9004	Form IV Interstate Compact for Juveniles	1/11	D	19
DOC-9005	Form V Interstate Compact for Juveniles	1/11	D	19
DOC-0203	Forms Requisition	3/03	D	1
DOC-1947	Furlough Request	4/01	D	8
DOC-2342	Guidelines for Release of Confidential Information	6/06	D	22
DOC-3387	Health Screening – DJC	11/99	D	2, 4, 8, 15
DOC-2664	Home Language Interview – Parent/Guardian	3/13	D	2, 4, 7
DOC-2664A	Home Language Interview – Youth	3/13	D	2, 4, 7
DOC-9007	Home Study Investigation Report	1/11	D	19
DOC-1940	Human Biological Specimen (DNA)	4/10	D, R	2, 22
DOC-1907	Individual Case Plan (ICP)	COMPAS	C	2, 6
DOC-1734	Information Transmittal and/or Request for Action (ANR)	JJIS Screen	J	2, 5, 11
DOC-2098	Initial Placement in Observation Status and Notice of Rights and Appeal	3/02	D	24
DOC-1981	Institution Case Management Checklist/Audit	1/13	D	28
DOC-1982	Institution Case Management System Audit	1/13	D	28
DOC-2145	Intake Screening – JCI	1/12	D	2, X, X,
DOC-1980	Inter-Institution Transfer Summary	11/05	A, J	8, 10
DOC-9008	Interstate Compact for Juveniles Progress Report	4/14	D	19
DOC-2539	Joint Planning and Review Committee Outcome	4/10	D	2, 5
DOC-1795	Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver	JJIS Screen	J	17
DOC-1749	Juvenile Correctional Institution Exit Evaluation (Youth Completes)	12/11	D	18
DOC-2060	Juvenile Offgrounds Request	12/04	D	8
DOC-1788	Juvenile Release Authorization	8/14	D	8, 10, 11, 12
DOC-2313	Lifework Education Portfolio Checklist	12/07	D	2, 10
DOC-1860	Media Agreement – Youth Interview	4/10	D	27
DOC-1862	Media Agreement /Release by Parent or Guardian of a Youth	4/10	D	27
DOC-1861	Media Agreement/Release by Youth	4/10	D	27

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-1787	Medical Assistance Certification and Cancellation Worksheet	7/96	R	10
DOC-1743	MJTC – Outgoing Transfer Summary	7/96	D	
DOC-2101	Notice of ACRC Hearing	3/02	D	24
DOC-1630	Notice of Discharge of Youth from Secured Correctional Facility	JJIS Screen	J	2, 12
DOC-1626	Notice of Release of Youth from Community Supervision	JJIS Screen	J	2, 12
DOC-1627	Notice of Release/Transfer of Youth to Community Supervision	JJIS Screen	J	2, 12
DOC-2183	Notice of Permanency Plan Review	7/13	D	10
DOC-2099	Notice of Review for Continued Observation	3/02	D	24
DOC-2153	Notice of Review Hearing Decision to Continue Placement in Observation and Youth's Appeal	3/02	D	24
DOC-1915	Order to Detain	7/01	D, R	2, 9, 17
N/A	Order To Produce & Return (Milwaukee County)	N/A	M	8, 9
DOC-9009	Out-of-State Travel Permit and Agreement to Return (ICJ)	4/14	D	19
DOC-2177	Parent/Guardian Consent For Youth To Participate in Religious Program	11/02	D	10
DOC-2177S	Parent/Guardian Consent For Youth To Participate in Religious Program – Spanish	11/02	D	10
DOC-1797	Permanency Plan	7/13	D	10, 13, 16
DOC-2184	Permanency Plan Review Summary	7/13	D	10
DOC-2640	Petition for Extension of Dispositional Order	5/12	D	9
DOC-2272	Physician Consultation: PRIDE Referrals	3/14	D	3
DOC-2589	Plan for Healthy Living	4/11	M	7, 10
DOC-1941	Progress Summary	COMPAS	C	6, 7, 19
DOC-2273	Psychiatrist Consultation: PRIDE Referrals	3/14	D	3
DOC-0044A	Recommendation for Administrative Action Worksheet	1/12	D	2, 8, 17
DOC-1857	Referral Report - JJIS	7/01	A, J	2, 7, 10
DOC-2368	Referral to DJC Employment or Independent Living Programs	2/08	D	7, 18
N/A	Release Assessment Dialog	JJIS	J	18
DOC-1723	Request for Extension	JJIS Screen	J	2, 7, 9
DOC-2656	Request for Extension of Administrative Detention	11/13	D	15
N/A	Restitution Worksheet – Milwaukee County form (Sample Purpose Only)	N/A	M	21
DOC-2148	Review of Placement in Observation Status	3/02	D	24

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-1794	Revocation Hearing Request	7/01	A, J	2, 17
DOC-2061	Sanction Decisions for County Supervised Youth	4/01	A, J	15
DOC-2475	Sanction Entrance Report	2/09	M	15
DOC-2476	Sanction Exit Report	2/09	M	15
DOC-2097	Self-Harm Assessment	4/15	D	2, 24
DOC-1796	Sex Offender Registration Annual/90 day Registration Update Letter	9/03	D	2, 22
DOC-1759S	Sex Offender Registration Form (Spanish) [sample form available on MyDOC] (Carbon Copy Form)	5/11	ORDER	2, 22
DOC-1759 DOC-1759A	Sex Offender Registration Form and includes Part 2 (DOC-1759A) [sample form available on MyDOC] (Carbon Copy Form)	5/11	ORDER	2, 22
DOC-1305 DOC-1305A	Statement Statement Continued – second page [electronic or hand written forms]	10/15	D	15, 17
DOC-1304	Subpoena	5/10	D	17
DOC-2053	Superintendent Decision on Youth Complaint	10/02	D	23
DOC-2053S	Superintendent Decision on Youth Complaint – Spanish	10/02	D	23
N/A	Temporary Physical Custody Order		M	9
DOC-1945	Termination of Type 2 Community Supervision Report	JJIS Screen	J	7, 15
DOC-1942	Termination of Type 2 Community Supervision Report Face Sheet	10/14	A, J	15
DOC-2069	Treatment Notice for Youth Covered by Chapter 980 Sexually Violent Persons Act	7/12	D	22
DOC-1718	Trial Visit and Pre-Placement Agreement	4/01	D	2, 8
DOC-1720	Trial Visit to Parental Home Agreement	7/14	D	2, 8
DOC-0349F	Type 2 RCC Agreement	11/15	D	14
DOC-1911	Type 2 Sanction/Administrative Detention	JJIS Screen	J	15
DOC-1912	Type 2 Violation Report	JJIS Screen	J	15
N/A	Victim Statement – Distributed by OJOR – CO		M	11
DOC-1717 DOC-1717A	Victim/Witness Notification Program – sample [with DJC return address] Victim/Witness Notification Program – sample [no return address] (Carbon Copy Form) (Completed by Victim)	5/07	M, R	2, 11
DOC-1686	Visiting Request	3/13	D	10
DOC-2554	Visitor Confidentiality Agreement	11/10	D	27
DOC-1675	Voluntary Confinement Questionnaire and Agreement	3/02	D	24

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
F-5280	Wisconsin Death Certificate Application (DHS)	**3/12**	**I**	**18**
DOC-2129a	Youth Activity Request – DJC	**12/14**	**D**	**13**
DOC-2100	Youth Appeal of Administrative Confinement	**3/02**	**D**	**24**
DOC-2100S	Youth Appeal of Administrative Confinement – Spanish	**3/02**	**D**	**24**
DOC-2181	Youth Appeal to Regional Chief and Decision	**11/02**	**D**	**23**
DOC-2181S	Youth Appeal to Regional Chief and Decision - Spanish	**11/02**	**D**	**23**
DOC-2051	Youth Complaint: Institution	**10/02**	**D**	**23**
DOC-2051S	Youth Complaint: Institution – Spanish	**10/02**	**D**	**23**
DOC-2176	Youth Consent To Participate in Religious Program	**11/02**	**D**	**10**
DOC-2572	Youth Job Service Registration	**10/10**	**D**	**7**
DOC-1943	Youth Report	**9/07**	**D**	**2, 6, 22**
DOC-1841	Youth Restitution and Debt Collection – Field (In institution, business office tracks via JJIS – automatic Trust Account)	**3/02**	**D**	**2, 17, 21**
DOC-2312	Youth's Release Action Plan	**5/14**	**D**	**2, 10**

Copyright © 2012 [WI Department of Corrections]

Case Management Forms - Numerical List

Key **J** = Form must be completed in JJIS
D = Available in MyDOC for pinting and/or for completing via computer
M = CM Manual Only
C = COMPAS
R = Result/action recorded in JJIS
A = Available in MyDOC for review only; information must be entered in JJIS
I = Internet

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
N/A	Admission Assessment Dialog	JJIS	J	4
N/A	Aftercare Revocation Checklist		M	17
N/A	Order To Produce & Return (Milwaukee County)	N/A	M	8, 9
N/A	Release Assessment Dialog	JJIS	J	18
N/A	Restitution Worksheet – Milwaukee County form (Sample Purpose Only)	N/A	M	21
N/A	Temporary Physical Custody Order		M	9
N/A	Victim Statement – Distributed by OJOR – CO		M	11
CFS-2197	DCFS Scholarship Application for Youth in Out-of-Home Care (available on WI DCF website)	5/06	I	7
DOC-0003A	Face Sheet - Intake and Investigation	10/14	D	22
DOC-0044A	Recommendation for Administrative Action Worksheet	1/12	D	2, 8, 17
DOC-0058J	Apprehension Request - Juvenile	3/14	D, R	2, 13, 17
DOC-58A	Apprehension Cancellation	2/02	D, R	13, 17
DOC-0184B	Disbursement Request	11/00	D	2, 21
DOC-0203	Forms Requisition	6/14	D	1
DOC-0349F	Type 2 RCC Agreement	11/15	D	14
DOC-1163	Authorization For Disclosure of Non-Health Confidential Information	3/15	D	9, 10
DOC-1163A	Authorization For Use and Disclosure of Protected Health Information (PHI)	2/12	D	3, 9, 10
DOC-1304	Subpoena	5/10	D	17
DOC-1305 DOC-1305A	Statement Statement Continued – second page [electronic or hand written forms]	10/15	D	15, 17
DOC-1614	Detention Notice and Appeal	11/14	A	17
DOC-1626	Notice of Release of Youth from Community Supervision	JJIS Screen	J	2, 12
DOC-1627	Notice of Release/Transfer of Youth to Community Supervision	JJIS Screen	J	2, 12
DOC-1630	Notice of Discharge of Youth from Secured Correctional Facility	JJIS Screen	J	2, 12
DOC-1675	Voluntary Confinement Questionnaire and Agreement	3/02	D	24
DOC-1686	Visiting Request	3/13	D	10
DOC-1700	Department Order - Revocation	JJIS Screen	J	7, 17

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-1701	Face Sheet	JJIS Screen	J	2, 3, 11, 13
DOC-1707	Court Petition	9/02	D	2, 9
DOC-1717 DOC-1717A	Victim/Witness Notification Program – sample [with DJC return address] Victim/Witness Notification Program – sample [no return address] (Carbon Copy Form) (Completed by Victim)	5/07	M, R	2, 11
DOC-1718	Trial Visit and Pre-Placement Agreement	4/01	D	2, 8
DOC-1720	Trial Visit to Parental Home Agreement	7/14	D	2, 8
DOC-1722	Department Order – Administrative Discharge	11/11	D	18
DOC-1722A	Department Order - OJOR	JJIS Screen	J	2, 5, 6, 7, 8, 9, 11
DOC-1722B	Department Order –Termination Type 2 Supervision	JJIS Screen	J	15
DOC-1723	Request for Extension	JJIS Screen	J	2, 7, 9
DOC-1734	Information Transmittal and/or Request for Action (ANR)	JJIS Screen	J	2, 5, 11
DOC-1736	Community Supervision Plan	JJIS Screen	J	2, 5, 6
DOC-1741	Community Supervision Rules and Conditions	2/14	C	2, 8, 10, 13, 16
DOC-1741S	Community Supervision Rules and Conditions – Spanish	2/14	D	2, 8, 10, 13, 16
DOC-1743	MJTC – Outgoing Transfer Summary	7/96	D	
DOC-1749	Juvenile Correctional Institution Exit Evaluation (Youth Completes)	12/11	D	18
DOC-1752	Appeal Review and Decision	6/09	D	5
DOC-1759 DOC-1759A	Sex Offender Registration Form and includes Part 2 (DOC-1759A) [sample form available on MyDOC] (Carbon Copy Form)	5/11	ORDER	2, 22
DOC-1759S	Sex Offender Registration Form (Spanish) [sample form available on MyDOC] (Carbon Copy Form)	5/11	ORDER	2, 22
DOC-1770	Daily Self-Harm Assessment	4/15	I	24
DOC-1787	Medical Assistance Certification and Cancellation Worksheet	7/96	R	10
DOC-1788	Juvenile Release Authorization	8/14	D	8, 10, 11, 12
DOC-1794	Revocation Hearing Request	7/01	A, J	2, 17
DOC-1795	Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver	JJIS Screen	J	17
DOC-1796	Sex Offender Registration Annual/90 day Registration Update	9/03	D	2, 22
DOC-1797	Permanency Plan	7/13	D	10, 13, 16
DOC-1841	Youth Restitution and Debt Collection – Field (In institution, business office tracks via JJIS – automatic Trust Account)	3/02	D	2, 17, 21
DOC-1857	Referral Report - JJIS	7/01	A, J	2, 7, 10

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-1860	Media Agreement – Youth Interview	4/10	D	27
DOC-1861	Media Agreement/Release by Youth	4/10	D	27
DOC-1862	Media Agreement/Release by Parent or Guardian of a Youth	4/10	D	27
DOC-1907	Individual Case Plan (ICP)	COMPAS	C	2, 6
DOC-1911	Type 2 Sanction/Administrative Detention	JJIS Screen	J	15
DOC-1912	Type 2 Violation Report	JJIS Screen	J	15
DOC-1915	Order to Detain	7/01	D, R	2, 9, 17
DOC-1916	Cancellation of Order to Detain	7/01	D, R	9, 17
DOC-1933	Assessment and Evaluation Report (AER)	JJIS Screen	J	2, 4, 7
DOC-1935	Current Status Report	JJIS Screen	J	2, 3
DOC-1936	Education Evaluation Report (EER)	JJIS Screen	J	2, 4, 7
DOC-1937	Educational Report to JPRC (HSED)	JJIS Screen	J	2, 6, 7
DOC-1938	Educational Report to JPRC	JJIS Screen	J	2, 6, 7
DOC-1939	Family and Home Assessment (FHA)	JJIS Screen	J	4, 7
DOC-1940	Human Biological Specimen (DNA)	4/10	D, R	2, 22
DOC-1941	Progress Summary	COMPAS	C	6, 7, 19
DOC-1942	Termination of Type 2 Community Supervision Report Face Sheet	10/14	A, J	15
DOC-1943	Youth Report	9/07	D	2, 6, 22
DOC-1945	Termination of Type 2 Community Supervision Report	JJIS Screen	J	7, 15
DOC-1946	Chapter 980 Internal Report	9/07	D	2, 4, 22
DOC-1947	Furlough Request	4/01	D	8
DOC-1979	Field Case Management Checklist and Audit	4/14	D	28
DOC-1980	Inter-Institution Transfer Summary	11/05	A, J	8, 10
DOC-1981	Institution Case Management Checklist/Audit	1/13	D	28
DOC-1982	Institution Case Management System Audit	1/13	D	28
DOC-2051	Youth Complaint: Institution	10/02	D	23
DOC-2051S	Youth Complaint: Institution - Spanish	10/02	D	23
DOC-2052	Complaint Mediator's Report	10/02	D	23
DOC-2052S	Complaint Mediator's Report - Spanish	10/02	D	23

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-2053	Superintendent Decision on Youth Complaint	10/02	D	23
DOC-2053S	Superintendent Decision on Youth Complaint – Spanish	10/02	D	23
DOC-2054	Appeal to Administrator and Decision	10/02	D	23
DOC-2054S	Appeal to Administrator and Decision – Spanish	10/02	D	23
DOC-2060	Juvenile Offgrounds Request	12/04	D	8
DOC-2061	Sanction Decisions for County Supervised Youth	4/01	A, J	15
DOC-2069	Treatment Notice for Youth Covered by Chapter 980 Sexually Violent Persons Act	7/12	D	22
DOC-2097	Self-Harm Assessment	4/15	D	2, 24
DOC-2098	Initial Placement in Observation Status and Notice of Rights and Appeal	3/02	D	24
DOC-2099	Notice of Review for Continued Observation	3/02	D	24
DOC-2100	Youth Appeal of Administrative Confinement	3/02	D	24
DOC-2100S	Youth Appeal of Administrative Confinement - Spanish	3/02	D	24
DOC-2101	Notice of ACRC Hearing	3/02	D	24
DOC-2108	Confidentiality of Alcohol and Drug Abuse Information	6/04	D	7
DOC-2109	Aftercare Administrative Detention	7/13	J	17
DOC-2125	Aftercare Revocation Report	JJIS Screen	J	17
DOC-2127	Adolescent Diagnostic Interview-Light (ADI-L)	10/01	D, R	4
DOC-2128	Contact Standards Amendment	7/01	D	10, 13, 16, 28
DOC-2129a	Youth Activity Request – DJC	12/14	D	13
DOC-2145	Intake Screening – JCI	1/12	D	2, X, X,
DOC-2148	Review of Placement in Observation Status	3/02	D	24
DOC-2149	Administrator's Decision on Appeal by Youth in Observation Status	3/02	D	24
DOC-2152	ACRC Hearing Decision and Review of Placement in Administrative Confinement	3/02	D	24
DOC-2153	Notice of Review Hearing Decision to Continue Placement in Observation and Youth's Appeal	3/02	D	24
DOC-2176	Youth Consent To Participate in Religious Program	11/02	D	10
DOC-2177	Parent/Guardian Consent For Youth To Participate in Religious Program	11/02	D	10
DOC-2177S	Parent/Guardian Consent For Youth To Participate in Religious Program - Spanish	11/02	D	10
DOC-2179	Complaint by Youth on Community Supervision	11/02	D	23
DOC-2179S	Complaint by Youth on Community Supervision - Spanish	11/02	D	23

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-2180	Agent Statement and Supervisor Decision on Youth Complaint	10/02	D	23
DOC-2180S	Agent Statement and Supervisor Decision on Youth Complaint – Spanish	10/02	D	23
DOC-2181	Youth Appeal to Regional Chief and Decision	11/02	D	23
DOC-2181S	Youth Appeal to Regional Chief and Decision – Spanish	11/02	D	23
DOC-2183	Notice of Permanency Plan Review	7/13	D	10
DOC-2184	Permanency Plan Review Summary	7/13	D	10
DOC-2196	Emergency Medical Authorization for a Minor	5/14	D	3
DOC-2196S	Emergency Medical Authorization for a Minor - Spanish	6/14	D	3
DOC-2272	Physician Consultation: PRIDE Referrals	3/14	D	3
DOC-2273	Psychiatrist Consultation: PRIDE Referrals	3/14	D	3
DOC-2312	Youth's Release Action Plan	5/14	D	2, 10
DOC-2313	Lifework Education Portfolio Checklist	12/07	D	2, 10
DOC-2342	Guidelines for Release of Confidential Information	6/06	D	22
DOC-2368	Referral to DJC Employment or Independent Living Programs	2/08	D	7, 18
DOC-2475	Sanction Entrance Report	2/09	D	15
DOC-2476	Sanction Exit Report	2/09	D	15
DOC-2539	Joint Planning and Review Committee Outcome	4/10	D	2, 5
DOC-2554	Visitor Confidentiality Agreement	11/10	D	27
DOC-2555	Contractor Confidentiality Agreement	8/10	D	27
DOC-2572	Youth Job Service Registration	10/10	D	7
DOC-2589	Plan for Healthy Living	4/11	M	7, 10
DOC-2640	Petition for Extension of Dispositional Order	5/12	D	9
DOC-2656	Request for Extension of Administrative Detention	11/13	D	15
DOC-2659	DJC Re-Entry Checklist	5/14	D	10
DOC-2664	Home Language Interview – Parent/Guardian	3/13	D	2, 4, 7
DOC-2664A	Home Language Interview – Youth	3/13	D	2, 4, 7
DOC-2739	Exit Evaluation – Parent/Guardian	4/15	D	18
DOC-2740	Exit Evaluation – Youth	4/15	D	18
DOC-3387	Health Screening – DJC	11/99	D	2, 4, 8, 15

Copyright © 2012 [WI Department of Corrections]

FORM #	FORM NAME	DATE OF CURRENT REVISION	AVAILABILITY & COMPLETION CODE(S)	DISCUSSED IN CHAPTER(S)
DOC-9001A	Form IA-VI Interstate Compact for Juveniles	4/15	D	19
DOC-9002	Form II Interstate Compact for Juveniles	4/14	D	19
DOC-9003	Form III Interstate Compact for Juveniles	1/11	D	19
DOC-9004	Form IV Interstate Compact for Juveniles	3/12	D	19
DOC-9005	Form V Interstate Compact for Juveniles	1/11	D	19
DOC-9007	Home Study Investigation Report	1/11	D	19
DOC-9008	Interstate Compact for Juveniles Progress Report	4/14	D	19
DOC-9009	Out-of-State Travel Permit and Agreement to Return (ICJ)	4/14	D	19
F-5280	Wisconsin Death Certificate Application (DHS)	3/12	I	18
JD-1745	Dispositional Order (Completed by the Court)	5/14	M	3
POC-0068	DJC Youth Institution Handbook	10/11	D	4
POC-0068S	DJC Youth Institution Handbook - Spanish	10/11	D	4

Copyright © 2012 [WI Department of Corrections]

1 Introduction to the Case Management System and Manual

Overview of Chapter Contents

Primary Topics Covered in this Chapter (Read Across)

• Principles of Case Management System	• Vision & Mission; Guiding Principles & Goals
• Responsibilities of Staff	• Legal Basis of the Case Management System
• Additional Written Resources	• Using the Case Management Manual
• Case Management Flowcharts	• Staff Training on Case Management
• Forms in MyDOC and JJIS	• Revision of Manual
• How to Complete Forms in MyDOC	

Forms/Documents Discussed & Included in this Chapter

- Instructions for Accessing and Completing DOC Forms in MyDOC

Principles of the Case Management System

Solving the Puzzle

Pieces

The Division of Juvenile Corrections (DJC) faces the **challenge of putting together all the pieces of a multidimensional puzzle**. The "pieces" may include: youth, his or her family, peers, former/future teachers, former/future service providers, employers, neighbors and victim, as well as the county department of human services/social services, committing court, victim coordinator, district attorney, public defender, Sex Offender Registry Program (SORP) and the Division of Community Corrections (DCC).

The DJC **population is diverse** with youth coming from urban and rural areas as well as different ethnic and economic backgrounds. Some have a long history of involvement with the juvenile justice system with many past interventions having been less than successful.

Putting the Pieces Together

When all the **pieces are put together properly**, the **youth accepts responsibility** for his or her actions, possesses **skills needed to successfully re-integrate** into the community, and presents a **decreased risk to public safety**.

The Case Management Manual (CMM) describes the policies and procedures that implement the case management system for the Division of Juvenile Corrections (DJC) in the Department of Corrections (DOC) for the State of Wisconsin. The **system is the tool used to put the puzzle together**. It provides a common framework under which DJC and the other players involved in the lives of the youth can work to accomplish correctional goals and assist the youth to achieve personal objectives.

Case management incorporates the **principles of widely accepted juvenile correctional practice**, reflects **current law** as well **as the DJC Mission and Vision Statements, principles, and goals**. The DJC case management system ensures that a youth's needs and strengths are carefully evaluated.

Goals of Case Management

- To provide the degree of care and control of each youth required for the protection of the public.
- To identify the specific, objective short-term and long-term program needs for each youth and to outline a case plan that will assist in meeting the program needs.
- To provide a safe, humane and caring environment.
- To provide opportunities for youth to learn skills that will assist them in avoiding a return to criminal behavior.
- To assist youth in their reintegration to the community.

DJC Vision and Mission Statements, Guiding Principles and Goals

Mission Statement

The mission of the Division of Juvenile Corrections is to promote a juvenile justice system that balances protection of the community, youth accountability and competency building for responsible and productive community living.

Vision Statement

The Division of Juvenile Corrections will reduce delinquent behavior and restore a sense of safety to victims in the community.

To achieve this vision we will build on our Mission Statement in the following ways:

- Share ownership for justice through partnerships with the juvenile justice system and the community.
- Learn from the community and promote opportunities for the community to learn from us.
- Hold youth accountable by requiring them to contribute to the recovery of victims and the community.
- Work with the community to assist youth in becoming productive members in the community.
- Create a sense of community and mutual responsibility in the workplace.

Guiding Principles

The guiding principles of the Division of Juvenile Corrections are:

- Promoting prevention and early intervention efforts at the community level.
- Providing individualized and culturally responsive programming.
- Implementing the concepts of restorative justice in DJC programs.
- Affirming that staff are key to successful program operation and positive treatment outcomes.
- Treating a diverse workforce as valued partners by fostering staff development and effectiveness.
- Striving to assure that staff and youth are safe and free from victimization.
- Promoting wellness for staff and youth.
- Conducting program evaluation to identify and support high quality and cost effective programs.
- Providing and managing resources to promote successful community reintegration.
- Working in partnership with families, counties and other community agencies to build positive youth competencies.
- Developing and implementing individualized case plans based on the uniqueness of each youth.

Goals

The goals of the Division of Juvenile Corrections include:

- Promote community safety through effective, humane custody and supervision of youth.
- Promote positive lifestyle changes and law-abiding behaviors through youth participation in treatment programs, education and job skill development.
- Develop meaningful evaluation and accountability processes for effective management of resources.
- Assist in the recovery of victims of crime.
- Build, maintain and empower a diverse, competent and professional workforce.
- Research, develop and utilize technological innovations to ensure effective and efficient decision making by DJC.
- Build partnerships with counties, law enforcement, schools, public and private community based agencies, courts and elected officials.
- Provide leadership in DOC and the juvenile justice community.

Responsibilities of DJC Staff

Copyright © 2012 [WI Department of Corrections]

The administrative rules dictate that staff make reasonable efforts to ensure that a youth under DJC supervision is treated in the following ways [section DOC 393.04 and s. DOC 396.09, WI. Adm. Code]:

- Free from discrimination based on race, national origin, color, creed, sex, age, sexual orientation, marital status, political affiliation, handicap, ethnicity, religion or ancestry
- Protected from abuse and neglect
- Placed in parental home when consistent with correctional programming and the protection of the public
- Provided with accessible and usable services, and reasonable accommodations/services required to benefit from correctional programming
- Involved in planning of her or his ongoing correctional program
- Has access to department, county department and community programs/services consistent with protection of the public and the youth's needs
- Has educational, vocational, drug/alcohol abuse, health, mental health and other programming needs met Has access to the courts and legal counsel
- Provided with the opportunity to visit with family and communicate orally or by mail with an attorney or persons approved by staff within department guidelines.
- Has opportunity to participate in authorized recreational and religious activities

Note: Chapter DOC 371, Youth Assessment & Case Management, and ch. DOC 379, Living Conditions in Type 1 Facilities, WI Adm. Code, do not include a specific listing of staff responsibilities. However, various sections of those chapters include the substance of the lists included in chapters DOC 393 & 396.

Legal Basis of the Case Management System

Statutory Basis of Case Management

Chapter 938 of the Wisconsin Statutes provides the legal basis for the DJC case management system. The Wisconsin Legislature outlines the objectives of the juvenile justice system in the Juvenile Justice Code in s. 938.01 (2), Stats.:

> **"…to promote a juvenile justice system capable of dealing with the problem of juvenile delinquency, a system which will protect the community, impose accountability for violations of law and equip juvenile offenders with competencies to live responsibly and productively."**

Wisconsin Statutes

The Wisconsin Legislature, consisting of the Senate and the Assembly, considers bills submitted by state senators and representatives. When a bill passes both the Senate and the Assembly and is signed by the Governor, the bill becomes a law contained in the Wisconsin Statutes. Statutes are published every two years beginning with the odd year (e.g., 2003-2004).

JCIs and field offices should have at least one set of the most current five volume soft-cover statutes. Older versions of statutes may be incomplete or inaccurate because the Legislature rescinds, revises and enacts statutes whenever it is in session. Therefore, it is best practice not to consult outdated statutes. The 5th volume contains an index that assists readers to locate topics in which they are interested. The most current (although unofficial) version of the statutes is available through the Legislature's web site at http://www.docs.legis.wisconsin.gov/statutes/prefaces/toc.

Reading Statutes

Statutes are **divided into chapters with each covering a specific topic**. Examples include Juvenile Justice Code, ch. 938, Stats.; Crimes Against Children, ch. 948, Stats.; and Children's Code, ch. 48, Stats. A chapter contains many levels of detail. A verbal or written reference to a particular provision in a statute is called a **citation**. It may be helpful to think of the parts of citation as steps going down with each step being a subpart of

Copyright © 2012 [WI Department of Corrections]

the one preceding it. See the table below that explains the parts of the citation to s. 943.20 (3)(d)3., Stats. Example of Citation to a Statute

Chapter = ch. 943
Section = s. 20
Subsection = sub. (3)
Paragraph = par. (d)
Subdivision = subd. 3.
The statute citation now reads: s. 943.20 (3)(d)3.

Administrative Rules in Wisconsin Administrative Code

Relationship of Statutes to Administrative Code Rules

A statute often does not include the details necessary to guide its implementation. Administrative rules **provide the details regarding implementation of statutes.** Administrative Rules have the force of law.

Much of the content of the CMM stems from administrative rules. For example, s. 938.01 (2)(c), Stats., states that one of the purposes of Ch. 938, Stats., is to provide an individualized assessment of each juvenile. Chapter 371 DOC. WI Adm. Code, contains the specific rules (procedures) relating to assessment and case planning for a youth under DJC supervision.

Rules have the force of law.

DJC must follow procedures set out in administrative rules. By promulgating rules, the legislature has determined that the subject area is one wherein specific requirements are necessary. **When rules dictate procedures, another set of procedures cannot be used.** This is especially important when the rules describe due process procedures. For example, DJC cannot develop its own set of disciplinary procedures; ch. DOC 373 must be followed. The same is true with respect to aftercare revocation procedures in ch. DOC 393.

Citations to administrative rules are very similar to statutes. The name of the department that authorized the rule precedes the references to the specific rule. A citation to s. DOC 371.04 (1)(e), WI Adm. Code, means that the rule is located in the Wisconsin Administrative Code in the volume containing Department of Corrections rules. It is in chapter 371, section .04, subsection (1), paragraph (e).

DJC Publications Explaining Administrative Rules

- All youth in a JCI receive the **"Youth Institution Handbook about Administrative Rules"** that provides a simple explanation of the rules.
- JCI staff receive the **"Guide to the Administrative Rules"** that offers a more detailed explanation of the applicable rules chapters. This document is available to youth upon request.

Case Law

Federal and State Court Systems

Some court decisions clarify the meaning of a statute while others address a subject matter not covered by existing statutes. Various levels of courts exist in the state and federal systems.

County Circuit Courts. There is at least one Circuit Court branch in nearly all Wisconsin counties, although some small counties share a Circuit Court. Large counties have many branches that specialize such as Family Court, Children's Court, Probate, etc. Circuit Courts are the trial level court.

Court of Appeals. Wisconsin has four districts with the Courts of Appeals located in Milwaukee, Waukesha, Wausau and Madison. A party to a Circuit Court case may appeal the trial court's ruling to a Court of Appeals. A published ruling sets a statewide precedent. However, most Court of Appeals decisions are not ordered to be published as precedents.Wisconsin Supreme Court. Most cases heard by the Supreme Court are cases that have been appealed from a Court of Appeals. Decisions of the Supreme Court have statewide applicability.

Federal Court System. The federal court system includes 94 District Courts, 12 U.S. Courts of Appeals (Circuit

Copyright © 2012 [WI Department of Corrections]

Courts) and the U.S. Supreme Court. Federal District Courts are similar to Wisconsin Circuit Courts in that they are the trial level courts. The Courts of Appeals hear appeals from District Court rulings. Wisconsin is part of the 7th Circuit. The final level of appeal is to the U.S. Supreme Court.

Examples of Significant Court Decisions

- Placement in the Serious Juvenile Offender Program (**SJOP**).

  In 2002, the Wisconsin Supreme Court, In the Matter of Terry T., clarified a portion of s. 938.34 (4h), Stats., authorizing placement of a juvenile in the Serious Juvenile Offender Program. The statute requires that a juvenile placed in SJOP must be 14 years old if adjudicated for certain crimes and 10 years old for extremely serious offenses. Some county circuit courts placed a juvenile in SJOP subsequent to the original Dispositional Order that had not found the juvenile appropriate for placement in SJOP. The Wisconsin Supreme Court stated that a county court must determine whether the juvenile should be placed in SJOP in the original order and cannot make that decision at a later time. For the purpose of this ruling, a stayed order is considered to be an original order.

- Involvement of Youth in a **Religious Program**

  The federal circuit court in the case, Kerr v. Farrey, 95 F.3d 472 (7th Cir. 1996) found that DOC must offer to an offender a secular (non-religious, non faith-based) program whenever a religious program is being offered. The court found Alcoholics Anonymous (AA) to be religious due to the references to a "higher power." A program comes under the definition of "religious" whether the religious component is overt or indirect. Additional federal court decisions have been made that support the concept that an individual's right to choose whether to participate in religious activity is protected by the U.S. Constitution.
  DJC must grant adjudicated juveniles the right to choose a non-religious program when a religious program is being offered. DJC cannot take an adverse action or impose any penalty when a youth under DJC supervision does not agree to participate in a program with a religious component.

Additional Written Resources

DOC Executive Directives

The Secretary of Department of Corrections issues Executive Directives. They relate to issues affecting multiple divisions within DOC such as Division of Adult Institutions, Division of Juvenile Corrections and Division of Community Corrections (adults). Executive Directives are accessible via MyDOC/About DOC/Policies & Procedures. Contact Central Office if you have any questions.

DJC Policies and Procedures

Former DJC Administrative Directives, Internal Management Procedures, Security Internal Management Procedures, and DJC Field Notices have been consolidated into one set of Policies and Procedures. They are available in MyDOC under About DOC/Policies and Procedures. They are grouped under topics: 100 – Division-wide Policies, 200 – Field and Community Operations Policies, 300 – Juvenile Correctional Institution Policies, 400 – Community Facilities Policies and 500 – Health Services Policies. They are issued by the Division Administrator. Institutions and regions may issue further specific procedures to implement the DJC Policies and Procedures.

Standard Circuit Court Forms

Wisconsin law requires that circuit courts use standardized forms for many routine case actions. The following are examples of those forms that can be accessed at the Wisconsin Supreme Court's website: http://wicourts.gov/forms1/circuit.

• JD-1721 Petition under Chapter 938	• JD-1745 Dispositional Order-Delinquent
• JD-1788 Order for Extension of Dispositional Order (out-of-home)	• JD-1754 Notice of Change of Placement
• JD-1791 Permanency Plan Hearing Order	• D-1766 Request to Change Placement, Revise/Extend Dispositional Order,

DJC Case Management Manual

Purpose

The CMM establishes a statewide division **standard of practice for case management for youth** under DJC supervision. Its uniform policies, procedures and forms result in cases being handled in a consistent manner as youth progress during their DJC supervision. The CMM addresses routine as well as unusual cases. However, not all possible situations and events can be anticipated. The CMM serves as a **reference and training tool** for DJC employees. When a staff member cannot find an answer in the CMM, she or he should consult a supervisor or other experienced staff.

Organization

Order of Chapters

The CMM is **generally organized chronologically** from a youth's admission to a type 1 secured juvenile correctional institution (JCI) to a youth's termination from DJC supervision.

Tables of Contents

The CMM includes a table of contents that lists the chapter titles in the order in which they appear in the CMM and an **extensive table of contents** that lists the chapter, major parts and section headings found in every chapter (see formatting section below).

Formatting

- The CMM contains a vast amount of information some of which is complex. Each chapter has been formatted in a way that, hopefully, assists readers to efficiently locate the information he or she is seeking.
- Each chapter begins with a **list of primary topics and forms discussed** within the chapter.
- A **range of font styles** are used to indicate chapter titles, major parts, sections, sub-sections and bullets as described below.

To highlight information of major importance, **bold font** is used within text sections. **Level**

1: Chapter Titles

Level 2: Primary Parts of a Chapter

Level 3: Major Sections of a Part of a Chapter

Level 4: Subsections of a Major Section

- First level
  - Second level
    - Third level

Distribution of the Manual

The paper manual no longer exists. Reference the on-line manual in <yDOC. Most of the manual chapters can be found in the DOC Electronic Case Reference Manual on MyDOC.

Suggestions to CMM Holders

As employees use the CMM, they may **find it useful to make notes about specific job duties and experiences**. However, **employees may not alter the actual procedures or forms.**

Chapter 29 contains the **sample case** of Jamie Smith. It includes a large number of documents completed for a youth from the time of admission to a JCI through the termination of DJC supervision. Be sure to **review the completed sample forms** when completing a form with which you have limited experience.

Questions About Case Management

Read The Manual (RTM)

The detailed table of contents should provide guidance in locating the chapter and page where a topic is addressed. The glossary includes essential CMM terminology. Incredible amounts of time and energy have been devoted to and will continue to be allocated to writing and updating of every chapter of the CMM. DJC staff from throughout the division have been and will continue to be consulted in order to make the CMM an up to date and

Copyright © 2012 [WI Department of Corrections]

accurate resource.

Staff Training on Case Management

New Employees

Regardless of position description, all new employees attend a training session during employee **orientation** that describes the basics of the case management system.

Practitioners

Knowledge of the contents of the CMM and JJIS skills are essential for successful performance of job duties.

- Complete an extensive review of all relevant CMM chapters.
- Perform **hands-on tasks** related to specific job duties.
- **Shadow** an experienced staff person.
- Participate in **JJIS training**.

Supervisors

- **Require staff** under their supervision to review the CMM with emphasis on the chapters most relevant for her or his job duties.
- **Hold practitioners responsible** for knowing the CMM procedures and updating their CMM's as part of the **Performance Planning & Development process.**
- Participate in training regarding **responsibilities as supervisors** and effective supervisory techniques.

Case Management System Flowcharts

Introduction

For illustrative purposes, the case management system is shown in the following **two flowcharts**. The flow charts do not contain a lot of detail, but show the **primary phases of a youth's correctional supervision**. They provide an overview of the steps involved from the time a youth enters a JCI through the termination of a youth's correctional supervision.

JCI Flowchart

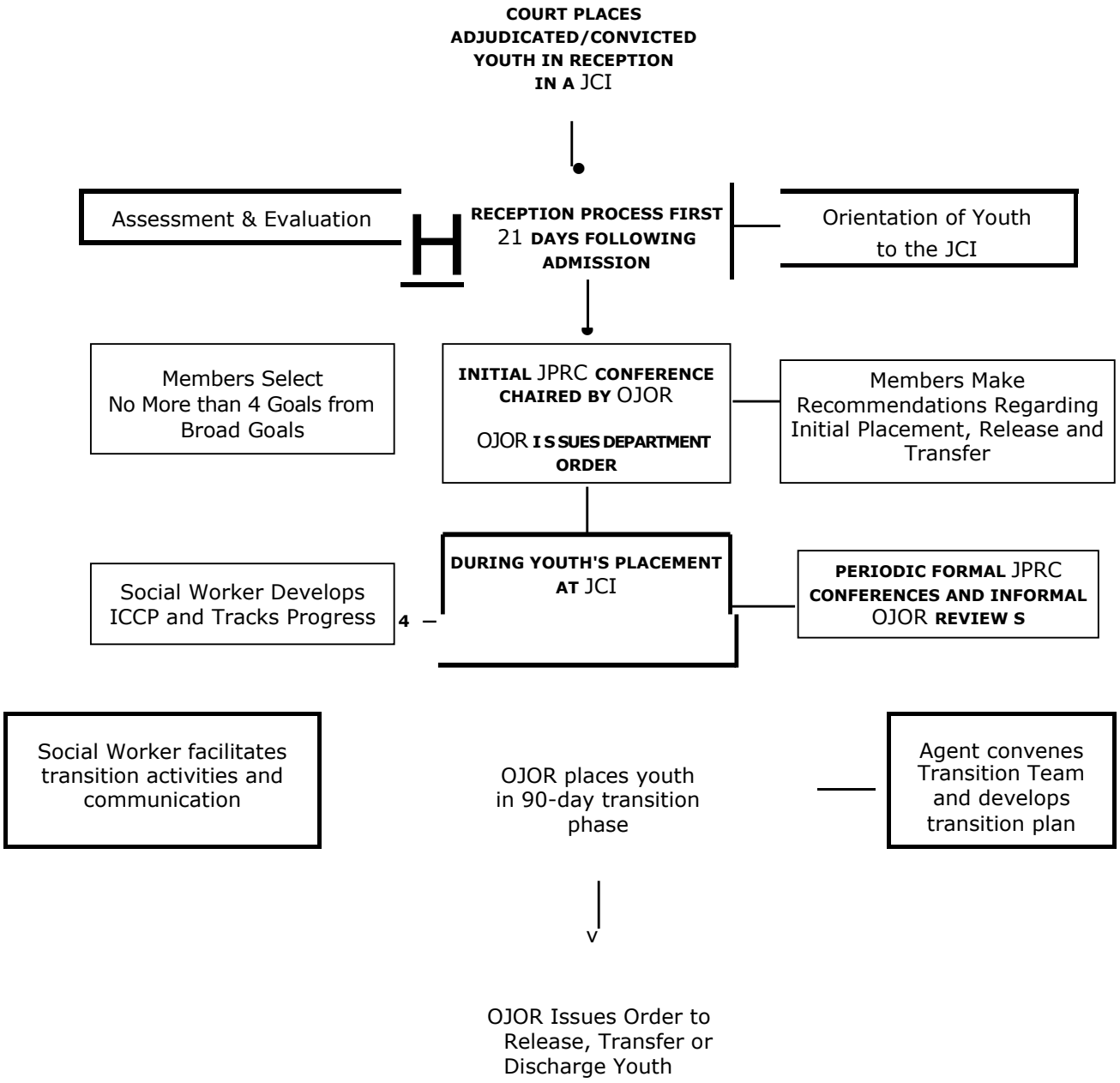
This flowchart covers the time period from a youth's admission to a JCI pursuant to a court order, through the A&E process, initial and subsequent JPRC conferences and the OJOR decision to release to aftercare, administratively transfer to a type 2 secured correctional facility, or discharge the youth.

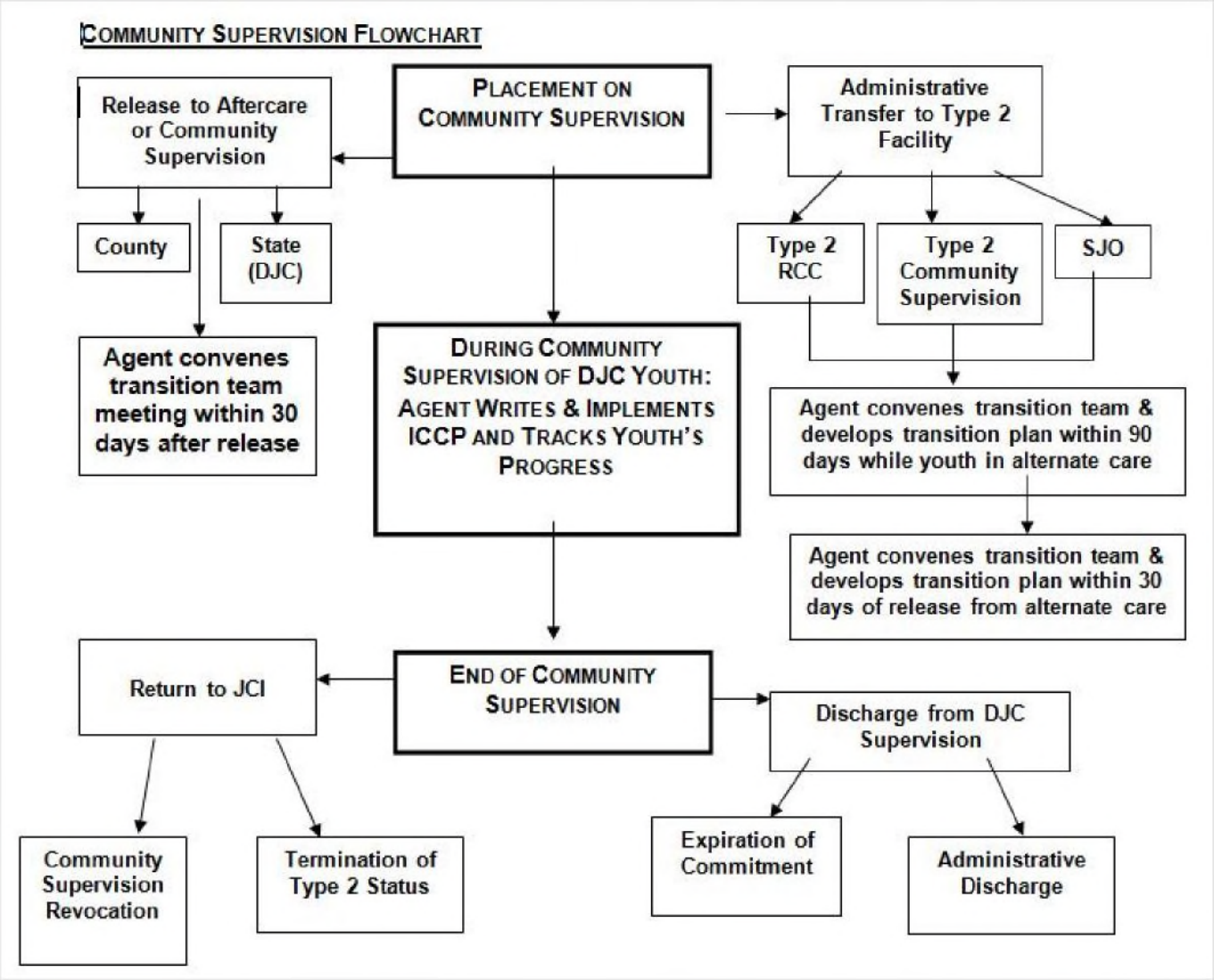
Community Supervision Flowchart

This flowchart covers the time period beginning when the youth leaves a JCI to correctional supervision in the community. Either DJC or a county department of human/social services may supervise a youth. This chart focuses on youth under DJC supervision. (A stand-alone version of the flowchart is in "Groups" in the "DJC CMM" folder titled "JCI Flowchart.")

Copyright © 2012 [WI Department of Corrections]

JCI FLOWCHART





JJIS Screens and MyDOC Forms

Use of Proper Forms or JJIS Screens

Since 1999, the case management functions of the Juvenile Justice Information System have been gradually rolled out. DJC staff have participated in various training sessions to learn how to enter data into JJIS screens. A large percent of CMM forms are completed in JJIS screens thereby replacing paper forms. The COMPAS software also produces several assessments and alternative screenings.

To ensure consistency, accuracy and efficiency, the proper Outlook forms, COMPAS assessments or JJIS screens must be used at all times. No one should alter any form with a DOC number, substitute one form for another, or develop a new form without following proper DOC procedures. **Proposed forms and any revisions of forms must be approved by DJC Central Office.**

Header of DOC Forms

Personally identifying data collected on a youth must be entered on a legal DOC official form.

DEPARTMENT OF CORRECTIONS	**WISCONSIN**
DIVISION OF JUVENILE CORRECTIONS	**CITE TO STATUTE, ADMIN. CODE OR CMM**
DOC-XXXX	**REFERENCE**

Lists of Forms

The **lists of forms** at the beginning of the CMM (numerical and alphabetical) include the title, DOC number, current version date (non-JJIS forms), CMM chapter(s) in which the form is discussed, and location of the form, e.g., JJIS, MyDOC, COMPAS. The lists also indicate whether the form should be completed by printing the form from MyDOC or by entering the data in COMPAS or JJIS.

How to Complete Forms in MyDOC

Please see the instructions at the end of this Chapter.

Revision of Manual

Suggestions for Revision

Chaired by the OJOR Director, a Division-wide Committee is responsible for maintaining the CMM. Committee members **welcome suggestions from all DJC staff involved in case management**. JCI and community supervision staff who actually implement case management procedures are in the best position to offer suggestions regarding revisions. If staff members with ideas to improve the CMM do not inform the committee of inaccurate, unclear or incomplete sections, the committee does not know that revisions would be helpful to CMM users.

Issuance of Revisions

As revisions become necessary, CO revises chapters or portions of chapters to reflect current policies and procedures. Whenever CO makes revisions, CO notifies CMM coordinators at major work sites of the changes made. These changes are published on MyDOC under About DOC/Manuals/DJC Manuals/DJC Case Management Manual. All DJC staff persons are responsible for using the most recent CMM version as published on MyDOC.

Instructions for Accessing and Completing DOC Forms in MyDOC

Accessing Forms in MyDOC

- Open Internet Explorer. MyDOC home page will appear.
- Click on “Find a Form” link at top of page.
- Enter the form number or key words.
- Scroll down to the number of the form and click on it to open it in Microsoft Word.

  You may browse all forms by clicking the “Forms Browse Index” link.

Opening Forms

There are two options once the form has been accessed through MyDOC:

- Complete the form and print without saving
- Complete the form, print and save.

Complete Without Saving

- Open form from MyDOC using steps above.
- Complete the form using your tab key to go from one cell to another to enter text.
- Click on “File”.
- Click on “Print”.
- Click on “File” again.

  Click on “Close” or “Exit”.

Complete and Save

- Open form from MyDOC using steps above.
- Click on “File”.
- Click on “Save As”.
- Choose the location in which to save the file and give it a file name.
- Click the “Save” button.

  Complete the form using your tab key to go from one cell to another to enter text.

Copyright © 2012 [WI Department of Corrections]

- Click on “File”.
- Click on “Print”.
- Click on “File”.
- Click on “Close” or “Exit”.

2 - TimeLine and Staff Responsibilities

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Timeline	• While the Youth is Under Community Supervision
• A (A&E)	• Prior to the Youth Being Discharged from DJC Supervision
• During Stay in the JCI Transition Phase ▪ Prior to release from the institution ▪ Upon release/transfer from the institution	• Responsibilities of Youth and DJC Staff

This chapter provides staff with an overview of the entire case management system from the time of a youth's admission to a JCI through the end of the youth's DJC supervision. The following sections of this chapter expand upon the flow charts contained in the "Introduction" chapter:

- Timeline for completion of tasks and documents
- Responsibilities for completion of tasks and documents by staff position

Timeline

Although the timeline is quite extensive, not every document and task can be included due to special circumstances that may exist in a particular youth's case. The timeline identifies the following:

- Staff member(s) responsible for completing the required task or document.
- Name or description of the required document or task.
- Information regarding the task or document, and a reference to relevant chapter(s) in the Manual.

The timeline divides the youth's DJC supervision into sections beginning with admission to a JCI through discharge. The sections include the following:

- Admission, and Assessment & Evaluation (A&E)
- During Stay in the JCI
- Upon Placement in the 90-day Transition Phase prior to Release/Transfer from JCI
- Upon Release/Transfer from the JCI
- While the Youth is under Community Supervision

Prior to the Youth being Discharged from DJC Supervision

Admission and Assessment & Evaluation (A&E)

Staff	Form or Task	Date Due	Information
Gatehouse	Create JJIS record and complete admission screen	Upon arrival of youth not previously under DJC supervision	JJIS assigns temporary number to a youth without an assigned DOC number.
Gatehouse	Complete admission screen	Upon arrival of youth with DOC number	Use existing DOC number.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Office Operations Associate (OOA)	Register youth in WICS, obtain DOC number and enter into JJIS	First working day after admission	Search for previous record in JJIS and WICS, including personal characteristics, demographics profile and close supervision event. Assign DOC number and then enter youth in JJIS. If youth already exists in WICS update existing information in WICS and JJIS.
OJOR-CO	Create OJOR file and schedule initial JPRC	Upon receipt of admission information from OOA	Create OJOR file in OJOR database and set tentative date for initial JPRC.
OOA	Admission Status Short Version (JJIS)	First working day after admission	Complete in JJIS for youth admitted for an administrative detention, sanction or on county secure detention in a JCI.
Social Worker, HSU, or Clinical staff	Suicide risk screening – part of Intake Screening (DOC-2145) and/or the Self-Harm Assessment (DOC-2097)	Within 24 hours of youth's admission	All youth are screened for suicide risk. Referrals to clinical services are made when appropriate.
OOA	Obtain amended court order	Upon recognition by OOA or social worker that court order contains inaccurate/ incomplete information	When OOA or social worker notes inaccurate/incomplete information, OOA requests court to forward amended order.
OOA	Enter offense and type of commitment (JJIS)	Within 5 working days or when accurate court order is obtained	Enter this information from court order.
OOA	Face Sheet (DOC-1701) (JJIS)	Within 1 working day or when accurate court order is obtained	Complete for all youth. Send copy to Reception staff. Send copy to SORP when required. Be sure to indicate if DNA specimen is required or if victim/witness has requested notification.
Bailiff	Fingerprints	Within 3 working days	**New Commitments:** Submit youth fingerprints to DOJ via Livescan. **Returnees:** If notified no current SID #, submit youth fingerprints to DOJ via Livescan.
OOA	SID #	Upon e-mail response from DOJ	**New Commitments and Returnees:** OOA reviews the Fingerprint Results Outlook Mailbox or WICS for SID # and enters into JJIS. The OOA informs assigned social worker that SID # has been received.
OOA	SID #	Within 1 working day	**Returnees:** OOA reviews JJIS for Type One Status to determine if SID # has been assigned. If no SID #, OOA notifies Reception Unit of status change and need to submit fingerprints.
Reception Staff	Fingerprints	Within 3 working days	**Returnees:** If notified no current SID #, submit youth fingerprints to DOJ via Livescan.
Social Worker and/or Security	Order to Detain (DOC-1915)	Within 7 days of admission	Review court documents to see if youth has detainer placed by authority other than DJC. If so, note in JJIS.
OOA or Social Worker	Surcharge, restitution and other court ordered financial obligations	During A&E	Review court order to see if it contains any court ordered debts.
OOA and/or Social Worker	Disbursement Request (DOC-184B) and Youth Restitution and Debt collection (DOC-1841)	During A&E	Complete DOC-1841 for youth with court ordered debt(s). Have youth sign DOC-184B. Distribute forms per JCI policy.
Business Office and	Create youth's account process debt(s) information	During A&E	Account created when admission processed. Enter information into JJIS regarding court ordered debt(s) upon receipt of DOC-1841, DOC-184B and court order.
OOA	Admission packet for parent(s)/guardian	Within 5 days of admission	Mail JCI admission packet to parent(s)/ guardian.
OOA	Create SS file	Upon admission	File should be set up according to DJC standardized format.
OJOR-CO	Victim/Witness Notification Program (DOC-1717)	Upon receipt of cards	Enter victim/witness requests in JJIS. May occur during or after A&E.
OOA	Stamp SS file for victim/ witness notification	Upon receipt of the notification request from OJOR-CO	May occur during or after A&E.
OOA	Chapter 980 Master List	Within 5 working days or when accurate court order is obtained	Only for youth adjudicated/convicted for certain offenses.
Teacher	Identify primary language and possible LEP needs	During first week of A&E	Complete DOC-2664A for each youth. Refer to DJC Policy 13-03.
Various staff and youth	Orientation process	During first 21 days following youth's admission	Staff informs youth about JCI, conduct rules, disciplinary process, complaint procedures and case management system.
Reception Social Worker	Make contact with family and county worker to discuss case	Prior to completing COMPAS – Youth assessment	Gather information to use in assessment.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Reception Social Worker	COMPAS – transfer person and/or case record to DJC and applicable location	At least 7 working days prior to initial JPRC	Conduct name query in COMPAS to see if youth record exists. If record exists under a SID, determine if new admittance requires a new lifecycle or is part of existing lifecycle. If youth is being received from a county utilizing COMPAS, or from DAI, transfer the person and/or case to DJC using the person and case transfer functionality in COMPAS. Select proper location from dropdown of DJC locations, LHS or CLS.
Reception Social Worker	CANS – Trauma Experience and Adjustment to Trauma items only (Questions 1-14)	Complete prior to completing AER	Social Worker notes any CANS trauma items that score a 2 or 3 along with the source of the information on the AER. Social Worker also notes any scores of 2 or 3 in COMPAS using both Assessment Notes and the comment field in the CANS summary section.
Social Worker	COMPAS – Youth assessment completed and notification sent to State Agent	At least 7 working days prior to initial JPRC	Social Worker assesses Need Scales and selects 2-3 high needs areas. These high need areas are documented on the AER. Record any pertinent information regarding the youth as an Assessment Note. This would include youth's cooperation and truthfulness, mental stability, trouble in comprehending assessment questions, corrected or copied assessments, etc. **Note: If youth being returned to the institution is 18 years or older, no admitting assessment is completed. A Reentry assessment will be completed when youth is placed in transition. DJC will conduct its own assessment of the youth even if an assessment was recently done by the committing county.
Social Worker	COMPAS Bar Scale	At least 7 days prior to initial JPRC	Give to OOA. Email to JPRC participants.
Social Worker	COMPAS Substance Use	Complete while writing narrative for AER	Note information on any reported illegal substance use including amount, frequency, age first used, date last used.
Social Worker	COMPAS – Bar Scale	Prior to JPRC	Meets with youth to explain assessment results and to give youth a copy of Bar Scale.
OOA	Bar Scale	When received from Social Worker	Copied and placed in youth's social service file.
Social Worker	Assessment and Evaluation Report (AER) (DOC-1933 in JJIS)	Complete in JJIS at least 7 working days prior to the initial JPRC	
Social Worker	Current Status Report (CSR) (DOC-1935 in JJIS)	Complete in JJIS at least 7 days prior to the initial JPRC after re-admission	Complete only for youth returning to JCI due to termination of type 2 status, revocation from aftercare, or new commitment within 6 months from end of prior commitment.
Social Worker	Chapter 980 Internal (DOC-1946)	Complete upon admission	Only applies to youth who commit a chapter 980 offense.
Reception Staff	Human Biological Specimen (DNA) (DOC-1940) **and** Wisconsin DNA Databank Buccal Swab Collection Kit and DNA Specimen Tracking Form (DOC-2536)	Obtain sample and complete forms within 21 days of admission	Applies to all youth per DJC policy #15-04 with adjudication or conviction. Sample may have been taken by law enforcement prior to disposition.
Social Worker and Psychologist	Score J-SOAP II scales for male sex offenders in COMPAS Alternative Screening Tools	During Reception for youth identified for sex offender treatment	Scales 1 and 2 are scored by the Treatment Social Worker who enters scores in COMPAS. Scales 1 and 2 are discussed by the Treatment Team who also scores scale 3 after youth begins sex offender treatment. Scores are finalized and the Psychologist or Social Worker enters or updates the scores as necessary.
Teacher	Daniel Memorial Institute Assessment of Independent Living Skills.	Complete at least 7 days prior to initial JPRC	Computer scored assessment. Youth completes a booklet that assesses a broad range of independent living skills. This assessment is also used in the Transitional Independent Living Program.
Social Worker	COMPAS – Youth (Part 3) Substance Abuse Scales	7 working days prior to initial JPRC	If Part 3 scales (12, 13, 14) score 4 or more in any one scale, refer youth for an AODA Assessment (ADI-L) (DOC-2127).
Agent	Initial contact with or letter of introduction to youth and parent(s)/ guardian	Within 5 working days of case assignment	Mail introduction letter to the youth and either call the youth's parent(s)/guardian or mail letter.
Agent	Family and Home Assessment (FHA) (DOC-1939)	Complete in JJIS at least 3 working days prior to the initial JPRC	Completion of DOC-1939 more than 3 days prior to the initial JPRC is highly recommended.
Agent	Identify primary language and possible LEP needs	During home visit	Complete DOC-2664 for every custodial parent/guardian. Refer to DOC Policy 13-03.
HSU	Health Screening—DJC (DOC-3387)	During A&E	Perform physical and dental exams/lab work necessary to complete DOC-3387 and forward to social worker to include into AER.
Agent	Contact the youth's social worker	Within 3 days following the initial home visit	Agent shall discuss the results of the home visit with the social worker.
Teacher	Educational Evaluation Report (EER) (DOC-1936)	Complete at least 7 working days prior to the initial JPRC	

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
JPRC	Establish no more than 4 youth's goals based on criminogenic needs and preliminary release/ transfer plan	Initial JPRC held within 21 days of youth's admission	Members of JPRC have specific roles and responsibilities described in Manual. JPRC establishes youth's broad goals, and discusses length of stay at JCI and community supervision plans. . Most youth should have an education goal (#5); however it is not required when a youth has a number of high need areas that do include school. The comments and observations denote what criminogenic needs the goals were based on. Youth placed into JCI short-term programs are placed into Transition Phase upon entry.
OJOR	Department Order (DOC-1722A)	Complete and distribute within 7 days of JPRC conference	Directs placement of youth from reception to JCI and lists broad goals
Social Worker	Admission Assessment Dialog in JJIS	Complete immediately after initial JPRC or within 21 days of admission	Detailed instructions are described in the Manual to complete this dialog.

During Stay in the JCI

Staff	Form or Task	Date Due	Information
Reception Social Worker	Transfer COMPAS Case	Complete within 21 days of initial JPRC	Reintegration Social Worker assumes management of case by the Reception Social Worker transferring the case to the Reintegration Social Worker using the case transfer function. If youth is placed at MJTC, the location should also be updated.
Social Worker	COMPAS Case Plan	Complete within 21 days of initial JPRC	Social Worker directly involves youth in developing case plan which may be revised as significant changes occur. No more than 1-2 tasks should be assigned for each goal.
Youth	COMPAS Case Plan	During placement at JCI	Youth play active role in developing and implementing case plan objectives and tasks. Youth signs the case plan and retains copy.
Social Worker and OOA	Signed COMPAS Case Plan	21 days after JPRC	Social Worker gives signed case plan to OOA's. OOA's file in social services file.
Youth, Social Worker, Youth counselors and other staff	Program Activity Documentation	Complete daily, weekly or monthly as required	Some documentation requires DOC forms and other requires institution-specific forms. Verbal input to social workers is also important.
All	COMPAS Notes	Ongoing	Staff utilizes Notes feature in COMPAS to record information regarding the youth's case and progress. General Notes: Used to document case activity, contacts, rules & conditions, requirements, violations, staffing, etc. Case Plan Notes: Used to document information related directly to case plan. Program Notes: Used only to document information regarding the youth's programs. Enter the appropriate event date for each note. Up to three note subtypes may be selected for each note type. Any note should be marked "confidential" if it contains any protected health or treatment information. Any non-confidential information should be placed in a separate note. (See DJC COMPAS Business Plan Use of Confidential Notes)
JCI Youth counselors	• Interact daily with youth in unit/cottage • Provide safety and security of youth, staff & JCI property • Provide goal oriented counseling to youth • Provide input to social worker on youth's progress	Daily	Youth counselors play an integral role in the daily lives of all youth and provide vital information to all staff working with youth.
Multidisciplinary Living Unit Team Meetings	Carey Case Consultation Staffing Sheet	Prior to Social Worker or Agent updating Case Plan before JPRC	A "staffing" is held to review case. Form is completed and may reflect changes to COMPAS Case Plan. Completed forms are filed in Social Services file.
Sex Offender Treatment Team	J-SOAP II	Applicable scales are scored at entry into treatment and in transition phase.	See Ch. 4
Business Office	Youth Restitution and Debt Collection (DOC-1841)	During placement at JCI	Track payments made and balance(s) remaining in JJIS.
Social Worker	Youth Restitution and Debt Collection (DOC-1841)	During placement at JCI	Payments of debts must be part of the youth's ICCP tasks and discussed at JPRC conferences/OJOR reviews, and Transition Team meetings.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Teacher	Lifework Education Portfolio Checklist (DOC-2313)	Update portfolio contents and checklist prior to each formal OJOR review.	Date of last Individual Education Plan (IEP) must be listed if relevant.
Agent and Youth Counselor	Face-to-face and phone contacts with youth, parents and social worker	For agent: Youth -1 time every 3 months face to face; Parent – 1 time every 3 months face to face or phone; JCI staff – 1 time every 3 months face to face or phone	Document in COMPAS notes.
Reintegration Social Worker	Progress Summary	Every 90 days, about 7 days prior to JPRC Conference	To record youth's progress with regards to the overall case plan, the Social Worker creates a report in Microsoft Word using provided Progress Summary template. Social Worker then copies and pastes the Word document into a Case Plan Note in COMPAS. To permit filtering of notes by JPRC review cycle, enter the appropriate JPRC cycle associated with the review period. Print and sign copy of Progress Summary and give to OOA. Send electronic version to OJOR, assigned state agent and/or county worker.
OOA	Progress Summary	Upon receipt	File Progress Summary in Social Services file.
Social Worker	Contact family and county worker to discuss case	Prior to updating case plan	Use information if applicable to update case plan.
Social Worker	COMPAS Case Plan	Update activities, tasks, goals and completion dates after every meeting with youth or related significant event to track youth's progress or lack thereof.	Social worker directly involves youth in updating case plan as changes occur. Social worker prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan.
OOA	COMPAS Case Plan	Upon receipt	Place signed case plan in social service file and send copy to parents.
Reintegration Social Worker	COMPAS Case Plan	7 days prior to JPRC conference	Using designated format, social worker prepares progress summary as a case plan note within the case plan. Prints case plan utilizing date filters to include only most recent progress summary case plan note. Sends to JPRC participants.
OJOR reviewer	Formal and informal reviews of youth's progress; Summary of Decisions and Department Order (DOC-1722A)	• Conduct formal JPRC conferences every 3 months or more frequently if requested by JPRC member (at least every 6 months for SJO youth) • Conduct informal reviews as needed for SJO youth • Issue Summary of Decisions weekly and DOC-1722A following all formal & informal reviews • Update decision information on DOC-2313	The reviews assess youth's progress toward meeting goals and objectives, and to discuss community supervision plans. OJOR reviewer issues a Summary of Decisions on a weekly basis and DOC-1722A following all reviews and forwards to OJOR-CO.
OJOR-CO	Schedule informal and formal reviews	Upon receipt of Summary of Decision and/or DOC-1722A from OJOR reviewer	Set dates for reviews. Ensure that formal JPRC reviews are held every 3 months (at least 6 months for SJO youth).
Agent	Community Supervision Plan (Aftercare Plan) (DOC-1736)	Complete within 30 days when OJOR requests, or as plans change	DOC-1736 provides an optional home study that can be done upon OJOR's request or initiated by the field when a youth has been in the JCI longer than 6 months and the viability of placement in the home needs to be reevaluated.
Agent	Social Worker Contact	Prior to each JPRC	Agent contacts the social worker to monitor progress and participates in conferences.
Social Worker and Security Director	Order to Detain (DOC-1780)	Prior to a youth leaving the JCI to attend a court proceeding	Social worker completes the DOC-1780 and forwards to Security Director who submits to appropriate law enforcement authority.
Supervising Youth Counselor	COMPAS Drug Tests	Upon receipt of test results	See DJC Policy 13-04
Social Workers	COMPAS Employment History	As needed	Document youth job experience and skills.
Teacher	Educational Report to JPRC (HSED) (DOC-1937)	Complete at least 7 days prior to JPRC	
Teacher	Educational Report to JPRC (DOC-1938)	Complete at least 7 days prior to JPRC	

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
OJOR-CO	Victim/Witness Notification Request	Upon receipt from county	Forward request to OOA.
OOA	Maintain up-to-date victim/witness notification information	Upon receipt of notification request from OJOR-CO	Stamp SS file which indicates that victim/ witness notification is required.
OOA	Face Sheet (DOC-1701) in JJIS	Revise during stay at JCI as needed.	DOC-1701 must be revised when victim/ witness notification request is received; if sex offender registration or DNA is required due to a new offense; or other information changes.
Security Director or Shift Supervisor	Apprehension Request (DOC-58J)	Upon notice youth has escaped from or during leave from JCI.	Complete DOC-58J and forward to appropriate law enforcement authorities.
OOA	Chapter 980 Master List	Forward to OJOR reviewer on a monthly basis	Updating and accurateness by OOA is vital to ensure legal timelines are not missed. OJOR reviewers must be aware which youth on their caseload are on the Master List so SPVC can review cases in a timely manner.
OJOR, Social Worker, and OOA	Cover Sheet (DOC-2640), Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Milwaukee County—**Social worker submits documents to OOA so OOA can mail toyouth's the court 9 weeks prior to the expiration date	Only applies when OJOR agrees that the court should be asked to extend a Dispositional Order.
OJOR, Social Worker, and OOA	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	Social worker submits documents to OOA so OOA can mail to the court 6 weeks prior to the expiration date	Only applies when OJOR agrees that the court should be asked to extend a youth's Dispositional Order. Timelines and court procedures may vary by county.
Sexually Violent Persons Committee (SVPC)	Sexually Violent Persons (Chapter 980) Evaluation	Complete at least 4 months prior to anticipated release or expiration date. Youth reviewed for a possible Ch. 980 referral may be recommended for Transition Phase after being cleared by the local institution SVPC and completing other curriculum program markers.	Only applies to youth who committed certain offenses and are on the Chapter 980 Master List. **Legal timelines must not be missed.**
Social Worker	Review Program Markers to identify youth readiness for Transition Phase	A youth, who receives a Ch. 980 referral for further evaluation and is within 90 days of release, may only be placed in transition contingent upon the outcome of the evaluation.	
Social Worker	Request for Action (ANR) (DOC-1734)	Complete 90 days prior to anticipated transfer if no JPRC is scheduled/required. Complete for SJO's so that they have at least 30 days of Type 1 time remaining upon release to community, if possible. Complete 90 days prior to expiration of a regular commitment order for youth held until expiration.	File request early enough to obtain a 90-day Transition Phase.
Reintegration Social Worker	Transfer case to another social worker	As needed upon transfer	Reintegration social worker transfers the case to the new social worker.

Upon Placement in 90-DAY Transition Phase
Prior to Release/Transfer from JCI

Staff	Form or Task	Date Due	Information
Assigned Agent of record prior to transfer of case	COMPAS Alternate Screening – CANS	Prior to alternate care referrals being made	When alternate care is considered for a 10 – 17 year old youth, a full CANS is completed using youth's case file, JPRC reviews and youth self report. CANS is saved and generates reports: scoring summary, level of need (LON) ranked needs and strengths and mental health status. Any mismatch between LON and recommended placement type should be discussed with supervisor and county caseworker. Supervisor must approve LON override. A printed copy of CANS scoring summary and list of action items is placed in youth's social service file and given to alternate care placement.
Regional field office and Receiving Agent	Assign agent for Transition Phase based on expected placement location and program. Transfer case via JJIS or intra-office process.	Within 30 days of youth being placed in Transition Phase.	Assign Youth Counselor along with Agent where applicable.
Assigned Agent	Begin completing Re-Entry Checklist (DOC-2659) as tasks are done	30 days after release to the community.	
Receiving Agent	Determine if sex offender youth proposed placement location is restricted by local ordinances	Within one week of receiving the referral packet or case transfer placement in transition phase.	Notify field supervisor if affected
Social Worker (Sex offender treatment provider)	Generate a treatment summary to date for any juvenile sex offender. Re-score scales 1 – 3 of the J-SOAP II risk assessment tool using Alternate Screening in COMPAS.	Complete within 10 days of youth's placement in transition phase. Upon completion of treatment, prior to youth's departure from the JCI.	Distribute to agent and assigned OJOR reviewer.
Social Worker /Teacher	Youth's Release Action Plan (DOC-2312)	Complete within 10 working days of youth's effective date of placement in Transition	Complete with youth and distribute.
Sending Agent	Contact receiving agent to discuss release/transfer date, ICCP, family issues and needs, victim issues, and dispositional order.	Within 30 days of youth being place in transition phase	
Sending Agent	Formally transfer case to receiving agent	3 days after case has been accepted	Transfer case in COMPAS.
Sending Agent	Forward Youth's field file to receiving agent.	Within 7 days of the transfer being accepted	
Receiving Agent	Review: COMPAS Case Plan, Youth's Release Action Plan (DOC 2312), Lifework Education Portfolio Checklist (DOC-2313), IEP (I-Progress Reports, and COMPAS notes	Within 15 days of youth's placement in transition phase	Identify needs and appropriate community-based services
SPED teacher	Update Individual Education Plan if necessary and provide Transition Summary (I-13) to SW and to agent with parent or guardian's permission	Within 30 days of youth being placed in transition.	IEP teacher gives input to Transition Team.
Social Worker	Complete COMPAS Youth or COMPAS Reentry	Within 30 days of youth being placed in Transition	If 16 or younger and no COMPAS Youth has been completed within the past year, complete COMPAS Youth. If 17 or older and no COMPAS Reentry has been completed within the past year, complete COMPAS Reentry.
Social Worker	COMPAS Youth or COMPAS Reentry	Upon completion of assessment	Inform state agent or county worker that assessment is complete.
Receiving Agent	Establish Transition Team membership and schedule Transition Team Meeting. Schedule Families Count if applicable	60 -30 days prior to release/transfer	
Receiving Agent	Chair Transition Team meeting	Complete prior to 15 days before release	Completion 30 days pre-release highly recommended. Document completion date on Juvenile Release Authorization (DOC-1788)

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Assigned Agent	COMPAS Case Plan (for those youth returning to their home or to independent living)	Update activities, tasks, goals and completion dates after every meeting with youth or related significant event to track youth's progress or lack thereof. Results are reviewed with youth during every visit.	Agent directly involves youth in updating case plan as changes occur. The Case Plan update may use input from a variety of sources including RCC staff, parents or other alternate care staff. The Case Plan tasks for youth not living at a residential care center will include work on JCIP Phase 3, Challenges, if the youth completed Phase 1 and 2 while at the JCI or the youth committed a sex offense. There should be not more than 1 – 2 tasks per goal. The existing institution youth assessment-based case plan will be used and updated as needed by the agent to conform to those needs, goals and tasks the youth will address while under community supervision. The only circumstance under which a case plan is to be copied forward is when the youth's community case plan is to be based on the transition Reentry assessment. This permits the youth to continue working on currently active needs from the youth assessment while allowing the agents to assign new needs, goals and tasks assigned based on the Reentry assessment.
Social Worker	For boys, deliver Lesson 1 of Families Count For girls, deliver Lesson 1 and 2 of Families Count during one meeting in the JCI	Complete at conclusion of transition team meeting. CLS delivery of Families Count is in a group format, quarterly.	Document completion of Families Count on Juvenile Release Authorization (DOC-1788) Send documentation to DJC agent of record (Chapter 7)
Social Worker	Sex Offender Registration Form (DOC-1759) and Sex Offender Registration Form (Part 2) (DOC-1759a). [DOC-1759S for Spanish speaking individuals]	Complete and submit to SORP at least 10 calendar days prior to release or discharge. Provide copy to agent.	Applies to youth who committed certain offenses who are moving to Type 2 status or aftercare, or reaching expiration. Youth cannot see the DOC-1759a.
OJOR and DJC Administrator	SJO-release/transfer to community or discharge from DJC supervision	Time frames depend on offense committed	
Social Worker	COMPAS case plan update	Complete and distribute if the last JPRC was more than 30 days prior to release, or if there has been a significant change, or if requested by OJOR	
Social Worker	Information Transmittal and/or Request for Action (ANR) (DOC-1734)	Make a reasonable effort to complete at least 15 calendar days prior to movement of a youth without a state agent	Deadline is 5 working days prior to the release date.
Social Worker	If no formal JPRC is scheduled, complete ANR to recommend	Complete 20 days prior to release	
Social Worker /Teacher		Complete review of Lifework Education Portfolio. Insert 3 current job listings from JobNet website for youth aged 16-22.	
Receiving Agent	Juvenile Release Authorization (DOC-1788)	Make reasonable effort to complete at least 15 calendar days prior to movement of a youth with a state agent	Deadline is 5 working days prior to the release date. If completed less than 15 calendar days prior to release, the agent must obtain the supervisor's approval and document the reason.
OOA	Notice of Release/ Transfer of Youth to Community Supervision (DOC-1627) **or** Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630)	• Make reasonable effort to complete and distribute at least 15 calendar days prior to release, transfer or discharge to the community • Send to ICJ coordinator if youth will be placed out of state	OOA requires receipt of the Juvenile Release Authorization (DOC-1788) or ANR (DOC-1734) in order to complete the DOC-1627 or DOC-1630.
OJOR-CO	Victim/Witness Notification Letter (regarding release date & type of placement)	OJOR-CO sends letter to victim/witness at least 15 calendar days prior to release or transfer date, when possible	Agents and social workers must follow proper procedures to enable OJOR to send notification letters in a timely manner.
OOA and OJOR	Chapter 980 Master List	Ongoing	OOA updates list of Chapter 980 youth monthly and OJOR reviewers monitor the list. OJOR reviewers must ensure legal timelines are met.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Assigned Agent and Social Worker	COMPAS Case Plan	30 days prior to discharge and/or terminations of Juvenile Order	Agent and social worker develop a Case Plan with youth for when youth is released. There should be no more than 1 – 2 tasks per goal. If possible, development at Transition Team meeting is recommended.
Social Worker	COMPAS Case Plan	15 days prior to discharge and/or terminations of Juvenile Order	Youth signs. Copy of Case Plan is emailed to all JPRC participants.
OOA	COMPAS Case Plan	Prior to youth leaving	Files the Case Plan in the social service file.
Social Worker	Trial Visit and Pre-Placement Agreement (DOC-1718) or Trial Visit to Parental Home Agreement (DOC-1720)	Youth and section manager must sign prior to release	Only applies to youth leaving a JCI for a trial visit. Social worker prepares the DOC-1718 or DOC-1720 and obtains signatures.
Agent, youth and social worker	Community Supervision Rules and Conditions (DOC-1741 or DOC-1741S)	Agent completes in COMPAS and reviews with youth at Transition Team meeting. Obtains youth's signature prior to youth leaving JCI	Social worker obtains youth's signature on DOC-1741 if not signed earlier. All standard rules must be chosen. For youth transferring to CSP, all applicable special rules must be chosen.
Social Worker /Teacher and youth	Lifework Education Portfolio	Transfer to Gatehouse for pickup along with youth's belongings at release.	Attach 3 job listings from JobNet website for youth aged 16-22.

Upon Release/Transfer from the JCI

Staff	Form or Task	Date Due	Information
Social Worker	Release Assessment Dialog in JJIS	Complete 10 days after release, expiration or discharge	
Agent/CSP Youth Counselors	First community supervision meeting	Within 3 days after release/transfer	Review job listings in Lifework Education Portfolio for appropriate youth.
Agent	Schedule and facilitate Transition Team Meeting	Complete within 30 days in community	
Agent	Families Count Lesson 3 follow up for youth who receive JCIP 1 and 2.	Within 75 days of community placement	
Agent	COMPAS case plan	Within 21 days after transfer/release to alternate care	Agent directly involves youth in updating case plan as changes occur. The Case Plan update may use input from a variety of sources including JCI staff, parents or other alternate care staff. There should be no more than 1 – 2 tasks per goal. The existing institution youth assessment-based case plan will be used and updated as needed by the agent to conform to those needs, goals and tasks the youth will address while under community supervision. The only circumstance under which a case plan is to be copied forward is when the youth's community case plan is to be based on the transition Reentry assessment. This permits the youth to continue working on currently active needs from the youth assessment while allowing the agent to assign new needs, goals and tasks assigned based on the Reentry assessment.
Reintegration Social Worker	Transfer youth's record or close case	Upon release to agency other than DJC, discharge or expiration	Release: • Youth to county juvenile agency using COMPAS – transfer both person and case record to appropriate county juvenile location and new case manager. • Youth to county juvenile agency not using COMPAS – transfer person record to appropriate county juvenile location and close DJC case. Discharge or Expiration (no pending holds): • Close DJC case. Discharge or Expiration (transfer to DAI) • Close DJC case (WICS/COMPAS interface should transfer person to DAI).
Reintegration Social Worker	Transfer youth's record	Upon release from JCI to DJC field supervision	Transfer person and case record to appropriate DJC field location and assigned agent.

While the Youth is Under Community Supervision

Staff	Form or Task	Date Due	Information
Agent	Community Supervision Rules and Conditions completed in COMPAS (DOC-1741 or DOC-1741S) including any supplemental rules and/or special rules for juvenile sex offenders.	During community supervision	Conditions and rules may be revised at any time during community supervision. Complete and obtain youth's signature for any changes.

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Youth	Community Supervision Rules and Conditions (DOC-1741)	During community supervision	Youth must follow all rules and conditions of community supervision.
Youth	COMPAS Case Plan	During community supervision	Youth must work to complete goals, objectives and tasks of the Case Plan.
Interstate Compact Coordinator	Create person record in COMPAS	Before case is assigned to DJC agent for home evaluation.	
Receiving Agent for Interstate Compact Youth	COMPAS Primary Needs	Completed during home evaluation process	Forms the basis for COMPAS Case Plan.
Receiving Agent for Interstate Compact Youth	COMPAS Case Plan	Completed no more than 21 days after acceptance	Agent of record completes ICCP, for Interstate Compact youth in Wisconsin, ICCP must be completed within 21 days of accepting the case.
Youth	Complete JCIP Phase 3 as assigned by the agent	During community supervision	Youth must work to complete the Lessons of the JCIP Phase 3, Challenges, and Student Workbook.
CSP Youth counselors (SERO)	• Staff youth's case with agent • Assist in updating goals for COMPAS Case Plan • Provide safety and security • Provide goal oriented counseling to youth • Assist youth in securing services and/or employment • Maintain contact standards with youth • Assist agent with supervising youth	Daily or as needed	Youth counselors play an integral role in the daily lives of all youth and provide vital information to all staff working with youth.
Youth	Youth Report (DOC-1943)	Complete and submit to agent	The agent may request a youth to complete this form.
Agent/Youth Counselor/Support Staff	COMPAS Progress Notes	Ongoing during supervision	Staff utilizes Notes feature in COMPAS to record information regarding the youth's case and progress. General Notes: Used to document case activity, contacts, rules & conditions, requirements, violations, staffing, etc. Case Plan Notes: Used to document information related directly to case plan. Program Notes: Used only to document information regarding the youth's programs. Enter the appropriate event date for each note. Up to three note subtypes may be selected for each note type. Any note should be marked "confidential" if it contains any protected health or treatment information. Any non-confidential information should be placed in a separate note. (See Appendix A DJC COMPAS Business Plan Use of Confidential Notes) Note subtypes are to be utilized to effectively categorize the various types of information being recorded on youth contacts/events, program categories or case plan events. (See Appendex B)
Agent	Progress Summary	Every 90 days	To record youth's progress with regards to the overall case plan, the Agent creates a report in Microsoft Word using provided Progress Summary template. Agent then copies and pastes the Word document into a Case Note in COMPAS. To permit filtering of notes by review cycle, enter the appropriate cycle associated with the review period. Send electronic copy to OJOR and county worker. Signed copy to OOA.
Agent	COMPAS Address	During community supervision	Maintain up-to-date address and contact information in COMPAS Contact Information fields
Agent/Youth Counselor	COMPAS Drug Tests	When results are received.	See DJC Policy 13-04
Agent	COMPAS Education History	As changes occur.	Replaces JJIS Casebook entries.
Agent	COMPAS Employment History	As changes occur.	Replaces JJIS Casebook entries.
Agent	Updated COMPAS Case Plan	Update activities, tasks, goals and completion dates after every meeting Agent with youth or related significant event to track youth's progress or lack thereof.	directly involves youth in updating case plan as changes occur. Agent prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan.

Staff	Form or Task	Date Due	Information
Agent	Review need to re-score Scales 1 & 2 of the J-SOAP II Scores Scales 3 & 4 of the J-SOAP II	Complete 90 days after release and every 180 days thereafter	If youth is receiving sex offender treatment, agent send copy of scale 3 to treatment provider requesting the provider scores the scale.
Agent/YC	Face to Face Registration with Law Enforcement (DOC-3A)	Complete using instructions on form after release from JCI	Only applies to youth required to register as sex offenders with SORP.
Agent	Sex Offender Registration Annual/Update (DOC-3A) **or** Youth Report (DOC-1943)	Complete either form to report changes in residence, school, employment or vehicle and forward to SORP	Only applies to youth required to register as sex offenders with SORP.
Agent	Transfer case to another agent	As needed upon transfer	Agent sending the case updates COMPAS by transferring the case to receiving agent.
Agent and supervisor	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Milwaukee County—** documents due to court 9 weeks prior to expiration date	Agent and supervisor determine need for extension of commitment for youth on state supervision.
Agent and supervisor	Court Petition (DOC-1707) and Request for Extension (DOC-1723)	**Other counties—** documents due to court 6 weeks prior to expiration date	Agent and supervisor determine need for extension of commitment for youth on state supervision.
Agent	COMPAS Substance Use	As information is received.	Note information on any illegal substance use including amount, frequency, when used.
Agent	Violation Investigation Report (DOC-1783) only for youth on Aftercare	Complete within 7 days of discussing violation(s) with youth	Applies to youth who are alleged to have committed a major violation of aftercare rules/conditions.
Agent	Juvenile Aftercare Revocation Notice and Waiver (DOC-1795)	Within 7 days of initial detention	Only for youth on Aftercare Supervision.
Field Supervisor	Detention Notice and Appeal (DOC-1614)	Within 7 days of initial detention	Applies to youth undergoing Aftercare Revocation process.
Agent	Revocation Packet only for youth on Aftercare	Signed by supervisor at least 10 days prior to hearing, and distributed no less than 5 days prior	Applies to youth undergoing aftercare revocation process.
Agent	Complete and serve youth with Type 2 Violation Report (DOC-1911 and DOC-1912)	Within 24 hours or no longer than 3 days with supervisory approval	To be completed when youth violates Type 2 Supervision. If youth is sanctioned, a DOC-1911 and DOC-3387 Health Screening is to be completed as well.
Agent	Termination Packet applies only to Type 2 youth	Complete within 7 days of placement back at JCI or when status is changed to termination	Applies to type 2 youth who commit a violation resulting in termination of type 2 community supervision.
Agent	Transfer youth to JCI when youth is being revoked or permanently returned	Within 7 days of placement at JCI or when decision to revoke/terminate is made	Transfer offender record and case to appropriate JCI.
Social Worker	COMPAS – Youth assessment	At least 7 working days from scheduled JPRC	Youth being returned to JCI will need to have a COMPAS Youth Assessment if they have not had a COMPAS Youth in the past year. This includes youth who have been revoked or Type 2 terminations, regardless of how long the youth has been on field supervision.

Prior to the Youth Being Discharged from DJC Supervision

Staff	Form or Task	Date Due	Information
Youth & Agent	Planning for reintegration back into the community	Prior to discharge from DJC supervision	Youth and agent develop plans for youth's living situation, school and/or employment and strategies to avoid re-offending.
Agent	Sex Offender Registration Form (DOC-1759)	Complete and send to SORP 10 days prior to discharge from DJC supervision	Agent must inform the youth of his or her obligation to continue to register with SORP for the next 15 years.
Agent & OJOR	Victim/Witness Notification Letter (regarding youth's expiration from DJC supervision)	Agent provides OJOR with expiration date by phone or FAX as soon as date is known	OJOR-CO sends letter to victim/witness at least 15 days prior to expiration of youth's supervision.
Agent	Notice of Release of Youth from Community Supervision (DOC-1626) **or** Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630)	Make reasonable effort to complete and distribute at least 15 days prior to expiration or discharge	

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
Agent	COMPAS Case Plan	30 days prior to discharge and/or termination of Juvenile Order	Agent updates a Case Plan with youth for when youth is discharged. There should be no more than 1 – 2 tasks per goal.
Agent	COMPAS Case Plan	15 days prior to discharge andor termination of Juvenile Order	Youth signs. Copy of Case Plan is emailed to all JPRC participants. The Case Plan is filed.

Staff	Form or Task	Date Due	Information
Staff with youth on caseload	Transfer COMPAS case to another agency	When DJC supervision of youth ends with another COMPAS agency assuming supervision	Utilizing the Transfer option from the Action dropdown in the Person Summary section of COMPAS, complete the transfer selecting the new agency and location for the youth along with the case to be transferred. Close the DJC case.
Agent	Transfer case to county supervision	Upon transfer of supervision	• Youth to county juvenile agency using COMPAS – transfer both person and case record to appropriate county juvenile location and new case manager. • Youth to county juvenile agency not using COMPAS – transfer person record to appropriate county juvenile location and close DJC case.
Agent	Close DJC Case	Upon discharge from DJC Supervision	Discharge/Expiration (no pending DOC cases): • Close DJC Case Discharge/Expiration (pending DAI or DCC case): • Close DJC Case, DAI or DCC will create a new case. WICS/COMPAS interface should transfer person record.

Special Circumstances

Dual Supervision Cases

Staff	Form or Task	Date Due	Information
Minor sentenced as adult in DJC facility			
DAI Staff	Fingerprints & Photographs	Upon arrival	Intake processing and brief orientation prior to transfer to DJC.
WICS-COMPAS Interface	Create person record in COMPAS		Automated interface will create COMPAS person record upon receipt of SID from DOJ.
Reception Social Worker	COMPAS – Youth assessment completed		Create a new juvenile case in COMPAS when creating the assessment. Social Worker assesses Need Scales and selects 2-3 high needs areas. Record any pertinent information regarding the youth as an Assessment Note. This would include youth's cooperation and truthfulness, mental stability, trouble in comprehending assessment questions, corrected or copied assessments, etc. Social worker notes any pertinent information it is felt was not identified in the assessment by using an assessment note in COMPAS. DJC will conduct its own assessment of the youth even if an assessment was recently done by another agency.
All Institution Staff	Update COMPAS case as needed to insure integrity or data.	As needed	Continue to update case information as needed until youth is returned to DAI.
Social Worker	Close COMPAS juvenile case and transfer person	When youth returned to DAI institution	Close COMPAS juvenile case Using code "Transferred" to insure confidentiality of juvenile data. Transfer person record upon youth's transfer back to a DAI facility.
DAI Staff	Create COMPAS Adult case	Upon return to DAI facility	Create an adult case in COMPAS for use while youth is under DAI and any subsequent DCC supervision.
DJC Supervised Youth Receives Adult Probation			
DCC Agent	Create Adult case in COMPAS	Upon assignment	Adult COMPAS case used to document work done while youth is under DJC supervision.
Agent	Adult Community Supervision Rules in COMPAS	Agent completes and reviews with youth and obtains signature	Set any applicable adult rules in addition to existing juvenile rules and obtain signature on printed adult rules. This includes all standard rules along with any applicable Special Rules or Sex Offender Rules.
Agent/OOA	Update both juvenile and adult COMPAS cases as needed pursuant to current business process.	During period of supervision update activities, tasks, goals and completion dates after every meeting with youth or related significant event to track youth's progress or lack thereof.	Agent directly involves youth in updating case plan as changes occur. Continue to update case information as needed until youth is placed under DCC supervision. Agent prints the case plan without case plan notes, reviews and discusses with youth after every update. Youth signs the case plan. Communicate with DCC agent as necessary.
Agent/OOA	Close COMPAS juvenile case	Upon termination of DJC supervision and transfer to DCC.	Close juvenile case to insure confidentiality of information.
Agent/OOA	Transfer person to DCC	Upon termination of DJC supervision and transfer to DCC.	If applicable, transfer person record to applicable DCC unit.
DCC Agent	Update adult COMPAS case.	During period of supervision	Continue to update case information as needed while individual is under DCC supervision.
DCC Agent	Close adult COMPAS case	Upon completion of supervision	Close case when individual is no longer under DOC supervision.
When PSI is created for individual with COMPAS Juvenile case			

Copyright © 2012 [WI Department of Corrections]

Staff	Form or Task	Date Due	Information
PSI agent	Create a new adult lifecycle for the PSI when only a juvenile lifecycle exists.	When creating PSI in COMPAS.	In order to insure the total confidentiality of the juvenile COMPAS case, any adult case must exist in a separate lifecycle.
PSI agent	Notify DJC agent (if applicable)	Upon creation of adult COMPAS case	If juvenile case is open, notify currently assigned DJC agent and advise of current court actions.
Agent/OOA (if applicable)	Verify PSI has been created in a new adult case in COMPAS	As made aware of PSI being required for supervised or formerly supervised youth.	In order to insure the total confidentiality of the juvenile COMPAS case, any adult case must exist in a separate lifecycle.
PSI agent	Create PSI in COMPAS	Prior to date set by sentencing court	Perform actions necessary to complete court-ordered PSI using COMPAS.
PSI agent	Close adult COMPAS case	Upon completion of PSI	Close adult COMPAS case when PSI has been completed. If individual is sentenced to DOC case may be reopened.

SPECIAL CIRCUMSTANCES

Social Worker	Error in previous COMPAS assessment	When discovered	If youth is still under supervision of the person creating the original assessment, discuss with assessor. The person completing the original assessment will edit the original assessment and make note using assessment notes. If youth is no longer under the supervision of the original assessor, staff recognizing the error should do the following: • Copy the original assessment forward using the same assessment type • Make the necessary changes to the copied-forward assessment • Calculate the assessment • Complete an assessment note documenting the reason for the new assessment • Contact the assessor who made the error and polite inform them of the error and corrected assessment • Archive the original assessment and use the corrected assessment for future case planning and management

Responsibilities of Youth and DJC Staff

All staff will have a basic understanding of the case management system. Each individual has a role to play by supporting and assisting the youth to reach his or her goals, implementing DJC policies and procedures, and protecting the community.

Staff has the responsibility to complete specific tasks and documents described in the Manual. This section lays out those responsibilities by profession.

All DJC Staff

- Attend new employee orientation regarding the case management system
- Contact agents, youth counselors or social workers with any questions regarding a youth's ICCP
- Inform agents, youth counselors or social workers of important observations regarding youth's behavior
- Enter any required data into JJIS in a timely manner
- Access DOC/DJC non-JJIS forms through MyDOC/"Forms" link when responsible for completing non-JJIS forms

Regularly consult the on-line Manual to determine current policies and procedures

OOA Staff

During A&E:

- Obtain DOC Number and State Identification Number (SID) upon admission
- Confirm that DJC case is in COMPAS
- Complete Face Sheet (DOC-1701) in JJIS for all youth and submit to SORP when required
- Enter Dispositional Order into JJIS as part of the Admission Dialog
- Create youth's SS file

Stamp SS file if OJOR notifies of receipt of a victim/witness notification request

Copyright © 2012 [WI Department of Corrections]

- Revise DOC-1701 in JJIS when a victim/witness notification request is received or sex offender registration becomes necessary
- Add youth to the Chapter 980 Master List as appropriate
- Send admission packet to youth's parents

While Youth is at JCI:

- Revise DOC-1701 in JJIS as youth's information changes
- Forward Request for Extension of Dispositional Order (DOC-1723) including Court Petition (DOC-1707) to committing court
- Complete and distribute the Notice of Release/Transfer of Youth to Community Supervision (DOC-1627) and Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630) for community notifications when youth are released, transferred or discharged
- Maintain a current Chapter 980 Master List and forward to OJOR reviewers monthly

Business Office

- Set up and maintain each youth's account
- Withdraw payments for youth debts and forward to appropriate recipient
- Enter payments into JJIS and/or on the Youth Restitution and Debt Collection (DOC-1841)

YOUTH

While at JCI:

- Cooperate with A&E process
- Participate in initial and subsequent formal JPRCs and informal OJOR reviews
- Work with social worker to develop initial and subsequent ICCPs
- Work to complete ICCP objectives and goals
- Work to build a complete Lifework Education Portfolio
- Complete program activity documentation as required
- Work cooperatively with youth counselors
- Cooperate with DNA, sex offender registration and Chapter 980 evaluation if required
- Follow conduct rules of the JCI

Prior to Release from JCI:

- Cooperate with social worker and agent to develop release ICCP
- Sign Community Supervision Rules and Conditions (DOC-1741 or DOC-1741S)
- Follow all rules of supervision and cooperate with sex offender registration if required
- Complete Youth Report (DOC-1943) as required
- Present Lifework Education Portfolio to agent at first meeting
- Work with agent to develop ICCP
- Work to complete ICP objectives and goals
- Sign any revised DOC-1741

Copyright © 2012 [WI Department of Corrections]

- Work cooperatively with youth counselors

TEACHERS

During A&E:

- Assess youth's academic skill levels
- Complete Educational Evaluation Report (EER) (DOC-1936)
- Participate in initial JPRC process according to JCI policy

While Youth is at JCI:

- Provide youth with a variety of educational and vocational opportunities
- Assist youth to reach objectives and goals on ICCP
- Update SPED student's Individual Education Plan according to federal timelines
- Complete Educational Report to JPRC (HSED) (DOC-1937) or Educational Report to JPRC (DOC-1938)
- Participate in JPRC process and transition activities according to JCI policy

YOUTH COUNSELORS

- Provide safety and security of youth, staff, and JCI or other state property
- Engage in direct interactions with youth on daily basis
- Provide goal oriented counseling to youth
- Participate in team time and staff meetings regarding the youth's progress
- Complete required daily, weekly, and monthly program activity documentation
- Inform social workers and agents of observations regarding youth's behavior

In addition. CSP Youth Counselors:

- Review case plan and documents related to placement in transition phase
- Participate as member of youth's transition team
- Enable and assist youth in locating and securing employment
- Arrange enrollment of youth in community-based agency programming consistent with youth's ICP.
- Staff case with agent and supervisor.

OJOR STAFF

OJOR-CO:

- Sets up paper file upon youth's admission
- Schedules informal OJOR and formal JPRC reviews
- Forwards weekly schedule of reviews to JPRC members
- Receives victim/witness notification requests, enters information into JJIS, and notifies OJOR reviewer, agent and OOA
- Issues written notification to victim/witness as appropriate
- Maintains file of non-court-ordered apology letters to victims and sends them to victims when requested.
- Enters into JJIS information from all Department Orders (DOC-1722A)
- Forwards letter and attachments regarding Chapter 980 cases to the Department of Justice

Copyright © 2012 [WI Department of Corrections]

- Updates JJIS with revised information regarding youth, case assignment, information regarding parents, etc.

OJOR Reviewer:

- Chairs formal JPRC reviews
- Conducts informal OJOR reviews with youth
- Works with JPRC to establish youth's broad goals
- Regularly reviews program activity and progress documentation
- Makes decisions regarding transfer, release, extension and discharge of youth
- Places each youth into a Transition Phase 90-days prior to anticipated transfer, release or discharge
- Writes and distributes Department Orders (DOC-1722A) regarding youth's goals; transfer, release, extension and discharge decisions; and comments/observations
- Works cooperatively with social worker in making sure that procedures for Chapter 980 cases are followed accurately and in a timely manner

HEALTH SERVICES STAFF

During A&E:

Conduct health screenings of youth upon admission

Consult with social workers to incorporate findings of the health screenings into the AER

Complete Health Screening—DJC (DOC-3387)

While Youth is at JCI:

Oversee health of youth

Complete logs and other documents as required

Prior to Release from JCI:

Provide agent with information regarding youth medications and prescriptions.

Send prescriptions for and/or supply of prescription medications with youth

SOCIAL WORKERS

During A&E (reception social worker):

- Participate in orientation of youth
- Complete AER (DOC-1933) in JJIS incorporating information from various staff
- Complete COMPAS-youth assessment
- Complete trauma scales in CANS
- Complete Daniel Memorial Institute Independent Living Assessment
- Complete Chapter 980 Internal Report (DOC-1946) for certain sex offenders
- Complete Human Biological Specimen (DNA) (DOC-1940) and Wisconsin DNA Databank Buccal Swab Collection Kit for certain sex offenders and all youth with felony convictions
- Score J-SOAP for male sex offenders

Complete Admission Assessment Dialog in JJIS

Complete Current Status Report (CSR) (DOC-1935) in JJIS for re-committed youth

Copyright © 2012 [WI Department of Corrections]

- While Youth is at JCI (reintegration social worker):
- Develop a COMPAS case plan after initial JPRC and every 90 days thereafter or when changes occur
- Complete program activity documentation as required
- Participate in JPRC process
- Complete COMPAS case plan update every 90 days, or more often if indicated
- Complete Information Transmittal and/or Request for Action (DOC-1734) as needed
- Participate in youth's Transition Team during 90-day Transition Phase prior to release/transfer from institution.
- Re-score J-SOAP upon entry into Transition Phase
- Deliver family component of JCIP to families of youth who have completed programming
- Petition court for extension by preparing Request for Extension (DOC-1723) with the Court Petition (DOC-1707) as needed
- Prior to Release from JCI:
- Participate in Chapter 980 Evaluation process for certain youth
- Complete Sex Offender Registration Form (DOC-1759) and (Part 2) (DOC-1759a) for certain youth
- Complete Information Transmittal and/or Request for Action (DOC-1734) as needed
- Work with agent to plan trial visits and prepare Trial Visit and Pre-Placement Agreement (DOC-1718) or Trial Visit to Parental Home Agreement (DOC-1720) as needed
- Complete Order to Detain (DOC-1780) for youth going to court
- Develop release ICCP with agent and youth, update ICCP, enter COMPAS notes and update 15 days prior to release
- Provide agent with Youth Restitution and Debt Collection (DOC-1841) and current JJIS information regarding payment of debts
- Assist agent in obtaining youth signature on Rules of Supervision (DOC-1741) if needed
- After Release from Institution:
- Complete Release Assessment Dialog in JJIS

AΓENTΣ

- During A&E:
- Call or write letter of introduction to youth and youth's parent(s)/guardian
- Complete FHA (DOC-1939) in JJIS
- Participate in initial JPRC
- While Youth is at JCI:
- Maintain contact with youth, social worker, and youth's parent(s)/guardian
- Participate in JPRC process
- Assemble Transition Team to put services in place during 90-day Transition Phase prior to youth's transfer/release from institution.
- Complete Community Supervision Plan (DOC-1736) as required
- Complete Type 2 Referral and Screening (DOC-1857) as needed

- Work with social worker to plan trial visits, and supervise youth during a trial visit

Prior to Release from JCI:

- Complete Juvenile Release Authorization (DOC-1788)
- Develop transition ICCP with JCI social worker, youth and transition team
- Obtain youth's signature on (DOC-1741) Community Supervision Rules and Conditions including any supplemental rules and/or special rules for juvenile sex offenders prior to release from JCI
- Arrange reach-in services with relevant community-based service providers and other community supports during 90-day transition

Chair at least one transition team meeting in the JCI

While under Community Supervision:

- Follow contact standards and document in appropriate COMPAS notes.
- For youth in alternate care, complete a transition team meeting for youth transferring to aftercare or CSP prior to transfer from alternate care placement
- Chair a follow-up transition team meeting in the community for each youth on aftercare or CSP

Complete COMPAS case plan update every 90 days

- Update ICCP every 90 days or as changes occur
- Complete Face-to-Face Registration with Law Enforcement (DOC-3A) for youth required to register with SORP
- Report changes to SORP as needed with the Sex Offender Registration Annual/Update (DOC-1796) or Youth Report (DOC-1943) for certain youth
- Re-score J-SOAP in COMPAS for appropriate male sex offenders

Submit enrollment and disenrollment information for Medicaid according to DJC rules

- Require youth to pay debts and update DOC-1841 as needed

Complete Recommendation for Administrative Action (DOC-44A) when transferring cases to DCC

- Assist in tracking SJO-B Type 1 time by providing information to OOA on youth detained in community by DJC (e.g., secure detention, jail)
- Petition court for extension by preparing Request for Extension (DOC-1723) with the Court Petition (DOC-1707) as needed

Notify OJOR of an extension of a youth's commitment after the court hearing

Complete Violation Investigation Report (DOC-1783) when required

Complete Revocation Packet when required

Complete Termination Packet when required

Prior to Discharge from Community Supervision:

- Work closely with the youth to develop plans for his or her reintegration into the community; document in COMPAS
- Complete Sex Offender Registration Form (DOC-1759)
- Explain to certain youth the sex offender requirements to register for the next 15 years

Prepare Notice of Release of Youth from Community Supervision (DOC-1626)

Copyright © 2012 [WI Department of Corrections]

- Provide notice to OJOR of the expiration date for victim/witness notifications

SUPERVISORS

- Attend required supervisory case management system training
- Oversee operation of living unit/cottage or field office
- Develop sound working knowledge of the case management system
- Become very familiar with the contents of the Manual
- Provide initial and ongoing mentoring of staff under supervision
- Ensure that staff under supervision attend required training
- Train staff to utilize the Manual as the primary source of information regarding job responsibilities
- Meet with staff to explain Manual revisions
- Ensure that staff access the Manual through MyDOC
- Train staff to use MyDOC to access DOC/DJC forms and to complete forms on computer
- Conduct monthly supervisory meetings with staff
- Participate in unit and DJC staff meetings regarding programs, practice, policies, etc.

Conduct case audits as required

Participate in case management system/transition audits as required

Monitor completion of transition team meetings

Appendix B – Use of Note Subtypes

Note subtypes should always be used, although may not be applicable for certain note types (i.e. Assessment note). The use of note subtypes permits for efficient filtering of notes specific to a certain category of contact. Note subtypes are most community used in General, Case Plan and Program Notes.

Examples of:

General Note Subtypes	Program Note Subtypes	Subtypes applicable to multiple note types
Collateral	Anger Management	
Community Visit	Career Technical	Education
Home Visit	Cognitive Behavioral	Court Appearance
Jail/Detention Visit	Domestic Violence	JMCORP
JCI Face-to-Face Visit	Program Review	Release Planning
Mail/Email/Telephone	Program Sex Offender	Skill Practice
Office Visit	Psychological	Staffing
Video Conference	Restorative Justice	Violation
	Substance Abuse	Work Release

Appendix C – Case Transfers within COMPAS

At the point of Divisional intersections, DAI, DCC, and DJC case managers shall facilitate a seamless Unified Case Plan transition as the offender moves from one division to the other, or within an existing Division. Examples of transitions include, but are not limited to, release from DAI to DCC, revocation from DCC to DAI, and transfers from one P&P Agent/Social Worker to another.

When the offender is exiting an existing Division or transferring within the same Division, the sending case manager shall review all incomplete tasks/activities and select the Completion Code of Unsuccessful for any that were unsuccessful (failed) as a direct result of the offender's actions or lack thereof. All other incomplete tasks and activities shall be left open for potential continuation in the receiving location. The receiving case manager shall then review the existing incomplete tasks/activities for potential continuation. The receiving case manager

Copyright © 2012 [WI Department of Corrections]

also has the option to start new tasks/activities based on Division or site-specific programs or services. In the event that an incomplete task/activity is no longer applicable, the receiving case manager shall close the task/activity by selecting the Completion Code of Closed. Any time a task or activity is updated or closed, a task note shall be created, documenting the action. Note, during the transition the goal should generally remain the same, as it is primarily driven by the assessment and not Division-specific.

In the case of transition from DJC to an adult Division, the receiving Division's case manager shall create a new case (Lifecycle) and case plan because the juvenile case plan will be closed at the same time as the case (Lifecycle) is closed. The case manager shall review the previous juvenile case plan for continuity and to avoid redundancy when creating the new case plan based on an adult assessment.

Copyright © 2012 [WI Department of Corrections]

3 JCI Admission Procedures, Special Legal Commitments, and Direct Commitments

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

- Dispositional Order/Judgment of Conviction
- Master Records/DOC Number
- Admission Packet
- Photograph of Youth
- Special Types of Legal Commitments
- Substance Use Disorder (SUD) Program
- Dispositional Report
- DJC Face Sheet
- Social Services & Community Supervision Files
- Current Status Report for Re-Admissions
- Direct County Commitments to DJC Programs

Forms Discussed in this Chapter

- Dispositional Order (JD-145)
- Health Summary (DOC-3314)
- Authorization for Use and Disclosure of Protected Health Information (PHI) (DOC-1163A)
- Current Status Report (DOC-1935)
- Family and Home Assessment (DOC-1939)
- Emergency Medical Authorization for a Minor (DOC-2196)

Forms can be accessed in MyDOC. Whenever a form is being completed, make sure that the most current version in MyDOC is being used. The Dispositional Order (JD-1745) is a circuit court form that can be reviewed at http://wicourts.gov/forms1/circuit.htm.

Dispositional Order or Judgment of Conviction

Overview

Required Court Order

The JCI must have a signed **original juvenile court Dispositional Order** transferring legal supervision of the youth to DOC at the specific JCI reception center or **Judgment of Conviction** for a youth with an adult sentence. Both documents indicate the offense(s), with the corresponding statute numbers, for which the youth was found delinquent or convicted. The JCI may not admit a youth without an appropriate court document.

Exceptions

A youth under a federal commitment from the Federal Bureau of Prisons or placed in secure detention by a county at LHS or CLS typically does not have a Wisconsin Dispositional Order or Judgment of Conviction. See sections later in chapter that discuss special types of legal commitment.

Review of Dispositional Order/Judgment of Conviction

Statutory Requirements for Court Commitment to DOC

A juvenile court judge makes the following findings in order to commit a juvenile aged 10 years or older to DOC in a secure juvenile correctional facility:

- Juvenile committed an act punishable by a sentence of 6 months or more if committed by an adult Juvenile is
- a danger to the public and needs restrictive custodial treatment

Courts are mandated by statute to use the standard **Dispositional Order-Delinquent** (JD-1745). That form includes all data needed such as date of the offense, restitution owed [see Chapter 21] and financial obligations of parents.

Review order and correct errors

- The OOA carefully reviews the information contained in the Dispositional Order/Judgment of Conviction.
- The designated JCI staff person, generally the social worker, interviews the youth to verify the information included in the court order. If errors are noted, the OOA notifies the committing court. The court issues an amended order and forwards it to the JCI. The OOA then ensures that Master Records receives the corrected information.

Questions regarding provisions in an order

Do not assume that everything on a court order is correct. Courts do make errors. Often clerks of court complete the orders and may not have been in the courtroom for the hearing. If an order appears confusing, incomplete or inaccurate, follow-up is needed.

Copyright © 2012 [WI Department of Corrections]

When a Dispositional Order includes one of the following provisions, it needs revising:

- Grants youth credit for the number of days spent in pre-disposition detention. Wisconsin Supreme court case prohibits this practice.
- Orders payment of more than one Victim/Witness Surcharge in one Dispositional Order.
- Places a youth in the Serious Juvenile Offender Program for an offense not included in one of the SJOP tables appearing later in this chapter or via an order other than the original Dispositional Order.

For orders from Milwaukee County, the OOA should contact the Children's Court liaison to discuss questions regarding a Dispositional Order. The liaison will contact Central Office when needed to resolve a problem. For other counties, the OOA should contact the designated staff person in Central Office.

Entering Court Order in JJIS

General

The OOA enters the information contained in the court order into JJIS. A portion of that information relates to the offense(s) for which the youth was adjudicated or convicted. Other information includes the committing county, judge's name, d.o.b. of the youth, etc. All the information included in the order can be entered into JJIS in the **"court order" text box** on the commitments tab. Note that the victim's name should not be entered. Instead, simply refer to "the victim" when necessary to reflect the court order.

JJIS Table of Offenses

The OOA enters into JJIS the offense(s) included on the court order. The statute number selected should be the one that states the type and class of the offense: **felonies** include classes A, B, C, D, E, F, G, H and I; and **misdemeanors** include classes A, B and C.

The JJIS list does not include "fine only" offenses, statutes that merely define the illegal behavior or some offenses that are highly unlikely to be committed by a juvenile.

The class of the offense relates to the seriousness of the offense, e.g., conviction for a class B felony can result in a sentence of up to 60 years, whereas the maximum sentence for conviction for a class H felony cannot exceed 6 years. The class of the misdemeanor or felony does not generally affect the length of the youth's juvenile commitment (except for SJO youth) as it does for a convicted individual, but does reflect the seriousness of the offense.

CMM Table of Offenses

The CMM table of offenses is a word document that lists offenses in numerical order and provides additional information: category and class; title of statute; description of offense; DJC code number assigned to the offense, and the federally-defined category of the offense. To review and/or print the Table, go to the document named **"Table of Offenses" in the CMM page in MyDOC/About DOC/Manuals.**

Sex offender registration

JJIS automatically sets the sex registration flag for adjudicated/convicted youth found guilty of an offense for which the Wisconsin Statutes requires an individual to register. The OOA super-user must manually override the SOR flag for adjudicated youth whose court orders indicate the judge waived or stayed the registration requirement. Information about a future hearing to determine whether to lift a stayed order for sex offender registration, including a request for DJC participation in the hearing, should be entered in JJIS and COMPAS at this time.

DNA-required

As of April 1, 2015, courts are required to order collection of a DNA specimen for any youth adjudicated delinquent for an offense that would be a felony if committed by an adult, plus certain enumerated misdemeanors. DNA collection procedures are in DJC Policy and Procedure 100.04.01.

Special Legal Commitments

The OOA indicates in JJIS whether a youth is committed under a special legal status such as Serious Juvenile

Offender Program (SJOP), federal placement, a secure detention placement or a type 2 county or DJC sanction.

Dispositional Report

Section 938.49 (2), Stats., requires the court to "immediately" forward to the receiving JCI the Dispositional Report submitted by the county to the court under s. 938.33, Stats., or a transcript of that report when it was presented orally in court. The report includes extensive information regarding the youth including prior contacts with the law and county agencies.

By practice, the counties may not forward the report to the JCI for up to a week following the youth's admission.

Obtaining the report promptly is vital for A&E. [see Chapter 4] The designated JCI staff member contacts the committing court to request the Dispositional Report if it is not received in a timely manner.

Counties may choose to email the dispositional report and other documentation to designated OOA, OJOR and regional office contacts. The contact persons will distribute the scanned documents to appropriate staff, e.g., reception social workers, OJOR lead, and assigned agent.

Master Records & DOC/SID Numbers

DOC Number

On the day of a youth's admission or on the first working day following a youth's admission to a JCI, the OOA checks JJIS to determine if the youth has an existing DOC number entered into JJIS. If the youth has an existing number, the OOA enters the new admission data into JJIS. If the youth does not have a DOC number, a temporary number is assigned to the youth.

Historically, a juvenile's DOC-number has been referred to as a J-number. Because an individual assigned a DOC-number as a juvenile will retain the same number if imprisoned as an adult, it is better practice to refer to the number as a DOC-number.

SID number

At the time of admission designated staff fingerprints all new commitments. The fingerprints are scanned, sent to the Department of Justice (DOJ) and are assigned a State Identification Number (SID). DOJ sends the SID number to the JCI and it is entered into JJIS. The SID number is the identifying number in case planning. A juvenile will retain the same SID number for case planning if convicted as an adult.

COMPAS

When a new admission is entered into JJIS and assigned a SID number, a new "person" record is automatically created in COMPAS.

Information to Master Records

Whether or not a youth has a DOC number, the OOA forwards the following information to DOC Master Records:

- Name • Alias (if known)
- Status (no existing DOC#) • Date of birth
- Race • Sex of youth
- Committing County • Admission date to the JCI
- Date committed from the court • Length of commitment/sentence
- Expiration Date • Court case number(s)
- Type of Committment (Special Legal Commitments, Direct Commitments)
- Parent/Guardian - name, address, & phone number
- Reception Social Worker

Responsibilities of Master Records

If the youth does not have a DOC number in JJIS, Master Records determines whether the youth has an existing number (not known to DJC) or requires the assignment of a number. Master Records generally e-mails the youth's assigned DOC number to IPC. The same **DOC** number remains with the individual if he or she moves from the juvenile to the adult system.

Face Sheet (DOC-1701)

~~Initial Face Sheet~~

- The admission **data entered by the OOA in JJIS completes the Face Sheet** (DOC-1701). Designated staff, generally the social worker, may need to contact the youth's parent/guardian to obtain information not available at the time of the youth's admission.

The OOA distributes copies of the DOC-1701 and the Dispositional Order/Judgment of Conviction to appropriate staff.

- The OOA sends a **copy of the completed DOC-1701 to SORP for a youth who must register** as a sex offender. Upon receipt of the Face Sheet, SORP enters the youth into its computer system.

Face Sheet Not Completed for Some Youth

Generally, a face sheet is not completed in the following circumstances:

- Type 2 RCC youth being sanctioned
- Youth in secure detention status

Revision of Face Sheet

The OOA completes a **revised Face Sheet under certain circumstances** such as those listed below:

- Change in expiration date
- Correction of errors in a prior Face Sheet
- New adjudication or conviction

Admission Packet

Contents

The OOA forwards to the youth's parent(s)/guardian the **admission packet shortly after the youth's admission** to the JCI. The packet contains information about topics such as the operation of the JCI, programs/services, visiting rules, financial obligations of parents, and policy regarding collection of a youth's financial obligations.

Packet Not Sent

In some situations the OOA does not forward an information packet to a parent/guardian such as those listed below:

- Parental rights terminated
- No address
- Social worker request that no packet be sent
- Court order states no contact
- Short-term secure detention youth at LHS/CLS
- Type 2 RCC sanction youth

Social Services and Community Supervision Files

Social Services File

When a youth is admitted to a JCI for the first time, the OOA creates a social services file according to the instructions contained in chapter 25.

- The OOA does not create a social services file for some youth:
- County supervised Type 2 RCC youth being sanctioned at a JCI
- Secure detention youth

Community Supervision File

When an agent is assigned to a youth, the **community corrections (field) office creates and maintains a standardized file according to the instructions contained in chapter 25.**

Digital Photographs of Youth

Designated DJC institution and field staff digitally photograph **all DJC youth** at the following intervals while under DJC supervision:

- Upon **initial admission to a JCI**
- When DJC staff observe a **significant change in the youth's appearance**
- Immediately **prior to leaving the JCI** due to:
  - Release/transfer from a JCI to DJC **community supervision**
  - Release to county aftercare supervision
  - Immediately **prior to administrative discharge** from DJC supervision **or expiration of court commitment** for a youth in a JCI or on community supervision

- **One year** from the most recent photograph
- **When accepted for supervision under the Interstate Compact for Juveniles (see Chapter 19)**

Staff follow the procedures outlined in **DJC Policy and Procedure 100.04.04**. After the photograph has been taken, a designated staff member records the date of the photograph session in the **"Photo Roster" within JJIS**. Instructions for entries into the roster can be found in MyDOC.

Re-Admission

Re-Admission for a New Offense

When a youth is re-admitted to a JCI based upon an adjudication or conviction for a new offense, he or she participates in all or certain components of the A & E process as determined by designated JCI staff. [see Chapter 4]

Re-Admission After 6 Months

In most cases, if it has been 6 months or longer since the youth has been in the JCI, the youth participates in all or certain components of the A & E process as determined by designated JCI staff. [see Chapter 4]

Instructions for Completing CSR in JJIS

1st section. Chronological history of release/transfer, community placement, and return to JCI.

Receiving social worker may summarize the information included in the termination or revocation packet instead of repeating all the information on the CSR. Describe youth's perceptions, thoughts and attitude about returning to JCI as well as social worker's impressions.

2nd section. Youth's adjustment since return.

- Rule violations and general behavior
- Youth's strengths and weaknesses
- Youth's perception of needs
- Social worker's assessment of youth's needs

3rd section. Recommendations.

- Need to file a petition for extension
- Type of program/treatment appropriate for youth
- Retention at JCI or return to community supervision

Special Types of Legal Commitments

Overview

Some youth have **special types of legal commitments that may require different procedures** than those normally followed by the OOA and other staff.

- Youth in Serious Juvenile Offender Program
- Youth placed by Federal Bureau of Prisons
- County Youth in Secure Detention
- Youth convicted as Adults

Serious Juvenile Offender Programs (SJOP)

Overview

Courts may place youth in the Serious Juvenile Offender Program (SJOP), described in s. 938.538, Stats., when the youth has been adjudicated delinquent for certain offenses. Under s. 938.34 (4h), Stats., a court may place a youth **14 years and older in SJOP for the commission of specified offenses, and a youth 10 years and older for a small number of very serious offenses. For the purpose of SJO eligibility, conspiracy to commit a listed offense also makes a youth eligible for the disposition.**

The placement of a youth in SJOP must occur at the time of the **initial Dispositional Order**. The court cannot issue an initial Order that does not place the youth in SJOP and later place the youth in SJOP for the same underlying offense. [see Chapter 1] A stayed order for the SJO disposition, imposed when the stay is lifted by the court, is an original order or "initial order" for this purpose.

Offenses for which a youth age 14 and older can be placed in SJOP

Class	Statute	Description of Offense
B	939.32 (1)(a)	Attempt to commit crime for which penalty is life imprisonment
*	940.03	Felony murder: death results in act of committing other certain crimes
D	940.06	Reckless homicide, 2nd degree
C	940.21	Mayhem
B	940.225 (1)	Sexual assault, 1st degree
B	940.305 (1)	Taking hostages
C	940.305 (2)	Taking hostages, releasing unharmed before arrest
C	940.31 (1)	Kidnapping
B	940.31 (2)(a)	Kidnapping with intent to transfer property

C	940.31 (1) or (2)(b)	Same as above; victim released without permanent injury before trial
C	941.327 (2)(b)4.	Tampering with household products resulting in death
C	943.02	Arson
E	943.10 (2)	Burglary, armed or with commission of a battery, or entry into an unoccupied dwelling
C	943.23 (1g)	Operating vehicle without owner's consent, use of dangerous weapon
C	943.32 (2)	Robbery, armed; includes attempted armed robbery
A	948.02(1)(am)	Sexual contact or intercourse with a child under age 13, causes great bodily harm
B	948.02(1)(b)	Sexual intercourse with a child under age 12
B	948.02(1)(c)	Sexual intercourse with a child under age 16 by use or threat of force or violence
B	948.02(1)(d)	Sexual contact with a child under age 16 by use or threat of force or violence if actor is at least age 18
B	948.02(e)(e)	Sexual intercourse or contact with a child under age 13
A	948.025(1)(a)	Repeated acts of sexual assault of same child, at least three were violations of s 948.02(1)(am)
B	948.025(1)(b)	Repeated acts of sexual assault of same child, at least three were violations of s.948.02(1)(am) (b) or (c)
B	948.025(1)(c)	Repeated acts of sexual assault of same child, at least three were violations of s.948.02(1)(am) (b) (c) or (d)
B	948.025(1)(d)	Repeated acts of sexual assault of same child, at least three were violations of s.948.02(1)
C	948.025(1)(e)	Repeated acts of sexual assault of same child, at least three were violations of s. 948.02(1) or (2)
C	948.30 (2)	Abduction of another's child, use of or threat of force
* s. 940.03 is a penalty enhancer and is not assigned a class of felony		

Offenses for which a youth age 10 and older can be placed in SJOP

Class	Statute	Description of Offense
A	940.01	1st degree intentional homicide; committing
B	940.01	1st degree intentional homicide, attempting
B	940.02 (1) or (1m)	1st degree reckless homicide; committing in a manner showing utter disregard for human life or an unborn child
C	940.02 (2)	1st degree reckless homicide, committing under certain circumstances
B	940.05 (1) or (1g)	2nd degree intentional homicide, committing

Legal Requirements for Time a SJO Youth is Placed in a JCI

- **SJO-A:** The court places a youth adjudicated for an offense punishable as a Class A felony (included in the SJO statute), if committed by an adult, in the SJOP until the age of 25 years. The youth must be confined in a JCI for a mandatory minimum of one year (365 days).
- **SJO-B: Offenses:** The court places youth adjudicated for a SJO non-class A offense (offenses classes B, C and E listed in the statute), if committed by an adult, in the SJOP for 5 years. The youth may not be placed in a JCI for more than 3 years (365 X 3 = 1,095 days).

Purposes of System to Track SJO Days

The OOA has special responsibilities with respect to SJO youth. Upon the admission of a SJO, the OOA enters the youth into the computerized SJO log or JJIS **to track the number of days** that an SJO-A and SJO-B youth spends **at a JCI**. The OOA enters the required information into the tracking log or JJIS on an ongoing basis while the youth remains at a JCI, and moves in and out of a JCI.

Days That Count Towards SJO Days

- Youth is in a JCI on type 1 status in JJIS
- Youth is on type 1 status in JJIS, but may be physically absent from the JCI; e.g., TAP-CRT, FURL, MED, OFFG, SPRT, WRK, and TRV.
- Youth is physically in a JCI due to a sanction or administrative detention, but may be in type 2 or aftercare status in JJIS.
- Youth is in the community in detention/jail because DJC asked law enforcement to hold a youth until DJC can pick up the youth to be transported to a JCI. DJC controls the movement of the youth, rather than local law enforcement.

Days That Do Not Count as SJO Days

- Youth is in a **county jail or detention center** under the **control of local law enforcement** pending a charging decision or following a charge for a new offense. DJC does not control when the youth leaves detention/jail.

Copyright © 2012 [WI Department of Corrections]

- Youth is in an **adult prison** for an adult conviction.
- Youth is in a county jail/Milwaukee Secure Detention Facility on **an adult probation hold**.

Agent Responsibilities

NOTE: The OOA cannot determine from JJIS whether the days a youth spends in jail or detention are under the control of DJC or local law enforcement. It is the responsibility of the field agent to notify the JCI OOA when a type 2 SJO youth is in jail or detention due to a DJC administrative hold, so that those days can be included in the type 1 limit computation.

Computation of Days

- **Class A.** Minimum number of days that a Class A SJO youth shall legally be under the control of a JCI equals 365 days.
- **Class B**. The total number of days that a Class B SJO youth can legally be under the control of a JCI equals 1,095 (3 years x 365 days). The OOA documents the number of countable days and adds the subtotals resulting in the grand total of countable days. That number is subtracted from 1,095.

Distribution of the SJO Log

The OOA forwards by the first Wednesday of each month, the SJO log to the following individuals via E-mail:

- Program Assistant for Assistant Administrator • OJOR Director
- OJOR Reviewers • Superintendents
- Appropriate JCI Staff (section managers, social workers) • Field Supervisors
- Regional Chiefs • OOAs at SERO/NWRO

Responsibilities of Field Supervisor:

- Distribute and/or post the monthly SJO logs from each JCI for the agents.

Notification of Time Limits

- **SJO-A.** The OOA provides notice via E-mail **60 days and 30 days prior to the 365-day mandatory minimum** period to staff listed above.
- **SJO-B.** The OOA provides notice via E-mail **60 days and 30 days prior to the 1,095-day** maximum time limit to staff listed above.

Federal Placements

By contract, the Federal Bureau of Prisons (FBOP) may place **youth adjudicated delinquent by a federal court** in a JCI. The Statement of Work (SOW) sets the standards with which the JCI must comply. Programming requirements for youth under a federal placement are defined by the FBOP. [see Chapter 7]

Referral Process

The FBOP sends a referral packet to the JCI superintendent. The superintendent reviews the packet to decide whether to accept the youth. The superintendent sends a written decision to the FBOP. When the JCI accepts the youth, the FBOP informs the US Marshal's office to transport the youth to the JCI.

Admission to Reception

Upon the youth's arrival at the JCI, the JCI signs the order (Transfer Order or Judgment and Commitment Order) that the U.S. Marshal produces and notifies the FBOP. The JCI follows any additional processing requirements included in the SOW. The youth participates in A&E. [see Chapter 4]

Secure Detention

LHS and CLS offer secure detention services to Wisconsin counties in the northern part of the state. A **county must have a signed contract** with LHS in order to utilize its secure detention program. Youth are governed by the DJC Administrative Rules and the Administrative Rules for the committing county's detention center. Counties can only utilize LHS/CLS if there is not an opening at a county-operated detention facility that is within 40 miles of their county seat. Therefore, if a county must utilize LHS/CLS, the secure detention program accepts youth based on the same criteria used for placement in county-operated detention centers.

Copyright © 2012 [WI Department of Corrections]

Programs with Pre-Screening/Referral Process

Substance Use Disorder (SUD) Program

At LHS and CLS, the SUD Program targets youth ages ten through seventeen with Alcohol and Other Drug use and Abuse (AODA) issues. The program shortens the length of the initial Assessment and Evaluation phase of programming to three days, on the consideration that the county provides recent AODA assessment and other required information on youth and has followed the process for screening and placement in the program. The duration of the program is no less than 16 weeks.

Legal Criteria

- Youth meets the statutory criteria for correctional supervision under s. 938.34 (4m):
  - Court found youth to be delinquent for commission of an act, which if committed by an adult, would be punishable by a sentence of six months or more;
  - Court found youth to be a danger to the public and in need of restrictive custodial treatment
- Youth must have a commitment to DJC of not less than six months.
- Youth between the ages of ten and seventeen the county department would normally consider placing at Juvenile Correctional Institution.
- Youth does not have serious mental health needs.

Process for Screening and Placement of Youth in LHS/CLS SUD Program

- County department consults with Office of Juvenile Offender Review (OJOR) at LHS/CLS to determine whether the youth is appropriate for the program.

  Primary Contact: Judy Lehman (715) 536-8386 ext. 1222
  Secondary Contact: Casey Gerber (715) 536-8386 ext. 1216

- Referrals will be pre-screened by OJOR; if tentative approval is given by OJOR, the county department and DJC have specific responsibilities as described below:

County Department

- County Department must provide the following information to LHS/CLS prior to the youth being accepted to the program and physically admitted:
  - An AODA Assessment with a diagnosis of chemical dependency or abuse completed on the youth less than six month prior to screening;
  - A copy of the Court Report that includes a social history;
  - Educational, medical, and mental health records. Educational records include transcript, cumulative records, immunization records, and special education documentation and signed consent forms for evaluation and placement
  - A transition plan (may be completed at first JPRC)
- Once the required information and documents are received and reviewed by LHS/CLS, youth may be placed in Reception Program. The youth will spend no more than three working days in the Reception Program. During those three days, the youth will receive basic orientation on rules, behavior expectations, clothing, schedules, etc. Youth may also be oriented to the assigned SUD Program to begin AODA work during that time period. Youth will concurrently be placed in school. Prior to physically transferring the youth to a SUD Program, DJC staff will be responsible for the following:
  - The Unit Manager will prepare a document stating all information and documents were received and that

Copyright © 2012 [WI Department of Corrections]

LHS/CLS is accepting the information as the Assessment and Evaluation report (AER). The assigned reintegration social worker will complete a Current Status Report prior to the initial JPRC.

- If during the initial screening additional programming beyond the SUD program is being requested, OJOR and/or Unit Manager will refer the case to the Reception Unit Manager who will assign a Reception Social Worker to complete an AER at least 7 days prior to the initial JPRC. The youth's adjustment to the institution will be documented in the AER – Observation and Analysis section.
- The Reintegration Social Worker will represent the institution at the initial JPRC.

NOTES

- OJOR will schedule the first JPRC within 21 days
- OJOR will designate eligibility for release upon successful completion of the SUD Program and additional programming if requested.

Overview of Direct County Commitments

Introduction

County departments of social services/human services may recommend that a juvenile court directly commit a delinquent youth to the Short Term Re-Entry Program for Juvenile Girls (CLS).

Collaboration Required

- Direct commitments to the Short Term Re-Entry Program for Juvenile Girls require agreement among the county department, OJOR and appropriate DJC program staff prior to the county formally recommending to the court the direct placement of a youth.
- If the court orders a direct commitment to a Short Term Re-Entry Program, the youth participates in all or part of the 21-day A&E [see Chapter 4] process at a JCI.

Community Supervision Program

Referral Process for Direct Commitments

Legal Criteria

- Court found youth to be delinquent for the commission of an act which, if committed by an adult, would be punishable by asentence of 6 months or more
- Court found youth to be a danger to the public and in need of restrictive custodial treatment

Youth Characteristics

- Youth is a person the county department would normally consider placing in a JCI
- Youth does not require specialized substance use or sex offender treatment, or have serious mental health needs.

Initial County Contact with DJC for Direct Commitment to CSP

- County department consults with CSP contacts listed below to provide basic information regarding the pending offense, offense history and primary treatment needs.
- The field supervisor considers the court's wishes along with other factors pertinent to the youth's suitability for CSP.
- Based upon that information, the field supervisor may conclude that circumstances of the case preclude the youth from participation in CSP. The field supervisor notifies the county and the regional chief.

Primary Contacts
• OJOR: (414) 266-7333
• Southeastern Regional Office: Milwaukee 414-266-7302

Copyright © 2012 [WI Department of Corrections]

• Northwestern Regional Office: Fox Valley/Wausau 715-241-8892 Madison 608-288-3353
Secondary Contacts
• OJOR Director: (608) 240-5918
• SERO Regional Chief: (414) 266-7350
• NWRO Regional Chief: (608) 288-3352

DJC Responsibilities Upon County Referral of Youth for Direct Commitment

- Field supervisor
  - If the field supervisor decides that the referral appears appropriate, the county faxes more specific information regarding the youth.
  - After reviewing faxed county material, field supervisor determines whether to consider the referral by completing the Family Home Assessment.
  - Field supervisor informs the county when the FHA will not be completed and the referral is rejected.
- Agent: FHA
  - Agent conducts a FHA with the parent/guardian.
  - Reviews the community supervision requirements and the COMPAS community supervision rules determines the parent/guardian's willingness to cooperate communit supervision requirements.
- Agent: Determination
  - Completes the FHA on MyDOC.
  - Determines her or his recommendation regarding the appropriateness of the home for the youth's community supervision placement.
  - Meets with supervisor to discuss her or his recommendation regarding the appropriateness of the direct commitment placement.
  - Contacts OJOR reviewer to discuss the recommendation of the agent and supervisor.
- Agent: Determination
  - Completes the FHA on MyDOC
  - Determines her or his recommendation regarding the appropriateness of the home for the youth's community placement while in CSP.
  - Meets with supervisor to discuss her or his recommendation regarding the appropriateness of the direct commitment referral.
  - Contacts OJOR reviewer to discuss the recommendation of the agent and supervisor.
- OJOR
  - Reviews the recommendation for direct commitment to community supervision based upon information provided by the agent.
  - Notifies the LHS/CLS OJOR office of the decision to accept or reject the referral.
  - Upon notification from the county that the court has directly committed the youth, the field supervisor notifies the OOA at the receiving JCI.

County Responsibilities Upon Agreement that Youth is Appropriate for CSP

- Write a Dispositional Report [see Chapter 3] recommending that the court commit the youth to DOC with a direct commitment to CSP.

Copyright © 2012 [WI Department of Corrections]

- Contact OJOR when the court issues the order directly committing the youth to CSP.
- Arrange for the youth's placement at a JCI for the A&E process after the court orders a direct commitment.
- Prepare a packet of information to send with the youth upon admission to the JCI including, but not limited to:

- Dispositional Order
- School information
- Psychological information
- Dispositional Report
- Prior placement information
- Medical information

Role of the Court

Court **commits the youth to DOC for at least 10 months** with the understanding of the following:

Youth completes a 21-day A&E process at a JCI. [see Chapter 4]

OJOR will administratively transfer the youth to CSP at the end of A&E. [see Chapter 5]

Dispositional Order [see Chapter 3]. The recommended wording for the dispositional order is the following:

> (Name of youth) is committed to the Wisconsin Department of Corrections for a period of (number) months until (dd/mm/yy) for placement in Type 2 community supervision [Note: Court must commit the youth to DJC for at least 10 months with the understanding that the youth will complete a 21-day A&E process at the JCI.] If the youth fails to complete community supervision, DOC may place him or her in a secure juvenile correctional facility (JCI) unless otherwise directed by the court.

Responsibilities of DJC During A&E

- While at the JCI, youth completes the 21-day **A&E** process including being involved in an initial JPRC [see Chapters 4 & 5].
- If at any time during the A & E process, OJOR believes that the youth should not be placed in CSP, OJOR immediately notifies the field supervisor who communicates with the committing county and the court. The county and court then consider alternative placements for the youth. [see Chapters 4 & 5]
- Agent transfers the information from hard-copy FHA to JJIS
- At the initial JPRC, members determine the appropriateness of administratively transferring the youth to CSP. OJOR either issues a Department Order 1722a transferring the youth to CSP per the court Dispositional Order or the field notifies the court and county that the youth is not appropriate for transfer to CSP. [see Chapter 5]

DJC Responsibilities During Placement in CSP

- Meet all CSP supervision requirements. [see Chapter 13]
- Respond to a violation according to proper procedures. [see Chapter 15]

DJC Responsibilities upon Youth's Completion of CSP or Failure to Complete CSP

- Successful completion: When the youth successfully completes CSP, DJC may release the youth to state or county aftercare. [see chapters 10, 16 & 17]
- Failure to complete
  - Staff immediately notifies the committing county and court that the youth failed to complete CSP.
  - Court has 2 options:
    1. Order the youth finish the commitment period at a JCI
    2. Return the youth to court for a change in placement

Short Term Re-Entry Program for Juvenile Girls (CLS)

The Short Term Re-entry Program for Juvenile Girls is a targeted program for girls who are identified by the court

as benefiting from a maximum of 120 days placement under the supervision of Copper Lake School. A girl, her county, aftercare providers, and the family would commit to this program through contracts. A referral process is in place with the Office of Juvenile Offender Review providing the initial screening process for direct commitments.

Youth Characteristics

Youth is an adolescent female the county department may normally consider placing in CLS. Youth

- does not have serious mental health needs.

Recommendation and court report

A county considering direct placement in the Short Term Re-entry Program for Juvenile Girls should contact Tonja Fischer of the Office of Juvenile Offender Review at (715) 536-8386 ext. 1165. If it appears the girl is appropriate for the program, the county would prepare a dispositional report recommending placement with the Department of Corrections for a direct commitment to the Short Term Re-entry Program for Juvenile Girls. The report should include a clear and complete transitional proposal for re-entry.

Court Order Example

"(Name of youth) is committed to supervision by the Wisconsin Department of Corrections for placement in the Short Term Re-entry Program for Juvenile Girls with a maximum limited time of 120 days at Copper Lake School and up to nine months of community aftercare supervision. Upon successful completion of said program, (name of youth) will be placed under community supervision by (Wisconsin Department of Corrections or _____ County, **whichever provides aftercare in that county**). If (name of youth) fails to successfully complete the program or meets the threshold of removal, she shall be placed in regular Type 1 programming and returned to court for review and determination by the court of future placement."

Informational Packet for Copper Lake School

The county will prepare a packet of information to send with the youth upon placement under the supervision of Copper Lake School including but not limited to:

- Dispositional order
- School information
- Psychological information
- Dispositional report
- Prior placement information

Medical information

4 - Orientation, and Assessment and Evaluation

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

- Orientation of Youth to DJC
- LifeWork Education
- Responsibilities of Agents
- Health Services & Psychology Staff Responsibilities
- Overview of Assessment and Evaluation
- Responsibilities of Social Workers
- Education Staff Responsibilities
- Transitional Independent Living Program

Forms Discussed in this Chapter

- DJC Youth Institution Handbook (POC-0068)
- COMPAS-Youth
- Assessment and Evaluation Report (DOC-1933)
- Instructions for Admission Dialogue
- Education Evaluation Report (DOC-1936)
- Self-Harm Assessment (DOC-2097)
- J-SOAP II Risk Assessment (COMPAS)
- Home Language Interview – Parents (DOC-2664)
- DJC Youth Institution Handbook – Spanish (POC-0068S)
- CANS
- Family and Home Assessment (DOC-1939)
- Health Screening-DJC (DOC-3387)
- Wisconsin Birth Certificate Application (F-05291)
- Sample Letters of Introduction from Agent

- The DOC-1939, DOC-1933, DOC-1936 and Admission Assessment Dialogue must be completed in JJIS.
- DOC-1939 (FHA) and DOC-1933 (AER) are accessible for reviewing and printing on MyDOC so that an agent or social worker may conduct an interview using the paper form.
- Additionally, the DOC-3387 and DOC-2097 are accessible on MyDOC.
- The Wisconsin Birth Certificate Application can be accessed at: www.dhs.wisconsin.gov/forms/F0/F05291.pdf
- The COMPAS-Youth, J-SOAP II and CANS must be completed in COMPAS.
- Sample agent letters are at the end of this chapter.

Orientation of Youth to DJC

Reception Center

Lincoln Hills School and Copper Lake School operate a Reception Center to provide an extensive orientation for newly admitted youth. This **orientation is a crucial step in the case planning process**. The goal of orientation is to familiarize the youth with what to expect during DJC supervision. It is the first step in preparing each youth to succeed to the best of his or her ability while under DJC supervision. Staff generally does not repeat the formal orientation if a youth returns to a JCI after an absence of less than six months.

Orientation Content

- Description of **programs, services and treatment available to youth** while in a JCI or under DJC correctional supervision in the community. [see Chapters 7 & 10]
- Process for assignment to specific programs, services and treatment, and for developing and revising the youth's **ICCP**. [see Chapters 5 & 6]
- Procedures and criteria for youth to achieve **eligibility for return to the community.** [see Chapters 6, 7 & 10]

- **Conduct rules** and the JCI disciplinary procedures are in ch. DOC 373, Adm. Code. The CMM does not include a chapter about the JCI disciplinary process. Staff should read the actual administrative rules and/or the **"Guide to the Administrative Rules."**
- **During the intake process, residents shall receive information explaining, in an age appropriate fashion, the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.** Youth **complaint procedures** are in ch. DOC 380, Adm. Code. [see Chapter 23]

Accessibility

Youth who have special language or developmental needs, must be provided an orientation program that communicates the information required above in a manner understandable to the youth. For youth with hearing impairments, staff may contact the Office for the Deaf and Hard of Hearing, Division of Long-Term Care Functions, Department of Health Services for resource information (www.dhs.wisconsin.gov/sensory). When possible Limited English Proficiency (LEP) is noted, refer to DJC Policy 13-03.

Written Materials

During orientation, youth receive a copy of the **"Youth Institution Handbook**" (POC-0068 English and POC-0068S Spanish). It contains summaries of the administrative rules chapters that apply to youth in a JCI: ch. DOC 371, 373, 374, 375, 376, 379, 380, 381 and 383. [see Chapter 1]

Staff should make accessible to youth the more complete "Guide to the Administrative Rules" as well as the rules themselves. Each JCI distributes **additional written materials** to youth including program descriptions, debt collection procedures, visiting/telephone policies, etc.

Oral Presentations During Orientation

Oral presentations are crucial to help youth understand how DJC programs operate, and the expectations placed upon youth. Staff from various disciplines provide oral presentations on specific components of orientation listed above. The staff members usually include youth counselors, supervising youth counselors, social workers, teachers, psychologists, chaplains and nurses.

Overview of Assessment and Evaluation (A&E)

Basic Description

All youth entering a JCI participate in a 21 day A&E process. The purpose of A&E is to **develop a thorough understanding of the youth's case and the underlying dynamics that must be addressed to accomplish the objectives of correctional supervision**. Members of a multi-disciplinary team observe the youth and complete various documents to identify the youth's strengths and needs, determine the risk the youth may present to the community, and describe the family's strengths and needs.

The A&E process forms the framework for developing an ICCP [see Chapter 6] for the youth and a plan for assisting the family. **Identifying the strengths and needs of the youth and family** enables DJC to proceed to work with them to improve the chance that the youth will return successfully to the community.

Required Documents

During A&E, staff from several disciplines are responsible for completing documents that are critical to case management. An explanation of those documents appears later in this chapter.

Other Responsibilities

Staff have additional responsibilities such as reviewing the youth's Dispositional Order, conducting a physical examination, and administering career related assessments. This chapter describes the **responsibilities of social workers, agents, youth counselors, OOA's, education staff, and health services staff.**

LifeWork Education

Description of LifeWork Education

DJC is committed to providing youth with meaningful opportunities to **enhance their ability to develop lifework skills**. Those skills will assist youth to obtain and retain meaningful employment that pays a living wage, relates to their skills and interests, and has the potential for career advancement. The LifeWork Education process **begins in A&E** and continues **throughout a youth's DJC supervision.**

During A&E, youth complete a **standardized interest inventory and aptitude assessment**. Staff responsibility for administering the assessments may vary across JCI's.

The results of this assessment form the **foundation for the** youth's **LifeWork Education goals** ICCP and the development of the youth's individualized LifeWork Education **Portfolio** (Portfolio). [see Chapter 7] JPRC members discuss the information obtained during A&E at the initial JPRC. [see Chapter 5]

This following section provides a brief description of the standardized instruments. **Chapter 7** offers additional detail as well as a discussion of the **underlying principles of LifeWork Education.**

Administration of Standardized Instruments

A JCI staff member designated by the superintendent/education director administers standardized lifework education instruments to each youth during A&E. The **results of the instruments are documented in the youth's Portfolio.**

CareerScope

This is a computerized **interest inventory and aptitude assessment** program designed to produce **career recommendations** based upon U.S. Department of Labor standards.

- Individual sub-tests are self-administered.
- **Reports**: The CareerScope assessment results in an Assessment Profile and a Counselor's Report.
  - ü **Assessment Profile** provides a youth's interest and aptitude scores along with career recommendations in an easy-to-understand manner.
  - ü **Counselor's Report** presents scores and recommendations in a condensed format.
- **Administration of CareerScope to Youth with Reading Difficulties**
  - ü Career Scope reviews indicate it is written at the 4th grade reading level, however, **it may be difficult for some youth to complete on their own.** Individuals administering this

tool are encouraged to develop innovative strategies to assist the youth in completing the assessment.

ü The following **tips may assist staff administering CareerScope**:

* Youth may take the interest and aptitude sections at different times rather than in one session
* Staff may read the interest portion of the test to the youth
* Youth may take breaks between the aptitude sections as needed.

* **Daniel Memorial Assessment of Independent Living Skills**: The DMAILS is a computer scored assessment of a youth's strengths and needs in 16 areas that impact independent living. The DMAILS can be administered either by computer or using a paper-and-pencil-form.
* **Reports:** The Daniel Memorial results in two reports that can be used by staff to write and update the youth's Individualized COMPAS Case Plan spanning both institution and community supervision. Results are shared with the Division Independent Living Program Coordinator to target services for eligible youth. A youth with special education needs has a multidisciplinary team that designs an individualized education program (IEP) for the youth. Federal and state law mandate that the IEP is updated at least annually and the IEP team is to help the youth build a "transition" plan. This IEP transition plan covers several critical areas including independent living skills. The IEP team uses the results of the DMAILS to develop long-term and short-term independent living goals.

Assessment Report is a series of bar graphs and percentages showing responses in 16 areas.

ü The report is placed into a youth's LifeWork Education Career Portfolio.

ü A copy of the Assessment Report is sent to the Independent Living Program Coordinator and DJC agent (See references CMM Ch. 7 and 10).

Skills Plan Report lists areas needing attention based on questions answered incorrectly.

ü The report is placed into a youth's LifeWork Education Career Portfolio.

Copy for IEP files

ü For youth with special education needs, copies of both the DMAILS Assessment and Skills Plan reports are placed in the youth's special education file so the IEP team has easy access to them.

Administration of the Daniel Memorial Assessment

* The assessment may be given on a computer to individual youth or completed by hand then entered into the computer for scoring and report printing.
* Low-level readers may have the assessment questions read to them.
* See references in CMM Chapter 10.

Additional Instruments

Per JCI policy, designated staff may administer the following or similar instruments during A&E or at anytime during the youth's stay at the JCI:

- Lifestyles: A realistic, computerized budget software package that challenges youth to examine personal LifeWork Education goals compared to future lifestyle wishes (e.g., housing, transportation, entertainment, clothing). The youth can compare potential income information relating to his or her career choice with anticipated living expenses.
- Occupational Information Network (O*NET) Database: Includes information on skills, abilities, knowledge, work activities

and interests associated with hundreds of occupations, which can be used to facilitate career exploration and vocational counseling.

- Career Visions: Career Visions is an interactive computerized program assisting youth in **career exploration** and **decision-making** that contains information regarding possible colleges, vocational/technical colleges, occupations, programs of study, military occupations and potential employers.
- Other tools may be used per JCI policy based upon its population and institutional needs/services such as the Career Occupational Preference System which includes a measure of interests (COPS), abilities (CAPS) and values (COPES), and other similar instruments.

Responsibilities of Social Workers

OVERVIEW

The responsibilities of a social worker during A&E are extensive. A&E is the first critical step in the case management process. By meeting with the youth, reviewing county information, speaking with the youth's family and other DJC staff, and completing required documents, the social worker develops an understanding of the strengths and needs of the youth and his or her family.

SUD Screening and Assessment Instruments

A significant percent of youth placed in JCI's have a history of problematic use of substances like alcohol, illegal drugs and other chemicals. Addressing substance use needs of youth is of paramount importance in their successful reintegration into the community.
The COMPAS-Youth and the Adolescent Diagnostic Interview-Light (**ADI-L**) (DOC-2127) are the screening and assessment tools used in the JCI.

Screening Responsibilities of Reception Social Worker

- Upon **Initial Admission** of Youth

  ü Review the results of the COMPAS-Youth Part 3 scales (12, 13, 14).

  ü **Refer** a youth with a **score of 4** or higher to a SUD social worker for an assessment using the **ADI-L**.

  ü **Refer** a youth with a score **under 4** to a SUD social worker for an assessment using **ADI-L** if in the **social worker's judgment** the youth needs to be assessed or if there was insufficient information for the scales to be scored.

- Upon a **Youth's Return** to a JCI

  ü **Re-administer the ADI-L** to establish the youth's current AODA use if:

  a) youth previously scored 4 or higher on COMPAS-Youth Part 3 scales, or

  b) youth returned based upon an AODA related violation or new offense, re-administer AD1-L to establish youth's current AODA use, or

  c) youth has history of substance use while under community supervision.

  ü If the youth returns to a JCI **after a 6-month or longer absence,** re-administer the ADI-L to establish the youth's current AODA use.

  ü If the youth returns in less than 6 months for an aftercare revocation/termination of type 2 status based upon an AODA-related violation or new offense, re-enroll youth in SUD based on youth's original ADI-L assessment.

Assessment Responsibilities of SUD Social Worker

- Administer the Adolescent Diagnostic Interview-Light (**ADI-L**) (DOC-2127) **only after the youth has been screened with COMPAS.**
- Enter the appropriate ADI-L information into the AODA Roster in JJIS.
- Make a good faith effort to complete the assessment of a referred youth prior to the youth being transferred to another JCI or community placement.
- **Re-assess** youth based on **new information** received by JCI staff (e.g., youth admits he or she lied during the screening, information from parent/guardian).

DNA Specimen for Certain Youth

Wisconsin law requires 3 categories of youth to submit a human biological specimen for DNA analysis which should be **submitted during A&E:**

- **Youth adjudicated for mandatory DNA offenses.** The Dispositional Order [see Chapter 3] includes offenses for which a youth was adjudicated. The offenses are entered into JJIS. The DNA flag is automatically set for youth who committed mandatory offenses, unless specifically stayed by the court. [see Chapter 22]
- **Youth adjudicated for certain offenses found to be sexually motivated or are required by the court exercising its discretion under ss. 938.34(15)(a)2.** A court may exercise its discretion to order DNA for youth who committed other offenses designated by statute. In those cases, the OOA must set the DNA flag. [see Chapter 22]
- **Youth convicted of a felony or certain misdemeanors as an adult.** The law requires all individuals with a Judgment of Conviction for a felony or certain misdemeanors [see Chapter 3] to submit a DNA specimen. [see Chapter 22]

Review and Gather Information from a Variety of Sources

County information:

- **Speak with county caseworker, usually the person that prepared the dispositional report.**
- Verify the accuracy of the information in the youth's committing Dispositional Order.
- Ask the county if any Termination of Parental Rights actions have been filed and, if so, the status of the proceedings.
- Obtain copy of all prior juvenile court orders.
- Obtain copy of any Permanency Plan completed for a youth previously placed in alternate care.

DJC Social Services File: Review the youth's social services filed opened by the OOA to familiarize self with youth's history. Be sure to note information such as expiration date, detainers on file, pending charges, etc. [see Chapter 25]

Youth: Through an interview with the youth, learn about the youth's strengths and needs, attitude toward commitment, awareness of his or her effects on victims/witnesses, and perception of his or her treatment needs**.**

Parent/guardian: Contact the parent/guardian to introduce him/herself, notify the parent/guardian of the youth's placement at the JCI, and gather information regarding the youth's home and prior placements, if any.

Assigned teacher and primary youth counselor: Discuss the observations of and information learned about the youth by the teacher and youth counselor.

Agent: Discuss results of the FHA and any other treatment/release considerations. Transition planning related to post-institution placement and future treatment services begin upon reception of every youth at the JCI.

Copyright © 2012 [WI Department of Corrections]

Health Services: Incorporate into the AER results of the Health Screening (DOC-3387).

Independent Living Services: Identify youth potentially eligible for Independent Living services and notify the Independent Living Program Coordinator.

COMPLETION OF A&E DOCUMENTS IN COMPAS

The social worker uses available documentation and youth self-report to complete the COMPAS-youth assessment. Policy and procedural guidance may be accessed on myDOC. The assessment is to be completed at least 5 working days before the initial JPRC.

- COMPAS-Youth
- CANS (Social Worker notes any CANS trauma items that score a 2 or 3 and the source of information on the AER)
- J-SOAP II (see Chapter 22 for specific instructions)

Completion of A&E Documents in JJIS

JJIS: The social worker completes various documents in JJIS at least 7 working days prior to the initial JPRC Conference. *[see Chapter 5]*

Required Documents

- Assessment and Evaluation Report (AER) (DOC-1933)
- Admission Assessment Dialogue
- Current Status Report (DOC-1935) (if returned after 6 months or less in community)

Assessment and Evaluation Report (AER) (DOC-1933)

Summary of Contents **of AER**

- Incorporates input from JCI staff including youth counselors and teachers, youth's agent, county staff, and parents/guardian regarding numerous topics such as **past and current behaviors**, **treatment/services** received and recommended, and past delinquent/criminal activities of the youth.
- Makes **recommendations** regarding initial and subsequent **treatment program placement** and the youth's **broad goals** based in part upon COMPAS criminogenic needs, recommendations of the youth, family and community agencies.
- Makes tentative recommendations regarding **community release plans** for the youth based in part upon input received from various sources including the youth, DJC staff, family and community agencies.

Sections of the AER

- **Sources of Information:** interview with youth, list other sources and group them by type (e.g., COMPAS, police reports, county reports, psychological reports, etc.). The social worker may incorporate by reference a recent report and explain its significance.
- **Legal History:**
  - ü Committing Offense: date committed, statute number; indicate type of commitments (adult, juvenile and/or federal); youth's version of offense including admission or denial of offense; summary of police report citing the report. Include youth's version of change of placement/lift of stay, if applicable. Include all court-ordered miscellaneous provisions.
  - ü Restitution Order: restitution ordered by the court.

ü Pending Charges: provide any known information about any pending charges juvenile and adult, in or out-of-state.

ü Prior Offenses: list all offenses including the date, age when offense was committed, offense and any additional information.

- **Prior Treatment Interventions:** chronological list of prior interventions and out-of-home placements with dates and length of stay, and youth's impression of prior treatment interventions.

- **Interpersonal Relationships:**

ü Family Composite: family members and others living in the home; marital status; stability of family lifestyle; legal custody of the youth; family strengths; substance abuse; domestic violence; parenting; abuse or neglect issues; relationships with each family member; family members' mental health issues; dynamics of the family; legal issues; health, etc.

ü Peer influence: composite of peers including age; peer group strengths; drugs; activities; gangs; aliases/nicknames; and criminal history of peers.

ü Sexuality: composite of sexual partners including number, age disparity between sexual partners and youth; and parental status of youth.

ü Physical and Sexual Victimization: general statement indicating occurrence; age; relation to perpetrator; and status of report, if any, submitted to DCF.

- **Health Issues:**

ü Physical Health: pre-existing and acute conditions; and medications and activity restrictions as they relate to program participation.

ü Mental Health: self-harming behavior; suicide-screening including recent or past attempts and ideation; and mental health history including referrals, diagnosis and medications.

- **Education/Vocational:** last grade level; acting out/disruptive behavior in school; career interests; special academic programming; career development and/or vocational programming; community service; and previous employment, if any.

- **Risk Factors:**

ü Physical or Sexual Aggressive Behavior: including weapons, youth impression, aggressive school behavior, propensity for violence, gang violence, perpetrator of violence including sexual assault and domestic violence, restrained while in custody, also note threats toward others and other assaultive verbal behavior.

ü Runaway History: AWOL not defined strictly as 24 hours: AWOL from parental home, out without permission; formal placement, delinquent charges while AWOL.

ü Substance Abuse: frequency of substance abuse; types of substances and youth's opinion regarding use.

- **Observation and Analysis:** non-adjudicated delinquent behavior; institution behavior related to information received; out of control behavior; youth's issues; and youth's perception of his or her needs noted on the COMPAS-Youth.

- **Recommendation and Goals:** describe the youth's social, psychological, career development/vocational, health and security needs; broad program goals for the youth; treatment needs both in the JCI and while on community supervision consistent with available resources; court-ordered/recommended programs; and recommendations relating to the extension or discharge of the youth taking into account the protection of the public.

Admission Assessment Dialogue

Social worker completes the dialogue in JJIS prior to or shortly following the initial JPRC. See detailed instructions

included at the end of chapter 26.

Obtain Essential Documents for Youth

A request will be included in the information packet sent to all parents/legal guardians to forward a copy of the youth's Social Security card and a CERTIFIED copy of their Birth Certificate to LHS/CLS. It will be noted that these important documents will be placed in the youth's Lifework Education Portfolio that he/she will eventually take back to the community. Should these items not be forwarded to the institution, the social worker should **begin the process of obtaining** the Social Security card and certified copy of the birth certificate during A&E.

Social Security Card

DJC will assist incarcerated youth in obtaining a replacement social security card in accordance with the current Memo of Understanding with the Social Security Administration [see MOU]. For youth who are not eligible to obtain a social security card under the current MOU, the Social Worker will assist the youth in completing the application, obtaining the necessary documents and contacting SSA [in accordance with the MOU and SSA rules].

The social worker should advise the youth about the information to be sent to the Social Security Administration prior to the youth signing the application.

The social worker should enter appropriate roster information in COMPAS when the applications are submitted and when the documents are received. COMPAS should also be used to document when requesting and receiving birth certificates and state identification cards.

Certified Copy of Birth Certificate

- Youth born in **Wisconsin**

  ü The assigned social worker will complete the "Wisconsin Birth Certificate Application (DPH-5291) form.

  ü The institution will absorb the fees necessary to receive each birth certificate.

- Youth born **out-of-state:** Call the Office of Vital Statistics in the state the youth was born, to determine the requirements for obtaining a certified copy of a birth certificate.

Importance of SSN and Birth Certificate

- When **leaving the JCI**, all youth should have in his or her possession **a social security card and a certified copy of his or her birth certificate**.
- Without these documents, the youth will be unable to obtain a State ID card, employment or a driver's license. In some cases, youth born out-of-state and residing in alternate care have had to wait months to receive these documents.
- If a youth does not have these documents at the time of leaving the JCI, the agent/designee obtains the documents while the youth is on community supervision.
- The Social Security **card and birth certificate** should be placed in a **sealed envelope** and kept in a secure location until the youth is ready to return to the community at which time the envelope should be stapled to the back of the youth's **LifeWork Education Portfolio**.

Special Requirements for Sex Offenders

Evaluation

During A&E, staff consisting of the treatment specialist, SOAR social worker, A&E social worker and clinical services staff review Chapter 980 youth to determine the appropriate sex offender program for the youth. [see chapters 5, 6 and 22]

Standardized, research based tools, such as the Juvenile Sex Offender Assessment Protocol-II (J-SOAP II) are to be used in evaluating all juvenile sex offenders. The following scoring steps will be used to score the J-SOAP II during the assessment process and after treatment during the youth's Transition Phase:

- Scales 1 and 2 will be scored during A&E to inform JPRC recommendations about sex offender treatment expectations.
- Scales 1, 2, & 3 of the J-SOAP II will be reviewed and/or scored in COMPAS during intake into the sex offender treatment program (SOAR).
- Scale 4 will be completed in reception if the youth has been in the community for at least two months prior to admission to the institution, and file material and/or other information are sufficient to assign scores.
- At Lincoln Hills School, the SOAR program psychologist will score the scales and then take them to the treatment team meeting where they will be reviewed and finalized.
- The SOAR program psychologists at Lincoln Hills Schools will complete the J-SOAP II scoring tool in COMPAS after the scores have been finalized. If the youth is a non-Chapter 980, Scales 1-4 will be re-scored during the youth's Transition Phase by the same staff as mentioned above after completion of the treatment program.
- The reintegration social worker will print out the finalized J-SOAP II report and distribute copies to the county liaison and the county aftercare worker (if different from the assigned county liaison). DJC staff will access the scores and reports in COMPAS.
- The J-SOAP II Scales will be maintained in the youth's Social Services file under Assessment Section 2.
- Chapter 980 Internal (DOC-1946)

Referral

When a youth's court order includes a requirement that DJC complete a psychological assessment of the youth pertinent to a hearing on sex offender registration, the social worker will submit a referral to Clinical Services. The referral should include the general timeframe the report should be prepared, e.g., at the end of treatment.

Responsibilities of Agents

Overview

Youth from counties that provide their own aftercare supervision do not have a DJC agent, but a county case manager/liaison instead. The county representative completes A&E documentation using DJC or similar forms and attends the JPRC conferences. [see Chapter 5] Counties do not have access to JJIS.

Youth from **counties that contract with DJC to provide aftercare supervision** have a **DJC agent assigned to their cases upon admission to a JCI**. The numerous responsibilities of an agent begin during A&E. Agents conduct a home visit, have contact with the youth, review records and complete required documentation prior to the initial JPRC. [see Chapter 5]

Community Supervision (field) File

The appropriate community corrections office creates a field file for a youth assigned to his or her caseload. **See chapter 25 for instructions for creating file.**

Review and Gather information from a Variety of Sources

Collaborate with the social worker and county to gather and review pertinent case information such as the following:

Dispositional Order and Report prepared under s. 938.33, Stats.

- Court history including prior court orders
- Prior treatment and services received
- Educational records
- COMPAS-Youth assessment and bar scale
- Other records sent to the JCI by the county

Youth

- Send a letter of introduction to the youth including the information in the sample letter (later in this chapter) on letterhead from agent's field office.

Parent/Guardian

- Introduction

Within 5 working days of case assignment, call and/or write a **letter of introduction** to the youth's parent/guardian that includes the information in the sample letter (later in this chapter) on the letterhead of agent's field office.

- **Home visit**: Meet with the youth's parent/guardian and other family members, referred to as a family home assessment, to accomplish the following:

Assess the family's **strengths and weaknesses**, **attitudes** toward the youth, and perceptions of the youth's **treatment needs**

Solicit the family's **recommendation**s for community release options

Gain an **overall impression** of the home and family environment

Develop a **tentative community supervision/transition plan** for the youth to be included in the FHA

Assess the parent/guardian's primary language and indicate if they may need translation or interpretation services, completing the DOC-2664 form for each family.

In some cases, the agent may not be able to meet with the parent/guardian and obtains the above information during a telephone conversation. If no contact with parent/guardian takes place prior to the initial JPRC, the agent completes the FHA based upon information available.

Contact JCI Social worker: Contact the JCI social worker by phone within 3 working days following the home visit to share results of the home assessment.

A&E Documents in JJIS

The agent completes the Family and Home Assessment (FHA) **(DOC-1939)** in JJIS **at least 3 working days prior to the initial JPRC**. They assess and evaluate the youth's tentative placement options after leaving the JCI.

FAMILY AND HOME ASSESSMENT (FHA) (DOC-1939)
Purpose

*The FHA is a **narrative social history,** completed in JJIS, about the youth's family based on the agent's interview with family members. The agent uses the information gathered to assess the family situation, make recommendations, and propose an initial community supervision/transition plan. It supplements the Dispositional Report. [see Chapter 3]* [Form can be printed from MyDOC for use in gathering required information.]

The DJC agent completes a **FHA for a youth who will be supervised by a DJC agent** when he or she returns to the community. A DJC agent does **not** prepare a FHA for a youth with an adult sentence only or whose committing county provides its own community supervision because those youth do not have a DJC agent. If the youth has no family, or no family members can be found after diligent effort by the agent to locate them, the FHA will so note.

If the FHA cannot be completed before the initial JPRC because the parent/guardian cannot be found or does not cooperate, the agent must continue to attempt to complete it during the youth's JCI stay.

Instructions

Instructions for completion in JJIS can be found in MyDOC:

- Whether there are guns or weapons in the residence
- If a parent or other family member is on probation or parole and, if so, name(s) of agents
- Parent(s) employment status and patterns of employment
- History of child maltreatment, if any
- Parent(s) awareness of school problems: truancy, expulsion, etc.
- Victims in the home or neighborhood, or who attend the same school the youth may attend
- Youth's prior gang involvement, if any
- Family attitude toward youth's commitment
- Family's perception of youth's treatment needs
- Family's recommendation for youth's release to the community

Assignment of a DJC Agent During Youth's Stay at a JCI

During the youth's stay at the JCI, a county that provides its own aftercare may decide the youth is appropriate for an administrative transfer to a Type 2 placement in the community rather than to county aftercare. [see Chapter 10]

If the plan is to transfer a youth to a Type 2 RCC, the county may provide the Type 2 supervision. However, the county may request that DJC provide supervision for a youth transferred to a Type 2 RCC even if the county normally provides its own aftercare. When a youth did not have a DJC agent assigned upon admission to a JCI, but will be supervised by a DJC agent when leaving the JCI, a DJC field supervisor assigns the case to a DJC agent who then completes the DOC-1939 in JJIS.

Education Staff Responsibilities

Overview of the A&E Educational Process

At least 7 days prior to the initial JPRC, the teacher assigned to a youth completes the **Education Evaluation Report** (EER) (DOC-1936) in JJIS. The EER describes a youth's prior school history, identifies primary learning style, educational deficits and strengths, and recommends an individual educational plan.

During A&E, education staff compile documentation that provides a **foundation for writing the** ICCP **Educational Plan** for the youth. The social worker responsible for the youth's COMPAS provides information to education staff from Part 4 on education-related criminogenic needs to assist in developing ICCP education plan. [see Chapters 4,6 & 7] Career assessment and Independent Living Assessment results and reports are placed in the youth's Portfolio maintained by education staff.

Assessment of Youth Academic Skills/Testing

Most youth entering DJC have moderate to severe academic deficits, e.g., their functional literacy scores are much lower compared to their same-aged peers. A youth's grade level functional literacy scores give professional staff only a broad idea of student needs, e.g., two youth may score exactly the same on a given test but differ significantly in specific educational needs. Youth will be evaluated using a norm-referenced test to help determine levels of relative proficiency. To do this, education staff will administer the Star Reading and Star Math assessment programs, or another appropriate achievement battery with professionally accepted standards of reliability, validity, and standardization.

After observing a youth and analyzing his or her performance on an appropriate achievement battery, a youth suspected of being learning disabled should be referred for a special education evaluation.

Review of Prior Records

When available, A&E teachers also review the **youth's prior school records**. Patterns of truancy, suspensions, expulsions and frequent changes in schools are determined. Prior placements in alternative schools, special education, and number of credits are reviewed and documented. Exposure to career development activities and vocational learning are also reviewed and documented. Possible Limited English Proficiency (LEP) is noted.

Teacher Observations

A&E teachers also **directly observe the youth** in both one-on-one and group situations. The observations are focused on a wide spectrum of youth behaviors. Ways in which the youth seems to learn best may differ significantly depending upon the teaching environment. Overall, DJC youth learn best in classes with high ratios of teacher time to youth. In youth with lower scores, the general rule is the lower the score, the higher the percentage of teacher attention required for the youth to learn.

Psychological/Behavioral Information

As staff time permits, school psychologists may administer an appropriate test battery to assess cognitive abilities. Additional behavioral information regarding a youth's ability to learn is analyzed and reported.

LifeWork Education Portfolio

During A&E, each youth begins to assemble his or her **Portfolio that remains with education staff.** Assessment results, identification (e.g., Birth Certificate) and Social Security card may be included in the Portfolio at this time. Youth who do not have identification or SSN will need to obtain them prior to release into the community. The process to obtain them should begin during A&E. Once the documents are obtained, they should be included in the Portfolio and completion documented on the Portfolio Checklist DOC-2312.

Completion of the EER

The EER is primarily an evaluation and planning tool. During A&E, teachers prepare a detailed two-page summary for the Education Section. It is used to **determine the youth's initial school program** and as a communication about special education, i.e., either to continue the public school's work or a pre-referral to the JCIs special education program.

PART I: Education Evaluation

The subheadings of Part I of the EER are in accordance with s. DOC 371.09 (2), WI. Adm.Code.

- Prior **School History**: List grades completed, schools attended, including alternative schools, suspensions and expulsion history, if known. Describe any involvement in career development activities, work-based learning and other vocational

learning.

- **Special Programs** Provided or Referrals to Special Programs: List special education needs information or the status of a referral to SPED; list Section 504 placements, if any. List other special program title, chapter, etc. For example, alternative communication method, one-on-one tutoring.
- **Limited English Proficiency** A designated A&E teacher administers the Home Language Interview Youth (DOC-2664A) to determine if a potential LEP need exists. Refer to DJC Policy 13-03 for detailed information**.**
- **Assessment Instruments** Used in Determining Present Levels of Educational Achievement: List names of the tests and the scores/grade levels. State whether or not the youth is on track, severity of deficits, etc.
- Most Critical **Educational Achievements**: State the youth's strengths in past educational programs or any special abilities. May include observations of listening skills, classroom behaviors, etc.
- Most Critical **Educational Deficits**: State the youth's weaknesses in past educational programs or any special deficits. May include observations of listening skills, classroom behaviors, distractibility, instigator, etc. Site specific special education areas, if known.
- Specific Areas in Which **Transition Services** are Needed While Under DJC Supervision (includes institution and field): State status of credits, work towards HSED, etc. State direction for future vocation preferences, skills, how realistic, etc.
- Recommendation of **Individual Educational Plan** Complying with Federal and State Statutes and Regulations Governing Education: State whether or not the youth will need preparation for a return to community schools or tech school, have special services such a calculator, to continue with his or her education, etc.

PART II: Other Pertinent Information

Include any information that is educationally pertinent but does not readily fit under the statutory categories, e.g., **health problems** that might affect education, do not schedule into certain class environments (e.g., around kitchen implements, machines), **community service work**, **volunteer activities or other employment related experiences**. If plan needs interim review, state that in this section.

Health Services & Psychology Staff A&E Responsibilities

Health Services follows an intake process that includes the completion of Health Screening-DJC (DOC-3387), health history, various screenings, and physical and dental examinations. HSU communicates significant findings of the screening process to the social worker to be incorporated into the AER that is due at least 3 working days prior to the initial JPRC.

Suicide Screening

Within 24 hours of admission to the JCI, the psychologist or shift supervisor administers the **self-harm assessment (DOC-2097) to all youth**. A designated staff person administers the MAYSI-2 (Massachusetts Youth Screening Instrument-2) psychological screening tool to all youth according to institution protocols. He or she submits the screening tools to clinical services.

Depending on the score and/or observations, **clinical services may evaluate the youth during A&E.**

Transitional Independent Living Program

Assessment

Administration of Assessment

During A&E, a JCI staff member administers the Daniel Memorial Assessment of Independent Living Skills to all **youth.** See references under Lifework Education earlier in this chapter.

Content of Assessment

The assessment addresses the youth's knowledge in 16 life skills categories. It is comprised of multiple choice questions, and true or false questions. These questions are at a 6th grade reading level. A short form interview assessment is available for those youth below a 6th grade reading level.

Forwarding of Results to TILP

A computer scored and/or assessment booklets and answer sheets are available to all JCI Reception Centers. If assessments are completed in hard copy, designated staff must enter the answers for computer scoring. While the youth completes the assessment, a JCI staff member must be available to answer any questions. The assessment takes approximately 2 hours to complete. The JCI staff member administering the assessment prints the resulting reports, sends the Assessment Report to the ILP Coordinator and files the complete Assessment and Skills Plan reports in the youth's Lifework Education Portfolio. If the youth is in special education programming during his/her stay in the JCI, a complete copy of the reports should be placed in the youth's SPED file.

If independent living is a possibility for the youth, the complete assessment can be utilized to address any identified areas of deficiency. In addition to the Independent Living Assessment, a transition plan is also developed.

Sample Introduction Letter to Youth's Parent/Guardian

USE APPROPRIATE LETTERHEAD

(Current Date)

(Name of Parent/Guardian)
(Mailing Address)
(City, Street, Zip Code)

Dear Mr./Ms. (Last Name of Parent/Guardian):
This is an introduction letter to notify you that I am the assigned agent for (Name of Youth). As your (son's/ daughter's) assigned agent, I will follow (his/her) progress while in the institution. When (he/she) is ready to leave the institution, I will work with your (son/daughter) and the assigned social worker to plan for placement in the community. While your (son/daughter) is on community supervision, I will work with (him/her) on the Individual COMPAS Case Plan (ICCP) to achieve the goals and objectives.

In about 21 days from your (son's/daughter's) admission to the institution, the Joint Planning and Review Committee (JPRC) will meet for the first time to discuss (his/her) case. The JPRC includes the assigned social worker at the institution, an Office of Juvenile Offender Review (OJOR) reviewer, a county staff person and myself. At the JPRC, we will discuss the treatment needs and broad program goals for your (son/daughter) to work on while in the institution. We will also talk about possible community supervision plans when JPRC believes (he/she) is ready to leave the institution. You and your (son/daughter) may attend and participate in the JPRC. I will either attend the JPRC or participate by telephone.

To help me prepare for the JPRC conference, I will be calling you to schedule a home visit. During the home visit, you can provide critical background information, thoughts/concerns about community supervision, and the treatment needs for your (son/daughter). Based on the home visit, I will

Copyright © 2012 [WI Department of Corrections]

recommend a possible community supervision plan.

If you have any questions or want to schedule the home visit, please call me at (000) 000-0000.
Sincerely,

(Name of Agent)
Juvenile Probation and Parole Agent
cc: Field file

Sample Introduction Letter to Youth

USE APPROPRIATE LETTERHEAD

(Current Date)

(Name of Youth) (J-number)
(Name of Institution)
(Mailing Address of Institution)
(City, State, Zip Code)

Dear (First Name of Youth):

This letter is to notify you that I am the assigned agent to your case. In the next few weeks, I will be meeting with your parents/guardian to talk about your treatment needs and the type of community supervision that may be best for you when you leave the institution.

About 21 days after your admission to the institution, the Joint Planning and Review Committee (JPRC) will meet for the first time to discuss your case. The JPRC includes your assigned social worker at the institution, an Office of Juvenile Offender Review (OJOR) reviewer, a county staff person and myself. At the JPRC, we will discuss your treatment needs and broad program goals to work on while in the institution. We will also talk about possible community supervision plans when JPRC believes you are ready to leave the institution. You and your parents/guardian may attend and participate in the JPRC. I will either attend the JPRC or participate by telephone.

As your assigned agent, I will follow your progress while in the institution. When you are ready to leave the institution, I will work with you and your assigned social worker to plan for your leave from the institution. While you are on community supervision, I will work with you on your Individual COMPAS Case Plan (ICCP) in achieving your goals and objectives.

Please have your social worker call me if you have any questions or concerns about community supervision.

Sincerely,

(Name of Agent)

Copyright © 2012 [WI Department of Corrections]

Juvenile Probation and Parole Agent

cc: Field file

Supervision

Division of Community Corrections (DCC) - Supervision

Copyright © 2012 [WI Department of Corrections]

DCC - Supervision Process

Purchase of Offender Goods and Services
Referrals to Outside Agencies
Psychological Services
Community Corrections Employment Program
Community Service

PURCHASE OF OFFENDER GOODS AND SERVICES

.01 AUTHORITY

Wisconsin Statute 301.08
Wisconsin Administrative Code DOC 328.11

.02 GENERAL STATEMENT

The Division of Community Corrections allocates funds to each Region. The regional Program and Policy Analyst (PPA) has the responsibility to work with Department staff, community agencies and provider agencies to develop and implement a plan for the use of Regional funds. The majority of the funds are used for contracts, which are designed to provide services to respond to the priorities established by the Regions.

The purpose of these funds is to address offender needs that are not met by other community-based public and private programs. Existing community resources should be exhausted prior to requesting the expenditure of funds. Each Region also has a discretionary share of Purchase of Offender Goods and Services funds for emergency and unanticipated offender needs, which the offender cannot afford or that are not covered by their insurance or other funding sources. Use of discretionary "Sundry Funds" for offender purchases may be obtained with approval of the PPA or their designee.

Purchase of goods and services must relate to specific needs arising from the offender's participation in education, treatment, and /or vocational programs or to specific employment situations. Clothing purchases may only be authorized when specialized clothing is required for educational and/or vocational courses or for employment. Emergency housing or rent may only be authorized for a one (1) month period. Any request for an extension beyond one month must be reviewed by the unit supervisor and approved by the PPA. Any extensions that last beyond three months shall be approved by the regional chief and include notification to the PPA for tracking purposes.

Security deposit funds may be authorized from POGS funds. The DOC-501 must document provisions made for return of the deposit to the Department. Agents, in conjunction with the PPA, are responsible to follow on the collection of these funds.

Funds cannot be used to pay for any services or goods received prior to obtaining a purchase order number. When such services or goods are provided prior to obtaining a purchase order number, the agent may be held personally liable for such costs.

A Request for Purchase of Offender Goods and Services (DOC-501) may not extend beyond the end of the fiscal year, June 30 (fiscal year is July 1 through June 30).

Payment for goods or services may not be delivered directly to the offender.

No relative of the offender may be a vendor or a payee for services provided to an offender. The definition of a relative is found in s.48.02(15), WI Statutes.

Funds may not be used to provide services to the offender's children or other relatives. Housing for a parent with children may be approved on a case by case basis.

.03 SIMPLIFIED BIDS

Simplified bids are used for purchases of goods and services and may not exceed $25,000.

Purchases of up to $5,000 are "best judgment" and must be approved by the PPA.

The simplified bidding process to select the provider requires contacting three or more potential vendors to detail the type, quantity, and specification of the goods or services. The bid must be recorded on the Simplified Bid Record (DOA-3088). It is required to do the bid specifications in writing. All written bids must be reviewed by the

Copyright © 2012 [WI Department of Corrections]

PPA. Before approving the purchase, a written confirmation of the purchase of goods and services and the total costs from the awarded vendor is required.

.04 PROVIDERS UNDER CONTRACT

The Division must enter a contractual agreement with the provider when the purchase exceeds $25,000 in a fiscal year. A purchase order number will be assigned and applied to all purchases made under that contract.
Billing and payment for these services are in accordance with the existing contract and the PPA or designee handles invoices and payment authorization.

.05 DISCRETIONARY "SUNDRY FUNDS" PROCEDURE

Once an agent determines that a service/good cannot be provided in the community through existing resources, the agent shall consult with the supervisor and obtain approval to request POS funds. The agent shall then contact the POGS Coordinator and /or designee to ensure the purchase is appropriate and funds are available.
The agent shall then complete the DOC-501 and submit to the PPA. No single purchase may exceed $5,000. Unit Supervisors are required to ensure that the expenditure is justified and that it is entered into the offender's case record. The agent shall provide a copy of the DOC-501 to the provider.

.06 SECONDARY VENDOR

There are situations where a provider is unwilling or unable to wait for the Department to reimburse for service or goods. In these instances, another agency or individual may be willing to provide immediate payment, and becomes a secondary vendor. Consult with the regional PPA coordinator for guidance.

.07 SERVICE MONITORING

The agent is responsible for monitoring the offender services or goods have been received. When appropriate, the agent will arrange with the provider to submit written reports concerning the services rendered.
At 30-day intervals, the agent will verify the offender received ongoing services and assess whether case plan objectives are being achieved. The verification and review should be documented in the case notes.

.08 PAYMENT FOR SERVICES

The department is required to reimburse the provider within 30 calendar days of the agent's receipt of a completed invoice.
Once the goods/services are received, the agent shall secure an invoice from the Provider and forward immediately to the PPA. The PPA or designee shall write the purchase order number and the vendor ID number on the invoice. A copy of the bill/invoice shall be kept at the regional office. When the billing for services or goods extends beyond one invoice, the PPA shall write on the final billing, "Final Invoice." (NOTE: Rent and escrow can be paid prior to the anticipated service ending date).
The agent shall document receipt of the invoice in the offender's COMPAS notes.
When the invoice is incomplete, the agent is required to contact the provider to explain the problem and request a completed invoice.

.09 RESPONDING TO PROBLEMS

In the event of a service delivery, payment or invoice problem, the agent or supervisor should attempt to resolve the problem at the unit level and respond to the provider's request.
If the problem cannot be resolved at the unit level, the supervisor should contact the PPA or to discuss the problem.
If the problem cannot be resolved at the Regional level, the PPA or designee will contact the DCC Community Corrections Program Specialist. They will discuss the problem, verify whether DCC Central Office received the invoices, and the status of the payment process. The PPA or designee will advise the supervisor or agent on payment status.
The agent or supervisor will contact the provider to convey information on the status of a billing or payment problem, and provide additional follow-up with the provider or the Regional Office as necessary.

.10 PURCHASING EXTENSION

Copyright © 2012 [WI Department of Corrections]

The supervisor may request an increase in the total amount on the DOC-501 and/or extension of service dates.
A Purchase order may not be increased over $25,000 unless the appropriate competitive process has been conducted.
The Department is prohibited from entering into sequential purchase orders for like services for amounts that exceed $5,000 unless the appropriate competitive processes are conducted.

.11 CANCELATION

The PPA will contact the provider when it is necessary to cancel a purchase order before its termination date. The PPA shall send a confirmation letter to the provider and request that the providers promptly submit all invoices.
The PPA or designee will amend the original DOC-501 or purchase order by showing the amount by which the purchase order will be reduced.

.12 NON-TRADITIONAL BUSINESS HOURS

The agent is required to contact the on-call supervisor when emergency funding is required during non-traditional business hours.
The next working day, the agent or supervisor should immediately contact the PPA to initiate the purchasing process.

.13 PSYCHOLOGICAL/PSYCHIATRIC SERVICES

The agent must first consult with the regional psychologist before requesting the use of POGS funds for outside clinical services.

.14 TELEPHONE PROCUREMENT PROCEDURE FOR PURCHASE OF SERVICES

There are limited circumstances when the division pays for phone installation and basic phone services for offenders who are monitored by EMP. All telephone installation and service payments via purchase of services will require the approval of the unit supervisor and regional PPA or designee. In most circumstances, the offender will assume responsibility for these charges within 60-90 days. The agent is responsible for tracking on these time frames. Any request for an extension beyond 90 days must be reviewed by the supervisor and approved by the PPA. Requests beyond 180 days shall be approved by the regional chief with notification to the PPA for tracking purposes. All lines are ordered in the name of the Department of Corrections. Once the offender has assumed responsibility of the telephone services, our line is disconnected and replaced with the offender's own residential line or service can be transferred to offender if approved by the service provider.
A copy of the DOC-501, with the completed Telephone Purchase Request form, must be forwarded via email to the Telecommunications Manager, requesting the installation of telephone service. The PPA should also be copied in on that request. All requests must be submitted in writing. Requests should be made two weeks prior to when the line needed, whenever possible. The DOC-501 must include:

- "basic telephone service with no assigned long-distance carrier, no collect calls, and 900/976 number blocking"
- offender name and number
- offender location
- contact person
- term of service
- agent name and number

The telecommunications manager will provide the PPA and agent with estimated costs related to installation and telephone service when notifying them on the order "due date." The total costs will appear on the first telephone bill which is mailed directly to the PPA.
The invoice/cost of service for each individual's phone will be on a monthly telephone bill sent to the PPA. The billings will be identified as "STATE OF WIS DOC DIV COMM CORR (offender #)." The regional PPA will process the bill for payment.

Copyright © 2012 [WI Department of Corrections]

The offender shall be financially responsible for any and all additional charges (i.e.. all telephone calls and for services such as automatic call back, repeat dialing activation, directory information, etc.) other than start-up (installation) and basic monthly service charges. The PPA shall be responsible for monitoring the monthly charges and the agent for securing payment for any additional charges incurred by the offender. Checks/money orders must be made out to "Department of Corrections," identified as POGS reimbursement, and forwarded to the DCC Business Office. Also, a copy of the receipt shall be forwarded to the PPA or designee.

Even though there is no long distance carrier assigned, these calls can be made by dialing a long distance access code. The offender should be informed that this line belongs to the Department of Corrections, and as the user, they cannot request any additional services on the line. The agent must inform the offender that he/she is responsible for any additional charges.

In the event that an offender absconds or is taken into custody for revocation procedures, the telecommunications coordinator must be notified immediately via email for service to be discontinued with a copy to the PPA. If there are any questions regarding this procedure, please contact the regional PPA or designee.

.15 SERVICE PROVIDERS WITH COMPAS ACCESS

Referrals are made to appropriate POS or non-POS agencies to meet the criminogenic needs. For the service providers that have received training and approval for COMPAS access, the agent will notify the "Access Admin" staff member once applicable releases are signed and the offender begins programming. Temporary access will be granted for that offender only to the service provider for the specified time period.

REFERRALS TO OUTSIDE AGENCIES

.01 GENERAL STATEMENT

Based on an offender's problems or needs, offender risk score, criminogenic needs, and judgment of conviction requirements, it may be necessary to refer offenders to other agencies.

.02 REFERRAL PROCEDURE

When specific need areas are identified and a referral is appropriate, it will be documented in the COMPAS notes. The following steps are to be taken when making referrals:

- Discuss referrals with the offender.
- Contact the agency to which the offender is being referred.
- Complete required forms, including Releases of Confidential Information (DOC-1163 or 1163A).
- Follow procedure outlined in 06.10 if Purchase of Service funds are involved.
- Make periodic inquiries on offender's progress.

  Periodically review progress with the offender.

  Documenting Referrals and Program Participation in COMPAS:

- For the service providers that have COMPAS access, once applicable releases are signed, access approved, and the offender begins either the assessment process or programming, the agent will notify the "Access Admin" staff member. This person will grant temporary access for that offender only to the service provider for the specified time period.
- For referrals for assessment services, the provider will be granted temporary access to document case activity.
- For all other program referrals, the provider will be granted temporary access upon verified entry into the program.

When searching for providers in the COMPAS case plan, use the coding as follows:

DCC "R" followed by Region #, then followed by Program Code

(i.e.. DCC R5 AODA for Region 5; DCC R1 AODA for Region 1, and so on).

Service Provider searches by county and type can also be done using the "advanced search" function.

If there are any providers incorrectly entered or missing, please contact your supervisor. The program coding chart is provided below.

Type Key Abbreviation	Service Type Description
AM	Anger Management
Antabuse	Antabuse Treatment
AODA	AODA (All Types of Treatment)
AODA Assess	AODA Assessment Only
Circle	Circles
Cog	Cognitive Interventions
CS	Community Service
Day Treatment	Miscellaneous Day Treatment Services
SC	Specialty Court
DD	Dual Diagnosis Programming
DRC	Day Report Center
DV	Domestic Violence Programming
Employ	Employment Services
HWH	Halfway Houses
MH	Mental Health Services
Other	Other
Parenting	Parenting Classes
Reentry	Reentry / Transition Programming
RJ	Restorative Justice
SOT	Sex Offender Treatment
THS	Transitional Housing Service
VocEd	Vocational Programming

.03 PROGRAMMING WITH FAITH/RELIGIOUS/SPIRITUAL COMPONENTS

Agents shall not order an offender to attend a specific program with a religious component including alcohol or drug treatment or a 12 step program. An agent may write a rule requiring an offender to attend and complete AODA treatment without naming a specific program. An agent may also provide an offender with a list of acceptable programs, as long as both secular and non-secular options are clearly identified. If an offender chooses to participate in a program having a religious component, the agent should document in the COMPAS notes that a secular program was offered.

PSYCHOLOGICAL SERVICES

.01 GENERAL STATEMENT

The Division of Community Corrections provides clinical case consultation and evaluation, assistance in securing appropriate treatment for offenders, and treatment for offenders who cannot be served by local mental health resources. DCC Psychologists shall provide consultative support to agents and supervisors and direct mental health services to offenders in accordance with the psychological services mission, goals, and priorities outlined in DCC Administrative Directive 11-05.

.02 REFERRAL PROCEDURE

Referrals to DCC Psychologists shall be made by the agent or supervisor. Assistance requested by courts, community programs, offenders, and other stakeholders shall be made via the offender's agent or supervisor. Referrals shall be made utilizing the DOC-2601. The form shall be sent to DOCDCCPsychologyReferrals@wisconsin.gov. Referrals shall be accompanied by documentation related to prior criminal background when practical. Referrals shall include basic offender information, reason for the referral, a description of behavior or concern that has led to the referral and basic information related to history of mental health treatment. A targeted time-frame for receipt of information must be provided on the referral form; referrals marked with a time frame of "ASAP" will be not be given priority, a time-frame is a better indicator of how to prioritize referrals. Agents should make every effort to complete an DOC-1163A and submit this form with the referral. Completion of this form allows for communication between the agent and the psychologist. There is an

example of a completed DOC-1163A here.
Upon receipt of the referral, the psychology unit OOA shall enter the information into the Electronic Medical Record and forward the referral to the designated psychologist. The psychologist will then communicate with the referring agent, and if needed, shall schedule an appointment. Psychological reports shall be provided to the agent within 30 days from the date of completion of the evaluation/testing, provided a signed DOC-1163A is in the file allowing for such disclosure. ATR evaluations shall be returned within 10 days of the psychologist meeting with the offender, provided a signed DOC-1163A is in the file.

Community Corrections Employment Program (CCEP)

.01 GENERAL STATEMENT

The Community Corrections Employment Program (CCEP) is designed to assist parolees with the community reintegration process for employment. When funding permits, this program may be available to probationers. The program consists of three components: Work Experience (WE), On-the-Job Training (OJT), and for offenders who successfully complete either WE or OJT, educational vouchers via the Training Opportunities for Placement Program (TOPP) are available. CCEP also provides tax credit certification of eligible offenders for employers. Bonding of offenders is available via CCEP for employment purposes.
In all programs, the employer retains discretion in hiring and firing, except in cases the Division chooses to remove for non-work related problems such as disciplinary problems or public safety. Referral of offenders to CCEP is the responsibility of the agent or institution/center. Placement is the responsibility of the CCEP Placement Coordinator.

.02 WORK EXPERIENCE (WE)

Work experience is designed to provide meaningful work experience for offenders to assist them in moving into non-subsidized permanent employment. Work sites are limited to non-profit organizations/agencies having tax exempt status. For purposes of Worker's Compensation, the offender is an employee of the worksite. Eligible offenders are placed at a worksite for up to 12 weeks full-time or 24 weeks part time. Offenders are paid current minimum wage.

.03 ON THE JOB TRAINING (OJT)

On-the-job training is to provide meaningful employment opportunities for placement of eligible offenders in permanent employment with a training subsidy provided to the employer. Offenders are paid the prevailing wage set by the employer.

.04 TRAINING OPPORTUNITIES FOR PLACEMENT PROGRAM (TOPP)

TOPP provides educational vouchers for eligible offenders to attend accredited, in-state vocational institutions. Offenders can also apply the TOPP scholarship to attend the University of Wisconsin System, but must have a minimum of 30 carry-in credits with preference given to credits earned in either the Department of Corrections PREP, Behind the Walls college programs, or through UW System correspondence courses. The TOPP program will not fund post-graduate studies. TOPP scholarships are contingent on funding availability.

.05 ELIGIBILITY

Offenders are found eligible by the CCEP coordinator. No offender with an out-of-state plan is eligible.

COMMUNITY SERVICE

.01 AUTHORITY

Wisconsin Statute 971.38(1), 971.38(2), 973.05(3)(a)(b)(c), 973.09(7m)(a), 102.07(14), 304.062, 973.10(1m)

.02 GENERAL STATEMENT

There are two ways that an offender can be ordered to perform community service, either court-ordered or department-ordered. Community service is performed in volunteer positions with non-profit, tax-exempt, community, or governmental agencies.

Copyright © 2012 [WI Department of Corrections]

In no instance should power equipment be used by an offender who is under age 18.

Agents should keep track of placements, hours worked, work performance, and completion of the assignment. Unsatisfactory performance by the offender may result in revocation, return to court for judicial review and possible amendment of the Court Order, or it may result in reassignment to another work site.
Convicted sex offenders shall not be placed as volunteers in any agency that puts them in contact with children.
An offender who performs uncompensated community work is an employee of the county in which the community service work is located. No compensation may be paid to that employee for temporary disability during the healing period if injured on the job. Under the terms of a CSO, the organization or agency, if acting in good faith, retains immunity from civil liability exceeding $25,000.00.

.03 COURT-ORDERED COMMUNITY SERVICE ORDERS

The community service orders program places criminal and traffic offenders in volunteer positions with non-profit, tax-exempt, community, or governmental agencies. Wisconsin statutes allow for a reduction in conditional jail time of 1 day for each 3 days of work performed based on an 8-hour work day.
When the court orders community service, it must be agreed to by the defendant and the organization or agency. The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the order is monitored.
In most communities, it will be the responsibility of the offender to contact the hiring agency to arrange a personal interview and to arrange working hours. Hiring agencies should report hours worked and any job-related problem to the agent as soon as such problems are evident.
In some communities it will be the agent's responsibility to secure work sites for offenders who are ordered to perform community service.
Community service hours are sometimes substituted for court-ordered financial obligations. In these cases, the agent must submit an amended court order (DOC-37) to the court for the judge's signature. The signed order shall be forwarded to the Cashier's Office.

.04 DEPARTMENT-ORDERED COMMUNITY SERVICE ORDERS

When an offender commits a violation of supervision, consideration for using community service as a sanction may be discussed.
If it is determined that community service is a viable option, the offender can be offered community service in lieu of jail time. If the agent, supervisor, and offender agree that community service is a viable option, the offender must sign a Community Service Alternative to County Jail Agreement (DOC-1660). A copy of the signed agreement shall be given to the offender.
If the county in which the offender resides has a community service work program, the agent should refer the offender to this program by completing a Community Service Work Crew Referral (DOC-1661). If the county does not have such a program, the agent should make a direct referral to a public agency or nonprofit charitable organization. Each DCC office shall identify specific agencies that are willing and capable of taking referrals for community service.
In addition to the Department's rules, the offender must agree to comply with any rules of the particular community service work program or any rules of the agency in which the offender is referred. If an offender fails to complete the community service or violates the rules of the program, they may be detained and the violation investigated.
An accurate accounting of the days served, as well as any violations of a community service order, shall be entered in the case notes, as well as on the EBRV. This record shall also include any noncompliance and subsequent

Copyright © 2012 [WI Department of Corrections]

detention.

Act 266

.01 Authority

2011 Wisconsin Act 266

Wisconsin State Statute 301.49

DCC Administrative Directive 13-10

.02 General Statement

Persons who have violated a qualifying restraining order after January 1, 2014, may be required to participate in a COMPAS assessment. Global Positioning System (GPS) monitoring may be ordered as a condition of supervision for those convicted of violating certain restraining orders after January 1, 2014. To be considered a 2011 WI Act 266 offender, GPS monitoring shall be ordered as an active condition of supervision. The term of probation supervision for violating certain restraining orders is increased to a maximum of four years.

.03 Risk Assessment

In the process of determining whether it is appropriate to require GPS monitoring as a condition of probation, the court may request the Department complete a COMPAS assessment. This may occur without placement on community supervision.

1. The violator will be directed to report to Probation and Parole per local intake procedures.
2. Pertinent record checks will be performed and the assigned agent will complete a COMPAS Core assessment.
3. COMPAS notes shall be brief and not include recommendations regarding GPS tracking.
4. The agent will have thirty days to complete the assessment and send the assessment to the Court.
5. The Court will be provided the COMPAS bar chart, narrative, and 2011 WI Act 266 Cover Sheet (DOC 2667).

.04 Agent Responsibilities

The court may order GPS monitoring as a condition of supervision. The following steps shall be taken:

1. At the initial report an agent will review rules of supervision with the offender, including no contact provisions with the victim.
2. The COMPAS Core assessment shall be completed if not done prior to sentencing.
3. Upon intake, the offender will be supervised at the Enhanced Supervision status. Decreasing supervision status below ENS while on GPS is at the discretion of the agent and field supervisor. If an offender qualifies as both a 2011 WI Act 266 and INT/SO offender, status will be set at Intensive Sex Offender. The status shall not fall below the Medium level, and home visits should not be waived.
4. The agent will make contact with the victim and utilize the DOC 2665A, 2011 WI Act 266 Victim Data worksheet, to collect contact information from the victim. The agent will utilize this information as well as active restraining orders or injunctions to establish GPS exclusion zones.
5. Agents may establish warning zones surrounding exclusion zones as appropriate. A warning zone is a geographic area extending beyond an exclusion zone designed to enhance notification. Enforcement of warning zone violations will be case specific.
6. The agent will initiate GPS enrollment utilizing the DOC 1362B and establish exclusion zones as necessary to protect the victim. The enrollment shall be completed within five business days of placement on supervision.
7. Offenders will be provided notice of all exclusion zones and the consequences of violating these zones, which shall be recorded in COMPAS notes.
8. An exclusion zone violation will represent a mandatory detention. Geographic areas included on restraining orders shall be listed as exclusion zone(s), which if violated will also constitute a referral to law enforcement

Copyright © 2012 [WI Department of Corrections]

for a criminal charge of Violating a Restraining Order. The enforcement of warning zone violations will be case specific.

9. If in jail or prison, GPS monitoring will not occur; however, GPS monitoring will occur if on work release supervision while serving conditional jail time or during a separate jail sentence.

.05 Victim Contact

The victim will be apprised of the benefits, expectations, and limitations of GPS monitoring, utilizing the DOC 2665. Effort shall be made to meet with the victim at a location where he or she will feel safe. Information provided to the victim will include:

- Notice when the offender is released from incarceration.
- The exclusion and warning zones the offender must avoid and the Department's process of reporting violations to the victim and law enforcement.
- An explanation of the failure rates associated with GPS tracking and an explanation of when an offender may not be detected by the tracking program.
- The agent shall make the victim aware that the initial GPS hook up may take up to five business days after sentencing.
- The agent shall provide the victim instruction as to how to notify law enforcement if the offender attempts contact with the victim.

Victim input and information is crucial to maintain GPS monitoring. If an offender is monitored by GPS, the Agent will maintain regular and consistent contact with a victim throughout the period of supervision. This contact will occur at a minimum of once every 30 days while the offender is at the ENS status. Victim contacts will ensure GPS zones and contact information is accurate and up to date. If victim contact is unsuccessful, agents shall utilize available geographical restrictions from the original restraining order. If the agent is unable to establish one exclusion zone, the Agent shall notify the court of our inability to establish exclusion zones as required in 2011 WI ACT 266.

A victim may notify the agent that he or she no longer wishes to provide information and requests the removal of GPS monitoring as a condition of supervision. In this case, agents shall utilize local domestic violence providers as a resource in this decision making process, and shall consider that inappropriate influence may be applied by the offender. A restraining order may remain active. Despite the victim's request, the GPS tracking provision may only be removed by the court, and GPS tracking will continue until the court has formally lifted the condition of supervision.

.06 Interstate Compact Requests

If GPS Monitoring is an active condition of supervision, interstate compact requests to leave Wisconsin will be submitted with the requirement of GPS monitoring in the receiving state. If the receiving state cannot comply with the request, the transfer shall not occur. Victim input shall be considered prior to submitting a request for interstate compact. An offender cannot be subject to GPS monitoring by Wisconsin DOC outside of Wisconsin's borders. If the person returns to Wisconsin at any point during the supervision period, the Department shall immediately notify the victim and reinstate GPS Supervision.

.07 Fees

Agents will determine an offender's ability to pay GPS fees and assign the appropriate fee schedule. The fee schedule and procedures for GPS offenders is referenced in DCC Administrative Directive 13-11.

.08 Early Discharge

The Department of Corrections shall not recommend the early discharge of probationers required to be supervised by GPS monitoring under 2011 WI Act 266.

.09 Travel Permits

Agents may issue travel permits to 2011 WI Act 266 offenders with supervisory approval.

.10 Probable Cause Packet

Violating an exclusion zone listed on a restraining order will represent new criminal behavior. When this occurs, a probable cause report shall be prepared and submitted to the law enforcement agency where the exclusion zone is located. The report shall be completed within ten business days of the violation. The probable cause report shall contain the following information:

1. Cover Letter
2. Copy of the Order of Protection
3. Copy of the EBRV
4. GPS printouts documenting the offender's entry in an exclusion zone

Copyright © 2012 [WI Department of Corrections]

Amended Court Orders

.01 AUTHORITY

Wisconsin Statute 973.10

.02 GENERAL STATEMENT

The court issues an amended order when an original order is changed.

.03 PROCEDURE

An amended order is initiated by the court, agent, offender or defense counsel and may reflect correction of an error, or addition, deletion or revision of conditions.

When an agent requests an amended court order, the agent should enter the requested changes on an Amendment to the Judgment of Conviction (DOC-37). A court memo should be attached indicating the reasons why the agent is requesting the amendment.

When an amended court order is issued, the agent will:

- Make appropriate entries in the case notes.
- Explain the amended order to the offender.
- When the DOC-37 has been signed by the court, scan and email the PDF along with any supporting documents such as court memos or WICS Offender Accounts screen prints to the DOC DCC CRU Status Documents mailbox.

Copyright © 2012 [WI Department of Corrections]

Case Planning

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(1)

.02 GENERAL STATEMENT

An individualized case plan must be created for each offender. Periodic modifications will be made to reflect progress, problems, or changes in personal circumstances.

.03 CASE PLANNING PROCESS

Please refer to the Intake Section under Unified Case Plan for specific instructions on creating an effective case plan.

Copyright © 2012 [WI Department of Corrections]

Case Recording

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.02 (2)(j)

.02 GENERAL STATEMENT

It is the agent's responsibility to record all activity associated with a case in the offender's case record.

.03 CASE RECORDING

Case notes are maintained by the agent on each offender in COMPAS. The agent must record all contacts with the offender and with any collateral source associated with the case within three business days. Critical incidents, such as violations, apprehensions, police or victim contacts must be recorded no later than the next business day. This includes personal contacts, telephone contacts, or any other type of case-related communication. The case notes must give a description of the nature of each contact. Concise and accurate information is essential. Case notes are the business records of the Department and are to be recorded in a professional manner. It should be noted that these records are subject to release under the open records law. Decisions made regarding case action must be documented in the case notes. Staff shall not express personal opinions regarding case actions, decisions or procedures. If contact is made by someone other than the agent of record, the notes must indicate the name of the staff having the contact.

Notes should be entered directly into COMPAS and not inserted from another document.

Source documents should be summarized when possible and lengthy text should not be copied from another source into the notes. The original document can be stored electronically with other file information or printed for the file.

Case notes shall be printed at the following times:

- Prior to revocation hearing
- Open records request
- As deemed necessary by agent or unit supervisor

.04 NOTE TYPES

There are five types of notes that will be utilized:

General Notes	Entries under this type of note will be related to any general documentation of case activity that is NOT directly related to the assessment or case plan. Any offender contact that would be considered a face to face contact with quality case planning should not be entered as a general note, but as a Supervision Contact note. Collateral and Employment contacts that are required as contact standards should also be entered as a Supervision Contact note.
Supervision Contact Notes	Supervision Contact notes should be used for any offender contact that would be considered a face to face contact with quality case planning. Collateral and employment contacts that are required as contact standards should also be entered as a Supervision Contact note. In order for contacts to be removed from the agent's task due list, the agent must select the corresponding contact under the "Supervision Contact Type" dropdown menu. The note subtype is where the agent will document whether the supervision contact was on office visit or a home visit.
Case Plan Notes	Entries under this type will include ongoing updates related to progress, completion, or modification to the unified case plan, but will NOT include information provided directly by program providers. The Case Plan Notes section is utilized during every meeting with the offender in order to document the ongoing, collaborative case planning process.
Program Notes	Entries under this type will include information provided directly from program providers by phone, mail, e-mail, in person, etc.
Assessment Notes	Entries under this type will include anything related specifically to the assessment only.
Home Visit Notes	Home visit notes will document scheduled or unscheduled visits to an offender's reported residence/property where the offender resides. Within the home visit note, the agent must set the next home

visit due date in order for the next home visit date to show due on the agent's task due list in Workload Manager.

Up to three note subtypes may be selected for each note type.

Use of the Confidential Notes Button:

The confidential button in COMPAS notes shall be checked for any confidential information including all individually identifiable medical, dental, mental health and AODA information. This includes diagnosis of a need for medical, dental, mental health and AODA treatment, and any health care services (treatment) provided, victim information (phone number, address, sensitive crime details, victim view on early discharge, etc.), and indications of acting as a confidential informant. This information shall be stored in a separate note than other non-confidential information which should be made available. Information should not be restricted by combining it in one note with confidential information and marking the entire note confidential.

5. OFFENDER RESIDENTIAL CONTACT RECORDING

A primary address is required to be in COMPAS for every offender who is on active supervision in the community. "In the community" means not incarcerated or confined in the Wisconsin State Prison System. Designated staff will enter and update offender address and phone information in the "Contact Information" field under Person Summary. Date resided means the date the offender first resided at the residence. This information is not required to be documented in a Note. All addresses should be entered following the DCC Offender Address Standards and Guidelines. The primary box should be checked for the current address and phone. When the primary box is checked, the address will appear on the printed caseload listing. If the offender has been deported, select "Foreign Country" from the "State" drop down menu.

0. CAUTIONARY FIELDS

Agents can add cautionary information in the offender's COMPAS case record. When information is entered, an alert will appear on the Person Summary page in COMPAS.

Options for cautionary information include:

Aggressive Pets: Agents should document any known pets that may pose a safety risk to staff.

Antagonistic Family Members/Roommates: Agents should document any family members or roommates who may pose a safety risk to staff.

Threat/Assault against DOC Staff: In addition to a WICS incident report, staff shall enter any assaultive behavior and/or threats against DOC Staff. See Use of Force

Prior Threats/Assaults to Law Enforcement: Staff should document any history of assaultive behavior towards law enforcement, including non-cooperation with the arrest or detention process.

Weapons: Staff shall document circumstances involving weapons which may pose a safety risk to staff. Examples include but are not limited to: Active apprehension request due to weapons related violations or known weapons in the residence.

Supervised as a Sex Offender: In addition to the flag in WICS, staff may use this information to readily identify those cases being supervised as a sex offender. Use of this cautionary field may be useful particularly for those cases being supervised based on a historical sex offense or those cases not assigned to a specialty caseload.

If a change in cautionary status occurs, e.g. death of a pet, an end date for the alert shall be recorded. This will remove the active alert on the Person Summary page, however historical cautionary information will be retained in the module. Information should be recorded in the respective fields as intended. Protected health information shall not be entered in the cautionary information field.

CASE SUPERVISION REVIEW (CSR)

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(2)

.02 GENERAL STATEMENT

It is expected that during the period of supervision, an offender's level of supervision will be reduced as the goals and objectives identified in the case plan are achieved.
Supervision levels are reviewed by utilizing the COMPAS Case Supervision Review (CSR). Eligible minimum cases should be evaluated for possible early discharge or administrative supervision.

.03 CASE SUPERVISION REVIEW SCHEDULE

The agent will complete the Case Supervision Review located in the Alternative Screenings section of the COMPAS at six month intervals, twelve month intervals for MIN/ADS cases, or at significant case activity change; either positive or negative (i.e. major violations, revocation actions, completion of major UCP objective, etc).

An agent may complete a Case Supervision Review any time prior to the scheduled reclassification. Reasons for an early reassessment could include the following:

- Receipt of new, previously unknown, information;
- Significant changes in an offender's situation; or
- Attainment of established case plan objectives.

The agent and supervisor should use their professional judgment when staffing "significant" case activity (i.e. major violations, revocation actions, completion of major UCP objective, etc) to determine whether a CSR will be completed.

.04 CASE SUPERVISION REVIEW PROCESS

The agent will complete the CSR located in COMPAS according to the task due date set in Workload Manager.
In instances where an assessment was never fully completed due to a severe mental health issue or other disability, the agent and supervisor should discuss the case and use their professional judgment as to whether a CSR should be completed.
When completing a CSR, the agent must always include the level in the "screener" area and override reason if applicable. Once the agent enters the screener recommendation, the CSR will appear on the "Supervision Level Assignment" of the "Supervisor Approval" on the supervisor's dashboard. The supervisor must enter the "actual recommendation" to approve or disapprove the agent's recommendation. If there is a change in status, the supervisor must forward the new status assignment to the status keeper for entry. If there is no status change, no notification is necessary.
The agent must then enter the "Supervision Review Reason" as a mandatory field. "Periodic Review" must be entered for all scheduled CSRs at the six month/one year period. For any cases that were staffed with a supervisor due to a violation or negative supervision adjustment and it was determined a CSR would be completed, the agent shall enter "Negative Case Activity". For any cases that were staffed with a supervisor due to positive supervision adjustment and it was determined an CSR would be completed, the agent shall enter "Positive Case Activity". The agent will next enter the "New Supervision Date" and the "Next Review Date" at the bottom of the Supervision Recommendation page of the CSR. The "New Supervision Date" will be the date that the Actual Supervision level will take effect. The "Next Review Date" should be six months/one year from the date of the CSR unless otherwise approved by a supervisor. The agent will add this date by entering 180 or 365 in the "Add Days" section adjacent to the "Next Review Date". This step is very important in workload manager as the agent is setting the next CSR due date.
When reviewing the "Actual Supervision Level", supervisors must verify the "Next Review Date" entered by the agent as an incorrect date will effect the next CSR due date. Supervisors should not enter the "Actual Supervision

Copyright © 2012 [WI Department of Corrections]

Level" until the next review date is verified.

If the agent agrees with the Supervision Recommendation and enters the corresponding Screener Supervision Level Recommendation, the Actual Supervision Level will auto-populate. When this occurs, the agent can click the "Save and Email" button to create an email in Outlook to notify the status keeper of any status changes. This option is only necessary if the change in Actual Supervision Level will result in a change in status.

The offender will be supervised per standards based on the COMPAS status assignment. The status should mirror the Actual Supervision level unless policy dictates otherwise.

For OWI Track B and Enhanced status cases, a staffing between the agent and supervisor should occur after ninety days to determine the level of supervision. This staffing shall be documented in the General Note, with sub type "DCC Staffing", and should include the level of supervision. A Case Supervision Review should not be completed for this ninety day staffing period unless there is significant case activity.

Sex offender level of supervision must be reviewed and, if deemed appropriate, can be reclassified by the agent submitting a Sex Offender Reclassification Checklist (DOC-2065) to the supervisor. Agents will note "DOC-2065 completed" in the comments section of the Supervision Review screen. This will notify the supervisor that the DOC-2065 has been completed and is waiting for supervisory review and approval prior to entering the "Actual Level of Supervision". The DOC-2065 will only need to be submitted to the status keeper if the agent and supervisor staff to set the offender at the "Intensive Sex Offender" status.

If an offender has been incarcerated during the reporting period and dynamic factors related to adjustment to supervision have not changed, the agent can staff the CSR with the supervisor and enter a staffing note. The supervisor can then direct the status keeper to set the CSR work due date out another six months.

For specialty court cases, a staffing between the agent and supervisor should occur for phase changes unless the phase change was a result of a significant case activity change. This staffing is to determine the level of supervision and shall be documented in the General Notes, with a sub type "DCC Staffing," and include the level of supervision. The status keeper will then be notified if the status changes.

Failure to complete COMPAS Case Supervision Review (CSR) every six months will result in the case remaining at the current classification until completed. Overdue work will continue to be reflected in the task list. The supervisor will review this list regularly and address any overdue work with the agent, including ensuring the CSR is completed.

The following options are available for the agent to choose in the "Override Reason" field:

- Agree with CSR Recommendation
- High Profile Offender
- Significant OWI History
- Significant DV History
- High Needs - Physical/Mental Health
- Other (Add Comment)
- Program/Goal Completion

Max Custody at DAI Release/Violent Offender

Please select these fields to decrease the use of the "Other Comments" field and assist in data collection.

COMPAS Core does not need to be re-done if the offender remains in the same life cycle and there are no changes which would significantly impact the overall assessment. In the event of a new arrest and/or criminal conviction, an updated COMPAS Core may be completed by copying forward the previous assessment and updating data as needed. The determination of whether or not to complete an updated assessment should be made using professional judgment after staffing with the agent and supervisor.

Copyright © 2012 [WI Department of Corrections]

Any time an offender will be supervised at a level higher than MIN, a CORE assessment should be completed and the case plan updated using the CORE assessment need scales. For example: Offender is supervised at MIN. The supervision level is increased due to CSR or staffing, the CORE assessment should be completed to ensure that all needs scales are included in case planning.

If the agent, in consultation with the supervisor, decides that a significant technical violation without a new arrest, warrants the completion of a new COMPAS, under the “Current Charges” section of the COMPAS, the agent should check the “other” box only. At this time, the charges from the current case they are on supervision for are then considered in the “Prior Record” questions of the assessment.

Copyright © 2012 [WI Department of Corrections]

Child Abuse Reporting Requirement

.01 AUTHORITY

Wisconsin Statute 48.981(2)(c)

1999 Wisconsin Act 20

.02 REPORTING REQUIREMENT

It is the policy of the Department that agents will report suspected child abuse. Any agent having reasonable cause to suspect that a child has been abused or neglected will immediately report that information to the County Agency, Sheriff's Office, or City Police Department. The agent will comply with any request for a written report concerning the incident. If the agent has reason to believe that an offender was involved in the abuse or neglect, the agent will conduct a violation investigation and consideration should be given as to whether or not the offender should be detained under the mandatory detention policy. Agents cannot be denied access to reports by county agencies.

Copyright © 2012 [WI Department of Corrections]

COMMON FORMS DESCRIPTION AND ROUTING

Face Sheet (DOC-3)
Violation Investigation Report (DOC-5)
Pre-Release Investigation (DOC-7E)
Offender Report Form (DOC-8)
Offender Release Authorization (DOC-15)
Statement of Collections (DOC-25)
Affidavit of Claim (DOC-29)
Amendment to Judgment of Conviction (DOC-37)
Recommendation for Administrative Action (DOC-44)
Travel Permit (DOC-50)
Application to Purchase and/or Operate a Motor Vehicle (DOC-56)
Apprehension Request (DOC-58)
Apprehension Cancelation (DOC-58A)
Judgment Deferred, Probation Ordered (DOC-61)
Appointment Notice (DOC-86)
Home Visit Waiver (DOC-88)
Chronological Log (DOC-90)
Violation Warrant (DOC-95)
Order Reinstating Probation (DOC-96B)
Monthly Ledger Summary (DOC-100)
Petition and Stipulation to Waive Appearance and Hearing (DOC- 101)
Offender Request for Administrative Review (DOC-127)
Wage Assignment and Waiver (DOC-148)
Probation Social Investigation (DOC-179)
Pre-Sentence Investigation Worksheet (DOC-180)
Order Reinstating Parole and/or Extended Supervision (DOC-186)
Forms/Publications Requisition (DOC-203)
Order to Detain (DOC-212)
Cancellation of Order to Detain (DOC-213)
Request for Reinstatement (DOC-247)
Alternative to Revocation Agreement (DOC-250)
Investigation Audit (DOC-307)
Case Record Review (DOC-308)

FACE SHEET (DOC-3)

.01 PURPOSE

The Face Sheet (DOC-3) provides offender identification, emergency contact information for the offender, and offense and court data related to the case.

.02 DIRECTIONS

This form is used as page 1 for a complete or partial investigation or upon receipt of an Interstate Compact case. A face sheet is also used for any subsequent commitment or investigation and face-to-face contact with local law enforcement.

A pre-printed face sheet is generated for each case.

A copy must be made for any administrative action, and the original pre-printed automated face sheet must

remain unaltered and filed with the Recommendation for Administrative Action (DOC-44) and the computer generated apprehension request.

.03 ROUTING

Social Investigation	
TO:	
Case File	Original
Pre-Sentence Investigation	
TO:	
Court	Original
Case File	Copy
Supervisor (Optional)	Copy

VIOLATION INVESTIGATION REPORT (DOC-5)

.01 PURPOSE

The Violation Investigation Report (DOC-5) documents the investigation and disposition of alleged violations of the rules and/or conditions of supervision.

.02 DIRECTIONS

The Violation Investigation Report may be prepared in any situation where a violation occurs. A report shall be prepared in any of the following circumstances:

&n bsp;

a. Offender is held in detention

b. Offender is charged with new criminal acts.

c. The violation is serious enough to consider or pursue revocation. If revocation is pursued, the DOC-1950 shall be used.

d. The violation results in a significant change in case plan.

TO:	
Case File	Original
Supervisor/Ledger Keeper	Copy
Entered in ICOTS (when offender is from Out of State)	Electronic Copy

.03 ROUTING

PRE-RELEASE INVESTIGATION (DOC-7E)

.01 PURPOSE

- The Pre-Release Investigation is used to provide information to the Parole Commission on an inmate's parole plans
- and should address the following:
- Residence
- Employment/school
- Outstanding warrants
- Community attitudes
- Input from Victim/Victim's Family

Agents' comments and recommended conditions of release

.02 DIRECTIONS

The agent should address all pertinent information on the proposed release plan. In the event the plan is not appropriate, an alternative plan should be proposed. Special parole conditions may be recommended.

.03 ROUTING

TO:	
Case File	Original

Institution Social Worker	Copy
Parole Commission	Copy
Supervisor	Copy

OFFENDER REPORT FORM (DOC-8)

.01 PURPOSE

The Offender Report Form (DOC-8 or DOC-8S) is used to obtain written information from offenders regarding their activities. The DOC-8 is also used to notify the Wisconsin Sex Offender Registry Program (SORP) of a change in residence, employment, school and/or vehicle of any offender required to register with SORP.

.02 DIRECTIONS

Offenders are required to complete, sign, and submit this form to the agent. The agent should assist the offender with the preparation of the form when necessary. With the exception of those offenders on administrative supervision, all offenders must submit this form on a monthly basis.

.03 ROUTING

TO:	
Case File	Original
SORP (change of address, employment, school and/or vehicle if sex offender)	Copy

OFFENDER RELEASE AUTHORIZATION (DOC-15)

.01 PURPOSE

The Offender Release Authorization facilitates release of inmates from correctional facilities to field supervision, provides the offender with reporting instructions, and also provides notice of release to local criminal justice agencies.

.02 DIRECTIONS

The DOC-15 is prepared and submitted by the agent as soon as the release date is known. Mandatory releases are always dated the Tuesday preceding the MR date. Copies for criminal justice agencies must be mailed, faxed, or scanned immediately upon completion.

The agent should not authorize the release of "all funds to offender" without knowing the amount of money available in the offender's account.

"Date authorized to release" on DOC-15 indicates the date on which the status keeper will change institution status.

If, at the time of release, the offender is subject to a Special Bulletin Notification (SBN), indicate on the DOC-15 that release is to DCC staff only.

.03 ROUTING

TO:	
Institution Records Office	Original
Supervisor (review and route to CRU)	Copy
Ledger Keeper (enters in ledger and return to agent)	Copy
Municipal Police Department	Copy
County Sheriff's Department	Copy
District Attorney	Copy

STATEMENT OF COLLECTIONS (DOC-25)

.01 PURPOSE

The Statement of Collections provides accounting information to the Department Cashier on cases where monies are collected. It provides accountability of official receipts and serves as a transmittal document for remittances

Copyright © 2012 [WI Department of Corrections]

made to the Cashier.

.02 DIRECTIONS

All payments received from or on behalf of offenders must be transmitted to the Division Cashier with the Statement of Collections (DOC-25). By the close of the work week, staff will send all collections to the Division Cashier at the address noted under routing. The agent may designate on the DOC-25 that a payment be applied to a case which has been extended by the court. If an offender has a new case without an assigned DOC number, the date of birth of the offender is to be used as the DOC number until a number is issued.

Staff will maintain the Statement of Collections forms consecutively numbered in reverse numerical order in a 3-ring binder. All "voids" must be entered as such.

Those making payments are to be instructed to secure a money order made payable to the State Department of Corrections. Money orders drawn to DOC Staff must be endorsed, "Pay to the Order of State Department of Corrections, Madison, Wisconsin."

.03 ROUTING

Division of Community Corrections Lock Box	Original plus one copy

AFFIDAVIT OF CLAIM (DOC-29)

.01 PURPOSE

The Affidavit of Claim, DOC- 29, is a form letter that may be used by DCC staff to obtain information from a victim(s) when it is necessary to determine the amount of court ordered restitution.

.02 DIRECTIONS

The staff person must complete the letter portion and the return address information at the bottom of the form and send the DOC-29 to the victim. The victim must be given at least 30 days to respond to the information requested. The information from this letter is transferred to the Restitution Ordered, Victim Data (DOC-31) which is submitted to the court. The agent keeps a copy of the DOC-29 and any related documents in the case file. The agent must ensure that the signed DOC-31 is returned by the court.

If the victim does not respond within the designated time, the agent is to make additional attempts to contact the victim before the court is advised that no restitution is required due to the victim's failure to respond.

.03 ROUTING

TO:	
Victim	Original
Case File	Copy

AMENDMENT TO THE JUDGMENT OF CONVICTION (DOC-37)

.01 PURPOSE

The DOC-37 is the court order used to amend the conditions of supervision previously ordered by the court.

.02 DIRECTIONS

The agent prepares the DOC-37 when an amendment is required. The DOC-37 must be signed by the judge, deputy, or clerk of courts. A memo may accompany the DOC-37.

.03 ROUTING

Clerk of Courts sends:	
TO:	
Local DCC Office	Original
Court File	Copy
Agent Routes:	
TO:	
Case File	Original
Central Records	Copy

RECOMMENDATION FOR ADMINISTRATIVE ACTION (DOC- 44)

.01 PURPOSE

The DOC-44 is used to recommend changes in case status that requires administrative action.

.02 DIRECTIONS

One DOC-44 is used for multiple cases and the cases affected are identified. Under the "Agent's Recommendation" section, the agent checks the specific action recommended and the section entitled "Recommendation Submitted for the Following Reason(s)." The supervisor and regional chief complete the appropriate review section. Specific instructions for each administrative action are stated below.

- *Stop Time*

The Stop Time function is used for all absconders and for violations of supervision in circumstances where the agent feels it is necessary to stop time. If time is being stopped due to absconding, the "Recommendation Submitted for the Following Reasons" must contain justification for stopping time.

- *Start Time*

To start time a DOC-44 must be prepared. Check "Start Time" and indicate if time is to be tolled or no time tolled. The effective date of the “Start Time” is either the date of custody, the date the offender reported, or the date as agreed upon by the agent and supervisor. The "Recommendation Submitted for the Following Reasons" section must contain start time justification.

If time is tolled, the "Time Tolled From" date may not be earlier than the effective date of violation. For offenders placed in custody following a violation and supervision is reinstated with time to be tolled, the reinstatement date shall be the date that the offender is placed in custody. For offenders who are not placed in custody following a violation and supervision is reinstated with time to be tolled, the reinstatement date shall be the date of face-to-face contact between the offender and the agent.

If time is tolled, include the Request for Reinstatement (DOC-247). If time is tolled, the Regional Chief will prepare the Order Reinstating

Probation (DOC-96b) and/or the Order Reinstating Parole (DOC-186b).

- *Revocation*

When revocation is initiated, check the appropriate recommendation. CRU will STOP TIME as of the effective date of violation.

If the recommendation for revocation is withdrawn prior to the final revocation hearing, a DOC-44 must be prepared. Check "Withdraw Revocation Request." CRU will start time without any tolling of time. If time is to be tolled, use Start Time procedure (above).

- *Discharge*

For discharge prior to normal case expiration, check "Discharge." Justification must be consistent with standards set forth in the DCC-Discharge Section.

- *Other*

For administrative actions not specified above, check "Other" and state the action requested. These may include voluntary return to institution, case transfer of active field supervision cases, etc.

- *Request for Death Certificate*

Check box for "Request for Death Certificate." Insert date and place of offender's death, sign a copy of the DOC-44, attach documentation of the death, i.e., an obituary, newspaper article, etc., and submit the e-form. **TRAVEL PERMIT (DOC-50)**

.01 PURPOSE

The DOC-50 is used to authorize all temporary, provisional, and blanket travel outside of the State of Wisconsin.

.02 DIRECTIONS

Temporary travel permits may be granted to offenders having a valid need to travel out of state for a period of time not to exceed 15 days. Travel may be extended with a supervisor's approval.

Should an offender's request for temporary travel be denied, the reason for denial will be documented in the case notes.

Provisional travel permits may be granted by a sending state in unusual circumstances to allow an offender to proceed to a receiving state prior to completion of an investigation and formal acceptance of the case by the receiving state.

Reporting instructions must be obtained through the Interstate Compact office prior to issuing a provisional travel permit.

Blanket travel permits may be granted to offenders having a valid need to travel out of state on a regular basis i.e., for employment, school, medical appointments, etc. Upon expiration of a blanket travel permit and before reissuance, a record check must be completed to determine any criminal activity that may have occurred while traveling out of state.

If more than one state is listed, an extra copy of the travel permit should be prepared for each additional state where the offender will spend time. Traveling through a state is not considered "spending time".

The "Agreement" section of the DOC-50 should be reviewed with the offender before the form is signed. Conditional release (971) and Supervised release (980) cases are not permitted to travel outside the state.

.03 ROUTING

15 days or less	
TO	
Case File	Original
Offender	Copy
Supervisor	Copy
Over 15 Days, Provisional or Blanket Permit	
TO	
Supervisor	Original
Following signature,supervisor routes as follows:	
Case File	Original
Offender	Copy
Compact Specialist	Copy

APPLICATION TO PURCHASE AND/OR OPERATE A MOTOR VEHICLE (DOC-56)

.01 PURPOSE

The DOC-56 is used to obtain information about a motor vehicle that will be operated by an offender, the offender's driver's license, insurance information, and driving record.

.02 DIRECTIONS

The agent may require the offender to complete the form when permission is granted to purchase or operate a motor vehicle.

.03 ROUTING

TO:	
Case File Offender	Original Copy

APPREHENSION REQUEST (DOC-58)

.01 PURPOSE

The Apprehension Request and Warrant (DOC-58) is used to request the assistance of law enforcement agencies in the apprehension of offenders.

.02 DIRECTIONS

If the offender is on supervision for both felonies and misdemeanors, check "Felony." If "Felony" and "Yes Extradite" are checked, CIB will automatically enter the DOC-58 to NCIC. If the offender is on Extended Supervision, check “Probation”. The agent should review all cases with the supervisor before checking "Yes Extradite". The “comments section” is used to identify any specific extradition limitations (i.e. adjacent states only).

Misdemeanants can be extradited with supervisory approval.

If an apprehension request is issued on an Out-Of-State case being supervised in Wisconsin, do not check extradite since this authority belongs to the sending state.

A supervisor may phone in an emergency apprehension request to the monitoring center. A hard copy must be faxed as soon as possible but no later than the next working day.

The unit supervisor maintains a file of all validated apprehension requests.

.03 ROUTING

TO:	
DOC Warrant Section	Faxed or Scanned Copy
Supervisor via ledger keeper	Copy
Case File	Copy

APPREHENSION CANCELLATION (DOC-58A)

.01 PURPOSE

An Apprehension Cancellation (DOC- 58a) is used to cancel a previously issued Apprehension Request (DOC-58).

.02 DIRECTIONS

An Apprehension Cancellation must be submitted as soon as the offender is in custody. Failure to cancel can cause the arrest of persons no longer "wanted" and could result in a legal suit for false arrest. When an offender is apprehended out-of-state, a cancellation must be submitted to assure that CIB is in compliance with NCIC policy. When an offender will be released prior to a DOC-58a being processed by the Warrant Section, cancellation may be effected by calling DOC Warrant Section between 7:15 a.m. and 4:00 p.m. Monday through Friday.

When the DOC Warrant Section has authorized a hold after normal business hours or on weekends, the agent must submit the DOC-58a as soon as possible, but no later than the next working day. In addition, the agent must submit an Order to Detain (DOC-212) to the appropriate holding agency.

.03 ROUTING

TO	
DOC Warrant Section	Scanned or Faxed Copy
Supervisor via ledger keeper	Copy
Case File	Copy

JUDGMENT DEFERRED, PROBATION ORDERED (DOC-61)

.01 PURPOSE

The DOC-61 is the official Court Order placing a defendant on probation to the Wisconsin Department of

Corrections under ss.961.47. Upon a finding of guilt, the entry of the judgment of conviction is deferred and upon fulfillment of the terms and conditions of the order, the deferred proceedings will be dismissed and the offender discharged.

.02 DIRECTIONS

The DOC-61 is prepared by the Court immediately after sentencing.

.03 ROUTING

Clerk of Courts	
TO:	
Local DCC Office	Original and one copy
Court File	Copy
Agent	
TO:	
Case File	Original
Central Records Office	Copy

APPOINTMENT NOTICE (DOC-86 and DOC-86S)

.01 PURPOSE

The Appointment Notice is used to notify an offender of an appointment or a missed appointment.

.02 DIRECTIONS

The appointment information is completed and the Appointment Notice is signed by the agent. The form is addressed and mailed as a post card.

.03 ROUTING

Completed and mailed by the agent to the offender.

HOME VISIT WAIVER (DOC-88)

.01 PURPOSE

The DOC-88 is used to request a modification or waiver of home visit standards.

.02 DIRECTIONS

The form is prepared by the agent, indicating if a home visit modification or waiver is being requested. The justification for the request must be stated. If approved, the agent must document the action in the case notes.

.03 ROUTING

TO:	
Supervisor	Original and one copy
Agent	Signed copy

CHRONOLOGICAL LOG (DOC-90)

.01 PURPOSE

The Chronological Log was formerly used to record all case activity and agent contacts for offenders prior to the implantation of COMPAS notes in 2011.

.02 DIRECTIONS

These records are to be maintained in the offender case file. If the DOC-90 was electronically stored, the records must be printed in entirely and place in the offender case file.

.03 ROUTING

TO:	
Offender Case File	Original

VIOLATION WARRANT (DOC-95)

.01 PURPOSE

The Violation Warrant provides formal notice to apprehend and hold an offender in custody to any officer with the power to serve criminal process or to any person in charge of a place of detention.

Copyright © 2012 [WI Department of Corrections]

.02 DIRECTIONS

The DOC-95 is completed by the DCC Registrar upon request of an agent or out-of- state authority.

Multiple cases can be put on one form.

.03 ROUTING

TO:	
Regional File	Original
Case File	Copy
Supervisor	Copy
Central Record Unit	Copy
Institution Registrar (parole cases only)	Copy

ORDER REINSTATING PROBATION (DOC-96B)

.01 PURPOSE

The DOC-96b is used to reinstate an offender on probation when time is tolled.

.02 DIRECTIONS

The Order Reinstating Probation is prepared by the Regional Office. The effective date of reinstatement is the date an offender becomes available. The DOC-96b requires the signature of the regional chief/designee.

.03 ROUTING

TO:	
Regional File	Original
Case File	Copy
Central Records Unit	File

MONTHLY LEDGER SUMMARY (DOC-100)

.01 PURPOSE

The Monthly Ledger Summary (DOC-100) is used to report information from the Classification Ledger in order to detect trends in workload, regional variations, and to provide data essential for development of the division's budget.

.02 DIRECTIONS

This report is generated electronically in OATS.

.03 ROUTING

OATS routes the report electronically.

PETITION AND STIPULATION TO WAIVE APPEARANCE AND HEARING CR-208/DOC-101

.01 PURPOSE

The CR-208/DOC-101 is used to petition the court for an order extending probation for collection of restitution and/or court-ordered obligations or other court ordered conditions which the offender has not completed, or for issuing a civil judgment when the offender wishes to waive rights to a hearing.

.02 DIRECTIONS

The Petition and Stipulation to Waive Appearance and Hearing should be initiated 90 days prior to discharge of the offender's case.

Sections 1,2,& 3 should be completed with the requested information. For section 4, the agent must determine if the offender has the ability to pay the court obligations and if so, recommend a period of extension.

For Section 5, the agent shall discuss the matter with his/her supervisor and, if appropriate, request termination of

Copyright © 2012 [WI Department of Corrections]

the probation and have a civil judgment entered against the offender for the unpaid obligations.
The agent should ensure that the offender understands Lines 6 and 7 before having the offender should sign and date the form and the agent should sign as witness.
On the reverse side of the form, unless otherwise instructed by the Court, complete the information in the COURT ORDER/JUDGMENT section, line 3 and 5. Check the appropriate boxes and complete the required information.

.03 ROUTING

TO:	
Court (for Judge's signature	Original and two copies; cover memo if required.
When Court Action is Completed	
Court File	Original
Central Records Unit	Copy
Case File	Copy

OFFENDER REQUEST FOR ADMINISTRATIVE REVIEW (DOC-127)

.01 PURPOSE

The DOC-127 is used to afford offenders an opportunity to request administrative review of certain types of decisions through a formal review process.

.02 DIRECTIONS

The form is prepared by the offender. Only a single request can be included on the form. The request must be filed within 5 working days after the date on which the incident or denial occurred. The offender will fill in the request form (DOC-127) as completely as possible and forward it to the denying authority's immediate supervisor.

.03 ROUTING

TO:	
Agent's Supervisor (following attempt to resolve with agent)	Original
Regional Chief (following denial by supervisor)	Original
Administrator (following denial by regional chief)	Original

WAGE ASSIGNMENT AND WAIVER (DOC-148)

.01 PURPOSE

The Wage Assignment (DOC-148) is used to secure direct payment from an offender's earnings.

.02 DIRECTIONS

After getting approval from the employer, the agent will obtain the required signatures on the DOC-148. It should be noted that this is a time-limited document.

.03 ROUTING

TO:	
Employer	Original
Case File	Copy
Offender	Copy

PROBATION SOCIAL INVESTIGATION (DOC-179)

.01 PURPOSE

The DOC-179 is used to assist an agent in obtaining information from the offender.

.02 DIRECTIONS

The DOC-179 is completed by the offender. The agent reviews the form with the offender for accuracy and

Copyright © 2012 [WI Department of Corrections]

completeness. The agent completes the victim and collateral information sections. The completed form may also be used to assist in the completion of a pre-sentence investigation.

.03 PREPARATION AND ROUTING

The completed social investigation is routed to the supervisor. It is retained in the case file.

PRE-SENTENCE INVESTIGATION WORKSHEET (DOC-180)

.01 PURPOSE

The Pre-Sentence Investigation Worksheet is used to assist an agent in gathering information for preparation of a presentence investigation and to be used interactively with the offender.

.02 DIRECTIONS

The offender may not be given this in advance of the interview as it is a tool to be completed and used by the agent only.

.03 ROUTING

The completed worksheet is maintained in the case file.

ORDER REINSTATING PAROLE AND/OR EXTENDED SUPERVISION(DOC-186B)

.01 PURPOSE

The DOC-186B is used to reinstate an offender on parole and/or extended supervision when time is tolled.

.02 DIRECTIONS

Completion of the form is self-explanatory and is initiated by the submission of a DOC-44 requesting tolling of time on an offender who is on parole and/or extended supervison. The effective date of reinstatement is the date the offender becomes available.

.03 PREPARATION AND ROUTING

Regional office staff complete the DOC-186B for the regional chief's signature. The original DOC-186B to CRU for processing and one copy to DCI records office. When the original is returned from CRU, route the DOC-186B to the agent via the supervisor. The agent is responsible for ensuring that the offender receives a copy. **FORMS/PUBLICATIONS REQUISITION (DOC-203)**

.01 PURPOSE

The DOC-203 is used to order forms not available in public folders.

.02 DIRECTIONS

Orders should be placed no more than once per month and should not exceed a three-month supply.

Type in the complete street address to which orders are to be sent, as the top half of the form becomes the shipping label.

.03 PREPARATION AND ROUTING

The DOC-203 should be e-mailed to the Department Forms Officer.

ORDER TO DETAIN (DOC-212)

.01 PURPOSE

The DOC-212 is used to order the detention of an offender.

.02 DIRECTIONS

Completion of the Order to Detain is self-explanatory. Date of detention is the date the Department authorizes custody.

.03 ROUTING

TO	
Law Enforcement Agency	Original (Scanned or Faxed Copy)
Case File	Copy
Supervisor	Copy
Holds Database Designee	Copy

Copyright © 2012 [WI Department of Corrections]

CANCELLATION OF ORDER TO DETAIN (DOC-213)

.01 PURPOSE

The DOC-213 is used to cancel the Order to Detain (DOC-212) and provide notification to the detaining authority.

.02 DIRECTIONS

Completion of the Cancellation of Order to Detain is self-explanatory.

.03 ROUTING

TO:	
Law Enforcement Agency	Original
Case File	Copy
Supervisor	Copy
Holds Database Designee	Copy

REQUEST FOR REINSTATEMENT (DOC-247)

.01 PURPOSE

The Request for Reinstatement is used to allow the offender to request reinstatement with time being tolled. This form is initiated by the submission of the DOC-44.

.02 DIRECTIONS

The offender must stipulate to the alleged violation(s). The form is prepared by the agent when reinstatement on supervision and tolling of time are being recommended.

.03 ROUTING

TO	
Case File	Original
Offender	Copy
Supervisor	Copy

ALTERNATIVE TO REVOCATION AGREEMENT (DOC-250)

.01 PURPOSE

The DOC-250 is used to confirm an offender's participation and agreement in an Alternative to Revocation (ATR). The offender admits to the violation(s) and agrees to the terms of the agreement.

.02 DIRECTIONS

This form will be signed by the offender prior to placement. If placed in a DAI facility, institution approval is required. In addition, the offender must agree to a specific length of stay.

.03 ROUTING

TO	
Case File	Original
Supervisor	Copy
Institution Case File, if applicable	Copy
Ledger Keeper	Copy

INVESTIGATION AUDIT (DOC-307)

.01 PURPOSE

The DOC-307 is used to evaluate both the form and substance of the information contained in a presentence.

.02 DIRECTIONS

Completion is self-explanatory.

.03 ROUTING

TO	
Agent	Original
Supervisor	Copy
Regional Chief	Copy

CASE RECORD REVIEW (DOC-308)

.01 PURPOSE

Case record audits are conducted for quality control, training new agents, and evaluation of experienced agents.

Copyright © 2012 [WI Department of Corrections]

.02 DIRECTIONS

Each month for a Probation & Parole Agent A; every two months for Probation & Parole Agent B; every three months for Probation & Parole Agent C. To be completed in conjunction with a formal conference. At least 1 case per conference. Supervisor should select the case(s) to be audited without advance notice. Completion is self-explanatory.

.03 ROUTING

TO	
Agent	Original
Supervisor	Copy
Regional Chief	Copy

Copyright © 2012 [WI Department of Corrections]

COURT REVIEW OR MODICATION OF CONDITIONS

.01 AUTHORITY

Wisconsin Statute 973.09

Wisconsin Statute 302.113(7m)

.02 GENERAL STATEMENT

An offender on probation may be returned to the committing court for a probation review by order of the court or through the initiative of the agent. The judge may wish to review the offender's progress or the agent may feel that other conditions or modifications are in order. The department may also petition the court to modify any conditions of Extended Supervision set by the court.

.03 REVIEW OR MODIFICATION OF PROBATION CONDITIONS

The agent will:

- Advise and consult with the supervisor regarding the probation review.
- Inform the offender of the probation review.
- Prepare a memo to the court including court history, adjustment on supervision, the reason for the request, and a specific statement of what the agent requests of the court.

The court will set the hearing date and inform the offender and the attorney of record. The agent should be available to present information if requested.

Following the review, appropriate entries should be made in the case notes.

.04 MODIFICATION OF CONDITIONS OF EXTENDED SUPERVISION

The department may petition the court to modify the conditions of Extended Supervision set by the court if the offender is not serving a life sentence. The agent shall follow the steps in the Review or Modification of Probation Conditions above to prepare the petition. The agent must serve a copy of the petition to the offender and the offender’s attorney, if there is one. The court will serve a copy of the petition on the district attorney. The court may notify a victim.

The court may hold a hearing to consider the petition. If a hearing is conducted, the agent should be available to present information to the court, if requested.

Copyright © 2012 [WI Department of Corrections]

DNA REQUIREMENTS

Authority/References:
Wisconsin Act 20 (2013)
Wisconsin Act 214 (2013)
DCC DNA Submission Verification Administrative Directive 16-03

General Statement:
It is the agent's responsibility to ensure that a DNA sample has been submitted and verified from those offenders who are statutorily required to submit a sample. Staff shall work in conjunction with DAI and DJC to ensure that all individuals under DOC authority have had appropriate samples taken prior to moving from one division's authority to another or prior to discharge. Changes to state law requiring that a 10-print fingerprint card be submitted with DNA samples forced DCC to make changes to DNA collection policies and procedures. DCC staff are no longer able to take DNA samples and must refer the offender to local law enforcement for sample collection.

Wisconsin Act 20 (2013) and Wisconsin Act 214 (2013) created the requirement of DNA collection from:

- Adults and juveniles arrested for a violent crime as noted in SS 165.76.
- Adults and juveniles convicted/adjudicated of any felony crime.
- Adults convicted of any misdemeanor crime when the offense and conviction occured after April 1, 2015. Juveniles adjudicated of certain misdemeanor crimes as noted in SS 165.76.

Procedure:
There are certain points in time during an offender's life cycle that verification of the offender's DNA submission status will be checked. The offender's DNA requirement is not considered satisfied until the DOJ CCH report states "conviction sample on file" and the WICS DNA Collection and Tracking screen has a date in the "DNA verified date" field. Agents must continue to follow up with offenders until both of these requirements are met. To meet the DNA submission obligation, the sample must be submitted to the WI DNA Databank after being taken with a WI DNA kit and accompanied by ten-print cards.

WICS tracks both an offender's obligation to submit a DNA sample and the offender's sample submission and verification by using the following buttons/screens:

The DNA obligation button tracks whether or not an offender is obligated to submit a DNA sample based on their offense information. This information is uploaded from DOJ on a daily basis. If an offender is obligated to submit a DNA sample, this blue button will always remain on their Offender screen in WICS. If an offender is not obligated to submit a DNA sample, this button will not appear.

The DNA collection and tracking button tracks the status of an offender's DNA sample submission. This information is uploaded from DOJ on a monthly basis (approximately the 18th of each month). If an offender is obligated to submit a DNA sample and has not yet fulfilled the DNA requirement, this button will appear on the

Offender screen in WICS. Once a date is filled in the "DNA verified date" field indicating that the offender's DNA sample has been accepted and verified by DOJ, this button will no longer appear.

DNA Collection and Tracking Information (1 - 1 of 1) Prepare To Add

Effective Date	Effective Time	Current Collection Status	Kit #	Collected Date	Sent to DOJ Date	Received by DOJ Date	DNA Verified Date
07/24/2015	11:05 AM	DNA Needed					

Since DCC staff do not collect DNA samples, the kit number and collection dates should not be filled in on the DNA tracking screen. DAI and DJC staff do still collect samples and will fill these dates when appropriate. DCC's focus is the "DNA verified date" field.

Points in time when DNA submission must be verified:

- **Intake**: During intake, agents will request a CCH (Computerized Criminal History) be obtained through the Wisconsin DOJ Crime Information Bureau system. By the end of intake if a DNA sample is required but has not been submitted, the offender should be ordered to report to local law enforcement for DNA sample collection. Staff shall following local law enforcement reporting requirements for DNA sample submission. This order should be entered into COMPAS notes stating the date of the referral and which law enforcement agency the offender was referred to. If the CCH states "Conviction Sample on File" and the WICS "DNA Collection and Tracking" screen has a date in the "DNA Verified Date" field, no further DNA action is necessary until 30 days prior to discharge.

- **90 days after end of intake:** For those offenders whose DNA status was not considered complete during intake, agents should again review the DNA collection and tracking screen in WICS. If there is a date in the "DNA verified date" field and the DNA collection and tracking button no longer appears on the DCC Offender screen, then DNA requirements are considered met until 30 days prior to discharge. A note should be placed in WICS and COMPAS indicating the date that DNA was verified as complete. If WICS still does not indicate that a DNA sample was submitted and verified by DOJ, agents should remind the offender of the DNA requirement and develop a plan and timeline to ensure compliance and sample submission. This plan may include but is not limited to re-referral to local law enforcement, agent scheduling the follow up appointment, or, if approved by regional/assistant regional chief, placing the offender in custody and requesting law enforcement collection of the DNA sample. Agents should place appropriate notes in COMPAS regarding the referral.

- **90 days prior to discharge:** For those offenders whose DNA status was not previously verified as "Conviction Sample on File" on the CCH and the WICS DNA Collection and Tracking screen does not have a date in the "DNA Verified Date" field, the agent must notify the offender of the DNA requirement and develop a plan and timeline to ensure compliance and sample submission prior to discharge. This plan may include but is not limited to re-referral to local law enforcement, agent scheduling the appointment with local law enforcement, or, if approved by the regional/assistant regional chief, placing the offender in custody and requesting law enforcement collection of the DNA sample. Agents should

Copyright © 2012 [WI Department of Corrections]

place appropriate notes in COMPAS regarding the referral.

- **30 days prior to discharge:** For all offenders who are approaching discharge, agents must request a CCH to verify that DNA status is "Conviction Sample on File". If a DNA sample has not been submitted, as noted on the CCH, then the offender should be placed into custody on a hold and collection of a DNA sample requested through law enforcement. If the CCH indicates any status other than "Conviction Sample on File", the agent must follow up with the offender and the SAFE Team, if necessary, to resolve the DNA submission issue prior to the offender discharging.

If the CCH indicates "Arrest Sample on File", the agent should inform their regional DNA SME to contact the State Crime Lab DNA Databank at DNADatabank@doj.state.wi.us or 608-266-2031 and inform them of the offender's conviction status and request that the DNA status be updated to "Conviction Sample on File". The email subject box should state "Change Arrest DNA to Conviction DNA – Offender Last Name, First Name, SID#, Court Case number. No documents need to be attached if this information is included in the email.

Note shall be placed in COMPAS and on the WICS DNA Collection and Tracking screen when the CCH states "Conviction Sample on File" stating the date the DNA sample was verified and the submission requirements were met.

Outside of these specific points in time if mitigating circumstances exist regarding DNA submission or verification and with regional/assistant regional chief approval, an offender may be placed into custody on a hold and DNA sample collection be requested of local law enforcement.

Holds for offenders placed in custody for purposes of DNA collection are non-reimbursable holds. **Other**

Opportunities to Verify DNA Submission:

There may be other opportunities during offender supervision when DNA requirements should be verified. These opportunities include:

- Prior to release from custody
- Prior to recommending an early discharge
- Prior to renewing a blanket travel permit
- Prior to an intrastate transfer
- At other times deemed appropriate

Offenders currently on supervision:

For offenders currently under DCC supervision, agents must ensure that if a DNA sample is required to be on file and a sample was not previously collected, that the offender's sample is submitted and verified with DOJ or that the offender is ordered to law enforcement to have the sample submitted. If a DNA sample is required and has not been previously submitted, agents should notify the offender of the DNA requirement, develop a plan and timeline to ensure compliance, and document the plan in COMPAS.

For those offenders who have been ordered to submit a DNA sample and refuse or have intentionally not complied with that order, the offender should be placed in custody. If all attempts to collect a sample have

Copyright © 2012 [WI Department of Corrections]

failed, the offender can be referred to the district attorney to be charged with the misdemeanor offense 946.52, "Failure to submit biological specimen".

DNA FOR DEPORTEES/ICE HOLDS

For all offenders, failure to comply with DNA requirements is a violation and should be addressed through an evidence-based response to violation and following Department policies and procedures. Offenders who have been deported or are being held by ICE are still required to maintain compliance with DNA requirements, however, there may be circumstances where an offender may not have been afforded the opportunity to submit their sample. There may be times when DOC and local law enforcement do not have access to have a DNA sample taken for an offender who is being held on an ICE detainer. If an agent and local law enforcement are unable to collect a Wisconsin DNA sample kit from an offender who is being held on an ICE detainer, that agent should clearly document in COMPAS notes what actions were taken to collect a DNA sample including contacting ICE, working with local jail staff, or any other actions. If no DNA sample can be collected as a result of an ICE detainer, the agent should document this in COMPAS notes and the case should be allowed to discharge after completion of the supervision term. A stop time is not required on deported offenders for the purposes of DNA submission provided there is documentation that DOC attempted to have a sample collected. For offenders being held on an ICE detainer that are available to have a Wisconsin DNA sample collected but refuse to submit a DNA sample, the offender is in violation and the agent should take appropriate action.

Interstate Compact Offenders:

Offenders who are in Wisconsin from another state: If the other state's committing offense is comparable to a Wisconsin offense that requires DNA for felony convictions, then the offender should be ordered to law enforcement for DNA submission and appropriate notation entered into COMPAS regarding the order. Offenders who are in Wisconsin from another state and are convicted of offenses in their state that are comparable to misdemeanors (even DNA qualifying misdemeanors) in Wisconsin, are not required to provide DNA. For questions relating to comparable committing offenses in Wisconsin, agents should contact their DNA regional DNA SME.
Offenders committed offense in Wisconsin: For those offenders applying for Interstate Compact to move outside of Wisconsin, if the committing offense requires DNA submission, that DNA sample must be submitted prior to the offender leaving the state. Exceptions must be approved by the Regional/Assistant Regional Chief. The agent and supervisor should staff the case to develop a plan and timeline with the offender for returning to Wisconsin to submit a sample or can work with the SAFE Team to have a sample submitted.
For those offenders currently living in another state on Interstate Compact who are required to submit a DNA sample, the agent should coordinate with the offender and the SAFE Team for DNA collection and submission. The SAFE Team can reach out to other law enforcement jurisdictions to coordinate DNA sample collection. If an out-of-state law enforcement agency is unable to accommodate Wisconsin's DNA sample submission requirements, the offender may need to return to Wisconsin to provide the sample. That return should be coordinated with the other state's supervising agent to provide travel authorization. Interstate Compact offenders who are unwilling to provide a required DNA sample are considered noncompliant and agents should work with the other state on a violation investigation.

DNA Status References from CCH:

"NO DNA ON FILE" indicates the crime lab does not have DNA for this individual.
"ARREST DNA ON FILE" shows that DNA was collected at the time of arrest for offenses that occurred on or after

Copyright © 2012 [WI Department of Corrections]

April 1, 2015. That DNA is not processed until a conviction for misdemeanors or a finding of probable cause in felony cases. It remains in "Arrest DNA" status until conviction.
"DNA COLLECTION NEEDED – SAFE TEAM" indicates that the individual has a qualifying conviction requiring the submission of DNA and that the circumstances requiring submission have been vetted and verified by the SAFE Team.
"DNA COLLECTION NEEDED – CRIME LAB RECOLLECT" tells you that DNA was submitted and that after the initial receipt/acceptance it was learned that the fingerprints were unreadable or did not match the named person, the sample was inadequate, the SID was incorrectly assigned or entered, incomplete paperwork accompanying the sample, etc. DNA and prints need to be retaken.
"CONVICTION DNA ON FILE" indicates that DNA has been collected, it has been accepted by the lab, and verified by the lab. This is the status that an offender's DNA status must reach in order for their DNA obligation to be considered complete.

DNA Reports:
A monthly report is run out of BI (Business Objects) for all active offenders who have not met the DNA submission requirement. This list must be reviewed and necessary actions taken to have samples submitted for those on the list.

The SAFE Team receives reports from the Department of Justice for any inactive/discharged offenders who have not met the DNA requirement. These lists are circulated to the regions for review and appropriate action must be taken to have samples submitted for those on the list.

Discrepancies in DNA submission information:
Each region has a DNA Subject Matter Expert (SME) and other staff trained on DNA procedures to serve as a resource on DNA issues. The SMEs can assist staff in resolving discrepancies between WICS and the CCH regarding DNA obligation, verification, and status. If a discrepancy is discovered and WICS needs to be updated, staff should consult with the SME or appropriately trained staff prior to making any updates to WICS.

Responsibilities:

Regional/Assistant Regional Chief:

- Ensure that DNA reports are being reviewed and appropriate action is taken to clear up discrepancies or incomplete records

Supervisors:

- Ensure agents are referring offenders to the appropriate local law enforcement agency following local procedures
- Ensure that DNA verification is occurring at the required points in time

Agent:

- Monitor offender DNA submission requirements and take appropriate action

Copyright © 2012 [WI Department of Corrections]

- Place appropriate notes in COMPAS regarding DNA sample collection referrals and confirmations
- Take appropriate action with regard to any contact by the SAFE Team regarding necessary sample retakes

DNA Subject Matter Experts and DNA Trained Staff::

- Review DNA data reports and follow up with appropriate staff to resolve issues
- Resolve discrepancies between WICS and the CCH regarding DNA obligation, verification, and status, including contacting the State Crime Lab.
- Update "DNA Verified Date" field in WICS pending outcome of problem resolution
- Be a resource for staff on DNA issues

SAFE Team (Email: DOCDLSafeTeam@wisconsin.gov):

- Coordinate sample submission with out-of-state jurisdictions
- Follow up on information received regarding retakes that are required and coordinate with staff as appropriate
- Review and process reports from the Department of Justice regarding missing DNA samples

Copyright © 2012 [WI Department of Corrections]

CONCURRENT JUVENILE SUPERVISION

.01 GENERAL STATEMENT

Occasionally, cases fall into a dual supervision category where an adult offender is under a concurrent juvenile court order and is supervised by a Department of Corrections, Division of Juvenile Corrections (DJC) agent, or is also under county supervision. The county supervision could be: a Juvenile in need of Protection Services (JIPS) court order; a Children in Need of Protection Services (CHIPS) court order; regular county supervision and/or county aftercare.

.02 PROCEDURE

Every new case will be screened through WICS to determine if there is currently any DOC agent assigned to the case (either DCC or DJC). If there is a DJC agent assigned the DCC supervisor or designee will contact the DJC supervisor within two working days to determine the status of the juvenile case. If the juvenile case is not administratively discharged, the DCC office will direct assign the new adult case to the current DJC Agent and establish reporting instructions for the offender regarding the new adult case.

DCC will complete all Presentence Investigations; however, DJC may be contacted to provide any available information relevant to the PSI. There may be instances when a DCC agent has to do work such as a presentence investigation, while the DJC agent is managing the case. When this occurs, the DCC agent will create a -2 case and use that for documentation and communication pertaining to the concurrent work. The agent will close the -2 case when the concurrent work is concluded.

DCC will be responsible for determining all court obligations including restitution amounts and victim information on the adult case. DCC shall forward this information to the Cashiers Unit and DJC Agent. If financial obligations are due under both the juvenile and adult order at the same time, the DJC agent will consult with the DJC supervisor to determine priority of payment on all obligations. DCC will waive the normal supervision fees, case documentation requirements, and case classification procedures during the time DJC supervises an adult case. While both the juvenile and adult orders continue to run, the juvenile agent will be the primary agent and will supervise both the juvenile case and adult case until the juvenile order expires, and will make all case decisions regarding supervision, revocation, or return to an institution in consultation with the DJC supervisor.

The DJC agent will maintain separate juvenile and adult case files for the offender, and will modify the offender's current rules of supervision to incorporate all adult supervision rules and court ordered conditions. Upon expiration of the youth's juvenile order, the DJC agent closes the -1 case and the DCC agent re-opens the -2 case. Note that the DJC agent is responsible for producing and signing the appropriate adult rules during the time of dual supervision. Upon expiration of the juvenile case and DCC assumes primary supervision, a COMPAS assessment will be completed unless a COMPAS Youth has been completed within the last 24 months.

.03 VIOLATIONS

In the event of a violation of the rules of supervision the DJC agent will consult with the DJC supervisor to determine a response to the violation. If the decision is to initiate revocation, the DJC agent and supervisor will decide whether to proceed on the violation under the juvenile order, adult order or both.

If the offender is held in any secure detention facility, the DJC agent will keep a case file ledger of days of confinement in the adult supervision file. Those days will be credited against any sentence ordered by the adult court in case of revocation.

If an offender absconds from supervision, the DJC agent will review the case with the supervisor, and if appropriate, will submit a request to stop time on the adult case.

.04 CASE TRANSFER PROCEDURES

Sixty (60) days prior to the expiration of the juvenile order, or immediately if less than 60 days remains on the juvenile order, the following transfer procedure will be used:

Copyright © 2012 [WI Department of Corrections]

- The DJC supervisor will contact the local DCC office in the offender's county of permanent residence to let them know that a case will soon be transferred and provide the name and phone number of the current DJC agent.
- The receiving DCC office will, within 5 working days, designate and assign a DCC agent to receive the case. The DJC agent will confer with the DCC agent to review the case.

  If the agents are unable to agree on an appropriate placement and living arrangement for the offender, they will consult with their supervisors. If the issue cannot be resolved at this level, the DCC Regional Chief will make a final determination.

- Fifteen days before the juvenile order expires, the DJC agent will provide the DCC agent with a Recommendation for Administrative Action (DOC-44A) and Transfer Summary in COMPAS Notes, transferring the case effective on the date the juvenile order expires, and the adult case file.
- The DCC agent will accept the case on the termination date of the juvenile order.
- Upon expiration of the juvenile order, the DJC agent will obtain a termination (T) number for the juvenile supervision file. The T-number will be entered in WICS by DJC and the DCC agent assignment will be entered by the DCC status keeper upon transfer of the adult case.
- If the DJC agent has an active apprehension request on the date the juvenile order expires, the receiving DCC agent will re-issue the apprehension request under his/her own agent number with the adult court case information.
- In a case where there is an ongoing violation investigation of the adult order pending disposition on the date the case at the time of transfer to DCC, the DCC Agent shall complete the investigation utilizing an evidence-based response to violation approach. If revocation is appropriate, the DJC agent will assist with providing all evidence and documentation available to DJC and will be available for testimony at the revocation hearing.
- The receiving DCC agent will complete a COMPAS assessment, establish a case plan, establish supervision fees and have the offender sign rules. An initial home visit must be completed within the first 30 days. All other supervision standards apply.

.05 SPECIAL CONSIDERATIONS

If the offender is under DJC supervision but becomes too old for continued placement in a DJC alternate care facility, the DJC supervisor will contact the DCC office in the offender's county of residence to determine if the offender can be placed in a DCC contracted facility. If this requires placement of the offender in a different community, DJC will transfer the case to a DJC agent in that community until the case can be transferred to DCC. A DCC agent will not keep an offender in a DJC contracted alternate care facility after the expiration of the juvenile order, unless the offender is still age appropriate and DCC has made direct pay arrangements with the facility.

.06 COUNTY SUPERVISED CASES ON CONCURRENT ADULT SUPERVISION

If an offender is placed on adult supervision while on county juvenile supervision, normal DCC intake and supervision procedures apply.

If the offender is residing in a long term out of home placement, the DCC office in the area of placement shall receive and supervise the case. Upon discharge or release from the placement, the offender shall return to his/her home area.

Home area is determined by the residence/address of the offender's legal guardian/custodian. When a case is direct assigned or transferred to the home area, the DCC office that supervises that area shall receive and supervise the case, with no right to reject the transfer. If the legal guardian/custodian moves to a new area, the case shall transfer to the DCC office in the area of relocation, with no right of the receiving office to reject the

Copyright © 2012 [WI Department of Corrections]

transfer. If the legal guardian/custodian is not available for placement, the DCC office in the offender's home area should approach the social services department administering the county order and jointly petition the court for an agreed upon change of placement.

The adult case should be considered governing on issues of public safety and mandatory detention. County jail or other commonly used and approved secure adult housing shall be utilized when detention is necessary. Placement in a juvenile detention center should be utilized only when all parties agree it is obviously in the offender's best interest, while maintaining community safety.

CONCURRENT FEDERAL SUPERVISION

.01 GENERAL STATEMENT

There are instances when an offender is on both adult supervision to DCC and on Federal supervision concurrently.

.02 PROCEDURE

Collaborative arrangements will be made between the agent and the other agency regarding both supervision and treatment. The state agent has full responsibility for the state case, but the offender is responsible to both agencies.

The supervisor should be made aware of any special arrangements. Appropriate entries will be made in the COMPAS notes.

Copyright © 2012 [WI Department of Corrections]

Employment Verification

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(2)

.02 GENERAL STATEMENT

Finding and maintaining employment is an important factor in increasing offender stability, reducing financial stress, and providing a means to pay court-ordered obligations.

Meaningful supervision requires that the agent be aware of an offender's employment status and any change of employment. Guidance for entry of employment information into COMPAS is provided in the Social History Information section of ECRM as well as the DCC Offender Employment Standards and Guidelines document. The offender must report employment on the Report Form (DOC- 8). The offender's failure to provide accurate information on the DOC-8 constitutes a violation of supervision.

Supervision rules require that an offender notify the agent of any employment change within 72 hours. Agents should discuss with the offender that it is good business practice to give their present employer a two-week notice of their intent to change jobs. Should the new job situation become problematic, the offender will then have a greater chance of returning to a prior employer.

.03 OTHER MEANS OF VERIFICATION

In addition to relying upon the Report Form, the agent should verify employment by other means such as:

- Contacting the employer
- Visiting the offender on the job
- Requiring the offender to present check stubs
  - If the offender is self-employed, means of legal income verification include:
- Copies of job contracts and payment receipts
- Copies of quarterly tax statements
- Copies of building/selling permits

.04 EMPLOYER NOTIFICATION

The agent must use discretion concerning employer contact. Offenders at times do not tell employers of their past criminal convictions and supervision status as they feel such information may jeopardize their job. In some cases, the agent may determine that contact with the employer is not necessary. However, when the offender's conviction or prior record substantially relates to the conditions of employment, the agent must notify the employer of the offender's supervision status. The employer must be notified by the Department if any offender with an assaultive history is employed in a nursing home, child care center, or hospital.

If an offender is prohibited from possessing a firearm, and they are employed in a position that includes contact with firearms, the agent has an obligation to notify the employer of the offender restrictions. The agent cannot approve employment that places the offender in a situation where the offender would be in violation of the law or in violation of the rules of his/her supervision.

.05 EMPLOYER NOTIFICATION - PUBLIC OR PRIVATE SCHOOL DISTRICT

All public and private school districts will be notified of any school district employee under supervision.

School districts, whether public or private, including Vocational, Technical, and Adult Education (VTAE) districts, shall be notified of any offender currently on supervision who is an employee of the district, offenders employed by contractors working for the school district, or offenders who work on school property. The agent shall discuss an offender who volunteers in any of these educational facilities with the supervisor and determination shall be made as to whether notification is appropriate.

Once the agent becomes aware of an offender whose employment status is covered by this section, the agent shall notify the Superintendent of the school district, or their designee, within seven calendar days. The agent shall send a completed Notice to Employer (DOC-1532), retaining one copy for the case file.

Early Discharge

AUTHORITY

Wisconsin Statutes 973.09(3)(d)

Wisconsin Statutes 302.11(6)

Providing incentives and reinforcement for positive behavior has been identified as an important factor in promoting behavior change for offenders and should be utilized as part of the case planning process. Early discharge is one incentive that can encourage compliance with supervision as well as sustained behavioral change when used appropriately.

Only offenders on probation or parole are eligible for early discharge, including those supervised in another state under Interstate Compact. Offenders on Extended Supervision are not eligible for early discharge. An offender placed on lifetime supervision may petition the court for early discharge.

The agent will inform the offender of the early discharge criteria and identify the goals and objectives that need to be completed in order to be considered. This discussion should take place during the intake process and must be documented in the COMPAS notes.

EARLY DISCHARGE REVIEW

Early discharge reviews for probationers and parolees shall take place during the offender's regular report sessions as follows:

- Non-assaultive misdemeanors: Ninety days prior to initial eligibility.
- All other offenders: Upon initial eligibility and every six months thereafter.

This review shall include a discussion of the offender's progress on meeting the goals and objectives of supervision and be documented in COMPAS notes.

ELIGIBILITY FOR EARLY DISCHARGE

PROBATIONER

- Served at least 50 percent of the probation term.
- Minimum or Administrative supervision for a reasonable period of time.

- Satisfied all conditions of probation that were set by the sentencing court.
- Satisfied all rules and conditions that were set by the Department.
- Fulfilled all financial obligations to his or her victims, the court, and the department, including the payment of any fine, forfeiture, fee or surcharge, or order of restitution.
- No outstanding warrants.
- Offenders who are required to register under s.301.45 are not eligible for early discharge.

PAROLEE

- Reached mandatory release date or has been under supervision for two years
- Minimum or Administrative supervision for a reasonable period of time
- Satisfied all conditions that were set by the sentencing court.
- Satisfied all rules and conditions that were set by the Department
- Fulfilled all financial obligations to his or her victims, the court, and the department, including the payment of any fine, forfeiture, fee or surcharge, or order of restitution.
- No outstanding warrants

VICTIM NOTIFICATION

Agents should contact victims of convictions and read-ins by sending them a Victim Request for Notification (DOC-2623) during the offender's intake process. The DOC-2623 will explain the goals and objectives of supervision, including revocation and early discharge. The DOC-2623 provides the victim with the opportunity to request notification should either revocation or early discharge occur. The victim also has the option to decline notification.

Unless the victim requests no notification of early discharge, the agent shall contact the victim prior to an early discharge request being submitted and any comments shall be documented on the Early Discharge Victim Statement (DOC-2566) which is then considered a confidential document. If victim contact is not made, the contact efforts shall be entered in the case notes.

Available resources to obtain victim information include CCAP, PSI, local victim/witness coordinator or other collateral sources. If the victim is enrolled with the Office of Victim

Services and Programs (OVSP), the victim button in WICS will be checked and the agent can call OVSP to obtain a current address.

PROCEDURE FOR PROBATION EARLY DISCHARGE RECOMMENDATIONS

1. The agent shall staff the offender under consideration with the supervisor. Prior to staffing, the agent must complete the Early Discharge of Probation or Parole Recommendation (DOC-2528). The staffing discussion shall include the information noted on the DOC-2528 and any other relevant information.
2. Upon supervisory approval, the agent shall submit a memorandum to the sentencing court (DOC-2604).
3. Upon approval by the Court, the Court will complete the CR-284 (Order on Petition for Early Discharge from Probation) and return to the agent. The agent shall submit the CR-284 to the DCC Records Office for processing. The agent shall remove offender from caseload in COMPAS. The OOA shall enter early discharge termination code.

PROCEDURE FOR PAROLE EARLY DISCHARGE RECOMMENDATION

1. The agent shall staff the offender under consideration with the supervisor. The staffing discussion shall include the information noted on the DOC-2528 and any other relevant information.
2. A DOC-44 shall be completed recommending Discharge. Under Recommendation Submitted for the Following Reasons(s), the agent shall address and verify each of the criterion identified above have been met.A copy of the Offender Record Summary screen shall be attached to the DOC-44.
3. The DOC-44 is then forwarded to the field supervisor for review. If the supervisor concurs with the recommendation, it is forwarded to the regional chief. If the regional chief approves, the discharge recommendation is forwarded to the Central Records unit for issuance of a termination number and discharge certificate.

Wisconsin Substance Abuse Program (Formerly known as Earned Release Program – ERP)

.01 AUTHORITY

Wisconsin Statutes 302.05

.02 GENERAL STATEMENT

Offenders who have been found eligible by the court and approved for participation by DOC may be placed in the Wisconsin Substance Abuse Program (Formerly known as Earned Release Program). Offenders who successfully complete the program may petition the sentencing court for release.

The Division of Community Corrections (DCC) and the Division of Adult Institutions (DAI) developed the following procedures to assist with the reintegration of offenders back into the community.

.03 PROCEDURE

Six months prior to release:

- The inmate completes the Release Plan Information (DOC- 745) with the assistance of the institution social worker, if needed.
- The Release Plan Information (DOC-745) forwarded to the agent of record who begins to make COMPAS entries of any case activity. Upon receipt, this form is routed to the status keeper who will enter Pre-Release six months prior to release.
- The agent gathers pertinent information regarding the inmate's risks/needs including reviewing the file, obtaining a warrant check, and reviewing any assessments and notes available in COMPAS. The most recent Classification Action Report will be reviewed by agent prior to release and is accessible in WICS (Refer to WICS Users Guide for instructions for accessing this report).
- The agent contacts the institution social worker to discuss the inmate's proposed plan, any specific information that may be case-sensitive to potential victims, and discuss responsibility for the Reentry assessment. At that time, an Initial Planning Conference is scheduled involving the social worker, agent, and offender for the purpose of developing a tentative release plan. All reentry case planning should be documented in COMPAS notes.
- The agent and social worker must communicate to assign completion responsibility for the assessment prior to the offender's release. Per policy, responsibility is determined as follows:
  - If the offender has been incarcerated one year or longer, the social worker will complete the COMPAS Reentry. The use of alternative screening tools by the social worker is determined by DAI business process. If offender has been incarcerated less than one year from DCI/TCI admission and no COMPAS was previously completed, a COMPAS Core will be completed by the agent upon release.
  - If offender has been incarcerated less than one year and a COMPAS Core was done prior to going to prison, the previous assessment can be copied forward in order to complete a new assessment if it is determined that there has been significant case activity, such as a felony arrest or misdemeanor assaultive arrest, requiring a re-assessment. The agent should discuss if this is needed with the supervisor. Sex offenders must have a COMPAS CORE assessment completed.
  - If there are not any Alternative Screenings previously completed, the agent will initiate appropriate screenings as needed. The use of any Alternative Screenings other than the URICA, TCU Criminal Thinking, or Static 99R at this time should be first discussed with and approved by the supervisor.
  - If the agent is requesting an override, the information is provided to the supervisor and the override process is followed.
  - The agent is required to complete a home visit in the investigation of the residence unless a THS/Halfway House is utilized. If the placement plan is a THS/Halfway house, the agent is to immediately make a bed

Copyright © 2012 [WI Department of Corrections]

reservation date to make a bed available seven days after the anticipated program completion date. *Three months prior to release*:

- The agent will contact family members or person(s) with whom the offender proposes to reside, community support persons, treatment providers, and potential employers.
- The agent arranges a Final Planning Conference (whether face-to-face, telephone, or videoconference) among the interested parties if available.
- The agent, in consultation with the supervisor, shall determine if electronic monitoring technology is appropriate.
- The social worker will ensure that the offender has proper I.D., birth certificate, driver's license, Social Security card, and that applications for Social Security/Medical Assistance or Veteran's Benefits are completed.

The Rules of Community Supervision in COMPAS are completed. The social worker is then notified of the availability in COMPAS for review and signature with the offender during the Final Planning Conference. Potential victim issues are also addressed. When the Final Release Planning Conference is held to finalize the case plan for release, i.e., residence, employment, transportation, and treatment services, all other relevant release planning factors will be discussed.

30 Days Before Anticipated Release:

A telephone conference is held with the social worker and offender to verify the release plan is in place. The following topics will be addressed:

The agent confirms transportation arrangements. If possible, transportation should be arranged with family, friends, community mentors, or DOC staff.

- The agent ensures the distribution of funds by arranging a plan for the handling/cashing of the release check, i.e.,
- offender has adequate funds on day of release to pay for needs, food, residence, etc.

The agent schedules an appointment with the offender within 24 hours of release.

The social worker provides notification to the sentencing court that the offender has completed the program and requests that the court modifies the bifurcated sentence. Once the court has signed the amended order and it is received by the Department, WI Stats. 302.05(3)(c)3 requires that the offender is released within six working days.

- The agent submits the Offender Release Authorization (DOC-15). Release generally occurs within 10 working days after
- date of program graduation.

The agent will notify victims, if appropriate.

The agent will start the UCP in COMPAS in collaboration with the offender and social worker. Upon release to the field, the agent will review and update the UCP as necessary with the offender.

Upon Release:

- The OOA will transfer the offender in COMPAS to the DCC agency. This is done by transferring the offender at both the Offender and Case Manager level. Instructions for Agency Transfer: Go to the offender in COMPAS. Go to Person Summary page (left side option). Under "Person Summary" option on right, click "Actions" and the drop down option of "Transfer" and transfer the offender to DCC. Then, down at the bottom on the right, choose the active "Case Manager" option, then click on the active case and click "Actions" next to the "Case Information." Choose the drop down of "Transfer" and transfer the case there as well.
- The agent completes the URICA upon reentry if the offender will be referred to programming in the community. If the URICA is completed, it should not be classified as "intake" and a "problem" should be

Copyright © 2012 [WI Department of Corrections]

selected from the dropdown in the New Alternative Screening Wizard.

- The agent follows standard classification procedures to determine supervision level upon release.

ATLAS/Challenge Incarceration Program (CIP)

.01 GENERAL STATEMENT

The Challenge Incarceration Program, available to both males and females, is located in the St. Croix Correctional Center and has two programs: The 180-day program known as Challenge Incarceration Program, and the 180-day program known as ATLAS. The Challenge Incarceration Program is for Division of Adult Institution (DAI) inmates and appropriate Division of Community Corrections (DCC) offenders as an Alternative to Revocation (ATR). The ATLAS Program is solely for DCC offenders as an ATR. These programs are structured around discipline and AODA treatment. The Challenge Incarceration Program is voluntary; however, all program elements are mandatory. Challenge Incarceration is available for both men and women. Upon successful completion, the offender is granted a parole under New Law convictions or Extended Supervision under Truth in Sentencing convictions. The offender will be supervised upon release according to the assessed risk level coupled with professional judgment.

.02 ADMISSION CRITERIA

Admission criteria is subject to the following:

Offenders must volunteer and sign the Memo of Agreement.

- Offender has not attained the age of 40 as of the date they will begin participating in the program for those sentenced on or after 7/26/03. Offenders sentenced prior to that date must enter prior to the age of 30.
- Offenders must have an identified substance abuse treatment need.
- The offender must not have any physical limitations. They must be medically approved for “any activity” and capable of performing strenuous work and rigorous exercise.
- Offenders cannot be currently convicted of crimes against life or bodily security (SS 940) or crimes involving physical or sexual assault to a child (SS 948.01-SS 948.095).

Offenders convicted (offense and convictions before 12/31/1999 New Law convictions only) of armed or assaultive offenses will be screened on a case-by-case basis. Offenders convicted under Truth in Sentencing (TIS) only must be deemed eligible for participation by the sentencing judge.

If the offender meets all other requirements, they will be allowed to participate when the Program Review Committee (PRC) and Bureau of Classification and Movement (BOCM) deem them appropriate for placement in a minimum-security facility.

Offenders with convictions under both New Law and TIS must meet the criteria established for both New Law and TIS convictions.

- Offenders must not have any psychological limitations that would preclude participation in a confrontive-style program. Offenders may not currently be on any psychotropic medication. Those previously on such medication must be off of the medication for a minimum of three months and must be cleared by Clinical Services. St. Croix staff will discuss these cases with Clinical Services for verification. Offenders in need of sex offender treatment, regardless of conviction, are not appropriate for participation.
- Offenders with significant dental needs should have these needs resolved prior to transfer to St. Croix Correctional Center.

All offenders will be reviewed by St. Croix Correctional Center staff to determine their eligibility for participation in CIP. Once an offender has been approved by BOCM, the offender’s name will be added to the SCCC pending transfer list. This list will serve as the waiting list. Offenders will be transferred to SCCC on a seniority basis with those that have been on the list the longest being transferred first. ATR offenders may be temporarily housed at a DAI facility pending placement at SCCC.

Copyright © 2012 [WI Department of Corrections]

Firearm Laws

.01 AUTHORITY

Wisconsin Statute 941.29
Wisconsin Administrative Code DOC 328.04(m)
Wisconsin Administrative Code DOC 328.21
Federal Gun Control Act of 1968
18 USC 921 to 928
Public Law 102-393 (10/06/92)
1995 Wisconsin Act 71
Omnibus Consolidated Appropriations Act of 1997

.02 GENERAL STATEMENT

Wisconsin and federal law prohibit persons who meet certain criteria from receiving, transporting, owning or possessing a firearm or ammunition. Agents cannot grant permission to any person covered by these statutes. In addition, offenders may not be granted permission to carry concealed firearms or other weapons.

.03 FEDERAL GUN CONTROL ACT

The Federal Gun Control Act of 1968, combined with its subsequent amendments, state any person cannot receive, own, possess, or transport firearms if they meet any of the following criteria:

1. Is under indictment for, or has been convicted of, a crime punishable by a term exceeding one year;
2. Is a fugitive from justice;
3. Is an unlawful user of, or addicted to, any controlled substance (as defined in Controlled Substances Act, 21 U.S.C. 802);
    - The term “addict” means any individual who habitually uses any narcotic drug so as to endanger public morals, health, safety, or welfare, or who is so far addicted in the use of narcotic drugs as to have lost the power of self-control with reference to his/her addiction.
    - The term “controlled substance” means a drug or other substance included in Schedule I, II, III, IV or V of the Controlled Substance Act. The term does not include distilled spirits, wine, malt beverages, or tobacco.
        1. Has been adjudicated as a mental defective or has been committed to a mental institution;
2. Is an alien illegally or unlawfully in the United States;
3. Has been discharged from the Armed Forces under dishonorable conditions;
4. Having been a citizen of the United States, has renounced his/her citizenship.

Furthermore, the OCAA of 1997 made it unlawful for any person convicted of a “misdemeanor crime of domestic violence” to ship, transport, possess, or receive firearms or ammunition. It also makes it unlawful for any person to sell or otherwise dispose of a firearm or ammunition to any person, knowing or having reasonable cause to believe that the recipient has been convicted of such a misdemeanor.
As defined in the GCA, a “Misdemeanor Crime of Domestic Violence” means an offense that:

1. Is a misdemeanor under federal or state law; and
2. Has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim; by a person with whom the victim shares a child in common; by a person who is cohabiting with or has cohabited with the victim as a spouse,

Copyright © 2012 [WI Department of Corrections]

parent, or guardian; or by a person similarly situated to a spouse, parent, or guardian of the victim.

This is a lifetime prohibition and includes any firearm the offender owned prior to conviction. The agent has no authority to grant exceptions for hunting or any other reason.
Possession of a firearm does not require that the offender own the firearm, but rather have "control and dominion" or ready access to it.

.04 WISCONSIN FIREARMS LAW

Wisconsin Statute 941.29 prohibits possession of firearms by any person convicted of a felony in Wisconsin or of a crime in another state that would be a felony in Wisconsin.
1995 Wisconsin Act 71 prohibits possession of firearms by persons under domestic violence or child abuse injunctions and restraining orders. Prohibition is automatic for domestic abuse and child abuse orders. The judge or family court commissioner may order prohibition for harassment orders.
To ensure to the extent possible, the safety of victims of domestic violence, to ensure compliance with federal and state law, and to provide notification to offenders, the following action is required:

1. Permission to possess firearms or ammunition shall not be granted to offenders subject to the laws specified above.
2. It shall be DOC policy that anyone convicted of any crime where the behavior is domestic violence in nature or anyone with a history of domestic violence related behavior shall not be granted permission to possess firearms or ammunition.
3. DCC staff shall inform all offenders subject to this policy to check with an attorney or the district attorney in their county to determine if prohibitions regarding firearms and ammunition apply to them when they are no longer on supervision.

.05 DEFINITION OF A FIREARM

The following are defined as firearms:

- Any weapon which acts by force of gunpowder, including muzzle-loaded weapons;
- Any weapon which will, or is designed to or may readily be converted to, expel a projectile by the action of an explosive, including the frame or receiver of any such weapon;
- Any firearm muffler or firearm silencer
- Any destructive device (explosives, incendiaries, grenades, mines, and rockets);

Any starter pistol.

.06 RELIEF

The Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives can no longer grant relief from Federal firearm restrictions. The only option is to apply for a Governor's pardon. However, a pardon is rarely granted for the sole purpose of restoring the right to possess firearms.

Copyright © 2012 [WI Department of Corrections]

INTRASTATE TRANSFER

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.14

.02 GENERAL STATEMENT

Continuity of supervision is to be maintained during the time a case transfer or direct assignment is in process. Procedures related to the transfer of cases are intended to avoid any lapse in the offender's supervision and to identify supervision responsibility when a transfer investigation is in progress.

An agent providing "courtesy supervision" of any case for another agent is permissible for up to 30 days. An offender may request transfer to another geographic area if it is consistent with the goals and objectives of supervision for the offender. Rules of Community Supervision require an offender to obtain advance approval to change residence. Such approval may be granted if:

- The offender's family has moved to the area and the transfer is considered advisable to maintain or strengthen family ties; OR
- The offender has obtained verified residence, employment, schooling, or approved treatment in the area. Note: For purposes of transfer, a homeless shelter is not considered residence.

To ensure continuity of supervision, the receiving office must consider the offender's performance on supervision prior to transfer (i.e. stability, adjustment, previous program involvement) and should not increase the offender's level of supervision or other program involvement based on local supervision standards. In limited circumstances, this may require additional consultation between the regions.

.03 SENDING AGENT'S RESPONSIBILITY

When an offender requests permission to move to a new area, the agent of record must review the plan to determine its merit. If the agent decides that the plan merits transfer, supervisory approval must be secured prior to allowing the offender to leave.

No offender should be allowed to reside in any other area without prior notification to the receiving area. The sending agent shall contact the receiving unit supervisor or designee, advising of the offender's planned presence in the new area and requesting reporting instructions. The receiving office has the option of granting reporting instructions or indicating that upon receipt of the file, the receiving office will contact the offender to set up an appointment.

The sending agent shall contact the DCC office in the county nearest the proposed residence. In counties with multiple offices, the agent should contact the regional intake coordinator as designated in the DCC directory for each region.

Any intrastate transfer of sex offender or enhanced supervision cases should include detailed consultation between the unit supervisors involved with the transfer before it is implemented. Residence investigations in advance of the offender moving are required on sex offender cases and may not be required by the receiving office prior to transfer for other types of cases. Sending units must use discretion with high profile or victim sensitive cases in regard to advance consultation with the receiving unit.

The sending agent must communicate the reporting instructions provided by the receiving agent or supervisor to the offender prior to the offender's leaving. The sending office is responsible for maintaining a record of where files are sent.

Within five (5) days of receiving reporting instructions:

- The file will be brought up to date;
- A transfer summary, documenting reporting instructions, will be entered into COMPAS general notes;
- COMPAS notes will be brought up to date.

Copyright © 2012 [WI Department of Corrections]

- Electronic files (H: and G: drive files only) for offenders who are transferring should be printed and placed in the file prior to the file being sent to the receiving unit. The electronic files for those offenders may also be forwarded via e-mail to the receiving agent but then must be deleted from the sending agent's group folder.
- If the CSR is due within 30 days of the transfer the sending agent will complete prior to transfer.

The sending agent retains responsibility for the determination of court-ordered financial obligations. If a case is within 120 days of discharge, the sending agent is responsible for obtaining any necessary extensions of the supervision.

The file will be routed to the supervisor for approval. The supervisor shall enter a COMPAS note indicating that the file has been reviewed and approved for transfer. If approved, the supervisor will route the file to the OOA for sending to the new area. The OOA will send notification to the status keeper for their unit indicating which unit will be receiving the transfer request.

.04 ACCEPTANCE

Acceptance or rejection of a transfer case must be completed within 30 days of the file being received in the receiving office. Upon agreement between the receiving and sending unit supervisors, an extension of the 30 days may be granted.

Once the transfer investigation has been completed and the receiving agent is accepting transfer of the case, the acceptance shall be entered in COMPAS notes. The agent shall send a notification to the sending agent and receiving unit status keeper. Upon notification of the acceptance, the sending agent will remove the offender from their caseload in COMPAS and the receiving agent may add the offender.

If, after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the offender's arrival, for reasons other than misconduct, and there is no comparable alternative in the receiving area, the receiving agent may transfer the case back to the sending area, with the expectation that the sending agent will resume supervision of the offender. If violations occur after the case has been accepted, it is the expected that the receiving agent dispose of the violation utilizing an evidence-based response to violations and following Department policies and procedures.

.05 REJECTION

If the investigation determines that the transfer does not meet the standards defined in the transfer investigation section, the receiving agent shall review the recommendation to reject the transfer with the receiving supervisor. Cases may not be rejected for minor violations that occur during the transfer period but rather the entire plan must be evaluated according to its merits. An offender moving in advance of permission from the sending agent will not alone be considered grounds for rejection of the transfer. Exceptions to this include sex offenders moving prior to a residence assessment. The basis for rejection must be that the residence or overall plan is otherwise problematic in the context of the underlying offense profile and/or criminal history. Documentation of the reason(s) for rejections shall be noted in the COMPAS general notes.

If the supervisor agrees with the case rejection, the supervisor shall document agreement and approval of the rejection in COMPAS notes. The supervisor shall notify the sending supervisor of the rejection with a copy to the receiving unit status keeper. The file will then be returned to the sending agent.

.06 RESOLUTION OF DISAGREEMENTS

The Regional Chief(s) will resolve any disagreement between the receiving and sending agents or supervisors regarding the offender's location, violation, or revocation. If the Chiefs are not in agreement, the Assistant Administrator will make the final decision.

.07 TRANSFER SUMMARY FORMAT

The transfer summary shall contain the following headings:

- Division's Authority to Supervise
- New Residence

- Full address, apartment number, and zip code
- Telephone
- Other occupants of residence and relationship to offender
- Directions (if rural)
- Employment and/or School (include hours of work/school)
- Reasons for Transfer
- Reporting Instructions
- Summary of Supervision Activity
- Summary of violations
- Referral results/needs
- Unresolved problems

Court-ordered Financial Obligation - Current status and payment plan

Supervision Fees - Current status and payment plan

.08 Transfer for the Purpose of Residential Services

GENERAL STATEMENT

Cases shall not be transferred via intrastate transfer solely for the purpose of participating in residential services program funded by DOC. Supervision will remain with the agent of record. The agent of record will participate in person or by phone in program review and staffing on an ongoing basis. Offenders should be set at no higher than Medium status and face to face contacts should be waived while participating in residential services. Liaison agents or local agents may be utilized for unusual circumstances that require face to face contact for offenders who are participating from other areas of the state.

The expectation is that upon completion or termination of a residential program, the offender would return to their home community. Any plan involving an intrastate transfer for the purpose of relocating to the area where treatment was received should generally not be approved. However, when a situation represents a significant improvement in the offender's prospects for successful reentry, compared to any available plan in the area of record, an intrastate transfer may be requested. Intrastate Transfer requests must be initiated prior to program completion. The receiving area shall investigate the transfer and reply within 30 days.

DIRECT ASSIGNMENT

.01 GENERAL STATEMENT

An agent receiving an offender on probation may request a direct assignment to another area if the offender has a residence in another area and plans to return there. Direct assignments will occur only after discussion and acceptance by the receiving area. An agent's refusal to accept a direct assignment may be appealed to the agent's supervisor and, if necessary, the Regional Chief. When cases are not accepted for direct assignment, a Transfer of Supervision as indicated above will be utilized.

.02 DIRECT ASSIGNMENT PROCEDURE

The office receiving the offender for probation will initiate a direct assignment by calling the area of proposed residence, requesting a direct assignment, and securing a unit number.

Any direct assignment of sex offender or high-risk cases should include detailed consultation between areas involved with the assignment before it is implemented.

The sending office shall then immediately fax or scan and email any available information. After a unit assignment

is received, the unit in which sentencing occurred shall submit to the new area the following documents:

1. Court Order/Information/Criminal Complaint
2. Rules of Community Supervision
3. Face Sheet (DOC-3A)
4. Documentation of Reporting Instructions

The sending office retains responsibility for the determination of court-ordered financial obligations.
In the event that the offender is a "no show" from court, no direct assignment shall be initiated until the offender is located. The case shall be assigned to an agent in the county of conviction. If the offender is located within ten (10) working days and the residence is verified, a direct assignment can be initiated. If the offender can not be located within ten (10) working days, the regular transfer process would need to be initiated.
If an offender resides in an area other than the county of conviction and they are ordered to serve jail either as a condition of probation or as a concurrent jail sentence, the following guidelines will be followed:

- Jail term is less than 30 days, a direct assignment may be initiated.
- Jail term is 30 days or longer and begins within the first 30 days of the offender's supervision, case assignment will be made in the county of conviction for completion of the intake paperwork.
- Jail term is 30 days or longer and begins after the initial 30 days of the offender's supervision, a direct assignment may occur for completion of the intake paperwork. At the start of the jail term, the agent of record will need to decide if transfer of the case back to the county of conviction is warranted for the period of jail confinement. Upon completion of the jail term, the regular transfer process would need to be initiated, if still appropriate.

The office initiating the direct assignment will review the file material prior to sending the information to the new area.

TRANSFER OF INSTITUTION CASES

.01 GENERAL STATEMENT

Institution cases are to be assigned to an agent in the county of conviction, unless the offender has an active case with another agent at the time of sentencing.
An inmate may propose a plan involving release to a geographic area other than where the case is assigned. An inmate should have a proposed residence plan prior to initiating a transfer request unless they are requesting to relocate for the purpose of retaining work release employment after release. Inmates cannot be transferred and released in a homeless status. A cooperative effort among the institution social worker, the sending agent, and the receiving agent will result in an investigation and evaluation of the plan and a case transfer decision.

.02 INSTITUTION SOCIAL WORKER'S RESPONSIBILITY

After assisting the inmate in preparing a realistic release plan, the institution social worker prepares the Release Planning Information Sheet (DOC-745) describing the inmate's release plan and submits it to the agent of record. The institution social worker will coordinate and facilitate a conference call with the agent of record and inmate to discuss the proposed release plan and possible transfer.

.03 SENDING AGENT'S RESPONSIBILITY

The following steps shall be taken within 3 weeks after receipt of the DOC-745 and completion of the institution conference call:

- Check for active Restraining Orders, contact necessary staff and/or any known victims to obtain input/insight into whether such a transfer would increase the likelihood of re-victimization.
- Review Judgment of Conviction for any court ordered conditions, including exclusion zones, or other prohibitions that would directly impact the transfer request.

Copyright © 2012 [WI Department of Corrections]

- Review proposed residence plan. Contact the person(s) with whom the offender proposes to reside and verify they are willing to allow the offender to reside with them. Discuss relevant lease and/or rental responsibilities that will be required. Document residence verification in the offender's COMPAS notes.
- After completing the initial review, discuss the merits and concerns of the potential transfer request with the field supervisor. Notify the institution social worker and inmate to report if the transfer request is denied or if it will proceed. If denied, provide reasons for the denial to the social worker and inmate.
- Follow the existing intrastate transfer practices of the receiving county/Region.

To avoid mailing a large file, the agent may choose to send only relevant file material to the receiving area office. Such relevant material should include the following:

- Release Planning Information Sheet (DOC-745)
- Pre-Release Investigation (DOC-7E)
- Pre-Sentence Investigation or Probation Social Investigation
- Revocation Summary

Institution Summaries

Within five (5) days of being notified of case acceptance, the balance of the case file should be organized and forwarded to the receiving area office.

.04 RECEIVING AGENT'S RESPONSIBILITY

Upon being assigned the transfer request, within one month, the receiving agent completes the following tasks:

- Investigate the feasibility of the proposed plan by reviewing victim impact, proposed landlord/leaseholder/property owner, family/social support persons, treatment providers, and local police department or sheriff's department (optional). Do not contact the victims as this should be completed by the sending agent.
- Complete a home visit to investigate feasibility of residence plan.
- After completing the transfer request investigation, discuss the merits and concerns of the potential transfer request with the field supervisor to determine whether to accept or reject the transfer. Document the investigation results and recommendation in the offender's COMPAS notes.

.05 FIELD SUPERVISOR AND REGIONAL OFFICE RESPONSIBILITIES

- If the receiving agent recommends rejection of the transfer request, and the receiving supervisor agrees, the supervisor shall notify the sending supervisor of the rejection.
- If the sending supervisor disagrees with the receiving supervisor's decision, the Regional Chief(s) will resolve such disagreements.
- High profile situations or cases in which there is disagreement at the regional level shall be forwarded to the Assistant Administrator for final decision.
- If the receiving supervisor approves the transfer request, the receiving agent will request the file from the sending agent, and will complete the remaining pre-release planning.

Notify the social worker and inmate of the outcome of the transfer investigation.

Under some circumstances the sending agent may submit a case for transfer long before a pre-release investigation is requested or mandatory release/extended supervision is scheduled. For example, if an offender is sentenced in a location away from his county of residence and no release plan exists there, the agent may submit the case to the offender's home area as soon as possible. The receiving agent will investigate the feasibility of the

Copyright © 2012 [WI Department of Corrections]

proposed plan by verifying employment/school, residence, and financial resources.

A COMPAS note is made reflecting either acceptance or rejection and the reasons. The agent may also prepare a Pre-Release Investigation (DOC-7E).

If after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the offender's arrival, for reasons other than misconduct, and there is no comparable alternative in the receiving area, the receiving agent may transfer the case back to the sending area, with the expectation that the sending agent will resume supervision of the offender. If violations occur after the case has been accepted, it is expected that the receiving agent dispose of the violations using an evidence-based response to violations.

.06 TRANSFER FOR PURPOSE OF RETAINING EMPLOYMENT UPON RELEASE

Employment obtained for the purpose of work release may be considered as a reason for intrastate transfer if the offender has an offer of employment after release and will be earning a life sustaining wage, and the employment situation represents a significant improvement in the inmate's prospects for successful reentry. Victim issues, community and stakeholder concerns must be considered when investigating an intrastate transfer for the purpose of retaining employment after release.

The following factors will be considered while investigating a request for intrastate transfer for post-release employment purposes:

- Community feedback, including law enforcement, victim considerations and roommate(s), landlord, and lease issues
- Maintenance of employment at a center, and has an offer of employment after release earning a life sustaining wage. A life sustaining wage is a salary or income that allows the offender to pay for basic living needs such as rent and food. No employment-related disciplinary infractions with the employer seeking to hire him/her.
- Positive institution adjustment and has not accrued any major conduct reports during the past six (6) months.
- Successful completion of an identified employability program if applicable, such as CBI-EMP, as acquisition of soft skills by inmates is likely to contribute to job retention in the workforce.
- Purchase of Offender Goods and Services (POGS) monies may be utilized by the receiving agent to assist in providing transitional or emergency housing after release.
- With respect to sex offenders, refer to existing administrative directives and policies for such transfers.

Refer to procedures outlined above for sending and receiving agent responsibilities concerning intrastate transfer of institution cases.

If within 120 days of release the offender loses the employment placement that made the transfer appropriate, the receiving agent may return the offender to the sending area and the sending area must accept. In the event the offender loses their employment but is solely responsible for a rental lease agreement, the offender shall be provided a 60 day period to secure new employment earning a sufficient wage, commencing from the first date of unemployment. Other factors that would normally result in the rejection of the transfer still apply. The offender should be made aware of this at the time of transfer by the sending agent.

.07 WITHHOLDING TRANSFER DECISION UNTIL RELEASE

For casework reasons and with supervisory approval, the receiving agent may withhold accepting transfer of an institution case until 30 days after the inmate has been released. This may be done if the release plan is questionable. If this is the objective, the following operational process is followed:

Function	Number	Instructions
Receiving Agent	1.	Complete and submit the Pre-Release Investigation (DOC-7E), if applicable.
	2.	Enter the investigation findings and transfer decision in COMPAS notes.
	3.	Determine if parole has been granted or if release is imminent. If the answer is yes, go to Step 5, if not, continue with the next operation.
Sending Agent	5.	Retain case responsibility for the institution case.

Copyright © 2012 [WI Department of Corrections]

Receiving Agent	6.	Prepare and submit the Inmate Release Authorization (DOC-15) for the sending agent.
	7.	Accept the offender on supervision, complete the required case opening activity and enter appropriate COMPAS notes.
	8.	Decide on acceptance or rejection within 30 days of the offender's release from the institution via the Transfer of Supervision process for active cases. Note: If accepted, go to the end of the process. If rejected, continue with next step.
	9.	Document the reasons for transfer rejection in COMPAS general notes. Transfer rejection must have supervisory approval documented in COMPAS notes.

BLANKET TRANSFERS

.01 GENERAL STATEMENT

The Blanket Transfer Process is used to simultaneously transfer more than one case from one area to another.

.02 PROCEDURE FOR BLANKET TRANSFERS

The sending agent and supervisor determine which cases are to be transferred. A brief Transfer Summary should be prepared for each case involved that is transferring out of the office. These transfers should have the concurrence of the receiving agent's supervisor. The Regional Chief(s) involved are the deciding authority of any conflicts or questions concerning the transfer.

The following procedure shall be followed to process blanket transfers:

1. The PSS or designee shall export the list from WICS to an Excel spreadsheet or create a list in an Excel spreadsheet that includes the following information:

- Offender name;
- Offender DOC number;
- Offender SID number;
- Sending unit;
- Sending agent name;
- Receiving unit; and

Receiving agent name.

2. The PSS or designee updates the information in WICS.
3. The list is sent to the Regional Status Keeper mailbox.
4. Status keepers will transfer Statuses and Cases.

Copyright © 2012 [WI Department of Corrections]

Interstate Compact

Definitions
ICAOS Standards and Rules
Wisconsin Cases Transferring to Another State
Wisconsin Cases Under Supervision in Another State
Supervision of Cases From Other States
Interstate Compact Application Fee

Interstate Compact

.01 AUTHORITY

Wisconsin Statute 304.16
Wisconsin Administrative Code DOC 328.14
Rules of the Interstate Commission for Adult Offender Supervision

.02 ADMINISTRATIVE STRUCTURE

DCC CENTRAL OFFICE, MADISON

- Compact Administrator
- Deputy Compact Administrator

DCC REGIONAL STRUCTURE

Community Corrections Supervisors and Agents from each region are designated Compact Specialists by the Regional Chief. Compact Specialists act on behalf of the Compact Administrator in all decisions to accept, reject, or terminate supervision under the Compact. Compact Specialists shall be trained by the Central Office Compact Staff prior to processing Interstate Compact matters.

.03 INTERSTATE COMPACTS

INTERSTATE COMPACT FOR SUPERVISION OF PAROLEES AND PROBATIONERS

Enacted in 1937, this Compact regulating interstate transfers of offenders was adopted by all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. This Compact has been replaced in every jurisdiction by the Interstate Compact for Adult Offender Supervision.

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION (ICAOS)

Effective June 19, 2002, this Compact authorized creation of a national commission and staff to:

- regulate the interstate movement of offenders,
- promote effective tracking, supervision, and rehabilitation of offenders, and
- equitably distribute costs, benefits, and obligations among states.

The Compact requires each member state to create a state board providing oversight and advocacy of operations under the Compact.

Additional information, including ICAOS Rules, directory of states' compact offices, and training resources are available at the ICAOS website: www.interstatecompact.org.

.04 ICOTS USER ACCOUNTS

All Agents and Corrections Field Supervisors who are involved in the compact process should have an ICOTS User Account and agree to comply with the ICOTS Privacy Policy v3. Other staff may set up an ICOTS user account with the permission from their supervisor. ICOTS users are required to complete trainings identified by the Compact Office prior to obtaining an account in ICOTS. Staff can refer to the following link to ICOTS –Region Staff User Account Setup for instructions on completing the required trainings.

ICOTS Users will receive email notifications when they have not logged into their account for 3, 6 or 9 months. To retain an active user account, the staff person must log in and conduct an action (e.g., search an offender record). If the account has not been logged into for 273 days, the account will be de-activated and the user will need to re

Copyright © 2012 [WI Department of Corrections]

take the required ICOTS training to activate a new account.

Staff with an ICOTS account or their supervisor will notify the Interstate Compact office if they are leaving state service, have change their legal name, or are no longer working for the Department of Corrections.

.05 DEFINITIONS

BEHAVIOR REQUIRING RETAKING – An act or pattern of non-compliance with conditions of supervision that could not be successfully addressed through the use of documented corrective action or graduated responses and would result in a request for revocation of supervision in the receiving state.

INTERSTATE COMPACT APPLICATION FEE - Fee charged to an offender for each application that is made by an offender to transfer from Wisconsin (WI) to a receiving state through the Interstate Compact.

INTERSTATE COMPACT OFFENDER TRACKING SYSTEM (ICOTS) - The internet-based application for all interstate compact business processes.

RECEIVING STATE - The state which is requested to assume supervision of an offender.

RELOCATE - To remain in another state for more than 45 consecutive days.

RESIDENT - For the purpose of transfer of supervision under the terms of the Compact, an offender may be considered a resident of a state if the offender has continuously inhabited a state for more than one year prior to the commission of the offense for which the person is under supervision, and who has not, unless incarcerated, relocated to another state or states for a continuous period of six months or more with the intent to establish a new principal place of residence.

RESIDENT FAMILY - A parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parent who has resided in the receiving state for 180 days or longer. The family must indicate a willingness and ability to assist the offender as specified in the plan of supervision.

RETAKE – means the act of a sending state in physically removing an offender, or causing to have an offender removed, from a receiving state.

SENDING STATE - The state requesting transfer of supervision.

SEX OFFENDER - For interstate compact purposes, a “sex offender” is a person under supervision who is required to register as a sex offender in the sending or receiving state.

SUBSTANTIAL COMPLIANCE - An offender is in “substantial compliance” if there is no revocation action pending or in progress in the sending state.

SUPERVISION- The oversight exercised by authorities of a sending or receiving state over an offender for a period of time determined by a court or releasing authority, during which time the offender is required to report to or be monitored by supervising authorities, and to comply with regulations and conditions, other than monetary conditions, imposed on the offender at the time of the offender’s release to the community or during the period of supervision in the community.

VICTIM SENSITIVE – Means a designation made by the sending state in accordance with its definition of “crime victim” under the statutes governing the rights of crime victims in the sending state. The receiving state shall give notice of offender’s movement to the sending state as specified in Rules 3.108 and 3.108-1.

VIOLENT CRIME - Any crime involving the unlawful exertion of physical force with the intent to cause injury or physical harm to a person; or an offense in which a person has incurred direct or threatened physical or psychological harm as defined by the criminal code of the state in which the crime occurred; or the use of a deadly weapon in the commission of a crime; or any sex offense requiring registration.

.06 ICAOS STANDARDS AND RULES

ICAOS Rules are binding on the compacting states and are enforceable in federal court. The courts and executive agencies of a state are legally bound to enforce the compact and to take all actions necessary to achieve the compact’s purposes and intent.

CORRESPONDENCE BETWEEN STATES. All interstate compact business processes must be completed in ICOTS. All other formal interstate correspondence between states must go through the Compact Specialist or the DCC

Copyright © 2012 [WI Department of Corrections]

Interstate Compact Central Office.

ELIGIBILITY FOR SUPERVISION. Eligibility to transfer supervision under the ICAOS is subject to the following criteria:

1. Offender is an adult, or a juvenile treated as an adult by the court, and is
2. Subject to supervision, that is required to report or be monitored by supervising authorities, as the result of the commission of a criminal act, and who
3. Has been sentenced or received a deferred sentence for
   1. A felony offense, or
   2. A misdemeanor which meets ALL the following criteria:
      - Offender has been placed on supervision for one year or more; and
      - Offense involves:
        - Direct or threatened physical or psychological harm to a victim, or
        - A second or subsequent OWI, or
        - Use or possession of a firearm, or
        - A sexual offense requiring registration as a sex offender in the sending state; and
   4. Is in substantial compliance with the terms of supervision in the sending state
5. Has at least three months of supervision remaining; and
6. Has a valid plan of supervision in the receiving state.

A sending state may request transfer of a case which does not meet the criteria for eligibility if the sending state believes supervision in the receiving state is necessary. The receiving state, for good cause, may consent to the transfer of supervision of an offender who does not otherwise qualify for transfer of supervision.

A receiving state SHALL accept transfer of supervision of an eligible offender who is in substantial compliance with the terms of supervision and the offender is either:

- A “resident” of the receiving state; OR
- Has “resident family” in the receiving state who indicate willingness and ability to provide assistance as specified in the supervision plan, and the offender can obtain employment or has a means of support in the receiving state.

ELIGIBILITY – SPECIAL CIRCUMSTANCES. Offenders who are in substantial compliance with the terms of supervision are not required to meet the “resident” or “resident family” requirement in any of the following circumstances:

- Offender is a member of the military and has been deployed by the military to another state;
- Offender resides with a family member who is deployed by the military to another state, provided that the offender will reside with the military member in the receiving state; or
- Offender resides with a family member who is transferred to another state at the direction of the employer and as a condition of maintaining employment, provided that the offender will reside with the family member, unless the receiving state can show good cause for rejecting the transfer; or
- Offender is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment shall be eligible for reporting instructions and transfer of supervision.

Transfers of veterans for medical or mental health services provided the offender is a veteran of the United States military services who is eligible to receive health care through the United States Department of Veterans Affairs, Veterans Health Administration and is referred for medical and/or mental health services by the

Copyright © 2012 [WI Department of Corrections]

Veterans Health Administration to a regional Veterans Health Administration facility in the receiving state.

CONDITIONS. If a condition is placed on an offender by the sending state and will not, or cannot, be enforced, the receiving state must notify the sending state at the time of acceptance in the ICOTS Reply to Transfer. A receiving state which places a condition upon an offender shall notify the sending state at the time of acceptance in the ICOTS Reply to Transfer, and notify both the offender and sending state of amended conditions/rules in subsequent Progress Report actions.

OPPORTUNITY TO INVESTIGATE. The receiving state shall be given the opportunity to investigate the prospective plan of the individual prior to movement to the receiving state. Receiving states have up to 45 days to investigate the transfer plan.

TRAVEL DURING INVESTIGATION. Offenders are normally not allowed to travel to a receiving state, without reporting instructions, while a transfer is pending. The only exception(s) are when travel is necessary for the purposes of pre-existing employment, treatment or medical appointments. In these cases, the agent must include in the Transfer Request justification the offender will be allowed to proceed to the receiving state and must return to the sending state each day upon completion of the employment shift or appointment.

ACCEPTANCE TIME LIMIT. An acceptance by a receiving state shall be valid for 120 days. If the sending state has not sent an ICAOS Notice of Departure in that timeframe, the receiving state may withdraw its acceptance and close interest in the case.

ROLE OF THE COMPACT ADMINISTRATOR OFFICE. Acceptance, rejection, or termination of interest in a Compact case shall not occur except through the office of the Compact Administrator or designee.

TRANSFER TO A THIRD-PARTY STATE. Transfer of the supervision to a third-party state is the responsibility of the original sending state. The state supervising the offender shall notify the sending state prior to any transfer to a third-party state. The state supervising the offender shall not close interest prior to acceptance of the transfer by the third-party state. The sending state shall notify the supervising state of acceptance of transfer by the third-party state.

RETURN OF SUPERVISION TO THE SENDING STATE. Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions from the sending state. The sending state shall provide reporting instructions within two business days. The offender shall remain in the receiving state until receipt of reporting instructions. The receiving state submits departure and case closure notice actions. The sending state submits returning notice of arrival and case closure notice response actions.

OBLIGATION TO PROVIDE FOR RETURN OR RETAKE. A sending state shall issue a warrant to retake or order the return of an offender from the receiving state or a subsequent receiving state within 15 business days of the receipt of the violation report.

RECIPROCAL DUTIES BETWEEN STATES. Supervision of Interstate Compact offenders will be governed by the same standards which prevail within the state for its own offenders.

INTENSITY AND DURATION OF SUPERVISION. The duration of the period of supervision shall be determined by the sending state. The level (degree of supervision) shall be determined by the receiving state.

DEPARTURE AND ARRIVAL REPORTING. Departure and Arrival reports shall be sent immediately to the receiving or sending state. The date of departure/arrival, offender's address, and offender's telephone number must be noted.

PROGRESS REPORTS. Progress reports shall be provided for reporting imposed incentives/sanctions, provide documentation on compliant and non-compliant behavior that does not require retaking, ability to add new conditions imposed, to report new arrests, and to be clear in recommendations. Progress Reports are required within 30 days upon request by the sending state. Compact rules allow for discretionary retake by the sending state.

COLLECTION OF SUPERVISION FEES. No sending state shall impose supervision fees on an offender being supervised by another state under the Compact. Wisconsin offenders shall continue to pay supervision fees until arrival and acceptance by the receiving state. Upon notification of acceptance and arrival in another state, the

Copyright © 2012 [WI Department of Corrections]

Wisconsin agent will submit a Supervision Fee Action Report (DOC-1682) to the Supervision Fee Designee to stop the Supervision Fee charges. Interstate Compact transfer-in offenders are subject to Wisconsin supervision fees based on the date of the offender's arrival and acceptance in Wisconsin.

COLLECTION OF MONEY BY THE SENDING STATE. Collection of financial obligations remains the responsibility of the sending state. The receiving state may encourage the offender to pay the obligations but is not directly involved in the collection. The sending state may communicate directly with the offender regarding matters of financial obligations. If the sending state notifies the receiving state that an offender is not complying with financial conditions, the receiving state shall notify the offender that the offender is in violation of the conditions of supervision and must comply.

TRAVEL PERMITS (TO A RECEIVING STATE).

Temporary. An offender who is not a "sex offender" under the compact, and who is living in the receiving state at the time he or she is placed on probation, may be given a temporary travel permit for up to seven days to allow time for the receiving state to issue reporting instructions.

Provisional. Provisional travel permits may be issued by a sending state to allow an offender to proceed to a receiving state prior to completion of an investigation and formal acceptance of the case in emergency situations. NO PROVISIONAL TRAVEL PERMIT MAY BE ISSUED WITHOUT REPORTING INSTRUCTIONS FROM THE RECEIVING STATE.

CLOSING INTEREST IN COMPACT CASES. Interest in a Compact case shall be closed under the following conditions:

- Upon the date of discharge, unless the sending state has informed the receiving state in writing of an earlier or later date to close interest;
- Upon notification of absconder status. In the event of an offender absconding from supervision, the receiving state will alert the sending state via a violation report and close interest;
- In the event an out-of-state offender is incarcerated for 180 days or longer;
- In the event of the death of an offender; or
- The offender has returned to the sending state.

BEHAVIOR REQUIRING RETAKING. Offenders transferred under the Compact have waived their rights to extradition proceedings. Upon request from a receiving state, a sending state shall retake an offender if:

- The offender has been convicted of a new felony or violent misdemeanor offense,
- The offender is an absconder, apprehended in the receiving state

A sending state shall either retake or order an offender to return if:

- The receiving state has reported violation of conditions as a single act/behavior, continued behavior or a combination of behaviors where all evidence-based response to violations have been exhausted and the behavior would rise to the level of revocation.

VICTIM NOTIFICATION. If an offender's case has been designated "Victim Sensitive" according to the laws of the sending state, a receiving state is required to notify the sending state with a minimum of 20 business days advanced notice when the offender;

- Commits a significant violation;
- Changes address;
- Returns to the sending state where the victim resides;
- Departs the receiving state under an approved plan of supervision in a third state; or
- Is issued a travel permit.

Copyright © 2012 [WI Department of Corrections]

.07 INTERSTATE COMPACT APPLICATION FEE

Policy Statement: The DOC will charge a fee for each application that is made by an offender to transfer from Wisconsin to a receiving state through the Interstate Commission on Adult Offender Supervision agreement. This procedure is applicable to staff who are supervising adult persons on community supervision or those staff who are assisting in reentry from a DAI facility to community supervision.

Procedure for collection of Interstate Compact Application Fee

An offender that requests a transfer to another state will pay an Interstate Compact application fee of $150.00 prior to submission of a Transfer Request. A separate application fee will be collected for each proposed residence. An offender may not complete community service hours in lieu of this fee.

This application fee is not subject to refund and the application fee does not guarantee acceptance by the receiving state.

There are two instances in which this application fee is exempt, if applicable:

1. If the offender is incarcerated in the receiving state and released to community supervision in the receiving state.
2. If the offender has a consecutive/subsequent case, when the offender is already in the receiving state under the interstate compact and has paid the application fee.

If the instances described above occur, the staff will send an email to the DOC DCC Interstate Compact mailbox. The WI Compact Administrator or Deputy Compact Administrator will determine if the offender qualifies for an exemption of paying the application fee on a case-by-case basis. The staff person will enter a note in COMPAS indicating that exemption for IC Application fee was requested and approved. The Wisconsin IC staff will enter exemption approval in the offender ICOTS record.

A subsequent application fee is not required if a supervision plan is denied due to technical reasons and the application is resubmitted to the same residence.

When the offender requests to relocate to another state, the agent will review the eligibility criteria and qualifying offense with the offender. The agent will advise the offender of the application fee. If the proposed plan is feasible, the agent will contact family member or host (landlord if applicable) to verify residence plan, means of support, transportation plan and explain the application fee process. The agent will also verify the residence address is recognized by the United States Postal Service (usps.com). If applicable, the agent will verify with the receiving state sex offender registry whether offender will be required to register and if yes, inform offender prior to further action. If the proposed plan is appropriate and consistent with the eligibility criteria, the agent will create a financial obligation account in WICS. (See Interstate Application Fee Guide)

After creating the Interstate Compact Notification of Payment Due Letter (DOC-2756), the agent will provide the letter to the offender to submit payment for the application fee. The offender shall be provided with an envelope by the agent to seal the payment and the Interstate Compact Notification of Payment Due Letter. The agent will mail the envelope addressed to the Milwaukee address listed on the letter per normal office mailing procedures. If the offender is living in the receiving state at time of sentencing and is eligible for reporting instructions under ICAOS 3.103, the agent shall ask the offender to pay the application fee during the intake process. If the offender is new to supervision, an emergency DOC number shall be requested to complete the paperwork for processing. The agent will complete the steps indicated above to initiate the financial obligation in WICS. The agent shall verify that the application fee has been paid in the WICS Offender/Payee Accounts screen prior to the Transfer Request being submitted in ICOTS.

If the offender is a resident of the receiving state prior to supervision and is not able to pay the application fee during the intake process they may proceed to their state of residence with agent approval. The offender will have up to 10 business days to mail the application fee payment in full. The agent will provide the Interstate Compact Notification of Payment Due (DOC-2756) to the offender to mail with the application fee payment. If the fee is not

Copyright © 2012 [WI Department of Corrections]

paid in full within 10 business days, the agent will staff the case with their supervisor for appropriate action(e.g., determine a plan with a date when the full $150 payment is required or WI will order offender to return, or issue a warrant.

Per Wisconsin 2015 Act 355, if an offender has unpaid restitution on an open case, the balance will be required to be paid before the Interstate Compact Application Fee. Therefore, payments made toward the Interstate Compact Application fee will be diverted to outstanding restitution balance on an open case. In these cases, the agent should complete the transfer application process.

WISCONSIN CASES TRANSFERRING TO OTHER STATES

.01 POLICY

The purpose of the Interstate Compact for Adult Offender Supervision is to control the interstate movement of offenders. No offender under supervision in Wisconsin who is subject to the ICAOS rules will be allowed to reside in another state except as provided by those rules. No offender may be given a series of temporary travel permits for the purpose of avoiding the compact requirements.

Permitting offenders to proceed to a receiving state without formal acceptance should not be allowed except in limited situations, and then only with the permission of, and reporting instructions from, the receiving state. If an offender is required to provide a DNA specimen, the agent shall verify that the DNA has been obtained before allowing the offender to leave Wisconsin under the compact.

All financial obligations should be paid or a payment plan established before the offender leaves the State of Wisconsin. The state accepting supervision will not be responsible for the collection of financial obligations. Refusal by the offender to comply with the established payment plan is considered a violation of supervision and an appropriate response should be implemented using an evidence-based response to violation.

Extension orders which are due to unmet conditions, other than monetary conditions, must be sent to the receiving state prior to discharge or that state will close its interest and cease supervision upon the scheduled discharge date.

.02 TRANSFER REQUEST REQUIREMENTS

The interstate compact application fee must be paid in full before an agent or a social worker can initiate the transfer process. Inform the offender there is no guarantee of acceptance and there is no refund of the application fee.

REQUIRED ICAOS FORMS:

Offender's Application for Interstate Compact Transfer

NOTE: The offender's completed, signed, and witnessed application is the only ICAOS form required to be attached to a transfer request in ICOTS. All other forms are completely auto-populated within ICOTS, from information entered by the responsible ICOTS User. Completed forms may be downloaded from ICOTS if a copy is needed for a case file.

REQUIRED DOC FORMS:

- Rules of Community Supervision
- CR-208A/DOC-101 Extension Order for probation cases that have been extended by court.

ADDITIONAL TRANSFER REQUEST REQUIREMENTS:

- Judgment of Conviction
- Criminal Complaint, police report or other official version of offense details
- Transfer Summary (if community supervision is greater than 30 days)
- Summary of offender's criminal history

Photograph, a front-facing color head shot, sharp image with no dots or pixels, background does not detract from offender face

Copyright © 2012 [WI Department of Corrections]

- Information about court obligations, including address where payments are to be sent Pre-
- Sentence Investigation (if applicable) or COMPAS Bar Chart and Narrative
- Relevant medical or psychological information (if available)
- For transfer of supervision of a sex offender in either state (see 05. DEFINITIONS) the sending state shall provide the following information, if available: Assessment information including specific sex offender assessments, social history, information relevant to the sex offender's criminal sexual behavior, law enforcement report with specific details of sex offense, victim information (name or initials, age, sex, relationship) and statement of victim or victim's representative, the sending state's current or recommended supervision and treatment plan.

- If the offender has been released from prison within the last two years, a Mental Health Summary for Interstate Compact (DOC-3711) and a summarizing statement of institution discipline and whether it will affect community supervision is required. The procedure for obtaining the DOC-3711 is as follows:
  - If the offender has been treated or evaluated by a DCC psychologist since release, the agent will request the psychologist complete the DOC- 3711.
  - If the offender has not been evaluated or treated by a DCC psychologist, contact the appropriate email address below and request that the Psychological Services Unit (PSU) record is retrieved and provided to the DCI or TCI Psychology Supervisor.
    - DOC DAI DCI Central Medical Records - Males
    - DOC WWCS TCI Inactive Women's Medical Records - Females
  - The PSU record will be provided to the DCI or TCI Psychology Supervisor who will designate a PSU staff member to complete the DOC-3711. The completed DOC-3711 will then be sent to the requesting agent via email.

- The agent shall have the offender sign the ICAOS version the Authorization for Use and Disclosure of Protected Health Information (DOC-1163A) prior to forwarding the DOC-3711 to the receiving state Compact Parole Office.

.03 PROCEDURE FOR REQUESTING TRANSFER TO ANOTHER STATE

An offender on supervision may request transfer to another state. The agent should assess the offender's request, evaluating whether or not the proposed plan in the other state meets the criteria of the Compact. If the agent agrees that transfer to another state is appropriate, the residence address and supervision plan must be verified by contacting the host family member, landlord, employer, or sex offender registry as appropriate. The agent will then submit a complete transfer request, with all required documents, in ICOTS. If the offender is an inmate requesting transfer to another state upon release, social workers should verify the proposed transfer plan and discuss with the assigned agent. If the agent and social worker agree the plan is appropriate and consistent with the criteria for transfer under the Compact, the social worker will submit the transfer request in ICOTS.

- Cases immediately going to another state require only a COMPAS Primary Needs be completed and the resulting Narrative Summary will be attached in ICOTS. The agent will not enter a "Screener Recommendation", "Start Date", or "Next Review Date" in the Supervision Recommendation screen. A Unified Case Plan will not be created. Cases that will not be transferring for thirty or more days from reception on supervision require standard intake requirements be completed.
- The status keeper will add the intake status (Intake, Intake/Sex Offender, or Intake OWI 2/3), assign the case manager, and mark the intake status as "Primary". Supervision will follow the guidelines set for assigned status until the transfer request has been accepted.

Effective January 1, 2008, "sex offenders" as defined in the Compact rules are subject to additional restrictions and

information requirements. In order to identify offenders subject to these requirements, the agent must determine if an offender is required to register as a sex offender in Wisconsin or the receiving state. In some states, offenders may be required to register for sexual offenses which do not require registration in Wisconsin. The agent should contact the receiving state's registration authority to determine the offender's status in that state if:

- The offender is on supervision for a misdemeanor sexual offense;
- The offender has previously been convicted of a misdemeanor sexual offense in Wisconsin; or
- The offender has been convicted of any sexual offense in any other state; and
- The offender denies being registered as a sex offender in the receiving state.

The Compact Specialist will review the transfer request and, if approved, forward the transfer request to the Compact Office. The Compact Office will review the transfer request and, if approved, forward transfer request to the receiving state for investigation.

If the receiving state does not reply within 45 calendar days, the agent may submit a Compact Action Request in ICOTS. If a reply is not received, the Compact Specialist may make inquiry to the Compact Administrator's Office of the receiving state via e-mail, with a copy to the Wisconsin Deputy Compact Administrator. If necessary, this inquiry process should be repeated every 30 calendar days until the case is accepted or rejected.

Issues of policy, compliance with Interstate Compact rules, or problem resolution are to be referred to the Compact Specialist. If the Compact Specialist is unable to resolve an issue, the Compact Specialist will forward the matter to the Wisconsin Compact Administrator for resolution.

ACCEPTANCE: Once notification of formal acceptance by the receiving state is received, the offender may be allowed to proceed to the receiving state. The offender is issued a Travel Permit (DOC-50). Reporting instructions in the receiving state should be included on the DOC-50. The agent will submit the Notice of Departure in ICOTS.

For an inmate proceeding directly to the receiving state at release, the agent will send the Offender Release Authorization (DOC-15), the Travel Permit (DOC-50), and Rules of Community Supervision, including any special rules, to the institution social worker. The social worker will review the rules and reporting instructions with the inmate and obtain the inmate's signature where required. The social worker will submit a Notice of Departure in ICOTS and forward a signed copy of the Rules of Community Supervision and DOC-50 to the assigned agent.

REJECTION: If the receiving state rejects supervision, the agent must develop a supervision plan in Wisconsin.

TRAVEL PRIOR TO FORMAL ACCEPTANCE: Travel prior to acceptance is only allowed when:

The offender is currently employed in the receiving state, has a medical appointment or is receiving treatment. The offender may travel to the receiving state for above purposes, but must return to Wisconsin, daily, during non-working hours or when the medical appointment or treatment is concluded. In these cases, the transfer request must indicate that the offender will be commuting to and from employment, or will be traveling to the receiving state for medical reasons.

The offender (other than a "sex offender" under the compact) is living in the receiving state at the time of being placed on probation. An eligible offender who has been incarcerated for 6 months or less as a condition of probation may be allowed to travel under this exception. Requests for reporting instructions under this exception must be made within seven business days of sentencing or release from incarceration to probation supervision. Upon verification of the offender's residence, the agent may issue a temporary travel permit for up to seven days. The agent must immediately submit a Request for Reporting Instructions in ICOTS. The receiving state must issue reporting instructions within two business days of a request. The agent must maintain communication with the offender to assure that reporting instructions are promptly relayed to the offender. A Notice of Departure is submitted in ICOTS upon receipt of reporting instructions. A complete transfer packet must be submitted to the receiving state within 15 calendar days following issuance of reporting instructions.

If the probationer residing in the receiving state at the time of sentencing is a "sex offender" under the compact, the sex offender must remain in Wisconsin until reporting instructions are issued. The receiving state may take up

Copyright © 2012 [WI Department of Corrections]

to five business days to reply. The receiving state may deny the reporting instructions if it determines that the residence is not acceptable due to law or policy. In that case, the sex offender must remain in Wisconsin. If the agent submits a Request for Reporting Instructions in the ICOTS due to other mandatory reasons such as offender or family military transfer, offender or family employer-directed full time employment transfer, or veterans medical or mental health services, the sending state shall provide documentation with the request. The receiving state has issued expedited reporting instructions. When there are compelling circumstances which require the offender's immediate presence in the receiving state, the agent may submit a Request for Reporting Instructions and Transfer Request together. The receiving state must reply to the Request for Reporting Instructions within two business days. If the receiving state grants the expedited reporting instructions, the agent may issue the Travel Permit and submit the Notice of Departure. No travel permit may be issued prior to receiving reporting instructions.

If the offender has been given permission to proceed to the receiving state prior to acceptance, the offender's status will match the contact standards met by the agent. Upon acceptance, the ledger classification shall be changed to Out of State.

If the offender is required by s.301.48, WI Stats., to be monitored by a GPS tracking device, the tracking device may be removed when the offender leaves Wisconsin. Should the offender return to Wisconsin, the GPS tracking must be reinstated.

If the offender is required to submit a DNA specimen to the State of Wisconsin Crime Lab, the DNA must be collected before the offender is allowed to relocate.

Upon notification that the receiving state has rejected the transfer request, and unless the receiving state will allow for resubmittal without requiring the offender's return, the receiving state shall request returning reporting instructions and explain why the offender is returning, upon WI Compact approval within 2 business days, submit a returning Notice of Departure and Case Closure Notice. If the offender reports as instructed, the agent submits a Notice of Arrival and validates the Case Closure Notice Response. If the offender does not report as instructed, the agent must issue an Apprehension Request (DOC-58) within 15 business days of failing to report as instructed. The agent shall check "Extradite" and include "Interstate Compact case; Have signed waiver; Will retake" in the "Comments" section. The Apprehension Request must be enforceable nation-wide.

WISCONSIN CASES UNDER SUPERVISION IN ANOTHER STATE

.01 FINANCIAL OBLIGATIONS

SUPERVISION FEES. The offender is responsible for paying supervision fees in Wisconsin until the offender has been formally accepted, departed and arrived in the receiving stateon compact supervision.

COURT OBLIGATIONS. Whenever feasible, all court obligations should be paid in full, prior to transfer. If obligations are not paid in full, the offender shall not be allowed to transfer out of state unless a realistic payment plan is established between the Wisconsin agent and the offender. The agent should include on the Rules of Community Supervision any payment plan and the address to which payments are to be sent. The Wisconsin agent is responsible for monitoring compliance with the payment plan and taking action, including ordering the offender to return in the event the offender fails to make a good faith effort.

If the offender is being supervised out of state and financial obligations have not been paid 90 days prior to discharge, the Wisconsin agent is responsible for requesting the Court extension or to request the Court enter a Civil Judgment. The agent will attach the Petition and Stipulation to Waive Appearance and Hearing (CR-208A/DOC-101) to a Compact Action Request and submit, via ICOTS, to the supervising agent in the receiving state, requesting assistance to obtain and witness the offender's signature. The request should indicate the date by which the witnessed documents must be returned.

If the court extends the probation case(s), the receiving state must be notified, prior to the original discharge date. The agent shall enter the new discharge date into ICOTS and submit a Compact Action Request with the signed (CR-208A/DOC-101) to the receiving state. If the court extends the probation but the only remaining condition is

Copyright © 2012 [WI Department of Corrections]

monetary obligations, the offender no longer meets the compact definition of 'supervision.' WI may ask the receiving state to continue compact supervision, but that state is not obligated.

.02 COMPAS RESPONSIBILITIES

The Case Supervision Review will not be used for cases being supervised out of state. Likewise, the case plan does not need to be maintained at a set interval. However, if there was a case plan started prior to the offender's departure, updates can be made as informed by the receiving state via a Progress Report, Compact Action Request, etc.

.03 VOLUNTARY RETURN TO WISCONSIN

A receiving state may not permit a Wisconsin offender who is being supervised in the receiving state to return to Wisconsin, with the intent to remain in Wisconsin, without first obtaining returning reporting instructions. The Compact Office will direct the offender to report to the agent of record and will send notice to the agent and Compact Specialist.

The receiving state will submit an ICOTS Notice of Departure and Case Closure Notice when the offender departs. The Wisconsin agent must answer with an ICOTS Notice of Arrival and Case Closure Notice Response, accepting the closure, in order to remove the case from the agent's active ICOTS caseload.

The Wisconsin agent shall resume supervision upon the offender's return. The agent will notify their status keeper so that the offender's status can be updated. A Case Supervision Review (CSR) and case plan update should be completed.

.04 MANDATORY RETAKE FROM ANOTHER STATE The Wisconsin agent, for cause, may at any time order an offender to return to this state. The agent shall issue the order in a Compact Action Request or a Response to Violation Report. The agent must specify the date by which the offender must report to the agent.

If the offender fails to return by the specified date, the agent will issue an Apprehension Request (DOC-58). In all cases, the agent shall check "Extradite" and include the following Comment: "Interstate Compact case; Have signed waiver; Will retake". The Apprehension Request must be enforceable nation-wide.

RECEIVING STATE BEHAVIOR REQUIRING RETAKE REPORT: When a receiving state requests return under the Compact, due to any of the following circumstances, the offender must be retaken:

- The offender has been convicted of a new felony or violent misdemeanor crime;
- The offender absconded while being supervised in the receiving state and has subsequently been apprehended in the receiving state.
- The receiving state has reported violation of conditions as a single act/behavior, continued behavior or a combination of behaviors where all evidence-based response to violations have been exhausted and the behavior would rise to the level of revocation.

Upon a receiving state's request to retake an offender, Wisconsin must request probable cause, issue a warrant and retake or order the offender to return to the sending state.

.05 VIOLATION AND REVOCATION

An offender under supervision in another state remains subject to revocation in Wisconsin if the offender has violated the rules of supervision of either state. The receiving state must notify Wisconsin within 30 days of discovery of any behavior requiring retaking as defined by ICOTS. The Wisconsin agent must staff the case with the supervisor. Within ten days of receiving the Violation Report, the agent must submit a Response to Violation Report in ICOTS.

If revocation is a possible outcome, the offender is entitled to an on-site Probable Cause Hearing. In that case, the Response to Violation Report shall include a request for an on-site Probable Cause Hearing. This is not necessary if Wisconsin does not intend to initiate revocation of an offender's supervision.

Unless the offender has absconded, no warrant should be issued by Wisconsin prior to a probable cause determination in the receiving state.

Copyright © 2012 [WI Department of Corrections]

A Probable Cause Hearing may not be waived without a signed admission of at least one significant violation which will be used as a basis for revocation.

If there is no finding of probable cause, the receiving state shall:

1. Continue supervision if the offender is not in custody.
2. Notify the sending state to vacate the warrant, and continue supervision upon release if the offender is in custody on the sending state's warrant.
3. Vacate the receiving state's warrant and release the offender back to supervision within 24 hours of the hearing if the offender is in custody.

If probable cause is found and the agent has received the Probable Cause Hearing report or waiver with admission statement, the agent will arrange for the return of the offender to Wisconsin. If the probable cause finding is found on a rules violation, the agent and supervisor staffing decision may be to order the offender to return with specific reporting instructions or issue a warrant and coordinate retake. Once the offender has returned and reported in Wisconsin, the receiving state may close interest. If offender was retaken back to Wisconsin and following the disposition of the violation or revocation hearing, the agent may allow the offender to apply for a new compact transfer back to the receiving state. In probation cases only, the agent has seven days from the disposition of the violation to submit reporting instructions (See ICAOS Rule 3.103 for further details.). The offender will pay a new interstate compact application fee.

If the violation is due to absconding or a new felony or violent misdemeanor conviction, the agent shall request a violation warrant identifying the reasons for the warrant from the DCC Extradition Office. The Extradition Office will forward the warrant and the "Offender's Application for Interstate Compact Transfer" to the holding facility in the receiving state or subsequent receiving state for coordinating retake upon completion of a term of incarceration for that conviction or placement under supervision for that felony or violent crime offense. Wisconsin will stop time and not allow the Wisconsin case to discharge. At the end of the incarceration term, Wisconsin Compact may ask the receiving state Compact to consider not invoking mandatory retake due to special circumstances.

.06 ARRANGEMENTS FOR TRANSFER TO A THIRD-PARTY STATE

An offender under supervision in another state may request transfer to a third state. If the agent and supervisor disapprove, the agent will submit a Compact Action Reply advising that the transfer plan is not approved and continued supervision in the current supervision state is required.

If the request is approved by the Wisconsin agent and supervisor, the Wisconsin agent is responsible for creating the new request, in ICOTS, to the third state. The Wisconsin agent initiates the process of a new application fee obligation and payment. Once all required information has been entered in ICOTS, but prior to submitting the transfer request, the agent should print the Offender's Application for Transfer. The application must be sent to the offender's supervising agent in the current receiving state. That agent must obtain and witness the offender's signature. The original, signed document must be returned to Wisconsin and uploaded into the new ICOTS case. Only after the signed application is attached, may the transfer request be submitted.

The offender must remain in the current supervising state until the third-party state issues reporting instructions or formally accepts supervision.

ACCEPTANCE BY THIRD-PARTY STATE: Upon receipt of formal acceptance in the third-party state, the agent will submit a Compact Action Request, requesting the current supervising state to allow the offender to proceed to the third-party state with reporting instructions. The current supervising state will issue a travel permit to the offender and send a Case Closure Notice to Wisconsin. The Wisconsin agent will submit a Departure Notice to the new receiving state in ICOTS.

REJECTION BY THIRD-PARTY STATE: The Wisconsin agent will notify the original receiving state of the third state's decision. If the offender has not left the original receiving state, the offender will remain under supervision in that state.

Copyright © 2012 [WI Department of Corrections]

If the offender has been allowed to travel to the third-party state, and the original receiving state has closed interest, the offender must be ordered to return to Wisconsin for supervision. A new transfer request must be initiated before the offender is allowed to relocate to any other state.

.07 PROGRESS REPORTS

Progress reports shall be provided by the receiving state for reporting imposed incentives/sanctions, provide documentation on compliant and non-compliant behavior that does not require retaking, ability to add new conditions imposed, to report new arrests, and include clear recommendations. Progress Reports are required upon request by the sending state. Compact rules allow for discretionary retake by the sending state. Wisconsin agents can request Progress Reports from the receiving state via specialized Compact Action Request. The receiving state shall provide a Progress Report within 30 days of the request.

.08 DISCHARGE

Discharge certificates for Wisconsin cases being supervised out-of-state are forwarded to the Wisconsin agent. The agent shall follow standard case discharge procedure.

When an offender has multiple cases, discharge certificates from single judgments will be forwarded to the Wisconsin agent, with instruction to retain all such discharges until an absolute discharge issued, and to then mail all discharges to the offender.

.09 AMENDED DISCHARGE DATES

The receiving state will cease supervision of Wisconsin offenders on the Wisconsin discharge date indicated at the time of application for transfer unless advised otherwise, in advance. If the scheduled discharge changes, the agent must submit a Compact Action Request in ICOTS, advising the receiving state of the change. Attach any related court or administrative order. The agent should also update the supervision end date in ICOTS.

SUPERVISION OF CASES FROM OTHER STATES

.01 POLICY

Acceptance or rejection of a request for transfer of an offender from a sending state to Wisconsin will be based on the criteria for “Eligibility for Supervision” or “Eligibility-Special Circumstances” see Section 06 and ICAOS rule 3.101. The offender’s previous supervision experience, lack of treatment, pending charges, outstanding warrants, or threat to the community are not valid reasons for rejecting the offender’s supervision.

Subject to all other applicable criteria, Wisconsin will accept for supervision an offender from another state, without legal conviction, if the offender has entered a plea and a court has made a finding that the offender has committed a criminal offense.

.02 SUPERVISION CONDITIONS

Wisconsin agents must enforce compliance with rules and conditions established by the sending state, other than financial conditions (see Definitions: Supervision). If Wisconsin is unable to enforce a condition imposed in the sending state, the agent shall notify the sending state in the Reply to Transfer Request. The sending state may then determine if the transfer will be allowed to go forward or be withdrawn.

The offender is responsible for direct payment of court obligations to the sending state. Financial obligations are not collected by the Wisconsin agent for the sending state. However, if notified by the sending state that the offender is not making required payments, the Wisconsin agent must notify the offender that he or she is in violation and must instruct the offender where payments are to be sent.

.03 DNA REQUIREMENT

An offender who has been accepted for supervision in Wisconsin under the interstate compact is required to submit a DNA specimen to the State Crime Lab if applicable.

After the agent and IC Specialist or designee has submitted an acceptance recommendation in the ICOTS Reply to Transfer, the IC Specialist or designee will complete and email a DOC-2846 Office of Legal Counsel Request for DNA Testing for Interstate Compact Offender form and the following documents for all cases to DOCOLCOfficeManager@wisconsin.gov:

1. Judgement of Conviction or equivalent
2. Law enforcement documents containing official details of offense
3. Sending State offense Statute
4. Any other court documents, if applicable

Office of Legal Counsel will review documents and determine if the offender is required to provide a DNA sample. After determination, the office of legal counsel will email the IC Specialist to inform them if the offender is required to provide a DNA sample. If the offender is required to provide a sample, the offender should be ordered to law enforcement for DNA submission, and the agent will enter a note in COMPAS regarding the order. Decisions regarding Interstate Compact DNA requirements need to be communicated to the Regional DNA Subject Matter Expert for purposes of entering the DNA obligation into WICS.

.04 TRANSFER REQUEST TO WISCONSIN

OFFENDER IN WISCONSIN (WITH REPORTING INSTRUCTIONS) PRIOR TO INVESTIGATION

Forms Required

Rules of Community Supervision

- DOC-2110 Sex Offender Residence Assessment

Wisconsin assumes responsibility for supervision when an offender, who has received reporting instructions, reports in Wisconsin as directed. The Compact Specialist will instruct the offender to report to an agent or office. The assigned agent shall have the offender sign the Rules of Community Supervision immediately, even if the transfer request has not yet been received. After verifying the offender's identity through reliable means of identification, e.g... driver's license, social security card, the State Identification (SID) number shall be queried via the Computerized Criminal History (CCH) to ascertain whether the offender has previous history in Wisconsin. If an SID number is not found, Electronic Fingerprint Scanning (EFS) should be utilized. If EFS is not available, an alternate method must be used such as another DCC office or law enforcement agency. The agent shall forward a Notice of Arrival through ICOTS as soon as the offender has reported in person.

Creating the Incoming Case in COMPAS: Issuance of reporting instructions does not imply that a case transfer will be accepted. Once the transfer request is received, the agent shall proceed with the investigation and make a recommendation to accept or deny the transfer.

If the transfer request is rejected, the sending state must order the offender back within 15 calendar days of receiving the reply. The Wisconsin agent requests returning reporting instructions and a returning notice of departure. Once returning offender arrives in the sending state, supervision responsibility reverts to the sending state. The agent should attempt to confirm that the offender did not remain in Wisconsin past the date to return.

For cases that originate in another state and are coming to WI for supervision under interstate compact, the following procedures will apply:

1. The status keeper will manually create the offender and case in COMPAS if needed. The status keeper will then add the status of "New Interstate Compact". WICS will not be used until offender is officially accepted with a Notice of Arrival. At that point, the OOA will then enter the SID # into COMPAS and WICS if available and submit the 2625 to the Status Keeper for creation of the Intake statusOnce the case has been entered into COMPAS and a case manager is assigned, the agent will begin investigation.
2. All notes during investigation phase will be completed in COMPAS.
3. However, a COMPAS assessment will not be completed until intake status has been assigned, and the acceptance and Notice of Arrival have been completed.
4. If acceptance and Notice of Arrival has not been completed, on day 30, the primary flag from the "New Interstate Compact" status will be automatically removed. The status keeper will add a "Pending" status with

Copyright © 2012 [WI Department of Corrections]

a reason of "Pending New IC Transfer Request", which will be marked as primary. If Reply to Transfer Request and Notice of Arrival has not been completed, the "New Interstate Compact" status will remain active.

5. If the case is rejected, a COMPAS assessment will not be completed and rejection to include the rejection reason will be documented in the last general note entered in COMPAS.

If the offender reapplies through ICAOS for supervision in WI for the same criminal conviction, documentation in COMPAS will remain under the same offender lifecycle. If the offender reapplies later for a new case entirely, a new case in COMPAS will be started indicating a second offender lifecycle.

SEX OFFENDER REQUESTING REPORTING INSTRUCTIONS:

When a state requests reporting instructions for a "Sex Offender," who has been placed on probation and who was already living in Wisconsin, an agent will be assigned to investigate the proposed residence before reporting instructions are issued. Within 5 business days of the request, the agent must complete a DOC-2110 Sex Offender Residence Assessment, to determine if the proposed residence is acceptable under applicable laws or DOC policy. The agent will notify the Compact Specialist if the residence is acceptable. If the Sex Offender Registry Program screen determines the offender is to be on lifetime GPS because they will live and work/attend school in Wisconsin, the ICOTS Response to Reporting Instructions or Reply to Transfer acceptance recommendation shall include the following special condition: "This offender meets the criteria for Lifetime GPS tracking in the State of Wisconsin. As a result, he/she will be placed on the GPS tracking system upon arrival in Wisconsin. He/she may remain on the GPS tracker through the duration of residency in Wisconsin, including the time following discharge from supervision."

If the residence is not approved, the agent shall indicate the specific reason(s) why the residence is not acceptable and which mandatory eligibility criteria are not met (ICAOS Rule 3.101). The response should include a specific statement that the residence would not be allowed for an offender convicted in Wisconsin.

The Compact Specialist will review and approve the agent's decision and reasons. The Compact Specialist will submit the Response to Request for Reporting Instructions, in ICOTS, by the date due.

If the agent's investigation is not completed by the date due, reporting instructions must be issued.

.05 TRANSFER PROCESS

COMPACT OFFICE RESPONSIBILITIES

- Compact Office receives Transfer Request in ICOTS.
- Review request for compliance with ICAOS rules.
- Ensure all necessary forms and required documentation is present.
- Assign to appropriate Regional Compact Specialist or return to Sending State for action.

Note: For any sex offender requesting a transfer to Wisconsin, Central Office Interstate Compact staff will send an email requesting GPS and SBN screens to the GPS/SBN specialists with a copy to the agent of record or regional Interstate Compact specialist.

SORP Office Responsibilities – Retrieve and review the pertinent information from ICOTS. If additional information is needed, notify the Compact Office. Following the screening, the GPS Specialist will notify the Compact Office and assigned WI agent of the results.

REGIONAL COMPACT SPECIALIST RESPONSIBILITIES

- Obtain agent assignment from appropriate DCC office.
- Assign Transfer Request to agent in ICOTS.
- Notify the OOA via e-mail.
- Upon acceptance, verify DNA requirement (See .03 DNA Requirement)

Copyright © 2012 [WI Department of Corrections]

AGENT RESPONSIBILITIES

- Locate Transfer Request in ICOTS by clicking the Compact Workload tab or Offender Profile screen "Action Items."
- Investigate the Transfer Request. Verify proposed residence, means of support, and supervision plan.
- Within 30 days of assignment, make a recommendation to accept or deny the transfer. The recommendation should be reviewed with, and approved by, the supervisor.
- Submit the Reply to Transfer Request in ICOTS. If the recommendation is to accept, include WI rules and any special conditions (e.g., OWI 2/3 requirements, sex offender lifetime GPS statement, etc.), and note if WI is unable to comply with any sending state conditions. If applicable, include reporting instructions. If the decision is to reject the transfer, the Reply must cite the mandatory compact eligibility criteria relied upon in making the decision.
- Upon the offender's first report to the office, follow the necessary steps to obtaining an SID number.

.06 SUPERVISION OF CASES FROM ANOTHER STATE

Offenders from other states are supervised in the same manner as if they had been convicted in this state. Agents must complete all the relevant case opening requirements, including obtaining a SID number, if the offender lacks a criminal history in Wisconsin.

Wisconsin agents shall provide progress reports for reporting imposed incentives/sanctions, provide documentation on compliant and non- compliant behavior that does not require retaking, document if court-ordered conditions are met, add new conditions imposed, report new arrests, and to be clear in recommendations. Progress Reports are required to be created at a minimum every 180 days, and when there is significant activity in the case. A new task due for Progress Reports will be added by the Status Keeper every 180 days in Workload Manager. After agents have completed and the Progress Report has been submitted to the other state by the WI Compact Office, agents will receive a confirmation email that is automatically generated by the ICOTS system. Agents will send this confirmation email to the Status Keeper to remove the task due. A new Progress Report will be due in 180 days. Progress Reports need to be completed if received through specialized Compact Action Request (CAR) upon request by the sending state. If requested through CAR the agent will not create a new Progress Report, but will instead complete the information in the Progress Report that is in the specialized CAR.

When submitting a Progress Reports for non-compliant behavior that does not raise to the level of revocation or new arrest with pending charges, the Progress Report must be submitted within 30 days of learning of the violation(s). The report must include any relevant supporting documentation, including but not limited to:

- Signed Violation Summary
- Police reports
- Toxicology reports
- Witness statements
- Offender's statements
- Preliminary hearing findings
- Compact rules allow for discretionary retake by the sending state.

.07 VIOLATIONS FOR CASES FROM ANOTHER STATE

INVESTIGATION AND RECOMMENDATION: Violations will be investigated and case decisions made according to standard procedure. If a new felony or violent misdemeanor conviction or significant violation has been committed, which would be grounds for revocation in Wisconsin, the agent will submit a Behavior Requiring Retake Report in ICOTS. The recommendation should be to request a warrant or order the offender to return to the sending state.

Copyright © 2012 [WI Department of Corrections]

The Violation Report must be submitted within 30 days of learning of the violation(s). The report must include any relevant supporting documentation (or reference date of Progress Report where supporting documentation was previously submitted), including but not limited to:

- Police reports
- Toxicology reports
- Witness statements
- Offender's statements
- Preliminary hearing findings
- If the violation(s) include any of the following circumstances:
  - Abscond;
  - new felony conviction; or
  - new misdemeanor conviction for a violent crime

  Wisconsin may invoke mandatory retake of the offender.

If no reply from the sending state is received within ten (10) working days, the agent may submit a Compact Action Request in ICOTS, requesting a Response to Violation Report. If the receiving state has not responded within five (5) working days of the follow-up request, ask the Compact Specialist or Deputy Compact Administrator to contact the Compact Administrator's office in the sending state to request assistance in obtaining a disposition.

Custody of an offender under supervision for another state is subject to the procedures for extending detention in the Violations section under Custody/Extension. The agent, supervisor, and regional chief must consider whether or not the offender should continue in custody pending a response from the sending state. A Probable Cause Hearing should be held or the Order to Detain canceled. If custody is continued, the Administrator's extension must be obtained, even if a Probable Cause Hearing has taken place. If the Order to Detain is canceled, the Wisconsin agent shall resume supervision. If there are pending charges, inform the Court/District Attorney in advance of cancelling the Order to Detain so they may consider an amended bail/bond hearing.

ON-SITE PROBABLE CAUSE HEARING: If an on-site Probable Cause Hearing is necessary, the hearing will be scheduled pursuant to the requirements for preliminary hearings used for Wisconsin offenders. The agent will notify the offender of the hearing through the Notice of Interstate Compact Probable Cause Hearing (DOC-415A). The offender must be afforded the opportunity to confront witnesses against them and present evidence and witnesses in their defense. A Probable Cause determination must be made by the Hearing Magistrate on each allegation. The Magistrate will not make a custody decision.

A Probable Cause Hearing is not required if the basis for retaking is a new felony and offender has been convicted of the new felony offense. A copy of the judgment of conviction is conclusive proof that the offender may be retaken without further proceedings.

The offender may not waive the Probable Cause Hearing unless the waiver is accompanied by a signed statement admitting to one or more significant violations. If the offender chooses to waive the Probable Cause Hearing, the agent will complete the Notice of Interstate Compact Probable Cause Hearing (DOC-415A) form to facilitate this process.

Within 10 work days of the hearing, the Magistrate shall prepare a letter of decision that identifies the time, date, and location of the hearing, lists the parties present at the hearing, and includes a clear and concise summary of the testimony taken and the evidence relied upon in rendering a decision. The letter of decision and any reports or exhibits, or the signed waiver (DOC-415A) and admission, will be forwarded to the sending state, requesting that state to issue its warrant and file a detainer with the holding facility.

The agent will cancel the Order to Detain upon verification that the other state's detainer has been received at the

Copyright © 2012 [WI Department of Corrections]

holding facility. Wisconsin will not close interest in a case while the sending state is in the process of retaking the offender. Once the sending state has taken custody of the offender, the Wisconsin agent shall submit a Case Closure Notice in ICOTS. Offenders from other states are eligible for Short-Term Sanctions.

ALTERNATIVES TO REVOCATION: Compact rules require that offenders from other states be supervised in a manner consistent with supervision of similar offenders convicted in Wisconsin. Consequently, offenders supervised under the interstate compact are eligible to participate in programs available to other offenders including DAI-ATR programs.

If an ATR is appropriate and the offender agrees to participate in the program, the agent should clearly advise the sending state a program is available as an alternative to revocation in a Progress Report. Both the offender and the sending state should be aware that failure to complete the ATR program will be considered a behavior requiring retaking and will result in a new recommendation that the sending state retake the offender.

.08 ABSCONDING

An offender who is absent from his or her approved residence or place of employment, for the purpose of avoiding supervision, may be an absconder. The agent shall attempt to locate the offender by conducting a field contact at the last known residence, contact the last known employment, if applicable, and contact known family members and collateral contacts. After attempts to locate the offender have failed, an Apprehension Request (DOC-58) shall be issued. The agent must check NO in the Extradite section of the DOC-58. Under no circumstances will the Apprehension Request be entered in NCIC. When the offender is apprehended, follow standard violation investigation procedures.

If the offender's whereabouts are still unknown after thirty (30) days, the Apprehension Request must be canceled. A Violation Report is submitted in ICOTS and should be followed by a Case Closure Notice. (See note) The Violation Report must include facts regarding the absconding, efforts to locate the offender, the person's last known address, and the date of last face-to- face contact with the offender.

Note: Wisconsin may close interest in a case upon notification to the sending state that an offender has absconded. However, if it is believed that the offender may still be in the area and poses a public safety risk, the Apprehension Request may remain active along with the interstate case. Once the sending state's warrant has been confirmed in NCIC, however, the case should be closed and the Apprehension Request canceled.

Occasionally, an offender who has absconded is subsequently arrested in Wisconsin on the sending state's warrant. In those cases, and upon the request of the sending state, Wisconsin will conduct a Probable Cause Hearing on the violations, unless waived by the offender. An agent in the county where the offender is in custody will be assigned to conduct the hearing or obtain a hearing waiver.

.09 WAIVER OF EXTRADITION

An offender must waive all rights to extradition proceedings at the time of application for transfer under the Interstate Compact. By Compact rule, an offender pending retaking is not eligible to be released on bail. An offender being retaken by a sending state must be released to duly authorized agents of the sending state without extradition.

.10 OUT OF STATE TRAVEL

Offenders from other states may be issued travel permits in the same manner as Wisconsin's offenders. If the sending state has identified the case as "Victim Sensitive," the agent must notify the sending state at least 20 business days in advance of a travel permit being issued for the crime victim's right to be heard.

.11 RETURN TO SENDING STATE

An offender under supervision for another state may request to return to that state. Prior to allowing an offender to move back to the sending state, the Wisconsin agent must submit a Request for Reporting Instructions in ICOTS, indicating the offender is a "transferred offender returning to sending state." The request will provide the offender's destination in the sending state, including address and phone number.

In most cases, the sending state must provide reporting instructions within two business days of receiving the

Copyright © 2012 [WI Department of Corrections]

request. In a “victim sensitive” case, the sending state shall give the victim at least 20 business days advanced notice for their right to be heard prior to issuing the instructions. The offender may not be allowed to leave Wisconsin prior to receiving reporting instructions.

Upon receipt of reporting instructions, the agent will provide the offender with the reporting instructions and a Travel Permit and submit a Case Closure Notice in ICOTS.

.12 ARRANGEMENTS FOR TRANSFER TO A THIRD STATE

An offender being supervised for another state may request a transfer to a third state. To initiate the request, the Wisconsin agent will submit a Compact Action Request and Progress Report in ICOTS. Responsibility for arranging transfer to the third state rests with the original sending state.

If requested, the Wisconsin agent will assist the sending state in obtaining the offender’s signature on the ICAOS “Offender’s Application for Interstate Transfer.” The offender must remain in Wisconsin until the sending state advises that the transfer has been accepted in the third state or provides reporting instructions.

Upon notice of acceptance or issuance of reporting instructions in the third state, the Wisconsin agent will issue a Travel Permit and submit a Case Closure Notice in ICOTS.

If the sending state advises that the transfer request is not approved by either the sending state or the third state, supervision will continue in Wisconsin. If the offender has been permitted to travel to the third sate with reporting instructions, the offender shall be ordered to return to Wisconsin and supervision will continue.

If the offender fails to return as directed, the agent will submit an absconder Violation Report and a Case Closure Notice in ICOTS.

.13 EARLY DISCHARGE

Early discharge from supervision can only be granted by the sending state. When an agent feels that a case merits such consideration, a Progress Report is sent to the sending state in ICOTS. If the sending state does not issue an early discharge, supervision must be continued by the Wisconsin agent until the scheduled discharge date.

.14 DEATH OF OFFENDER

In the event of a Compact offender's death, the Wisconsin agent will obtain verification. A death certificate is not required. A Case Closure Notice with death verification shall be submitted to the sending state in ICOTS.

.15 CASE TERMINATION

The DCC Interstate Compact Office, upon receipt of a Case Closure Notice, will prompt Central Records Unit (CRU) staff to close the Out of State case for those offenders being supervised by Wisconsin for another state. If there are no other open cases, CRU staff will issue a termination number. If the offender is being supervised for Wisconsin in another state, the Out of State status will be removed in WICS.

Supervision will cease and a Case Closure Notice shall be submitted in ICOTS upon:

- the date of discharge, unless informed of an earlier or later date by the sending state;
- notification to the sending state that the offender has absconded;
- notification to the sending state that the offender has been sentenced to incarceration for more than 180 days;
- notification of death; or

  return to sending state.

Copyright © 2012 [WI Department of Corrections]

Intrastate Travel

.01 AUTHORITY

Wisconsin Administration Code DOC 328.04

.02 GENERAL STATEMENT

The standard rules of supervision do not restrict an offender's travel within the state. However, the agent may impose special rules that control an offender's intrastate travel to achieve the goals and objectives of supervision. Offenders are required to account for their whereabouts and activities as directed by the agent.

.03 PROCEDURE

The Rules of Community Supervision do not specifically restrict the intrastate travel of offenders, but agents may need to restrict the movement of certain offenders. If an offender is allowed to travel and temporarily remain in another area of the state, the agent should inform the office in that location of the offender's presence. Particular attention must be given to controlling the intrastate movement of sex offenders and other high profile offenders.

Copyright © 2012 [WI Department of Corrections]

Jail Confinement as a Condition of Probation

.01 AUTHORITY

Wisconsin Statute 973.09(4)

.02 GENERAL STATEMENT

Courts can order confinement to county jails as a condition of probation.

.03 JAIL RULES

A violation of jail rules constitutes a violation of the Rules of Community Supervision. A COMPAS Evidence-Based Response to Violation should be prepared.

.04 STANDARDS OF SUPERVISION

All standards of supervision apply. Face to face contacts must be maintained in accordance with their status.

.05 FAILURE TO RETURN/ESCAPE

When an offender confined as a condition of probation fails to return to the county jail or absconds during release, s/he can be charged with escape and is in violation of probation.

.06 GOOD TIME

Persons confined in a county jail as a condition of probation are not eligible to earn good time unless specifically ordered by the court.

.07 CREDIT OF TIME UPON REVOCATION

Any time spent in confinement as a condition of probation is credited upon revocation.

Copyright © 2012 [WI Department of Corrections]

Law Enforcement Registration

.01 AUTHORITY

Wisconsin Statute 304.06(1)(g)
Wisconsin Statute 301.45
Wisconsin Administrative Code DOC 328.04(2)(j)

.02 GENERAL STATEMENT

Local practice may necessitate that offenders have contact with local law enforcement agencies. This is frequently required of offenders who transfer into a new area or are received on interstate compact supervision. An agent may wish to use this procedure to verify an offender has reported to law enforcement to resolve minor warrants (i.e., non-criminal traffic, failure to pay fines, etc.).

The Department is required to provide advance notification to local law enforcement agencies of a prison inmate's release to field supervision. This practice is mandatory. Registered sex offenders are required to have face to face contact with local law enforcement upon release from an institution or receipt on probation. These offenders must also have face to face contact with local law enforcement officials whenever they move to another law enforcement jurisdiction during the course of their supervision. This practice is mandatory.

.03 DISCRETIONARY FACE TO FACE CONTACT WITH LAW ENFORCEMENT

The agent prepares a Face Sheet (DOC-3A) and instructs the offender to take it to the appropriate law enforcement agency. This contact usually includes photographing and/or fingerprinting. The completed form must be returned to the agent with a signature from the law enforcement agency as verification of required contact. This practice does not apply to "non-conviction cases."

.04 MANDATORY FACE TO FACE CONTACT

Sex offenders who are required to register with the Sex Offender Registration Program must also have face to face contact with local law enforcement while under DOC supervision.

If, on or after 12/25/93, an offender has been convicted of, adjudicated, or committed for a violation, solicitation, conspiracy, or attempt to commit any of the following crimes, that individual must register as a sex offender and have face to face contact with local law enforcement.

Offenses requiring registration:

1. 940.225(1) First-Degree Sexual Assault
2. 940.225(2) Second-Degree Sexual Assault
3. 940.225(3) Third-Degree Sexual Assault
4. 940.22 (2) Sexual Exploitation by Therapist
5. 940.30 False Imprisonment **
6. 940.31 Kidnapping **
7. 940.06 Incest (formerly 940.32)
8. 948.02(1) First-Degree Sexual Assault of a Child
9. 948.02(2) Second-Degree Sexual Assault of a Child
10. 948.025(0) Repeated Acts of Sexual Assault–Same Child
11. 948.05 Sexual Exploitation of Child
12. 948.055 Forced Viewing of Sexual Activity
13. 948.06 Incest with a Child

Copyright © 2012 [WI Department of Corrections]

14. 948.07 Child Enticement
15. 948.08 Soliciting a child for Prostitution
16. 948.11 Exposing a Child to Harmful Materials
17. 948.30 Abduction of Another's Child
18. 975.06 Sex Crimes Law Commitment
19. 980 Sexually Violent Person Commitment

Offenders must also have face to face contact with local law enforcement while on DOC supervision if the court determined that the crime involved sexually-motivated behavior, and it would be in the best interest of public protection, and orders registration for crimes involving:

1. Chapter 940 Crimes Against Life and Bodily Security
2. Chapter 944 Crimes Against Sexual Morality
3. Chapter 948 Crimes Against Children
4. 971.17 Not Guilty by Reason of Mental Disease
5. 943.01 to 943.15 Certain Crimes Against Property

- Any offender who has been convicted on or after 12/25/93 of a comparable registerable offense in another state and who is on supervision in Wisconsin must have face-to-face contact with local law enforcement.
- Any person who has been sentenced to Lifetime Supervision under Wis. Stats. 939.615 must have face to face contact with local law enforcement.
- In general, offenders must register if they are on Interstate Compact Supervision and being supervised in Wisconsin for any felony sexual assault or behavior.

The agents shall prepare the Face Sheet (DOC-3A) which will be presented to the local law enforcement agencies by the offender. The offender must return the signed form to the agent.

When an offender moves to a new residence that results in a change to a new law enforcement jurisdiction, the agent shall complete a new DOC- 3A reflecting the current address, which will be presented to local law enforcement by the offender and returned to the agent by the offender. A copy of the new DOC-3A shall be sent to the county sheriff and chief of police where the offender previously resided.

.05 MANDATORY NOTICE OF PAROLE RELEASE

An Inmate Release Authorization (DOC- 15) is prepared for all inmates being released from the institution to field supervision. Law enforcement copies of the Inmate Release Authorization shall be mailed or delivered immediately upon completion of the form.

In the event release is necessary prior to the institution receiving the Inmate Release Authorization, the institution will ensure notification to the applicable law enforcement agencies and the agent of record prior to releasing the inmate. If release notification is done by telephone, the agent will note the date of notification on the Inmate Release Authorization.

The notification requirement does not apply if the municipal police department or the county sheriff's office submit to the Department a written statement waiving the right to be notified. Any such notice will be forwarded to the Division Administrator and filed.

Copyright © 2012 [WI Department of Corrections]

LEGAL ISSUES

WRITS, SUMMONS, AND COMPLAINTS

.01 TYPES OF WRITS

A Writ of Certiorari is a review or inquiry that requires the reexamination of an action previously taken.

A Writ of Habeas Corpus is a command to bring a person before a court.

A Writ of Mandamus is a command for the immediate performance of a particular act specified in the writ.

A Writ of Prohibition commands that a specific action be terminated immediately.

.02 SUMMONS

A Summons is an order commanding a person to appear before a court, especially to answer a charge.

.03 COMPLAINT

A Complaint is an accusation, a charge that an offense has been committed.

.04 SERVICE

A writ will not be accepted unless it is specifically addressed to the person being served. No employee is authorized to accept service of any legal process directed against the Department or any of its Divisions.

Service is not ordinarily valid unless the writ, summons or complaint is personally delivered. Legal Counsel and the Assistant Attorney General must be advised of exactly how the documents were delivered. If the summons or complaint was not personally served on the named person, the Attorney General's office must have the option of raising improper service as a legal defense to the action.

For Writ of Certiorari only, field staff should advise the server that the Department of Corrections or its Secretary should be named as the respondent, and the writ should be mailed to Office of Legal Counsel, P.O. Box 7925, Madison, WI 53707-7925

Federal summons and complaints are generally served through the mail. The summons includes an acknowledgment page and an attached envelope with instructions to sign and return to the federal marshal. DCC staff should not sign the acknowledgment. The document should be sent intact to Office of Legal Counsel, P.O. Box 7925, Madison, Wisconsin 53707-7925.

.05 HANDLING OF DOCUMENTS

The Department is frequently required to respond within a very short time following service. The documents should be scanned and emailed to the Office of Legal Counsel. The originals must be sent directly to the following locations immediately after service to:

Office of Legal Counsel
Department of Corrections
P.O. Box 7925
Madison, WI 53707-7925

EMPLOYEES CALLED AS WITNESSES

.01 POLICY

Nonrepresented and project employees will be granted time with pay or leave as specified in this section. Leave of absence criteria for represented employees are specified in the applicable union contract.

An employee called as an official court or administrative hearing witness on a case related to his/her assigned duties will be considered in work status for the actual time required. An employee may not retain any witness fees. Such fees must be turned over to the supervisor who will send them to the Division of Community Corrections Business Office with an explanatory memorandum.

An employee called as a witness in a court case unrelated to assigned duties will be granted appropriate leave of absence to be charged against the employee's leave credits or leave without pay. An employee may accept and retain any witness fees offered.

COURT DECISIONS

Absconding

Allegations Added Later
Alternatives to Revocation Considered
Bail
Burden of Proof
Conditions of Probation and Parole
Certiorari
Counsel
Evidence
Fifth Amendment
Good Time
Hearsay
Mental Illness
Preliminary Hearings
Polygraph
Possession
Pre-sentence Investigation Report
Probation
Reinstatement
Religion
Restitution
Revocation
Tolling Time
Treatment

.01 GENERAL STATEMENT

This chapter contains a summary of court decisions which affect the Division of Community Corrections. The summaries address only those issues raised in the decisions that are of concern to the Division. The reader is cautioned that the findings in one decision may be modified or replaced by the findings in a subsequent decision.

.02 ABSCONDING

- Absconding is a "serious probation violation"

State Ex Rel Shock v H&SS Dept, 77 Wis 2d 362 (1977)

In this case the court said if an offender absconds or does not advise the probation agent of his or her whereabouts this is a "serious probation violation that often goes to the heart of probation supervision". This makes sense because if the agent does not know where the probationer is there can hardly be any supervision.

- Leaving the state without permission

State ex rel. Cutler v Schmidt, 73 Wis.2d 620 (1976)

Testimony at the revocation hearing established that the parolee violated express conditions or terms of parole when he left the state without notifying his parole agent of his exact whereabouts until several days later. This was sufficient to justify revocation of the offender's parole.

.03 ALLEGATIONS ADDED LATER

- In General and Notice

State ex rel. Flowers v H&SS Dept, 81 Wis.2d 376 (1978)

The test for introduction of additional charges or violations at revocation hearings is whether the offender has received adequate and proper notice of the additional charges prior to the holding of the revocation hearing. Allegations added for the first time at a revocation hearing are not improper since a preliminary hearing was not

Copyright © 2012 [WI Department of Corrections]

necessary with regard to every alleged violation of parole, and adequate notice was given prior to the revocation hearing.

.04 ALTERNATIVES TO REVOCATION CONSIDERED

- *Must consider the ABA standards relating to probation*

  State ex rel. Plotkin v Dept, H&SS, 63 Wis.2d 535 (1974)

This is a leading case often cited by defense attorneys at revocation hearings. The Wisconsin Supreme Court adopted the guidelines recommended by the American Bar Association in Standards Relating to Probation. This requires agents to consider and address the following when recommending revocation of probation or parole: *5.1 Grounds for and alternatives to probation revocation.*

Violation of a condition is both a necessary and sufficient ground for the revocation of probation. Revocation followed by imprisonment should not be the disposition however, unless the department finds on the basis of the original offense and the intervening conduct of the offender that:

1. Confinement is necessary to protect the public from further criminal activity by the offender; or
2. The offender is in need of correctional treatment which can most effectively be provided if he is confined; or
3. It would unduly depreciate the seriousness of the violation if probation were not revoked.

Agents must consider the following alternatives prior to recommending revocation of probation or parole: a review of

- conditions, followed by changes where necessary or desirable;
- a formal or informal conference with the probationer to reemphasize the necessity of compliance with the conditions;
- a formal or informal warning that further violations could result in revocation.

  Please note that the ABA standards do not require that alternatives actually be tried, it requires that they be considered.

- *Application of ABA standards to parole*

  Van Ermen v H&SS Dept, 84 Wis.2d 57 (1978)

This decision calls for the application of Plotkin Standards in parole revocation recommendations. The Department must at least consider whether alternatives are available and feasible. The agent must be able to show that alternatives were considered but rejected rather than simply state reasons for revocation.

- *Plotkin Standards applied*

  State ex rel Prellwitz v Schmidt, 73 Wis 2d 35 (1976)

Applied the standards in Plotkin and stated that alternatives to revocation, even though rejected, must be considered prior to a recommendation for revocation. The agent must be able to show that alternatives to revocation were considered and explain why they were rejected.

.05 BAIL

- *Release on bail pending revocation – court authority*

State ex.rel Dept.H&SS v 2nd Judicial Circuit, 84Wis.2d 707 (1978)

The court has no authority to release a probationer on bail subsequent to the commencement of revocation proceedings.

.06 CONDITIONS OF PROBATION AND PAROLE

For conditions of probation and parole see [.19 PROBATION] – conditions of probation – reasonableness of conditions – conditions can be related to previous offenses or conduct.

.07 CERTIORARI

- *Scope of review*

Johnson v Cady, 50 Wis.2d 540 (1971)

One of Wisconsin's first major parole revocation cases clearly states that the offender's right of review of a revocation hearing is by Writ of Certiorari. The burden of proof lies with the offender to show, by a preponderance of the evidence, that the Department acted "arbitrarily and capriciously" in recommending revocation.

See Sec. 801.50(5) Wis. Stats which provides that the standard of review of order of the department is whether:

(1) the Department kept within its jurisdiction;
(2) it acted according to law;
(3) its action was arbitrary, oppressive, or unreasonable and represented its will and not its judgment; and
(4) the evidence was such that the Department might reasonably make an order or determination in question.

- *Supplementing the record*

Snajder v State, 74 Wis. 2d 303(1976)

This decision applies the standard of review set forth in State Ex Rel Shock v. H&SS above to parole revocation. Supplementing the record with additional evidence at this review violates the concept of fair play and would violate due process. Neither the department nor the offender are allowed a "second kick at the cat" by submitting new evidence on appeal. The court may not rehear the original case.

- *Timeliness of review*

State ex rel. Schwochert v Marquette Cty.Bd of Adjustment, 132 Wis.2d 196(1986).

In this case the failure to commence action seeking review by certiorari within the statutory time frame was fatal to the action.

The petition must now be filed within 45 days of the revocation decision, Sec. 893.735. Previous to this the time frame was within six months.

.08 COUNSEL

- *Right to counsel at revocation hearings*

State ex.rel Cresci v Schmidt, 62 Wis.2d 400

The Supreme Court held that there is no constitutional right to counsel at a revocation hearing. However, the Wisconsin Administrative Code creates a right to counsel at probation/parole revocation hearings. The department of corrections is also required under Sec. 304.06 Wis Stats., to refer persons who appear to be indigent to the public defender.

- ***Effective counsel – interpreter***

State v Neave, 117 Wis.2d 359 (1984)

Fairness requires that criminal defendants have assistance of interpreters where needed in order to avoid questions of effective assistance of counsel, questions of whether inability to understand testimony resulted in loss of effective right to cross-examination, and avoid feeling of having been dealt with unfairly which may arise when language barrier renders trial incomprehensible. Although this is a criminal matter, revocation hearings should require no less.

.09 EVIDENCE

- *General – rules of evidence*

Copyright © 2012 [WI Department of Corrections]

Johnson v Cady, 50 Wis.2d 540 (1971)

The State of Wisconsin's first major parole revocation case stated that the technical rules of evidence do not apply in revocation hearings. See Sec. 911.01(4)(c) for detail on technical rules of evidence.

- *Exclusionary Rule*

  Pennsylvania Bd. of Probation & Parole v Scott, No. 97-581 (1998)

The exclusionary rule which prohibits admission of evidence that is improperly obtained by law enforcement does not apply at revocation hearings. However, agents need to have reasonable grounds to search as detailed in Ch.DOC 328.22(3) Wis. Adm. Code. Further, courts have repeatedly warned that parole officers should not allow police to use a probation/parole search as a substitute for obtaining a search warrant.

- *Agent's records*

  State ex rel. Prellwitz v Schmidt, 73 Wis.2d 35

It was held that the Bureau of Community Corrections records are "public records and reports" under the provisions of Sec.908.03(8), Wis Stats., and are therefore admissible at revocation hearings.

- *Agent's records – Presentence Investigation Report*

  State ex rel. Hill v Zimmerman, 196 Wis.2d 419.

An inmate requested of the Department of Corrections field Supervisor, "any and all... records" in his file. The DOC employee refused to provide the file copy of the Presentence Report, due to confidentiality under sec. 972.15(4)., Wis Stats. The court held that it was proper for the field Supervisor to have denied access to the Presentence Investigation Report.

- *Ex parte communications*

  State ex. Rel Gibson v H&SS Dept, 86 Wis.2d 345 (1978)

In order to maintain the appearance, as well as the actuality of neutrality, ex part communications should be avoided while revocation hearing(s) are pending. Ex parte communications in this context is any communication outside the revocation hearing to the ALJ by either party without giving notice to the other.

.10 ΦΙΦΤΗ ΑΜΕΝΔΜΕΝΤ

- *At revocation hearings*

  State ex rel. Struzik v H&SS Dept, 77 Wis.2d 216 (1977).

The Fifth Amendment self-incrimination rule is inapplicable at revocation hearings. Parole agent may hold conditionally free parolee accountable so long as parolee is not forced to compromise his constitutional privilege against self-incrimination at subsequent criminal proceedings.
The same applies to probationers under State v Evans, 77 Wis.2d 225 (1977).

- *Self-incrimination*

  State v Thompson, 142 Wis.2d 821 (1987)

Statements given to a parole/probation agent which incriminate the offender cannot be used against the offender in a criminal prosecution. Self-incriminating statements cannot be used against the offender in any circumstances, not even to impeach the defendant's testimony at trial should he or she testify and the deny the crime or conduct.
Agents should tell offenders that they are required by the rules to provide, on demand, either verbally or in writing, an accounting of their activities and whereabouts; and that not to obey the directive of the agent regarding the

Copyright © 2012 [WI Department of Corrections]

accounting is a violation of supervision for which the client can be revoked; and, that nothing said by the client can be used, even to impeach the client, in criminal proceedings against the client.

- *Self-incrimination*

  State v Tarrell, 74 Wis.2d 647 (1976)

A probationer was ordered to report to the local police department for the purpose of having his picture taken. The picture was then shown to the juvenile victim of a sexual assault for purposes of identification. Ordering the offender to do this is legitimate.

.11 GOOD TIME

- *As a condition to probation*

  Prue v State, 63 Wis.2d 109 (1974)

The offender was not entitled to good time because his confinement in a reforestation camp was a condition of probation and not a sentence. Probation is not a sentence.

A court can, however, grant good time otherwise cumulative against a sentence to the county jail as a condition of probation. The court's granting of good time as a condition of probation would have to be pursuant to the provisions of S.973.09(1), Wis. Stats.

- **Good time forfeiture**

  Putnam v McCauley, 70 Wis 2d 256 (1975)

> A mandatory release parolee whose parole is revoked is entitled to due process relating to the determination of how much of his good time (time spent on parole after the mandatory release date is reached) will be credited against service of the sentence.
>
> It must be noted that this case predates the current S.302.11 Wis Stats, which disposes of the concept of "good time". Good time still exists for persons serving sentences for crimes committed before June 1, 1984, or who are revoked and returned to prison to serve all or part of their previously earned good time on a sentence relating to a crime committed before June 1 1984.

- **Good time forfeiture**

  State ex. Rel Hauser v Carbello

This decision provides a hearing prior to the forfeiture of any good time. The Department must hold a hearing and exercise its discretion as to forfeiture of good time for each mandatory release or discretionary release parolee whose parole is revoked. However, as noted above the concept of good time only exists for persons serving sentences for crimes committed before June 1, 1984.

.12 HEARSAY

- *Reliability*

  Egerstaffer v Israel, 726 F.2d 1231 (1984)

This case held that hearsay evidence is admissible at revocation hearings. Hearsay is an out of court statement made in court. The court in this case approved of the reliance by the hearing examiner on the out of court statement made by a victim of the offender who was not produced to testify in person and subjected to cross-examination.

It was stressed in this case that the issue becomes how reliable and trustworthy is the evidence. The agent must

Copyright © 2012 [WI Department of Corrections]

be prepared to argue that the hearsay is reliable. An offender can be revoked on reliable or trustworthy hearsay.

.13 MENTAL ILLNESS

- Mental illness as a defense

State ex rel. Lyons v H&SS Dept, 105 Wis 2d 146 (1981)

A defense alleging mental disease or defect is no defense at a revocation hearing. In this case the department was not stopped from relying on the probationer's criminal conduct of possession of a firearm by a felon even though he was found not guilty by reason of mental disease or defect by the courts.

- *Competency*

State ex rel. Vanderbeke v Endicott, 210 Wis.2d 503 (1997)

If the Administrative Law Judge (ALJ) has reason to doubt the competence of the offender at a revocation hearing, the ALJ must refer that offender to the sentencing court for a hearing on and determination of competence.

.14 PRELIMINARY HEARINGS

- *Department's Rule*

State ex re. Hamilton v Lotter, 138 Wis.2d 350 (1987)

The department's rule relating to preliminary hearings and the criteria for not holding a preliminary hearing is constitutional. The HA2 Wis. Adm. Code provides five circumstances when the department is not required to provide a preliminary hearing.

.15 BURDEN OF PROOF

- *Preponderance of the evidence*

State ex rel. Flowers v H&SS Dept, 81 Wis.2d 376

The proper standard of proof to use in parole and probation revocation hearings is the preponderance of evidence standard. This is less than that of "clear and convincing," and much less than that of "beyond a reasonable doubt".

.16 POLYGRAPH

- *Admissibilty*

State v Ramey, 121 Wis.2d 177 (1984)

Polygraph examination results are not admissible in criminal proceedings. Results of polygraph are also not admissible at revocation hearings.

.17 POSSESSION

- *Constructive possession of controlled substances*

Ritacca v Kenosha County Court, 91 Wis.2d 72.

To be found guilty of possessing controlled substances, physical possession is not necessary, it is enough that the offender has constructive possession. For possession to be constructive or imputed certain criteria must be satisfied:

1. The controlled substances must be found in a place immediately accessible to the offender
2. The offender must have exclusive or joint dominion and control. He does not need to actually exercise that control, he needs only the ability to exercise control.
3. The offender must have knowledge of the presence of the controlled substances.

The agent must state the underlying facts on which such determinations are made.

- *Constructive possession of a weapon*

State v Peete, 185 Wis.2d 4.

Possession can be both actual physical possession and constructive possession. Following the analysis in Ritacca v Kenosha County Court, above, a person may have constructive possession if the weapon is in an area over which the offender has control and the offender had knowledge of the presence of the weapon.

Possession can be shared if another person has similar control over the weapon.

.18 PRE-SENTENCE INVESTIGATION REPORT (PSI)

- *Attorney at PSI interview not required*

  State v Knapp, 111 Wis 2d 380 (1983)

The Court held an accused does not have the right to have counsel present during the pre-sentence interview. The purpose of a pre-sentence report is to assist the judge in selecting an appropriate sentence for the individual defendant. Having counsel present at interview might seriously impede the ability of the trial court to obtain and consider all facts that might aid in forming an intelligent sentencing decision.

- *Use of compelled offender statement*

  State v. Alexander, 215 WI 6 (2015)

The Wisconsin Supreme Court addressed the use of compelled statements in the PSI and sentencing. In this case, compelled and incriminating statements made to his probation agent were appended to the PSI. Compelled statements cannot be used against an offender in any subsequent criminal proceeding even though they are properly used in revocation proceedings. Sentencing hearings are a criminal proceeding. Statements provided by the offender to the PSI writer during the PSI process are not compelled and are voluntary. The PSI writer is not precluded from seeking information from the offender as to rule violations even if it was the subject of a prior compelled statement.

.19 PROBATION

- *Probation is a privilege not a right*

  Dobs v State, 47 Wis.2d 20 (1970)

The court has consistently determined that probation is a privilege and not a right.

- *Probation is not a sentence*

  State v Gereaux, 114 Wis 2d 110 (1983)

A sentence is the judgment of a court by which the court imposes a punishment or penalty. The sentence does not include probation. Probation is a different concept to sentencing.

The court may impose probation consecutive to a sentence but not consecutive terms of probation (terms of probation that follow each other).

- *Probation commencing on release from institution*.

  Grobarchik v State, 102 Wis.2d 461 (1981)

It is illegal to commence the term of probation upon release from the institution on parole. Probation consecutive (following) release on parole or to another probation is illegal. However, probation consecutive to a prison sentence alone is allowable.

- *Vacation of probation*

  State v Sepulveda, 119 Wis.2d 546 (1984)

A trial court may amend the imposition of probation and later sentence to incarceration based on a new factor which was not known at the time of the original disposition.

Here the defendant was placed on probation by the court with a condition imposed by the court that he enroll in counseling program at Mendota Mental Health Institute. The defendant presented himself at MMHI purposely in such a way that he was not accepted by them. The court, on rehearing, determined that the rejection by MMHI

Copyright © 2012 [WI Department of Corrections]

constituted a new factor for re-sentencing such that the court vacated the probation term and imprisoned the defendant.

- *Conditions of probation*

  State v Garner, 54 Wis.2d 100 (1972)

The Supreme Court has adopted the American Bar Association Standards Relating to Probation, S.3.2, Nature and Determination of Conditions. The court has authority to impose conditions which are "appropriate and reasonable" as authorized in S.973.09, Wis. Stats.

- *Reasonableness of conditions*

  State v Edwards

As already noted above conditions of probation and parole must be "appropriate and reasonable". But what does this mean? The Supreme Court of Wisconsin held that a condition is reasonable and appropriate if it advances either of the twin goals of supervision, protection of the public or rehabilitation of the offender.
A condition is "reasonable and appropriate" if it furthers the protection of the public or rehabilitation of the offender.

- *Reasonableness of conditions*

  Krebs v Schwartz, 212 Wis 2d 127 (1997)

A condition of probation, which prohibited the offender, who had been convicted of first-degree sexual assault of his daughter, from entering into an intimate relationship with any person without first discussing it with and obtaining his agent's approval was both reasonable because the condition:

- is rationally related to the offender's rehabilitation because it forces him to be honest with others by confronting and admitting to his sexually deviant behavior
- serves to protect the public.

Further it was held that the condition was not overly broad and did not violate his constitutional right to procreate because the offender is free to maintain platonic relationships with individuals and it is only when the relationship turns intimate or to sexual gratification that the accused needs to seek approval from agent.

- *Reasonableness of conditions*

  State v Nienhardt, 196 Wis.2d 161, (Ct.App.1995).

The defendant was convicted of making harassing phone calls. On other occasions she was seen in Cedarburg spying on another. The sentencing court ordered the defendant to stay out of Cedarburg. The defendant argued that the condition was not sufficiently related to the underlying conviction. The court disagreed with the defendant and stated that the condition was reasonable and appropriate.

- Conditions can be related to previous offenses or conduct

  State v Miller, 175 Wis.2d 204

In this case a condition of probation which prohibited the defendant from telephoning any woman not a member of his family without permission of his agent was not unreasonable on the grounds that it did not relate to the offense of burglary and theft for which he was convicted.
While the offender's past criminal conduct of making sexually explicit telephone calls to women was unrelated to offenses for which he was convicted, defendant needed to be rehabilitated from that conduct, and condition was rationally related to defendant's need for rehabilitation.

- *Conditions imposed by department changed by court*

  State ex rel. Taylor v Linse, 161 Wis.2d 719 (1991)

Copyright © 2012 [WI Department of Corrections]

The lower court modified terms of probation imposed by the department. The Court of Appeals held that the statute, sec.973.09(3)(a) Wis. Stats., was ambiguous enough so that it could be read to empower the court with the authority to make such modification.

- *Probation reimposed following probation revocation*

  State v Balgie, 76 Wis.2d 206 (1977)

After revocation of probation on witheld sentence, Sec 973.10 Wis Stats., requires that the court impose sentence. The court may not either refuse to impose sentence or put the defendant back on probation.

- *Probation before reversal of conviction*

  State v Angiolo, 206 Wis.2d 599 (1996)

Offender was placed on probation for conviction of felony that was latter reversed on appeal. Pending appeal the probation officer supplied information and evidence to police that the probation officer learned during a home visit. It was held by the court that although the probation was imposed for a felony that was later reversed, the probation was valid and information and evidence gathered by the agent during the home visit need not be suppressed in a new criminal proceeding.

- *Probation extension in order to pay restitution*

  Huggett v State of Wisconsin, 83 Wis 2d 790 (1978)

This case sets forth criteria for the extension of probation in order to pay restitution.
Failure to pay restitution within the original probation period may constitute cause for extending probation and continuing restitution only only if there is a basis for believing that additional restitution would achieve the objectives of probation and that the defendant could make more than negligible payments during the extended period.
In assessing the defendant's ability to pay, the trial court should first establish a clear account of exactly how much the defendant has paid and what the source of each payment was. Other pertinent considerations in determining ability to pay include:

- employment history during the probationary period;
- employment status at the time of extension;
- prospects for future employment;
- sources of income;
- the costs of supporting the probationer's dependents; and

  other competing demands on the probationer's income.

The court in extending probation for payment of restitution should also consider the defendant's demonstration of a “good faith effort” to make restitution.
If the probationer lacks the capacity to pay and has demonstrated a good faith effort during probation, failure to make restitution cannot be cause for extending probation.

- *Probation extension in order to pay restitution*

  State v Jackson, 128 Wis.2d 356 (1986)

Reaffirms the position in Huggett v State, 83 Wis.2d 790 (1978). The trial court is criticized for continued extensions of probation when it is clear that the probationer is unable to pay restitution.

.20 PEINΣTATEMENT

- ***Finding of violation and tolling of time***

  State ex rel Beougher v Lotter, 91 Wis.2d 321 (1979)

Here the parolee absconded and his time on parole was tolled. He voluntarily agreed to reinstatement with time tolled. He was not entitled to a hearing to determine his absconding was a violation, since the reinstatement order by the department was tantamount to a finding by the department that he has violated his parole.

.21 RELIGION

- *Constitutional rights*

  Von Arx v Schwartz, 185 Wis.2d 645 (1994**)**

The State reasonably attempted to accommodate the defendant's religious beliefs. The requirement that the defendant complete sex offender treatment program that violated some of defendant's religious beliefs is not an overly broad infringement on defendant's right of religious freedom, is reasonably related to the defendant's rehabilitation and reasonably related to the legitimate state goal of protection of the public.

- *Treatment programs and secular alternatives*

  [See .25].

.22 RESTITUTION

- *Payment of, before amount determined*

  Thieme v State, 96 Wis.2d 98 (1980)

The probationer was ordered as a condition of probation to pay restitution. Restitution was to be determined. However, before the amount of restitution was determined, the probationer began paying restitution payments to the agent. The probationer was revoked. The fact that he paid restitution before the amount of restitution was determined did not nullify the validity of the payment.

Payments made prior to revocation, even if the total restitution to be paid was not determined prior to revocation, are not returned to the defendant following revocation.

- *Probation extension for paying restitution*

  See Huggett v. State above.

- *Reasonableness of order*

  State v Monosso, 130 Wis.2d 368 (1981)

The court upheld restitution ordered as a condition of probation for an offender who, although unemployed at the time of the order, had considerable assets, monthly income, and a strong history of doing well in the business world, and would in the future have the opportunity to have the restitution requirement reduced by the court if the court believed that she could not make full payment.

.23 REVOCATION

- *Revocation ABA Standards*

  [See .04 ALTERNATIVES TO REVOCATION CONSIDERED].

- *Revocation after acquittal – no double jepoardy*

  State ex rel. Flowers v H&SS Dept (1978)

The department may proceed with revocation even if the offender was acquitted in a criminal action for the same conduct. This action does not constitute double jeopardy.

- *Revocation after conviction – second revocation hearing - no double jeopardy*

  State ex. rel Leroy v H&SS Dept, 110 Wis.2d 291 (1982)

The hearing examiner held a revocation hearing and found the agent had failed to prove the allegation by a

Copyright © 2012 [WI Department of Corrections]

preponderance of the evidence. The parolee was not revoked. Later he was criminally charged for that same conduct. The agent recommended revocation proceedings and alleged the conviction. The same examiner found a violation and revoked. The court held that this was proper and did not constitute double jeopardy.

- *Due Process*

  Morrisey v Brewer, 408 U.S 471, 92 S.Ct 2593 (1972)

An historic and fundamental parole revocation case, it set forth the minimum due process necessary for revocation of parole:

1. written notice of the claimed violations of parole;
2. disclosure to the offender of the evidence to be used against him;
3. opportunity to be heard in person and to present witnesses and documentary evidence;
4. the right to confront and cross-examine adverse witnesses (unless the hearing officer specifically finds good cause for not allowing confrontation);
5. a neutral and detached hearing body such as a traditional parole board, members of which need not be judicial officers or lawyers; and
6. a written statement by the fact finders as to evidence relied on and reasons for revoking.

The due process standards in this case also applies to probation revocation hearings following Gagnon v Scarpelli, 411 U.S 778, 93 S Ct. 1756 (1973). Gagnon also provided that appropriate substitutes for live testimony such as affidavits, letters, reports or statements could be used.

- *Competency of offender*

  [See .13 MENTAL ILLNESS - competency]

- *Revocation hearing location*

  State ex re. Harris v Schmidt, 69 Wis 2d 668 (1975)

A Wisconsin parolee who violates supervision out of state is entitled to a preliminary hearing according to Morrissey v. Brewer before return to Wisconsin. It is not always required that the hearing be held at the place of the alleged violation or that the witnesses be transported to the place of the hearing, but, where appropriate, conventional substitutes for live testimony, including affidavits, depositions, and documentary evidence may be used, consistent with the requirements of due process.

- *Sex offenders and Alford Pleas*

  Warren v Schwarz, No.96-2441 (1998)

Sex offenders who enter Alford pleas prior to sentencing can be revoked for failure to complete treatment.

- *Supplementing the record*

Ramaker v State of Wisconsin, 73 Wis 2d 563 (1976)

Materials submitted in rebuttal of a Hearing Examiner's recommendation must be confined to a discussion of facts which have been made a matter of record up to an including the administrative hearing. The agent or the offender may not supplement the record once the hearing is concluded by the examiner.

However, in this case where reviewing court could conclude there was sufficient evidence in the record to revoke and not be influenced by the unconstitutionally received evidence, it was a harmless error to review that evidence.

Copyright © 2012 [WI Department of Corrections]

.24 TOLLING TIME

- *Timeliness of hearing*

State ex rel Avery v Percy, 99 Wis 2d 459 (1980)
Where both parole violation and initiation of formal revocationprocedures occurred prior to the parole expiration date, the Department properly revoked a parolee even though a final revocation hearing was not held until after the parole period had ended because time was tolled.

Tolling time statute: 304.072 Wis. Stats. Under this statute time is tolled and the department retains jurisdiction over the offender if it:

1. issues a violation warrant or
2. prepares a violation report or
3. commences an investigation.

Note an investigation can be commenced by something as simple as a telephone call.

.25 TREATMENT

- *AODA programs and religion*

Kerr v Farrey, 95 F.3d 472 (1996).

This case upholds the "establishment clause" of the 1st Amendment which guarantees that government may not force or coerce anyone to support or participate in religion or its exercise. Hence agents shall not order an offender to attend a specific program with a religious component including alcohol or drug treatment or a 12 step program. An offender may voluntarily participate in a treatment program or support program with a religious component as long as a non-religious program is also offered. The court ruled that to force an offender to attend a treatment program with religious components (such as the 12 step program) violates this establishment clause.
An agent may write a rule requiring an offender to attend and complete AODA treatment without naming a specific program. An agent may also provide an offender with a list of acceptable programs, as long as both secular and non-secular options are clearly identified. If an offender chooses to participate in a program having a religious component, the agent should document in the Chronological Log that a secular program was offered.

Copyright © 2012 [WI Department of Corrections]

Not Guilty by Reason of Insanity (NGI) (Forensic) Offenders

.01 AUTHORITY

Wisconsin Statutes 51.37(9)

Wisconsin Statute 971.17

Wisconsin Administrative Codes DHS 98

DHFS Administrative Directive 30.2

.02 GENERAL STATEMENT

Persons found Not Guilty by Reason of Mental Disease or Defect are referred to as "NGI (Forensic) clients." When a court finds a defendant in a criminal case to be Not Guilty by Reason of Mental Disease or Defect,
Wisconsin Statute 971.17 provides that the court commit the person to the custody and control of the Department of Health Services (DHS). The court will issue an order for placement in either institutional care or on conditional release.

DHS contracts with the Department of Corrections (DOC) to provide community supervision services to persons conditionally released and administratively transferred. Provisions of this contractual agreement are included in the chapter. In addition, agents responsible for supervision of NGI clients should be familiar with the DHS "Community Supervision of Conditional Release Clients under WSS.971.17 Not Guilty by Reason of Mental Disease or Defect (NGI): PROCEDURES MANUAL."

.03 PRE-DISPOSITIONAL INVESTIGATION (PDI)

The Department of Corrections does not conduct pre-dispositional investigations (PDI) or pre-sentence investigations (PSI) for 971.17 cases. Upon receipt of a court order to conduct a PDI or PSI on a 971.17 case, the agent shall immediately forward a copy of the order to the NGI (Forensic) Program Specialist.

.04 CASE ASSIGNMENT AND PRE-RELEASE PROCEDURES

Institutional Case Assignment

Once a court issues an Order for Conditional Release Plan (CR-274), the DHS Forensic Services Specialist or a contracted case manager will notify the DCC office with responsibility for supervising NGI cases in the county of residence. The case will be assigned to an agent designated as an NGI specialist.
The primary intent of initiating case assignment for NGI (forensic) clients approved for conditional release is to create a formal mechanism for communication and pre-release coordination between the DHS Forensic Services Specialist, the case manager, and the DCC agent. The objective of this relationship is to ensure the development of an achievable and appropriate conditional release plan to enable the client's successful transition from the institute to the community.

The status keeper will enter the case status as a "Pre-Release Investigation" (PPI) for 30 days, then change the status to "Institution" until the person is actually released.

Pre-Release - Conditional Release (Institute)

Development of a release plan for conditional release cases from an institute is the responsibility of DHS. The assigned agent shall participate in the development and approval of the conditional release plan, comment as to its appropriateness, and suggest modifications if necessary.
Upon a court order for release, the agent does not prepare a DOC-15, since release is only authorized by the court.

Direct Court Release

A direct release from the court to community supervision follows a finding by the court that the individual does not pose a significant risk of bodily harm to self, others, or of serious property damage and does not require locked institutional care.
Direct court release cases require DHS, with the County 51.42 Mental Health Board, to develop an appropriate release plan within 21 days of an order by the court. DHS has final responsibility for development of the plan.

Copyright © 2012 [WI Department of Corrections]

An agent will be assigned immediately upon notification that an NGI offender has been granted a direct court release. The assigned agent shall participate in the development and approval of the plan, comment as to its appropriateness, and suggest modifications if necessary.

.05 INTAKE PROCEDURE

Conditional Release (Institute & Direct Court Release)

Conditional release cases are received directly from the court and/or the institute and are released under court order. DOC supervision begins immediately upon release. In the event of a Direct Court Release, the department shall commence supervision upon notification of the direct court release. Occasionally, the first notice will be when the NGI person reports to the DCC office. In those cases, the NGI agent should immediately inform the Forensic Program Specialist.

In most respects, the intake process is the same as the probation intake outlined in the Division of Community Corrections Intake Section.

Court Order

The Order for Placement (CR-275) placing the NGI offender on conditional release directs the NGI offender to report to the DCC office. A copy of the Order of Commitment (CR-271) and the approved conditional release plan should be received from the court. If the order is not received, the agent should contact the Forensic Services Specialist. Face Sheet

The agent shall complete the DOC-3A Face Sheet, including the scheduled discharge date. In the case of release from a DHS Institute, the agent should contact the registrar at the mental health institute to confirm or calculate the discharge date. In the case of a Direct Court Release, the court order must specify the length of commitment. The registrar at the mental health institute will calculate the discharge date based upon the CR-271.

Extradition and Admissions Unit (EAU)

After review, the court orders (CR-271 and CR-275) are copied and forwarded to EAU along with the completed DOC-3A. The agent shall hand-write their agent number and the calculated discharge date at the top of the CR-271.

Status Assignment

Conditional Release cases are initially will be set at “Intake NGI” status for 30 days. After 30 days, the case may be reclassified, if appropriate, using the COMPAS CORE risk score. However, the status shall not be set below Medium without the concurrence of the Forensic Services Specialist.

Rules of Conditional Release

The agent will review and explain the DHS F-25614 CONDITIONAL RELEASE RULES AND CONDITIONS to the NGI offender. The DOC-10 is not used for NGI cases.

Agent Responsibilities During Intake

During the first 30 days, the assigned agent shall:

- Initiate case notes;
- Review case information received from DHS. If necessary, obtain additional information, including CIB/NCIC reports;
- Review criminal or commitment history to determine if the NGI client is required to register as a sex offender;
- Determine if the NGI client is required to provide a DNA specimen. If required, verify that the specimen has been collected or direct the NGI client to report to the sheriff to provide the DNA specimen;
- Obtain a photo of the NGI client;

Copyright © 2012 [WI Department of Corrections]

- Review the Conditional Release Rules and obtain the NGI client's signature;
- Complete a COMPAS Core Assessment;
- Explain the reporting requirements. Meet with the NGI client at least once each week;
- Conduct a home visit. The agent must make entry into the home or residential placement setting during the initial 30 day period; and
- Meet with the NGI client and assigned case manager to initiate the case plan and establish goals, objectives, and expected actions.

Voting Privileges

NGI clients do not lose voting privileges while they are on conditional release.

Supervision Fees, Court Costs, and Restitution

NGI clients are not required to pay supervision fees, court costs, or restitution.

.06 NGI (FORENSIC) OFFENDER CASE FILES

The DHS is the records custodian for all case files on conditionally released offenders. Requests for information from, or access to, client case records shall be directed to the Forensic Services Program Manager.

Client case files for persons revoked and re-institutionalized while on conditional release will physically remain with the assigned agent.

Agents must forward NGI client case files to the Mendota Mental Health Institution, Admission's Office, for proper storage after the court has discharged the NGI offender and CRU has issued a T number.

.07 OUT-OF-STATE TRAVEL

Conditional release clients may not travel out of state. Neither the committing court, nor the agent, has authority to allow out-of-state travel (HFS 98). If a court directs the DCC to issue a travel permit, the agent should contact the Forensic Services Specialist.

.08 INTERSTATE COMPACT

Forensic clients are not eligible for out-of-state transfer of supervision under the Interstate Compact. If a forensic client has a more appropriate situation out-of-state, the client may petition the committing court for discharge.

.09 PURCHASE OF CLIENT GOODS AND SERVICES

Purchase of client goods and service funds are not to be expended on conditionally released clients. Funding for community services are the sole responsibility of DHS.

.10 APPREHENSION OF VIOLATORS

The appropriate authority for the apprehension and detention of a Conditional Release client is a capias issued by the committing court. If the agent believes the client has absconded, has violated the conditions of supervision, or is a threat to self or others, a Petition for Capias (F-25206) should be submitted to the releasing court. The agent should include the Order Granting Capias (F-25207) for the court's signature.

In an emergency, the agent may issue an Apprehension Request (DOC- 58). Because NGI clients are not convicted, the DOC-58 must be for local distribution only. Check "NO" in the extradition section of the DOC-58. If the NGI client is not immediately apprehended, the agent must continue with a request for a capias. Once the capias is issued, the agent must cancel the DOC-58.

If the NGI client is apprehended before the court has issued the capias, the DOC-58 must be canceled immediately. The agent must arrange for delivery of an Order to Detain (DOC-212) to the jail where the client will be detained.

If the court grants the capias and the client is placed in custody, the capias serves as authority to hold the NGI client.

Copyright © 2012 [WI Department of Corrections]

If a DOC-58 has been issued and the court declines to grant the capias, the DOC-58 must be canceled. The client will be continued on supervision.

.11 CUSTODY AND REVOCATION PROCEDURES

If the agent believes an NGI client has violated a rule or condition of release, or that the safety of the NGI client or others requires that conditional release be revoked, the agent may place the NGI client in custody.

72-Hour Notice to Court and Petition to Revoke

Whenever an NGI client is placed in custody, the agent must submit a STATEMENT OF PROBABLE CAUSE AND PETITION FOR REVOCATION OF CONDITIONAL RELEASE (F-25177) to the committing court and the regional office of the State Public Defender within 72 hours of the offender's custody, excluding Saturday, Sunday, or legal holidays. Copies should also be submitted to the District Attorney and DHS Forensic Services Specialist.

Hearing Date

Upon receipt of the F-25177, a revocation hearing must be scheduled, by the court, within 30 days of the date of detention.

Custody Pending Hearing

The assigned DCC agent, in consultation with the DHS Forensic Services Specialist, will determine where the client is to be detained pending the revocation hearing. In most cases, when revocation is pursued, the sheriff will transport the offender to the appropriate mental health institute, as directed by the court and as noted on the F-25177.

Revocation Hearing

When revocation is pursued, the normal DOC revocation process is not followed. The revocation hearing will be conducted by the committing court. The local district attorney is responsible for establishing clear and convincing evidence that the conditional release be revoked. The agent may be called to testify as to the reason(s) for the requested revocation.

Revocation Withdrawal

If revocation is not pursued, the agent withdraws the petition, advises the committing court of this decision, and returns the client to active supervision.

.12 CASE TERMINATION

Discharge

Conditional Release cases may only be terminated by order of the court. The agent should submit an Order of Discharge upon Expiration of Commitment (F-25180) to the releasing court at least 60 days prior to commitment expiration. In a cover memo, the agent, in consultation with the Forensic Services Specialist, shall address the appropriateness of the DHS or the appropriate county department under ss. 51.42 or 51.437 to proceed against the offender under ss. Chapter 51 or 55. Early discharge of NGI (forensic) clients is not allowed.

.13 INTRA-STATE TRANSFER

Transfer Procedure

A client's request for transfer to another area within the state should be discussed with the DHS Forensic Specialist. Because treatment services are contracted differently in various parts of the state, the Forensic Specialist must assist in the coordination of those services where the client would transfer to.

Transfer to another area within the state will be completed as per the Intrastate Transfer Section located in the DCC Supervision Process section.

Copyright © 2012 [WI Department of Corrections]

Modification of Rules of Community Supervision

.01 AUTHORITY

Wisconsin Statute 973.10

Wisconsin Administrative Code DOC 328.04(3)(s)

.02 GENERAL STATEMENT

During the process of supervision, an offender's adjustment may require the addition or deletion of rules on the Rules of Community Supervision.

.03 MODIFICATION PROCEDURE

- The offender will be given the reason for the action.
- The offender should initial each new rule.
- If the agent restricts the offender from contact with the victim(s), the agent shall notify the victim(s), of the restriction, either verbally or in writing. If this restriction is removed, the agent shall again notify the victim(s), either verbally or in writing.
- If the offender refuses to sign the amended Rules of Community Supervision, it will be read to him/her and the refusal entered in the case record. Whenever possible, another agent should sign the Rules of Community Supervision as witness to the rules being read to the offender and his refusal to sign.
- The offender should be provided with a copy of the amended rules.
- Appropriate entries will be made in the case notes.

Copyright © 2012 [WI Department of Corrections]

OFFENDER CIVIL RIGHTS

.01 AUTHORITY

Wisconsin Statute 304.078

.02 GENERAL STATEMENT

Loss of civil rights ordinarily refers to the deprivation of rights to participate in government. These rights are lost as a consequence of a felony conviction.

.03 ELECTED OFFICE

The Wisconsin Constitution states that a person convicted of an infamous crime may not hold an elected office in this state. An infamous crime is a felony or misdemeanor that is punishable by imprisonment in the state prison.

.04 VOTING

The Wisconsin Constitution provides that an individual convicted of a felony cannot vote in any federal, state, county, municipal, or school board election held in Wisconsin unless that person is "restored to civil rights." A felon's civil rights are restored when the felon is no longer on supervision or incarcerated relative to any felony. This prohibition may not apply to tribal elections and, therefore, tribal members must adhere to the rules specific to their tribe.

Recall petitions may not be signed by anyone on supervision for a felony as Sec. 9.10, Wis. Stats requires the petition to have the signatures of qualified electors. Offenders who are on supervision for a felony offense are not considered qualified electors due to their inability to vote.

.05 JURY DUTY

Felons are prohibited from serving on jury duty unless they have been "restored to civil rights." Offenders who have completed their term of supervision can serve on jury duty.

.06 RESTORATION OF CIVIL RIGHTS

State Statute 304.078 restores civil rights upon completion of a sentence. The Department's certificate of discharge is evidence that such rights are restored. The restoration does not, however, remove the felony conviction for purposes of the federal or state firearms statute.

Copyright © 2012 [WI Department of Corrections]

Offender Complaint Process

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.12

.02 GENERAL STATEMENT

Administrative Rules provide the offender an opportunity for review of certain types of decisions through the offender complaint process. This process is used to encourage communication and cooperation between offender and staff, while resolving problems in an orderly and uniform fashion.

.03 EXCEPTIONS

Decisions related to the following may not be challenged by this complaint process:

- Custody and detention;
- Revocation;
- Violation of criminal law or ordinance;
- Firearms denial in accordance with Federal and State law;
- Special conditions or terms of supervision imposed by a court or a parole board;
- Discharge prior to completion of the commitment term;

  Mandatory detention.

.04 HOW COMPLAINT IS FILED

The offender initiates a review by informally discussing the complaint with the agent. The agent will then attempt to resolve the complaint. The agreed-upon resolution must be documented in the offender's record. If an informal resolution cannot be reached, the offender may file a written request for review with the agent's supervisor on the Offender Request for Administrative Review (DOC-127). This request must be filed within five (5) working days of the decision giving rise to the complaint unless the supervisor, for good cause, accepts a complaint after that time. Any complaints that are filed alleging a violation of the offender's confidentiality rights with respect to improper use or disclosure of protected health information in any manner, including verbal, paper and electronic, or alleging a violation of the offender's right to access his or her records that include protected health information must be reviewed by the Department's HIPAA Compliance Officer.

.05 SUPERVISOR'S INVESTIGATION AND DECISION

Upon receiving the written request for review, the supervisor notifies the agent, who is then given the opportunity to respond within five (5) working days. The supervisor will review the complaint, the agent's response, and may interview the offender and others within ten (10) working days from receipt of the complaint. After completion of the investigation, the supervisor has five (5) working days in which to issue a written decision and the reasons for the decision. Copies are to be sent to the offender and agent. If no decision is issued, or if the offender or agent disagree with the decision, either may appeal.

For complaints alleging improper disclosure of confidential information, see .04 above.

.06 APPEAL OF SUPERVISOR'S DECISION

Within five (5) working days, the offender or agent may present a written appeal to the Regional Chief stating the reasons for the appeal and request further review. The Regional Chief will review and investigate the complaint and decision. Within fifteen (15) working days of the receipt of the appeal, the Regional Chief will send the written decision to the offender, agent, and supervisor.

For complaints alleging improper disclosure of confidential information, see .04 above.

.07 APPEAL OF REGIONAL CHIEF'S DECISION

Within five (5) working days of the Regional Chief's decision, the offender, agent or supervisor may present a written appeal to the Administrator of the Division of Community Corrections, if in disagreement with the decision. The Administrator will review relevant written material including the offender's complaint, and the supervisor's and

Copyright © 2012 [WI Department of Corrections]

Regional Chief's decisions. Within ten (10) working days of receipt of the appeal, the Division Administrator will issue a written decision with the reasons for that decision, and issue copies to the offender, agent, supervisor, and Regional Chief. If the Division Administrator cannot make a decision within ten (10) working days, the parties must be notified of the reasons for the delay. The decision will then be extended to ten (10) additional working days after the notification. The Division Administrator's decision will be final. In the event the Division Administrator fails to decide, the Regional Chief's decision will be final.

.08 DECISION STATUS DURING REVIEW

While under appeal, the initial decision made by the agent will remain in effect. The offender must comply with the agent's decision or directive during the review process.

.09 PENALTIES

No penalties will result from the filing of a complaint.

.10 EXPEDITED APPEAL

The complaint process will be expedited in circumstances where the complaint will be invalidated by the passage of the prescribed time limits.

Copyright © 2012 [WI Department of Corrections]

Offender Contact Standards

Contact Standards
Home Visits - Definition and Purpose
Home Visit Standards
Home Visit Planning
Home Visit Waivers
Refusal of Entry
Attempted Home Visit

Offender Contacts

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(2)

.02 GENERAL STATEMENT

Effective and meaningful supervision requires that agents have regular face-to- face contact with offenders centered around the case plan. Such contact may occur in a variety of places including the agent's office, the offender's home, or place of employment.

.03 STANDARDS

The classification system establishes standards for the frequency of face-to-face contacts between offenders and representatives of the department. Whenever feasible, the department's representative will be the offender's agent of record. If the agent of record is not available, the department's representative may be another agent, field supervisor, or an approved correctional officer or intern. The minimum standards for each status are:

Enhanced	Once every 7 days *
Intensive/Sex Offender (INTSO)	Once every 7 days *
Maximum	Once every 14 days
Medium	Once every 30 days
Minimum	Once every 90 days
Administrative	Once every six months

*Offenders supervised under the INT/SO or Enhanced status also require a monthly face to face, phone, or email contact with one collateral contact every thirty days.

A collateral contact is an individual who is actively involved in the offender's life. The purpose of the collateral contact is to verify compliance with the rules of supervision, confirm offender participation in a particular activity, or assist in completing the tasks or practicing the skills identified on the case plan. Examples of collateral contacts include but are not limited to employers, significant others and additional support systems. Multiple collateral contacts should be identified. In most cases, agents should alternate contacts, such that the same individual is not contacted in consecutive months. In cases where there are limited collateral contacts, agents should clearly document why the same individual was contacted in consecutive months.

Treatment providers should be contacted monthly as part of the case plan and therefore do not represent a collateral contact. Additional collateral contacts should be considered based upon the offender's case plan needs. If required contacts are not made by an approved representative of the department, the agent of record must discuss appropriate action with his/her supervisor.

If a required face-to-face contact is not made by an approved representative of the department, the agent of record must discuss appropriate action with his/her supervisor.

HOME VISITS

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(a)-(c)

.02 GENERAL STATEMENT

A home visit is a scheduled or unscheduled visit to an offender's reported residence/property where the offender

Copyright © 2012 [WI Department of Corrections]

resides. Entry into the residence/property shall be made unless access is refused or if it does not appear that anyone is at home. Home visits where the agent makes contact with the offender will be considered a contact for purposes of meeting contact standards.

.03 PURPOSE

The purpose of a home visit should be clearly identified in the case notes.
The purpose of a home visit may include the following:

- Residence verification
- Assessment of offender environment
- Monitoring compliance with case plan objectives
- Familiarization with family members/significant others residing at the offender's reported residence

Checking for violations
Home visits are required during the intake process and when the offender reports a change in residence. Also, at least one home visit must be completed every six months for offenders at a medium or higher level of supervision. For all other cases, home visits are completed as appropriate and as documented for case planning purposes.

Home visits may be appropriate under the following circumstances:

- Offender's adjustment to supervision is unstable
- Following violations
- Concerns with residence (e.g. change in household members)
- Victim concerns (e.g. victim resides in the home)

Criminogenic driver in the home/offense-related (e.g. offender convicted of domestic violence is residing with a partner; offender convicted of child neglect is residing in home with minors present)

.04 BASIC REQUIREMENTS

A home visit is required within 30 days of being received on supervision, and each time the offender changes residence. Home visits shall not be waived in these instances except as approved by the supervisor or if the offender is in a detention facility or residential treatment facility. Home visits must also be completed once every six months for offenders at a medium or higher level of supervision. For all other cases, home visits are completed as appropriate.

SUPERVISION LEVEL	MINIMUM HOME VISIT REQUIREMENT
Enhanced	Once every 6 months; as appropriate
Intensive/Sex Offender (INT/SO)	Once every 6 months; as appropriate
Maximum (MAX)	Once every 6 months; as appropriate
Medium (MED)	Once every 6 months; as appropriate
Minimum (MIN)	As appropriate
Administrative (ADS)	As appropriate

Home visits shall be recorded using the Home Visit note type. When completing a home visit note, the agent will set the "next home visit date" within the note. The agent will add this date by selecting the date from the calendar or adding the number of days until the next home visit is due. This step is very important, as setting the next home visit date will create a reminder notice to appear in the agent's task due list in workload manager. Unscheduled or after-hours home visits are recommended for offenders assessed as high risk. The recommended best practice is to conduct these home visits in pairs or with law enforcement. Each office should prepare a plan for

Copyright © 2012 [WI Department of Corrections]

conducting these home visits that takes into consideration office staffing and safety.

.05 HOME VISIT PLANNING

Agent safety is of primary concern. In an effort to enhance safety, agents shall provide a listing of planned home visits and the anticipated return time to the supervisor or designee prior to the agent leaving the office. Agents shall use their Outlook calendar to record their scheduled home visits. The home visit itinerary may be completed via the residence listing found in COMPAS, with the offender names highlighted, or may be completed via the Home Visit Itinerary (DOC-2294) and attached to the Outlook calendar. Agents may also opt to individually enter the planned home visits into their Outlook Calendar. To further enhance safety, staff is encouraged to utilize their cell phones or other means of communication while conducting home visits.

In order to accomplish home visits in a safe manner and enhance offender employment opportunities or treatment, non-traditional work hours, with supervisory approval, may be necessary or required.

.06 WAIVERS

Home visit waivers are only necessary during the intake period if the offender is in jail or in an inpatient treatment facility. When requesting a home visit waiver, the agent shall note that the offender is in jail, an inpatient treatment facility or a Residential Service Program on the Intake Checklist DOC-2625.

If the home visit waiver is approved, a notation of the waiver is made in the case notes.

.07 REFUSAL OF ENTRY

If an offender refuses the agent entry into the residence, the offender is to be informed that such refusal is a violation of supervision. If any other occupant of the offender's residence refuses the agent entry, the same warning is to be given to the offender during the next personal contact.

The agent is prohibited from forcibly entering the offender's residence for any purpose.

.08 ATTEMPTED HOME VISIT

If an agent attempts a home visit and no one is home, the attempt must be noted in the COMPAS notes. The supervisor and agent must then discuss a plan involving a scheduled home visit in order to gain entry to the residence/property.

.09 OUT OF STATE OFFENDERS

All offenders residing out of state and being supervised by Wisconsin shall have all home visits waived.

Copyright © 2012 [WI Department of Corrections]

Offender Report Form

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(2)

.02 GENERAL STATEMENT

All offenders are required to complete and submit a Report Form (DOC-8) on no less than a monthly basis. Agents should ensure that the form is fully completed, and that the offender signs the form. If necessary, the agent should assist the offender in the preparation of the form.

.03 ACCURACY OF INFORMATION

An offender's failure to provide accurate information on the DOC-8 is a violation of supervision.

Copyright © 2012 [WI Department of Corrections]

Other Investigations

Pre-Release Investigation
Transfer Investigation
Out of State Investigation
Institution Visitor Investigation
Supplemental Investigation
Presumptive Mandatory Release Investigation
Records Requests to Other Agencies

.01 AUTHORITY

Wisconsin Statute 972.15
Wisconsin Statute 973
Wisconsin Statute 980
Wisconsin Administrative Code 328
Wisconsin Administrative Code 301.48
Wisconsin Administrative Code 302

.02 PURPOSE

The purpose of any investigation is to furnish meaningful information and analysis for use in the correctional process.

The investigation is a careful study of how the individual's personal characteristics, environmental factors, and behavioral patterns have interacted to produce the present situation.

The agent must comply with confidentiality laws when securing and disclosing medical, psychiatric, psychological, and educational information. HIV/AIDS information may be communicated in a PSI. HIV/AIDS information may not be included in any other social investigation.

.03 PRE-RELEASE INVESTIGATION

The Parole Commission, via e-mail, will authorize a request for a pre-release investigation. A request for a pre-release investigation normally is initiated from a correctional institution via the social worker. The status of “Pre-Parole Investigation” will be added by the status keeper. The agent should address pertinent information concerning the inmate's family and community as they relate to the proposed release plan indicated on the Release Plan Information (DOC-745).

Agents should contact Judges, District Attorneys, and victims. Since pre-release investigations are not confidential documents, specific victim information that is relevant and confidential should be included on a separate sheet of paper with an attached cover, noting its confidentiality.

Agents should check for outstanding warrants. In the event the proposed plan is rejected, the agent should address an alternative plan. The agent may contact the inmate and the inmate's social worker by phone to review a possible alternate plan if one is not readily known. The report is due within 30 days of a request and should be submitted on a Pre-Release Investigation (DOC-7E). Agents may voluntarily submit pre-release information as appropriate. In the event new information becomes available after the Parole Commission has taken action, the agent may communicate this new information to the institution by memo.

Pre-release investigations should also be submitted in response to a Release Plan Information (DOC-745) which is generated by the inmate and sent to the agent by the institution social worker.

If placement in another area in Wisconsin is proposed, the agent will initiate transfer via the Intrastate Transfer Process. The sending agent will retain responsibility for completing and submitting the pre-release investigation if the receiving agent rejects the case. If the case is accepted, the receiving agent becomes responsible for the pre-release investigation.

.04 TRANSFER INVESTIGATION

Whenever a request for transfer of a case is made, the receiving agent will investigate the proposed plan prior to

Copyright © 2012 [WI Department of Corrections]

accepting the case. The investigation and acceptance or rejection shall occur within 30 days of the assignment of the case. Reasons for acceptance or rejection shall be documented in COMPAS Notes.

Any intrastate transfer of sex offenders or enhanced supervision cases should first include a detailed consultation between the areas involved with the transfer before it is implemented.
Courtesy supervision of any other cases is allowed up to 30 days if agreed upon by the agents/supervisors. If it is anticipated the offender will remain in an area longer than 30 days, regular transfer procedures should be followed. When transfer disputes cannot be resolved, the Regional Chiefs will make a decision regarding placement. If the Chiefs cannot agree, the Assistant Administrator will make the final placement decision.
Refer to Intrastate Transfer under Supervision Process for detailed information regarding this process.

.05 OUT-OF-STATE INVESTIGATION

Out-of-state investigations are generally initiated by a request for acceptance of an out-of-state case in Wisconsin, under terms of the Interstate Compact. The agent will investigate the proposed plan and submit findings and recommendations within a 30-day period. (See **Interstate Compact**.)

.06 INSTITUTION VISITOR INVESTIGATION

Upon receipt of an Offender Visitor's List from an institution, the agent may respond to any name(s) that they believe are inappropriate. There may be occasions when a correctional institution requests assistance in determining visitor eligibility. The agent will investigate the situation and respond by memo to the institution within 30 days. The institution makes the final decision.

.07 SUPPLEMENTAL

Whenever additional significant information has been obtained, particularly the discovery of error in previous investigations, the agent will submit a memo to correct or update all copies of the investigation.

.08 PRESUMPTIVE MANDATORY RELEASE (PMR) INVESTIGATION

The Presumptive Mandatory Release statute, rather than the Mandatory Release, governs offenders who have committed
certain serious felonies between 4/21/94 and 12/31/99. The institution/center record office provides the Parole Commission the PMR offender's name, DOC number, and MR date. Upon receipt of this, the Parole Commission sends notice to the institution social worker, agent of record, and the agent's supervisor requesting specific information regarding the offender. That information should be e-mailed, faxed, or mailed to the Parole Commission within 10 working days. The Parole Commission Chair determines if the offender will be detained beyond their MR date. Notice of that decision is provided to the institution social worker, agent, and agent's supervisor.

.09 OVERDUE INVESTIGATION

If unusual circumstances arise that will not permit completion of an investigation on time, the agent must request an extension from the supervisor, giving reasons for extension and probable date of completion. If this is a report requested by the Court, the agent must also request an extension from the Court.

Records Requests To Other Agencies

.01 SCHOOL RECORDS

When requesting school records, the agent should submit a Confidential Information Release Authorization (DOC-1163) to the school. The agent may request transcripts, behavioral records, M-team reports, and/or any other pertinent information necessary.

.02 FBI/NCIC AND CIB

In the course of an investigation, an agent should request a record check from the Crime Information Bureau (CIB), National Crime Information Center (NCIC), and Federal Bureau of Investigation (FBI) to locate any warrants and to obtain a criminal history check. This may be done by one of the following methods:

Copyright © 2012 [WI Department of Corrections]

- Prepare a TIME System Information Request/Log (DOC-1410) and forward it to the DCC staff person assigned to perform record checks for your office.
- Request your local Sheriff's Dept. to run a wants and warrants check as well as a criminal history check on their terminal. The agent must be prepared to provide customary descriptors, (i.e. full name, including middle initial, date of birth, gender, and race)
- Send a memo containing the offender's full name including middle initial, date of birth, gender, and race to:

&nbs p; Wisconsin Dept. of Justice
&nbs p; Crime Information Bureau
&nbs p; PO Box 2718
&nbs p; Madison, WI 53701

When requesting checks by name and descriptors, the CIB can never guarantee that the record returned positively pertains to the individual. However, when fingerprints are supplied, the CIB can establish positive identification. All records obtained from CIB will be used for official purposes only. All documents received from CIB, NCIC, or FBI are confidential and may not be photocopied or further distributed. The information may be transcribed and disseminated for official purposes only. The agreement by the Department of Justice to provide the Division of Community Corrections access to these reports mandates that the information contained in either the electronic format or the printout is copied into the Prior Record Listing (DOC-2354), or some other format, and that the electronic record or CIB/NCIC printouts (records checks) are then destroyed.
If a Federal Bureau of Investigation (FBI) record check is desired, an agent may contact local law enforcement, access the information through the TIME System Information Request /Log (DOC-1410), or write to:

&nbs p; FBI-CJIS
1000 Custer Hollow Rd.
&nbs p; Clarksburg, W.Va. 26306
&nbs p; Att: Expedite Services Unit
&nbs p; Module C-2

In requesting criminal history information from the FBI, the FBI number and FBI fingerprints code should be included along with the customary identifiers. A request to the FBI for criminal history information results in approximately a two-week turnaround time.
In cases where an expedited request is necessary, the agent may call (304) 625-2222. Phone requests must include customary identifiers and should include social security number and FBI number if known. An agent may also want to check with local law enforcement or the District Attorney's office, as an FBI inquiry may already be available.

.03 MIΛITAPΨ

Agents should utilize their local Veteran's Service Office whenever possible. Requests for information on offenders from Military Personnel Records for members and former members of the Armed Forces should include all items listed below. If all of the items are not known, your request should include the first five items that will aid the identification of any individual record. All periods of military services should be shown even though information is desired on only one period.

1. Full name under which service was performed.
2. List all service numbers.
3. Date of service (show all periods, but specify period for which information is desired).
4. Date and place of birth.

Copyright © 2012 [WI Department of Corrections]

5. Residence of service member at time of entry into service.

Military departments have restrictions regarding the release of information from records. However, a service person can obtain almost any information contained in his/her own record. Agents must obtain written release consent from the service person. Records will not be given without a release of information authorization. Agents having access to local veteran's offices may obtain form SF 180 to accomplish this. Otherwise, the following statement signed by the service person should accompany the request for records:

&nbs p; I authorize the National Personnel Records Center, St. Louis, Missouri, or other custodian of my military record, to release to (name and address, agency) information or photocopies of my military personnel and related medical records, or only the following information/records (specify). This could include a photocopy of my DD Form 214, Report of Separation.

All authorizations must be dated and signed by the veteran. The authorization will remain in effect for one year from the time the veteran signs and dates the authorization.

If the individual is in a reserve status or completely separated from active duty, the following information in addition to the five previous items should be included in the request.

6. Branch of service (Air Force, Army, Coast Guard, Marine Corps, Navy).

7. Reserve status--give full information; branch of service, dates (indicate type, such as Ready, Standby, etc.).

8. Last known address.

9. Grade or rank.

10. Name and address of service person's parents.

Personnel records of individuals currently in the military service, in the reserves, and those separated from service are located in different offices. If the individual has two or more periods of service within the same branch, write to the office having the records for the latest period. Major categories of records may be obtained from the following offices:

NPRC-National Personnel Records Center PERS-Personnel Records

TDRL-Temporary Disability Retirement List MED-Medical Records

	Service: COAST GUARD (USCG)		
	Note	Category of Records – Where to Write Address	Code
	Coast Guard officer enlisted records are transferred to NPRC 3-6 months after separation	Active, Reserve, and TDRL members	3
		Discharged, deceased, and retired members (See next item)	14
		Officers separated before 1/1/29 and enlisted personnel separated before 1/1/15	6

	Service: MARINE CORPS (USMC)		
	Note	Category of Records – Where to Write Address	Code
Marine Corps records are transferred to NPRC 4 months after separation		Active and TDRL members, reserve officers, and Class II enlisted reserve	4
		Class III reservists and Fleet Marine Corps Reserve members	5
		Discharged, deceased and retired members (See next item)	14
		Officers & enlisted personnel separated before 1/1/1896	6

Service: AIR FORCE (USAF)		
Note	Category of Records – Where to Write Address	Code
Air Force records are transferred to NPRC from Code 1, 90 days after separation and from Code 2, 30 days after separation	Active Members (includes National Guard on active duty in the Air Force), TDRL, and general officers retired with pay.	1
	Reserve, retired reservist in nonpay status, current National Guard officers not on active duty in Air Force and National Guard released from Active Duty in Air Force.	2
	Current National Guard enlisted not on active duty in Air Force.	13
	Discharged, deceased, and retired with pay (except general officers retired with pay).	14

Copyright © 2012 [WI Department of Corrections]

Service: Army		
Note	Category of Records – Where to Write Address	Code
Army records are transferred to NPRC as soon as processed (about 30 days after separation	Reserve, living retired members, retired general officers, and active duty records of current National Guard members who performed service in the U.S. Army before 7/1/72.*	7
	Active officers (including National Guard on active duty in the U.S. Army).	8
	Active enlisted (including National Guard on active duty in the U.S. Army) and enlisted TDRL.	9
	Current National Guard officers not on active duty in the U.S. Army.	12
	Current National Guard enlisted not on active duty in the U.S. Army.	13
	Discharged and deceased members (see next item).	14
Service: Navy (USN)		
Note	Category of Records – Where to Write Address	Code
Navy records are transferred to NPRC 6 months after retirement or complete separation	Active members (including reservists on active duty) – PERS and MED	10
	Discharged, deceased, retired (with and without pay) less than six months, TDRL, drilling and nondrilling reservists. — PERS	10
	Discharged, deceased, retired (with and without pay) less than six months, TDRL, drilling and nondrilling reservists. — MED only	11
	Discharged, deceased, retired (with and without pay) more than six months (See next item) – PERS and MED	14
	Officers separated before 1/1/03 and enlisted separated before 1/1/1886 – PERS and MED	6

* Code 12 applies to active duty records of current National Guard officers who performed service in the U.S. Army after 6/30/72.

Code 13 applies to active duty records of current National Guard enlisted members who performed service in the U.S. Army after 6/30/72.

ADDRESS LIST OF CUSTODIANS (BY CODE NUMBERS SHOWN ON CHART on page 4-6) --

Where to write/send this form for each category of records.

Code Address

1 USAF Military Personnel Center
Military Personnel Records Division
Randolph AFB, TX 78148

2 Air Reserve Personnel Center
7300 East 1st Avenue
Denver, CO 80280

3 Commandant
U.S. Coast Guard
Washington, DC 20590

4 Commandant of the Marine Corps
Headquarters, U.S. Marine Corps
Washington, DC 20380

5 Marine Corps Reserve Forces
Administration Center
1500 E. Bannister Road
Kansas City, MO 64131

6 Military Archives Division
National Archives & Records Service
General Services Administration
Washington, DC 20408

7 Commander
U.S. Army Reserve Components Personnel & Administration Center
9700 Page Boulevard
St. Louis, MO 63132

8 USA MILPERCEN
Attn: DAPC-PSR-R
200 Stovall Street
Alexandria, VA 22332

9 Commander
U.S. Army Enlisted Records and Evaluation Center
Ft. Benjamin Harrison, IN 46249

1. Chief of Naval Personnel
5720 Integrity Dr.
Millington, TN 38055

10 Naval Reserve
Personnel Center
New Orleans, LA 70146

11 Army National Guard Personnel Center
Columbia Pike Office Building
5600 Columbia Pike Boulevard
Falls Church, VA 22041

12 The Adjutant General
(of appropriate state, DC, or Puerto Rico)
National Personnel Records Center

13 (Military Personnel Records)
9700 Page Boulevard
St. Louis, MO 63132

14

.04 DRIVING RECORD CHECKS

To obtain records from the Dept. Of Transportation, the agent may request the local Sheriff's Dept. to run a Driver's Query through the TIME system. The agent should be prepared to provide the offender's full name, including middle initial, date of birth, gender, and race.

The agent may prepare and submit a Time System Information Request/Log (DOC-1410) to the appropriate DCC office.

Agents may also obtain a driving record and vehicle information by submitting a memo containing the above descriptors and driver's license number if available to:

&nbs p; WI Dept. of Transportation
&nbs p; Driver's Record Files Section
&nbs p; Rm. 301, Hill Farms State Office Bldg.
&nbs p; PO Box 7918
&nbs p; Madison, WI 53707-7918

.05 WISCONSIN INCOME TAX INFORMATION

To obtain information on an offender's Wisconsin income tax returns, the following procedure should be followed: Have the offender sign a statement authorizing the release of the return to the State Dept. of Corrections. The Confidential Information Release Authorization (DOC-1163) may be used, providing the following information is included:

&nbs p; Offender's name, date of birth, & Social Security Number
&nbs p; If married – spouse's name, date of birth,
&nbs p; & Social Security Number
&nbs p; Taxpayer's address
Year(s) requested
&nbs p; Specific information required

This request and statement must be accompanied by a $5.00 money order, payable to Dept. of Revenue, and should be sent to:

&nbs p; Wisconsin Dept. of Revenue
&nbs p; Custodian of Files
&nbs p; PO Box 8903
&nbs p; Madison, WI 53708-8903

This fee is reimbursable on the agent's State Employee Travel Reimbursement Request (DMS-190A)

.06 FEDERAL INCOME TAX INFORMATION

If it becomes necessary to obtain income/financial information available only on federal income tax returns, the following procedure should be followed:

Have the offender sign a statement authorizing the release of "transcripts disclosing line by line return information" to the State Department of Corrections. (Agents should not request the actual return, as this will cause considerable delay because the request will have to be forwarded to Kansas City, MO). This authorization must have been signed within 60 days of the request. Include the following:

&nbs p; Offender's Name and Social Security Number
&nbs p; If married - Name of Spouse and Social Security
&nbs p; Number.
&nbs p; Year(s) Requested
&nbs p; Information Required:
&nbs p; Specify particular item(s), problem(s), or activity of concern.

Copyright © 2012 [WI Department of Corrections]

Send the above authorization, with a cover letter, prepared by the agent, requesting the desired information to:

&nbs p; Disclosure Officer
Internal Revenue Service
310 W. Wisconsin Ave., STOP 7000 MIL
Milwaukee, WI 53203-2221

.07 SOCIAL SECURITY RECORDS

To obtain information from social security files, including benefit amounts, nature of disability, or other confidential information, the agent should prepare a Confidential Information Release Authorization (DOC-1163), requesting the desired information. This should be faxed or mailed to the local Social Security Administration office. Be sure to include the offender's Social Security Number on the request.

Copyright © 2012 [WI Department of Corrections]

Out of State Travel

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.13

.02 GENERAL STATEMENT

The Rules of Community Supervision prohibit offenders from leaving the State of Wisconsin unless they obtain advance approval and a travel permit from the agent. Supervised release cases (980 cases) and conditional release cases (971 cases) are prohibited from any out-of-state travel. Temporary out-of-state travel for other offenders may be authorized if it is consistent with the purpose and goals of the offender's supervision. Temporary travel permits may be issued to any U.S. state or territory (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and US Virgin Islands). If the offender is traveling for leisure purposes, the agent must take into consideration balances owed on court obligations or supervision fees when deciding approval or denial. Temporary out-of-state travel must be authorized by use of a Travel Permit (DOC-50). Upon signing the DOC-50, the offender agrees to:

- waive extradition to Wisconsin from another jurisdiction
- return to Wisconsin whenever so instructed, and
- obey any special instructions noted on the DOC- 50

The offender must carry the approved permit while out of state.

.03 TRAVEL NOT TO EXCEED 15 DAYS

The agent may approve travel for a time not to exceed 15 days. The Travel Permit is prepared, signed by the offender, and approved by the agent. The Supervisory Approval section of the Travel Permit is required only for sex offender travel.

.04 TRAVEL EXCEEDING 15 DAYS

A Travel Permit is prepared as described above. Supervisory approval is required for any time exceeding 15 days. The supervisor's approval must be granted and noted on the Travel Permit before the offender can leave the state. A supervisor may not approve any travel permit allowing an offender to remain in another state for more than 45 consecutive days, unless the offender has received reporting instructions under the interstate compact or the offender is not compact eligible. (See Interstate Compact-Travel Permits-Provisional).

.05 BLANKET TRAVEL PERMIT

A blanket travel permit may be issued to authorize frequent and repeated trips to out-of-state destinations. This is commonly used for employment purposes or when an offender's residence is close to a border state and the offender routinely travels into the other state for business, shopping, or recreational purposes. Blanket travel permits may be issued for up to six months. Supervisory approval is required for all Blanket Travel Permits. An NCIC record check must be completed prior to reissuing a blanket travel permit in order to ascertain that new criminal activity did not occur. If the blanket travel permit is no longer needed, an NCIC record check must be completed upon the offender's return to Wisconsin.

.06 FOREIGN COUNTRY TRAVEL

Authorization to travel to a foreign country will not be granted to offenders by the an agent. However, offenders shall be allowed to travel to foreign countries as authorized by the sentencing court or upon verification of official military orders from the US Armed Forces or National Guard. A travel permit is not required in these circumstances as either the court or military orders provided the authorization needed. The agent shall retain a copy of the authorizations in the case file.

.07 RESOLUTION OF AGENT/SUPERVISOR DISAGREEMENT

When an agent and supervisor disagree on a travel authorization, the agent may appeal directly to the Regional Chief. The Regional Chief will review the recommendation and the offender's record. If necessary, the Regional

Copyright © 2012 [WI Department of Corrections]

Chief will discuss the matter with the agent, supervisor, and offender. The Regional Chief will decide whether to authorize the travel.

.08 DENIAL OF OFFENDER'S TRAVEL REQUEST

Should an offender's request for temporary travel be denied, the reason for denial will be documented in the case notes. Denial of out-of-state travel is subject to review via the Request for Administrative Review (DOC-127).

.09 SUPERVISION TRANSFER TO ANOTHER STATE

Transfer to another state is governed by the Uniform Act for out-of-state supervision. See the Interstate Compact section.

Copyright © 2012 [WI Department of Corrections]

Operating While Intoxicated - 2nd and 3rd

.01 AUTHORITY

2009 Wisconsin ACT 100

2015 Wisconsin Act 371

.02 GENERAL

Persons who have committed a 2nd and/or 3rd OWI on or after July 1, 2010, are subject to increased penalties including, but not limited to, probation supervision. A specialized supervision model has been developed for offenders who have been assessed with a higher risk of reoffense.

.03 SUPERVISION TRACKS

OWI 2/3 Track A offenders are those offenders, who based on assessment, are determined to have educational needs rather than treatment recommendations. The offender will be set at Maximum status for at least the first six months of supervision. Standards of supervision include:

- Use of Alcohol Monitoring Equipment during the first six months of supervision. If an offender's behavior as described in the criminal complaint is for operating under the influence of drugs, and the offender does not have a history of alcohol abuse, use of Alcohol Monitoring Equipment may be waived by the regional chief.
- Ignition Interlock Device (IID) is required by law for duration of probation supervision. Focus of
- case planning shall be completion of Driver's Safety Plan.

After first six months of supervision, completion of the Case Supervision Review tool will determine appropriate supervision level.

OWI 2/3 Track B offenders are those offenders who have been assessed as needing a level of AODA treatment greater than weekly outpatient, to include Intensive Outpatient and/or residential as identified either through the Intoxicated Driver's Program or through an additional AODA assessment. Offenders will be classified set at Enhanced status for at least the first 90 days of supervision. Standards of supervision to include:

- Use of EMP and/or Alcohol Monitoring Equipment during intake and following ninety days of supervision.
- Frequent contacts with treatment providers, family members, and other collateral contacts regarding compliance with treatment plan.
- Ignition Interlock Device (IID) required by law for duration of probation supervision.

Enhanced status can be extended for additional 90 days with supervisory approval.

.04 ACT 100 OPERATING WHILE INTOXICATED CHART

Effective January 1, 2017, Wisconsin Act 371 amended the penalties for certain OWI offenses, including:

- OWI 4th in 5 years is eliminated.
- OWI 4th will be a Felony H offense instead of a misdemeanor.
- Offense classifications and penalties have been increased for all OWI offenses 4th and higher.

The links below outline the penalty schedules for OWI convictions. NOTE: The date of offense, not the date of conviction or sentencing, determines which OWI law is in effect and which chart should be used.

OWI Chart for Crimes Committed after 01-01-2017

OWI Chart for Crimes Committed between 07-01-2010 and 12-31-2016

Copyright © 2012 [WI Department of Corrections]

Permission to Own or Operate a Motor Vehicle

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.04(3)(j)

.02 GENERAL STATEMENT

Because of the frequency with which motor vehicles are involved in criminal activity and because of the financial implications of ownership and operation, an agent must provide advance permission for an offender to purchase, trade, sell or operate a motor vehicle. The agent will consider offender transportation needs, financial responsibility, insurance, and past experience with a motor vehicle.

.03 PROCEDURE

Permission to operate a vehicle cannot be granted if the offender does not have a valid driver's license. An agent's permission will be documented in the case file and on the Application to Purchase/Operate a Motor Vehicle (DOC-56) with other pertinent information; e.g., driver's license number, license plate number, description of vehicle.

.04 FINANCIAL REQUIREMENTS

Effective June 1, 2010, WI Stats. 344.61 require all vehicles to have minimum liability insurance and that proof of insurance is available in the vehicle. An agent shall require proof of insurance coverage prior to granting permission to operate a motor vehicle.

Copyright © 2012 [WI Department of Corrections]

Division of Adult Institutions (DAI) Incarcerated Offenders

.01 AUTHORITY

Wisconsin Statutes 320.05

.02 PURPOSE

The Division of Adult Institutions (DAI) and the Wisconsin Correctional Center System (WCCS) protect the public through secure and humane treatment of inmates committed to its custody and affords inmates the opportunity to gain skills needed to support a crime-free life upon release to the community. The Division of Community Corrections (DCC) and DAI developed the following procedures to assist with the reintegration of offenders back into the community.

.03 RESPONSIBILITIES

DAI and WCCS are responsible for the care, housing, supervision and programming of persons incarcerated in state correctional institutions. Agents will maintain involvement with institutionalized offenders from the point of incarceration to the point of release. The purpose of this involvement is to:

- ensure field participation in the development of an institution service delivery plan for each individual; identify
- needs or problems, which resulted in the individual's incarceration;
- identify and plan treatment and services necessary to improve the inmate's chances of successful
- community reintegration;
- develop a working relationship between the inmate and field agent;
- accomplish pre-release planning; and
- establish a working relationship between field agents and institution staff.

Field Staff Responsibility During DAI Incarceration

.01 ADMISSION PROCEDURE

When an offender is received at the Assessment and Evaluation (A & E) Center at Dodge or Taycheedah Correctional Institution, the inmate information is entered into WICS.
Each county has a DCC staff member assigned to retrieve Judgments of Conviction from E-JOC. This information will then be forwarded to the appropriate field office for agent assignment.

If a Presentence Investigation is not available in Virtual Folders, the field office will immediately place the Presentence Investigation, if one has been completed, into Virtual Folders. The institution may ask for verification or clarification of certain information. If information from the field has not been received at Assessment and Evaluation three days prior to the staffing of the case, A&E will notify the Agent, who will immediately forward the requested material. If the agent is having difficulty locating the material, they should notify A&E of the problem. The A&E social worker report is available in WICS.

.02 PERIODIC REVIEW

The security/treatment needs of the inmate and progress in meeting those needs are reviewed at least once every six months by the institution Offender Classification Committee. Classification decisions are available in WICS. Agents are encouraged to contact an inmate's institution social worker for input if there may be a change that could affect release planning.

Agent Contact During Offender Incarceration

.01 INSTITUTION VISITS BY AGENT

The primary purpose of institution visiting by agents is to develop release plans and a positive casework relationship. This type of visit shall be arranged by video conference when the travel distance is significant. At least one week in advance, the agent will contact the institution giving the date and approximate hour of arrival,

Copyright © 2012 [WI Department of Corrections]

with the names and case numbers of those to be interviewed. If any change is necessary, the institution must be notified. When making institution visits, agents are subject to rules of the facility. Whenever possible during the institution visit, agents should meet with social workers regarding their cases. Agents must be prepared to show their DOC identification card at the institution.

When an inmate is releasing from segregation, case planning with the social worker and the offender via video or telephone conference should occur prior to release. Case staffing must be coordinated with the offender's assigned social worker. The purpose of the contact is to discuss release planning with the inmate, social worker and/or clinical services staff. If, based on information provided by the institution social worker, it is apparent that the contact would be non-productive due to an inmate's mental/emotional state or refusal to meet with the agent, the agent should consult with the supervisor for further direction.

Institution visits must be documented in COMPAS notes.

.02 CORRESPONDENCE BETWEEN AGENTS AND INMATES

All correspondence must be answered promptly. When an agent corresponds directly with an inmate, a copy of the letter must also be sent to the facility for inclusion in the offender's social service file. The inmate's case number should be on all correspondence.

Inmates who are housed in out of state non-contract placements are administratively assigned to DCI. Inmates in out of state contract placements are assigned to the Out of State Transfer Unit, which is housed as DCI. The agent can call DCI or the Out of State Transfer Unit and find the exact location for correspondence.

.03 PRE-RELEASE PLANNING

Six months prior to release:

- The inmate completes the Release Plan Information (DOC- 745) with the assistance of the institution social worker, if needed.
- The Release Plan Information (DOC-745) forwarded to the agent of record who begins to make COMPAS entries of any case activity. Upon receipt, this form is routed to the status keeper who will enter Pre-Release status six months prior to release.
- The agent gathers pertinent information regarding the inmate's needs/risks including reviewing the file, obtaining a warrant check, and reviewing any assessments and notes available in COMPAS. The most recent Classification Action Report will be reviewed by agent prior to release and is accessible in WICS (Refer to WICS Users Guide for instructions for accessing this report).
- The agent contacts the institution social worker to discuss the inmate's proposed plan, any specific information that may be case-sensitive to potential victims, and discussion of responsibility for the Reentry assessment. At that time, an Initial Planning Conference is scheduled involving the social worker, agent, and offender for the purpose of developing a tentative release plan. All reentry case planning should be documented in COMPAS case notes.
- The agent and social worker must communicate to assign completion responsibility for the assessment prior to the offender's release. Per policy, responsibility is determined as follows:
  - If the offender has been incarcerated one year or longer, the social worker will complete the COMPAS Reentry. The use of alternative screening tools by the social worker is determined by DAI business process. If offender has been incarcerated less than one year from DCI/TCI admission and no COMPAS was previously completed, a COMPAS Core will be completed by the agent upon release.
  - If offender has been incarcerated less than one year and a COMPAS Core was done prior to going to prison, the previous assessment can be copied forward in order to complete a new assessment if it is determined that there has been significant case activity, such as a felony arrest or misdemeanor assaultive arrest, requiring a re-assessment. The agent should discuss if this is needed with the supervisor.

Copyright © 2012 [WI Department of Corrections]

- If there are not any Alternative Screenings previously completed, the agent will initiate appropriate screenings as needed. The use of any Alternative Screenings other than the URICA, TCU Criminal Thinking, or Static 99R at this time should be first discussed with and approved by the supervisor.
- If the agent is requesting an override, the information is provided to the supervisor and the override process is followed.
- The agent is required to complete a home visit in the investigation of the residence unless a THS/Halfway House is utilized. If the placement plan is a THS/Halfway house, the agent is to immediately make a bed reservation date to make a bed available seven days after the anticipated program completion date.

Three months prior to release:

- The agent will contact family members or person(s) with whom the offender proposes to reside, community support persons, treatment providers, and potential employers.
- The agent arranges a Final Planning Conference (whether face-to-face, telephone, or video conference) among the interested parties if available.
- The agent, in consultation with the supervisor, shall determine if electronic monitoring or other tracking technology is appropriate.
- The social worker will ensure that the offender has proper I.D..., birth certificate, driver's license, Social Security card, and that any applications for Social Security/Medical Assistance or Veteran's Benefits are completed.

The Rules of Community Supervision in COMPAS are completed. The social worker is then notified of the availability in COMPAS for review and signature with the offender during the Final Planning Conference. Potential victim issues are also addressed. When the Final Release Planning Conference is held to finalize the case plan for release, all other relevant release planning factors (i.e..., residence, employment, transportation, and treatment services) will be discussed.

30 Days Before Anticipated Release:

A telephone conference is held with the social worker and offender to verify the release plan is in place. The following topics will be addressed:

- The agent confirms transportation arrangements. If possible, transportation should be arranged with family, friends, community mentors, or DOC staff.
- The agent ensures the distribution of funds by arranging a plan for the handling/cashing of the release check (i.e.., offender has adequate funds on day of release to pay for needs, food, residence, etc.).
- The agent schedules an appointment with the offender within twenty four hours of release.
- The agent submits the Offender Release Authorization (DOC- 15). Release generally occurs within ten working days after date of program graduation.
- The agent will notify registered victims in accordance with 2015 WI Act 354.

The agent will start the unified case plan in COMPAS in collaboration with the offender and social worker. Upon release to the field, the agent will review and update the case plan as necessary with the offender.

Offender Release Procedures

.01 GENERAL STATEMENT

The institution notifies the agent of the parole plan with the Parole Planning Information (DOC-11) or the Release Plan Information (DOC-745). If requested, the agent investigates the plan, commenting on its appropriateness and suggesting modifications if necessary.

Upon notification of the release date, the agent must submit an Inmate Release Authorization (DOC-15) at least

thirty days prior to the offenders release date. In discretionary parole cases, the agent will direct release on the date of eligibility, or as soon as possible thereafter, consistent with release planning.

This procedure also applies in the event the inmate is released to a detainer. If the inmate is being released to the Department of Homeland Security, Immigration and Customs Enforcement (ICE) for deportation, the Rules of Community Supervision should be amended to include the following conditions:

1. Not enter or be in the United States without proper documentation of lawful presence;
2. Report to probation/parole agent within 72 hours of entry, legal or illegal, into the United States;
3. Report any changes in immigration status to probation/parole agent within 72 hours;
4. Contact probation/parole agent within 24 hours of release from ICE custody within the United States.

.03 DAY OF RELEASE (MANDATORY RELEASE/EXTENDED SUPERVISION)

Inmates to be released on mandatory release or extended supervision are released on the Tuesday preceding the mandatory release date. If that Tuesday is a holiday, the release date will be Wednesday. Release plans should be formulated accordingly. Supervision responsibility begins immediately upon release.

.04 CONTROL OF INMATE FUNDS

When the agent determines that it is necessary to control an offender's funds upon release, the specific reasons will be indicated on the Inmate Release Authorization (DOC-15). Management of the inmate's funds will be done only through an account in the offender's name controlled by the Department of Corrections. In order for an agent to control an inmate's funds, it is necessary that at least one of the following conditions apply:

- the court has ordered payment of financial obligations;
- the offender requests it;
- the agent believes it is necessary to control funds in order to teach money management;
- reimbursement is necessary for the costs of purchased services; or

  to ensure payment of past supervision fees.

.02 INMATE FUNDS AND FINANCIAL RESPONSIBILITIES

Prior to an inmate's release from an institution, the agent submits a DOC-15 authorizing disbursements of funds. Work release funds are kept in a separate account while the offender is in the institution. Work Release funds are distributed as specified by Sec. 303.065. All other money is subject to instructions provided on the DOC-15. All inmates are required to save 15% of their earnings, not to exceed $5000.00, to pay for release expenses such as housing, clothing, and transportation. This savings is begun after all Crime Victim and Witness Surcharge balances are paid. Funds may also be disbursed if the inmate is ordered to or voluntarily makes restitution payments. These payments will be sent directly from the institution Business Office to the DCC Cashier's Office.

An agent should use discretion when releasing funds to offenders and should not release "all to offender" without knowing how much is in the account. Any funds not specified for disbursement by the agent are sent to the Division Cashier.

Work/Study Release

.01 AUTHORITY

Wisconsin Statute 303.065
Wisconsin Administrative Code DOC 302.15
Wisconsin Administrative Code 302.16
Wisconsin Administrative Code 302.18
Wisconsin Administrative Code 324.01-324.13

.02 GENERAL STATEMENT

Section 303.065 of the State Statutes allows the Department to grant work or study release privileges to any person incarcerated within the state prisons. A person serving a life sentence may not be considered until parole eligibility is attained.

.03 WORK RELEASE PROCEDURE

Work release employment can become available through a request by an employer, institution personnel, the inmate, or the agent. Referral by the agent should be made through the institution social worker. All inmates must submit an application to the appropriate institution personnel. Following initial screening and selection the Investigation of Inmate Obligations (DOC-112) is forwarded to the agent of record. The agent of record will verify and advise as to any existing court or support obligations. The Institution Work Release Coordinator verifies civil Obligations acknowledged by the inmate.

Inmate Leave From Institutions

.01 PURPOSE

Inmates meeting the criteria of Administrative Code DOC 326 may be granted unescorted and authorized absence from any minimum-security facility for the following purposes:

- Visit a close family member who is seriously ill
- Attend the funeral of a close family member
- Contact a prospective employer
- Screen for, diagnose or treat an injury, illness or disease

Facilitate family reintegration.

All leaves are restricted to the State of Wisconsin, with no more than three leaves per year granted to any inmate. Special conditions applying to leaves are imposed in advance of the leave and include provision for leave duration, destination, movement, travel restrictions and conduct while on leave.

Furloughs can impact on parole eligibility, serve as an incentive for inmates to become involved in programming, and can be useful in developing pre-release plans.

All furloughs requested under DOC 326 are to be reviewed and approved by the Warden of the institution holding the inmate. Approval within the Wisconsin Correctional Center System is held by the Warden and not delegated to any center superintendent.

It should be noted that this provision of the code is rarely approved.

.02 QUALIFICATIONS

- Inmate will not have Wisconsin probation or parole revocation pending.
- Inmate will agree in advance to examinations, tests and/or searches upon return to the institution or during the leave.
- All principals (persons assisting with the leave, including family, potential employers or others) must consent to the leave.
- Unless otherwise specified, the inmate has no responsibility to report to a field agent during the leave. It is the
- institution's responsibility to notify law enforcement of the leave.

.03 AGENT RESPONSIBILITY

The institution social worker will have the responsibility of contacting the DCC agent by phone or in writing if an inmate is eligible for a furlough. If the agent knows of existing factors which could result in a negative decision by the institution to approve the furlough, the agent will:

- Inform the institution social worker of that information.

Copyright © 2012 [WI Department of Corrections]

- Offer a recommendation for or against any furlough requested by an inmate
- Record these factors in COMPAS notes.
- Submit the information in written form to the institution within five working days

Inmates convicted of crimes that meet the eligibility for Special Action Release are also eligible for furloughs. In these special cases the following applies:

- The social worker will advise the agent of the plan by phone or in writing
- The agent shall contact the leave principals (i.e...., family member, physician, employer, etc.) and will provide the institution social worker with verification and an assessment of the plan within 10 working days.
- Following a furlough, the agent shall again contact leave principals and assess the furlough, and will provide the institution social worker with this information within 10 working days.

Leave extensions are sometimes granted. In these instances an agent may be requested to verify the circumstances surrounding the extension. (e.g...., bad weather, death in the family, etc).

Pre-Release Investigation

The Parole Commission, via e-mail, will authorize a request for a pre-release investigation. A request for a pre-release investigation normally is initiated from a correctional institution via the social worker. The status of "Pre-Parole Investigation" will be added by the status keeper. The report is due within 30 days of a request and should be submitted on a Pre-Release Investigation (DOC-7E). The completed DOC-7E along with the Release Plan Information (DOC-745) shall be submitted to virtual folders.

The agent should address the following in preparation and completion of the DOC-7E:

- The agent shall review the DOC-745 with the inmate.
- The agent gathers pertinent information regarding the inmate's needs/risks including reviewing the file, obtaining a warrant check, and reviewing any assessments and notes available in COMPAS.
- The most recent Classification Action Report will be reviewed by agent concerning treatment recommended and is accessible in WICS (Refer to WICS Users Guide for instructions for accessing this report).
- Recommended treatment, if any, shall be noted under the Agent referrals/community resources section of the DOC-7E.
- Include pertinent information concerning the inmate's family and community as they relate to the proposed release plan indicated on the DOC-745.
- Note other persons residing at the intended residence and relevant information such as the degree of support other residents may provide.
- The agent is required to complete a home visit in the investigation of the residence unless a THS/Residential Service Program is utilized.

In the event the proposed plan is rejected, the agent should address an alternative plan. The agent may contact the inmate and the inmate's social worker by phone to review a possible alternate plan if one is not readily known.

The proposed plan should be reviewed in relation to victim concerns or proximity. Since pre-release investigations are not confidential documents, specific victim information that is relevant such as addresses or proximity of victims should be included on a separate sheet of paper with an attached cover, noting its confidentiality.

In the event new information becomes available after the Parole Commission has taken action, the agent may communicate the information to the institution and Parole Commissioner by memo. Agents may voluntarily submit pre-release information as appropriate.

If placement in another area in Wisconsin is proposed, the agent will initiate transfer via the Intrastate Transfer Process. The sending agent will retain responsibility for completing and submitting the pre-release investigation if the receiving agent rejects the case. If the case is accepted, the receiving agent becomes responsible for the pre-release investigation.

Miscellaneous

.01 VISITING AND CORRESPONDENCE

Regulations regarding resident's visiting and correspondence vary from institution to institution and are subject to periodic changes. Agents should instruct the inmate's relatives and friends who make inquiries to contact the particular institution.

If agents are aware that a victim has a no-contact order or harassment injunctions against the inmate, this should be communicated to the institution security director and entered into COMPAS. Visiting lists are available in Virtual Folders on MyDOC.

.02 PHOTOGRAPHS AND FINGERPRINTS

The institution will furnish photos and prints of inmates at the time of release, if requested by the agent. If agents need photos and prints at a later date, they should contact Dodge Correctional Institution.

.03 VOLUNTARY RETURN TO INSTITUTION

In rare circumstances a parolee may request a return to a correctional institution for medical, economic, or clinical reasons.

.04 LOCATION OF INSTITUTION FILE

Inmate files for persons released from correctional institutions are stored at DCI. Inquiries regarding release files should be directed to the Records Office, DCI.

.05 ESCAPEES FROM INSTITUTIONS

The agent of record is notified of all escapees from institutions. The agent should review relevant file information to determine if additional victim notification is necessary. The agent should also notify any additional relevant local law enforcement agencies and provide collateral or background information.

Modification/Adjustment of Bifurcated Sentence

.01 AUTHORITY

Wisconsin Statutes 302.113(9g)

Wisconsin Statutes 973.195

.02 GENERAL STATEMENT

In limited circumstances, inmates serving bifurcated sentences for crimes other than Class B felonies, may have their sentences modified or adjusted by the committing court. If the court reduces the term of confinement, it must increase the term of Extended Supervision by the same amount, so the total length of the bifurcated sentence does not change.

.03 CERTAIN EARNED RELEASE

Eligible inmates with an offense committed or convicted or sentenced between October 1, 2009, and August 3, 2011, may earn CER during the confinement or reconfinement period of a sentence. The DAI Records Office will be responsible for determining eligibility.

The DAI Records Office will review a list of eligible inmates within one year of release, screen the inmates' files to identify those serving the confinement portion of a bifurcated sentence for a misdemeanor or a non-violent Class F to I felony, and forward that list of inmates (DOC-2500) to the Sex Offender Registry Program for review and approval. SORP staff have one week to review the list of inmates and notify the DAI Records Office if any of the inmates on the list are required to register and are not eligible for CER. For inmates who clear the SORP review, the DAI Records Office will initiate a Certain Earned Release (CER) Review (DOC-2491) form and forward to the institution social worker to begin the review process.

When the institution social worker has completed their review of the eligible inmates using the DOC-2491, the

Copyright © 2012 [WI Department of Corrections]

social worker will save the DOC-2491 and supporting documents into a shared folder (Locator - Documents – Release Planning) and will email the appropriate regional emailbox indicating that the form and supporting documents are ready for the agent to review. The regional office will inform the assigned agent to complete the agent review section (see the DOC-2491), update the DOC-2491 and place the DOC-2491 along with appropriate documents into the shared folder (Locator – Documents – Release Planning). The agent shall complete the review in 14 days from the date of notification. The agent will then notify their supervisor to review.

The supervisor will review the DOC-2491 and complete their portion of the form, saving it to the Locator – Documents – Release Planning folder within 7 days of receipt. The supervisor must then notify the regional chief that their review of the DOC-2491 is required. The regional chief will complete their review of the documents and update the DOC-2491 within 7 days of receipt. DCC has a total of 30 days for the agent, supervisor, and regional chief to complete the review and upload documents to the shared folder. When the regional chief completes their review, they must notify the institution social worker that the documents for that inmate are available in the shared folder and that DCC's review is complete.

CER Responsibilities and Process

Agent:

1. The agent will have 14 days from receipt of the DOC-2491 to complete the CER review. If more than 14 days are needed, the CFS must send an email to the statuskeeper mailbox to notify the statuskeeper of the new assigned completion date. Extensions should only be granted for extenuating circumstances (e.g. offender proposes to live with parents and parents don't return agent's message in a timely manner).
2. The agent reviews the information provided by the inmate on the DOC-745.
3. The agent completes the Pre-Release Investigation (DOC-7E) when the agent or the social worker believes the inmate will be able to maintain himself or herself while not confined without engaging in assaultive activity. The social worker belief statement will be found on line #16 of the DOC-2491.
4. When completing line #37 of the DOC-2491, the agent is asked to answer the question of whether the agent believes the inmate will be able to maintain himself or herself while not confined without engaging in assaultive behavior. For purposes of the CER review, behavior committed by the offender must demonstrate an intent to harm. The following offenses would not be considered "assaultive":

- Operating While Intoxicated
- Felon in Possession of a Firearm
- Carrying a Concealed Weapon

Agents must discuss the belief statement with their supervisor prior to completing line #37.

5. After completing the agent's belief statement, the agent will verify that the following documents are saved in the virtual folder using the proper naming convention:

- COMPAS bar chart
- Release Plan Information (DOC-745)
- Inmate Classification Report (WICS Report ICCR204 or ICCR 200)
- Pre-Release Investigation (DOC-7E) (if completed by agent)

Completed DOC-2491

6. The following naming convention shall be used when saving a document in the virtual folder: Form#_DOC# MMDDYY. For example, when saving the DOC-745, the form should be saved as DOC745_###### 030617.
7. The agent notifies the CFS and the statuskeeper that the agent section of the DOC-2491 is completed.

Corrections Field Supervisor:

1. The CFS completes the agent supervisor section of the DOC-2491 found in the virtual folder.

2. Upon completion of the DOC-2491, the CFS will notify the regional office by email that the supervisor review is completed.

Regional Office:

1. The regional chief or assistant regional chief will review and complete the DOC-2491.
2. The regional chief or assistant regional chief will notify the social worker, social worker supervisor, agent and agent supervisor that the DOC-2491 has been updated and stored in the virtual folder.

Supervision of CER Offenders

Release under CER is at the discretion of the Secretary. The Secretary may grant a CER with conditions. The agent will receive prior notice of an offender's scheduled release date so that any necessary arrangements can be made to comply with the conditions ordered by the Office of the Secretary.

- Offenders released under CER will be supervised at the level determined by the COMPAS risk assessment. An override may be sought if appropriate.
- All violations committed by an offender granted a Certain Earned Release that result in custody must be reported to the DCC Administration and a situation alert (DOC-1959) must be completed. Upon learning of the violation, the agent will notify the CFS and regional office. The regional chief or assistant regional chief will notify DCC Administration of the violation.

Additional guidelines for the DCC process

.04 MODIFICATION OF BIFURCATED SENTENCE FOR GERIATRIC OR EXTRAORDINARY HEALTH CONDITIONS

An inmate may seek modification of a bifurcated sentence if the inmate meets one of the following criteria:

- The inmate is age 65 or older and has served at least 5 years of the confinement portion of the sentence on each count;
- The inmate is age 60 or older and has served at least 10 years of the of confinement portion on each count; or
- The inmate has an extraordinary health condition defined as having a condition afflicting the inmate such as advanced age, infirmity, or disability of the inmate or need for medical treatment or services not available within a correctional facility.

The inmate must submit a petition for modification to the Bureau of Offender Classification and Movement (BOCM). If the inmate alleges that he or she has a terminal medical condition, the petition must include affidavits from two physicians stating that the inmate has a terminal medical condition.

If the inmate is statutorily eligible, the regional Offender Classification Specialist will notify the agent and regional chief that a petition has been received. The Bureau of Health Services (BHS) may coordinate a conference call involving the agent and other DOC staff within five days of the receipt of the petition to coordinate release planning. The DAI social worker will facilitate release planning with the agent including a request for a Pre-Release Investigation (DOC-7E). The release plan must include a residence assessment, method by which the inmate will be financially supported, any recommended release conditions and community needs, required programming and/or anticipated referrals for programming, and a plan for medical treatment and resources to support the required medical treatment.

If BOCM approves the petition for referral to the sentencing court, BOCM will notify the institution records office. The records office will forward the petition to the court, along with a request to hold a hearing on the petition. The court must schedule a hearing and provide notice of the hearing date to the parties. The inmate and the district attorney have a right to be present at the hearing, and any victim of the inmate's crime has a right to be present and to provide a statement about the modification.

.05 ADJUSTMENT OF BIFURCATED SENTENCE AFTER SERVING 75% OR 85% OF CONFINEMENT

For inmates sentenced between October 1, 2009 and August 3, 2011, the inmate may petition the sentencing

Copyright © 2012 [WI Department of Corrections]

court to adjust a bifurcated sentence if the inmate has served:

- At least 85% of the imposed term of confinement for a Class C, D, or E felony, or
- At least 75% of the imposed term of confinement for a Class F, G, H, or I felony.

The inmate may petition for a sentence adjustment on any of the following grounds:

- The inmate's conduct, efforts at and progress in rehabilitation, or participation and progress in education, treatment, or other correctional programs since being sentenced.
- A change in law or procedure related to sentencing or revocation, effective after the inmate was sentenced, would have resulted in a shorter term of confinement if the change had been applicable when the inmate was sentenced or revoked.
- The inmate is subject to a sentence of confinement in another state or the inmate is in the United States illegally and may be deported.

Sentence adjustment is otherwise in the interest of justice.

The court may deny the petition or hold it for further consideration. If the court holds the petition, it must notify the district attorney of the petition. If the district attorney objects, the court may deny the petition. If the inmate's sentence is for an offense under 940.225(2) or (3), 948.02(2), or 948.08, the district attorney will notify the victim. If the victim objects to the adjustment, the court may deny the petition.

.06 RISK REDUCTION SENTENCE

An inmate granted a Risk Reduction Sentence prior to August 3, 2011 is eligible to petition for release upon achieving 75% of the confinement portion of the sentence, satisfactory program participation, satisfactory institution adjustment, and an approved release plan as well as a determination that release would not involve an unreasonable risk to the public. Offenders who were placed on probation for an imposed and stayed Risk Reduction Sentence between October 1, 2009 and August 3, 2011 will remain eligible for release under the Risk Reduction Sentence if revoked.

The DAI social worker will notify the agent of record to complete a Pre-Release Investigation (DOC-7E) during this process. Upon plan completion, the Bureau of Offender Classification and Movement will forward the plan to the Risk Reduction Sentence Review Team. The Risk Reduction Sentence Review Team will review all applicable materials and upon approval, the Department will notify the court that the inmate has completed the Risk Reduction Sentence components and the court shall, without review, sign the order to release the inmate.

.07 PAROLE RELEASES

Under unusual circumstances, the agent may recommend to the supervisor a release date earlier than that set by the Parole Commission. The supervisor will contact the Regional Chief to discuss the request and the reasons for it. If the Regional Chief concurs, the chief will contact the Chairman of the Parole Commission who may consider setting an earlier release date under the following conditions:

- legal release eligibility has been attained;
- the period between the parole grant and the eligibility date set by the Commission is not needed for further observation or for some other stated reason;
- essential program involvement will not be prematurely ended;

SPECIAL ACTION RELEASE

.01 AUTHORITY

Wisconsin Administrative Code DOC 302.32

.02 GENERAL STATEMENT

Special Action Release (SAR) is a program through which the Secretary of the Department of Corrections authorizes the release of selected inmates by administrative order. Such decisions are final and are not subject to

appeal.

.03 ELIGIBILITY

- Parole-eligible and has served six months in the institution;
- Within 12 months of mandatory release and has an approved release plan;
- No conviction for crimes on the exclusion lists below;
- No new convictions if previously granted SAR;
- Voluntarily accepts SAR supervision and agrees to abide by any special rules or conditions which may be imposed (i.e.., electronic monitoring and tracking technology);
- Inmates with a history of assaultive conduct which did not lead to a conviction may be considered for SAR if one or more of the following conditions apply:
- assaultive conduct occurred more than five years prior to SAR review;
- acted in self-defense or defense of property;
- will be released to structured living arrangement (i.e.. halfway house);
- conduct was isolated occurrence, not likely to be repeated;
- age or physical condition precludes repetition of assaultive conduct;
- Inmates with out-of-state release plans may be considered for SAR if screening criteria are met. The out-of-state transfer request should include all information presently submitted, as well as an indication that the inmate is being considered for special release prior to mandatory release. The receiving state need not agree to supervise the individual at an intensive or accelerated level.

Inmates with active detainers may be considered for SAR without meeting screening criteria if the jurisdiction issuing the detainer intends to assume custody of the inmate upon release. The sentence imposed by the other jurisdiction must be equal to or longer than the remaining Wisconsin sentence. Such inmates may not waive SAR eligibility.

.04 CRIMES EXCLUDED FROM SAR CONSIDERATION

The following crimes as well as those listed under 939.05 (PTAC), 939.30 (solicitation), 939.31 (conspiracy), and 939.32 (attempt) are excluded from SAR consideration:

CHAPTER 940 - CRIMES AGAINST LIFE AND BODILY SECURITY

CHAPTER 941 - CRIMES AGAINST PUBLIC HEALTH AND SAFETY

Statute	Offense
941.20	Reckless Use of a Weapon
941.20	Endangering Safety by Use of Dangerous Drugs
941.26	Possession of Machine Guns and Other Weapons
941.30	Endangering Safety by Conduct Regardless of Life
941.30	Recklessly Endangering Safe

CHAPTER 943 - CRIMES AGAINST PROPERTY

Statute	Offense
943.06	Molotov Cocktails
943.10(2)(a)(b)	Armed Burglary and Burglary with Aggravating Circumstances
943.23	Reckless Injury
943.23	Injury by Negligent Handling of Dangerous Weapon, Explosives or Fire
943.32(1)	Robbery
943.32(2)	Armed Robbery

CHAPTER 944 - CRIMES AGAINST SEXUAL MORALITY

Statute	Offense

Copyright © 2012 [WI Department of Corrections]

944.05	Incest
944.12	Enticing a Child for Immoral Purposes

CHAPTER 946 - CRIMES AGAINST GOVERNMENT AND ITS ADMINISTRATION

Statute	Offense
946.01	Treason

CHAPTER 948 - CRIMES AGAINST CHILDREN

Statute	Offense
948.02	Sexual Assault of a Child
948.03	Physical Abuse of a Child
948.04	Causing Mental Harm to a Child
948.05	Sexual Exploitation of a Child
948.06	Incest with a Child
948.07	Child Enticement
948.08	Soliciting a Child for Prostitution
948.09	Sexual Intercourse with a Child Age 16 or Older
948.21	Neglecting a Child (Felony)

.05 PROCEDURE

Institution Social Worker:

- Contacts the agent of record by telephone to confirm eligibility of inmate for SAR, to discuss appropriateness of the parole plan, and to report any assaultive conduct;
- Prepares Release Planning Information Sheet (DOC-11) with an addendum addressing prior record, assaultive conduct, institution programming, adjustment and parole board information;
- Sends all information to the agent through the SAR Coordinator who reviews the packet, forwards a request for a Pre-Release Investigation (DOC-11) to the agent, and sends notification to the sentencing court and district attorney.

Agent:

- Completes a Pre-Release Investigation (DOC-7e) within 30 days of receipt of DOC-11. Information concerning community attitude must be included;
- Assists institution social worker in developing an alternative plan if the SAR plan is unacceptable;
- Sends one copy of the completed DOC-7e to the SAR Coordinator, one copy to the institution and one copy to the Central Records Center;
- If approved by the secretary, reviews and verifies special conditions of release with the institution social worker and the inmate;
- Establishes an appropriate release date with the institution social worker; and

  Submits the Inmate Release Authorization (DOC- 15).

.06 SUPERVISION STANDARDS

Upon release, SAR offenders will be seen in person by the agent once a week. A home visit will be made once every 30 days. This supervision level must continue for a minimum of 90 days. SAR supervision may be extended beyond the 90-day period with supervisory approval when SAR supervision terminates. The field supervisor's approval and the reasons must be documented in COMPAS. When Intensive supervision terminates the offender will be supervised at Maximum until the Case Supervision Review (CSR) is completed, indicating the next level of supervision.

.07 SPECIAL REQUIREMENTS

The agent will forward a copy of all Evidenced Based Response to Violation reports to the SAR Coordinator in the Central Office until discharge from parole.

Copyright © 2012 [WI Department of Corrections]

DAI Institution and Center Listing

.01 RECEPTION CENTERS

Dodge Correctional Institution – DCI (MALES)
1 West Lincoln St.
P.O. Box 661
Waupun, WI 53963-0661
(920)324- 5577 FAX: (920)324-6297
Taycheedah Correctional Institution – TCI (FEMALES)
751 County Rd. K
P.O. Box 1947
Fond du Lac, WI 54936-1947
(920)929-3800 FAX: (920)929-2946

.02 MAXIMUM SECURITY

Columbia Correctional Institution - CCI
2925 Columbia Drive
P.O. Box 950
Portage, WI 53901-0950
(608)742-9100 FAX: (608)742-9111
Dodge Correctional Institution – DCI
1 West Lincoln St.
PO Box 661
Waupun, WI 53963-0661
(920)324-5577 FAX: (920)324-6297

Green Bay Correctional Institution - GBCI
2833 Riverside Drive
P.O. Box 19033
Green Bay, WI 54307-9033
(920)432-4877 FAX: (920)448-6545

Taycheedah Correctional Institution – TCI
751 County Rd. K
P.O. Box 1947
Fond du Lac, WI 54936-1947
(920)929-3800 FAX: (920)929-2946

Waupun Correctional Institution - WCI
200 S. Madison St.
P.O. Box 351
Waupun, WI 53963-0351
(920)324-5571 FAX: (920)324-7250
Wisconsin Secure Program Facility – WSPF
1101 Morrison Dr.
PO Box 1000
Boscobel, WI 53805-0900
(608)375-5656 FAX: (608)375-5434

Copyright © 2012 [WI Department of Corrections]

.03 MEDIUM SECURITY

Fox Lake Correctional Institution - FLCI
W10237 Lake Emily Road
P.O. Box 147
Fox Lake, WI 53933-0147
(920)928-3151 FAX: (920)928-6981
Jackson Correctional Institution – JCI
N6500 Haipek Road
PO Box 232
Black River Falls, WI 54615-0232
(715)284-4550 FAX: (715)284-7335

Kettle Moraine Correctional Institution - KMCI
W9071 Forest Drive
P.O. Box 31
Plymouth, WI 53073-0031
(920)526-3244 FAX: (920)526-9320
New Lisbon Correctional Institution – NLCI
2000 Progress Road
P.O. Box 2000
New Lisbon, WI 53959-2000
(608)562-6400 FAX: (608)562-6410
Oshkosh Correctional Institution – OSCI
1730 West Snell Road
P.O. Box 3530
Oshkosh, WI 54903-3530
(920)231-4010 FAX: (920)236-2615
Prairie du Chien Correctional Institution – PDCI
500 East Parrish St.
P.O. Box 6000
Prairie du Chien, WI 53821
(608)326-7828 FAX: (608)326-5960
Racine Correctional Institution - RCI
2019 Wisconsin Street
Sturtevant, WI 53177-1829
(262)886-3214 FAX: (262)886-3514

Racine Youthful Offender Correctional Facility – RYOCF
1501 Albert Street
PO Box 2200
Racine, WI 53401-2200
(262)638-1999 FAX: (262)638-1777

Redgranite Correctional Institution – RGCI
1006 County Rd. EE
PO Box 900

Copyright © 2012 [WI Department of Corrections]

Redgranite, WI 54970-0900
(920)566-2600 FAX: (920)566-2610
Stanley Correctional Institution – SCI
100 Corrections Drive
Stanley, WI 54768-6500
(715)644-2960 FAX: (715)644-2966
Sturtevant Transitional Facility – STF
9351 Rayne Road
Sturtevant, WI 53177-1842
(262)884-2410 FAX: (262)886-6069
Wisconsin Resource Center - WRC
P.O. Box 16
Winnebago, WI 54985-0009
(920)426-4310 FAX: (920)231-6353
(operated by DHFS- DCTF)

.04 MINIMUM SECURITY

Chippewa Valley Correctional Treatment Facility – CVCTF
2909 East Park Avenue
Chippewa Falls, WI 54729
(715)720-2850 FAX: (715)720-2859

Oakhill Correctional Institution - OCI
5212 Highway M
P.O. Box 140
Oregon, WI 53575-0140
(608)835-3101 FAX: (608)835-9196
Wisconsin Correctional Center System - WCCS
5140 Highway M
P.O. Box 25
Oregon, WI 53575-0025
(608)835-5711 FAX: (608)835-3175

Black River Correctional Center - BRCC
W6898 E. Staffon Road
Black River Falls, WI 54615-6426
(715)333-5681 FAX: (715)333-2708

Drug Abuse Correctional Center - DACC
1305 North Drive
P.O. Box 36
Winnebago, WI 54985-0036
(920)236-2700 FAX: (920)426-5601

Felmers O. Chaney Correctional Center
2825 N 30th St.
Milwaukee, WI 53210

Copyright © 2012 [WI Department of Corrections]

(414)874-1600 FAX: (414)874-1695
Flambeau Correctional Center - FCC
N671 County Road M
Hawkins, WI 54530-9400
(715)585-6394 FAX: (715)585-6563

Gordon Correctional Center - GCC
10401 E. County Road G
Gordon, WI 54838
(715)376-2680 FAX: (715)376-4361
John C. Burke Correctional Center - JBCC
900 South Madison Street
P.O. Box 900
Waupun, WI 53963-0900
(920)324-3460 FAX: (920)324-4575
Kenosha Correctional Center - KCC
6353 14th Avenue
Kenosha, WI 53143
(262)653-7099 FAX: (262)653-7241

Marshall E. Sherrer Correctional Center - MSCC
1318 North 14th Street
Milwaukee, WI 53205-2596
(414)343-5000 FAX: (414)343-5039
McNaughton Correctional Center - MCC
8500 Rainbow Road
Lake Tomahawk, WI 54539-9558
(715)277-2484 FAX: (715)277-2293

Milwaukee Women's Correctional Center - MWCC
615 West Keefe Avenue
Milwaukee, WI 53212
(414)267-6101 FAX: (414)267-6130

Oregon Correctional Center - OCC
5140 Cty Hwy M
P.O. Box 25
Oregon, WI 53575-0025
(608)835-3233 FAX: (608)835-3145

Robert E. Ellsworth Correctional Center – RECC
21425A Spring Street
Union Grove, WI 53182-9408
(262)878-6000 FAX: (262)878-6015

St. Croix Correctional Center – SCCC

Copyright © 2012 [WI Department of Corrections]

1859 N. 4th St.
P.O. Box 36
New Richmond, WI 54017-0036
(715)246-6971 FAX: (715)246-3680
Sanger B. Powers Correctional Center - SPCC
N8375 County Line Road
Oneida, WI 54155-9300
(920)869-1095 FAX: (920)869-2650
Thompson Correctional Center - TCC
434 State Farm Road
Deerfield, WI 53531-9562
(608)423-3415 FAX: (608)423-9852
Winnebago Correctional Center - WCC
4300 Sherman Road
P.O. Box 128
Winnebago, WI 54985-0128
(920)424-0402 FAX: (920)424-0430
Milwaukee Secure Detention Facility
1015 N. 10th St.
P.O. Box 05740
Milwaukee, WI 53233
(414) 212-3535 FAX: (414)212-6811

Copyright © 2012 [WI Department of Corrections]

Probation Without Conviction

.01 AUTHORITY

Wisconsin Statute 961.47

.02 GENERAL STATEMENT

A person found guilty of possession of a controlled substance under 961.47(1) may be placed on probation without conviction. A judgment of guilt is deferred, and upon successful completion of probation, proceedings against the individual are dismissed.

.03 SUPERVISION

The court order will specifically note that the offender has been committed under this statute. Case opening, rules, and general supervision are consistent with the supervision of other probationers.

.04 VIOLATIONS

Violations of probation may be disposed of by the agent through a modification of the case plan or by written or verbal warnings. The agent may authorize county jail detention consistent with established detention procedures. Violations that warrant termination of supervision must be referred to the committing court for disposition. The Department does not have the authority to revoke these cases.

If a non-conviction offender absconds, the agent will issue an Apprehension Request and Warrant (DOC-58). The DOC-58must be for local or CIB distribution only. Check “NO” in the extradite section. At the same time, the agent will request that the committing court issue a warrant for the offender's arrest. Once the court issues its warrant, the agent will cancel the apprehension request. A copy of the warrant issued by the court shall be forwarded to CRU in order to stop time.

.05 TERMINATION

If an offender is returned to court for a violation, the court may enter an adjudication of guilt and sentence the individual, or continue supervision with or without additional conditions.

Copyright © 2012 [WI Department of Corrections]

RELEASE OF CONFIDENTIAL INFORMATION

.01 AUTHORITY

Wisconsin Statute 51.30
Wisconsin Statute 146.82
Wisconsin Statute 252
45 Code of Federal Regulations Parts 160-164
42 Code of Federal Regulations Part 2
Administrative Directive 15-18

.02 GENERAL STATEMENT

The exchange of offender information between DCC and other agencies, victims, or individuals is essential to the correctional process. This exchange must conform to state and federal confidentiality laws.

.03 OBTAINING CONFIDENTIAL INFORMATION

Staff frequently need information from non-departmental agencies to assist in the preparation of reports and summaries. This can include school, medical, financial, or psychological information. The agent prepares the Authorization for Disclosure of Non-Health Confidential Information (DOC-1163) or Authorization for Use and Disclosure of Protected Health Information (DOC-1163A) naming the source of the records and the reason for the request. The offender must sign the form authorizing release of the information. If the offender is under 18 years of age, the release must be signed by their parent or legal guardian.

If an offender refuses to sign the release and the information is essential to the supervision of the offender, the agent can require the offender to sign as a condition of supervision.

.04 DISSEMINATING CONFIDENTIAL INFORMATION

All requests for either viewing or receiving copies of confidential information should be forwarded to the regional records custodian. All records requests will be responded to on the Records Request Response (DOC- 1160) by the regional records custodian.

The following parts of the case file require the Authorization for Disclosure of Non-Health Confidential Information (DOC-1163) or Authorization for Use and Disclosure of Protected Health Information (DOC-1163A) signed by the offender permitting release specifically to the person requesting the records:

- Psychological/Psychiatric Reports
- Medical Reports
- Educational Reports
- AODA and any other treatment records

Any record created by or under the supervision of a health care provider

Any records containing a victim's address or other information about the victim shall be considered confidential and only given out with a signed release of information from the victim.

Juvenile records or juvenile court information must not be released.

A Pre-Sentence Investigation (PSI) is considered the property of the court, and other than the DOC, can only be released to:

- Other agencies or persons with approval of the sentencing court
- Legal Assistance to Inmates Program (LAIP)
- The Attorney General's Office if acting as a representative for the Department
- Other state or federal prison authorities when an inmate is transferred to their custody

Other state or federal probation and parole authorities when supervision of an offender is transferred

Copyright © 2012 [WI Department of Corrections]

- Other agencies or persons for use related to correctional programming, parole consideration, care and treatment, or research per WI Stats. 972.15(5). This includes any contracted agencies that provide programming to offenders.

Any agency or person who receives a PSI under this section shall not further disclose its contents.

Case files may contain records prepared by and obtained from another agency that often indicates that disclosure of the record is prohibited. The wishes of the originator of the record, however, are not necessarily controlling. If the record was obtained as part of the normal duties of this Department, it is a record of this Department. The offender's case file should include a record of all verbal and written requests or disclosures of information to persons or agencies outside the Department of Corrections. The entry should be in the case notes. It shall identify the material disclosed, the recipient of the information, and the date disclosed.

Unless a prior agreement exists, anyone requesting copies of records shall be required to pay copying fees.

.05 AIDS/HIV

The disclosure of HIV test result information is restricted. Department of Corrections staff do not need a release of information to get test results from within the Department. However, if such information is needed from an outside source, a signed DOC-1163 or 1163A must be completed as outlined in 06.12.03. HIV test result information and any consent forms signed by an offender authorizing disclosure shall not be kept in the offender's case file. Such written materials shall be maintained by the agent in a separate, sealed folder marked “Confidential Information.” If the offender self-identifies to the agent as HIV positive or as AIDS infected, the information is not confidential; however, it should be treated with respect and disclosed only on a “need to know” basis.

.06 JUVENILE RECORDS

Agents may not release information on sex offenses committed by a minor, even if adjudicated delinquent, to any individual or agency other than police without a confidential release of information signed by the offender or legal guardian of the offender.

Copyright © 2012 [WI Department of Corrections]

Releasing and Auditing COMPAS Information

General Statement

All requests for COMPAS assessment information should be processed as a Public/Open Records request.

Releasing COMPAS Information

As soon as request is received, contact your supervisor, who will consult with the Open Records custodian in your area.

Request Type	Action Needed
General Information Related to COMPAS	Consult with Regional Open Records Custodian
Legal Motion to Produce Documents	Consult with DCC Legal Counsel
COMPAS Questions/Answers	Consult with Regional Open Records Custodian

The request will be reviewed in accordance with DOC policy, and the response will be completed using the DOC-1160 if completed by the Open Records Custodian or the Office of Legal Counsel if in response to a court order.

Auditing COMPAS Information and Use

General Statement

The COMPAS risk/needs assessment, case planning and case management system is intended to provide a seamless flow of case information across systems to promote collaborative supervision, treatment, and support for those in the criminal justice system. Access of offender records must only occur when there is a valid business reason. If an employee is alleged to have accessed a record without a business need to know the information, the allegation will be forwarded to the supervisor of the COMPAS user for further action.

Compliance Audits

The Department of Corrections must provide administrative oversight of user access to ensure compliance with policies, procedures, and confidentiality laws. An audit mechanism has been developed utilizing a three tier system as indicated below:

Random User Audits

A centralized resource will conduct monthly audits of randomly chosen user accounts, monitoring for criteria that may suggest improper use. A minimum of 2% of all user accounts will be audited monthly (approximately 50 users). At least five of the user accounts audited monthly must be external users (county partners).

A user's history of accessed records will be viewed, looking at any of the following criteria:

- Accessed the same person record outside of user's location or agency more than five times in a month.
- Accessed person record with same last name as user.
- Accessed any high profile offender.

In order to verify any of the above criteria, the auditor will have to access the individual person records. If there is suspicion of improper use, specific case examples will be sent to the user's immediate supervisor for further review and/or fact finding.

Random User Surveys

A centralized resource will contact twenty randomly chosen users per quarter, asking for verification of a valid business reason to access randomly chosen person records as identified in the user account history.

The auditor will contact the identified user, requesting their response to the following questions:

- At the time the person record was accessed, was this person on your caseload?
- If not, what was your business reason for accessing this record?

If the user cannot provide a valid business reason for accessing the record, information will be sent to the user's immediate supervisor for further review and/or fact finding.

High Profile Person Records Review

A centralized resource will conduct reviews of all identified high profile person records in the COMPAS system, monitoring for users who accessed the person record without a valid business reason. Examples of high profile offenders include, but are not limited to:

Copyright © 2012 [WI Department of Corrections]

- Cases that involve significantly egregious acts which garner considerable media attention.
- Suicides
- Cases involving abuse of a special relationship (i.e. misconduct by clergy, doctors, recruiters, teachers, criminal justice staff, or anyone with a special obligation to provide services in a protected setting where there is an unequal status.
- Cases that involve racist, extremist, or related motives, often referred to generically as “hate crimes”.
- Cases of misconduct that involve high-ranking officials, officers, or non-commissioned officers.
- Cases that become high profile because of the way the criminal justice system may have handled a routine case.

Copyright © 2012 [WI Department of Corrections]

CASE FILE SETUP

.01 CASE FOLDERS

A file folder is prepared for each case. On the left- side of the tab, at the top of the folder, the offender's name should be typed with the last name first in capital letters, followed by the first name or initials, as shown on the court order. The offender number should be included on the label. The termination number, when applicable, is noted on the label.

Field case files for all Special Bulletin Notification (SBN) offenders are required to have a label placed prominently on the front of the file which reads, "This Offender is required to comply with the Face-to-Face Contact requirements of the Sex Offender Notification Law. Any address change requires Law Enforcement Notification."

.02 CASE FILE MAILING

The original copy of any document or file that is the sole copy can be transported via a DCC staff person, or mailed first class and must include a tracking number.

.03 CLOSED CASES

Upon receipt of the Notice of Case Status Change, the T-number (termination number) should be placed on the label of the case file. The file is then filed in numerical order according to the assigned T-number.

If a case later becomes active, pertinent information can be retrieved from the T-file; however, new case file information should not be placed in the closed file. The T-file will be returned within 60 days to the originating office. If more than 60 days is needed, approval must be granted by the originating office Program Support Supervisor or designee.

At the time of termination, the case file should be reviewed and the following examples of documents must be removed.

Examples:

- Print-outs of COMPAS, WICS and ICOTS documents or screen shots
  - Retain original signed Interstate Compact Application Form
- GPS points/printed reports from BI associated with violation
- Email Communication – remove if retained in DOCVault or older than 7 years
  - DOCVault began retaining emails December 2, 2014
  - DOCVault retains all emails for a period of 7 years
  - OLC directs that emails not subject to a legal hold generally be retained for no more than 7 years
- CIBs/Portal/eTime Reports

DHS clients: The client case files for persons revoked and re-institutionalized while on conditional release, conditional transfer, or supervised release will physically remain with DOC. Dual supervised client case files will also remain with DOC.

DOC shall forward DHS client case files (including the t-number) of person who discharged (terminated) from supervision to the DHS Admissions Office at Mendota Mental Health Institution (MMHI).

Mendota Mental Health Institution
ATTN: Admissions Office
301 Troy Drive
Madison, WI 53704

CASE FILE ORGANIZATION

SECTION 1 – CASE ACTIVITY RECORD

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 3 Face Sheet
- DOC 10 Rules of Community Supervision
- DOC 34 Case Transfers
- DOC 44 Administrative Action-Case Transfers
- DOC 48 Discharge Letter/Notifications
- DOC 175 Initial Intake Assessment
- DOC 179 Probation Social Investigation
- DOC 502(506/CMC) Adult Risk & Needs Assessment
- DOC 2084 Sex Offender Intake Checklist
- DOC 2189 Direct Assignment
- DOC 2318 Agreement for Amendment of No Contact Condition/Rule
- DOC 2352 Voter Ineligibility Acknowledgement
- DOC 2354 Prior Record Listing
- DOC 2625 DCC Offender Intake Checklist
- DOC 2625A DCC Offender Probation Subsequent Case Institution Release Checklist
- DOC 2877 Discharge Checklist
- COMPAS Agent and Offender Signed Unified Case Plan and Rules of Supervision
- DDE 5180 Order of Discharge upon Expiration of Commitment, if applicable
- DDE 5614/5615 Conditional Release Rules, if applicable
- Conditions/Supervised Release Rules
- Discharge Certificate
- Status Case Slip
- Chronos: Notes prior to COMPAS Notes

SECTION 2 - COURT DOCUMENTS (Probation/Parole/ES/IS/NGI)

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- CR 212 JOC w/Criminal Complaint and Sentencing Minutes
- DOC 31 Restitution Ordered
- DOC 37 Amended JOC(s)

- DOC 101 Extension/Civil Judgment Petition
- DOC 398 Intake Routing Face Sheet (if utilized)
- DOC 2156/2259 Amendment to JOC – CIP/ERP(WSAP)
- DOC 2603 Order for Early Discharge from Probation Pursuant to 973.09(3)(d)
- DOC 2678 Verification of Satisfaction of Probation Conditions for Expungement
- DOC 2678A Notice of Failure to Meet Conditions of Expungement
- CR 204R JOC to County Jail/Fine/Forfeiture after Revocation of Probation
- CR 207A/208B Petition/Order for Civil Judgment
- CR 208A Petition and Stipulation to Waive Appearance and Hearing
- CR 208B Order Extending Probation
- CR 244 Order for PSI
- CR 250/252 Petition to Modify ES Conditions/Order to Modify ES Conditions
- CR 253 Order for Re-confinement after Revocation of Extended Supervision
- CR 258 Petition for Sentence Adjustment/Early Discharge
- DOC 2528 Probation Early Discharge Recommendation
- CR 255/256 Referral due to Geriatric/Terminal; Order for Sentencing Modification
- CR 260 Order Concerning Sentence Adjustment
- CR 236 Judgment and Commitment Sexually Violent Person
- CR 263 Petition for Determination of Eligibility for ERP (WSAP)
- CR 264/265 DOC Approval to File Petition for ERP (WSAP) Eligibility/Order
- CR 275 Order for Placement
- CR 239 Order for Supervised Release
- CR 237 Order Denying Petition for Supervised Release
- CR 238 Order for Supervised Release Plan
- CR 274 Order for Conditional Release Plan

CR 271 Order of Commitment

CR 206 Order of Commitment for Treatment

CR 270 Order for Examination

ME 911 Order of Commitment, Extension of Commitment, Dismissal

ME 912 Treatment Condition

ME 914 Order of Commitment

SECTION 3 – VIOLATION INVESTIGATION DOCUMENTS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 5/EBRV Violation Report w/ items attached: Police reports, Urinalysis reports, lab reports, statements, etc
- DOC 44 Start and Stop Times
- DOC 58 Apprehension Request
- DOC 58a Apprehension Cancellation
- DOC 95 Violation Warrant
- DOC 96b/186b Order Reinstating Probation/Parole
- DOC 212 Order to Detain
- DOC 213 Cancellation of Order to Detain
- DOC 247 Request for Reinstatement
- DOC 1165 Statement of Items Seized or Damage to Property Searched
- DOC 1305 Statement - DCC
- DOC 1368 Search and Property Obtained
- DOC 1961 Absconder Locator
- DOC 2072 Law Enforcement Contact
- DOC 2221 DOC Home Search Plan
- DOC 2349 DCC Custody Staffing
- DOC 2355 Violation Staffing
- DOC 2419 Order for Sanctions for Extended Supervision Violation and Notification to Offender
- DDE 5177 Statement of Probable Cause & Petition for Revocation of Conditional Release
- DDE 5536 Statement of Probable Cause for Detention
- DDE 5176 Notice of Violation & Receipt
- DDE 5206/5207 Petition for Capias/Order Granting Capias
- DDE 5205 Order to Transport

SECTION 4 – CONFIDENTIAL DOCUMENTS & RELEASE OF INFORMATION

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- Pre-Sentence Investigation & all documents and notes obtained or created during PSI process
- DOC 29 Notice of Claim
- DOC 180 Pre-Sentence Investigation Worksheet
- DOC 223a Psychological Report (DCC)
- DOC 1163 Authorization for Disclosure of Non-Health Confidential Information

DOC 1163a Authorization for Use and Disclosure of Protected Health Information

Copyright © 2012 [WI Department of Corrections]

- DOC 1336 Referral for Services
- DOC 1969 Pharmacological Treatment Program Medical Screen Checklist
- DOC 1970 Pharmacological Treatment Program Field Referral
- DOC 1971 Pharmacological Treatment Program Field Termination Report
- DOC 1972 Pharmacological Notice Treatment Contract, and Waiver
- DOC 2067 Pharmacological Treatment Program Self Report Questionnaire
- DOC 2068 Pharmacological Treatment Informed Consent
- DOC 2134 Pharmacological Treatment Acknowledgement of Interest
- DOC 2157 Voluntary Choice and Waiver
- DOC 2279 Wiser Choice Referral
- DOC 2601 DCC Referral for Mental Health Services
- DOC 2623 Victim Notification/Reply
- DOC 2665 2011 Act 266 Victim Acknowledgement & Data Sheet
- DOC 2665A 2011 Act 266 Petitioner Victim Information
- DOC 2667 2011 Act 266 Risk Assessment Cover Sheet
- DOC 4051 Reasonable Modification – Accommodation Request for Probation, Parole, Extended Supervision

DOC 4052 Offender Request for Administrative Review of Reasonable Modification Accommodation Request

PENS Notification

School Transcripts

Treatment Group Referral Attendance/Progress Reports/Records

SECTION 5 – MISCELLANEOUS SUPERVISION FORMS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- Interstate Compact Application
- Interstate Compact Forms-Pre-ICOTS
- Notice of Arrival/Departure
- ICOTS Offender Violation Report
- Progress Report
- Compact Action Request
- Case Closure Notice
- DOC 24 Transfer Summary
- DOC 50 Travel Permit

DOC 56 Application to Purchase/Operate a Motor Vehicle

DOC 88 Home Visit Waiver

Copyright © 2012 [WI Department of Corrections]

- DOC 127 Offender Request for Administrative Review
- DOC 501 Purchase of Offender Goods and Services
- DOC 550 CCEP Assessment
- DOC 1565 CCEP Referral
- DOC 556 CCEP Employment Report
- DOC 1371 CCEP Rules for Work Experience
- DOC 1031 Media Contact Report
- DOC 1362/a/b EMP enrollment/enhanced/GPS enrollment
- DOC 1363 EMP Schedule
- DOC 1369 Good Faith Effort Documentation
- DOC 1532 Notice to Employer
- DOC 1660/1661 Community Service Alternative to Jail/Referral to CSW crew
- DOC 1793 Job Search Documentation
- DOC 2215/2238 EMP Equipment Found/Lost/Damaged
- DOC 2323 EMP Rules
- DOC 2335 Transport/Assistance Request
- DOC 2367 ICE Notification Request
- DOC 2541 Windows to Work Program Participant Referral
- DOC 2561 Discretionary GPS Request
- DOC 2562 Maximum Discharge Lifetime GPS Requirements
- DOC 2564 Criminal Charges and Replacement Cost of EM Equipment
- DOC 2583 Work Experience Extension
- DOC 2637 Fee Waiver for TOPP
- DOC 2655 CCEP Waiver Authorization
- DOC 2684 DCC STG Affiliation Inquiry
- DOC 2724 CCEP Referral Checklist
- DOC 2749 Interstate Compact Application Fee Action Report
- DOC 2748 Monitoring Equipment Request
- DOC 2756 Interstate Compact Application Fee Letter and Coupon
- DOC 2772 Monitoring Center Violation Report
- DOC 2773 Monitoring Center Enrollment and Total Access
- DOC 2792 GPS Fee Payment Notice – Lifetime Tracking
- DOC 3011 Fee for copies
- DDE 6019 Client Contribution Calculation for Cost of Care

Copyright © 2012 [WI Department of Corrections]

SECTION 6 – MISCELLANEOUS CORRESPONDENCE

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 1043 Facsimile Cover Message with Attachments (Not Confidential)
- DOC 4011 Letterhead documents
- Written Correspondence Sent/Received

SECTION 7 – INSTITUTION DOCUMENTS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 7e Pre-Release Investigation
- DOC 11 Release Planning Information
- DOC 15 Offender Release Authorization
- DOC 108 Waiver of Time
- DOC 161 Visitor List – Removal or Denial
- DOC 192 Notification of Sentence Data
- DOC 745 Release Plan Information
- DOC 1208 Parole Commission Action
- DOC 2137 Request to Return to Correctional Institution
- DOC 2414 Earned Release Program (ERP) Tracking Checklist

SECTION 8 – REVOCATION DOCUMENTS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 44 Administrative Action – Revocation Action
- DOC 250 ATR Agreement
- DOC 251 Placement Plan-Alternative to Revocation
- DOC 414 Notice of Violation, Recommended Action & Statement of Hearing Rights
- DOC 414a Notice of Violation and Receipt
- DOC 415 Notice of Preliminary Hearing
- DOC 416 Revocation Information Request
- DOC 424 Claim for Witness Fee

DOC 429 Revocation Hearing Request

DOC 1304 Subpoena

Copyright © 2012 [WI Department of Corrections]

- DOC 1950 Violation/Revocation Summary
- DOC 1221 Revocation Order and Warrant
- DOC 2132 Reincarceration Time Recommendation Worksheet
- Preliminary Hearing Decisions
- Final Revocation Hearing Decisions
- CR 276 Order on Petition to Revoke Conditional Release

ME 901 Statement of Emergency Detention-Law Enforcement

SECTION 9 – REPORT FORMS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 8 Offender Report Form (Enter into COMPAS Notes as Official Record - Retain paper form in paper file for non-sex offenders until termination)

SECTION 10 – SEX OFFENDER DOCUMENTS

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 3 Face Sheet -Law Enforcement & DNA
- DOC 1423 Sex Offender Program Report
- DOC 1577/a Sex Offender Assessment Report/Risk Assessment
- DOC 1748 Sex Offender Release Special Bulletin Notification
- DOC 1759 Sex Offender Registration Form
- DOC 1790 Special Bulletin Notification-supplement
- DOC 1806 Notice of Polygraph Requirement
- DOC 1867 Sex Offender Disclosure Questionnaire
- DOC 1872 Lie Detector Fee Schedule/Payment Deferral
- DOC 1873 Offender Notification Required Lie Detector Test
- DOC 2065 Reclassification Worksheet
- DOC 2110 Sex Offender Residence Assessment
- DOC 2129 Sex Offender Activity Request
- DOC 2143 SBN Release Plan

DOC 2261 Employment Assessment

DOC 2220 Polygraph Referral

DOC 2247 Sex Offender Registration Non-Compliance Investigation

Copyright © 2012 [WI Department of Corrections]

- DOC 2287 Sex Offender Registrant Information/Home Visit
- DOC 2435 GPS Tracking Screening
- DOC 2559 Chaperone Agreement
- DOC 2652 Sex Offender Evaluation Report – DCC
- DOC 2703 Notice of WI State Stat 301.475 Sex Offender on School Premises

DOC 2705 Sex Offender Registry Update

SECTION 11 – OFFENDER FINANCIAL INFORMATION

The below forms should be included in this assigned section. This is not an all-inclusive list of forms. If a form has become an e-form, a copy needs to be printed and put in the offender case file. Official copies of e-forms are kept in the electronic system. Staff should consult their supervisor if they are unsure which section a form/document should be filed in.

- DOC 32 Disbursement Order
- DOC 148 Wage Assignment
- DOC 150 Payment Ledger (if exists)
- DOC 1682 Supervision Fee Action Report

Court obligation receipts and yellow copy of Supervision Fee Payment Agreement filed in an envelope and attached to inside back cover of file folder.

Copyright © 2012 [WI Department of Corrections]

AUDIT OF CASE RECORDS

.01 PURPOSE

Performance that is consistently evaluated, measured, and reinforced will more closely support the mission of the Department of Corrections of protecting the community and providing opportunities for positive behavioral change. The Corrections Field Supervisor (CFS) plays a critical role by conducting routine reviews of case records, task lists, and other available reports.

.02 REPORTS/CONFERENCE PROCEDURES/QUALITY ASSURANCE REVIEWS

Within the first 5 business days of each month, the CFS will review and share with the agent the following reports, including but not limited to:

- Workload Manager Overdue Tasks
- DNA DCC
- DCTM: Offenders without Supervision Fee Schedules
- DCQC: DCC DOC-31 Missing
- 90 Days Unpaid Financial Obligations

If significant issues are discovered, the CFS will discuss with the agent and develop an action plan. At each conference the CFS will prepare the Supervisor Conference Form (DOC-2876).

Supervisory Conferences shall be completed at the following intervals:

- Probationary Agents: Monthly
- Non-Probationary Agents: Every other month
- Senior Agents: Quarterly

The CFS will complete the COMPAS Intake Quality Assurance Review (DOC-2867) at the following frequency:

- Probationary Agents: 2 within the nine months after ABT graduation
- Non-probationary Agents: 6 per annual performance review period
- Senior Agents: 3 per annual performance review period

The CFS will complete the Post Intake Quality Assurance Review (DOC-2866) at the following frequency:

- Probationary Agents: 1 within the nine months after ABT graduation
- Non-Probationary Agents: 4 per annual performance review period
- Senior Agents: 4 per annual performance review period
- Best practice is to complete in conjunction with CSR reviews

The CFS will complete one (1) direct observation per annual performance review period using the Direct Observation for Staff Development (DOC-2875).

Full file reviews will be completed using the Full Case File and COMPAS Review (DOC-2869) at the direction of the Regional Chief if significant poor or negligent performance issues are discovered or suspected or in conjunction with a performance plan of action for failure to meet expectations.

Agents have the option to complete the Agent PPD Planning and Development (DOC-2868) prior to a supervisor conference of PPD planning and review session.

The Regional Chief may reduce the frequency of reviews, except those for probationary employees, based on CFS workload. Waivers must be reviewed and documented monthly.

Copyright © 2012 [WI Department of Corrections]

RECORDS DISPOSAL

.01 AUTHORITY

Wisconsin Statute 16.61(4)

.02 GENERAL STATEMENT

Written approval must be obtained prior to disposing of any Department record. Under Wisconsin Law, all records maintained by DOC must be retained and destroyed based upon an applicable Records Retention/Disposition Authorization (RDA) issued by the State Public Records Board. The regional chief is responsible for informing field staff about the RDAs applicable to their records.

.03 RECORD DISPOSAL PROCEDURE

Current RDAs are posted on MyDOC: On the opening MyDOC screen, key in “RDA” in the “Search Docs” box. RDAs are listed in numerical order.

For questions about RDAs, contact the Department Records Management Compliance Officer at (608) 240-5575.

.04 T-FILE DESTRUCTION

The destruction of DCC supervision files assigned a termination or “T” number occurs annually. At the direction of the Department Records Officer, staff shall dispose of “T” files prior to a given date in accordance with the applicable RDA, and certify to the Records Officer the number of cubic feet of records disposed.

Documents containing health information must be destroyed in a confidential manner per Health Services Policy and Procedure 500:07, Retention and Destruction of Protected Health Information, Appendix A.

Copyright © 2012 [WI Department of Corrections]

OPEN RECORDS LAW

.01 AUTHORITY

Wis Stats. 19.31, 19.39, 19.62(5) and (7), 48.78, 51.30, 103.13, 118.125, 146.82, 146.83, 230.13, 252.12(3), 905.03, 942.06, 972.15(1); Executive Directive 21; WSEU Contract 2/4/4; Department of Employee Relations Locator Number OS-76 & MRS-194.

.02 GENERAL GUIDANCE

It is the policy of the Division of Community Corrections to provide timely and accurate information to inquiries from the media or from individual citizens.

With the exception of specific confidentiality laws, records created or maintained by the Division shall be construed in every instance with a presumption of complete public access, consistent with the conduct of government business. Denial of public access generally is contrary to the public interest and only in an exceptional case may access be denied.

.03 OPEN RECORDS REQUEST PROCEDURE

All requests should be forwarded to the designated open records custodian in the region. The open records custodian shall respond to all requests using the following process:

- Records may be requested orally or in writing.
- Written requests must be responded to in writing. Use of the Record Request Response Form (DOC-1160) is recommended as it contains all the legal requirements such as the appeal notice.
- Records may not be denied because the requester refuses to identify themselves or the purpose of their request.
- Requesters may be required to identify themselves for security reasons if the records are to be reviewed inside the secure portion of an office or center or if the request is received by mail.
- All denials must be justified.
- Open records custodians must determine if the requested record(s) exist, within the meaning of the law. If the requested records exist, a determination must be made if none, all, or part of them is to be released
- Partial (or redacted) records must be released if they contain information that is releasable under the law.
- Requests must be responded to as soon as practicable and without delay.
- Fees for copies should be charged, along with mailing or shipping charges, consistent with the law.
- Record requests and copies of the responses should not be filed in the offender case file. They should be filed by month in a separate open records file.

.04 RECORDS EXEMPT FROM DISCLOSURE

The open records custodian shall determine records exempt from disclosure as designated by the following:

- Records containing personally identifiable information collected or maintained in connection with a complaint or an investigation that may lead to an enforcement action, an administrative proceeding, an arbitration proceeding or court proceeding, or any such records which are collected or maintained in connection with such an action are exempt from disclosure.
- Any record containing personally identifiable information that, if disclosed, would do any of the following are exempt from disclosure:
- Endanger an individual's life or safety;
- Identify a confidential informant;

Copyright © 2012 [WI Department of Corrections]

- Endanger the security of a prison or its population or staff;
- Compromise the rehabilitation of a person in the custody of the agency.
- AODA treatment records.
- Criminal history record information obtained from the FBI's NCIC (FBI "rap sheets")
- Any record that is part of a record series that is not indexed, arranged, or automated in a way that the record can be retrieved by the authority maintaining the records series by use of an individual's name, address, or other identifier.
- Victim addresses.
- Attorney/client communication.
- Computer programs.
- Investigative information obtained by law enforcement agencies (includes DOC), as required by law, or for receipt of aids.
- Records exchanged between states for Interstate Compact transfers.
- Names and other information on WSEU represented employees
- Letters or notes from former employers commenting on an applicant's (employee) qualifications.
- Records regarding an employee's enrollment or participation in an EAP program.
- Disciplinary actions against employees.
- Annual employee performance evaluations or performance improvement plans.
- Employee probationary service reports
- Employee sex, race, ethnic group information, and social security numbers.

.05 RESTRICTED RELEASE RECORDS

The following records are not releasable under the Open Records Law unless proper consent or release is obtained:

- Juvenile records
- Health care records
- Clinical records
- Educational records
- AODA treatment records

.06 INMATES AND COMMITTED PERSONS STATUS AS REQUESTERS

Any person confined to a state prison, county jail, house of corrections, or other state, county, or municipal correctional or detention facility (including persons on a condition of probation in jail) may inspect and receive only copies of records which contain specific references to that person or their minor children who have not been denied placement with them under the law.

Any committed person, including civil mental health and sexually violent persons under a Chapter 980 commitment, in an inpatient treatment facility (includes the Wisconsin Resource Center, mental health institutes, secure mental health units, or facilities created under Chapter 980), may inspect and receive only copies of records which contain specific references to that person or their minor children who have not been denied placement with them under the law.

Copyright © 2012 [WI Department of Corrections]

.07 EMPLOYEE RECORDS

Employment records containing information about DOC employees may not be released without specific authorization from the Department's Records Custodian.

INFORMATION SHARING WITH THE PUBLIC

.01 POLICY

It is the policy of the Division of Community Corrections to provide timely and accurate information to inquiries from the media or from individual citizens.

.02 GENERAL GUIDANCE

Caution should be exercised when disclosing information, and personal opinion should be avoided. Staff while in pay status, on state time, and/or on state property are considered acting as a representative of the Department and in the name of the Department of Corrections. Staff shall be courteous and helpful and provide timely and accurate information within their expertise, depending on the availability of the information requested. The following guidelines should be followed:

- Staff must not respond to media inquiries until after discussion with the Department of Corrections Public Information Officer.
- Inquiries regarding matters which are in litigation shall be referred to the Department's Office of Legal Counsel.
- Inquiries on matters under investigation will not be discussed until the investigation is completed and disposition made.
- Inquiries on personnel matters will be referred to the Director of the Bureau of Personnel Relations and Human Resources.

.03 REQUESTS FOR INFORMATION

Staff who receive inquiries shall attempt to obtain the following information:

- Name of person making the inquiry
- Name of organization they represent
- Phone number where they can be reached
- Information requested
- Reason for request

Requests from media must be documented on the Situation Alert (DOC- 1959).

Requests identified as open records requests shall be handled in accordance with 14.05.

Staff may provide information that is a matter of public record. Two factors of importance in determining whether to respond to inquiries are the availability of the staff person to respond and the availability of the information being sought. If the information requested is reasonably available,but is not within the ability of the staff person to provide it, then the appropriate response is that the information requested will be provided after it is obtained. If the information is not available, or the staff person is not knowledgeable of the matter, the inquiry will be referred to the supervisor for a response.

.04 GUIDANCE ON REQUESTS

Requests for information fall into two categories:

- Requests for case file information
- Requests for program related information

Requests for Case Record Information

Requests for access to a case file under the Open Records Law shall be referred in accordance the direction given in the Open Records Law section. Requests for information about a case other than those covered under the Open Records Law shall be responded to completely and accurately within the following guidelines:

- Privileged or confidential information protected by statute or administrative rule may not be released.
- A balancing test shall be applied to requests for information of a sensitive or personal nature or information that could do irreparable damage to Department of Corrections programs or security. The test shall include a conscientious effort to determine that the public right to know outweighs the need to protect the information.

Requests for Program Related Information

Requests for information about Department policies or procedures shall be responded to completely and only when the response accurately reflects the Department policy or procedure concerned. This may necessitate a review of manuals, Administrative Code, or other reference to ensure accuracy. Application of policy or procedure to a specific case shall be responded to within the expertise of the staff person to respond. This can be as the result of first-hand experience or from the record; however, staff shall not attempt to interpret the record or express personal opinion.

Copyright © 2012 [WI Department of Corrections]

Offender Legal Name Change

Offender Name Change: If an offender has his/her name legally changed during the course of supervision, DCC records will be altered to reflect that name change only under the following circumstances:

- An amended probation order is received from the court showing the name change; or,
- The court order changing the offender's name contains the language, "includes any and all records."

If either of these orders is received, the agent shall forward a copy to CRU with the DOC-44 for that offender. The former name will then be recorded as an alias and the new name will be recorded as the true name.

DOC-44 Pre-Printed Information Amendments

The Recommendation for Administrative Action (DOC-44) is used to make changes in the CACU/WICS database. A court order must accompany the DOC-44 to change the court case number, name on the court order, county and state of conviction, court order type, conviction date, sentencing date, term, discharge date, consecutive case indicator, discharge upon payment of obligations indicator, statute number, number of counts, and felony/misdemeanor indicator.

Copyright © 2012 [WI Department of Corrections]

TELEPHONES

.01 PERSONAL CALLS

Employees should avoid the use of State telephones or cell phones to place personal calls. If an employee finds it necessary to place a personal long-distance call, it must be charged to the caller's home phone or reverse the charges.

.02 COLLECT CALLS

Generally, collect calls should not be accepted unless there is an emergency or absconder situation. When a collect call is refused, the employee should ask the operator for the caller's number and then replace the call "station-to-station." Collect calls received at home must be charged to the office phone number; if this is not possible, they will be reimbursed on the travel voucher with proper documentation.

.03 CELL PHONE MANAGEMENT

DOC cell phones are authorized for business use by agents or units. It is the responsibility of each authorized user to review, sign, and date billing documents as they are routed to them to identify calls of a personal nature. The Department must be reimbursed for the total cost of all personal calls. The signed and dated billing document should be routed to the supervisor.

Copyright © 2012 [WI Department of Corrections]

Revocation

Investigation/Decision
Pre-Preliminary Hearing
Waived Hearings
Preliminary Hearings
Post-Preliminary Hearing
Final Revocation Hearing
Appeals
Revocation and Reinstatement Orders
Special Revocation Procedures
Legal Rules, Aids & Guidelines

INVESTIGATION/DECISION

.01 AUTHORITY

Wisconsin Administrative Code Sections HA 2
Wisconsin Administrative Code DOC 331
Wisconsin Statutes 302.11

.02 GENERAL STATEMENT

An offender's supervision may be revoked if the offender violates a rule or condition of supervision. When supervision is revoked, the offender is either:

- returned to court for sentencing, or
- transported to a correctional facility to begin serving the sentence indicated by the Court.

Protection of the public is the primary consideration in any revocation decision.

.03 TIME FRAMES

These time frames only apply to cases where an Order to Detain (DOC-212) has been authorized by the Department.

If the offender is in custody, the offender should be interviewed within 3 working days.

The original 3 working day detention for investigation can be extended by completing a Detention Extension Request (DOC-212).

The supervisor may extend detention for 3 working days. The Regional Chief may extend for an additional 5 working days. If further extension is necessary, the Administrator or designee may approve any additional time in increments of five days.

Once a decision to revoke has been made, the Notice of Violation and Hearing Rights (DOC-414) shall be served within 2 working days.

On waived revocations, the “administrative packet” must be submitted to the Supervisor within 10 working days of the waiver. The supervisor in turn must process the packet within 5 working days and submit to the Regional Office. The Chief or designee will process the waiver within 5 working days of receipt.

If required, a Preliminary Hearing shall be held within 15 working days of the date of detention. Under special circumstances, the Regional Chief or designee may allow an additional five working days.

The Notice of Preliminary Hearing (DOC-415) must be served not less than one, or more than 5 working days from the date of the Preliminary Hearing.

The Final Revocation Hearing Request (DOC-429)must be completed by the agent using the DOC-429 immediately following a finding of probable cause at a Preliminary Revocation Hearing. If the offender waives the Preliminary Hearing, or if no Preliminary Hearing is required, the (DOC-429) must be completed within 1 working day of the custody decision.

The DOC-429 will be electronically routed to the Division of Hearings and Appeals (DHA), the agent, supervisor, and

Copyright © 2012 [WI Department of Corrections]

status keeper mailbox. The DOC-429 will only be routed to the defense attorney if an email address is included on the DOC-429. The agent will receive a copy of the DOC-429 composite document by email to print and place in the file. If the attorney is unknown at the time of submission, the agent should forward the email copy of the DOC-429 to the defense attorney when one is appointed. If the DOC-429 is amended at any time prior to the start of the hearing, the agent must provide the amended copy to the attorney and offender.

For offenders being held in county jails, the Final Hearing must begin within 50 calendar days of the date of detention unless the hearing has been postponed for cause. Under special circumstances, at the request of the agent or defense counsel, the Division of Hearings & Appeals may allow an additional ten (10) calendar days. Failure to begin a hearing within these time requirements may result in the Sheriff releasing the offender with notice.

If a formal alternative to revocation has not been found and the offender has not signed an Alternative to Revocation Agreement (DOC-250), the packet must be submitted to the Supervisor within 10 working days of the service of the Notice of Violation, Recommended Action and Statement of Hearing Rights (DOC-414). The Supervisor in turn must process the packet within 5 working days and submit to the Regional Office. The Regional Office shall process the packet within 5 working days of receipt.

A copy of the hearing packet should be submitted to the Division of Hearings & Appeals and the offender's defense counsel at least 10 calendar days before the date of the Final Hearing.

For sentence withheld cases only, the Revocation Order and Warrant, Revocation Summary (DOC-1950), signed waiver (or copy of the Administrative Law Judge's findings and recommendation), and a memorandum shall be submitted to the sentencing court within 10 calendar days of the effective date of revocation (the date the Revocation Order and Warrant is signed).

.04 INVESTIGATION

The agent investigates the facts underlying an alleged violation and meets with the offender to discuss the allegation within a reasonable period of time after becoming aware of the violation. After the investigation has been completed and it has been determined that a violation has occurred, the agent will utilize an evidence-based response to violation(s) and review the following items with his/her supervisor:

- The facts underlying the alleged violation including conflicting versions regarding the nature and circumstances of the alleged violation;
- The agent's investigatory efforts and conclusions:
  - A brief summary of agent's discussion with the offender;
  - Summary of victim statement;
  - The agent's recommendation and justification regarding disposition;
  - A statement as to the custody status of the offender;
  - Any pending criminal charges, guilty pleas, confession, or conviction for the conduct underlying the alleged violation; and
  - Reference to the offender's prior adjustment, including but not limited to, prior record, violations, alleged violations, and absconding.

.05 PLOTKIN ANALYSIS (ABA STANDARDS)

Violation of a rule of supervision can be both a necessary and sufficient ground for the revocation of supervision. Revocation should not be the disposition unless at least one of the following is met:

- Confinement is necessary to protect the public from further criminal activity by the offender;
- The offender is in need of correctional treatment, which can most effectively be provided if he/she is confined;
- It would unduly depreciate the seriousness of the violation if supervision were not revoked.

Copyright © 2012 [WI Department of Corrections]

All of the following intermediate steps must be considered in every case as a possible alternative to revocation: A review of

- the rules of supervision followed by changes in them where necessary, including return to court;
- A formal or informal counseling session with the offender to re-emphasize the necessity of compliance with the rules or conditions;
- An informal or formal warning to the offender that any further violations may result in a recommendation for revocation.

.06 ALTERNATIVES TO REVOCATION

Alternatives to Revocation (ATR) shall be considered in all cases. Alternatives can be formal or informal in nature. An informal ATR is one utilized without serving an offender with a DOC-414.

A formal ATR is one utilized after the offender has been served a DOC-414 and has signed an Alternative to Revocation Agreement (DOC- 250). A revocation packet is not required if the offender signs the Alternative to Revocation Agreement (DOC-250) within ten working days of service. Any additional material required will be based on the intake requirements of the designated program.

A formal ATR may include a Residential Service Provider or Institution/Center placement.

In all cases where the department initiates revocation of an offender's probation, parole or extended supervision, the department must consider whether an appropriate alternative is available. An agent may continue to seek and consider ATRs at any time prior to issuance of a Revocation Order and Warrant.

An appropriate ATR may not be available when the decision is made to initiate revocation. In such a case, Revocation Hearing Request (DOC-429) as soon as that determination is made.

- If an appropriate ATR becomes available prior to the start of the Final Hearing, the agent should obtain a signed Alternative to Revocation Agreement (DOC- 250), cancel the hearing, and withdraw the revocation request. A copy of the DOC-250 should be forwarded to the status keeper. The offender shall be released to the ATR.
- If an appropriate ATR is not available at the start of the Final Hearing, but one is expected to become available within a reasonable time, the agent may ask the Administrative Law Judge to reschedule the hearing. If the ATR becomes available, the agent shall obtain a signed DOC-250, cancel the hearing, and withdraw the revocation request. The offender shall be released to the ATR. If the ATR is not available within a reasonable time, the agent shall proceed with the revocation.

An ATR shall be considered "not available" if it cannot be implemented within 60 calendar days of the date the Notice of Violation (DOC-414) was served upon the offender. The Regional Chief may authorize an exception, upon request of the agent. The agent's request must confirm that the offender is eligible, suitable, and willing to enter the ATR; that the offender has been accepted by the ATR program provider; and that the ATR provider has established a date by which the offender can enter the program.

No hearing should be cancelled before the offender enters the appropriate ATR program. The custody decision under DOC 331.04 does not apply after the revocation process is terminated.

.07 ATR PLACEMENT PROCEDURE

1. Agent prepares and serves the DOC-414 and DOC-250. The offender must sign the DOC-250. If the offender refuses to sign the DOC-250, the agent should consult with the CFS regarding pursuing revocation. The agent may also prepare amended Probation and Parole Rules (DOC-10).
2. The ATR plan should be stated in the COMPAS notes with a clear description of the criminogenic need addressed.

If a DOC-44A recommending revocation has already been processed, a second DOC-44A stating "Withdraw Revocation Request" must be submitted. If time has been stopped, check "Start Time." The effective date of the Start Time is the date the offender signed the ATR agreement. Time may not be tolled beyond the ATR start.

Copyright © 2012 [WI Department of Corrections]

.08 ATR INSTITUTION PLACEMENT PROCEDURE

In addition to the steps outlined above to be eligible for placement in an institution ATR, the offender must be on supervision for a felony conviction or be a misdemeanant with an enhancer on an imposed and stayed prison sentence.

The agent will email the following documents to the appropriate mailbox: (DOC DAI ATR Referral Male <DOCDAIATRReferralMale@wisconsin.gov>or DOC DAI ATR Referral Female<DOCDAIATRReferralFemale@wisconsin.gov>):

1. DOC-2265 Institution ATR Referral
2. DOC–414 Notice of Violation, Recommended Action, Statement of Hearing Rights and Receipt
3. DOC-3472 (if needed) – Mental Health Screening Interview

The Program Supervisor will review the packet with 10 business days of receipt and determine if the offender is accepted into the program. If accepted, the OPA or designee monitoring the mailboxes will notify the agent. The agent will then arrange for transportation to the institution on the program start date. If necessary, the agent or supervisor will make arrangements for necessary medical screening. The agent will also forward the following documents:

1. DOC-3 Face Sheet
2. DOC-1163A Authorization for Use and Disclosure of Protected Health Information (signed for communication between the agent and the facility)
3. Criminal Complaint
3. DOC-250 ATR Agreement
4. DOC-179 (if no PSI available)
5. DOC-2077 Health Transfer Summary (submitted, along with medication on transport date)
4. Visitors List
5. Program completion summaries, evaluations, etc., from the last one year of programming or discharge summaries from most recent programming if the offender is not currently receiving services.

For referrals to WRC (WWRC) the below forms will be provided to the agent for completion:

- WRC F-00224- WRC Referral Packet (please note release planning options must be completed)
- WRC F-1584 – WRC ATR Agreement
- WRC F-00946 – Medical Clearance

If the offender is not accepted, the designee monitoring the mailboxes is notified, returns the referral to the agent, and notifies the Regional Office or designee and the Deputy Warden or designee. Within five business days from the date of rejection, the Regional Office (or designee) and the Deputy Warden (or designee) will determine if another Institutional ATR program in DAI is more appropriate or if other options should be pursued.

While the offender participates in the Institutional ATR program, the agent will participate in person or by phone in program review and staffing on an ongoing basis as requested by DAI staff. Should the offender abscond or violate institutional rules, the facility superintendent or designee can authorize apprehension and detention requests, with a copy to the agent. The agent is responsible for assisting the offender in securing housing upon completion of the program.

The DCC Agent shall arrange pick up of the offender within two working days of being notified of the offender's completion, dropout, or termination. The DCC Agent shall make arrangements in coordination with Institution/Center point of contact to include day and approximate time of pick up. The DCC Agent should provide

Copyright © 2012 [WI Department of Corrections]

the program supervisors with information regarding transport.

Upon completion of ATR, the Unified Case Plan will be updated by the agent to reflect completion.

A list of FAQ can be found here.

.09 FAILURE TO SUCCESSFULLY COMPLETE ATR

If the offender fails to complete a formal ATR, the agent is responsible for commencing revocation proceedings if appropriate. Any new violations of supervision, including failure to complete the ATR program, may be added as reasons for revocation. An amended Outline Receipt and Notice of Violation (DOC-414) must be served on the offender.

A preliminary hearing is not needed if the offender has signed a written statement admitting one or more of the violations. The previously signed DOC- 250 may be used as such an admission.

.10 REVOCATION OF PAROLE

All revoked parolees are entitled to due process on loss of good time. The Administrative Law Judge makes this decision at the time of the final revocation hearing. In the case of waived final hearings, the parolee retains the right to a good time/reincarceration hearing, which may also be waived. If this hearing is waived, the Regional Chief or designee makes the final decision on the amount of good time to be forfeited or the amount of reincarceration time to be served. If the hearing is requested, a Good Time Forfeiture/Reincarceration Hearing Request (DOC-429A) must be completed so that a hearing will be scheduled. The DOC-429A will require the packet to be attached prior to submission. The DOC-429A, including the packet, will be routed electronically to DHA and the institution where the offender is housed. The agent and supervisor will receive a copy of the composite document of the DOC-429A form by email.

There are two laws that affect sentence reduction: (Inmates serving sentences for offenses committed on or after 12/31/99 are not eligible for sentence reduction).

> Old Law: Inmates serving a term for an offense committed prior to June 1, 1984, can earn two types of good time: statutory good time and industrial good time. Inmates sentenced for crimes committed before June 1, 1984, had an opportunity to choose to be included under the new law.
>
> New Law: The concept of "Good Time" does not exist under new law. The Mandatory Release date is automatically established at two-thirds of the length of the sentence. The MR date may be extended for institution misconduct. The new law automatically applies to all cases in which the crime was committed between June 1, 1984, and December 31, 1999.

.11 REVOCATION OF EXTENDED SUPERVISION

An offender whose term of extended supervision is revoked is entitled to due process regarding the length of time for reconfinement. The Administrative Law Judge makes this determination at the final revocation hearing. If the offender waives the final revocation hearing but does not waive the good time forfeiture/reincarceration/reconfinement hearing, the agent shall submit a Good Time Forfeiture/Reincarceration Hearing Request (DOC-429A) . The Division of Hearings and Appeals will schedule a hearing at the institution where the offender is confined.

.12 PROCEDURE

An offender's good time forfeiture/reincarceration/reconfinement time information may be obtained by sending a Revocation Information Request (DOC-416) to the Registrar at Dodge Correctional Institution (DCI) for males and and the Wisconsin Women's Center System (WWCS) for females. The agent must send the DOC-416 as soon as it appears that a recommendation will be made for revocation. If the violation does not result in revocation, the DOC-416 remains valid for the duration of the supervision term unless specifically noted on the 416, Section Two, Item Three.

An offender's good time forfeiture/reincarceration/reconfinement time information may be obtained any time a parolee or offender on extended supervision is alleged to have committed a violation that may warrant revocation.

Copyright © 2012 [WI Department of Corrections]

If the DOC-416 has not been sent in at the time the offender is in custody, the agent must email the DOC-416 as soon as it appears that a recommendation will be made for revocation. The DOC-416 will be returned to the agent indicating the amount of time available for forfeiture/reincarceration/reconfinement for New Law or TIS sentences. If the case under Old Law, the institution registrar will contact the agent to get the date of violation. If the case has multiple consecutive counts on one Judgment of Conviction, the institution registrar will contact the agent to ascertain the date of violation and whether a stop time has been issued for the offender.

The agent will, after supervisory consultation, make a specific forfeiture/reincarceration recommendation in the Revocation Summary (DOC-1950), on the DOC-44A, and on the DOC-414. For offenders with multiple cases, review of the Revocation and Custody Credit Guidelines is recommended. If the final revocation hearing and the forfeiture/reincarceration/reconfinement hearing are waived, the Secretary's Designee may increase or decrease the recommended amounts for good time forfeiture/reincarceration/reconfinement time.

The forfeiture recommendation for each case must be stated in years, months, and days.

Under the Old Law, the agent must recommend whether or not good time is to be earned on forfeited time when the violation prompting revocation occurred after the MR date. If the violation occurred prior to MR, good time will automatically be earned on forfeited good time.

.13 DECISION GUIDELINES

Once the registrar returns the information on the amount of good time/reincarceration/reconfinement time available, the agent calculates an appropriate recommendation. The agent reviews the recommendation with the supervisor at a case staffing for accuracy and supervisory approval.

The agent applies the penalty schedule for the most serious violation committed by the offender to determine the range of forfeiture/reincarceration/reconfinement.

Recommendation for good time forfeiture, extended supervision reconfinement, or parole reincarceration time shall be consistent with the penalty schedule. Deviation from the penalty schedule must be approved by the Regional Chief or designee. The justification for exceeding the penalty schedule and approval of the Regional Chief shall be addressed in the Revocation Summary (DOC-1950).

.14 OLD LAW DECISION GUIDELINES

The following seven factors shall be considered by the agent and supervisor in arriving at a good time forfeiture recommendation:

- The nature and severity of the original offense;
- The offender's institution conduct record;
- The offender's conduct and behavior while on parole;
- The amount of time left before mandatory release if the offender is a discretionary release parolee;
- Whether forfeiture would be consistent with the goals and objectives of field supervision under Chapter 328 of the Administrative Code;
- Whether forfeiture is necessary to protect the public from the offender's further criminal activity, to prevent depreciation of the seriousness of the violation, or to provide a confined correctional treatment setting which the offender needs;
- Other mitigating or aggravating circumstances.

For violations after the MR date, a recommendation shall be made on whether good time is to be earned on time forfeited. For discretionary parole violators, by law, time will be earned on forfeited good time and no recommendation is necessary.

.15 NEW LAW AND EXTENDED SUPERVISION DECISION GUIDELINES

The following five factors shall be considered by the agent and supervisor in arriving at a

Copyright © 2012 [WI Department of Corrections]

reincarceration/reconfinement recommendation:

1. The nature and severity of the original offense;
2. The offender's institution conduct record;
3. The offender's conduct and behavior while on parole;
4. Consistent with the goals and objectives of field supervision under Chapter 328 of the Administrative Code; and
5. The period of reincarceration that is necessary to protect the public from the offender's further criminal activity, to prevent depreciation of the seriousness of the violation, or to provide a confined correctional treatment setting which the offender needs.

.16 REINCARCERATION RECOMMENDATIONS

The agent must first determine the category that best contains the most serious allegation. The agent must then make the calculation for the recommendation based upon the amount of time available using the following penalty schedule. Exceptions to the penalty schedule require the approval of the regional chief or designee.

The agent's final recommendation shall not be less than one year. If there is less than one year available, the agent will recommend 100% time available. Regional approval is not required in these circumstances. When dealing with multiple, consecutive cases, do not recommend the minimum on each case. It is only required that the final recommendation be a total of at least one year. When dealing with multiple concurrent cases, the sentence with the most time is controlling. Calculate the time on the case with the most time available and take the same from the remaining case. If one case has less than the calculated amount, the recommendation shall be 100% time available. Regional approval is not needed when exhausting cases under these circumstances.

.17 PENALTY SCHEDULE

The Regional Chief or designee must approve any deviation from the penalty schedule and any reincarceration recommendation in excess of 5 years.

Up to 15% of time available	Up to 30% of time available	Up to 60% of time available
CATEGORY 1	CATEGORY II	CATEGORY III
Rules Violations EMP Violations Drug Possession, Use Resisting, Obstructing Bail Jumping Misdemeanor Theft Retail Theft Program/Treatment Failures Non-Criminal Threats ATR Violations	Assaultive Misdemeanors Possession of Weapons Property Felonies Drugs, Delivery Possession with Intent to Deliver Special Rules Violations-SO	Crimes against Persons and the Use of Weapons Homicide, Manslaughter Death/Injury by OWI Felony Sexual Assaults Arson

Mitigating and Aggravating Circumstances

This system anticipates using the penalty schedule to calculate a recommendation for incarceration and subsequent extended supervision or parole supervision. Mitigating and aggravating circumstances may be used to support recommendations that vary from the penalty schedule but will require the approval of the Regional Chief or designee.

Mitigating Factors:

1. Recognition should be given to lengthy periods of supervision served crime free;
2. Violation and crime free preceding present revocation;
3. Completion or amenable to treatment program(s);
4. Pattern of stable and responsible behaviors in the community;
5. Involvement in current violation is minimal or offender is follower;

Copyright © 2012 [WI Department of Corrections]

6. Victim(s) statements(s);
7. Original imprisonment portion of sentence less than 33% of ES available for reincarceration.

Aggravating Factors include:

1. Offender's negative institutional conduct record;
2. Prior revocations;
3. Prior assaultive behavior;
4. Special vulnerability of victim(s) (including age, disability, state of intoxication, etc.);
5. Extreme physical injury/cruelty of victim(s) – evidence of sadism;
6. Extreme property damage;
7. Victim(s) statement(s);
8. Multiple violations;
9. Use of a Firearm

Consecutive Sentences

Consecutive periods of incarceration/reconfinement time are served as one continuous sentence. Offenders serve consecutive periods of parole/ES as one continuous sentence upon release from prison. Consecutive parole/ES cases discharge upon completion of that sentence. Thus, the time on the discharged cases is no longer available for reconfinement if the offender is revoked. The DOC-416 will list the time available for each active count or case separately. Cases which have discharged will be noted in the center box of the DOC-416 and no credit should be given prior to that date. A recommendation should be made on each case/count for which the agent is requesting revocation. Agents are not required to revoke all active consecutive cases/counts.

Consecutive cases/counts are not required to be revoked in the order they were sentenced. An agent may request revocation of the second case/count in a string while leaving the first case/count unrevoked.

- Agents should determine the total amount of reincarceration time recommended for reconfinement so that the case(s)/count(s) with the smallest amount of time available are exhausted first.
- If there are no cases/counts that could be completely exhausted, the time may be applied evenly to all cases/counts being revoked.
- Any active consecutive cases/counts not revoked will pause while the offender is serving time on the revoked cases/counts. The unrevoked count/case will begin running and a new maximum discharge date will be calculated for the unrevoked case/count once the offender is released from prison.
- Any active concurrent cases/counts will continue to run while the offender is serving time on the revoked case/count. There will be no change to the maximum discharge date for those unrevoked cases/counts. Any active probation cases not revoked will continue to run while the offender is incarcerated on the revoked cases/counts. There will be no change to the discharge date for any unrevoked probation cases.

  Consecutive Prison Counts on a Judgment of Conviction

- As parole/ES time is served, consecutive prison counts, on one Judgment of Conviction, will be classified as "*no longer active or expired,"* and the time on that count will no longer be included in the reincarceration time reported on the DOC-416.
- Because the multiple counts are under one active Judgment of Conviction, the counts cannot be discharged the way consecutive cases discharge.
- The time on these multiple count cases will be reported on the DOC-416 as one number, broken down by years

months and days.

- If a count is *"no longer active or expired,"* there will be a date in the center box of the DOC-416, and no custody credit shall be given prior to the date in that box.
- In multiple consecutive count Judgment of Convictions, staff need to ensure jurisdiction has been preserved when reporting older violation dates for revocation. Older violation dates, *such as absconding*, will allow for earlier counts to be active as long as jurisdiction has been preserved through the stop time process.
- Older violations which the agent learns about years later may be used to revoke active counts. However, earlier counts may have "expired" and that reconfinement time would not be included on the DOC-416.

Institution-based Alternative to Revocation (ATR) placements are not sentences and a count may "expire" while the offender is serving the ATR. In these circumstances, the time served in the ATR up to the discharge of the earliest count will no longer be available for reincarceration if the supervision is later revoked.

.18 UPDATING the COMPAS ASSESSMENT FOLLOWING REVOCATION DECISION

The static portion (Question 1-30) of the COMPAS Core assessment must be updated, following the decision to revoke when:

- A new criminal arrest prompted one of the allegations, and
- The offender is facing or has the potential to face prison confinement. For example, an offender with an imposed and stayed prison sentence who also has a new criminal arrest prompting one of the allegations, the static portion of the Core should be completed. If an offender has a withheld felony sentence and also has a new criminal arrest prompting one of the allegations, the static portion of the Core should be completed.
- Formal Institution ATR's where a new criminal arrest resulted in the ATR.

Updating is done by using the Create function. If the previous assessment completed was a WPN or Reentry, the agent should use the create function to forward and update the static information into a new CORE - Incarcerated Language assessment. The Create function copies only the static information from the official records section. In the Reason for Assessment field, the agent should choose "revocation update required".
The updated assessment must be completed within thirty days of the service of the DOC-414.
The assessment will show as "incomplete". An assessment note must be entered for all cases where the offender is facing or has the potential to face prison confinement. This note will make it clear for DAI the reason an assessment was or was not done. For example:

- Assessment not updated: no new criminal arrest.
- Assessment updated: new criminal arrest.

If the offender is revoked, DAI will complete the assessment with the offender in the institution.
If the offender is not revoked, the agent will complete the remaining sections of the Core assessment within 60 days of the decision not to revoke.

PRE-PRELIMINARY HEARING

.01 Policy

The Department may proceed with revocation hearings if there are provable violations of the rules of supervision. A revocation proceeding will be conducted to conclusion regardless of the disposition of the criminal charge.

.02 NOTICE TO OFFENDER OF DECISION TO REVOKE

The agent prepares a Notice of Violation, Recommended Action, Statement of Hearing Rights and Receipt, Waivers and Custody Decision and an Outline of Revocation Procedures (DOC-414). The agent shall complete "Rights of Offender – Section A" portion of the (DOC-414), indicating whether a preliminary hearing will be held. The supervisor will also complete the "Supervisor's Decision on Offender Custody" section of the (DOC-414A) to inform

the offender of the custody decision. The offender shall be served within two working days of the decision to revoke. The agent shall advise the offender of the reasons for revocation, his or her rights, and an explanation of the "Outline of Revocation Procedures."

.03 PRELIMINARY HEARING NOT REQUIRED

A preliminary revocation hearing is not required when:

- The offender is not being held in custody;
- It is waived by the offender in writing;
- The offender has given and signed a written statement which admits the violation;
- There has been a finding of probable cause in a felony matter and the offender is bound over for trial for the same or similar conduct, including a federal grand jury indictment; or
- There has been an adjudication of guilt by a court for the same conduct that is alleged to be a violation of supervision.

If a preliminary hearing is not required, the agent must submit a Request for Final Hearing (DOC- 429) within one working day of the waiver of the preliminary hearing or service of the DOC-414. The supervisor shall complete the lower half of the Waiver and Custody Decision page of the DOC-414, indicating a preliminary hearing will not be held as well as the custody decision. A copy of the DOC-414 be forwarded to the defense attorney.

.04 MAGISTRATE APPOINTMENT

The supervisor or designee will arrange for a magistrate who has not been involved in the revocation decision to conduct the Preliminary Hearing. The Regional Chief or designee will make training available to senior agents, who upon completion, are then able to act as Preliminary Hearing magistrates.

.05 SETTING HEARING DATE

The magistrate will set a time and date for the Preliminary Hearing after service of the DOC-414.

.06 NOTICE TO OFFENDER OF PRELIMINARY HEARING

The agent prepares and serves the Notice of Preliminary Hearing (DOC-415) for the magistrate. The hearing will be not less than one, nor more than five working days from service of the DOC-415.

.07 INSTITUTION PROCEDURES

In some cases, offenders are returned to institutions pending revocation. In these cases, the agent of record is responsible for completing the DOC-414 as well as the DOC-415.

If a liaison agent is assigned to the institution, the agent of record shall prepare the DOC- 414 and mail or e-mail it to the liaison agent, who will then serve the offender. The liaison agent will then notify the agent of record whether or not the offender has waived the hearing and will return the signed document.

At institutions where there is no liaison agent, the agent of record may call the institution social worker and request assistance in serving the DOC- 414.

If a preliminary hearing is required, the agent shall immediately prepare a DOC-415 within 2 working days of the receipt of the returned DOC-414 and mail or e-mail 4 copies to the liaison agent or institution social worker, who will then serve the offender and immediately return 3 copies to the agent of record.

The agent of record is responsible for:

- obtaining a magistrate for the hearing;
- arranging a hearing room at the institution;
- notifying the institution of the date and time of the hearing;

Copyright © 2012 [WI Department of Corrections]

- notifying the institution of the names of any witnesses that need to be present.

  The agent may request the assistance of the institution social worker or liaison agent.

.08 ATTORNEY PACKET

The agent notifies the public defender's office, which will make determinations concerning counsel and appoint counsel if appropriate.

When counsel at the Preliminary Hearing represents an offender, the agent should prepare a packet for the attorney as follows:

- Court Order or DOC-44A
- WICS Sentencing Component Screen
- Applicable COMPAS EBRV
- Rules of Community Supervision

  Notice of Preliminary Hearing (DOC-415)

.9 POSTPONEMENT OR EXTENSION OF PRELIMINARY HEARING

A preliminary hearing must begin within fifteen (15) working days of the date of the Division's detention order. However, with the approval of the Regional Chief or designee, the offender and the Department may agree to a new preliminary hearing date. If an offender or the offender's attorney requests an extension, a notice shall be sent to the Regional Chief or designee. If the agent requests a change, the agent shall forward the request to the Regional Chief or designee. The re-scheduled hearing must take place within 20 working days of the Division's detention order. If the extension is approved, the Regional Chief or designee will so advise by routing the request for extension, with approval noted, to the supervisor. Service of a new DOC-415 is required in these cases. A copy of this notice must be given to the Sheriff or other person in charge of the detention facility.

Witnesses and other hearing participants shall be notified promptly of postponed and rescheduled hearings. If the request for extension is denied, the original preliminary hearing date will stand.

.10 SUBPOENA

Witnesses and documents required at the Preliminary Revocation Hearing may be subpoenaed. The agent shall enter all of the necessary information on the Subpoena form (DOC-1304) and submit it to the regional chief for signature prior to service. The agent is then responsible for serving subpoena(s) upon witnesses in a timely manner. If witnesses fail to appear, the court may be petitioned for enforcement of the subpoena.

The agent should help witnesses complete the Claim for Witness Fees (DOC-424) and submit it to the DCC Business Office. By statute, only expenses indicated on the DOC-424 may be paid to witnesses.

.11 RE-ISSUANCE OF NOTICE

If the Notice of Preliminary Hearing (DOC-415) is found to be improper and the impropriety in itself results in the dismissal of the revocation proceedings, the Department may issue a proper notice and begin the proceedings again.

If a magistrate decides that there is no probable cause to believe the offender committed the violation and later the Department learns of additional relevant information regarding the alleged violation, revocation proceedings may be started again with issuance of a new DOC-415. Such information must not have been known to the Department prior to issuance of the first notice. It may not be information that was known but not used.

WAIVED HEARINGS

.01 GENERAL STATEMENT

The offender may waive any required hearing (preliminary, final revocation, or good time forfeiture/reincarceration/reconfinement) by signing the appropriate section of the "Waivers and Custody Decision" (DOC-414A). If the offender waives the preliminary hearing but requests a final hearing, the supervisor will make the decision on custody status. If an offender on parole or extended supervision waives the final revocation

Copyright © 2012 [WI Department of Corrections]

hearing, the offender is entitled to a good time forfeiture/reincarceration/reconfinement hearing which may be waived.

If there is doubt of an offender's ability to make a competent decision, a waiver will not be accepted without the approval of the offender's attorney. Once an attorney has been retained or appointed, a waiver should not be taken without giving advance notification to the attorney.

The agent shall only accept waivers when there is an assurance that the offender is knowingly, voluntarily, and intelligently making a decision to waive.

.02 FORMS AND DOCUMENTS REQUIRED OF AGENT

The following list indicates those documents which are required:

Applicable COMPAS EBRV reports

- DOC- 20 Judgment of Conviction/Sentence Imposed and Stayed, Probation Ordered (for imposed and stayed cases only)
- DOC-44A Recommendation for Administrative Action with a copy to the status keeper WICS

Synopsis with Sentence Component(s)

- DOC- 414 Notice of Violation, Recommended Action, Statement of Hearing Rights and Receipt with a copy to the status keeper
- DOC- 414A Waivers and Custody Decision with a copy to the status keeper.
- DOC- 416 Revocation Information Request

DOC- 1950 Revocation Summary (Revocation Summary Instructions)

Other relevant reports (treatment summary, police reports, etc.)

.03 FORMS REQUIRED OF REGIONAL CHIEF OR DESIGNEE

DOC-1221 Revocation Order and Warrant

.04 WAIVER PROCEDURE

Staff Responsibilities:

Agent

- Review the DOC-414 with the offender and afford the opportunity to waive.
- Forward the revocation packet to the supervisor within 10 working days of receipt of the waiver.
- Review the revocation packet for completeness and accuracy, checking the following:
  - The dates of violation are the same on the DOC- 44A and DOC-416 (parole cases or extended supervision cases);
  - The appropriate information is completed under agent's responsibility on DOC-44A;
  - Completion of Section C and D of the DOC-414 (parole or extended supervision cases);
  - Plotkin Analysis and, in parole cases and extended supervision cases only, the Good Time Forfeiture, Reincarceration Time, or Extended Supervision Reconfinement Recommendations are justified;

The Good Time Forfeiture/Reincarceration/Reconfinement Recommendation should be consistent with the Penalty Schedule (10.01.17). If the final revocation hearing is waived but a forfeiture/reincarceration/reconfinement hearing is requested, a revocation packet must be sent to the designated e-mail box at the DAI institution where the offender is confined following revocation. The subject line must include the offender's name, offender number, and the wording "Reconfinement Hearing Packet."

Copyright © 2012 [WI Department of Corrections]

Supervisor

- Review, approve, and forward the revocation packet to the Regional Chief within 5 working days of receipt.
- If a revocation packet has already been submitted to the regional office, a signed copy of the DOC-414A (waiver) should be immediately forwarded to the Regional Office. The final hearing should be canceled with Hearings and Appeals.

Regional Chief

- Review and approve or disapprove the revocation within 5 working days of receipt.
- If disapproved, return the packet to the unit supervisor for continued supervision.
- If approved, prepare the Revocation Order and Warrant (DOC-1221).
- Packets and revocation information is disseminated per regional policy.

.05 FINAL HEARING WAIVED, REQUESTED RECONFINEMENT HEARING PROCEDURE

Upon receipt of the signed Revocation Order and Warrant DOC-1221, the agent will complete and submit the Good Time Forfeiture/Reincarceration/Reconfinement Hearing Request (DOC-429A) within one business day. The revocation packet will be required as an attachment when submitting the DOC-429A. The DOC-429A and attachments will be routed to the institution where the offender is housed pending the re- confinement hearing. The reconfinement hearing will be held at the institution where the offender is assigned. Agents and attorneys are not required to attend and hearings are not open to the public.

The agent will receive a notice of the hearing as well as the reconfinement time decision. An appeal may be filed within ten days of the issuance of the decision.

.06 WAIVER WITHDRAWN PROCEDURE

Approval for withdrawal of waivers is with the Regional Chief. Waivers may only be withdrawn upon request before the final revocation order is issued and the matter set for a final administrative hearing. The burden is on the offender to make a showing that the waiver was not knowingly, willingly, or voluntarily made.

PRELIMINARY HEARINGS

.01 PURPOSE

The Preliminary Hearing is to determine: 1) whether there is probable cause to believe that the offender violated the terms of supervision and; 2) whether or not the offender should remain in custody pending the final revocation hearing.

.02 AGENT RESPONSIBILITY

The agent will have the case file available at the hearing. The attorney's or offender's access to the file during the hearing is controlled by the magistrate.

The agent must be prepared to testify concerning the following:

- Offender's court history;
- Establishment of probable cause; and
- Recommendation for and justification of continued custody.

The agent must be prepared to call and question witnesses and to present documents and other appropriate evidence. The agent may cross-examine the offender and/or offender's witnesses after they have testified. The agent and Division witnesses should be prepared to be cross-examined by the offender or defense attorney. Hearsay evidence is admissible. Witnesses need not appear at the preliminary hearing when the agent can present or testify from a trustworthy and reliable written report regarding the facts of the alleged violation (i.e.., investigating police officers reports or criminal complaint), or can testify to the facts of the alleged violation as told to the agent by the witnesses during the investigation. For example, a police officer who investigated an offense

Copyright © 2012 [WI Department of Corrections]

and filed a written report, or a witness who personally observed an offender commit an alleged violation, need not appear if the facts are sufficient to support probable cause based on the testimony of the investigating agent. **.03 MAGISTRATE RESPONSIBILITY**

The magistrate is responsible for conducting the hearing and having testimony presented in an orderly manner. The magistrate will retain a brief written summary or digest as a record of what occurred at the preliminary revocation hearing. Handwritten notes are acceptable to meet this requirement. These records shall be maintained for two years.

The following is the normal sequence of events:

- Introductory comments.
- Determination that offender and offenders attorney received notice of the hearing.
- Determination that the offender received notice of the violation(s) alleged.
- Agent's presentation: court history, testimony as to probable cause.
- Documents or evidence may be presented during agent or witness testimony.
- Cross-examination of the agent.
- Testimony of agent's witnesses.
- Cross-examination of agent's witnesses.
- Defense counsel or offender's presentation.
- Documents or evidence presented by the defense counsel/offender may be concurrent with offender or witness testimony.
- Cross-examination by agent.
- Testimony of defense counsel/offender's witnesses.
- Magistrate may question any of the parties.
- Magistrate states the probable cause decision and reasons.
- Agent makes detention recommendation and justification.
- Cross-examination of agent.
- Defense counsel/offender makes detention recommendation and justification.
- Cross-examination of offender.
- Magistrate states the detention decision and reasons for the decision.
- Magistrate advises that the offender and attorney will receive notice of the date/time/place of the final revocation hearing.
- Magistrate explains the following in regard to the final hearing:
  - Administrative in nature, not a court hearing.
  - May present material witnesses, but not character witnesses.
  - May introduce letters, documents, and other material evidence.

Copyright © 2012 [WI Department of Corrections]

- Questions regarding the final hearing should be referred to the Office of the Division of Hearings and Appeals.
- Offender may waive.
- The offender will receive the Letter of Decision.
- If released from custody with conditions, violations of any conditions of release or rules of supervision may result in the offender being returned to custody by the agent.

Within a reasonable period of time after the preliminary hearing, the magistrate prepares and distributes a written decision letter addressed to the offender with a copy to the agent, the agent's supervisor, and the offender's attorney.

.04 MAGISTRATE GUIDELINES

1. Jurisdictional issues such as timeliness of the revocation, Division authority (commitment, reinstatements, extensions, warrants, etc.), constitutional issues, competency and technical legal questions are not to be considered, as they are outside the scope of the hearing.
2. Motions that facilitate the conduct of the hearing (e.g.., sequestering of witnesses, adjournment of hearing, etc.), may be acted upon by the magistrate, but motions and objections of a technical, jurisdictional, or legal nature should be noted for the record.
3. Procedural errors or issues should be handled by waiver on the part of the offender or by adjournment to allow correction, rather than by dismissal.
4. Exceeding manual guidelines as to time constraints for service of Notices and conduct of the hearing does not in and of itself constitute grounds for dismissal.
5. The magistrate should decide whether to deal with multiple allegations jointly or individually. The magistrate may make a probable cause decision in each allegation or may move to the issue of detention after probable cause is found on any allegation. Probable cause need not be determined on all allegations at the preliminary hearing. However, the most serious allegations should be ruled on so that they are considered in the detention phase of the hearing. Probable cause on any one of the violations is sufficient to continue the revocation process.
6. The magistrate will maintain sufficient control of the hearing to allow testimony to proceed without undue interruption so long as the testimony is relevant to the issue at hand. The magistrate's questioning should be reserved for clarifying or developing information needed to make a decision. Questions by the magistrate should ordinarily occur after each party has ample opportunity to testify and cross-examine and should be limited to fact-finding rather than carrying the Division's case.
7. Questioning of witnesses' credibility is limited to the relevant issues at hand.
8. In no case will a magistrate unilaterally amend a statement of allegation or other information on the Notice. If amendments to the allegations are mutually agreed to by the agent and attorney, the magistrate will rule on the amended allegation.
9. More thorough explanation of procedure by the magistrate is necessary when an attorney does not represent the offender.
10. Unless contested, the agent's testimony is sufficient for establishing probable cause (e.g.. bindover, written admission). If contested, documentary evidence must be submitted. Documentary evidence, which supports the testimony as to the basis for probable cause, constitutes grounds to proceed to the detention issue.
11. When a criminal complaint is issued on criminal charges that are substantially the same as an alleged violation, the preliminary hearing magistrate can justify a probable cause finding based upon the existence of that criminal complaint. The resolution of any issues in the criminal complaint can be addressed at the final

Copyright © 2012 [WI Department of Corrections]

revocation hearing.

12. In the event that probable cause is not found, the magistrate will issue a written decision stating the reasons for not finding probable cause. The responsibility for releasing the offender from custody rests with the agent and supervisor.
13. Witnesses will not be required to appear if probable cause can be sufficiently established by testimony of the agent regarding the investigation of the allegation and/or by submission of other evidence. Objections on the basis of a lack of confrontation and cross-examination should be noted for the record, and the hearing should proceed.
14. In dealing with the issue of detention, the magistrate may elicit information necessary to make a finding, to include the nature and circumstances of the violation alleged, the offender's family ties, employment, financial resources, length of residence in the community, past conduct, past record of arrests and convictions, past record of appearance at court proceedings, and any past absconding from supervision or flight to avoid prosecution.
15. The magistrate will verbally provide reasons for the decision regarding probable cause and detention.
16. Upon request, the magistrate may sign the certificate of attendance for submission of witness fees to the DCC Business Office.
17. The magistrate's Letter of Decision is to be prepared within two working days of the hearing.
18. In the event the offender or his attorney, after receiving due notice of the hearing fail to appear, the magistrate may proceed with the hearing. The hearing shall be postponed to permit representation by an attorney if the offender, after being informed of his or her right to representation, requests an attorney based on a timely and colorable claim that he or she did not commit the alleged violation and the magistrate concludes either that the complexity of the issues will make it difficult for the offender to present his or her case or that the offender is otherwise not capable of speaking effectively for himself or herself.
19. Extenuating and/or mitigating circumstances are not considered when determining probable cause.
20. Revocation hearings are not open to the public. Excluding Division representatives, the offender, and the offender's attorney, the magistrate controls who may or may not attend the hearing.

.05 PROBABLE CAUSE BASIS

Probable cause is defined as any evidence that makes it reasonable for the magistrate to believe that the person probably committed the violation.

Any of the following are sufficient to establish probable cause:

- Conviction of a new offense;
- Bindover for trial for a new felony offense;
- Stipulation to probable cause;
- Signed written admission to the alleged violation

  Submission of proof of violation by the agent at the time of the hearing if the charges are substantially the same as the alleged violation.

.06 CUSTODY DECISION

When there is a Preliminary Hearing, the magistrate shall decide if the offender is to remain in detention or is to be taken into custody and detained pending the outcome of the final hearing. The magistrate's decision may not be appealed.

Detention is advisable if one of the following is true:

Copyright © 2012 [WI Department of Corrections]

- The offender is believed to be dangerous;
- There is a likelihood that the offender will flee;
- The offender is likely to engage in criminal behavior before the revocation takes place;
- The offender is likely to engage in an activity that does not comply with the rules and conditions of supervision; or
- The length of the term to be served upon revocation is great.

A detained offender is not eligible for partial release from detention (e.g.., release during working hours). **.07**

RELEASE FROM CUSTODY RESTRICTED

The magistrate in determining probable cause and custody is acting for the Secretary of the Department of Corrections. This restricts the authority of the agent and/or supervisor from releasing a person who has been ordered to be held in custody pending the final revocation hearing. The Secretary or designee may alter the custody decision at any time if the public interest warrants it.

POST-PRELIMINARY HEARING

.01 PLACE OF DETENTION

Offenders being held for the revocation process will ordinarily be confined in county jails. Pursuant to s. DOC 328.27(5), the Department may detain an offender on parole, extended supervision, or on felony probation with an imposed and stayed prison sentence in a state correctional institution including a probation and parole holding facility pending revocation proceedings. When the agent and supervisor decide that the most appropriate place of detention is a DAI facility, a recommendation is made to the Regional Chief or designee. The Regional Chief or designee will make arrangements for the transfer. Detention in a DAI facility may occur due to:

Security Concerns:

- In some cases the jail may be unable to insure the protection of other inmates or staff. The agent shall notify the Regional Chief or designee, who will contact the Director of the Bureau of Offender Classification and Movement. The Director will then review the information and make a decision regarding secure placement in an adult institution.
- The agent will then arrange for transportation of the offender to that facility by the Sheriff or DOC personnel.

Medical Concerns:

- The field supervisor shall notify the Regional Chief or designee of the request for a DAI medical bed.
- The Regional Chief or designee shall contact the Director of Bureau of Offender Classification and Movement to advise of the detailed medical status of the offender using the format below:

1. Offender name and DOC number;
2. Court case information that permits legal admission for detention (JOC);
3. Physical location of offender;
4. Reason for request for use of a DAI bed;
5. Jail and/or hospital medical staff name(s) and phone number(s) if the reason for request involves medical or mental health concerns;
6. Scheduled revocation date;
7. Whether competency will be an issue for revocation; and
8. DCC point of contact name(s) and phone number(s).

Copyright © 2012 [WI Department of Corrections]

- The Director will consult with DAI BHS staff relative to the decision regarding an appropriate medical or mental health bed and choose the site for housing the offender and advise the Regional Chief or designee.
- The agent will then arrange for transportation of the offender to the designated facility by the Sheriff or DOC personnel.

In all cases, the agent must ensure that the following information accompanies the offender:

- Order to Detain (DOC-212)
- Detailed summary of the issues causing detention in a DAI facility.

.02 SENTENCING CREDIT

The agent must document in the Violation Report/Revocation Summary (DOC-1950) the exact dates the offender was detained by the agent. Utilize the Revocation and Custody Credit Guidelines to ensure sentence and custody credit is granted. This information will be entered on the Revocation Order and Warrant (DOC-1221). On sentences where return to court is not necessary, the Department credits the jail time. On withheld sentences, the court credits the jail time at the time of sentencing.

Credit will be granted to sentences for:

- Time spent in detention in the county jail as a condition of probation;
- Time spent in a county jail or correctional facility as an alternative to revocation, DOC hold, or extended supervision sanction.
- Time spent on a home monitoring program as authorized by the sheriff in lieu of confinement in the jail as a condition of probation (time spent on the Department of Corrections' Electronic Monitoring Program is not creditable time);
- Pretrial credit as specified on the Judgment of Conviction;
- Time spent under commitment for the determination of competency to stand trial under s971.14(2), or commitment as not competent to stand trial under s971.14(5);
- Detention in jail or correctional facility in another state when that detention is in connection with a course of conduct for which sentence is imposed in Wisconsin;
- Any time spent on Intensive Sanctions.
- Any time spent by the offender in confinement as an Act 33 Jail Term

Credit will not be granted to sentences for:

- Holds served on consecutive parole or ES cases that have officially discharged from supervision and a discharge slip has been issued. Credit may be granted if jurisdiction has been preserved by a stop time, or if a violation warrant has been issued.
- The center box on the Revocation Information Request (DOC-416)will list any consecutive cases which have discharged. If there is a case number in that center box, any custody credit prior to the date listed in that box cannot be used. Doing so will result in duplicate credit, and will result in the reopening of discharged case(s).
- For more information about this issue click this link to see a video presentation . http://docmedia.wi.gov/main/Play/b1f951fe03194dabad3fbf405c081f611d

Applying Custody Credit for Offenders Arrested/Convicted and in Custody in another State:

- Offenders arrested on a WI Apprehension Request, without new charges, get custody credit from the date of arrest until they enter the WI prison system.
- Offenders arrested on a WI Apprehension Request, with new charges that result in prison, get custody credit

Copyright © 2012 [WI Department of Corrections]

from the date of arrest until they are sentenced to prison, if the sentence in the foreign jurisdiction is deemed concurrent. If the sentence in the foreign jurisdiction specifically states that it is consecutive and the offender is given presentence credit in the foreign jurisdiction, then no custody credit is due. (Agents should include the JOC from the foreign jurisdiction in the hearing packet so this can be accurately determined).

Offenders arrested on a WI Apprehension Request, with new charges that result in probation, get custody credit from the date of arrest until they enter the WI prison system.

- Offenders arrested on a WI Apprehension Request, with new charges that result in a jail sentence, get custody credit from the date of arrest until they are sentenced to jail. They do not get custody credit during the time they are actually serving the jail sentence. They would again begin to get custody credit from the date they finish serving the sentence and are made available to WI until they enter the WI prison system.
- Offenders arrested on a WI Apprehension Request, with new charges that result in time served, get custody credit from the date of arrest until they enter the WI prison system.
- Offenders get custody credit from the date they are released in the foreign jurisdiction and made available to WI until they enter the WI prison system.
- Offenders arrested, convicted, and sentenced on new charges in a foreign jurisdiction, for which WI never had an apprehension request, nor placed a violation warrant, are not entitled to pre-sentence credit on the WI case (Be careful that the offender was not detained by the agent in the other state at our request).

Offenders are not entitled to credit for time spent in prison serving a sentence in a foreign jurisdiction.

(In the rare circumstance that the judge in the foreign jurisdiction orders the new sentence of any kind to run concurrent with the WI sentence, consult with the institution records office about how the credit will be applied).

Federal Prison Sentences:

- Offenders who are revoked after being sentenced on federal charges will be returned to the Wisconsin Prison System (WPS) to serve that time consecutively to the federal sentence.
- Offenders who are revoked before being convicted on federal charges will serve the WI sentence concurrent to the federal prison term, and will only be returned to the WSP if the WI sentence is longer than the federal prison term.

.03 ADDITIONAL ALLEGATIONS

If additional allegations are to be added after the Preliminary Revocation Hearing, an amended Notice of Violation, Recommended Action and Statement of Hearing Rights and Receipt (DOC-414) is prepared to include the new allegations. The offender/attorney and Administrative Law Judge are provided notice of witnesses and evidence no later than ten (10) working days prior to the Final Revocation Hearing. Any additional allegations may be added up to the time of the Final Hearing, but the offender/attorney and Administrative Law Judge shall be provided notice of the new allegations as soon as possible after they are discovered.

.04 AGENT'S RESPONSIBILITY

When a Final Revocation Hearing is required, prepare and submit the Revocation Hearing Request (DOC-429) within one (1) working day following a preliminary hearing, a waiver of preliminary hearing, or a determination that no preliminary hearing is necessary. The Division of Hearing an Appeals will prepare a Notice of Final Revocation Hearing within 10 days of their receipt of the DOC-429.

Request for Victim/Witness to Testify Outside the Presence of the Offender: An agent may request that a victim/witness be allow to testify outside the presence of the offender, if there is reason to believe that the

victim/witness may be subject to physical or psychological harm if they are required to testify with the offender present. This is accomplished by checking the box immediately under the witness section and completing the necessary information on the DOC-429.

The Division of Hearings and Appeals staff will flag any DOC-429 that contains this request and the final hearing will be scheduled as usual. Within two weeks of the final hearing, the ALJ will schedule a conference call between the agent and the defense attorney to hear any arguments for or against the request. The ALJ will make a ruling in advance of the hearing so the victim/witness may be informed in advance of the final hearing.

The agent shall submit a revocation packet to the supervisor within 10 working days of date of service of the DOC-414 and shall maintain copies of the documents in the case file.

There may be regional differences in the contents required in a revocation packet; however, the following list indicates those documents, which are often required:

- DOC- 20 Judgment of Conviction (for all cases being revoked)
- DOC- 1950 Revocation Summary (Revocation Summary Instructions)
- DOC- 44A Recommendation for Administrative Action
- WICS Synopsis with Sentence Component(s)
- DOC- 414 Notice of Violation, Recommended Action, Statement of Hearing Rights and Receipt
- DOC- 416 Revocation Information Request

Other relevant reports

The agent must also prepare packets for the Administrative Law Judge and offender's attorney. These packets contain all of the documents indicated above except for the social or presentence investigation. All written statements or documentary evidence to be used at the final hearing should also be included.

.05 SUPERVISOR'S RESPONSIBILITY

Review the revocation packet for completeness and accuracy.

Complete the "supervisor's section" of the Recommendation for Administrative Action (DOC-44A) and review the good time forfeiture/reincarceration/reconfinement recommendation on parole and extended supervision cases.

.06 REGIONAL CHIEF'S RESPONSIBILITY

The Regional Chief or designee will process the packet within 5 working days of receipt, and make a temporary file pending the final revocation decision.

Distribute the packet material as follows when the offender is transported to a state correctional institution:

Central Record Unit

One copy of each:

- Recommendation for Administrative Action (DOC-44A)
- WICS Synopsis with Sentence Component(s)
- Violation/Revocation Summary (DOC-1950)
- Revocation Order and Warrant – Original (DOC-1221)

Probation Social or Pre-Sentence Investigation (probation cases only) or if there is a new sentence.

Institution Registrar

One copy of each:

- Recommendation for Administrative Action(DOC-44A)
- Court Order (Imposed and Stayed cases only)
- Revocation Order and Warrant (DOC-1221)

Copyright © 2012 [WI Department of Corrections]

DCI – A&E Unit

One copy of each:

- Violation/Revocation Summary (DOC-1950)
- Most recent social history or Presentence Investigation if not available in COMPAS or Virtual Folders
- Clinical Services Reports

.07 EX PARTE COMMUNICATIONS

Ex parte communication is any oral or written communication to the decision-maker by a party to the revocation process. Division staff will not communicate with the Administrative Law Judge in any way concerning the merits of the revocation prior to the time the decision is rendered. If any ex parte communications are made, the Administrative Law Judge is required to disclose them.

No division staff should call or write the Administrative Law Judge or Administrator of the Division of Hearings and Appeals to discuss the merits of the case before the Administrative Law Judge has rendered a decision. Contact with the Administrative Law Judge should be limited to routine matters such as requests for amended notices of final revocation hearing, etc.

.08 WITHDRAW REVOCATION

The agent, with supervisory approval, may withdraw the recommendation for revocation at any time prior to the final revocation hearing. This would be appropriate if an acceptable alternative to revocation were developed that did not previously exist. When this is done, the agent must immediately notify the Division of Hearings & Appeals of the need to cancel any scheduled hearing. The agent must also prepare a new Recommendation for Administrative Action (DOC-44A), checking "Withdraw Revocation Request," and document the justification for the recommendation in the "Recommendation submitted for the following reasons" section. The agent shall then document the decision in the COMPAS notes. Notification of withdrawal shall be made to any victims or witnesses who were call to testify as well the original offense victim if registered for notifications.

.09 COMPETENCY CONCERNS

If there are reasons to doubt the competency of the offender to participate in the revocation process prior to the final hearing, the agent should contact the Office of Hearings and Appeals to request an expedited status conference. The agent and offender's attorney may present information specific to the offender's ability to understand the nature of the proceeding or to assist in defense. The Administrative Law Judge will make a determination whether to hold an informational hearing to address those concerns or, more likely, will send a letter known as the Vanderbeke letter (State ex rel. Vanderbeke v Endicott, 210 Wis.2d 503) without convening a hearing to the circuit court requesting a competency evaluation.

If the offender is found not competent or not likely to regain competence by the circuit court judge, the revocation must be withdrawn and supervision must resume. The agent should work closely with community mental health providers during the duration of supervision. Custodies due to violations may continue to occur. It is critical that the agent continue to be in close communication with mental health providers regarding disposition to the violation and subsequent case planning.

FINAL REVOCATION HEARING

.01 AUTHORITY

Wisconsin Administrative Code DOC 331

Wisconsin Administrative Code HA 2

.02 NOTICE

The Division of Hearings & Appeals will prepare a notice of the date, time, and place of the Final Revocation Hearing within 10 days of their receipt of the DOC- 429.

.03 REQUEST TO POSTPONE FINAL HEARING

The offender, the offender's attorney, or agent may request that the hearing be rescheduled. A verbal or written request shall be made to the Division of Hearings & Appeals, stating the reasons for the request.

The Division of Hearings & Appeals may extend the 50-day deadline by ten calendar days for cause. If an extension is granted, or the hearing is rescheduled, notice of the rescheduled hearing must be given to the offender, the sheriff or other person in charge of the detention facility, and the agent. The agent shall then provide prompt notice of the rescheduled hearing to Division witnesses.

.04 SUBPOENA

Witnesses and documents required at the Final Revocation Hearing may be subpoenaed. The authority to issue subpoenas has been delegated to the supervisor. The agent shall enter all of the necessary information on the Subpoena form (DOC-1304) and submit it to the supervisor for approval and signature prior to service. The agent is then responsible for serving subpoena(s) upon witnesses in a timely manner. If witnesses fail to appear, the court may be petitioned for enforcement of the subpoena.

The Claim for Witness Fees DOC-424 may be given to the witness at the time the subpoena is served. By statute, only expenses indicated on the DOC-424 may be paid to witnesses.

.05 AGENT RESPONSIBILITY

If the Final Revocation Hearing process is not occurring in a prompt and timely manner, the agent will immediately contact the supervisor concerning the situation.

The agent must be prepared to prove that the offender committed the alleged violation(s), and the conduct constitutes a violation of the rules or conditions of supervision, and the violation is sufficiently serious to require revocation according to Plotkin standards.

The agent will be responsible for the presence of any witnesses who will give information upon which revocation is based. The agent will have the case file material available at the hearing. The Administrative Law Judge controls attorney or offender access to the file during the hearing.

The agent will have copies of all of the documents listed in the Post- Preliminary Hearing section available to present at the hearing:

The agent must be prepared to testify to the following as outlined in the DOC-1950 Revocation Summary (Revocation Summary Instructions):

- Court history
- Rules of supervision
- Violation(s) alleged
- Plotkin Analysis
- Offender's behavior and adjustment
- Good time forfeiture recommendation/reincarceration/reconfinement recommendation
- Alternatives to revocation

Custody credit

.06 FINAL HEARING FORMAT

The exact format varies with each Administrative Law Judge and case situation. Generally, the agent should be prepared for the following:

- Agent's testimony
- Testimony of witnesses
- Cross-examination of witnesses

Copyright © 2012 [WI Department of Corrections]

- Redirect examination of witnesses
- Defense testimony
- Cross-examination by agent
- Redirect examination by defense
- Questioning by Administrative Law Judge
- Good time forfeiture/reincarceration/reconfinement recommendation
- Closing statement by agent
- Closing statement by defense
- Decision by Administrative Law Judge

.07 ADMINISTRATIVE LAW JUDGE'S DECISION

Following conclusion of the hearing, the Administrative Law Judge will prepare a written Findings of Fact, Conclusion of Law, which will be furnished to the Division of Community Corrections, the offender, and the offender's attorney within 10 working days.

The Administrative Law Judge's decision will be the final decision and order within 10 working days, unless a petition for review by the Administrator of the Division of Hearings & Appeals of such order is submitted by the offender or the Division.

In reaching this decision, the Administrative Law Judge will consider only the evidence presented and decide:

- Whether the offender committed the conduct underlying the alleged violation;
- If the offender committed the conduct, whether the conduct constitutes a violation of the rules or conditions of supervision;
- If the offender violated the rules or conditions of supervision, whether revocation should result; and
- Make specific findings as to dangerousness, whether a decision not to revoke would unduly depreciate the seriousness of the violation, whether there is a need for further correctional treatment, and whether this is best provided in an institutional setting.

The Administrative Law Judge will make a reconfinement determination for extended supervision cases that are revoked on and after October 1st, 2009.

APPEALS

.01 ADMINISTRATIVE LAW JUDGE'S DECISION

When the Administrative Law Judge enters an order for continued supervision (not revoke), this order will not cause the release of the offender from custody until 10 working days from the date it is entered. If during these 10 working days the Division of Community Corrections requests a review of the Administrative Law Judge's proposed order, the order is stayed, and the offender will remain in custody pending the final order.

The petition is addressed to:

Administrator
Division of Hearings & Appeals
5005 University Avenue, Suite 201
Madison, WI 54705

Prior to mailing, the petition must be approved by the Field Supervisor. It must be submitted within 10 working days from the date the Administrative Law Judge's order was entered. Copies of the petition will be sent to the Office of the Division of Hearings and Appeals, the offender, the offender's attorney, and the Regional Chief.

Only relevant material, including petitions, letters, reports, and other evidence, which was accepted into evidence in the hearing, will accompany the petition.

Copyright © 2012 [WI Department of Corrections]

.02 ADMINISTRATOR'S DECISION (DIVISION OF HEARINGS & APPEALS)

The Administrator of Hearings and Appeals will review the synopsis, the Administrative Law Judge's decision, and all materials submitted for review. The Administrator will decide to modify, sustain, reverse, or remand the Administrative Law Judge's decision based on evidence presented at the hearing and materials submitted for review. The final decision will be issued within twenty-one working days of the receipt of the appeal. The Administrator's decision will be forwarded to the offender, the offender's attorney, if any, the agent's supervisor, the Regional Chief, and the Department of Corrections.

.03 APPEAL OF ADMINISTRATOR'S DECISION

The Department or any offender contesting the decision of the Administrator or designee, unless the matter is returned to the Office of Hearings and Appeals for further action, may seek judicial review of the decision by petition for Writ of Certiorari to the sentencing court.

REVOCATION AND REINSTATEMENT ORDERS

.01 GENERAL STATEMENT

At the conclusion of the revocation process, the Department's order may be to revoke or to return the offender to supervision (reinstate). An order to reinstate may include tolled time if the offender is found by the Administrative Law Judge to be in violation of the rules or conditions of supervision.

.02 REVOCATION ORDER AND WARRANT

The Regional Chief prepares the revocation order and related materials when an offender waives the revocation hearing. If there is a final revocation hearing, the Administrative Law Judge prepares the revocation order and related materials.

Upon receipt of revocation order and warrant, if the offender is not in custody, the agent shall immediately apprehend and place in custody. If the offender cannot be located, a copy of the revocation order goes to the sentencing court for warrant. If an exception to this requirement is appropriate, the agent will contact the Regional Chief to secure that exception.

On imposed and stayed, ES, or parole cases, send a memo to the Sheriff and issue an apprehension request. The agent will provide the offender and sheriff/ detention facility with a copy of the revocation order and warrant. For imposed and stayed cases, the agent will provide a copy of the Judgment of Conviction to the sheriff/detention facility. The local unit shall work with the Clerk of Courts Office to establish a procedure for communicating the amount of any court obligations that remain outstanding.

On sentence withheld probation cases, the revocation order and warrant, revocation summary, Notice of Violation, Recommended Action, Statement of Hearing Rights and Receipt (DOC-414), signed waiver (or copy of the Administrative Law Judge's findings and recommendation), Financial Obligation Screens (WICS Screens), and a memo shall be submitted to the sentencing court within 10 calendar days from the effective date of revocation (date Order and Warrant signed by Regional Chief or designee or final order from Hearings and Appeals). Each region should use their standing policy on the return of offenders to court.

The court should be advised of the location of the offender, other revocation actions and reincarceration recommendations, and any outstanding financial obligations.

.03 REINSTATEMENT ORDER

If the Administrative Law Judge's order is to reinstate, the order is prepared by the Division of Hearings & Appeals. If time is tolled, the order will indicate the new discharge date.

Upon receipt of the Order to Reinstate Probation or Parole, the agent shall forward a copy to CRU and the status keeper so the official record can be amended. A notation should be made in the COMPAS general notes indicating the reinstatement of supervision.

.04 VICTIM/WITNESS NOTIFICATION

Upon receiving the final decision, the results must be communicated to victim(s) testifying, witnesses called by the

Copyright © 2012 [WI Department of Corrections]

agent (except for law enforcement officers), victim(s) of the violation, the victim of the original offense if registered for notification, and others as needed.

SPECIAL REVOCATION PROCEDURES

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.03
Wisconsin Administrative Code DOC 331.03(10)

.02 GENERAL STATEMENT

All offenders are subject to revocation under Chapter 331 of the Administrative Code except those supervised under the statutes noted below:
971.17 - Not guilty by reason of mental disease or defect
51.37(9) - Conditional transfer or discharge by the Director of Mental Health institutes to field supervision
161.47 – Conditional discharge for possession of a controlled substance under 161.41(3) (Probation without Conviction)
975 – Sex crimes commitments
980 – Sexually violent persons commitments
939 – Lifetime supervision

LEGAL RULES, AIDS, & GUIDELINES

.01 HEARSAY

Hearsay evidence is defined as a statement, which is offered as proof of the truth of the matter asserted, but the statement-maker is not available for questioning or cross-examination.
Although rules of evidence may be relaxed somewhat at a revocation hearing, they cannot be relaxed to the point where a violation may be proven entirely by unsubstantiated hearsay testimony.

.02 WITNESSES

Agents may request that witnesses provide testimony at the Final Revocation Hearing. The revoking agent will arrange for any witness' attendance at the hearing. If an agent deems it inadvisable by reason of "good cause" to have a witness present at the hearing, an affidavit relating such reasons is prepared to accommodate the witness' absence from the hearing. The agent is required to provide advance notice in writing to the offender, attorney, and the Administrative Law Judge if the agent intends to use testimony by affidavit. The Administrative Law Judge may, however, reject such a request.
"Good cause" includes, but is not limited to, the following:

- Substantial risk of harm;
- Absence from the jurisdiction;
- Age of the witness (very young or very old)
- Illness or infirmity.

The agent will contact Legal Counsel for assistance in preparing an affidavit.
Agents will select witnesses that can best support their case.
Agents should request written statements from witnesses at the time of the violation investigation. Witnesses should be interviewed immediately prior to the hearing to allow them to refresh their memory regarding their written statement.
Defense questioning must be within the scope of the hearing. Other questions can be objected to as irrelevant, immaterial, leading, etc. Any objection must be made immediately and the basis for objection identified. If the same questions are repeated, the agent can object on the basis that the witness has already answered the question, even if it is in a different form.

Copyright © 2012 [WI Department of Corrections]

When the defense objects to an agent's question because it is leading, the agent should rephrase the question in the form "state whether or not, etc."

A subpoenaed state witness may claim witness fees and mileage by preparing a Claim for Witness Fees (DOC-424) and having attendance certified by the agent, Administrative Law Judge, or magistrate.

.03 EVIDENCE

While physical evidence is not required at hearings, use of it can be effective. Photographs of physical evidence are accepted and often preferred by Administrative Law Judges.

An Administrative Law Judge may use as supportive evidence an admission by silence if the offender refuses to answer a question to which a reasonable person, who did not commit the violation, would answer "no." Physical evidence held by the agent that is the property of a victim or witness shall be returned to the owner as soon as possible following the hearing.

.04 "OFFER OF PROOF"

If the agent has information or evidence to be entered during the hearing, but the Administrative Law Judge sustains defense counsel's objection, the agent should state, "I wish to make an offer of proof to preserve the record." Though the evidence may not be accepted by the Administrative Law Judge, this "offer of proof" allows the agent to show the Administrative Law Judge what would be shown if allowed to enter the evidence. The benefit of "offer of proof" is that the evidence is on the record and useful for future appeals if necessary.

.05 PUBLIC ACCESS TO HEARINGS

Revocation hearings are exempt from public view. The "public" is any person not a participant at the hearing.

An Administrative Law Judge or magistrate can regulate the course of the hearing, and the public can be barred from such hearing. Only those participants necessary to present testimony or evidence for consideration must be permitted to attend. Witnesses may be sequestered and allowed into a hearing only to give testimony.

The Administrative Law Judge or magistrate may permit anyone to attend a revocation hearing but is not bound to do so. The Administrative Law Judge or magistrate is the final determiner of who may or may not attend a hearing.

Copyright © 2012 [WI Department of Corrections]

Sex Offender Definition
Sex Crimes Cases (Chapter 975)
Sex Offender Registration Program
Sexually Violent Person Law (Chapter 980)

SEX OFFENDER DEFINITION

For the purposes of the Division of Community Corrections sex offender supervision policies and procedures, a sex offender is defined as "a person whose criminal history includes a conviction, adjudication, or read-in for sexually motivated behavior; or a person who has a substantiated allegation (e.g. through PREA investigation, revocation proceedings, or other means) of sexually assaultive or sexually motivated behavior whether or not it has been criminally charged; or a person who is required to register as a sex offender per Wisconsin State Statute 301.45. "Sexually motivated" means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim.

SEX CRIMES CASES (CHAPTER 975)

.01 AUTHORITY

Wisconsin Statute 975.09-10
Wisconsin Administrative Code 328.04(2R)
State ex rel. Terry v. Percy

.02 GENERAL STATEMENT

Prior to July 1, 1980, certain sex offenders were committed under Chapter 975. Upon commitment, these offenders are placed at an institution determined by the Department of Health Services (DHS) until released by action of the Special Review Board or reaching their Mandatory Release dates. DOC/DCC is the agency responsible for supervision of these offenders in the community until discharged by DHS. Mendota Mental Health Institution is designated as the reception center for any individual whose supervision under this chapter is revoked.

.03 GENERAL SUPERVISION

All Division of Community Corrections standards, procedures, and policies for supervision apply to these cases with the additional requirement of periodic examination (sometimes referred to as a "Terry Hearing") to determine the advisability of continued supervision.

.04 PERIODIC EXAMINATION

At least once in each year of supervision, DCC will conduct an examination to determine:
- whether the existing commitment order and disposition be continued or modified and, if so, in what respect; or
- whether there is sufficient reason to discharge the offender without danger to the public.

.05 EXAMINATION PROCEDURE

The Regional Chief may designate a person other than the supervising agent to serve as the coordinator and decision-maker for a periodic examination. The examination will include the decision-maker, the agent, the offender, and other interested parties called in by the agent or the offender. The offender may request the presence of an attorney, but the attorney is not allowed to participate in the proceedings.
The offender will receive sufficient notice of the time and place of the examination from the agent via the DHS F-26000 Periodic Examination Notice. The offender may waive participation at this examination.
The clinical and NGI (forensic) services of the Division of Community Corrections and of the Department of Corrections may be utilized at the Department's discretion to participate in and facilitate the periodic examination, if this involvement is necessary.
At the examination, the offender will be given the opportunity to present oral or written statements or submit reports, documents, or letters relating to the examination.
File information available to the person conducting the examination can include, but is not limited to:
- Sentence or commitment data
- Present offense

Copyright © 2012 [WI Department of Corrections]

- Prior criminal record
- Changes in motivation and behavior
- Personal and social history
- Institutional experience
- Community resources, including release or alternative plans
- Clinical evaluation(s)

The Department must show why the existing commitment order and disposition should be modified or continued. If the person conducting the examination believes that this burden cannot be met, a recommendation for discharge should be made.

The individual conducting the examination must make one of the following decisions:

- the offender can be granted full liberty without danger to the public;
- the existing commitment order and disposition should be continued; or
- the existing commitment order and disposition should be modified.

Within 10 days of the examination, the person conducting the examination will complete and route DHS F26-001 Periodic Examination Decision. A copy of the DHS F26-001 is provided to the offender with a cover letter explaining the offender's right to appeal by requesting a Department review. The DHS F26-001 will state whether the existing commitment order and disposition will be continued or modified, how it will be modified, and will state the reasons for these decisions. If discharge is recommended, the decision must state the evidence used to conclude that the offender can be discharged without danger to the public.

A decision to continue or modify the existing order is made at the DCC Unit level. A recommendation for discharge is subject to the Early Discharge criteria in 06.33.03 and is submitted on the Recommendation for Administrative Action (DOC-44A). It must also be accompanied by copies of the DHS F26-000 and F26-001 and forwarded through the Unit Supervisor and Regional Chief to:

Assistant Administrator, DCC
Forensic Services Supervisor,
DHS/Division of Mental Health and Substance
Abuse Services
PO Box 7851
1 W. Wilson Street
Room 850
Madison, WI 53707

.06 DEPARTMENT REVIEW

Within 20 days of the periodic examination decision, the offender may petition the Secretary of the Department of Health Services with a letter requesting a review of the decision. The Secretary will review the files, records, documents, and papers presented to the examiner and the written decision of the examiner. The Secretary will provide a written final decision, with reasons for that decision, to the offender within 60 days of receipt of the petition for review, or the decision of the staff examiner will become the final decision of the Department.

.07 COURT REVIEW

If the offender's case has not been examined by the Department within a period of one year, the offender may petition the committing court for an order of discharge. This order is granted or refused at the discretion of the court. Any failure of the Department to meet the examination time frame guidelines does not entitle the offender to an automatic discharge from the Department's control by the committing court.

.08 LENGTH OF COMMITMENT

DHS shall discharge the offender as soon as, in that department's opinion, there is reasonable probability that the offender can be given full liberty without danger to the public.

Copyright © 2012 [WI Department of Corrections]

In the event that DHS does not grant full liberty, the term of commitment expires: one year after commitment or; upon expiration of the maximum term prescribed by law for the offense for which the person was committed, whichever period of time is greater, unless DHS petitions for civil commitment under section 51.20 of the WI Statutes.

SEX OFFENDER REGISTRATION PROGRAM

.01 AUTHORITY

Wisconsin Statute 301.45

WI ACT 45

.02 GENERAL

The Wisconsin Sex Offender Registry is maintained by the Division of Community Corrections. The Sex Offender Registration and Community Notification law allos for the collection and dissemination of information related to certain sex offenders.

Information included in the Registry is available to law enforcement agencies, victims, neighborhood watch groups and to the general public. It is collected and maintained in the Department of Corrections Sex Offender Registry Tool (SORT) database. Data entry in SORT is completed by Sex Offender Registry staff and the Division of Community Corrections staff has access to all offenders who are required to register due to adult convictions and/or commitments. Some information in SORT is populated by the WICS database but the majority of information, including residence, is entered directly into SORT.

.03 OFFENSES REQUIRING REGISTRATION

If, on or after 12/25/93, an offender has been convicted of, adjudicated, or committed for a violation, solicitation, conspiracy, or attempt to commit any of the following crimes, that individual must register as a sex offender with the Sex Offender Registration Program.

940.225(1) First Degree Sexual Assault
940.225(2) Second Degree Sexual Assault
940.225(3) Third Degree Sexual Assault
940.22(2) Sexual Exploitation by a Therapist
944.01 Rape (old)
944.06 Incest (old)
944.10 Sexual Intercourse with a Child (old)
944.11 Indecent Behavior with a Child (old)
944.12 Enticing Child for Immoral Purposes (old)
948.02(1) First Degree Sexual Assault of a Child
948.02(2) Second Degree Sexual Assault of a Child
948.025 Repeated Acts of Sexual Assault
948.05 Sexual Exploitation of a Child
948.055 Forced Viewing of Sexual Activity
948.06 Incest with a Child
948.07 Child Enticement
948.08 Soliciting a Child for Prostitution
948.095 Sexual Assault of a Student by a School Instructional Staff Person
948.11(2)(a) or (am) Exposing a Child to Harmful Materials (felony portion of statute only)
948.12 Possession of Child Pornography
948.13 Child Sex Offender Working with Children
948.30 Abduction of Another's Child
971.17 Not Guilty by Reason of Mental Disease or Defect (if commitment was for any of the above

Copyright © 2012 [WI Department of Corrections]

listed crimes)
975.06 Sex Crimes Law Commitment
980.01 Sexually Violent Person Commitment
940.30 False Imprisonment (Registration required only if the victim was under 18 and offender was not the victim's parent)
940.31 Kidnapping (victim was a minor and not offender's child)

The court may require a person to register with the Department if it is determined that the crime involved sexually-motivated behavior, and it would be in the best interest of public protection for any violation under:

Chapter 940 Crimes Against Life and Bodily Security
Chapter 944 Crimes Against Sexual Morality
Chapter 948 Crimes Against Children
971.17 Not Guilty by Reason of Mental Disease or Defect
943.01 through 943.15 Certain Crimes Against Property
942.08 Invasion of Property (AKA Peeping Tom)

In general, offenders must register if they are on Interstate Compact Supervision and being supervised in Wisconsin for any comparable felony sexual assault or behavior.

Any person who has been sentenced to Lifetime Supervision under WIS STATS 939.615 must register.

.04 AGENT RESPONSIBILITY

The agent shall inform the offender of the requirement to register with the Sex Offender Registration Program immediately following sentencing or release from an institution. Upon receipt of an Interstate Compact Case, the agent shall notify the offender of the registration requirements via the Interstate Compact procedures. The agent shall enter all information on the Sex Offender Registration Form (DOC-1759). The offender must sign this form and initial the back of the DOC-1759, Part 2, on the designated line, indicating understanding of the registration requirements. If the offender refuses to sign, the agent shall note "Refuses to Sign" in the registrant signature block and have a witness initial the form. (Refusal may constitute a violation of supervision).

The agent shall, upon completion of the form, provide the offender with the registrant copy containing the Notice of Requirements to Register on the reverse side.

Any time an offender changes residence, employment and/or school enrollment, that information must be recorded on the Offender Report Form (DOC-8), and a copy shall be sent to SORP. (Any of the above changes must be reported immediately). Registrants may not change their name or identify themselves by another name.

Periodically and randomly, offenders will be required to verify information with the registry. SORP will send the offender a verification letter, requiring a response within 10 calendar days. Providing false information to the registry or failing to respond to the verification letter is a violation of supervision and may be a violation of the law.

If an offender is sent to another state as an Interstate Compact transfer and is accepted in the receiving state, the offender must be informed of the requirement to register with the receiving state, as well as continue to register with SORP in Wisconsin.

Offenders are required to register with SORP ten days prior to discharge from supervision. The agent shall inform the offender that any further changes must be reported to SORP directly by calling 1-888-963-3363, and that failure to comply with registration laws is a criminal offense.

Agents should inform offenders that failure to comply with sex offender registration is a Class H Felony, for which they could be prosecuted.

Agents should check the Sex Offender Registry Active Supervision Noncompliance List on MyDOC once weekly. To access the non-compliance list, go to MyDOC/Divisions/Division of Community Corrections/Sex Offender Supervision and click on Active Non-Compliance List - Daily Report. If the offender appears on the list, the agent shall immediately attempt to locate that individual. If a home visit has been conducted within the previous 30 days and the offender was present in the home, a Sex Offender Registrant Information/Home Visit form (DOC-2287)

Copyright © 2012 [WI Department of Corrections]

should be faxed to (608) 240-3355 or e-mailed to bopadmin@doc.state.wi.us.
Attempts to bring the offender into compliance with the registry shall be documented on the Sex Offender Registration Non-Compliance Investigation Worksheet (DOC-2247) and forwarded via fax or as an e-mail attachment to the area Sex Offender Registration Specialist.

SEXUALLY VIOLENT PERSON LAW

.01 AUTHORITY

Wisconsin Statute 980.01

.02 GENERAL STATEMENT

The Wisconsin Sexually Violent Person Law became effective June 2, 1994. The law creates a process for the indefinite civil commitment, for treatment purposes, of persons previously convicted, adjudicated, or committed for certain sexually violent or sexually motivated offenses.
The law applies to adults and juveniles convicted of or committed under the applicable statutes, which coincide with the applicable statutes under Chapter 975 offenders (see 06.40). The commitment process requires the cooperation of the Department of Corrections (DOC), the Department of Health and Family Services (DHFS), the Department of Justice (DOJ), County District Attorneys (DA), and the Courts.
The processes and special procedures described in this section are for general information only. Any agent who is going to supervise an offender involved in the Chapter 980 process should refer to the Sex Offender Supervision Handbook for particular supervision issues and agent responsibilities.

.03 CRITERIA FOR COMMITMENT

Commitment under this civil process requires that the state demonstrate beyond a reasonable doubt that all of the following three criteria apply:

- The person has been convicted, adjudicated, or committed under 971.17 of a sexually violent or sexually motivated offense.
- The person has a mental disorder that predisposes him/her to engage in acts of sexual violence.
- The person is dangerous because he/she suffers from a mental disorder that makes it likely that the person will engage in acts of sexual violence.

Factors demonstrating that a person is currently, or has in the past been, dangerous or that s/he presents a substantial risk to the community are, alone, insufficient to justify commitment. Factors supporting all three criteria must be present.

.04 COMMITMENT PROCESS

An inmate, juvenile, or patient who appears to meet the criteria listed above is referred to the Bureau of Health Services (BHS). The case is then forwarded by the BHS to the End of Confinement Review Board, who examines the offender's case history, including any input from the assigned field agent, to determine if the offender meets the criteria for Chapter 980 commitment. If the ECRB determines the offender does meet the criteria, the offender then undergoes a Special Purpose Evaluation by a specialized clinician to determine if the offender meets the mental health criteria necessary for commitment. If the SPE determines the offender meets the mental health criteria, the case is referred to the Department of Justice to initiate the court commitment proceedings. If the DOJ reviews the case and declines prosecution, the District Attorney from the county of conviction or commitment can choose to initiate court commitment proceedings.
If the court finds that the offender meets all of the criteria, the offender is committed by the court for an indefinite period to a Department of Health and Family Services mental health institution. Within the first 6 months, and every 12 months thereafter, the DHFS must complete a periodic examination to determine if the offender has made sufficient progress to warrant discharge or supervised release. The DHFS sends a report of the periodic

Copyright © 2012 [WI Department of Corrections]

examination to the committing court, who conducts a review of the report and either grants the petition to release or orders continued institutional care.

.05 OFFENDER PETITION FOR SUPERVISED RELEASE

The offender may petition the court to authorize supervised release under the following conditions:

- At least 18 months have elapsed since the initial commitment order was issued.
- At least 6 months have elapsed since the most recent release petition was denied.
- At least 6 months have elapsed since the most recent order for supervised release was revoked.

The process for these petitions is the same as procedures described above under periodic examination.

.06 OFFENDER PETITION FOR DISCHARGE

The offender may also petition the court for discharge. If the court grants the offender's petition and the offender has an active criminal conviction case, custody is immediately transferred from DHFS to DOC. The court also has the option of modifying the commitment order to grant supervised release.

.07 SPECIAL BULLETIN NOTIFICATION

Any offender whose case has been referred for a SPE, regardless of the recommendation by the evaluator, is identified for Special Bulletin Notification procedures, which must be completed prior to the offender's release from incarceration or commitment. These procedures include notifying city and county officials where the offender plans to reside.

.08 DHFS RESPONSIBILITIES FOR SUPERVISED RELEASE

If the court finds the offender appropriate for supervised release, the court notifies the DHFS. The DHFS and the county department from the offender's county of residence are then responsible for preparing a plan that identifies treatment and services to be received by the offender in the community. The plan addresses services as needed by the offender to include supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. If the offender is a serious child sex offender, the plan will also address the offender's need for pharmacological treatment.

An order for supervised release places the offender in the custody and control of the DHFS. The DHFS is responsible to arrange for control, care, and treatment of the offender in the least-restrictive manner consistent with the offender's level of needs/risk and in accordance with the plan for supervised release approved by the court.

All offenders committed under Chapter 980 remain in the care and custody of the DHFS but are supervised under a contract by DOC. In some cases, offenders committed under Chapter 980 may also be on supervision as a result of a concurrent criminal conviction. In such cases, commitment policies and procedures will take precedence over processes for criminal convictions.

.09 DOC RESPONSIBILITIES FOR SUPERVISED RELEASE

Cases are supervised according to standards applied to other sex offenders. A special set of rules is required for Chapter 980 cases placed in the community on supervised release. The Supervised Release Rules (F-25615) take the place of the Probation and Parole Rules (DOC-10) in these cases. Offenders with concurrent criminal convictions are also required to comply with Probation and Parole Rules (DOC-10).

Case management of Chapter 980 cases requires joint planning between DCC and DHFS. This is most important with regard to locating and funding appropriate residential placements and correctional programming/treatment. DOC Purchase of Goods and Services funds may not be used. Ongoing communication between the DCC agent and the DHFS supervised release specialist is critical in maintaining a team approach to the management of these cases.

Strategies for the day-to-day supervision and control of Chapter 980 cases are similar to those recommended for convicted sex offenders

The special procedures, responsibilities, and time-frame requirements for issuing apprehension requests and the

Copyright © 2012 [WI Department of Corrections]

revocation process are outlined in the Supervision of Sex Offenders Handbook.

Offenders being supervised under Chapter 980 may not travel out of state.

The case file is physically kept and maintained by the supervising DOC agent. However, any requests for records or information contained in the file can only be granted by the DHFS.

Copyright © 2012 [WI Department of Corrections]

SITUATION ALERT REPORTING

.01 GENERAL STATEMENT

Staff shall inform the Administrator or Assistant Administrator of any significant event or situation involving staff, offenders, or DOC property. Regional management staff is responsible for ensuring that staff have all of the necessary contact information.

.02 POLICY

A significant event or situation is any of the following events, but not limited to these events:

- All serious injury of staff while on or off duty;
- Any offender deaths due to unusual or suspicious circumstances;
- All unusual events, episodes, or violations involving high profile offenders;
- All incidents where an offender is a suspect in a homicide or sexual assault;
- All events in which a Special Bulletin Notification (SBN) offender absconds from supervision;
- Any unusual incidents involving offenders or staff.
- Any Certain Earned Release or Risk Reduction Sentence releases whose violations result in custody and who have not reached their original release date; and

Any other situations or events identified by the Administrator, including

- Any Act 33 related overdose situation.

.03 PROCEDURE

1. Staff with information regarding any significant event or situation shall immediately notify their supervisor or the on-call supervisor (if not during normal business hours).
2. The supervisor will determine the need to advance the notice to Regional management (or in the case of the Sex Offender Registry, Sex Offender Specialists will contact the SORP Supervisor).
3. If Regional management decides notice to DCC Administration is required, contact is then made with the DCC Administrator. Regional management shall exercise judgement as to whether immediate notification to the DCC Administrator is required or if the Administrator need only review the situation at the next opportunity. Regional management shall also exercise judgement as to whether additional notification is needed, including the Deputy Secretary or Communications Director.

If it is determined that a written report is necessary, a Situation Alert (DOC- 1959) shall be completed and submitted to the regional office by the agent of record/cover agent or supervisor as needed. A description of the incident/event must be contained within the report to include a brief summary of the offender's supervision history. If the situation occurs outside of regular working hours, the Situation Alert should be submitted as soon as possible the next working day. Regional management shall review and submit it to the DL DCC Situation Alert email address (DOCDLDCCSituationAlerts@wi.gov).

- The subject of the email should be Situation Alert: Offender Last Name, Offender First Name, DOC #. The body
- of the email should have a short summary of the situation alert.
- Any Act 33 overdose situation requires submission of a DOC 1959. Act 33 overdose situations not meeting any other criteria above in section .02 only requires a partial completion of the DOC 1959 as indicated in the form.

Copyright © 2012 [WI Department of Corrections]

4. If the DCC Administrator or Assistant Administrator determine that it is necessary, the Secretary's Office shall be notified (Secretary, Deputy Secretary, or Deputy Assistant).

Copyright © 2012 [WI Department of Corrections]

Specialty/Treatment/Problem Solving Courts

.01 General Statement

A variety of Specialty Courts exist and continue to develop throughout the state. Specialty Courts promote recovery and reduced recidivism through a coordinated response to offenders which requires a team approach, including cooperation and collaboration of the judges, prosecutors, defense counsel, probation authorities, law enforcement, pretrial services agencies, an array of local service providers, and the greater community.

.02 Specialty Court Team- DCC Responsibilities

DCC staff have an active role in decision making as a member of the multidisciplinary specialty court team when participants include DCC offenders. DCC staff roles shall be separate from a court coordinator role.

Although variation exists among various specialty courts, in general, as members of the specialty court team, DCC staff shall be an active member in recommending decisions for offender participation, phase changes, incentives, rewards, sanctions, program completion and/or termination. Staff will participate in face-to-face team staffings. Participation also includes attendance in the formal court reviews scheduled for DCC participants. In general, DCC attendance at specialty court team meetings and specialized court reviews should not exceed one team staffing and one specialized court session per week. Staff may also attend one additional team meeting per month for administrative purposes. Additional communication may occur outside of the formal team meetings to coordinate referrals, share time-sensitive information and ensure swift responses to violations.

Field supervisors are active members with the specialty court team. In general, the supervisor's role is to ensure requests and actions of the specialty court team align with DOC policy, procedure and Evidence Based Practices. Additionally, supervisors shall participate as an additional DCC representative when decisions lead to termination. DCC managers should be active participants of the treatment court advisory board or oversight committee.

.03 General Supervision

DCC staff will provide supervision for treatment court participants on active supervision.

1. Agents must secure a signed 1163 and 1163A for offenders participating in a specialty court.Releases shall be inclusive to all members participating on the treatment court team.
2. COMPAS risk and needs assessment, the case planning process and intake will be consistent with DCC policy.
3. Contact standards, including considerations for overrides shall meet but not exceed DCC guidelines. Supervision will include home visits, employment and other collateral contacts, as appropriate.
4. A case staffing should occur between the agent and the supervisor to determine supervision level following phase changes.It is expected that supervision contact standards will decrease as offenders demonstrate reduced risk and compliance with treatment and programming expectations.
5. Participants will be referred to community programs to address criminogenic needs.In accordance with policy, DOC purchase of service programs may be utilized for participants on active supervision. Agents will monitor participant compliance with program.Use of DCC alcohol and drug testing tools shall be limited to one per participant per week.
6. Record keeping: Notes should summarize the team staffing and the outcome of the court review.
7. Rewards received through specialty court participation should be documented in COMPAS.

.04 Violations

Agents will apply the evidenced-based response to violation matrix when recommending sanctions for treatment court participants. Communication and consultation with the specialty court team must remain intact. In general, agents should not act independently from the specialty court team when determining a response to a violation. DCC supervision practices shall be considered governing on issues of public safety and mandatory detention. Decisions regarding termination from treatment court and revocation of probation supervision are separate and distinct. Individuals terminated from treatment court may be eligible for an alternative to revocation. The DOC

Copyright © 2012 [WI Department of Corrections]

revocation process shall be separate and independent of any specialty court termination process.

Supervision Tools

Substance Use Screening
Community Service
Offender Monitoring and Tracking Technology
Enhanced Supervision
Tracking Offender Activity on Social Media Networking Sites

SUBSTANCE USE SCREENING

.01 AUTHORITY

Wisconsin Administrative Code DOC 328
Wis. Stat. 301.03 (2r) and (3)

.02 GENERAL STATEMENT

Substance use screening is an evidence-based practice used to identify and monitor potential chemical use/misuse. Substance use screening by DCC staff is done to investigate and establish a factual context (forensic purpose). The generated results of any instant screen are only an indication that a substance (legal and/or illegal) is present. Federal law mandates that all screenings conducted under this subsection which have the potential to directly or indirectly affect the assessment, treatment plan, or treatment programming of any participant shall be confirmed by a certified laboratory.

While confirmation of screening results is considered a best practice, if an offender admits to the drug use, this admission, along with the positive drug screen, can be used to refer an offender to treatment and/or remove an offender from treatment. Substance use screening results alone should not be used for referral to substance use treatment. If treatment is going to be referred due to use, and the offender does not admit, completion of a confirmation test is necessary.

However, f the removal from treatment due to positive screen result is going to be utilized as part of any revocation proceeding, completion of a confirmation test is necessary for contested results, prior to outcome being implemented.

Urine and saliva confirmation testing can also be used to:

- Identify drug usage;
- Confront denials of use;
- Monitor compliance;
- Assess risk and needs;

Comply with court orders and/or rules of supervision.

.03 SUBSTANCE USE SCREENING REQUIREMENT

Frequency of screening and the selection of substances to be screened must be driven by the offender case plan and criminogenic needs. Substance use screening may be conducted in the following manner:

- As a recurrent part of routine supervision;
- If there is reason to believe the offender has been in possession of or has used illegal drugs;
- When an offender is taken into custody for drug-related behaviors;
- When the observation of a staff member or credible information from an informant warrant screening;

At the direction of a supervisor.

Collection of urine or saliva specimens for the sole purpose of monitoring results levels is not recommended.

Copyright © 2012 [WI Department of Corrections]

.04 SPECIMEN COLLECTION PROCEDURES

Each DCC office shall follow a standard process for the collection of specimens, storage, transport, and maintaining a Chain of Evidence (DOC-1496). Staff collecting specimens to be tested by a contracted, off-site laboratory will precisely follow the procedures outlined by that laboratory. In addition, training opportunities may be available to assist in DCC staff development.

Observed specimen collection shall be conducted by staff of the same gender as the offender, when possible If the offender identifies as transgender and the UA needs to be observed because of concerns of tampering, ask the offender their preference for the gender of the staff member who observes UA. If there are staff available to accommodate offender preference, continue to collect the sample as trained or ask the offender to provide a second sample. Use oral swab when available/appropriate

.05 CASE RECORDING AND FOLLOW-UP

Results of the UA or saliva screening will be documented in COMPAS notes and are displayed in the Drug Tests section of COMPAS by date. After a discussion between the offender and agent, the outcome will then be appropriately documented in notes. If the screening result is positive for illegal substances, a variety of dispositions should be considered as with any violation. If the offender is exhibiting signs and appears to be under the influence of alcohol or other drug, the agent shall prohibit the offender from driving any motor vehicle and assist the offender in making alternate transportation plans. In these cases, the agent shall issue an apprehension request and contact law enforcement if the offender chooses to drive. COMPAS notes shall summarize the incident including agent observations. Observations may include but are not limited to notable change in appearance (disheveled, profuse sweating, tremors, dilated eyes/constricted pupils, puncture marks), change in speech (slowed, incoherent, slurred, confused), change in awareness (lethargic, disoriented, confused, mood swings, euphoria) and any changes in motor skills (balance, stumbling, swaying, falling).

.06 RECORDING SCREENING RESULTS IN COMPAS

1. The COMPAS Offender record will open to the Person Summary screen.
2. Scroll down to the Cases section. Click on the Case hyperlink. If only one case is listed, select that Case. If more than one case is listed, select the case with the most current Enrollment date. If a Case does not exist or the most current Case is checked “closed”, contact the supervisor.
3. Click on Drug Testing on the left hand side of the screen. Do not attempt to enter data into Drug Testing Information or Additional Assessment Information sections.
4. In the Drug Test section, click on Create.
5. Enter Test Date or click on calendar to populate this field.
6. Enter Test Time or click on Now to auto populate this field.
7. Enter Ordered By as the agent of record – drop down sorted by first name of staff.
8. Enter Tested By as the staff member observing the screening process. The drop down is sorted by first name of staff member.
9. Enter Test Location and Test Reason. The test reasons to be entered are as follows:

- Cause: Offenders may be subject to testing for cause if the agent believes the offender has used or is under the influence of intoxicating substances.
- Random: Random sampling is not currently in use by DCC.
- Saturation: When a high incidence of drug use or trafficking is suspected, an identified group may be tested. This type of test will mainly be utilized by DAI.
- Targeted: Offenders may be identified for targeted testing under the following circumstances:

Copyright © 2012 [WI Department of Corrections]

1. Intake process; and
2. Identification of current drug use.

10. Enter Test Type by using drop down function then click Next.
11. Enter test results individually for each substance tested for or click Negative or Positive to auto populate all of the test fields. Do not use Faint, Admit or Level then click Save.
12. Click Print if you choose to have a printed copy of this test and place in offender file.
13. Enter summary of this test process and results into COMPAS Case Plan Notes for this offender.

.07 CONFIRMATION OF SUBSTANCE USE SCREENING RESULTS

The results for a substance use screen may be confirmed by a certified laboratory test due to any of the following:

- The offender does not admit to use of drugs;
- The screening device is the sole evidence of drug use;
- A referral to treatment or revocation could result because of the instant cup/oral/dipstick screen. The final confirmed result is the sole basis for a referral to treatment

Please refer to the Violation Section regarding detention procedures.

Confirmation may also be done at the request of the offender, or at the discretion of the agent with supervisory approval.

Entering Laboratory Confirmation Tests In COMPAS

1. Create a new Drug Test record for entering Confirmation Test results. Do not update the prior Instant Test results record.
2. Enter Test Date as the date you receive the results back from the confirmation lab (noted on results sheet).
3. Enter Test Time as the time the sample was confirmed by lab (noted on results sheet).
4. Enter Ordered by as the agent of record.
5. Enter Tested by as the agent of record.
6. Select Confirmation Test from the drop down menu for Test Type. Do not select Sent to Lab.
7. In Comments, staff may enter the following if applicable:
   - *Confirmation requested by offender*
   - *Confirmation test from Instant Screen dated 00/00/00*

15. Click Next and enter Positive or Negative for all drugs listed. Do not use Faint or Admit.
16. Scroll down to access all drugs listed. For drugs not tested, select Negative.
17. Click on the Positive bubble for any drugs testing positive.
18. Click Print if you choose to have a printed copy of this test and place in offender file.
19. Close out each offender record by clicking the red X beside the offender name.
20. Enter summary of test process and results into COMPAS Case Plan Notes for this offender.

.08 EVIDENCE IN REVOCATION PROCEEDINGS

If a positive urine or saliva screen is used as the only basis for revocation and the offender contests the results, a confirmation test must be ordered. The confirmation screen must be requested within 30 days of submitting the original specimen.

If the agent intends to utilize a lab confirmed positive urine or saliva screen result in a revocation hearing, staff

Copyright © 2012 [WI Department of Corrections]

from the testing agency will be available by letter, telephone, or in person for appearance at hearings.

.09 RECORDS DISPOSAL AUTHORIZATION

All DOC-1496 forms must be retained indefinitely at this time until a new RDA can be created and approved by the State Public Records Board.

COMMUNITY SERVICE

.01 AUTHORITY

Wisconsin Statute 971.38(1), 971.38(2), 973.05(3)(a)(b)(c), 973.09(7m)(a), 102.07(14), 304.062, 973.10(1m)

.02 GENERAL STATEMENT

There are two ways that an offender can be ordered to perform community service, either court-ordered or department-ordered. Community service is performed in volunteer positions with non-profit, tax-exempt, community, or governmental agencies.

In no instance should power equipment be used by an offender who is under age 18.

Agents should keep track of placements, hours worked, work performance, and completion of the assignment. Unsatisfactory perfornce by the offender may be considered a violation of supervision and should be addressed according to an evidence-based response to violations. Possible dispositions should follow the recommended responses based on the offender's risk level and the severity of the violations in addition to the consideration of any other relevant factors..

Convicted sex offenders shall not be placed as volunteers in any agency that puts them in contact with children.

An offender who performs uncompensated community work is an employee of the county in which the community service work is located. No compensation may be paid to that employee for temporary disability during the healing period if injured on the job. Under the terms of a CSO, the organization or agency, if acting in good faith, retains immunity from civil liability exceeding $25,000.00.

.03 COURT-ORDERED COMMUNITY SERVICE ORDERS

The community service orders program places criminal and traffic offenders in volunteer positions with non-profit, tax-exempt, community, or governmental agencies. Wisconsin statutes allow for a reduction in conditional jail time of 1 day for each 3 days of work performed based on an 8-hour work day.

When the court orders community service, it must be agreed to by the defendant and the organization or agency. The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the order is monitored.

In most communities, it will be the responsibility of the offender to contact the hiring agency to arrange a personal interview and to arrange working hours. Hiring agencies should report hours worked and any job-related problem to the agent as soon as such problems are evident.

In some communities it will be the agent's responsibility to secure work sites for offenders who are ordered to perform community service.

Community service hours are sometimes substituted for court-ordered financial obligations. In these cases, the agent must submit an amended court order (DOC-37) to the court for the judge's signature. The signed order shall be forwarded to the Cashier's Office.

.04 DEPARTMENT-ORDERED COMMUNITY SERVICE ORDERS

When an offender commits a violation of supervision, consideration for using community service as a sanction may be discussed.

If it is determined that community service is a viable option, the offender can be offered community service in lieu of jail time.

If the agent, supervisor, and offender agree that community service is a viable option, the offender must sign a Community Service Alternative to County Jail Agreement (DOC-1660). A copy of the signed agreement shall be given to the offender.

Copyright © 2012 [WI Department of Corrections]

If the county in which the offender resides has a community service work program, the agent should refer the offender to this program by completing a Community Service Work Crew Referral (DOC-1661).

If the county does not have such a program, the agent should make a direct referral to a public agency or nonprofit charitable organization. Each DCC office shall identify specific agencies that are willing and capable of taking referrals for community service.

In addition to the Department's rules, the offender must agree to comply with any rules of the particular community service work program or any rules of the agency in which the offender is referred.

If an offender fails to complete the community service or violates the rules of the program, they may be detained and the violation investigated.

An accurate accounting of the days served, as well as any violations of a community service order, shall be entered in the case notes, as well as on the Evidenced Base Response to Violation. This record shall also include any noncompliance and subsequent detention.

OFFENDER MONITORING AND TRACKING TECHNOLOGY

.01 AUTHORITY

Administrative Code 328.04 and 333.07(1)(m), (n), (o), and (p)

.02 GENERAL STATEMENT

Offender monitoring and tracking technology is used as a tool to enhance the agents' ability to control and monitor offender movements. Currently, the Division uses the following systems:

- Electronic Monitoring Program (EMP) - The offender wears an ankle transmitter, which communicates through radio frequency on a monitoring unit (HMU) within a predetermined radius. Its primary use is to ensure compliance to schedules and curfews.
- Global Positioning System (GPS) –The offender wears a one piece active monitoring unit with GPS in the transmitter itself. GPS tracking closely monitors compliance to schedules, curfews, exclusion zones and where a person has traveled in the community.
- Transdermal Alcohol Detector (TAD) –The offender wears a device that continuously monitors for alcohol consumption through a noninvasive skin sensor worn on an offender's ankle. The Transdermal Alcohol Detector, also includes radio-frequency monitoring capabilities, meaning individuals on the system can be monitored for curfews and alcohol use with the same device.
- Sobrietor - A handheld device that detects the presence of alcohol through a breath sample. It has voice and alcohol detection technology to verify the offenders released to community supervision are abstaining from alcohol use. The results are transmitted remotely through a telephone connection.
- Soberlink - A handheld device that allows offenders to submit breath alcohol tests from any location with cellular service. A high-resolution camera verifies the user and the professional-grade fuel cell ensures accurate tests each time.

.03 PRIORITIES

Use of tracking and monitoring technology is appropriate in the following circumstances:

- As an alternative to custody:
- Ordered as a condition of probation (with court approval) or
- During the revocation or violation investigation process (with supervisory approval);
- To enforce and monitor curfews, employment attendance, or chemical usage;
- As an accountability response to violations as determined through an evidence- based response to violations;

  As a formal alternative to revocation;

- For an enhanced level of protection of the victim or community
- Determined and required by statute

However, the equipment is issued in the following priority order:

- Lifetime GPS offenders determined by s. 301.48 which requires the Department to place certain sex offenders on lifetime GPS tracking upon their release from prison (parole, extended supervision, maximum discharge); or, upon being placed on probation for a serious child sex offense (Level 1 child sex offense or Level 2 child sex offense); or, upon being granted supervised release; or being discharged from a s. 971 or s. 980 commitment.
- SBN or Chapter 980 offenders
- Assaultive Mandatory Release parolees
- Condition ordered by the Court for Extended Supervision
- Enhanced Supervision Offenders
- Other Sex Offenders
- Formal ATRs

Regional Initiatives

Juvenile GPS

.04 PROCEDURES

In some cases, the use of monitoring and tracking technology is mandatory and in others discretionary. The agent should staff cases with their supervisor to determine if placement is appropriate.

The regional EMP coordinator is responsible for EMP equipment control and accountability.

The agent is responsible for establishing a schedule for the offender to be in or out of the residence for all offenders on and to determine exclusion zones for those offenders on GPS. The agent completes the Enrollment-Residence-Employment Information (B)and fills out an undated Apprehension Request (DOC-58) with “for EMP use” checked. These must be faxed to the monitoring center at least 48 hours prior to the hookup. If an emergency situation requires same day hook up, the supervisor must sign the enrollment form. Staff must ensure that the hookup has been successful prior to leaving the offenders residence. Offenders may need pre-authorization from their agent to be in a specific location when outside the residence. This is determined on a case- by-case basis and should be discussed with the supervisor.

The active and passive unit will detect for the presence of the transmitter and that it has not been tampered with or gone out of range. If the bracelet is out of the monitoring unit’s range, is tampered with, or is no longer in contact with the offender’s skin or if the battery is low. The one piece unit will detect and report tampering, out of range of the beacon and low battery. An alert will be transmitted by the monitoring unit to the DOC Monitoring Center who will notify the agent. During non-working hours, the Monitoring Center may contact the on-call supervisor or issue an Apprehension Request (DOC-58)or both. Law enforcement will then be notified of the (DOC-58).

Upon notification of the alert, DCC staff must immediately take action (i.e.., phone call, home visit, etc.) to determine the cause of the alert. DCC staff must notify the monitoring center when they determine the cause of the alert. During non-business hours the Monitoring Center will follow Standard Operating Procedures regarding action for an alert. The agent may issue an Apprehension Request at any time following an alert from a monitoring unit. The Monitoring Center may issue an Apprehension Request during non-business hours and notify law enforcement.

Agents or sergeants may use a hand-held monitoring unit for scanning the presence of offenders in the field. The monitor will indicate the number of any EMP bracelet that is in range.

Copyright © 2012 [WI Department of Corrections]

.05 DISCRETIONARY GPS

Discretionary GPS tracking may be requested for offenders on active supervision who are otherwise not mandated by law to be on GPS tracking. The offender will not be charged a fee. It shall be used as a supervision tool to assist in the monitoring and tracking of offender movements. In order to utilize discretionary GPS tracking, the following procedure applies:

- The agent shall staff and receive approval from the supervisor;
- Upon supervisory approval, the agent shall complete the Discretionary GPS Request (DOC-2561) to include the time requested which shall then be sumitted to the supervisor;
- The supervisor shall review the DOC-2561 and forward to the Regional Chief/Assistant Chief for approval; and
- The regional chief/assistant chief shall sign and forward the request to Sex Offender Registry Program at DOC DCC GPS Discretionary Referrals for review and final approval.
- If extension is approriate, the agent shall staff the request in advance of the initial end date with the supervisor. If it is approved, the previously submitted (DOC-2561) should be submitted by the supervisor to the regional office indicating the reasons for the extension request. If approved at the regional office level, the regional chief/assistant chief shall note their approval and submit it to DOC DCC GPS Discretionary Referrals for review and approval.
- The SORP GPS Specialist/GPS OOA shall maintain a tracking system to monitor offenders on discretionary GPS, to include the date of installation, the extension due date, and the date of termination.

.06 COURT ORDERED AS A CONDITION OF PROBATION

If electronic monitoring is ordered as a condition of probation, the agent will assist the offender in obtaining the service. The Department has beem upheld that sentencing courts may not direct use of DOC resources such as electronic monitoring and tracking technology. If it is not available in the sentencing county, regional equipment may be used if available upon approval of the regional office. The offender will be charged a fee for this service.

.07 FEES

Offenders (other than those serving Intensive Sanctions sentences and GPS offenders) are not charged fees for Electronic Monitoring imposed by DOC. Offenders will be responsible for lost, stolen, or damaged equipment.

.08 PHONE SERVICE

Phone services on a monitored line must be limited to basic service without any added services such as call-waiting, call-forwarding, privacy manager, 800 block etc. The monitored line must not have an answering machine or internet hooked up to it.

If there is no phone service available in the offender's residence, Purchase of Service funds may be available to set up the phone line for monitoring purposes. Cellular monitoring equipment is available in areas where analog phone services are not available or in circumstances where a phone service is not available. Approval for cellular equipment needs field supervisor and the Director of the Monitoring Center's approval.

.09 SYSTEM FAILURE

In the event of a system failure, which compromises the electronic monitoring centers' ability to process incoming calls and effectively monitor offenders on the system, field staff are required to respond according to specific emergency procedures.

Notification of an emergency situation during regular business hours will take place at the regional office. The regional office will then notify all field offices that the emergency monitoring plan is in effect. In the event that the emergency occurs outside of normal business hours, the monitoring center will notify the on-call supervisor who is to immediately notify the regional chief or designee. The Chief or designee will contact each unit supervisor. Each region will develop and maintain an emergency response plan which mirrors the Division's plan.

Copyright © 2012 [WI Department of Corrections]

.10 EMERGENCY PROCEDURES

Time Down	Function
60 Minutes	A is sent to the regional chief and field supervisors advising of the estimated length of time the system is expected to be down. Supervisors will advise staff to be prepared for contact from offenders unable to reach the monitoring center. DCC staff are to make every effort to ensure that offenders are not made aware of the system failure.
120 Minutes	• Agents are to verify offenders on electronic monitoring and identify those who should be placed in custody until the system is restored. • Regional emergency response plans are to be implemented. Supervisors are to determine necessary staffing and DCC staff are to prepare for manual monitoring of offenders. (See 06.42.11) • In areas where there is contract monitoring (e.g.. THS's, 980's) attempts should be made to elicit their assistance should manual monitoring be required. If appropriate, notification should be made to local law enforcement agencies.
240 Minutes	Field staff will randomly verify offender compliance with home detention schedules or restrictions, and maintain logs of all contact. (See 06.42.11 for standards) Local law enforcement agencies and the Warrant section of the monitoring center shall be notified of any offenders in non-compliance with their schedule. Any unusual events should be communicated to the Regional Chief or designee immediately. Random manual monitoring will continue until the monitoring system is operational.

.11 CONTACT STANDARDS

During a monitoring center system failure, contact with the offender must be accomplished manually. Contact may be in person, by telephone contact with the offender, or by use of drive by scanners. The minimum requirements are as follows:

Between the hours of 6:00am and midnight: one random contact every four hours.

- Between the hours of 12:01am and 6:00am, one random contact.

.12 MONITORING SYSTEM RESTORED

When the monitoring system is restored, field staff should be prepared to respond to any high priority alerts. Offenders placed in custody due to the system failure should be returned to their residence as appropriate.

ENHANCED SUPERVISION STATUS

.01 AUTHORITY

Wisconsin Administrative Code DOC 328

.02 GENERAL

Enhanced status is a classification requiring frequent offender and collateral contacts. Increased contacts are intended to improve the agent's ability to deter and detect further violations as well as to increase the offender's chance of success through intensive case management. Case planning must be updated to reflect objectives designed to reduce the likelihood of reoffense.

.03 OFFENDER POPULATIONS

The following offender populations are required to be set at Enhanced Supervision status upon release:

Offenders who have been committed under Wis. Stat. 971.17.

- Act 28 offenders who are released early to extended supervision (minimum of six months or upon reaching the original release date, whichever is sooner). Note: Aged/Extraordinary Health Condition releases will be decided on a case-by-case basis.

The following offender populations may, with supervisory approval, be classified at the Enhanced Supervision status:

- Offenders with a significant history of diagnosed mental health problems that are noncompliant with treatment or medication or have not reached behavioral stability.
- Offenders who are serving a sentence for a violent felony and who are released on mandatory release.
- Offenders who are classified by the Division of Adult Institutions as having a maximum custody rating at the

Copyright © 2012 [WI Department of Corrections]

time of release. Note: Custody rating can be found in WICS in the Inmate Header under Custody on the left side of the screen under date of birth.

- Offenders who are involved in a treatment or specialty court where an enhanced level of contact is required. Offenders
- who are being supervised for multiple Operating While Intoxicated offenses.
- High profile offenses or an offender's historical behavior that merit Enhanced Supervision status as determined by the regional chief or assistant regional chief.

Justification for classifying these cases as Enhanced Supervision status shall be documented in the case notes. Misdemeanor cases may be considered for this classification if any of the above criteria apply. However, it should be noted that most misdemeanor offenders are not appropriate for this classification.
Electronic monitoring is not a requirement of this classification, nor is electronic monitoring in and of itself a sufficient justification for offenders to be set at Enhanced Supervision status. Halfway house placement is also not considered sufficient justification in and of itself for reclassification.

.04 CONTACT STANDARDS

Supervision standards for Enhanced Supervision cases are as follows:

1. Weekly face-to-face contacts
2. Home visits every six months. The agent must enter the residence and have face-to-face contact with the offender or a collateral (counts as face-to-face contact if offender is present)
3. A minimum of one monthly collateral contact. Offenders supervised under Enhanced status require a monthly face to face, phone, or email contact with one collateral contact every thirty days.

- A collateral contact is an individual who is actively involved in the offender's life. The purpose of the collateral contact is to verify compliance with the rules of supervision, confirm offender participation in a particular activity, or assist in completing the tasks or practicing the skills identified on the case plan. Examples of collateral contacts include but are not limited to employers, significant others and additional support systems. Multiple collateral contacts should be identified. In most cases, agents should alternate contacts, such that the same individual is not contacted in consecutive months. In cases where there are limited collateral contacts, agents should clearly document why the same individual was contacted in consecutive months.
- Treatment providers should be contacted monthly as part of the case plan and therefore do not represent a collateral contact. Additional collateral contacts should be considered based upon the offender's case plan needs.
- If required contacts are not made by an approved representative of the department, the agent of record must discuss appropriate action with his/her supervisor.
- Any exceptions to these contact standards must have supervisory approval and may not be granted for workload reasons or for positive offender adjustment.

Contact standards will be monitored as a Workload Manager task. In order for the task to be removed, the agent must complete the contacts and note these as a "Supervision Contact" in notes. The dropdown options include the face to face contact option and the collateral contact.

.05 TIMEFRAMES-APPROVALS AND RECLASSIFICATION PROCEDURE

With the exception of those offenders released early to extended supervision, these cases will be need to be staffed prior to ninety days with the supervisor. Upon reaching the ninety days, the Enhanced primary flag will automatically be removed and the status keeper will set the status to the last status entered or last actual level of

Copyright © 2012 [WI Department of Corrections]

supervision. The supervisor can grant an extension of ninety days with notification to the status keeper. Following the additional ninety days, the Enhanced primary flag with be removed and the status keeper will set the status to the last status entered or last actual level of supervision, unless regional office approval has been granted for an additional ninety day extension. Regional office may grant additional extensions in ninety day increments based on case dynamics.

Unless otherwise required (i.e.., Wis. Stat. 971.17 releases, CIP graduates, or early release to extended supervision), an offender may be set to a lower status prior to the staffing due date. The agent and supervisor must consider the following:

1. Residence;
2. Employment;
3. Treatment participation and adjustment;
4. Chemical usage;
5. Violations;
6. Gang affiliations.

.06 LAW ENFORCEMENT NOTIFICATION

Notification to law enforcement shall be made within 24 hours of release on all cases released early to Enhanced Supervision and on all offenders released with a DAI maximum custody rating.

TRACKING OFFENDER ACTIVITY ON SOCIAL MEDIA NETWORKING SITES (effective 04/22/15)

.01 GENERAL STATEMENT

Monitoring of offender's use of internet social networking may be beneficial to ensure compliance with supervision or to investigate violation allegations. All use of technology resources must be in compliance with applicable Department and Division policies.

02. PROCESS

All DCC probation and parole agents and Sex Offender Registry Program (SORP) specialists in the Division are assigned to a computer network security group that enables access to social networking sites, including but not limited to Facebook and Twitter. No special authorization is required for access to these sites. If you are unable to connect to a social networking site that you wish to use in supervising or investigating offenders, please contact the BTM to determine if your security level is correctly identified. SORP Specialists may also be a resource in helping to navigate the process of accessing social media websites.

Agents and SORP specialists have access to social media networking sites and can use the sites as an offender monitoring/investigation/supervision tool. If it is necessary to create an account on the social media site, the staff person's DOC email address must be used and all activity must be as a representative of DOC. Creating a false identity is not permissible.

Agents who use social media networking sites as a supervision tool should log the contact and any notes in COMPAS and discuss any significant findings with their supervisor (e.g.. prohibited victim contact, substance abuse, weapons, gang related information, etc.). SORP specialists shall document the use of social media networking sites in SORT, as usual with any investigative steps.

Copyright © 2012 [WI Department of Corrections]

UNDERCOVER ACTIVITY

.01 GENERAL STATEMENT

An agent may not authorize any offender to participate in undercover activities. Any requests by law enforcement agencies must be reviewed by the Regional Chief or designee. Consideration must be given to the effect of this activity on the offender's performance on supervision and compliance with the case plan.

.02 PROCEDURE FOR APPROVAL

All requests for offender participation in undercover activities must be made by the Executive Officer of the requesting agency to the Regional Chief in writing. The Regional Chief will review the request with the appropriate field supervisor, agent and, if charges are pending, the District Attorney, to determine the propriety of the request. The Regional Chief determines if the undercover activity should or should not be permitted, and that decision is final. All approvals shall have a specified time limit.

Requests from Federal law enforcement agencies or from the Wisconsin Department of Justice should be directed to the Regional Chief. In reviewing such requests, the Regional Chief need not consult with the District Attorney. The Regional Chief shall maintain a log of all undercover activity and submit a quarterly report to the Division Administrator outlining the approved requests.

Offender participation in undercover activities must be voluntary. Special considerations will not be given by the Department in exchange for such activity.

The agent may enter limited information in COMPAS notes documenting approval which will be marked confidential. Specific details of the undercover activity should not be documented. Detailed discussion with the offender regarding this activity should not occur routinely except as to ascertain that the activity does not hinder rehabilitative efforts.

Copyright © 2012 [WI Department of Corrections]

UNDOCUMENTED PERSONS

.01 GENERAL STATEMENT

It is the responsibility of Division of Community Corrections staff to work cooperatively with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE) in regards to undocumented offenders who are either on supervision in the community, in custody on an ICE detainer, or deported.

.02 DEPORTEES/ICE HOLDS

If an agent becomes aware that an offender is being released to an ICE detainer, the agent should have the offender sign amended rules to include the following:

1. Not enter or be in the United States without proper documentation of lawful presence;
2. Report to probation/parole agent within 72 hours of entry, legal or illegal, into the United States;
3. Report any changes in immigration status to probation/parole agent within 72 hours; and
4. Contact probation/parole agent within 24 hours of release from ICE custody within the United States.

Once an offender has been released to an ICE detainer, the agent should obtain a copy of the jail/institution release form verifying the release to ICE. The agent should complete a Request for Notification on Criminal Alien Prior to Release from Custody (DOC-2367) to be forwarded to ICE. Upon the offender being taken into ICE custody, the status level should be reduced to Deported where it remains upon subsequent deportation.

As part of the case plan, the agent should contact ICE every six months until a notice of deportation is received to confirm that the offender has either been deported or is still in custody. Status should be documented in the COMPAS notes. Upon verification by ICE of deportation, the agent should notify the sentencing court and the victim/witness coordinator in writing. This notification should indicate the court case number, offense, statute, discharge date, the fact that the offender has been deported and is no longer under active supervision within the United States, as well as indicating that active supervision will resume if DOC becomes aware of the offender's return to the United States prior to the discharge date. Undocumented persons are often released from ICE custody pending further action. If this occurs and the undocumented person appears to report, supervision is resumed by the agent as with any other offender.

.03 NON-COMPLIANT SEX OFFENDER REGISTRANTS

Sex offender registrants who have been deported or are being held by ICE are still required to maintain compliance with the Sex Offender Registry Program (SORP). Failure to maintain compliance is a violation and an Apprehension Request (DOC-58) and subsequent stop time (DOC-e44) may be issued for those offenders. The agent and supervisor should staff the case prior to the discharge date to discuss appropriate case action.

.04 UNDOCUMENTED OFFENDER NOT BEING DEPORTED

If ICE determines that the offender is undocumented, but does not plan to deport, the offender should be supervised as with any other offender.

Copyright © 2012 [WI Department of Corrections]

Violations

Act 33 and 59: Aider and Aided Persons Immunity

.01 Authority

2017 Act 33

2017 Act 59

.02 Sunset Date

The portion of the 2017 Act 33 providing authority under this section of ECRM sunsets on August 1, 2020. This section of Electronic Case Reference Manual language will be rescinded effective that date.

.03 General Statement

2017 Act 33 and Act 59 prohibits the revocation of parole, probation, or extended supervision for certain violations for an aider or aided person who was suffering or believed to be suffering from an overdose or other adverse reaction. The immunity from revocation is under the circumstances surrounding or leading to the aider's actions.

.04 Eligibility

a. Act 33 became effective July 19, 2017. Aider or aided persons immunity events that occurred on or after July 19, 2017 are subject to the Act.

b. No Aider may have his or her parole, probation, or extended supervision revoked, and is immune from prosecution for the following offenses under the circumstances leading to his or her aiding another individual:

.

1. Possession of drug paraphernalia under s. 961.573
2. Possession of a controlled substance or a controlled substance analog under s. 961.41 (3g)
3. Possession of a masking agent s. 961.69(2)
4. Bail Jumping s. 946.49

c. An Aider is defined as a person who makes contact with any of the following individuals if the aided person is, or if a reasonable person would believe him or her to be, suffering from an overdose or other adverse reaction:

1. An individual who staffs the emergency room, hospital, fire station, or other health care facility to which the aider brings the aided person
2. A law enforcement officer, ambulance, emergency medical technician, or other health care provider summoned by the aider

d. An individual answering "911" or the number for an EMS provider called by the aiderIn addition to completing one of the above, a person is an "aider" only if the aider's attempt to obtain assistance occurred immediately after the aider believes the other person is suffering from the overdose or other adverse reaction.

e. An aided person is immune from revocation under the circumstances surrounding or leading to an aider's request for assistance only if the aided person:

1. Completes a treatment program as a condition of his or her parole, probation, or extended supervision, or,
2. If a treatment program is unavailable or would be financially prohibitive, agrees to be imprisoned in the county jail. State statute does not permit a jail time of less than 15 days.

e. Interstate Compact offenders supervised in Wisconsin from another state shall be supervised consistent with the supervision of other similar offenders sentenced in the receiving state. Interstate Compact rules should be followed for these offenders.

f. Treatment is considered "financially prohibitive" if all of the following conditions are met:

1. The offenders Combined Monthly Household Income (CMHI) is less than $800
2. The cost of treatment would impact the offender's basic living needs or those of their dependents
3. Treatment is unavailable through DOC Purchase of Offender Goods and Service funding or from coverage through other sources such as private insurance or Medicaid

g. Treatment is considered "unavailable" if there is an inability to be admitted into a treatment program appropriate for the offender's needs within the state of Wisconsin within 60 days. The 60 day period begins the date the determination is made the event is an Act 33 covered event. Out of state treatment options can be reviewed on a case-by-case basis subject to Interstate Compact rules.

.05 Process

a. Normal detention and time frame procedures shall be followed. The initial hold code most appropriate to the violation should be used.

b. If it has been determined the violations fall under Act 33 requirements and that treatment is available within 60 days, the agent shall staff available options with the field supervisor. If the actual response level on the EBRV is high or very high and the staffing decision is to pursue residential treatment, a sanction may be imposed until the start date of treatment. If outpatient treatment is pursued or a sanction is not part of the disposition, the offender will be released from custody on the date the DOC-2834 is signed.

c. For aided persons, the agent shall prepare and serve the DOC-2834. For persons meeting the criteria of an aider, the DOC-2834 does not apply. The offender must sign the DOC-2834. The offender may refuse programming, however this refusal may result in revocation and must be obtained via signature on the DOC-2834. The signature shall be obtained no later than 48 hours after the determination has been made regarding treatment or jail time. The agent shall ensure the offender receives a copy of the DOC-2834.

d. If it has been determined that treatment options are not available or are financially prohibitive as outlined in the Eligibility Section, the agent and supervisor shall recommend the offender serve a period of imprisonment in the county jail. The recommended jail time shall not be less than 15 days. This jail time is referred to as an "Act 33 Jail Term." If the offender refuses jail time, this may subject the offender to possible revocation of their community supervision.

e. The agent shall prepare and serve the DOC-2834 designating the recommended number of days of imprisonment, including start and end dat The start date shall be the date of the violation staffing with the supervisor. The offender must sign the DOC-2834, receiving a copy. The agent shall also ensure the local detention facility receives a copy.

f. If it is determined an aided offender qualifies for an Act 33 Jail Term instead of treatment, the Order to Detain shall be cancelled upon the effective date of the Act 33 Jail Term, being sure to also provide the jail the DOC-2834. This serves as the documentation for the jail to continue to detain the offender. Take any extra precautions or notifications necessary with the local jail to ensure the offender is not released.

g. A copy of the DOC-2834 shall be forwarded to the status keeper who shall enter the information pertaining to the Act 33 Jail Term into WICS.

.06 Custody Credit

Any time spent by the offender in confinement as an Act 33 Jail Term is credited upon revocation.

Apprehension

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.24

.02 APPREHENDED ABSCONDERS-PROBATION

When an offender is located and taken into custody within the State of Wisconsin, the agent or supervisor will contact the local DCC office for assistance in completing the violation investigation. Any outstanding Apprehension Request must be canceled by an Apprehension Cancellation.

If a stop time was issued, and revocation is not pursued, a start time will need to be completed.

If the offender is in custody out of state, the apprehending authority will contact the Warrants Section. The Warrants Section obtains information regarding the offender's status, requests that the offender be held for Wisconsin, and advises that a warrant will follow if required by the detaining authority. The agent will advise the supervisor of the circumstances. Unit supervisors and/or Regional Chiefs will decide when an absconder should be returned to Wisconsin. Alternatives may be pursued, and consideration should be given to the appropriateness of return.

The Monitoring Center will cancel the apprehension request upon receiving and confirming a HIT request made by a law enforcement agency that they have the offender in custody.

Once returned to Wisconsin, an investigation will be conducted utilizing an evidence-based response to violations response. If not revoked, the offender should reimburse the Division for transportation costs. In general, apprehended probation absconders are returned to the jail of the supervising county.

.03 APPREHENDED ABSCONDERS-PAROLE

The process outlined for probation absconders noted above is the same for parolees. However, in general, parolees are returned to Dodge Correctional Institution (DCI) where a DCC agent liaison is available to assist with the violation investigation.

.04 TRANSPORTATION

Prior to arranging transportation, the DCC Registrar must ascertain that the offender has signed a waiver of extradition. If the offender has waived extradition, and the decision has been made to return the absconder from out of state, the DCC Registrar will coordinate the return and make necessary arrangements with the out-of-state transportation vendor. The DCC Registrar will complete and route a memo stating the cost of transportation, the destination, and expected date of arrival to the agent, supervisor, DCC Business Office, and the Wisconsin detention facility.

If the offender refuses to waive extradition, the DCC Registrar will secure a Governor's Warrant. The DCC Registrar may contact the agent to obtain information pertaining to the offender. In order to facilitate the issuance of a Governor's Warrant, the DCC registrar will obtain copies of the Judgment of Conviction on all active sentences, compose a current summary of case activities, certify copies of the Violation Warrant, and forward the documents to the Wisconsin Attorney General's Office.

.05 ON-SITE PRELIMINARY HEARING

When it appears a located absconder has violated other rules of supervision, it may be necessary to hold an on-site preliminary hearing prior to the offender's return. The agent or supervisor may request an on-site hearing in the area the alleged violation occurred.

.06 DISCHARGE OF ABSCONDERS

When it appears efforts to locate an absconder are futile, the agent and supervisor may recommend discharge from supervision. Outstanding court obligations should be resolved by the committing court before discharge is recommended.

To discharge an absconder, it is necessary to issue a DOC-0044A Recommendation for Administrative Action. Check "Start Time" and "No Time Tolled." The effective date of the "Start Time" is the date the agent selects so the offender will discharge from

supervision. Add justification under "Recommendation Submitted for the Following Reasons." It is necessary to cancel the Apprehension Request when the discharge is granted.

Attempts to Locate Absconders

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.24

.02 GENERAL STATEMENT

Offenders are required to inform agents of their whereabouts and activities, must report changes in employment or residence, and not leave the State of Wisconsin without agent approval and a travel permit.

It is the philosophy of the Department of Corrections not to allow offenders to remain anonymous in the community. Agents need to take proactive measures to locate offenders who have failed to report.

.03 ATTEMPTS TO LOCATE

When an offender fails to keep a scheduled appointment, the agent should contact the offender by phone or letter. If the attempt to make contact fails, it will be necessary to do a home visit and take appropriate action to determine if offender has absconded.

Primary sources to be checked are the offender's last known address, neighbors, employer, county lockups, hospitals, parents, siblings, relatives, collaterals, programs in which the offender has been involved, and any unique lead to the case. A certified letter, with return receipt requested (signed by addressee only), may be sent to offender's last known address. Specific reporting instructions should be contained in this letter.

Other sources for locating offenders include:

- Internet
- Social Security Office
- CIB Check
- Human Services
- Child Support
- Crime Stoppers
- Temporary Employment Services
- Post Office
- Department of Transportation Records

.04 APPREHENSION REQUESTS

When an offender cannot be located, the agent will issue the Apprehension Request (DOC-58) through the DOC Warrants Section, and a copy may be provided to local law enforcement agencies. The agent will document this in the COMPAS notes. A Situation Alert (DOC-1959) should be issued for high profile offenders.

If an offender fails to comply with a required face to face contact with the agents, attempts should first be made to locate the offender and bring them into compliance. If still unable to locate the offender, an apprehension request shall be issued no later than thirty days from the missed appointment, unless the agent receives prior approval from a supervisor.

Specifically, when Intensive Sex Offenders or Enhanced Supervision status cases have failed to keep a scheduled appointment and cannot be located, the agent will issue an Apprehension Request (DOC-58) within five working days unless staffed with the Unit Supervisor.

Regardless of the level of supervision, the agent shall attempt to locate the offender. Attempts include, but are not limited to:

- Contact with a treatment provider
- Contact with a relative

Copyright © 2012 [WI Department of Corrections]

- Contact with an employer
- Home visit
- Phone call to the offender

All attempts to contact the offender are to be recorded in the COMPAS notes.

If an offender has not been apprehended within 30 days after the DOC-58 has been issued, the agent will submit a Recommendation for Administrative Action (DOC-44A) stopping time. If a home visit was not conducted during attempts to locate the offender, it shall be made prior to issuing the stop time.

A Violation Warrant (DOC-95) is issued only in cases in which the offender is taken into custody in another state and a warrant is requested. In these cases, the DCC Registrar will prepare and forward the Violation Warrant to the Agent, Unit supervisor, CRU, and Regional Office. (see WI Offenders in Custody on Out-of- State Violations) The DOC Warrant Section has the responsibility for entering apprehensions and cancellations into the TIME System.

Emergency Entry of Apprehension Requests:

Certain situations may require the entry of an emergency apprehension request. Appropriate emergency entries may include the following:

- Offender is a suspect in a crime. The seriousness of the alleged behavior should be considered.
- Offender has a history of escape, absconding, or assaultive behavior and is believed to be involved in a violation of the law or the conditions of supervision.
- Offender is believed to have engaged in threatening or assaultive behavior.

Only Unit Supervisors, Assistant Regional Chiefs, or Regional Chiefs may enter emergency Apprehension Requests. Agents who need to reach an on-call Supervisor for this purpose should call 1-888-222-4DOC (4362).

The person making the emergency entry must provide the following information to the Warrants Section Staff:

- Offender Name
- Sex/Race
- DOB
- Corrections Number

The emergency entry must be followed by a call from the Supervisor, and a completed DOC-58 must be faxed the next working day.

When an absconder file is transferred between agents and accepted, it is the responsibility of the receiving agent and supervisor to amend the Apprehension Request, which includes identifying the new area of responsibility and the telephone number. Amended Apprehension Requests must be mailed to the DOC Warrant Section.

In unusual circumstances, agents may request that offender data be entered into the Law Enforcement Bulletin. A memo, which includes the mandatory identifiers on the Apprehension Request, along with other relevant information, must be forwarded to the Regional Chief. The memo shall be accompanied by a photograph of the offender.

.05 PROBATION WITHOUT CONVICTION CASES - 161.47

When a non-conviction offender absconds, the agent shall issue an Apprehension Request, checking “no” in the extradite section. If the offender is not located within ninety days, the agent should ask the Court for an order either vacating the original commitment or relieving the state of further responsibility. The Court should issue a warrant for the offender's arrest and assume responsibility for return of the offender. A copy of the court’s warrant is forwarded to CRU. The agent must then issue an Apprehension Cancelation.

Apprehension Requests for Offenders Under a Mental Health Commitment

Copyright © 2012 [WI Department of Corrections]

The following procedure shall be utilized for cases supervised under:

- Conditional release - 971.17
- Sex crimes law – 975
- Sex crimes law – 980

When a committed offender violates the court-ordered conditions of release, or the standard conditional release rules, and their whereabouts and activities are unknown, the agent may issue an Apprehension Request. The agent should check "No" in the extradition section of the Apprehension Request.
As soon as possible, the agent shall prepare the Petition for Capias (F-25206) and the Order Granting Capias (F-25207) and submit them to the committing court for the judge's signature. After the agent verifies through the Sheriff's Department Warrant Division that the Capias is active in the system, the agent shall issue an Apprehension Cancelation.
If the absconder is apprehended within Wisconsin, the supervising agent will facilitate the return to the designated facility. If the absconder is apprehended outside of Wisconsin, the agent should contact the DCC Registrar and work in conjunction with the DHFS contact to facilitate the return of the offender. Chapter 980 cases will be returned to the county jail of the county where the 980 commitment was issued.

.06 NOTICE TO VICTIMS

If an absconder poses a risk to a former victim or other specific individual, the agent should inform that individual of the offender's absence from supervision. The victim should again be notified if the offender is subsequently located.

.07 FOLLOW-UP CHECKS

When an offender is in absconder status, the agent will request a new CIB/NCIC check at least once per year. Appropriate entries are to be made in the COMPAS notes. The agent may re-contact the primary sources noted previously. Any new information received should be provided to local law enforcement agencies.

.08 MODIFYING APPREHENSION REQUESTS

When it is necessary to correct or change any information on cases in the CIB system, the changes will be made on the original Apprehension Request or a legible copy of the original. Changes include the transfer of the case to the new area number.

- Agent shall review offender file and ensure all available identifiers are listed on the Apprehension Request.
- Changes will be highlighted.
- Check the AMENDED box at the top of the form in red ink.
- Ensure that the agent area number and phone number are correct.
- Email apprehension requests to DOCWarrantAmends@wisconsin.gov.
- The amended DOC-58 will be processed and returned to the unit with the confirming CIB printout attached. Upon receipt, the information on the CIB printout will be checked against the source documents in offender's file by the Unit Supervisor.

.09 NOTICE OF APPREHENSION REQUEST CANCELATION

DOC Warrants Section will cancel active apprehension requests in the CIB or NCIC systems under the following conditions:

- Receipt of an emergency cancellation by phone from a supervisor;

Copyright © 2012 [WI Department of Corrections]

- When three working days have lapsed since:
  - Notification by the Warrants Section to the unit that an Apprehension Cancelation has not been received, or
  - An emergency Apprehension Request has been phoned in to the Warrants Section and the DOC-58 has not arrived.

The supervisor will be notified from the Warrants Section via the Notice of Apprehension Request Cancellation. The NCIC/CIB cancelation receipt is attached to the DOC-58A Notice of Apprehension Request Cancellation, along with any supporting documentation. The DOC-58A is to be treated as an Apprehension Cancellation and will be routed to the unit supervisor through the regional office. Unit supervisors are to ensure that the DOC-58A is routed to the status keeper.

Copyright © 2012 [WI Department of Corrections]

Detention Procedures

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.27

Wisconsin Administrative Code DOC 331

.02 GENERAL STATEMENT

Offenders suspected of violating rules of supervision, federal, state, county, and municipal laws and ordinances, or who are likely to abscond, may be detained in jail or correctional facilities. Whenever feasible, staff will rely on law enforcement authorities to take an offender into custody. Offenders must be detained if they are alleged to have been involved in assaultive or dangerous conduct. The Order to Detain (DOC-212) will be completed and provided to the detaining authority and status keeper. The status keeper will also get all copies of supervisor, regional, and administrative extensions.

During non-standard hours (from 4:30PM-7:45AM and on weekends and holidays), the DOC Monitoring Center is available for all law enforcement agencies to contact regarding the potential detention of offenders. The telephone number dedicated to this purpose is 1- 888-222-4362. The monitoring center is able to place holds on offenders and consult with an on-call Supervisor.

An offender may be taken into custody and detained following timelines established by the Department policies and procedures, for one of the following purposes:

- Investigation of an alleged violation by the offender of a rule or condition of supervision;
- After an alleged violation to determine whether to commence revocation proceedings;
- For disciplinary purposes;
- To prevent a possible violation by the offender; or

  Pending placement in a program as an alternative to revocation.

.03 AGENT ACTIVITIES

If it has been determined through an evidenced-based response to violations process that it is necessary to detain the offender, the agent has the authority to hold the offender in detention for up to three working days in order to conduct an investigation. As soon as possible, the agent should obtain the available and relevant information to make an initial determination regarding whether the offender should remain in custody. The agent should complete the following activities that are applicable to the violation investigation:

- View police report
- Interview offender, victim, and witnesses
- Present a summary of facts and recommendations to the supervisor

.04 COMPUTING "DAYS"

In counting detention days, Administrative Code defines working days as Monday through Friday, with the exception of legal holidays. There is no authority to exclude time that is outside of work hours (i.e.., if an offender is placed in custody any time before midnight on a Tuesday, providing it is not a legal holiday, Tuesday is considered the first day of detention).

.05 MANDATORY DETENTION

Wisconsin Administrative Code 328.27(1) requires that an offender be taken into custody and detained if the offender is alleged to have been involved in assaultive or dangerous conduct. This may include credible verbal threats as noted below. Detention by the agent is mandatory under such circumstances.

While it is thought best to rely on law enforcement authorities' expertise in taking persons into custody, this is not always practical, and staff may exercise their authority at these times. There are times when an agent may be incapable of obtaining custody of an offender without risk of harm to the agent, another person, or property. In

Copyright © 2012 [WI Department of Corrections]

these difficult cases, staff must exercise good judgment in attempting to take custody of the offender where no assistance from law enforcement is feasible. Staff must strike a balance between the need for immediate custody, the danger posed, and the chances of success of obtaining custody without harm to anyone. Whenever feasible, supervisory staff should be consulted and/or be present when offenders are taken into custody.

Any exception to this mandatory detention requirement shall be made only by the Regional Chief or the Chief's designee. Supervisory approval is needed to release a mandatory detention offender from custody.

.06 ASSAULTIVE/DANGEROUS CONDUCT

Offenders shall be detained if:

- The offender is alleged to have participated in physical or sexual assault on another person, or;
- The offender is alleged to have been involved in dangerous conduct, i.e.., threat or use of weapon or act that has the potential of physical harm to person or persons. This includes verbal threats to do physical harm, if there is a history of carrying out such threats, or a credible reason to believe the offender may carry out the threat.

.07 DISCIPLINARY DETENTION

Supervisory approval must be obtained prior to placing an offender in detention for disciplinary purposes. Utilizing a disciplinary detention in jail, including the imposition of a short-term sanction, for an accountability response to the violation shall be consistent with evidence-based response to violations policy and procedures.

.08 DETENTION EXTENSION

An agent has the authority to detain an offender for up to three working days, however, every attempt should be made to respond to violations as quickly as possible. Completing a Detention Extension Request (DOC-212) can extend the original detention order as follows:

Extension of:	Granted by:
An additional 3 working days	Supervisor
An additional 5 working days	Regional Chief
Any additional time authorized in five day increments	Division Administrator or Designee

Requests for extensions must be staffed or approved prior to the date the extension is due.

Extension is no longer necessary once the Notice of Violation, Recommended Action, and Statement of Hearing Rights (DOC-414) is served.

.09 RELEASE FROM CUSTODY

The decision to release an offender from custody should be based on the investigation information in addition to the evidence-based response to violation determination. Upon completion of the investigation, the agent must secure advance approval from the supervisor to release a mandatory detention offender from custody. The agent may release all other detainees. The agent prepares the Cancelation of Order to Detain (DOC-213) and delivers it to the detaining authority with copies to the supervisor, status keeper and file.

.10 RELEASE FROM CUSTODY - SPECIAL CIRCUMSTANCES

If an offender who is placed on an Order to Detain is hospitalized or there are other special circumstances that cause the necessity of the hold to be reviewed, the supervisor and the jail administrator should discuss the specific circumstances prior to the supervisor making a decision regarding release. High profile or unusual circumstances require consultation with the regional office. If the decision is made to not cancel the order to detain but the jail declines to provide supervision while the offender is hospitalized, an apprehension request must be issued.

Copyright © 2012 [WI Department of Corrections]

Evidence-Based Response to Violations

.01 GENERAL STATEMENT

Responding to violations in an effective manner is crucial to the overall success of an individual on supervision and can have a significant impact on reducing the risk of re-offense. The ultimate purpose of responding to violations is to increase public safety by appropriately equipping offenders to be successful in the community.

All violations of supervision need to have some type of response as determined by the Evidence-Based Response to Violations policy.

Elements of an Evidence-Based Response to Violations

The following points should be taken into consideration when following best practice in responding to violations.

- Utilize a violation decision making guideline (violation response matrix) that takes into account the risk of the offender and the severity of the violation behavior.
- Utilize accountability responses and intervention services when responding to violations.
- Sanctions should be swift, certain, and proportionate for all violations.
- For offenders assessed at low risk, violation responses need to be minimally intrusive, so as not to disrupt the protective factors they already possess that make them low risk.
- Research suggests programs that are able to incorporate sanctions combined with the use of rewards to reinforce conforming behavior will be more effective than those that rely on sanctions alone.

Utilize incentives and rewards for compliance and positive behavior (at least 4 rewards for every sanction).

Principles of an Evidence-Based Response to Violations

- **Celerity** – Reduce the time delay between behavior and response, and respond to violations as quickly as possible.
- **Certainty** – Increase the certainty of response. Respond in some way to every violation.
- **Consistency** – Use similar decisions in similar circumstances. Use decision making instruments that produce consistent results.

- **Neutrality** – Apply processes that are impartial, logical and fair. Inform offenders how responses are determined.
- **Parsimony** – Punishment should not be more intrusive or restrictive than necessary. Use severity of the violation as a factor in determining the appropriate level of response.
- **Proportionality** – Level of punishment should be commensurate with the severity of the behavior. Match the severity of the sanction to the severity of the violation.
- **Risk and Need** – The higher the risk to re-offend, the more intensive the intervention. Use risk level as a key factor in determining the appropriate level of response and tailor responses to address the individual's unique criminogenic needs that are the underlying influence on the offender's violation behavior.

Definitions

Violation = Action in which an offender does not follow conditions or case plan goals imposed by the sentencing court or their supervising agent, or commits a new crime while on supervision.

Response to Violation = An action taken to address an incident of non-compliance.

Revocation = A response to a violation that results in termination from supervision.

Severity Levels of Violations and Response Levels:

- Low
- Medium
- High
- Very High

Accountability Response → **Risk Control** (External) = Aims to reduce crime by limiting the offender's capacity to carry out new criminal acts or violations. **Limitation:** Risk to re-offend increases after control is removed.

Intervention/Treatment →**Risk Reduction** (Internal) = Seeks to diminish the likelihood that an offender will choose to commit another crime or violation. **Limitation:** Risk to re-offend remains until skills and desires are internalized. This may require control until interventions take hold.

Criminogenic Needs – Criminogenic Needs are attributes of offenders that are directly linked to their criminal behavior. Drivers are those specific criminogenic needs that are the primary underlying influence to their criminal and anti-social behavior. Effective correctional interventions and treatment target the offender's criminogenic needs/drivers in the development of a comprehensive case plan. Any treatment or intervention not targeting criminogenic needs/drivers is counter-productive to efficiency and effectiveness.

Responsivity Factors – Offender characteristics that affect how they will respond to an Agent, Therapist or Treatment Provider. Characteristics such as age, gender, culture, learning style, intelligence, mental health, etc., influence how offenders respond to efforts to change their behavior, thoughts and attitudes. Therefore, it is important to match the characteristics of the treatment program and treatment provider to the individual characteristics of the individual offender.

Investigative Procedures

When an agent discovers evidence of possible violations of supervision by an offender, the agent must investigate the facts underlying the alleged violations. If evidence supports that a violation of supervision has occurred, the agent must consider the offender's overall risk to reoffend (based upon the most recent COMPAS Risk Assessment score), the severity level of the most significant violation, and any other relevant factors (prior violations, stability factors, positive behaviors, aggravating/mitigating factors, etc.), in order to determine an appropriate response.

Appropriate responses to violations will accomplish two goals; hold offenders accountable and reduce the likelihood of future violations or criminal behavior, but will not always result in the offender being placed in custody. It is important to resolve issues at the lowest possible level, and to address the risk factor that is driving the violation behavior.

If the alleged violation is assaultive or threatening in nature, the offender must be placed in custody, unless an exception is granted by the Regional Chief or designee.

If an offender has already been placed in custody (i.e. after-hours hold, new criminal arrest, apprehension request, etc.) the agent must meet with the offender in a timely manner to

get the offender's statement regarding the allegation(s). If the evidenced-based response to the violation does not support a custody response, the agent does have the ability to release the offender from custody and investigate the violation and determine the appropriate response. Releasing an offender prior to completing a full investigation may be staffed with a supervisor in making this determination.

Circumstances around the violation and relevant factors regarding the offender (i.e. risk to community)must be considered when determining if an offender needs to remain in custody pending the investigation of the violation. The agent should determine if the accountability response and intervention response to the violation can be safely and effectively addressed while the offender is in the community. If so, then it may be appropriate to release the offender pending the final investigation of the violation.

An agent's investigation should be thorough, objective, and well documented. It is particularly important that an agent seek to uncover all aspects of the alleged violation(s). If an offender gives a statement denying the allegations, the agent should thoroughly investigate its validity. An agent should also investigate any extenuating circumstances surrounding the alleged violation. A comprehensive investigation is necessary to ensure that an offender is not unjustifiably deprived of their rights or their freedom.

An agent must interview the offender and secure a written statement using a DOC- 1305. The agent must advise the offender of the Thompson warning in advance indicating that they must provide a true and accurate statement and that any statements they give in regards to the violation(s) may not be used against them in criminal proceedings.

If the offender refuses to give a statement regarding a violation, he/she shall be advised that he/she is obligated by the rules to do so. The offender shall also be advised that the refusal itself is a violation of supervision and will be considered along with other violations.

The agent shall obtain available police reports and may, if appropriate, interview the arresting officers. They shall obtain any other available documentary evidence.

Witnesses and other collateral sources may be interviewed and written statements obtained.

The investigation should include an interview with the victim and any witnesses, the offender, the police, and the District Attorney's office. It should also include any physical evidence of the violation, including:

- victim, witness, and offender written statements
- police reports
- prior violation reports
- court orders
- relevant public records
- any other physical evidence obtained or seized by the agent

In gathering physical evidence, any search and seizure by the agent must comply with established Department policies and procedures.

An alleged violation is sufficient cause to stop time. The agent should staff the case with the supervisor regarding the stopping of time.

The agent will contact the District Attorney's Office, Clerk of Circuit Court, or detaining facility to determine:

- any pending State or federal charges
- offender's plea to those charges
- bond amount and status
- any conviction or bind-over for the conduct being investigated

If the alleged violation occurred outside the supervising agent's area, the agent should contact the DCC office in the area where the violation occurred. The agent from that area should assist in the investigation. For out-of-state violations, the agent should follow established Department policies and procedures.

Interviewing Victims

Victims should be interviewed as soon as possible regarding the circumstances surrounding the alleged violation. It is advisable to get all victim and witness statements in writing.

It is advisable, prior to interviewing victims of sexual assaults or juvenile victims, to first contact:

- Local Victim/Witness Services
- District Attorney's office
- Social Services
- Minor victim's parents or other appropriate family member
- Other interested agencies that may have been involved with the victim

The Department of Corrections Victim Services Office may be able to also provide additional guidance.

.02 EVIDENCED-BASED RESPONSE TO VIOLATIONS

The overall goals of responding to violations are to hold offenders accountable and to reduce the likelihood of future violations or criminal behavior. This is accomplished by using evidenced-based principles when responding to non-compliance. Effective responses should also adhere to the "RNR" (Risk-Needs-Responsivity) principles.

Key considerations in determining an appropriate response are to:

- Use responses that will both hold offenders accountable AND reduce the likelihood of future violations/new criminal behavior.
- Resolve problems at the lowest possible level.
- Responses do not need to be harsh to be effective.
- Violations are most often associated with a risk factor (usually one of the top five).
- Effective responses to non-compliance address the **risk factor** rather than solely focusing on the behavior.
- The focus should be on helping offenders engage in appropriate behaviors.
- Violations are opportunities to understand and address problems before they escalate.
- Ignoring violations only encourages more violations.
- Be pro-active and anticipate failure. Intervene in appropriate ways to make violations less likely.
- Spend more time with those offenders who appear most likely to violate rules or conditions.

- Give low risk offenders stabilization services (e.g. housing, medical, transportation) rather than those that target behavioral change.
- Use incentives to enhance motivation.
- Incarceration does not change behavior. It temporarily stops the behavior.
- Graduating sanctions has not been demonstrated to change behavior.
- Supervision without effective interventions does not change behavior.
- The severity of the penalty does not change behavior.

Determination of Response

The evidenced-based response to violations decision making process must be initiated immediately upon knowledge of a violation of supervision. This is to ensure that the response is not more intrusive or restrictive than necessary and is proportionate with the severity of the behavior.

Determining a response to violation behavior will take into account the risk of the offender and the severity of the violation behavior, as well as other pertinent factors such as adjustment under supervision and mitigating/aggravating factors.

The first step in determining an initial recommended response level is identifying the offender's COMPAS Risk Level (Low, Medium, High). This score should be taken from the most recent COMPAS assessment completed utilizing the overall recommended risk level (which is a combination of the General Recidivism Score and the Violent Recidivism Score). The Very High risk level can be utilized if the COMPAS Risk Score of the General and Violent Recidivism Scores are a combination of one of the following: 9/10, 10/9, or 10/10; or a Static 99R has been completed and the result is High.
In the event that there was significant case activity change (i.e. new arrests, technical violations or revocations) since the last COMPAS Assessment, a new COMPAS assessment can be completed as determined by a staffing with the field supervisor.

The second step in identifying the initial recommended response level is determining the severity level of the current primary violation. The primary violation is the most significant or most serious behavior committed by the offender. The severity level of the violation

behavior is pre-determined as Low, Medium, High or Very High, and is designated in the behaviors chart listed in this section, and should not be changed.

The final step in determining the initial recommended response level is applying the COMPAS Risk Level and Violation Severity Level to the Violation Matrix and finding the corresponding response level.

Violation and Severity Levels with Corresponding Holds Code

No Violation

- Unsubstantiated violation behavior
- GPS Equipment Issue – No Violation

Low Severity Violation

- Curfew violation (5001)
- EMP/GPS schedule violation (<60 minutes) (2032)
- Enter prohibited establishments (non-sex offender) (4200)
- Failure to comply with agent intervention requirements (i.e. homework, skill practice) (3005)
- Failure to comply with community service (2016)
- Failure to comply with court-ordered condition not otherwise specified (5005)
- Failure to comply with educational or employment requirements (2000)
- Failure to comply with treatment requirement (2029)
- Failure to meet financial obligations (non-criminal) (2009)
- Failure to notify agent of police contact (2006)
- Failure to Pay Child Support (0855)
- Failure to Provide Information as Directed by Agent (2012)
- Failure to report as scheduled, <30 days and unexcused (1010)
- Failure/Refusal to Take Medications as prescribed (3010)
- Gambling (0835)
- Huber/Detention Facility violations (non-criminal) (1997)
- Hunting and Fishing Crimes (0785)

- Inappropriate dress during office visit (2010)(i.e. gang related, drug related, or as deemed inappropriate by agent)
- Travel Violation (1400)
- Minor traffic violations (1999)(i.e. driving with a suspended or revoked license)
- Non-assaultive municipal or ordinance violation (5020)
- Other Criminal Low Level Violation (Not Otherwise Specified) (0990)
- Other Non-Criminal Low Level Violation (Not Otherwise Specified) (7000)
- Possession of items not approved by agent (non-criminal) (2031)
- Residence change, not approved by agent (non-registered sex offender) (2001)
- Unexcused Absence From Required Programming/Treatment (3006)
- Use of Alcohol (4000)

Medium Severity Violation

- Absconding, >30 days and <6 months (1200)
- Assaultive Municipal or Ordinance Violation (1998)
- Bail Jumping- Misdemeanor Level Charge (0930)
- Criminal Damage to Property, Misdemeanor Level (0852)(Includes Graffiti)
- Criminal Drug, Simple Possession (0732)(Includes for Personal Use; Possession of Drug Paraphernalia) Crimes Against Animals, Misdemeanor Level Behavior (0310)
- Disorderly Conduct Non-Assaultive (0920)
- Domestic Abuse, Misdemeanor Level Behavior (0220)
- EMP/GPS schedule violations (>60 minutes) (2023)
- Failure to comply with testing (2024) (Sobrietor, UA, PBT, Soberlink)
- Failure to Report, Pattern established (at least 3 or more FTR in 60 day period) (1100)
- Issue of Worthless Checks, Misd Level Behavior (0503)
- Loan Sharking (0463)
- Lying to agent verbal or written (2007)
- Misconduct in Public Office (0803)
- Misuse of Prescription Medication (3015)
- Negligent Handling of Burning Materials (0816)
- Obstruct Law Enforcement (0783)
- Other Criminal Med Level Violation (Not Otherwise Specified) (0992)
- Other Non-Criminal Med Level Violation (Not Otherwise Specified) (7100)
- Possession of Drug Paraphernalia (0733)

- Prostitution/Soliciting a Prostitute (0618)
- Receive/Possess Stolen Property (0409)
- Refuse UA or Other Testing (2011)
- Refused a Search (2013)
- Sex Offender rules violations (non-criminal) (6000)
- Statutory Sexual Criminal Behavior (0614)(unforced sexual act with someone between the ages of 16 and 18; and meets statutory sex offense criteria)
- Tamper with Monitoring Equipment (2025)(EMP, Sobrietor, TAD, Soberlink)
- Termination from community-based programming (non-ATR) (3007)
- Theft, Misdemeanor Level Behavior (includes Shoplifting) (0400)
- Threats, Verbal and Written (non-criminal) (1500) (mandatory custody policy still applies)
- Transfer of Encumbered Property (0462)
- Unauthorized consensual sexual contact or relationship with an adult, if required to have prior approval (2028)
- Unauthorized possession of legal firearm/weapon/ammunition by non-violent/non-DV misdemeanant (2030)
- Underage Drinking/Possession of Alcohol (0922)
- Unlawful Assembly (0802)
- Use of any controlled, non-prescription, or mood altering substance (7400) (Positive test result or offender admittance)
- Violation of No Contact Order, Non-Victim (2017) (i.e. co-defendants, negative influences, etc.)

High Severity Violation

- Absconding, >6 months (1300)
- <u>Absolute refusal</u> to comply with Treatment/Programming (3000) (<u>After</u> unsuccessful attempts have been made through Motivational Interviewing and/or Pre-Contemplative groups to bring offender into compliance)
- Arson, Felony Level Behavior (0815)
- Battery, Misdemeanor Level Behavior (0199)
- Bail Jumping- Felony Level Charge (0935)
- Burglary, Unarmed (0302)
- Contribute to Delinquency of Minor (Sexually motivated) (0630)
- Conspiracy (0800)

- **Contribute to Delinquency of Minor (non-sexually motivated) (0862)(includes Furnishing Alcohol to Minors)**
- **Crimes Against Animals, Felony Level Behavior (Mistreatment or Neglect) (0315)**
- **Criminal Damage to Property, Felony Level Behavior (0853)**
- **Criminal Trespass to Dwelling (0305)**
- **Domestic Abuse, Felony Level Behavior (0225)**
- **Extortion, Solicitation, Bribery (0801)**
- **Criminal Drug Possession (0734)**
- **Embezzlement (0461)**
- **Enter Locked Vehicle (0303)**
- **Fail Formal ATR (community based, outpatient) (3009)**
- **Failure to Comply with SORP, Criminal (0613)**
- **Failure to report to jail (non-criminal) (1105)**
- **Forgery (0500)**
- **Fraud (0460)**
- **Harassment/Intimidation of a Witness or Victim (0846)**
- **Huber/Work Release Crimes (0989)**
- **Interference with Child Custody (0843)**
- **Issue Worthless Checks, Felony Level (0504)**
- **Keeping a Place of Prostitution (0640)**
- **Lewd and Lascivious Behavior (0639)**
- **OWI; Operate a Motor Vehicle Under the Influence of Alcohol or Other Drugs (Non-Felony) (0984)**
- **Operating Motor Vehicle Without Owner's Consent (0430)**
- **Other Criminal High Level Violation (Not Otherwise Specified) (0995)**
- **Other Non-Criminal High Level Violation (Not Otherwise Specified) (7200)**
- **Perjury (0828)**
- **Possession of Burglary Tools (0304)**
- **Possession of firearm/weapon/ammunition by Felon or DV offender (0756)**
- **Possession of illegal firearm/weapon/ammunition (non-Felon/non-DV) (0755)**
- **Prescription Fraud (0740)**
- **Removal of Monitoring Equipment (2026)(EMP/TAD equipment/Sobrietor/Soberlink)**
- **Resist Law Enforcement (0784)**

- Tamper with UA Specimen/Testing or Use of Masking Agent, Criminal (0983)
- Tamper/Removal of GPS equipment, Non-Criminal (2027)
- Termination from Specialty Court, Inpatient or Residential Treatment program (non-ATR) (3008)
- Theft, Felony Level Behavior (0401)
- Traffic Criminal, Other Felony Level Behavior (0986)
- Violation of no contact order with victim (2021)

Very High Severity Violation

- Absolute refusal to comply with Supervision (3020) (After unsuccessful attempts have been made to bring offender into compliance through Motivational Interviewing, Professional Alliance building, etc.)
- Aggravated Assault/Substantial Battery (0202)
- Attempted Murder (0009)
- Battery by Inmate (0207)
- Burglary, Armed (0301)
- Child Abuse/Neglect (0205)
- Child Enticement (0616)
- Child Pornography/Images Depict Nudity (0612)
- Crimes against Government (Treason, Sabotage, Sedition, Terrorism, etc.) (0827)
- Drug Sale, Manufacture, Distribution, Possession with Intent to Deliver (0712)
- Endangering Safety, Reckless Endangerment (0206)
- Escape/Huber Walkaway (0780)
- Exposing Genitals to Child (0617)
- Fail Formal ATR-Intensive Program (3016)
- False Imprisonment (0842)
- Homicide by Intoxicated Use of a Vehicle (0012)
- Human Trafficking (0645)
- Incest (0632)
- Injury by Conduct Regardless of Life (0203)
- Injury by Intoxicated Use of a Vehicle (0204)
- Kidnapping/Abduction (0840)
- Maintain a Drug House (0741)

- Manslaughter (Abortion, Death of Mother) (0010)
- Murder (0011)
- OWI; Operate Motor Vehicle Under the Influence of Alcohol or Other Drugs (Felony level) (0985)
- Other Criminal VH Level Violation (Not Otherwise Specified) (0997)
- Other Non-Criminal VH Level Violation (Not Otherwise Specified) (7300)
- Other Serious Sexual Criminal Behavior (Not Otherwise Specified) (0615)
- Possession of firearm/weapon/ammunition by offender with active restraining order (0754)
- Reckless Use of Weapon (0750)
- Robbery, Armed (0101)
- Robbery, Unarmed (0100)
- Sexual Assault (0610)
- Sexual Assault of a Child (0611)
- Stalking (0849)
- Strangulation/Suffocation (0841)
- Tamper or Removal of GPS Equipment, Criminal (0861)
- Threats Criminal (0845)
- Violation of a Restraining Order (0848)

Evidence-Based Response to Violations Decision Matrix

		Risk Level			
		LOW	MEDIUM	HIGH	VERY HIGH
Severity of Violation	LOW	Low Response	Low Response	Medium Response	High Response
	MEDIUM	Low Response	Medium Response	High Response	High Response
	HIGH	Medium Response	High Response	High Response	Very High Response
	VERY HIGH	High Response	Very High Response	Very High Response	Very High Response

Determining Actual Response Level

Once the recommended response level is determined, the agent should review the available suggested responses associated with that level to determine if that response level is appropriate. They will then look at other relevant considerations such as overall positive adjustment during the last six months of supervision, other adjustment to supervision, stability factors, and aggravating or mitigating factors. If it is determined that none of the responses in the recommended level are appropriate, then these other considerations will be utilized to recommend a deviation, or override, from that level. All deviations from the recommended response level require at least one aggravating or mitigating factor from the provided list and must be staffed with a supervisor. If the deviation requested is only one level, it requires the approval of a corrections field supervisor. Any deviation beyond one level requires the approval of the Regional Chief or designee.

Aggravating Factors

- Nexus to current crime or relevant historical crime (violation directly increases the risk to re-offend)

- Activity is related to substantiated, coordinated criminal enterprise participation (i.e. STG, Organized Crime Syndicates, etc.)
- Activity is the result of the offender intentionally choosing the victim based on factors that constitute a hate crime.
- Vulnerability of victim
- Extreme cruelty or injury to victim
- Current violation includes multiple high or very high severity level violations
- Multiple violations over a short period of time (90 days or less) AND after unsuccessful, prior intervention and accountability responses have been attempted
- Weapon or implied weapon usage in current violation (if not already included in violation behavior as identified from levels chart)
- Substantial probability of imminent harm to self or others as evidenced by recent acts, attempts or threats.
- After providing interventions and responses to prior violations, offender continues non-compliance and all available and appropriate options have been exhausted
- Other as approved by Regional Office

Mitigating Factors

- Lacked substantial capacity for judgment due to physical or mental impairment, as validated by a medical professional
- Actively and consistently has demonstrated positive engagement and progress with case plan goals (6 months or greater)
- Higher level sanction would significantly de-stabilize positive pattern established
- Extenuating personal circumstances/Significant life stressors
- Time span between violation and discovery is substantial, and higher level sanction would be counterproductive to rehabilitation
- Coercion or Duress
- Self-Defense
- Other as approved by Regional Office

Determining Actual Response

Use responses that will both hold offenders accountable (accountability response) and reduce the likelihood of future violations/criminal behavior (intervention/treatment response). When selecting accountability and

intervention/treatment responses, there should be at least one response at the actual response level determined. Any other responses must be at or below this level.

Accountability Response

Accountability Response aims to reduce crime by limiting the offender's capacity to carry out new criminal acts or violations (risk control).

If jail is chosen as an appropriate accountability response, the length of jail is determined by the actual number of calendar days the offender sits in jail, not business days. This is different than how agents will count days for purposes of hold extensions. When requesting extensions on the Order to Detain (DOC-212), the agent will need to include the recommended level of response and approved override response (if applicable) on the rationale for extension request.

Accountability Response Options:

Level 1: Low Responses

- Activity log requirement
- Apology Letter (Approved by Agent)
- Garnishment of wages
- Job log requirement
- Local geographic restrictions
- Loss of privileges
- Other no contact order
- Restrict contact with peers
- Restricted schedule/Curfew (Verbal, Short-Term and Non-EMP/GPS)
- Rule amendment
- Verbal warning/reprimand from Agent

Level 2: Medium Responses

- Amend existing GPS schedule
- Behavioral Contract – signed by offender
- Conference with Agent and Supervisor
- Court review
- Electronic Monitoring
- Extension of probation (only for non-payment or failure to comply with court-ordered treatment)

- House arrest (1 to 3 days)
- Impose community service work hours
- Increased reporting/supervision level
- Increased UA's and/or BA's
- Letter of reprimand from Supervisor or Chief
- Payment of extradition costs
- Placement on UA/BA/Sobrietor/TAD
- Require removal or disposal of unapproved possessions
- Require sale of certain items
- Residence change required
- Travel restrictions
- Short term jail hold (1 to 4 calendar days)
- Start time with time tolled
- Written warning – signed by offender

Level 3: High Responses

- Conditional jail time (<60 days)
- ES Sanction (<60 days)
- Jail hold (5 calendar days or >)
- Placement on GPS
- Revoke of one case and leave other(s) active
- THS non-treatment (containment only)

Level 4: Very High Responses

- Conditional jail time (60 days or >)
- ES Sanction (60 to 90 days)
- Extended jail hold pending ATR placement
- Extended jail hold per Regional Office approval
- Revocation

Intervention Response

Intervention/treatment responses seek to diminish the likelihood that an offender will choose to commit another crime or violation (risk reduction).

Research indicates that effective interventions and staff interactions with an offender can have a profound impact on recidivism if the focus is on the right issues and appropriate time is devoted to the correct criminogenic needs.

The target of the intervention is the underlying criminogenic need driver(s) that is the influencing factor for the current violation behavior. The top 5 criminogenic needs (Anti-social cognition, Anti-social peers, Anti-social personality, Family/Marital, and Substance Abuse) are the only needs that are to be targeted to effectively address ongoing non-compliance. Any treatment or intervention not targeting criminogenic needs are counter-productive.

Consideration should be given to address any responsivity factors or other barriers that could impact the implementation of treatment/interventions.

Defining Effective Interventions

Only activities directly associated with your offender's individual criminogenic need(s) - as determined through the COMPAS assessment along with professional assessment - will be considered effective interventions. Furthermore, only activities associated with the following criminogenic needs (top five) should be utilized:

- Antisocial Cognition (thoughts and beliefs)
- Antisocial Personality (coping skills)
- Antisocial Associates (friends)
- Family/Marital (family/relationships)
- Substance Abuse (drug and alcohol use)

In order for an activity to be considered an effective intervention, the activity must have a **cognitive-behavioral framework**. For example:

- Group and individual work that is designed to teach offenders pro-social thinking and skills, and includes skill practice components, counts.
- Completing homework that is designed to assist offenders in developing pro-social attitudes and behaviors counts, provided there is evidence the offender in fact did the work.Evidence that the offender did the work may include completed written work in their handwriting or the ability to describe what they did/what they learned in such a way that it is clear the work was completed in earnest.

- Although educational and other activities (e.g. attending school, working on GED, watching crime/drug prevention videos, attending a victim impact panel, completing community service) may be in the offender's best interest, required by a court order or appropriate for purposes of reducing community harm, because they do not meet the requirements of cognitive-behavioral intervention.
- Although employment activities are an important part of a pro-social lifestyle and offenders should be encouraged to obtain/maintain work and achieve self-sufficiency, activities related to obtaining/maintaining employment are not considered effective interventions.

To increase the likelihood of recidivism reduction, offenders must be fully present and actively engaged in these interventions in order to be effective:

- Attending cognitive-behavioral classes and actively participating in the dialogue and discussing/practicing the skills counts – absenting oneself from the discussion and skill practice activities does not count.
- Completing a worksheet and being able to discuss what was learned counts – filling out a worksheet and being unable to substantively discuss it does not.

Parameters and timeframes for the Effective Intervention response to violation

For purposes of ease, the effective intervention will be counted in 15 minute increments (rounding up or down).

All interventions should be a MIN of 10 minutes to be counted as an effective intervention. A 5 minute intervention would not count as the duration is simply too short to have an impact.

Homework (i.e. Carey Guides, BITS, Tool Box Assignments, etc.)

The amount of time spent on homework is sometimes difficult to ascertain. For purposes of consistent documentation and determining level of response, a homework assignment will be: 15, 30 or 45 minutes based on the level intervention determined. This will depend on the probation agent's assessment of the relative ease or complexity of the assignment for the offender, and the amount of work invested, as follows:

- 15 minutes: simple assignment, relatively easy for the offender, minimal effort required, assignment completed satisfactorily

- 30 minutes: moderate assignment, required more time and thought on the offender's part, assignment completed satisfactorily
- 45 minutes: difficult assignment involving more time reflecting, writing and/or practicing the skill, assignment completed satisfactorily

Agent Intervention Responses

Low Intensity Agent Intervention Response = Brief Intervention of 15 minutes or less (i.e. BITS, or other simple assignment or skill practice)

Medium Intensity Agent Intervention Response = Moderate Intervention of 15 to 30 minutes

High Intensity Agent Intervention Response = Intensive Intervention of 30 to 45 minutes

Very High Intensity Agent Intervention Response = Very Intensive Intervention of 30 to 45 minutes or more in a confined or residential placement type of setting.

The response to violation(s) is intended to be an immediate, focused response related to the target criminogenic need identified as the primary influence for the current violation behavior. It also should be understood that ongoing dosage/interventions should continue to be provided as part of the case plan and is applied by offender risk/supervision level.

*****Intervention response is distinguished by intensity and options are listed under each response level as follows. It should be noted that agent interventions in response to a violation should be applied based on the specific criminogenic need that is identified for the target of intervention for the current violation behavior.**

Agent Intervention Response Options

Level 1: Low Response

- Low Intensity Homework
- Low Intensity Deficit Skill Practice (Modeling, Problem Solving Role Play, Real Life Practice, etc.)
- Low Intensity Cognitive Intervention (i.e. Thinking Report, Behavior Chain, etc.)
- Low Intensity Writing assignments (i.e. Identify triggers, high risk situations, etc.)

Level 2: Medium Response

- Moderate Intensity Homework

- Moderate Intensity Deficit Skill Practice (Modeling, Problem Solving Role Play, Real Life Practice, etc.)
- Moderate Intensity Cognitive Intervention (i.e. Thinking Report, Behavior Chain, etc.)
- Moderate Intensity Writing assignments (i.e. Identify triggers, high risk situations, etc.)
- Relapse Prevention plan

Level 3: High Response

- High Intensity Homework
- High Intensity Skill Practice (Modeling, Problem Solving Role Play, Real Life Practice, etc.)
- High Intensity Cognitive Intervention (i.e. Thinking Report, Behavior Chain, etc.)
- High Intensity Writing assignments (i.e. Identify triggers, high risk situations, etc.) **Level 4: Very High Response**
- Very High Intensity Agent dosage concurrent with ES Sanction or other extended jail
- Very High Intensity Liaison Agent dosage concurrent with placement

<u>External Intervention Response Options</u>

Low Response Options

Anti-Social Cognition

- Assessment for Thinking for Change or other Cognitive Behavioral Program
- Other applicable Assessment
- Brief cognitive-behavioral intervention with current treatment provider
- Assessment for Thinking for Change or other Cognitive Behavioral Program
- Other applicable Assessment
- Brief cognitive-behavioral intervention with current treatment provider
- Other

Anti-Social Personality

- Assessment for Thinking for Change or other Cognitive Behavioral Program
- Assessment for Anger Management Program
- Assessment for Domestic Violence Program
- Other applicable Assessment
- Mental Health assessment
- Brief cognitive-behavioral intervention with current treatment provider
- Other

Family/Marital

- Assessment for Thinking for Change or other Cognitive Behavioral Program

- Other applicable Assessment
- Brief cognitive-behavioral intervention with current treatment provider
- Other

Substance Abuse

- Substance Abuse assessment
- Mental Health/Dual Diagnosis assessment
- Brief cognitive-behavioral intervention with current treatment provider
- Other

Other Sex Offender Issues

- Assessment for Sex Offender Treatment Program
- Brief cognitive-behavioral intervention with current treatment provider
- Other

Medium Response Options

Anti-Social Cognition

- Cognitive-Behavioral Program (CGIP, Thinking for a Change, MRT, etc.)
- Pre-Contemplative or Pre-Treatment Group
- Increase level of treatment participation
- Other Applicable Outpatient Treatment Program
- Meet with current treatment provider to discuss response plan
- Life Skills Program – Cognitive Behavioral
- Moderate level cognitive-behavioral intervention with current treatment provider
- Other

Anti-Social Peers (Address issues such as knowing the difference between positive and negative influence, assertiveness, or recognizing high risk situations)

- Cognitive-Behavioral Program (CGIP, Thinking for a Change, MRT, etc.)
- Recreation Skills Based Program
- Mentor Program
- Increase level of treatment participation
- Moderate intensity cognitive-behavioral intervention with current treatment provider
- Life Skills Program – Cognitive Behavioral
- Evidence Based Support Group
- Cognitive-Behavioral Program (CGIP, Thinking for a Change, MRT, etc.)
- Other Outpatient Treatment Program

- **Anger management program**
- **Mental Health treatment/counseling**
- **Individual counseling**
- **Aggression Replacement Training**
- **Increase level of treatment participation**
- **Moderate level cognitive-behavioral intervention with current treatment provider**
- **Life Skills Program – Cognitive Behavioral**
- **Family/Marital Counseling**
- **DV Treatment Program**
- **Other Outpatient Treatment Program**
- **Individual Counseling**
- **Increase level of treatment participation**
- **Meet with current treatment provider to discuss response plan**
- **Moderate level cognitive-behavioral intervention with current treatment provider**
- **Targeted individual sessions with treatment provider**
- **Parenting Class (cognitive behavioral or skills-based)**
- **Life Skills Program (Healthy Relationships/Effective Communication) Cognitive Behavioral**
- **Multi-Systemic approach (i.e. Human Services involvement)**
- **Outpatient AODA treatment**
- **Outpatient Dual Diagnosis treatment program**
- **Increase level of treatment participation**
- **Meet with current treatment provider to discuss/update relapse prevention plan amend relapse prevention plan**
- **Moderate level cognitive-behavioral intervention with current treatment provider**
- **Life Skills Program (Relapse Prevention, Avoiding High Risk Situations, etc.) Cognitive Behavioral**
- **Evidence Based Support Group**
- **OWI Treatment Program**
- **Relapse Prevention Program**
- **Outpatient Sex Offender Treatment**
- **Cognitive-Behavioral Program (CGIP, Thinking for a Change, MRT, etc.)**
- **Increased level of Sex Offender treatment participation**
- **Meet with current treatment provider to discuss response plan**

- Moderate level cognitive-behavioral intervention with current treatment provider
- Polygraph required for treatment intervention
- Other

High Response Options

Anti-Social Cognition

- Placement in Treatment-Based THS
- Intensive Day Treatment Program
- Intensive Outpatient Treatment Program
- Halfway House placement for cognitive behavioral programming
- Residential treatment program
- Placement in Treatment-Based THS
- Halfway House placement for treatment
- Intensive Day Treatment Program
- Intensive Outpatient Treatment Program
- Residential/confined treatment option
- Placement in Treatment-Based THS
- Halfway House placement for treatment
- Residential treatment program
- Intensive Day Treatment Program
- Intensive Outpatient Treatment Program
- Placement in Treatment-Based THS
- Halfway House placement for treatment
- Residential treatment program
- Intensive Day Treatment Program
- Intensive Outpatient Treatment Program
- DV Treatment Court
- AIM Treatment Court
- Placement in AODA Treatment-Based THS
- Substance Abuse Treatment Court
- OWI Treatment Court
- Intensive Day Treatment AODA Program
- Intensive AODA Outpatient Treatment Program
- Halfway House placement for AODA treatment

- Residential AODA treatment program
- Other

Other Sex Offender Issues

- Intensive Outpatient sex offender treatment (i.e. moved from Aftercare back to treatment)
- Re-Start Aftercare program
- Re-start sex offender treatment
- Residential sex offender treatment program
- Institution ATR treatment program
- Long term residential treatment program (>6 months)

Anti-Social Peers

- Institution ATR treatment program
- Long term residential treatment program (>6 months)

Anti-Social Personality

- Institution ATR treatment program
- Long term residential treatment program (>6 months)

Family/Marital

- Institution ATR treatment program
- Long term residential treatment program (>6 months)

Substance Abuse

- Institution ATR AODA treatment program
- Long term residential AODA treatment program (>6 months)

Other Sex Offender Issues

- Institution ATR for sex offender treatment
- Long term residential sex offender treatment option (> 6 months)

Other agent responsibilities

The case plan should be updated if an intervention response to the violation includes additional goals (intervention/treatment dosage) that were not previously a part of the case plan.

The agent shall document all information regarding the violation, investigation process, and disposition of the violation per policy in COMPAS.

Revocation/Plotkin Analysis

When there are sufficient grounds for revocation, the following standards must be applied to every case before supervision may be revoked. At least one of the following criteria must be met:

- Confinement is necessary to protect the public from further criminal activity by the offender OR
- The offender is in need of correctional treatment which can most effectively be provided in a confined setting OR
- If it would unduly depreciate the seriousness of the violation if the probation was not revoked.

.04 VIOLATION REPORT

All violations shall be documented in the Evidenced-Based Response to Violations module in COMPAS. Violation reports must be signed by the agent and submitted to the supervisor within ten days of initiating an EBRV.

In the event an offender is taken into custody and it's determined that no violation occurred (such as a GPS Equipment issue or an unsubstantiated claim), a COMPAS Note shall be completed indicating Violation Staffing, and EBRV will be started selecting the appropriate no violation option under the violations drop downs.

Felony Hold Reimbursement

County Code List
Alphabetical Violation Code List
Numerical Violation Code List

.01 AUTHORITY

Wisconsin Statutes 302.33(2)(a) and (b)

.02 GENERAL STATEMENT

Under this statute, the Department may only reimburse a county for custody which meets both the following criteria:

- Felons;
- For behavior which violates the terms and conditions of supervision, but the behavior does not otherwise constitute a criminal offense.

.03 PROCEDURE

When an offender is on supervision for both a felony and a misdemeanor, the Unit Supervisor will code the Order to Detain (DOC-212) as a Felon (F).

The behavior of the probation and parole violator must be described on the DOC-212 so that the Unit Supervisor may make a decision on reimbursement and proper coding. Supervisors may not make decisions on whether a hold is payable unless the specific behavior which violates the terms and conditions of supervision is described by the agent.

The time period for calculating how much a county may be reimbursed is the state fiscal year (July 1 to June 30).

Care must be exercised when an offender is moved between jails in different counties, particularly if regional lines are crossed. All counties which are entitled to reimbursement under the statute must be recorded in the Automated Holds Database. There are occasions when an offender on a hold is detained in one county jail and moved to another county jail. In order to transfer the hold, the transfer button on the DOC-212 should be selected to

cancel the hold for the current county jail and to create a new order to detain for the receiving county jail.

.04 DEPARTMENT OF HEALTH AND FAMILY SERVICES OFFENDERS

NGI Cases: Detention days incurred by an offender who is Not Guilty by Reason of Mental Illness or Disease (NGI) under §971.17 Wis. Stats. (conditional release) or §51.37(9) Wis. Stats. (conditional transfer), are not payable under the Felony Hold Reimbursement Program. These offenders are not probationers or parolees. However, the Division still wants to maintain data on NGI detention days. While different forms are used to initiate a detention for an NGI, a DOC-212 and DOC-213 should be used for data entry purposes. The Supervisor should indicate the county code as 98 for NGI, enter "no" for not payable, and code the behavior.

Sexual Predator Cases (Chapter 980): Sexual predator cases generally are not reimbursable under the Felony Holds Reimbursement Program. The exception is if the case involves both probation or parole and 980 status, and the intent is to revoke only the probation or parole status. In this case, the criteria that apply under .02 and .03 of this section would take precedence.

.05 REIMBURSABLE BEHAVIORS

Violations which are reimbursable under the Felony Hold Reimbursement Program are listed in codes:

1000
1500
2001-2021
3001-3004
4000
5000
6000

The codes for the above-listed reimbursable violations are highlighted for easy identification in the attached lists.

.06 NON-REIMBURSABLE BEHAVIORS

Reimbursements to counties will not be made where criminal behavior resulted in jail confinement of anyone under probation or parole supervision. Criminal charges do not have to be filed. All codes of 0001 through 0999 are criminal behaviors.

NOTE: Code 0999, Positive Urinalysis Screen, is not reimbursable

.07 SPECIAL DETERMINATIONS

Many of these situations suggest disorderly conduct, enticement for immoral purposes, other criminal conduct or contributing, which are not reimbursable. Confinements resulting from violation of halfway house rules, or other community-based program rules, must be described in behavioral terms in the final paragraph of the DOC-212 As examples, the agent must list "curfew violation," "left program without permission," or "positive urinalysis screen." Listing "halfway house violation" on the is not sufficient.

Custody days incurred by parolees who were incarcerated in prison because of the repeater statute for misdemeanor convictions are not eligible for reimbursement under the Felony Hold Reimbursement Program.

.08 COUNTY CODE LIST

01	Adams	20	Fond du Lac	39	Marquette	58	Shawano
02	Ashland	21	Forest	40	Milwaukee	59	Sheboygan
03	Barron	22	Grant	41	Monroe	60	Taylor
04	Bayfield	23	Green	42	Oconto	61	Trempealeau
05	Brown	24	Green Lake	43	Oneida	62	Vernon
06	Buffalo	25	Iowa	44	Outagamie	63	Vilas
07	Burnett	26	Iron	45	Ozaukee	64	Walworth
08	Calumet	27	Jackson	46	Pepin	65	Washburn
09	Chippewa	28	Jefferson	47	Pierce	66	Washington
10	Clark	29	Juneau	48	Polk	67	Waukesha
11	Columbia	30	Kenosha	49	Portage	68	Waupaca
12	Crawford	31	Kewaunee	50	Price	69	Waushara
13	Dane	32	LaCrosse	51	Racine	70	Winnebago
14	Dodge	33	Lafayette	52	Richland	71	Wood
15	Door	34	Langlade	53	Rock	72	Menominee
16	Douglas	35	Lincoln	54	Rusk		
17	Dunn	36	Manitowoc	55	St. Croix	98	Not Guilty by Reason Mental Illness or Disease (NGI)
18	Eau Claire	37	Marathon	56	Sauk		
19	Florence	38	Marinette	57	Sawyer	99	Out-of-State

ALPHABETICAL VIOLATION CODE LIST

Reimbursable violations are in *italics*

1300	Absconding > 6 months
1200	Absconding >30 days and < 6 months
3020	*Absolute Refusal to Comply with Supervision*
3000	*Absolute Refusal to Comply with Treatment or Programming*
0202	Aggravated Assault or Substantial Battery
0815	Arson Felony Level Behavior
1998	*Assaultive Municipal or Ordinance Violation*
0009	Attempted Murder
0930	Bail Jumping Misdemeanor Level Charge
0935	Bail Jumping, Felony Level Behavior
0207	Battery by Inmate
0199	Battery, Misdemeanor Level Behavior
0301	Burglary, Armed
0302	Burglary, Unarmed
0205	Child Abuse or Neglect
0616	Child Enticement
0612	Child Pornography
0800	Conspiracy
0862	Contribute to Delinquency of Minor - need to add non-sexually motivated
0630	Contribute to Delinquency of Minor, Sexually Motivated
0315	Crimes Against Animals Felony Level
0310	Crimes Against Animals Misdemeanor Level
0827	Crimes Against Government
0852	Criminal Damage to Property Misdemeanor Level
0853	Criminal Damage to Property, Felony Level
0734	Criminal Drug Possession
0732	Criminal Drug, Simple Possession
0305	Criminal Trespass to Dwelling
5001	*Curfew Violation*
0920	Disorderly Conduct Non-Assaultive
0220	Domestic Abuse, Misdemeanor Level

0225	Domestice Abuse, Felony Level Behavior
0712	Drug Sale, Manufacture, Distribute, Possess/Delivery Intent
0461	Embezzlement
2032	*EMP/GPS Schedule Violation < 60 minutes*
2023	*EMP/GPS Schedule Violation > 60 minutes*
0206	Endangering Safety or Reckless Endangerment
0303	Enter Locked Vehicle
4200	*Enter Prohibited Establishment*
0780	Escape or Huber Walkaway
0617	Exposing Genitals to Child
0801	Extortion, Solicitation, or Bribery
3009	*Fail Formal ATR, Community Based*
3016	*Fail Formal ATR, Intensive Program*
3005	*Failure to Comply with Agent Intervention*
2016	*Failure to Comply with Community Service*
5005	*Failure to Comply with Court-Ordered Condition*
2000	*Failure to Comply with Education or Employment Requirement*
0613	Failure to Comply with SORP
2024	*Failure to Comply with Testing/Tracking*
2029	*Failure to Comply with Treatment Requirement*
2009	*Failure to Meet Financial Obligation non-Criminal*
2006	*Failure to Notify Agent of Police Contact*
0855	Failure to Pay Child Support
2012	*Failure to Provide Information as Directed by Agent*
1010	*Failure to Report as Scheduled < 30 days*
1105	*Failure to Report to Jail, non-Criminal*
1100	*Failure to Report, Pattern Established*
3010	*Failure/Refusal to take Medications as Prescribed*
0842	False Imprisonment
0500	Forgery
0460	Fraud
0835	Gambling

0846	Harassment or Intimidation of a Witness or Victim
0012	Homicide by Intoxicated Use of Vehicle
0989	Huber or Work Release Crimes
1997	*Huber/Detention Facility Violations non-Criminal*
0645	Human Trafficking
0785	Hunting/Fishing Crimes
2010	*Inappropriate Dress During Office Visit*
0632	Incest
0203	Injury by Conduct Regardless of Life
0204	Injury by Intoxicated Use of a Vehicle
0843	Interference with Child Custody
0503	Issue Worthless Checks Misdemeanor Level
0504	Issue Worthless Checks, Felony Level
0640	Keeping a Place of Prostitution
0840	Kidnapping or Abduction
0639	Lewd and Lascivious Behavior
0463	Loan Sharking
2007	*Lying to Agent*
0741	Maintain a Drug House
0010	Manslaughter
1999	*Minor Traffic Violation*
0803	Misconduct in Public Office
3015	*Misuse of Prescription Medication*
0011	Murder
0816	Negligent Handling of Burning Materials
5020	*Non-Assaultive Municipal or Ordinance Violation*
0783	Obstruct Law Enforcement
0430	Operate Motor Vehicle Without Owners Consent
0995	Other Criminal High Level Violation
0990	Other Criminal Low Level Violation
0992	Other Criminal Medium level Violation
0997	Other Criminal Very High Level Violation
7200	*Other non-Criminal High Level Violation*
7000	*Other Non-Criminal Low Level Violation*
7100	*Other non-criminal Medium Level Violation*
7300	*Other non-Criminal Very High Level Violation*
0615	Other Serious Sexual Criminal Behavior

0984	OWI; Alcohol or Other Drugs; non-Felony Level
0985	OWI; Alcohol or Other Drugs; Felony Level
0828	Perjury
0304	Possession of Burglary Tools
0733	Possession of Drug Paraphernalia
0754	Possession of Firearm or Weapon; Active Restraining Order
0756	Possession of Firearm or Weapon; Felon or DV Offender
0755	Possession of Illegal Firearm or Weapon; Non-Felon or non-DV
2031	Possession of Items not Approved by Agent
0740	Prescription Fraud
0618	Prostitution/Soliciting a Prostitute
0409	Receive/Possess Stolen Property
0750	Reckless Use of Weapon
2011	*Refuse UA or Other Testing*
2013	*Refused a Search*
2026	*Removal of Monitoring Equipment*
2001	*Residence Change*
0784	Resist Law Enforcement
0101	Robbery, Armed
0100	Robbery, Unarmed
6000	Sex Offender Rules Violation
0610	Sexual Assault
0611	Sexual Assault of a Child
0849	Stalking
0614	Statutory Sexual Criminal Behavior
0841	Strangulation or Suffocation
0861	Tamper or Removal of GPS Equipment, Criminal Level Behavior
0983	Tamper with Drug Testing/Use of Masking Agent
2025	*Tamper with Monitoring Equipment*
2027	*Tamper/Removal of GPS Equipment, non-Criminal*
3007	*Termination from Community Based Programming*

3008	*Termination from Intensive Treatment; non-ATR*
0401	Theft Felony Level Behavior
0400	Theft Misdemeanor Level Behavior
1500	*Threats non-Criminal*
0845	Threats, Criminal
0986	Traffic Criminal, Other Felony Level Behavior
0462	Transfer of Encumbered Property
1400	*Travel Violation*
2028	*Unauthorized Consensual Sexual Contact/Relationship*
2030	*Unauthorized Possession of Legal Firearm or Weapon*
0922	Underage Drinking or Possession of Alcohol
3006	*Unexcused Absence from Treatment or Programming*
0802	Unlawful Assembly
4000	*Use of Alcohol*
7400	*Use of Controlled, non Prescription/Mood Altering Substance*
0848	Violation of a Restraining Order
2021	*Violation of no Contact Order with Victim*
2017	*Violation of no Contact Order, non-Victim*

NUMERICAL VIOLATION CODE LIST

Reimbursable violations are in *italics*

0009	Attempted Murder
0010	Manslaughter
0011	Murder
0012	Homicide by Intoxicated Use of Vehicle
0100	Robbery, Unarmed
0101	Robbery, Armed
0199	Battery, Misdemeanor Level Behavior
0202	Aggravated Assault or Substantial Battery
0203	Injury by Conduct Regardless of Life

0204	Injury by Intoxicated Use of a Vehicle
0205	Child Abuse or Neglect
0206	Endangering Safety or Reckless Endangerment
0207	Battery by Inmate
0220	Domestic Abuse, Misdemeanor Level
0225	Domestice Abuse, Felony Level Behavior
0301	Burglary, Armed
0302	Burglary, Unarmed
0303	Enter Locked Vehicle
0304	Possession of Burglary Tools
0305	Criminal Trespass to Dwelling
0310	Crimes Against Animals Misdemeanor Level
0315	Crimes Against Animals Felony Level
0400	Theft Misdemeanor Level Behavior
0401	Theft Felony Level Behavior
0409	Receive/Possess Stolen Property
0430	Operate Motor Vehicle Without Owners Consent
0460	Fraud
0461	Embezzlement
0462	Transfer of Encumbered Property
0463	Loan Sharking
0500	Forgery
0503	Issue Worthless Checks Misdemeanor Level
0504	Issue Worthless Checks, Felony Level
0610	Sexual Assault
0611	Sexual Assault of a Child
0612	Child Pornography
0613	Failure to Comply with SORP
0614	Statutory Sexual Criminal Behavior
0615	Other Serious Sexual Criminal Behavior
0616	Child Enticement
0617	Exposing Genitals to Child
0618	Prostitution/Soliciting a Prostitute

0630 Contribute to Delinquency of Minor, Sexually Motivated

0632 Incest

0639 Lewd and Lascivious Behavior

0640 Keeping a Place of Prostitution

0645 Human Trafficking

0712 Drug Sale, Manufacture, Distribute, Possess/Delivery Intent

0732 Criminal Drug, Simple Possession

0733 Possession of Drug Paraphernalia

0734 Criminal Drug Possession

0740 Prescription Fraud

0741 Maintain a Drug House

0750 Reckless Use of Weapon

0754 Possession of Firearm or Weapon; Active Restraining Order

0755 Possession of Illegal Firearm or Weapon; Non-Felon or non-DV

0756 Possession of Firearm or Weapon; Felon or DV Offender

0780 Escape or Huber Walkaway

0783 Obstruct Law Enforcement

0784 Resist Law Enforcement

0785 Hunting/Fishing Crimes

0800 Conspiracy

0801 Extortion, Solicitation, or Bribery

0802 Unlawful Assembly

0803 Misconduct in Public Office

0815 Arson Felony Level Behavior

0816 Negligent Handling of Burning Materials

0827 Crimes Against Government

0828 Perjury

0835 Gambling

0840 Kidnapping or Abduction

0841 Strangulation or Suffocation

0842 False Imprisonment

0843 Interference with Child Custody

0845 Threats, Criminal

0846 Harassment or Intimidation of a Witness or Victim

0848 Violation of a Restraining Order

0849 Stalking

0852 Criminal Damage to Property Misdemeanor Level

0853 Criminal Damage to Property, Felony Level

0855 Failure to Pay Child Support

0861 Tamper or Removal of GPS Equipment, Criminal Level Behavior

0862 Contribute to Delinquency of Minor - non-sexually motivated

0920 Disorderly Conduct Non-Assaultive

0922 Underage Drinking or Possession of Alcohol

0930 Bail Jumping Misdemeanor Level Charge

0935 Bail Jumping, Felony Level Behavior

0983 Tamper with Drug Testing/Use of Masking Agent

0984 OWI; Alcohol or Other Drugs; non-Felony Level

0985 OWI; Alcohol or Other Drugs; Felony Level

0986 Traffic Criminal, Other Felony Level Behavior

0989 Huber or Work Release Crimes

0990 Other Criminal Low Level Violation

0992 Other Criminal Medium level Violation

0995 Other Criminal High Level Violation

0997 Other Criminal Very High Level Violation

1010 Failure to Report as Scheduled

1100 Failure to Report, Pattern Established

1105 Failure to Report to Jail, non-Criminal

1200 Absconding >30 days and

1300 Absconding > 6 months

1400 Travel Violation

1500 Threats non-Criminal

1997 Huber/Detention Facility Violations non-Criminal

1998 Assaultive Municipal or Ordinance Violation

1999 Minor Traffic Violation

2000 Failure to Comply with Education or Employment Requirement

2001	*Residence Change*
2006	*Failure to Notify Agent of Police Contact*
2007	*Lying to Agent*
2009	*Failure to Meet Financial Obligation non-Criminal*
2010	*Inappropriate Dress During Office Visit*
2011	*Refuse UA or Other Testing*
2012	*Failure to Provide Information as Directed by Agent*
2013	*Refused a Search*
2016	*Failure to Comply with Community Service*
2017	*Violation of no Contact Order, non-Victim*
2021	*Violation of no Contact Order with Victim*
2023	*EMP/GPS Schedule Violation > 60 minutes*
2024	*Failure to Comply with Testing/Tracking*
2025	*Tamper with Monitoring Equipment*
2026	*Removal of Monitoring Equipment*
2027	*Tamper/Removal of GPS Equipment, non-Criminal*
2028	*Unauthorized Consensual Sexual Contact/Relationship*
2029	*Failure to Comply with Treatment Requirement*
2030	*Unauthorized Possession of Legal Firearm or Weapon*
2031	*Possession of Items not Approved by Agent*
2032	*EMP/GPS Schedule Violation*
3000	*Absolute Refusal to Comply with Treatment or Programming*
3005	*Failure to Comply with Agent Intervention*
3006	*Unexcused Absence from Treatment or Programming*
3007	*Termination from Community Based Programming*
3008	*Termination from Intensive Treatment; non-ATR*
3009	*Fail Formal ATR, Community Based*
3010	*Failure/Refusal to take Medications as Prescribed*
3015	*Misuse of Prescription Medication*
3016	*Fail Formal ATR, Intensive Program*
3020	*Absolute Refusal to Comply with Supervision*
4000	*Use of Alcohol*
4200	*Enter Prohibited Establishment*

5001	*Curfew Violation*
5005	*Failure to Comply with Court-Ordered Condition*
5020	*Non-Assaultive Municipal or Ordinance Violation*
6000	*Sex Offender Rules Violation*
7000	*Other Non-Criminal Low Level Violation*
7100	*Other non-criminal Medium Level Violation*
7200	*Other non-Criminal High Level Violation*
7300	*Other non-Criminal Very High Level Violation*
7400	*Use of Controlled, non Prescription/Mood Altering Substance*

Mechanical Restraints

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.19

.02 GENERAL STATEMENT

It is a requirement to restrain offenders who are being taken into custody or transported while in custody. In other cases, where there is doubt regarding the use of restraints, they should be utilized for the safety of all concerned. When an offender is in custody, agents are responsible for the safety of the offender, as well as themselves. Agents must be made aware that merely handcuffing does not render a prisoner harmless. Arms, although cuffed together, are still effective weapons. The agent must be especially alert in applying or removing securing devices, since this is a likely time for an offender to attempt escape.

.03 TYPE OF RESTRAINTS

Mechanical restraints authorized must be chain link handcuff restraints, leg irons, and restraint belly chains with handcuffs at the hip (sometimes referred to as 'Type 2'). Authorized manufactures are limited to Smith and Wesson, Hiatt, and Pearless, Hiatt provided by the DOC. Restraints must be fully metal and utilize standard locking and double-locking mechanisms. Restraints which are larger or smaller in size are authorized for use, as appropriate. Hinged handcuffs are not authorized for use. Only restraints provided by the employer may be utilized.

.04 USE OF RESTRAINTS

Mechanical restraints may only be used in the following circumstances:

1. To protect staff or others from an offender who poses an immediate risk of flight or physical injury to himself or herself, unless restrained;
2. To protect an offender who poses an immediate threat of physical injury to himself or herself, unless restrained;
3. When taking an offender into custody; or
4. To transport an offender.

.05 IMPROPER USE OF RESTRAINTS

Mechanical restraints shall never be used:

- As a method of punishment;
- About the head or neck of the offender;
- In a way that causes undue physical discomfort, inflicts physical pain, or restricts the blood circulation or breathing of the offender; or
- To restrain an offender to a moving vehicle.

.06 REQUIREMENTS

When an offender is placed in restraints, it may be necessary for a staff member to transport the offender to a detention facility, a mental health or medical facility, or to appropriate law enforcement authorities.

Staff shall remain alert and continue to monitor offenders in restraints until the restraints are removed, or the offender is admitted to a detention facility, mental health facility, or medical facility.

If feasible, offenders should be released from restraints to perform bodily functions and for meals.

Except when restraints are used to take an offender into custody or transport an offender, a report will be maintained in the offender's record of each time the offender is placed in restraints. It will include:

1. The offender's full name, DOC number, and date the offender was placed in restraints;
2. The name of the staff member who placed the offender in restraints;
3. The reason for placing the offender in restraints;

Copyright © 2012 [WI Department of Corrections]

4. Staff shall remain alert and continue to monitor offenders and third parties being transported.
5. A statement indicating when, and under what circumstances, the restraints were removed.

Mechanical restraints will be periodically examined. Any excessively worn or defective mechanical restraints shall be removed from service and destroyed. The Correctional Field Supervisor shall ensure mechanical restraints removed from service are destroyed. Alternately, supervisors may arrange with local law enforcement to property dispose of mechanical restraints removed from service.

Copyright © 2012 [WI Department of Corrections]

Search

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.22

.02 POLICY

A home search is a room-by-room search of an offender's residence which follows Division guidelines and which has the Regional Chief or designee's prior approval.

Contraband is any item the offender may not possess under the rules or conditions of supervision. An agent may search an offender's residence or personal property only when there are reasonable grounds to believe the offender is in possession of contraband.

As searches by agents do not require a warrant, all home or property searches are prohibited unless previously approved by the Regional Chief or designee.

Field staff should evaluate information received from all sources when deciding whether a search under this section is to be conducted. Requests by law enforcement agencies to use our authority to search are illegal. However, information gained from law enforcement agencies should be evaluated on its merit.

In most cases, the agent should utilize and coordinate with law enforcement to assist in securing the residence prior to the search, as well as monitoring the offender and any other occupants of the residence for the agents' safety.

Prior to searching for an offender in violation of supervision at the offender's residence, the following shall be verified and/or in place.

- The address at which the search is being conducted is an address used by the offender for whom the search is being conducted or an address of another offender currently on probation or parole supervision.
- A search for an offender shall not occur until the residence being searched has been secured by law enforcement.
- The search report shall include a statement of how the address was verified, as well as a statement that the residence had been secured by law enforcement prior to the search.
- Strip searches or body cavity searches are prohibited.

Police dogs may be used during home searches when there is reason to suspect drugs in the home with the following conditions:

- The Regional Chief shall approve all searches involving the use of police dogs.
- DCC staff are to conduct the search; therefore, staff should direct law enforcement on the usage/placement of the dogs.
- The results of the search shall be reported to the Regional Chief.
- The agent can use any seized contraband in a revocation proceeding.

For more information on contraband seized during a search, see Contraband Seizure and Disposal section.

.03 DECISION TO SEARCH CRITERIA

In deciding whether there are reasonable grounds to search, staff shall consider:

1. Observation by a staff member.
2. Information provided by an informant.
   a. The reliability of what the informant said. In evaluating reliability, attention shall be given to whether the information is detailed and consistent and whether it is corroborated, whether the informant has supplied reliable information in the past, and whether the informant has reason to supply inaccurate information.
   b. The reliability of the informant. In evaluating reliability, attention shall be given to whether the

Copyright © 2012 [WI Department of Corrections]

informant has supplied reliable information in the past and whether the informant has reason to supply inaccurate information.

3. The activity of the offender that relates to whether the offender might possess contraband or might have used or be under the influence of an intoxicating substance.
4. Information provided by the offender that is relevant to whether the offender possesses contraband.
5. The experience of DOC staff with the offender or the agent's experience in any similar circumstances.
6. Any prior seizure of contraband from the offender or their property.
7. The need to verify compliance with the rules of supervision and state and federal law.

.04 LIVING QUARTERS AND PROPERTY SEARCH

If there are reasonable grounds to believe the offender's residence or property contains contraband, agents may search an offender's:

- Living quarters
- Property
- Motor vehicles
- Cell phone

Computer or other electronic devices

Approval of the Regional Chief or designee must be obtained prior to conducting any search. No unapproved searches may be conducted. The Regional Chief will be advised of all home search planning.

Searches of living quarters and property will be confined to areas actually occupied by the offender, which would include common areas such as kitchen, bathroom, living room, etc. While conducting a search, care must be taken to prevent infringement on the rights of other occupants of the dwelling.

When law enforcement has a warrant to search an offender's residence or vehicle or is searching based on 2013 WI Act 79, agents are prohibited from participating in or observing that search.

WISCONSIN ACT 79 SEARCH

2013 Wisconsin Act 79 gives law enforcement the authority to search certain offenders and any property under their control during the course of their supervision. Law enforcement must have reasonable suspicion that the offender is committing, is about to commit, or has committed a crime or a violation of a condition of supervision. This applies to offenders who on or after December 14, 2013 were placed on probation for any felony or for misdemeanor convictions under WI Stats. 940, 948, or 961 or released to extended supervision or parole on or after that date. Although this additional authority has been granted to law enforcement, the authority of an agent to search must follow DCC policy.

REQUIREMENTS OF SEARCH

In all cases, prior to conducting a search, the agent and supervisor must prepare a search plan and discuss it with all participants, including law enforcement. The Home Search Plan (DOC-2221) may be used as a guideline in developing the plan. When law enforcement is present they should be advised that the agent is in charge of the search and that their role is to provide protection and to assist. The plan should include a discussion of the following factors:

1. Is there any other means available to handle the situation short of conducting a home search (i.e., have offender report to the office to discuss the matter first?) Is a search absolutely necessary in this case?
2. What are the dynamics of the situation?
   a. Who resides with the offender and who is likely to be present during the search?

Copyright © 2012 [WI Department of Corrections]

b. What is the layout of the residence and the most effective and safest way to search it?

c. What are the offender's/other resident's response to the search likely to be? Does the offender or other residents have a history of assaultive/dangerous behavior? Are they likely to become hostile?

d. What emotional state might the offender or other residents present be in during the search?

e. Any specific information about the current situation that was obtained from the complaining source. The agent should find out as much as possible about the situation prior to conducting the search.

3. When and where will the agent meet law enforcement and what is there role?
4. How will the safety of staff conducting the search be maintained? (In all cases, the safety of our employees must be our number one concern. It will always take priority over any interest in discovering contraband or documenting a violation as a result of the search.)
5. In order to assure safety, should the offender be placed in custody prior to the search? What is the agent's plan should an unexpected or dangerous situation arise?
6. How extensive does the search need to be?
7. Who will accompany the agent on the search? Where possible, searches should be conducted by a team of two agents or an agent and supervisor trained in home search techniques. Law enforcement should be present whenever possible. For liability reasons, students/interns are not allowed on home searches.
8. What roles will the various participants play in the search?
   a. Who will be in charge; be the spokesperson?
   b. Who will be the inventory person?
   c. How will the agent use law enforcement?
9. What items will the agent take along to assist in the search?
10. Inform the offender of the consequences of not complying with the search

.07 USE OF LAW ENFORCEMENT

Law enforcement should be utilized in home searches whenever possible. Law enforcement's primary role is to secure the residence and give expert advice to agents as to where, what, and how to search. It must be made clear to law enforcement that the agent is in charge of the search and that law enforcement is present to advise and provide protection.

Each office should develop home search guidelines with local law enforcement agencies in order to enhance efficient working relationships. Regional Chiefs will provide direction in this effort.

.08 HUMAN DIGNITY

Field staff will strive to preserve the dignity of offenders in all searches conducted.

Whenever possible, before a search is conducted the offender will be informed that a search is about to occur, the nature of the search, and the place where the search is to occur.

When conducting searches, field staff will disturb the effects of the offender as little as possible, consistent with thoroughness.

During the search, staff will not read any legal materials, communication between the offender and an attorney, or materials prepared in anticipation of a lawsuit. This does not include business records.

.09 FORCED ENTRY

Under no circumstances is forced entry by DCC staff permitted. If the offender or others are present but are refusing entry, agents should issue an Apprehension Request (DOC-58) and/or inform the occupant of possible prosecution under Wisconsin Statute 946.46. Offenders refusing entry should be detained when apprehended.

Copyright © 2012 [WI Department of Corrections]

Law enforcement personnel have their own guidelines regarding forced entry that may not be altered by DCC direction.

.10 VEHICLE SEARCHES

Any vehicle driven by an offender should be considered under their control and therefore subject to search. All home search policies and procedures apply to search of vehicles. Vehicles driven to the agent's office can be searched without law enforcement being present if reasonable grounds exist and with Regional Chief or designee approval.

.11 SEARCH KITS

Each office will maintain and utilize a home search kit. Guidelines for items to include in the kits are:

- Various sizes of zip lock bags
- Garbage bags
- Several sizes of paper bags
- Self-adhesive I.D. stickers with room for
- Date
- Time
- Location
- Person searching
- Evidentiary escort
- Flashlight
- Tongs
- Mirror
- Plastic/rubber gloves
- Leather work gloves
- Pen and pad of paper

Camera and film

Statement Of Property Obtained Or Received (DOC-1165) forms

First aid kit

.12 REPORTING REQUIREMENTS

All searches must be documented in the case record. The agent conducting the search must complete a COMPAS notes entry or COMPAS Evidence-Based Response to Violations report, a copy of which must be submitted to the supervisor. The report shall contain:

- Identity of the offender whose living quarters or property was searched;
- The identity of the staff member(s) who conducted the search, and the supervisor who approved it;
- The date, time, and place of the search;
- The reason for conducting the search
- Any item(s) seized during the search; and

Whether any damage was done to the premises or property during the search.

PROPERTY DAMAGE

If any items are damaged during the search of the offender's living quarters or property, those items will be identified in writing and a copy shall be given to the offender.

PERSONAL SEARCH

A personal search is a search of an offender's person, including but not limited to, the offender's pockets, "patting down" the offender's body, examination of the offender's shoes and hat, and inspection of the offender's mouth. Strip searches are prohibited.

POSC trained staff may conduct a personal search under any of the following circumstances:

- If the agent has reasonable grounds to believe the offender possesses contraband.
- At the direction of a supervisor.
- Before an offender enters or after an offender leaves the secure enclosure of a correctional institution, jail, or detention facility. If law enforcement is present they should be utilized to conduct the personal search.
- Before an offender enters the agent's office.
- When an offender is taken into custody.

Every time an offender has been placed in restraints, a thorough systematic search shall be conducted by a POSC trained staff member as soon as it is reasonably safe to do so.

Whenever possible, the offender shall be searched by staff of the same gender. If only opposite gender staff are available, another staff shall observe the search. Transgender, transsexual, or intersex offenders may be searched by female staff or the offender may be asked to indicate which gender staff is preferred to perform the search. Outer layers of clothing such as jackets and shoes may be removed to ensure a thorough search. Clothing may not be removed if removal would result in the offender being in a state of undress unusual for public places

If a personal search is conducted when transporting or taking an offender into custody, no report is necessary unless contraband or evidence related to other violations is discovered. If contraband or evidence is discovered, a COMPAS Evidence-Based Response to Violations report shall be prepared.

.13 OUT-OF-STATE SEARCHES

Agents are prohibited from conducting residence or property searches in another state.

.14 EVIDENCE AND CONTRABAND

Agents may seize any item that they reasonably believe is contraband; whether or not they believe a violation of supervision occurred.

- The offender shall be issued a copy of the DOC-1165.
- The supervisor shall be given a copy of the DOC-1165.
- All seized contraband shall be kept in a designated locked storage until properly disposed of.

See the Contraband Seizure and Disposal section for further procedures relating to the seizure and disposal of contraband.

Copyright © 2012 [WI Department of Corrections]

CONTRABAND SEIZURE AND DISPOSAL

.01 AUTHORITY

Wisconsin Statute Section 968.20

Wisconsin Administrative Code DOC 328.23

.02 SEIZURE

Field staff who reasonably believe an item is contraband may seize it whether or not they believe a violation of supervision occurred.

It may be necessary to confiscate contraband from an offender to prevent a crime, for evidence in revocation proceedings, or for rules violations. Any item that is illegal to possess shall be turned over to law enforcement. Seizure of contraband must be documented on a DOC-1165, handled, and secured properly to preserve its value as evidence in future proceedings if necessary.

Property that is not determined to be contraband shall be returned to the owner if feasible. A DOC-1165 signed by the owner confirming return of the property serves as a receipt. Otherwise, it shall be disposed of as noted below.

.03 DISPOSAL

The Supervisor or designee shall dispose of seized contraband after all proceedings, in which it may be required, have been completed. A written record of all items disposed of, including the reason for their disposal, shall be kept in the case file as well as a note entered in COMPAS summarizing the activity. In addition, an on-site chain of evidence system or log shall be maintained documenting the receipt and disposal of items.

- Money whose true owner cannot be determined shall go to the cashier's office who will forward the property to the Department of Revenue as unclaimed property.
- Checks and negotiable instruments shall be returned to their maker. If unable to determine the address of the maker of a check, it shall be destroyed.
- US bonds and other securities shall be forwarded and held in the department cashier's office.
- Property shall be sent to the owner, if known, or sent, at offender expense, to another.

  Items of inherent value are to be sold through the department purchasing officer/DCC Business Office.
- Intoxicating substances shall be disposed of by the offender's agent, after obtaining supervisory approval, or given to a law enforcement agency for evidence or disposal.

  Firearms shall be disposed as noted below.

  State property shall be returned to the issuing agency.

.04 DISPOSAL OF SEIZED FIREARMS OR AMMUNITION

Seized firearms or ammunition shall not be returned to any person who is prohibited from possessing a firearm. Firearms that may not be returned shall be turned over to law enforcement.

Firearms or ammunition may be returned to the rightful, documented owner if the owner had no prior knowledge of, and gave no consent to, the commission of the crime.

If law enforcement is unwilling to take custody of the firearm and possession poses an imminent threat to self or others, an agent may seize the firearm. The agent must first gain supervisor approval prior to seizing the firearm. Only law enforcement can clear the firearm to ensure no ammunition is loaded. Under no circumstances should the agent handle the firearm prior to law enforcement clearing the weapon. The firearm can be stored for up to 30 days in a locked storage location. If after 30 days the firearm is not claimed or picked up by an agreed upon party, the agent will contact DOJ for proper disposal.

PROCEDURE

1. Any and all seized firearms or ammunition will be listed by make, serial number, and type (including number

Copyright © 2012 [WI Department of Corrections]

of rounds if ammunition) on the DOC-1165 a copy of which will be provided to the offender as a receipt.

2. Seized firearms or ammunition shall be kept in a locked container until properly disposed of.
3. When no longer needed for investigation or evidence, the agent, with supervisory approval, shall return the property to its rightful owner. In attempting to determine the rightful owner, the agent shall make reasonable efforts to notify all persons who have, or may have, an authorized rightful interest in the firearm or ammunition of the requirements to petition the court for a hearing on ownership claims. If the firearm was seized by law enforcement, the individual making a claim of ownership shall be directed to contact the law enforcement entity that took possession of the firearm.
4. Thirty days after all persons who have, or may have, an authorized interest in the firearm or seized ammunition have been notified, the agent and supervisor will deliver the firearm or ammunition to the State Crime Laboratory. If delivered by DOC staff in lieu of law enforcement, a receipt from the Crime Lab will be obtained.

.05 OFFENDER'S RIGHT TO APPEAL

If a decision has been made to dispose of contraband seized, the offender may appeal the decision by completing and submitting to the agent's supervisor an Offender Request for Administrative Review (DOC-127). Property shall not be disposed of until the appeal is resolved.

Copyright © 2012 [WI Department of Corrections]

Collection and Utilization of Phone Calls Recorded in a Correctional Setting

Authority:

Wisconsin Administrative Code s. DOC 309.39 – Inmate Telephone Calls
Wisconsin Administrative Code s. DOC 309.405 – Telephone Calls to Attorneys
Wisconsin Administrative Code s. DOC 309.43 – Procedure for Approval
DOC Executive Directive #50

General Statement: The Division of Community Corrections recognizes the need to review recorded inmate communications in a correctional setting in order to investigate violations and ensure adherence to the rules of community supervision. Technology has advanced in many of Wisconsin's jails and correctional settings providing DOC substantial access to inmate communication systems, therefore the Division is implementing a policy which governs use and access. This policy defines DCC staff use of recorded inmate communications from a jail or correctional setting.

Procedure: Jails and Correctional Institutions routinely record inmate communications in the regular course of operation. Proper notice is provided to all individuals utilizing correctional communication systems that information is recorded and maintained, and therefore consent to future review. Jail communication systems and the manner of obtaining information will differ between counties and correctional settings, as well as the manner in which information is provided to staff. Requests regarding DAI inmates should be initiated with the institution security director. Reviewing information between offenders and attorneys or medical providers is prohibited. Due to the disparity in technology between counties and institutions, local processes will be developed and approved through the respective regional office and BTM if necessary. Due to the size of some information files, recordings should only be saved when necessary and with consideration to a removable format (BTM approved CD, flash drive).

If DCC staff learn of information relating to violations of supervision that may exist in a Jail or Correctional Institution's system, the DCC Agent will take the following steps to obtain and secure the information:

1. If an Agent believes information exists which may constitute violations of supervision or include information pertinent to an investigation, the information will be staffed with a supervisor. If there is a determination that reasonable grounds exist for a search of the communication systems, the Regional Chief or designee shall grant approval to search. The Agent will then collect and review information pertinent to the investigation only while in work status.When the review is complete the event will be entered into the offender's COMPAS notes.This includes unsolicited recordings or recordings which may be a component of a law enforcement investigation.
2. Communications containing threats, or information regarding assaultive or other criminal behavior, will be immediately referred to the appropriate law enforcement jurisdiction and/or DAI Security Director. An incident report may need to be completed due to the nature of the information obtained.
3. If the agent determines the communication is between an offender and attorney the recording will be terminated and subsequent contacts will not be reviewed as this is considered privileged communication.When the communication is recognized as attorney/client contact, DCC staff will notify their Supervisor immediately and complete an incident report within one business day. Notification of the incident, including the length and content, will be provided to the attorney, offender, DAI Institution if appropriate, and regional office by the Corrections Field Supervisor within three business days. Appropriate documentation will be placed in COMPAS notes.
4. The review of communications between an offender and medical provider acting solely in their professional capacity is prohibited and must be terminated as this is also considered privileged communication. An incident report will not be completed, however the information shall be entered into the COMPAS notes.

Copyright © 2012 [WI Department of Corrections]

5. If the communications or recordings will be utilized in a DCC Preliminary or Final Revocation Hearing, proper evidentiary notice will be provided to the defense and the Division of Hearings and Appeals with a copy provided at the hearing(s).
6. Regarding DCC Offenders being held at The Milwaukee Secure Detention Facility, Agents will initiate information requests through their supervisor. Requests are then forwarded to selected Region 3 Corrections Field Supervisors who have permissions to download MSDF recordings.The same protocols listed above will be followed in reporting and recording information.

Copyright © 2012 [WI Department of Corrections]

EVIDENCE HANDLING

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.23

.02 GENERAL STATEMENT

While investigating alleged violations or offender activities, an agent may seize any physical evidence that may be needed for revocation proceedings. This evidence must be documented on a Statement of Items or Damage to Property Searched (DOC-1165), handled, and secured properly to preserve its value as evidence in future proceedings.

.03 PHOTOS OF EVIDENCE:

DOC staff using DOC-issued cameras or DOC-issued smartphones may collect photographic evidence of offender violations. If the proper procedures are followed, photographic evidence collected by DOC staff may be used in court cases as well as revocation hearings. The staff member who takes the photo should be the one responsible for uploading the photo to a shared drive. If another staff member uploads the photo to a shared drive, it creates a chain of custody issue and additional staff members would be required to testify in court. Photos can be emailed or messaged to the agent's DOC email box and then saved to a shared drive.

If staff take photos with their smartphone to submit as evidence, they must include the following:

- Date the photo was taken
- Any dates relating to the photo being processed or uploaded to network folders/shared drive
- Identifying information relating to the photo's contents such as date, place, time, location, and subject matter
- Signature on an affidavit stating "I, STAFF NAME, took this photo on DATE and have downloaded this photo without making any modifications." Staff will need to retain the original photo and date it was taken so that if it is altered, the original will still be available. Once the appeal period is over, the photo may be deleted.

.04 SAVING A SMARTPHONE VOICEMAIL FOR EVIDENCE:

Voice messages on smartphones are deleted after 30 days and are limited to 40 messages. At this time, the best option is to record the voice message to your laptop via the laptop "sound recorder" tool.

Instruction:

- Click the start button
- Type in "sound recorder" in the search bar
- Open up the sound recorder tool
- Press the "start recording" button when voice message is ready to be played.
- Save the recording to appropriate location/folder. Message is now stored on laptop.

.05 SECURING EVIDENCE

Law enforcement agencies may agree to store evidence for the DCC. If this service is not available, staff must ensure that the evidence is placed in a locked storage area with proper identification and documentation.

.06 DOCUMENTATION REQUIRED

All evidence must be inventoried, as indicated by the DOC- 1165. If possible, evidence should be bagged and sealed with a copy of the DOC-1165 inside. A copy of the DOC-1165 should be securely attached to the outside as well. All non-bagged evidence must have a copy of the DOC-1165 securely attached to it. If cash, credit cards or other forms of currency is seized, it shall be noted on the DOC 1165 including documenting the serial numbers of any currency. The only exception to this is when a large amount of currency is seized, it can be photocopied on one side only with the serial number showing at a size no larger than 75% of the original. The photocopies must attached to the DOC-1165 if each bill is not itemized. Any forms of currency or credit cards, shall be locked in a secure location and noted on the DOC-1165. The keeper of the secure area where the evidence is kept shall

Copyright © 2012 [WI Department of Corrections]

develop an on-site chain of evidence system for all evidence to be secured there. The offender shall be issued a copy of the DOC-1165.

In addition to documentation of the seizure of property on the DOC 1165, if any of the items seized are returned to the offender or any other designated person, it must also be documented on the DOC 1165. Persons who are taking control of seized property shall sign the DOC 1165, acknowledging receipt. Upon return of items, the DOC 1165 shall be provided to the following: the offender file (original), the regional office, the offender, the person receiving the items, and a copy maintained with the employee designated to maintain inventory control. For information on evidence disposal, see Contraband Seizure and Disposal section.

Offender Medication - Storage and Tracking

Controlled medication which has not be seized in regard to a violation shall only be kept temporarily in field offices with the approval of the supervisor in emergency situation. If approved for temporary storage, staff shall identify, track, and store the offender's controlled medication in a secure location. An offender's controlled medication should not be left unsecured at any time. Over the counter medication can be kept with the offender's property. Every effort avoid storage of offender medication at a field office. However, if it becomes necessary to keep an offender's medication in a field office, the following procedure shall be followed:

1. The controlled medication will be properly labeled with the name of the offender, medication name, date/time of storage, the amount of medication prescribed and the amount of medication remaining.
2. A tracking log shall be filled out and kept in the same area where the controlled medication is securely stored. The tracking log must list the offender's name, date, medication, amount, location, and at least two staff witness names and signatures.
3. The controlled medication will be secured in a locked drawer or storage box and be placed in a locked room. Note: Some medication requires refrigeration.
4. Anytime the medication is removed from the secure location, at least two staff must be present and sign the form indicating why and when the medication was removed.
5. Controlled medication that needs to be disposed of shall be taken to a local medication disposal site by at least two staff and turned in for destruction. The DOC tracking log must note the disposal date, place, and time.
6. Staff shall not give one offender's medication to another offender nor use the medication for themselves.
7. Staff shall not dispense controlled medication to offenders. The medication can be given to the offender and he or she can be instructed to take the medication in accordance with the doctor's orders.
8. At least once per week, two staff shall act as witnesses for one another and check that the controlled medication is accounted for and stored properly. Discrepancies will be noted on an incident report and forwarded to the regional office within one working day.
9. Unidentified drugs that are secured through searches must follow the Evidence Handling procedure described above.
10. For offenders who have been prescribed Depo-Provera and are participating in the DOC pharmacological program, the medication must be stored in a locked container in a locked room until a nurse administers the medication.

Copyright © 2012 [WI Department of Corrections]

SHORT-TERM SANCTIONS

.01 AUTHORITY

Wis. Stat. s. 302.113(8m)(b)

.02 GENERAL STATEMENT

A Short-Term Sanction may be considered as a disposition to any violation by an offender on extended supervision, parole, or probation in which prison is a potential result. However, it shall be considered in every case where the offender is eligible for revocation and the recommendation would otherwise be forfeiture of one year or less of reincarceration time. Regional Chief or designee approval is required for all Short-Term Sanction placements. The implementation date of the sanction is the offender's first day of custody or date of arrival at the facility where the offender is going to serve the sanction. Consideration should be given for time already served.

03. ELIGIBILITY

- All offenders are statutorily eligible to be placed on a Short-Term Sanction. However, priority should be given as follows:
- Extended Supervision/Parole offenders
- Felony Probationers
- Misdemeanants with penalty enhancers
- Misdemeanants (limited to special circumstances)
- If a probation offender has conditional time available, the first consideration is to request imposition of conditional jail time through the sentencing court if it is timely and viable prior to requesting a Short-Term Sanction.
- Offenders must sign a statement admitting to a violation.
- Short-Term Sanctions may not exceed 90 days, per sanction. Short-Term Sanctions may be used more than once during the offender's term of extended supervision. However, the maximum exposure of an offender's sentence may not be exceeded by the Short-Term Sanction time. Consideration should be given to the amount of time needed to achieve correctional purposes.
- When imposed, Short-Term Sanction is the disposition for the violation(s).
- It is not necessary that the offender be served with a Notice of Violation, Recommended Action and Statement of Hearing Rights (DOC-414) or Alternative to Revocation Agreement (DOC-250).
- Offenders with pending criminal charges may be considered for Short-Term Sanction on a case-by-case basis.
- Offenders who are being supervised in Wisconsin for another state via Interstate Compact are eligible for short-term sanctions.

.04 PROCESS

When revocation has been initiated, the Regional Chief or designee may order Short-Term Sanction in lieu of the revocation. This action may occur any time prior to the issuance of the revocation order and warrant. The implementation date of the sanction is the offender's first day of custody or date of arrival at the facility where the offender is going to serve the sanction. Consideration should be given for time already served.

When revocation is not initiated:

- The agent and supervisor have six (6) working days to investigate an alleged violation, utilizing the Evidenced-Based Response to Violation Matrix (EBRV), and to make a request to the Regional Chief or designee for use of the Short-Term Sanction.
- The agent will complete a packet consisting of the following two (2) documents:

Copyright © 2012 [WI Department of Corrections]

a. The COMPAS Evidence-Based Response to Violations (EBRV) report with the attached, signed offender statement; and

b. Order for Sanctions for Extended Supervision, Parole, and Probation Violation and Notification to Offender (DOC-2419).

- The agent will inform the offender of the recommendation of a Short-Term Sanction as a disposition to the violation.
- The Regional Chief or designee has five (5) working days to review and approve/deny the request.
- If approved, the DOC-2419 will be completed indicating the beginning and end date of the sanction. Regardless of the date of decision to pursue a sanction, the sanction begins on the offender's first day of custody or date of arrival at the facility where the offender is going to serve the sanction. Consideration should be given for time already served.
- When applicable, the Regional Chief or designee will determine if work release privileges will be granted and indicate such on the DOC-2419:

a. MSDF or STF beds should be used for offenders who will not have work release privileges.

b. The county jail may not utilize EMP for offenders serving a Short-Term Sanction.

- The agent is responsible to ensure that the offender receives a copy of the DOC-2419 in a timely manner.
- A Cancellation of Order to Detain (DOC- 213) is required to cancel the original hold upon the effective date of the Short-Term Sanction.
- Offenders shall be classified at minimum while serving the sanction unless they have been granted work release privileges. If the offender is a sex offender, the Regional Chief or designee's approval of the sanction will be considered approval to reclassify that offender to minimum while serving the sanction. Classification for offenders with work release privileges should be classified no higher than medium.

.05 PLACE OF CONFINEMENT

The sanction can only be served in a regional detention facility or with the approval of the sheriff of a county jail. The only detention facilities operated by the State DOC are the Milwaukee Secure Detention Facility (MSDF) and the Sturtevant Transitional Facility (STF). Short-Term Sanction may not be served in a county jail unless that county sheriff has completed a Memorandum of Understanding (MOU) with the DOC to provide beds for Short-Term Sanctions. If a county jail contracts with another county jail to house an offender serving a Short-Term Sanction, the sheriff is responsible for transporting the offender to and from the contracted holding facility.

The Department will pay the county jail the daily rate specified in the MOUs for offenders serving time on a Short-Term Sanction. If work release privileges are exercised by the offender, the daily rate paid by the Department will be reduced by any work release fees paid to the jail by the offender for those privileges.

.06 NEW VIOLATIONS WHILE SERVING A SANCTION

If new violations are discovered while an offender is serving a Short-Term Sanction, an Order to Detain (DOC-212) may be placed on the offender. The sanction end date shall be amended to the effective date of the Order to Detain. In determining whether or not to issue an order to detain, consideration should be given to the level of violation and anticipated response level. A violation investigation and evidence based response to violation is completed for the new allegations.

.07 COMPLETION OF SANCTION

There is no earned good time credit associated with Short-Term Sanctions. All time served is credited if revoked. The agent of record shall communicate with the jail or the regional detention facility to assure offenders who

successfully complete sanctions are released from custody during normal business hours on the last day of the sanctions. Offenders who are not housed in the county where they are supervised shall be transported back to the supervising county by DOC staff or a reliable person who the agent has pre-approved.

.08 AMENDMENT OF A SANCTION

If the agent and supervisor believe that there is reason to amend the length or terms of a sanction, regional office approval is required. If approved, the Regional Chief or designee shall mark "Amended" on the top of the original DOC- 2419, then initial and date the area of the document which has been changed. The amended document must then be distributed to all of the parties noted in the routing section.

Copyright © 2012 [WI Department of Corrections]

Stop Time, Tolled Time, and Reinstatement

.01 AUTHORITY

Wisconsin Statute 304.072

.02 GENERAL STATEMENT

This section does not apply to Interstate Compact cases.

Time may be stopped if any of the following legal requirements occurred prior to the expiration of the term of supervision due to a belief that a violation has occurred:

- Agent initiated an investigation;
- Agent issued a violation report or;
- Agent issued an Apprehension Request prior to the expiration of the offender's term of supervision.

Time may be stopped when the offender has absconded. The case must be discussed with, and approved by, the supervisor when an agent believes supervision should be reinstated after time has been stopped.

When an offender is returned to supervision, it is necessary to determine whether credit will be given for time in violation status.

.03 DEFINITIONS

Tolled Time is the period between the date of an offender's violation and the date of custody, or the date the offender's whereabouts/activities became known. Tolled time is not credited toward the period of supervision. Credit is given for time in custody on a Department hold after apprehension.

Reinstatement means return to field supervision after time has been stopped.

- Reinstatement with time tolled cannot take place without one of the following conditions:
- an offender's personal written admission of violation of the rules or conditions of supervision, Request for Reinstatement (DOC-247) or;
- a finding by an Administrative Law Judge that the offender committed a violation of the rules but which is insufficient to warrant revocation.

.04 PROCEDURE

In all cases where time has been stopped, a new DOC-44 is necessary to start time. The issuance of a will cancel any outstanding Violation Warrant.

- To Start Time and not Toll Time, the agent shall prepare a DOC-44. Check Start Time. Check No Time Tolled. Fill in the start time effective date, which is either the date of custody, the date the offender reported, or the date agreed upon by the agent and supervisor. State justification under "Recommendation Submitted for the Following Reasons."
- To Start Time and Toll Time, the agent shall prepare a DOC- 44. Check both boxes for Start Time and Time Tolled from. State justification under "Recommendation Submitted for the Following Reasons." Prepare Request for Reinstatement. (If the offender refuses to sign the DOC-247, the agent must recommend revocation). The agent shall then submit the DOC-44 and DOC-247 to supervisor for approval. If approved, supervisor forwards all to Regional Chief.
- In non-conviction cases, the case is returned to court for disposition following supervisory consultation and approval. The court decides whether to revoke or continue supervision. Tolled time and reinstatement decisions will be made by the court.
- All DOC-44s will be routed to the status keeper to add/remove start and stop time tasks.

.05 CUSTODY PENDING DECISION

If detained, the offender may be released from custody when the agent, supervisor, and Regional Chief agree that

reinstatement is appropriate. If time is to be tolled, the DOC-247 must be signed by the offender before release. If not detained, the offender must sign the DOC-247 prior to leaving the agent's office.

.06 TOLLING TIME WHEN ARRESTED IN ANOTHER STATE

When tolling time on an absconder who is arrested in another state:

- The agent should use the date of arrest as the date of custody, regardless of when the offender is made available and/or returned to Wisconsin.
- The time will be tolled from the original date of violation to the date of arrest in the other state.
- If the offender is convicted of a crime and sentenced to serve time in the other state; the time is still tolled from the original date of violation to the date of arrest in the other state.
- Time may not be stopped while an offender is serving a known sentence in another state

Copyright © 2012 [WI Department of Corrections]

Transporting Offenders in Custody

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.19

Administrative Directive 16-05

.02 GENERAL STATEMENT

Field staff routinely transport offenders and other non-DOC persons in a variety of circumstances. Prior to each transport, staff must ensure that they plan appropriately. While many general principles apply to all types of transports, there are unique considerations that must be made for secure and non-secure transportation of offenders as well as for the transportation of third parties.

.03 DIVISION OF COMMUNITY CORRECTIONS POLICY

Division of Community Corrections policy defines the basic types of transports as follows:

a. Non-Secure Transport: Any transport in which the offender is being moved to a non-secure location including but not limited to a residence, Transitional Housing Service (THS), community-based treatment program, or a worksite.

b. Secure Transport: Any transport in which the offender is being moved to a secure detention facility including but not limited to a jail or prison.

.04 VEHICLE TRANSPORTS

The following procedures apply to all transports:

1. Only DOC fleet vehicles may be utilized.
2. A (DOC-2335) Transport/Exception Request must be completed whenever transport assistance is being requested from a Transport Sergeant or when an exception, as outlined on the (DOC-2335), is being requested. Routine transports planned and conducted at the local level that are not seeking approval for an exception or are not seeking assistance from a Transport Sergeant do not require a (DOC-2335). Final approval for Transport Sergeant requests will be made by the transport sergeant supervisor. Final approval for POSC-trained staff to conduct a transport when exceptions are requested will be made by the agent's supervisor.
3. The number of offenders in the vehicle shall not exceed the number of DOC staff except as noted and approved on the (DOC-2335).
4. Transport vehicles shall be inspected prior to and after each transport to ensure that no contraband or other potentially dangerous items are present.
5. Only mechanical restraints provided by DOC may be utilized.
6. Regardless of the type of transport, mechanical restraints shall be present in the transport vehicle.
7. Any time restraint belly chains are used, leg irons shall also be used.
8. When taking offenders who may be pregnant into custody, or when securely transporting offenders who may be pregnant, the offender should be handcuffed in the front. The use of belly chains and leg irons is not authorized for pregnant offenders. Special care should be taken to minimize the risk of falling. If the offender is uncooperative, law enforcement should be contacted.
9. If more than one offender is being transported and one is considered secure, the provisions of the secure transport apply to all offenders.
10. Extraneous items, including but not limited to offender property, must be stored in an area not immediately accessible to offenders, if possible. If not possible, precautions should be taken so that the items cannot be accessed during transport.

Copyright © 2012 [WI Department of Corrections]

11. Only DOC POSC trained staff shall be present on transports.
12. Staff shall remain alert and continue to monitor offenders or third parties being transported.
13. At least one staff person on each transport must be in possession of a DOC provided cell phone.
14. At least one staff person shall be of the same gender as the offender or any third parties being transported. Transgender, transsexual, or intersex offenders should be accommodated by having both male and female staff on the transport. Exceptions must be noted and approved on the (DOC-2335).
15. Rest stops should be made where there is little traffic congestion.
16. If possible, offenders should not be taken into public dining rooms. Fast food drive-through restaurants are preferable when bag lunches provided by institutions are not available.
17. The names of all state employees and non-DOC persons riding in fleet vehicles shall be logged on the (DOC-2280).
18. Under no circumstances is any non-state employee permitted to operate a fleet vehicle.
19. Use of safety belts and child restraints must be utilized in accordance with Wisconsin law.

The following procedures apply to all secure transports of offenders:

1. Caged vehicles are required.The security partition shall be in a closed, locked position prior to the start of the transport and shall remain in place.
2. Two staff are required for secure transports.Exceptions must be noted and approved on the (DOC-2235).
3. When transporting an offender from one secure detention facility to another secure detention facility, staff shall utilize either chain-linked handcuff restraints or restraint belly chains with leg irons, as determined most appropriate by transport staff for that specific transport.
4. At least one staff person on each secure transport must be certified to carry oleoresin capsicum (OC) aerosol spray and shall be carrying OC aerosol spray during the transport.
5. When transporting an offender from a non-secure location to a secure detention facility, staff shall utilize chain-linked handcuff restraints.
6. In the event of medical or physical anomalies or other unusual circumstances, transporting staff should use professional judgment to determine the least restrictive securements to ensure staff and offender safety.
7. Transporting male and female offenders together in the same vehicle is not permitted. **The**

following procedures apply to all non-secure transports of offenders:

1. Non-caged vehicles are authorized for non-secure transports.
2. When transporting an offender to a non-secure location, as defined above, staff may optionally restrain the offender with mechanical restraints.In this situation, staff may utilize either chain-linked handcuff restraints or restraint belly chains with leg irons. In making this decision, staff will ensure that the use of restraints is both justifiable and desirable as trained in POSC.
3. Transporting male and female offenders together in the same vehicle is not a best practice but may be authorized by the Corrections Field Supervisor in rare situations. In making this determination, factors to consider include but are not limited to:
   - COMPAS Violent Recidivism Risk Levels of all offenders
   - COMPAS General Recidivism Risk Levels of all offenders
   - Supervision Levels of all offenders

Copyright © 2012 [WI Department of Corrections]

- History of assaultive offenses, escape, resisting/obstructing, fleeing/eluding or non-compliance in a correctional setting for all offenders
- Pending charges for all offenders
- Reason for transport for all offenders
- Staff/Subject Factors such as size, age, gender, mental health, skill level, and any other special considerations
- Duration of the transports
- Where the male and female offenders will sit, relative to each other
- Potential for victimization or other negative behaviors
- Any other relevant factors

.05 ALTERNATIVE TO REVOCATION TRANSPORTS

Offenders who are being transported to a secure facility for completion of an ATR may be considered a non-secure transport, however, consideration regarding use of offender restraints should be given to the security expectations of the receiving facility. Transports for offenders who successfully complete an ATR may also be considered non-secure transports. Offenders who are terminated from an ATR and need transport to a secure facility will fall under the guidelines for secure transports.

.06 TRANSPORT ARRANGEMENTS – OUT OF STATE

All provisions for transports outlined above apply equally to out-of-state transports. Staff should consult with a Corrections Field Supervisor or the Regional Chief/Designee prior to proceeding with out-of-state transports.

.07 TRANSPORTATION OF THIRD PARTIES

As approved by the Corrections Field Supervisor or Regional Chief/Designee, staff may transport an offender's children, community partners, victims, or witnesses when on official business. Examples may include transportation to revocation hearings, training events, and community based treatment facilities. Only DOC fleet vehicles may be utilized.

Copyright © 2012 [WI Department of Corrections]

Use of Force

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.18

.02 GENERAL STATEMENT

Whenever feasible, field staff will rely on law enforcement authorities to exercise force against offenders. If law enforcement is not available, techniques learned in (POSC) Principle of Subject Control/Intervention Options training should be exercised. Prior to engaging in the use of force, staff must make a determination that the use of force is both justifiable and desirable as trained in POSC.

.03 DEFINITIONS

In this subchapter, the following definitions apply:

a. "Bodily injury" means physical pain or injury, illness, or any impairment of physical condition.

b. "Deadly force" means force which the user reasonably believes will create a substantial risk of causing death or great bodily injury to another.

c. "Force" means the exercise of strength or power to overcome resistance or to compel another to act or refrain from acting in a particular way. It includes the use of mechanical and physical power or strength. Only so much force may be used as is reasonably necessary to achieve the objective for which it is used.

d. "Great bodily injury" means bodily injury which creates a high probability of death, which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

e. "Non-deadly force" means force which the user reasonably believes will not create a substantial risk of causing death or great bodily injury to another.

f. "Reasonably believes" means that the actor believes that a certain fact situation exists and such belief under the circumstances is reasonable even though it may be erroneous.

.04 CORPORAL PUNISHMENT

Corporal punishment of offenders is forbidden. This prohibition allows no exceptions and applies to public and private programs.

.05 NON-DEADLY FORCE

Non-deadly force may be used by field staff against offenders only if the user of force reasonably believes it is immediately necessary to realize one of the following purposes:

a. To prevent death or bodily injury to oneself or another;

b. To prevent unlawful damage to property that may result in death or bodily injury to oneself or to another;

c. To prevent an offender from fleeing the control of a field staff member;

d. To change the location of an offender; or

e. To prevent unlawful damage to property.

.06 PROCEDURE

Non-deadly force may be used to apprehend an offender or take an offender into custody only in the following manner:

a. Staff has exhausted all efforts to persuade the offender to voluntarily be taken into the custody of field staff prior to using force;

b. If the offender refuses, staff may exercise minimal physical force necessary to apprehend the offender. Minimal force should be exercised in the following way:

    1. If possible, staff should not attempt to physically handle the offender until sufficient staff are present to

Copyright © 2012 [WI Department of Corrections]

evidence a show of force;

2. The offender should again be asked to voluntarily be taken into custody;
3. If the offender refuses and the decision is made to proceed with the custody, staff may attempt to stabilize the offender using techniques trained in POSC; and
4. The offender will then be handcuffed behind his or her back, or restrained by other appropriate methods.

.07 REPORTING REQUIREMENTS

If force is used, the agent or other involved staff shall prepare a Wisconsin Integrated Corrections System (WICS) Incident Report and complete Section A of the DCC Use of Force Report (DOC-1960B) form within 1 working day of incident and forward it to the Field Supervisor.

The Field Supervisor will review and complete the WICS Incident Report and complete Section B of the DCC Use of Force Report (DOC-1960B) and forward to the Regional Chief/Designee within three working days of incident. The Regional Chief/designee will review and complete the WICS Incident Report and complete Section C of the Use of Force Report (DOC-1960B) and forward to the POSC Staff Development Specialist/Use of Force Committee within 5 working days of receipt.

The POSC Staff Development Specialist/Use of Force Committee will review the WICS Incident Report and complete Section D of the Use of Force Report (DOC-1960B) within 10 working days of receipt and forward to the Administrator/designee and the Regional Chief/designee.

The Administrator/designee shall review the completed reports and take appropriate action, if necessary, and advise the Regional Chief/designee on any and all recommendations submitted by the POSC Staff Development Specialist/Use of Force Committee.

After apprehension, the offender and staff should be checked for injury and treated by a physician if necessary. If injury resulted, a WICS Incident Report will be completed detailing the cause and extent of the injury and the treatment provided. In addition to a completed WICS Incident Report, any assaultive behavior or threats made against DOC staff shall also be documented in the Cautionary Information Section in COMPAS.

.08 DEADLY FORCE

Deadly force may not be used by field staff against offenders except to prevent death or great bodily injury to oneself or another.

Deadly force may not be used by field staff if its use creates a substantial danger or harm to innocent third parties, unless the danger created by not using such force is greater than the danger created by using it.

.09 EXCESSIVE FORCE

The use of excessive force is forbidden.

.10 INJURY REPORT

If a staff injury occurs, the employee, if able, must complete the Employee's Work Injury and Illness Report (DOA-6058) and a WICS Incident Report within 24 hours of injury, and submit the form to his/her immediate supervisor. Refer to the DOC Health and Safety Handbook for further details.

Supervisor's Responsibility: After appropriate investigation, the immediate supervisor of the employee must ensure that an Employer's First Report of Injury or Disease (WKC-12) is completed and submitted. In cases where the injured employee is unable to complete the form or when a fatality has occurred, the supervisor will complete the employee report section.

.11 OLEORESIN CAPSICUM (OC) SPRAY

Policy: In all instances, de-escalation should be attempted prior to use of OC. OC is not to be used as punishment or to facilitate offender movement. Users of OC must have completed a POSC/Intervention Options training, which includes personal exposure to OC and decontamination procedures. Only DOC approved products and delivery systems will be approved for employment related use. OC products must be used and stored according to the DOC

Copyright © 2012 [WI Department of Corrections]

policy and the manufacturer's instructions. After the workday, OC products must be stored in a locked and secured area. Medical attention must be provided immediately after exposure, once the area is secured. Documentation will be required following any use of OC spray.

Procedures:

A. Training: Authorized training for field staff in DCC will be according to the Wisconsin Department of Justice Minimum Instructional Standards-OC Aerosol Basic Training Program. Prerequisites include completion of POSC/Intervention Options training. All field staff in DCC authorized to use OC must be recertified for continued use annually.

B. Approved Products: Approved products for field staff in DCC included foam or stream delivery only. No larger than 2-ounce aerosol delivery systems with belt cases will be approved. DCC employees will not carry OC products on key rings or key chains. The propellant used must be nonflammable, and percentage of OC will be within the 5% to 10% range.

C. Authorized Use: Field staff in DCC may direct the use of OC spray toward an offender, a third person, or animal only when acting in self-defense or defense of a third person. OC use is not authorized because an offender refuses to follow orders or for the purpose of causing bodily harm or discomfort. In all instances, de-escalation should be attempted prior to use of OC.

D. Documentation: If OC spray is used, follow reporting requirements noted above. The employee must be placed on office duty pending assessment of the incident.

Copyright © 2012 [WI Department of Corrections]

Warrants for an Offender's Arrest

.01 AUTHORITY

Wisconsin Administrative Code DOC 328.01

.02 GENERAL STATEMENT

The Division will cooperate with law enforcement agencies to prevent crime and to protect the public. Agents will assist law enforcement agencies in the service and processing of outstanding capiases and warrants.

.03 CHECK FOR LOCAL WARRANTS

The agent will check for the existence of outstanding warrants with local officials, e.g. sheriff and police departments, and through the State Justice Department via the Crime Information Bureau. These checks will be done at the following times:

- During preparation of a Presentence Investigation;
- During the intake process;
- Prior to acceptance of an Interstate Compact case;
- Prior to an inmate's release to parole or mandatory release;
- Prior to recommending an Early Discharge;
- Prior to renewing a blanket travel permit;
- At other times as may be deemed appropriate.

.04 HANDLING EXISTING WARRANTS

Field Cases: If an agent determines that a warrant is outstanding, the field supervisor will be notified and professional judgment must be exercised as to the best method of handling the situation.

If the behavior that prompted the issuance of the warrant constitutes a violation of supervision, i.e. criminal behavior which occurred since reception on probation or parole, a violation investigation will ensue. If the behavior occurred prior to reception on supervision, a formal "violation investigation" is not required. However, the agent will inform the offender of the warrant and direct them to report to the proper authorities. Failure to comply with this directive is a violation of supervision and could result in the offender's detention Institution Cases: District Attorneys will generally proceed with charges even if the offender is incarcerated. Municipal charges and misdemeanors are sometimes not resolved, and warrants remain open during the offender's incarceration. Inmates can seek to satisfy these warrants with the assistance of student attorneys from the Legal Assistance to Inmates Program (LAIP). Referrals can be made by calling (608) 262-1002. Agents are encouraged to assist Institution Social Workers or inmates in clearing up any warrants prior to release from the institution. All Pre-release investigations (DOC-7e) completed by the agent shall include outstanding warrant information.

Copyright © 2012 [WI Department of Corrections]

Wisconsin Offenders in Custody on Out-of-State Violations

.01 AUTHORITY

Wisconsin Administrative Code 328

Wisconsin Administrative Code 331

Wisconsin Statutes 973.155

State v. Rohl, 160 Wis.2d 325 (1991)

Morrisey v. Brewer, 408 U.S. 471, 92 S.Ct 2593 (1972)

.02 GENERAL STATEMENT

When offenders on supervision for felony or misdemeanor Wisconsin convictions (but not under Interstate Compact) violate their supervision in another state, it may result in the offender being placed in a detention facility in the other state. These cases must be staffed with a supervisor, following the evidence-based response to violations process, to determine if the offender should be returned to Wisconsin in order to resolve the violation.

.03 DETAINERS/WARRANTS

If deciding to return the offender to Wisconsin, the agent shall notify the DCC Extradition Office at DOC Central Office in Madison. The extradition office will place the hold using the Violation Warrant/Detainer (DOC-95). If there is an active Apprehension Request at the time the offender is arrested in the other state, DOC Warrants Section will place the initial detainer via administrative message. The warrants section will notify the Extradition office of the custody, then the Extradition office will fax the Violation Warrant/Detainer (DOC-95)to the holding facility. The Monitoring Center shall then cancel any active Apprehension Request (DOC-58).

.04 INVESTIGATING THE VIOLATION

The agent shall obtain a copy of the arresting agency's incident report and check with the detaining county's District Attorney's Office for information on any pending charges.

Agents shall attempt to contact any victims and/or witnesses for a verbal or written statement. If available, Victim/Witness Services in the detaining county should be utilized for contacting victims in sensitive crime cases and may be used for all other cases as well.

.05 PRELIMINARY REVOCATION HEARING

An offender who has alleged to have committed a new crime or other rule violation(s) in another state, and whose behavior may result in a recommendation for revocation, is entitled to a Preliminary Revocation Hearing within a reasonable period of time at a location near where the violation(s) occurred.

A Preliminary Revocation Hearing is not required when:

- The offender is not being held in custody;
- It is waived by the offender in writing;
- The offender has given and signed a written statement, which admits the violation;
- There has been a finding of probable cause and the offender is bound over for trial in the other state for the same or similar conduct; or
- There has been an adjudication of guilt by a court in the other state for the same conduct that is alleged to be a violation of supervision.

.07 RETURNING OFFENDER TO WI

At such time that the offender is being held in the other state on the WI detainer only, the offender will be given the option by the detaining county to waive or contest extradition.

If the offender signed a Travel Permit (DOC-50) and the violation(s) occurred during that travel, the form includes a waiver of extradition. The agent should fax a copy of the signed Travel Permit to the DCC Extradition Office.

If the offender contests extradition, a Governor's Warrant will be issued to maintain the offender's custody until the disposition of the extradition hearing.

If the offender contests extradition and the court in the detaining county orders the offender extradited, the DCC Extradition Office will arrange for the offender to be returned to a Wisconsin detention facility.

If the offender contests extradition and the court in the detaining county orders the offender released, the agent will be notified and must reissue an Apprehension Request (DOC-58) after staffing with the supervisor.

If the offender waives extradition, the agent shall, after consulting the supervisor, notify the DCC Extradition Office personnel as to:

- Whether the offender will be transported to Wisconsin through a local agreement between the area office and the other state, or

if the DCC Extradition Office needs to arrange for the offender's return to a Wisconsin facility.

- If the DCC Extradition Office arranges transport, the agent must designate whether the offender should be transported to the Dodge Correctional Institution or the detention facility in the Wisconsin county of supervision. Offenders on probation will only be transported to the detention facility in the Wisconsin county of supervision.

- The DCC Extradition Office will give the agent written transport information. The "Return of Parole Violator to Wisconsin" memo will include the deadline date for the offender to be picked up from the detaining agency, the transport number, as well as the cost of the transport. This information is always available by contacting DCC Extradition Office personnel.

The agent should make contact with designated detention facility to advise them of the offenders pending arrival, and to verify that the offender has been returned to Wisconsin.

.08 CUSTODY/REVOCATION TIME FRAME

The same custody and/or revocation time frames apply in these cases, however the time frame begins on the date the offender arrived in a Wisconsin facility.

.09 CUSTODY CREDIT

When applying custody credit for offenders arrested/convicted and in custody in another state, the following applies:

- Offenders arrested on a WI Apprehension Request, without new charges, get custody credit from the date of arrest.

- Offenders arrested on a WI Apprehension Request, with new charges that result in prison, get custody credit from the date of arrest until they are sentenced to prison, if the sentence in the foreign jurisdiction is deemed concurrent. If the sentence in the foreign jurisdiction specifically states that it is consecutive and the offender is given presentence credit in the foreign jurisdiction, then no custody credit is due. (Agents should include the JOC from the foreign jurisdiction in the hearing packet so this can be accurately determined)
- Offenders arrested on a WI Apprehension Request, with new charges that result in probation, get custody credit from the date of arrest.
- Offenders arrested on a WI Apprehension Request, with new charges that result in a jail sentence, get custody credit from the date of arrest until they are sentenced to jail. They do not get custody credit during the time they are actually serving the jail sentence. They would again begin to get custody credit from the date they finish serving the sentence and are made available to WI.
- Offenders arrested on a WI Apprehension Request, with new charges that result in time served, get custody credit from the date of arrest.
- Offenders get custody credit from the date they are released in the foreign jurisdiction and made available to WI.
- Offenders arrested, convicted and sentenced on new charges in a foreign jurisdiction, for which WI never had an apprehension request nor placed a violation warrant are not entitled to pre-sentence credit on the WI case. (Be careful that the offender was not detained by the agent in the other state at our request).
- Offenders are not entitled to credit for time spent in prison serving a sentence in a foreign jurisdiction.

.10 REPAYMENT OF TRANSPORTATION COSTS

An extradited offender may be given a formal Alternative to Revocation that includes the repayment of contracted transportation costs.

Repayment by the offender must be voluntary. In probation cases only, the agent may request an amendment of the conditions of supervision to include repayment of extradition costs.

Payments must be made with a money order or cashier's check made payable to the "Department of Corrections."

The offender submits these payments to the agent who routes them to:

DCC Business Office

3099 E. Washington Avenue

P.O. Box 7925

Madison, WI 53707-7925

A note must accompany the payment and should include:

- Offender's name
- Offender's DOC number
- The month and year of the transport
- Vendor transport number (optional)
- Indication that the funds are to cover vendor transportation costs.

If conditions of probation are amended by the court to include repayment of transportation costs, the payments can be receipted and sent to the DOC Cashier by DCC area office staff, like other court-ordered financial obligations, noting that the funds are to cover vendor transportation costs. The DOC Cashier will then route the payment to the DCC Business Office.

It is the agent's responsibility to record these payments in COMPAS notes.

Women's Risk/Needs Assessment

Introduction

As the Wisconsin Department of Corrections (DOC) continues to implement evidence-based risk/need assessment protocols, research suggests it is important to adhere to the responsivity principle. The responsivity principle indicates a benefit is derived when accommodations are made based on the individual characteristics presented by offenders. Gender is one such characteristic that warrants consideration in all facets of case management.
The addition of the Women's Risk/Need Assessments to the COMPAS suite enables Wisconsin DOC to:

1. Gain additional gender-responsive need information at an aggregate level to inform future treatment services.
2. Apply gender-responsive assessment principles to the targeted female offender population.

The Women's risk/needs assessments will enable identification of such needs as:

- Trauma and abuse
- Unhealthy relationships
- Parental stress
- Depression
- Self-efficacy

Current mental health symptoms

Additionally, the Women's Risk/Needs Assessment results will delineate each inmate's strength scales, as well as needs scales. Inmate strength and needs scales will be used to promote and ensure gender responsivity in correctional practices including, but not limited to, inmate classification, unified case planning, and program delivery.

Process

1. The Women's Core Assessment will be administered to all female intakes to the Wisconsin Women's Correctional System (WWCS) in DAI. In DCC, only Region 3 agents specifically trained in the use of the Women's Risk/Needs Assessment shall complete a Women's Core Assessment. The assessment contains 114 additional gender-responsive questions added to the end of the traditional COMPAS Core.
2. The initial (traditional) 137 COMPAS Core questions of the Women's Core will be administered to newly admitted Wisconsin Women's Correctional System (WWCS) inmates by the Offender Classification Specialist/LTE. Upon completion of this first set of questions, the OCS/LTE will calculate the assessment and choose "Multi-Stage Assessment" as reason for incomplete assessment. In order to access the COMPAS Risk Level Recommendation, click on the "Supervision Recommendation" tab. This will allow the OCS/LTE to complete the initial classification process.
3. Once this is complete, the assigned Social Worker will complete the gender-responsive section of the assessment (questions 138 through end) in conjunction with the development of the case plan. This is intended to be within 90 days post-intake.
4. The Women's Reentry Assessment will be utilized for inmates releasing as long as they served a minimum of 12 months in DAI prior to completing the Women's Reentry Assessment. This assessment will be completed by the assigned Social Worker within 9 months of release.
5. Proper utilization of the Women's Core Assessment also calls for a formal reassessment process. After initial assessment, the assigned Social Worker/Case Manager will conduct a reassessment annually. Only the gender-responsive scales will need to be re-administered on this timeline. The Social Worker/Case Manager will access the most recent Women's Core Assessment, copy it forward into a new assessment, and review questions 138 - 251 with the inmate, making revisions as needed.

Copyright © 2012 [WI Department of Corrections]

6. The Women's Core Assessment scales will be considered during the course of program delivery. Likewise, they shall inform the development of the offender's case plan while confined and when in the community. DAI Social Workers shall collaborate with DCC Agents to ensure continuity of case planning efforts.

0. *****Due to the initial pilot deployment, DCC P&P Agents outside of the target pilot units in Region 3 will not be trained in the use of the Women's Risk/Needs Assessments. Any additional gender-responsive need scales can be taken under advisement, however formalized case planning related to these need areas should not occur. This pertains to the gender-responsive scales below:**

Anger/Hostility	**Conflict with Family of Origin**
Gender-Responsive Employment/Financial	**Experiences of Abuse as a Child**
Experiences of Abuse as an Adult	**History of Mental Illness**
Housing Safety	**Mental Health: Current Symptoms of Depression**
Mental Health: Current Symptoms of Psychosis	**Parental Involvement Strengths**
Parental Stress	**Relationship Difficulties**
Sexual Abuse	**Post-Traumatic Stress Disorder**
Relationship Stability	**Physical Abuse**
Relationship Support	**Self-Efficacy Strengths**
Support from Family of Origin Strengths	**Educational Needs**

In the event of transition to a non-pilot site (either from DAI or Region 3), the sending and receiving case manager shall discuss the case plan and related goals for continuation versus completion or temporary suspension given the receiving case manager's "non-pilot" status. Goals/tasks/activities determined to be discontinued shall be ended in the offender's case plan and identified with a completion code of "Closed." In addition, a case plan note shall be entered documenting the status and reason for closure.

As the need for future assessment arises (re-assessment, PSI, etc.) outside of the targeted pilot site, the Women's Core or Reentry Assessment should be copied into a traditional COMPAS Core.

Please note that if you have not received the gender-responsive assessment training, you shall not administer the assessment.

7. The Women's risk/need assessments enable assessment and identification of adverse childhood experiences and, as such, the Adverse Childhood Experience (ACE) questionnaire will not be administered in conjunction with the Women's Risk/Need Assessments.

Roles

WWCS staff: Social Worker; Treatment Specialist; Corrections Program Supervisor; Institution Social Services Director; Psychologist; Psychological Services Supervisor; Superintendent; Deputy Warden; Warden – WWCS Staff Directory

WWRC staff: Social Worker; Treatment Specialist; Corrections Unit Supervisor; Psychologist; Psychological Services Supervisor; Deputy Superintendent; Superintendent – WWRC Staff Directory

BOCM staff: Offender Classification Specialist; Sector Chief; Director - BOCM Staff Directory

DCC staff: Agent; Corrections Field Supervisor; Assistant Regional Chief; Regional Chief – DCC, Region 3 Staff Directory

Information Sources

Official records to be consulted prior to the completion of the Women's Risk/Need Assessment may include, but are not limited to:

Criminal Complaint; Police Reports; Pre-sentence Investigation Report; Judgment of Conviction; T-File; Prior Record (Portal 100); Violation Reports; Program Discharge Summary Reports; Mental Health Reports; Conduct Reports; Inmate Classification Summary Reports; Prior Assessment/Evaluation Reports

Internal/external information sources to be consulted prior to completion of the Women's Risk/Need Assessment may include, but are not limited to:

Victims; Family Members; Institution Social Workers; Agents; Psychological Services Staff; Program Providers; Educators; Employers; Security Staff; Health Services Staff

Authority

Chapter DOC 302; Assessment and Evaluation, Security Classification and Sentence Computation

Chapter DOC 328; Adult Field Supervision

Timeline

The pilot implementation of the Women's Risk/Needs Assessments will commence on February 8, 2016 and run through September, 2016 at which point the Gender-Responsive Assessment Team will analyze initial results and make recommendations for continuation and/or expansion.

Initial implementation of the Women's Risk/Need Assessments will not include administration to offenders supervised by the Division of Juvenile Corrections.

Copyright © 2012 [WI Department of Corrections]

Division of Juvenile Corrections (DJC) - Supervision

Copyright © 2012 [WI Department of Corrections]

Supervision Process

5 JPRC Conferences and OJOR Decisions
6 ICP, Progress Summary & Program Activity Documentation
7 JCI Programs
8 Leaves from JCI, Transfers Between JCIs, and Care Transfers
10 Re-Entry Planning
11 Victim/Witness Notification and Services
13 Community Supervision of VCSP & SJOP Youth & Sex Offenders
14 Supervision of Youth in a Type 2 CCI
15 Sanctions, Administrative Detention and Termination of Type 2 Supervision
16 Supervision of Youth on Aftercare
17 Violations and Revocation of Aftercare Supervision
19 Interstate Compact on Juveniles and Travel Permits
20 Youth with Adult Convictions
21 Financial Obligations of Youth
22 Sex Offenders-Legal Requirements
24 Observation Status & Administrative Confinement in a JCI
28 Case Management System/Transition Audit Procedures

Copyright © 2012 [WI Department of Corrections]

5 - JPRC Conferences and OJOR Decisions

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

• Overview	• JPRC Members
• Formal Reviews (Conferences)	• Roles/Responsibilities at Formal Review
• Broad Program Goals	• OJOR Decisions
• Recommendation for a Case Action	• Appeal of Decisions
• Informal Reviews (Routines)	

Forms Discussed in this Chapter

• Department Order (DOC-1722)	• Community Supervision Plan (DOC-1736)	• Appeal Review and Decision (DOC-1752)
• Action Needed Request (DOC-1734)	• Lifework Education Portfolio Checklist (DOC-2313)	• Joint Planning and Review Committee Outcomes (DOC-2539)
•		

The DOC-1752 and DOC-2313 forms are accessed in MyDOC as Word documents. All of the other above-listed forms must be completed in JJIS, except the DOC-2539, which is filled out by hand.

Overview

Role of JPRC

The Joint Planning and Review Committee **(JPRC)** members play an **integral role** in the case management process while a youth is in a JCI. The JPRC committee meets for the first time at the conclusion of the A&E process [see Chapter 4] to establish the youth's initial **broad goals** and to discuss ideas regarding the youth's **community supervision plan and/or extension** of the youth's commitment order.

At **subsequent** conferences, the JPRC reviews **the youth's COMPAS case plan and case plan summary notes, education progress summary** [see Chapter 6], Lifework Education Portfolio Checklist, and other relevant information to determine if the youth's goals require modification. Development of the youth's community supervision plan continues to be discussed.

Decision Making

The JPRC attempts to make decisions by consensus. If a consensus cannot be reached regarding release, transfer, discharge and/or extension, the OJOR reviewer makes the decisions on behalf of the OJOR Director.

The Office of Juvenile Offender Review (OJOR) issues a formal Department Order (DOC-1722A) via JJIS regarding the decisions about youth.

JPRC Members

Formal Members

JPRC members include a county representative from the youth's committing county **(county liaison)**, the JCI **social worker**, the **DJC agent** (if assigned), and an **OJOR reviewer**. A reviewer works at an assigned JCI, but is supervised by the OJOR director in DJC Central Office, rather than by the JCI superintendent. JPRC members attend all JPRC conferences in person, by telephone, or videoconference.

Informal Members

OJOR invites parent(s) and the youth to participate in the formal reviews, but they are not formal voting committee members. JPRC members may meet without the youth and/or parent(s) present before and/or after the portion of the conference attended by the youth and/or parent(s). With approval of the OJOR reviewers, representatives (formal and informal supports) may attend the JPRC such as a mentor, close relative, therapist or representative from a community service provider. Translation and interpretation services will be provided when needed to accommodate youth and/or parents/guardians with Limited English Proficiency (LEP). Requests by parents to bring an attorney to a JPRC shall be discussed with the OJOR Director.

Formal Reviews

Initial and Subsequent Conferences

When Required

The **initial JPRC conference** takes place within 21 days **following a youth's admission** to a JCI.

JPRC conducts a **formal review/conference at least every 3 months for all youth in a JCI (3-6 months for**

SJO youth).

Purpose

Staff people often refer to a formal JPRC review as an "OJOR" because OJOR chairs the review and issues the Department Order (DOC-1722A) based on decisions reached during a JPRC conference. The focus of formal reviews includes the **youth's progress in achieving the goals in his or her COMPAS case plan, and appropriateness of release, transfer, discharge or extension.**

Routines: see section at end of chapter that explains informal conferences (routines).

Roles and Responsibilities at Formal Conferences (Reviews)

OJOR Reviewer: Initial and Subsequent Conferences

Conducting Conference

- Open the meeting, state its purpose, introduce those in attendance and **chair the conference**.
- **Ask** participating **members to provide information** and offer recommendations regarding the youth.
- Note if a **victim/witness request** is on file when a youth is being considered for release, transfer, or discharge.
- **Encourage youth and parents to participate** jointly in the process. If this is not feasible interview them separately and share the results of the interview.
- Be sure to include information from the youth and parent(s) during the conference.
- **Facilitate discussion and agreement** among the participants regarding broad **goals**, general timelines for accomplishment of goals and **tentative length of stay in the JCI**.
- Review and discuss Lifework Education Portfolio and/or Checklist (DOC-2313) with youth and JPRC participants.
- Determine time frame (30 to 180 days) for the next review and whether it will be formal or a routine (informal). Informal reviews are used only for SJO youth.

  Determine eligibility for transition phase.

  When requested by the OJOR Reviewer, complete form DOC-2539, Joint Planning and Review Conference Outcome, to document agreement or disagreement of any listed participant.

Issues Department Order

At the end of a JPRC, OJOR issues a Department Order (**DOC-1722A**) along with Comments & Observations that summarize the results of the review including the following information:

- Youth's broad goals
- Decisions regarding release to aftercare, administrative transfer, request for extension, or administrative discharge
  - **Initial JPRC Review**
    - Placement: During A&E, youth are in the "reception" cottage/living unit at the JCI. At the conclusion of the **initial JPRC conference**, OJOR generally issues a Department Order (DOC-1722A) that **transfers the youth from "reception" to a JCI**.
    - In most cases, placement is at the JCI where the youth completed his or her A&E. However, for programming purposes OJOR may recommend that a youth be placed at a different JCI. In unusual circumstances OJOR may release a youth to community supervision without a further stay at a JCI.
    - Pending charges (include any known information about pending charges: juvenile or adult, in or out of state.)
    - OJOR reviewer writes a **narrative summary** regarding the youth's progress and difficulties since

admission and addresses the youth's court-ordered miscellaneous provisions, transition phase, release, transfer, discharge, and extension.

- Schedule next Review: States time frame for next review and type of review, i.e., formal or routine.

- **Subsequent formal JPRC Reviews:**
  Department Order reflects **broad goals** and provides a **narrative summary** of the youth's progress and difficulties since the last review.
- Contains decisions regarding goals and transition phase, release, transfer, discharge, and extension. States
- time frame for next review and type of review, i.e., formal or routine.

Social Worker: Initial JPRC

- At least 7 working days prior to the initial JPRC, complete the COMPAS-youth assessment.
- At least 7 **working days prior** to the initial JPRC, complete the AER (DOC-1910) in JJIS. [see Chapter 4]
- Pending charges (include any known information about pending charges: juvenile or adult, in or out of state.)

  Forward the A&E documents to the county as soon as the documents are completed in COMPAS and JJIS.
- Briefly **summarize** the information contained in the **AER** (DOC-1910), education testing, and any other A&E
- information.

  Discuss questions/issues raised by the A&E process.
- Share information with the members about the **youth's adjustment and conduct during the A&E** process
- including an assessment of possible reasons for the behaviors observed.

  Discuss results of **career development assessments**.
- Make **recommendations** concerning transition phase, **release, transfer, discharge or extension of the youth.**

  Discuss JCI's recommendations concerning **priority of COMPAS goals based on criminogenic factors as well as other needs to be addressed by the JCI.**

Agent: Initial JPRC

- At least 3 **working days prior** to the initial JPRC, the state agent, if assigned, **completes in JJIS the**
- **required A&E** documentation and performs other assigned A&E tasks. [see Chapter 4]

  Forward the A&E documents to the county as soon as the documents are completed in JJIS.
- A county agent from a county that provides its own community supervision completes the DOC forms or ones similar and brings them to the JPRC along with other relevant documents.
- **Summarize** the results of the **FHA** (state agent) or similar form (county agent), and clarify issues and questions
- as needed.
- Become familiar with the **results of LifeWork Education assessments** administered during A&E.

  Interact with the youth during the conference to establish relationship with him or her.
- Discuss the **viability of the home as a future placement** for the youth explaining the impediments, if any, to the youth returning home; i.e., what would have to change for the placement to be feasible.

  Make **recommendations** concerning transition phase, release, transfer, discharge or extension of the youth. **Social**

  Worker: Subsequent Conferences

- At least 7 **days prior** to subsequent conferences, the social worker completes Summary Case Plan Notes related to each task in the COMPAS case plan. (See Chapter 6 for instructions on building a quarterly progress summary in COMPAS).
- Social worker forwards the case plan and notes to the county immediately upon completion in COMPAS. Discuss
- **youth's progress**, adjustment and conduct since the last conference.
- Address the status of any requirements placed on the youth or DJC in the court order, e.g., restitution, victim apology letter, SORP/DNA, psychological assessment.

Make **recommendations** regarding changes in COMPAS goals and tasks, **transition phase, and movement of the youth** out of the JCI or extension issues.

Agent: Subsequent Conferences

- Prior to subsequent conferences, the agent (county or state) **reviews the youth's progress** since the last review including case plan and task notes from the JCI, Department Orders (DOC-1722A), etc.
- DJC agent provides information regarding **required contacts** with youth and family since the previous conference. (Contact standards for youth in Transition Phase are in Chapter 10.)

Person(s) to Contact	Nature of Contact	Frequency of Contact
• Youth	• Face-to-face	• Once every 3 months
• Parent/Guardian	• Face-to-face or telephone	• Once every 2 months
• JCI Staff	• Face-to-face or telephone	• Once every 2 months

- **Interact with youth** to obtain the youth's thoughts about his or her progress and community placement plans.
- Be prepared to discuss any **changes in community supervision plans** since the prior formal review conference.

Prepare and **distribute the Community Supervision Plan** (DOC-1736) in JJIS **when requested** by OJOR under s.938.357(4g).

Youth and Parent/Guardian: at all conferences

- Briefly share own **perceptions of needs and strengths** of youth and family.
- Express **opinion** regarding **programs and services** in which the youth wishes to participate.
- Discuss youth's **progress** in meeting goals and objectives.
- Discuss changes in family situation since last review, if any.
- Discuss **views on returning to the community**.

Ask **questions**.

Scheduling of JPRC Conferences

Formal

OJOR staff in Central Office schedule the formal JPRC conferences to ensure that legal time lines are met. OJOR-CO provides notice of the meeting time and location via JJIS to DJC staff, by standardized (JJIS) letter to the parent/guardian, and by mail or e-mail to other non-DJC individuals.

Routines

OJOR staff in Central Office notify OJOR reviewers of the week in which they must meet with a youth to ensure that legal timelines are followed.

Broad (Standard) Program Goals

Selection of Initial Goals

At the initial JPRC, the JPRC members **establish the youth's broad goals**. They discuss the youth's general treatment programs and services needs taking into account input from the youth and parent/guardian. The broad goals are consistent with the information contained in A&E documentation regarding criminogenic factors. Usually, a **youth works on no more than 4-4 goals at a time**. [see Chapter 6]

Broad Goals - JJIS

During the youth's supervision with DJC, the goals may change to reflect the youth's progress and/or newly identified program needs.

A. Show achievement in my LifeWork Education program by working to my fullest potential.

B. Contribute to a safe and supportive living environment in my home and community.

C. Learn how to identify and express my feelings appropriately and honestly.

D. Develop good decision-making and problem solving skills.

E. Attain a substance-free lifestyle and understand the impact of substance abuse on others and myself.

F. Display a positive attitude and accept personal responsibility for all my actions.

G. Develop basic parenting skills by learning how to meet a child's physical and emotional needs.

H. Develop positive relationships with peers, authority figures and other adults.

I. Learn basic daily living skills.

J. Learn about responsible and appropriate sexual behavior.

K. Learn what is needed to maintain good physical and mental health.

Broad Goals – COMPAS

P. Learn to manage your thoughts and feelings so you can handle risky situations.

Q. Make positive changes in your behavior.

R. Spend time with people who help you stay out of trouble.

S. Strengthen positive family relationships and learn parenting skills.

T. Participate fully in academic, career, technical/vocational education and improve your reading, writing, and job skills.

U. Participate in positive recreation and leisure-time activities.

V. Avoid illegal substance use and increase positive coping skills.

W. Develop responsible sexual thinking and behavior.

Normally a youth who has not completed high school or a GED/HSED will have goal pertaining to school.However, a youth may not be assigned this goal if s/he did not have past problems with school behavior, attendance or achievement, and/or if other needs are scored higher by COMPAS.

Modification of Goals

During the youth's DJC supervision, different goals may be included in the youth's ICCP. The **changes are based upon a youth's progress** in meeting the established goals. The Department Order (DOC-1722a) issued by OJOR reflects the changes. [see Chapter 6]

OJOR Decisions: Youth in JCI

Types of Decisions

Release Authority

OJOR is the statutorily authorized release authority. JPRC members make recommendations to the OJOR reviewer regarding goals, placement in transition phase, movement of the youth out of the JCI, extension, and discharge

Copyright © 2012 [WI Department of Corrections]

from supervision. OJOR reviewer issues the DOC-1722a within 7 days of a formal or routine conference.

Movement Decisions

- **Transfer from "Reception"** (unit/cottage where youth was during A&E) to a JCI, and subsequent retention in a JCI
- **Placement in transition phase** – all youth are placed in a 90-day transition phase prior to release/transfer from a JCI to any other placement.
- **Administrative transfer to type 2 status** in the community (CSP, Type 2 RCC, community phase of SJOP)

Release to community supervision

Special Conditions of Release

OJOR may set special **conditions of community release** such as requiring participation in a specific program:For example, OJOR may require a youth to participate in sex offender or AODA treatment in the community.Typically, however, the agent makes decisions regarding community programs.

Category of Placement

OJOR determines, with input from JPRC members, youth and parent/guardian, the type of community placement such as **own home, foster home, group home, Residential Care Center (RCC), or Community Supervision.**

Extension

- A primary DJC goal is for youth to **complete a period of successful community supervision in the living situation in which the youth will remain after the termination of his or her correctional supervision**.
- To accomplish this goal and/or provide time to progress in treatment, OJOR may order the filing of an extension petition requesting that the dispositional order be extended to allow additional commitment time for a youth to participate in a needed continuum of services and levels of supervision. [see Chapter 9]

Recommendation for a Case Action

To Propose an Action

A **JPRC member** may **complete an ANR** (DOC-1734) in JJIS or otherwise notify OJOR to **propose a case action** at any time. Examples of case actions include release to community supervision, administrative transfer to type 2 status, extension of the youth's Dispositional Order, or administrative discharge of the youth's Dispositional Order. Codes for placement in transition phase are as follows:

*EACP-T = Elig Alternate Care/Place In Transition Phase
*ECSP-T = Elig Corrective Sanctions/Place In Transition Phase
*EOHP-T = Elig Own Home/Place In Transition Phase
*ERHP-T = Elig Relative Home/Place In Transition Phase
*ET2-T = Eligible Type 2/Place In Transition Phase
*RTN-T = Retain/Place In Transition Phase
*RTNEX-T=Retain To Expiration/Place In Transition Phase
*TRANS-T = Transfer From Reception/Place In Transition Phase

Case Plan Update/Progress Summary

A COMPAS case plan update or JJIS progress summary must be completed if the last JPRC conference was more than 30 days prior to release, if there has been a significant change in youth circumstances or release plan, or if requested by OJOR.

Decision

If **JPRC members agree** with the proposed action by signing the form, or agreeing per email or telephone, **no formal review is needed**. OJOR will generally convene a formal review if one or more JPRC members disagree with the proposed action.

Copyright © 2012 [WI Department of Corrections]

Parent/Youth Request

The parent/guardian or the youth may ask the JCI social worker or agent/county liaison to propose a case action relating to the youth if a significant change in circumstances has occurred that would justify the action.

Appeal of OJOR Decisions

Appeal By Parent/Guardian And Youth

Parents/guardians and youth do not have the same formal appeal rights as does a JPRC member. However, agents, social workers and OJOR reviewer should inform parents/guardians and youth of the option described below.

- Provide the person with the name and address of the OJOR director.
- Explain that the dissatisfied individual should write a letter to the OJOR director.
- OJOR director reviews the case and responds in writing within 7 days of receiving the letter.

Decisions a JPRC Member May Appeal

Any JPRC member may appeal the following OJOR decisions:

- Decision to place a youth into the transition phase with the exception of youth placed in transition 90 days prior to discharge or 90 days prior to the end of Type 1 time.
- Decision to retain, release, or administratively transfer a youth.
- Decision to return the youth to court for an extension of supervision.

Formal Appeal Procedures

JPRC Member Files an Appeal

- JPRC members are expected to state their intention to file an appeal during the formal conference, in order to provide the opportunity for feedback from other members.
- After discussing his or her concerns with his or her supervisor, a JPRC member prepares a written request for review and sends it to the OJOR director within 7 days after receipt of the Department Order (DOC-1722a). The following attachments may be included:

• Face Sheet (DOC-1701)	• AER (DOC-1933)
• Most recent Progress Summary (DOC-1941)	• FHA (DOC-1939)
• Dispositional Order	• Dispositional Report
• Current psychological reports	• Lifework Education Portfolio Checklist (DOC-2313)

Role of OJOR and Administrator

- OJOR **director drafts a recommended response for the DJC administrator**.
- After consultation with the OJOR director, the DJC administrator issues a final decision in writing within 7 days of receiving the request.
- OJOR **distributes the administrator's decision to all JPRC members** via an Appeal Review and Decision form (DOC-1752).

Appeal by County: If a county wishes to appeal, the OJOR reviewer helps the county obtain the documents needed to prepare the appeal.

Routines (Informal Reviews) in a JCI

Scheduling of Routines

Timing of Routines

For Serious Juvenile Offender youth, routines take place approximately 3 months following a formal review, but may occur at any time within 180 days based upon the most recent Department Order (DOC-1722a) issued by the OJOR reviewer.

Scheduling and Notice of Routines

- **OJOR Central notifies the reviewer** of the week in which a routine should be held.
- The **reviewer gives the youth prior notice** regarding the week in which the review will take place.
- **JPRC members may offer input to the OJOR reviewer** prior to or after the review regarding the youth's progress with respect to his or her ICCP and overall conduct.

Action After a Routine

If not recommended in the Progress Summary and OJOR wishes to make a youth eligible for transition, release, transfer or discharge, or to request an extension of the commitment, the OJOR reviewer consults with all JPRC members.If an agreement regarding the proposed action cannot be reached, a formal conference may be scheduled.

OJOR Decisions: Youth in the Community

- JPRC conferences are not held when a youth is on community supervision.

OJOR continues to issue Department Orders in some cases such as an administrative transfer of a youth from type 2 status to type 1 following termination of type 2 status or release from type 2 status to aftercare.

Copyright © 2012 [WI Department of Corrections]

6 - ICCP, Case Plan Update and Program Activity Documentation

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Core Elements Of The Case Management System	• Overview of ICCP
• Writing An ICCP	• ICCP Due Dates
• Instructions For Completing DOC-1907	• Case Plan Update
• Program Activity Document	• Caseworker Face-to-Face Contact Requirement

Forms Discussed in this Chapter

• Individual COMPAS Case Plan	• Case Plan Update
• COMPAS Case Plan Update	• COMPAS Notes
• Department Order (DOC-1722a)	• Youth Report (DOC-1943)
• Lifework Education Portfolio Checklist (DOC-2313)	• Community Supervision Plan (DOC-1736)
• A Plan for Healthy Living (DOC-2589)	• Youth's Release Action Plan (DOC-2312)
	• Documentation of Caseworker Face-to-Face (CFS 2427

At the point of Divisional intersections, DAI, DCC, and DJC case managers shall facilitate a seamless Unified Case Plan transition as the offender moves from one division to the other, or within an existing Division. Examples of transitions include, but are not limited to, release from DAI to DCC, revocation from DCC to DAI, and transfers from one P&P Agent/Social Worker to another.

When the offender is exiting an existing Division or transferring within the same Division, the sending case manager shall review all incomplete tasks/activities and select the Completion Code of Unsuccessful for any that were unsuccessful (failed) as a direct result of the offender's actions or lack thereof. All other incomplete tasks and activities shall be left open for potential continuation in the receiving location. The receiving case manager shall then review the existing incomplete tasks/activities for potential continuation. The receiving case manager also has the option to start new tasks/activities based on Division or site-specific programs or services. In the event that an incomplete task/activity is no longer applicable, the receiving case manager shall close the task/activity by selecting the Completion Code of Closed. Any time a task or activity is updated or closed, a task note shall be created, documenting the action. Note, during the transition the goal should generally remain the same, as it is primarily driven by the assessment and not Division-specific.

In the case of transition from DJC to an adult Division, the receiving Division's case manager shall create a new case (Lifecycle) and case plan because the juvenile case plan will be closed at the same time as the case (Lifecycle) is closed. The case manager shall review the previous juvenile case plan for continuity and to avoid redundancy when creating the new case plan based on an adult assessment.

Core Elements of the Case Management System

The **Individual COMPAS Case Plan** (ICCP), **Case Plan Updates** and **program activity documentation** form the core elements of the case management system. The quality of an ICCP is an important factor and evidence-based practice for determining whether a youth will successfully reintegrate into the community when DJC supervision ends.

Each youth receives a COMPAS assessment which allows staff to build a COMPAS case plan that addresses criminogenic needs. Staff consultation regarding this case plan, attentiveness towards youth goals, providing ongoing updates via completion of COMPAS case plan updates and program activity documentation plays a vital role in the youth's success in accomplishing his or her goals and objectives.

Overview of ICCP

Developed and written by the social worker or agent in collaboration with the youth.

- Describes the youth's criminogenic needs as identified by COMPAS Wisconsin Youth, Primary Needs or Re-entry assessment.
- Describes the youth's strengths and interests as identified by youth and staff.
- Lists possible community transition/placement options for the youth.
- Includes the broad goals chosen for the youth
- Describes the objectives, interventions and/or tasks needed to reach all broad goals.
- Reviewed and updated on a regular basis.

Does not include JCI conduct rules, or conditions and rules of community supervision.

Instructions for Completing ICCP

Introduction

Social work staff will need to receive formal training to receive a COMPAS log in. This will be arranged through your supervisor and the Department of Corrections.

COMPAS Assessment

A COMPAS assessment will be completed by the reception social worker about 5 working days before the initial JPRC. This assessment reviews criminal history, criminogenic needs and youth perspective and interview questions. This will provide an evidence-based summary of what a youth's greatest needs and highest risks are.

Case Plan

Based upon the results of the COMPAS assessment results, the JPRC committee will select no more than 4 broad goals for the youth to address their identified needs. The social worker will develop the ICCP by selecting tasks (in COMPAS) that the youth will need to complete to reach these goals. Each task will have activities assigned to help the youth work towards each goal. These tasks may also be customized (in COMPAS) to further meet the needs of the youth.

Case Plan Updates

Every 90 days, or sooner depending on any significant changes, a youth's case plan will be updated in COMPAS. The social worker will review youth progress and document under appropriate case plan notes an update of progress in that area. Youth goals and tasks will be revised based upon the changes in the youth's progress, behaviors and/or needs.

Community Transition/Placement Plan

Social worker should list at least 2 specific community supervision placement options for the youth, if appropriate. Initially, this is based upon information gathered by the social worker and agent during A & E. During the course of the youth's placement at a JCI, the plan may need updating as circumstances change and staff become more familiar with the youth and his or her family.

Copyright © 2012 [WI Department of Corrections]

OJOR may also request that an agent complete a Community Supervision Plan (DOC-1736) while the youth is at a JCI. [*see Chapters 5 & 10*] The Plan may result in revisions of the ICCP.

Last Review Date and Scheduled Review Period

Mentions when youth's last JPRC was held and the time period for his/her next review.
Most objectives should be able to be completed before the next scheduled review. Some objectives may be ongoing and can transfer over onto subsequent ICCP's.

Goals and Tasks

- An ICCP should only contain a minimum of 2 and no more than 4 broad goals.
- Tasks under each goal must meet the SMART criteria.
- Each task will have defined activities that will help the youth achieve the task.
- Each task includes a referral date for the activity and a start date for when the activity begins.
- Each task also includes hours for when the youth will participate in the activity.
- An end date states the date the youth completed the objective.
  A completion code may be entered as a final status for the activity.

SIGNATURES: Social worker or agent, and youth must sign the ICCP. If the youth refuses, the social worker or agent notes on the ICCP that youth refused to sign, and then the social worker or agent signs and dates the form. The youth is still expected to work on his/her ICCP regardless of whether he/she signed it.

Writing an ICCP

Broad (Standard) Goals

First Goals

- A completed COMPAS Wisconsin Youth Assessment will be used for the initial JPRC meeting.
- JPRC members will use the assessment results to establish criminogenic needs and the first set of broad goals for a youth at the initial JPRC. Each youth works on no more than 4 broad goals at a time
- OJOR issues a Department Order (DOC-1722a) [see Chapter 5] which lists the youth's initial broad goals.

Revision of Goals

As a youth achieves goals/objectives or the social worker/agent believes a goal is unrealistic for the youth, he or she initiates revisions to the ICCP to be consistent with the changing broad goal(s). Goals may be changed at any point during the youth's DJC supervision.

Copyright © 2012 [WI Department of Corrections]

Broad Goals

P. Learn to manage your thoughts and feelings so you can handle risky situations.

Q. Make positive changes in your behavior.

R. Spend time with people who help you stay out of trouble.

S. Strengthen positive family relationships and learn parenting skills.

T. Participate fully in academic, career, technical,/vocational education and improve your reading, writing and job skills.

U. Participate in positive recreation and leisure-time activities.

V. Avoid illegal substance use and increase positive coping skills.

W. Develop responsible sexual thinking and behavior.

Preparing to Write Goals and Tasks

Review Youth's Social Services or Field File

Prior to meeting with a youth to develop an ICCP for the first time, the social worker or agent should **carefully review the youth's social services or field file.** [see Chapter 3] The file information assists staff to **understand a youth's needs and strengths**, history of delinquent behaviors, family dynamics and prior programming. The social worker will also review the initial COMPAS Wisconsin Youth Assessment results and recommended goals from the initial JPRC meeting. A sound ICCP cannot be developed without understanding the youth as an individual. It should be tailored to meet the youth's criminogenic needs, level of risks, while also building upon his or her strengths.

For example, if a youth only reads and writes at a 3rd grade level, an ICCP probably should not expect the youth to write a detailed 5-page history of his or her delinquent behavior; if a youth has an attention deficit disorder, each objective/task should be achievable in a short period of time; or if a youth has a history of frequent aggressive behavior, it would be unrealistic to expect zero incidents of aggressive behavior within the first few months of the youth's stay at a JCI. If a youth has a history of family criminality, the goal or task should target learning to strengthen positive family relationships and learn parenting skills. The **youth's overall risks and identified criminogenic needs form the foundation for developing a realistic ICCP for the youth.**

As a social worker or agent reviews a file, he or she should also pay careful attention to the youth's strengths and interests. These can be used to encourage and motivate the youth. A strength may be that a youth has attended school regularly, has not abused drugs, or that the youth's friends were not gang members.

Youth Involvement in Writing Tasks

The social worker reviews goals selected at the initial JPRC meeting and identifies task and program activities that will help the youth to work towards these goals. The social worker then writes the COMPAS case plan to reflect these goals, tasks and activities.

Youth should be directly involved in the discussion and development of the ICCP and any Case Plan updates as much as possible. The social worker can further explain expectations for completing appropriate tasks and program activities as well as answer questions that a youth has in these areas. If staff merely impose goals and objectives, a youth is less likely to

understand and be committed to achieving them.

Lack of youth "ownership" may hinder successful completion of tasks. Additionally, being involved in development of his or her ICCP assists the youth to develop skills needed to make sound decisions and set goals in the future.

To maximize the involvement of youth and her/his family in developing the community case plan, the agent may wish to draft it in COMPAS at the first Transition Team meeting. The institution may assist by providing network computer access at the meeting.

Collaboration is a key element to a well written ICCP.

Youth may have difficulty understanding criminogenic needs that are identified in COMPAS and why they have higher risks in areas of criminality. Reviewing COMPAS assessment results is a good way to help youth further understand their patterns, needs and motivate them to work towards making positive changes. During an interview, the social worker or agent may also learn about the youth's strengths and interests that are not revealed in written records. It is likely that the youth has experienced numerous interactions with adults who focused only on the youth's needs, failures and negative behaviors. DJC staff has the opportunity to assist the youth to view his or her background and behaviors for better understanding and in a more positive way.

As a general rule, a social worker or agent should only write the ICCP without the youth if the youth refuses to cooperate. When a staff member encounters youth resistance to taking part in the writing of an ICCP, he or she may want to consult with other staff who have dealt with similar situations.

Meeting SMART TASKS

The most time-consuming and important part of writing an ICCP involves writing the tasks and activities in COMPAS that the youth needs to achieve to successfully meet his or her goals. **A well-written task meets the following SMART criteria:**

Specific: task must be stated in clear and concise words.
Measurable: progress towards meeting task can be assessed in concrete ways.
Achievable: youth has the intellectual, physical, emotional and other skills, or can learn the skills, required to achieve a task.
Realistic: task can be met taking into account relevant factors such as the youth's skills, JCI or community resources, length of DJC supervision, etc.
Time-dated: specific dates are set for the accomplishment of a task.

Task Must Answer Key Questions

- What does staff expect of the youth?
- How can the youth achieve this task?
- When must a task be completed?
- Where must the youth work on the task?

Copyright © 2012 [WI Department of Corrections]

Who are the staff assisting the youth and/or monitoring the youth's progress?

- How will the youth's progress be documented and measured?

Example Objective

Goal: Learn to manage thoughts and feelings to handle a risky situation.

Task: Participate in and successfully complete Juvenile Cognitive Intervention Program (JCIP).

- **What** does staff expect of the youth?
  - To have positive participation and complete the Juvenile Cognitive Intervention Program
- **How** can the youth achieve an objective?
  - Attend assigned JCIP treatment group
  - Show positive participation in JCIP group
  - Complete all homework assignments and pass the final tests
- **When** must a task be completed?:
  - Attend JCIP groups four times a week for 15 weeks beginning October 15th
- **Where** must the youth work on the objective?:
  - In assigned JCIP group
- **Who** are the staff assisting the youth and/or monitoring the youth's progress?:
  - Reintegration social worker makes a referral for JCIP treatment program;
  - Youth is assigned to a group with a treatment social worker
- **How** will the youth's **progress** be documented and **measured**?
  - Youth will receive a completion certificate and show it to his or her reintegration social worker
  - The completion date will be documented in COMPAS
  - A task note will be used in COMPAS to update the youth's progress in group participation and completion

ICCP Due Dates

ICCP in a JCI

Initial ICCP

The social worker and youth develop the initial ICCP within **21 days after the initial JPRC** based upon information presented and decisions reached at the JPRC. The goals listed in the Department Order (DOC-1722a) become the basis of the ICCP.

Revision of ICCP

- The initial ICCP is created in COMPAS, then it is reviewed and revised in COMPAS **every 90 days** thereafter, noting completion dates for tasks as well as changes in goals and tasks.
- The current ICCP in COMPAS should be reviewed and revised (in COMPAS) prior to the 90 day JPRC review. Case plan notes are used to document progress and activity completion towards ICCP goals. This case plan update provides the most current summary of progress towards ICCP goals and/or notes any significant changes
- Youth's progress on each COMPAS goal should be summarized in a detailed "review" case plan note. The "review" case plan note should be numbered R1, R2, etc. to correspond to the number of the JPRC review cycle. When compiling the 90-day case plan update, the social worker filters the case plan notes to include only those containing the appropriate "review" case plan note designation, for example "R1" notes.
- The template for the "review" case plan note is available as a Word document in the DJC CMM section of myDOC. Instructions for using the template are included in the document. The Word document, once completed, should be copied and pasted into the "review" case plan note that applies to the review cycle timeframe.
- Detailed instructions for this process in COMPAS are in the document "Creating Progress Summaries Using Case Plan Notes", in the DJC CMM section of myDOC.
- All goals should be updated and revised as appropriate. This case plan update is shared with JPRC participants prior to the meeting for the 90 day review. The social worker sends it to JPRC participants at least 7 days prior to the JPRC meeting.
- The social worker reviews the case plan update with the youth. Youth signs the case plan and receives a copy of the case plan update.

Transfer between JCIs: revised ICCP due within **21 days** of the youth's transfer to the receiving JCI.

Community Supervision ICCP

Prior to leaving, the institution social worker completes the following:

-90 days prior to youth leaving the facility, youth will be placed on a transition phase. Within 30 days of a youth being placed on transition, the social worker will complete a COMPAS Re-entry Assessment (for youth 17 and over) or provide an updated Wisconsin Youth Assessment (for youth under 17).

-The social worker also has youth complete a Youth Release Action Plan (DOC-2312) and a Healthy Living Plan (DOC-2589) within 10 days of youth being placed on transition.

Youth Going Home

Agent of record, social worker and youth update the existing **ICCP** together meeting the criteria described in this chapter **at least 15 days prior** to the youth leaving the JCI. The agent copies forward the existing ICCP as the basis for the community ICCP only if replacing the COMPAS youth case plan with a COMPAS Re-Entry case plan. New goals may be chosen based on program/goal progress in the JCI and identified priorities for community supervision.

- This ICCP will be developed from transition COMPAS assessment results, as well as input from JCI staff, parents and/or other sources. This release plan should have no more than 1-2 tasks per goal.
- Within 15 days prior to leaving the facility, the social worker should discuss the ICCP with youth and have youth sign. This copy should be sent to JPRC participants.

Copyright © 2012 [WI Department of Corrections]

- The institution social worker may enter notes and information on program activity (e.g., completion dates) in the community ICCP up until the date the youth is released.
- The institution social worker may enter notes and information on program activity (e.g., completion dates) in the community ICCP up until the date the youth is released.

Youth Being Placed in an Alternate Care Setting

- Responsibilities of liaison/accepting agent

  In the situation wherein the youth's **case is transferred** from the agent of record/referring agent to a liaison/accepting agent , the **newly assigned agent** updates the existing **ICCP** meeting the criteria described earlier in this chapter **within 21 days** after the youth's placement in the facility.

- Facility Treatment Plan and ICCP

  When a **youth is in an alternate care facility** that writes its own treatment plan, the **agent is not relieved of his or her responsibility to develop an ICCP** that meets all the criteria described earlier in this chapter. DJC purchases services from the facility and continues to be directly involved in determining services and programming for the youth.

Revision _____ of ICCP

- **Every 90 days**
- AT least every 90 days, the agent revises the **ICCP** noting completion dates for activities and modifying goals and tasks as needed for the new ICCP. Goals and tasks may be modified at any time.
- Youth's progress on each COMPAS goal should be summarized in a detailed "review" case plan note. The review case plan note should be numbered R5, R6, etc. to correspond to the number of the 90-day review cycle begun in the institution. When compiling the 90-day case plan update, the agent filters the case plan notes to include only those containing the appropriate "review" case plan note designation, for example "R6" notes.
- The template for the "review" case plan note summary (progress summary) is available as a Word document in the DJC CMM section of myDOC. Instructions for using the template are included in the document. The Word document, once completed, should be copied and pasted into the "review" case plan note that applies to the review cycle timeframe.
- Detailed instructions for this process in COMPAS are in the document "Creating Progress Summaries Using Case Plan Notes", in the DJC CMM section of myDOC.

Significant changes

Major changes in a youth's living conditions, behavior, services received, etc., require an agent to revise the ICCP to reflect those changes. Whenever significant changes occur, the ICCP should be revised in COMPAS.

Change in placement

If the youth changes placements, the new assigned agent copies reviews the existing ICCP and makes necessary revisions within 21 days after the youth changes placements. For example, if the youth leaves his own home placement to go to a type 2 RCC, the assigned agent collaborates with the youth to develop a revised ICCP based on the youth's new placement.

Copyright © 2012 [WI Department of Corrections]

ICCP for Youth on Interstate Compact

Agents assigned to an Interstate Compact [*see Chapter 19*] case complete an ICCP in COMPAS **within 21 days** after the acceptance **of the case**, write COMPAS notes and case plan notes summaries (progress summaries), and update the youth's ICCP every 90 days, or whenever goals need to be modified.

Progress Documentation

Purpose of Progress Documentation

- Updating a case plan provides details of a youth's progress in meeting his or her goals, tasks and activities
- Assists the youth to understand his or her needs, goals and strengths.
- Summarizes the youth's conduct and compliance with general rules and expectations of the JCI or community supervision program.
- Summarizes the youth's clinical progress, if appropriate.
- Provides an update of the youth's ICCP.
- Provides feedback to staff regarding appropriateness of ICCP and DJC program effectiveness.
- Pending charges (include any known information about pending charges: juvenile or adult, in or out of state.)
- Includes recommendation for extension, release, administrative transfer or discharge.

COMPAS Case Plan Update

The social worker or agent assigned to a youth updates a case plan in COMPAS **every 90 days** or sooner if a significant change occurs. This updates existing ICCP goals and tasks and activities. It describes the **youth's successes and challenges** during the last 90 days, and forms the **basis for modifying goals and/or tasks** in the ICCP. The Case Plan Update serves as an **effective communication tool** for all staff involved with the youth. For youth in the institution, the update is distributed to JPRC members about 7 days before a JPRC conference.

JCI

When doing a case plan update in COMPAS, the social worker combines **input from all staff involved with the youth** and reviews the **program activity documentation**. If the youth has an assigned clinician in the JCI, the social worker contacts the clinician or reviews the clinical notes available in the youth's clinical file. The social worker summarizes the youth's clinical progress. Payment of financial obligations should be addressed.

Pre-Release Summary

A COMPAS case plan update must be completed if the last JPRC conference was more than 30 days prior to release, if there has been a significant change in youth circumstances or release plan, or if requested by OJOR.

Community

In the community, the agent considers **input from family members, alternate care staff, school personnel, community service agencies, employers and Youth Reports** (DOC-1943). If the youth is participating in mental health services, the agent summarizes the youth's progress. Payment of financial obligations should be addressed as well.

Copyright © 2012 [WI Department of Corrections]

Discuss with Youth

The social worker or agent **shares the contents of the case plan update with the youth**. This assists the youth to understand in a concrete way what objectives he or she has completed, and what he or she still needs to accomplish.

Completion and Distribution

While the youth is in the JCI, the social worker does case plan updates in COMPAS every 90 days and at least seven days prior to a formal JPRC review. The youth's agent, when the youth is in the community, also does a case plan update in COMPAS every 90 days.

While the youth is in the JCI and the community, the case plan update in COMPAS serves as an **effective communication tool and evidence-based practice** for all staff involved with the youth.

Instructions for Case Plan Update

Introduction

The case plan update reviews existing ICCP goals, tasks and activities in COMPAS and provides a report of progress in working with youth to accomplish their broad goals.

Review of Goals, Tasks and Activities

Tasks are used under each broad goal to give a youth steps towards completing the goal identified. Case plan notes are used to provide updates on progress that a youth is making on completing the assigned activities. This progress assessment comes from input from other staff involved with the youth and completed program activity documentation.

Depending on youth's progress for each broad goal, an assessment is made whether the goal should continue or be changed due to successful completion, difficulty completing or change in appropriateness.

Analysis and Notes

Case plan notes should be updated in the following areas as they correspond to youth's broad goals and tasks in the ICCP. Include in the note the review cycle designation (R1, R2, etc).

Youth Conduct

An update of **youth's conduct** and compliance with general rules and expectations should be included under notes appropriate for this behavioral goal. Briefly describe any **rule violations** and/or **conduct report(s)** that occurred during the last 90 days.

Clinical Progress

If the youth has an assigned clinician in the JCI, the social worker summarizes the youth's clinical progress based upon contact with the clinician or review of the clinician notes available in the SS file. If the youth participates in a mental health program in the community, the agent contacts the clinician for information regarding the youth's progress.

- Pending charges (adult or juvenile)

Copyright © 2012 [WI Department of Corrections]

Resources: describe any **changes** in resources available to youth.

Recommendations Regarding Movement of Youth

In a JCI, **evaluate the youth's recommended release/transfer plans** as to whether they continue to be feasible. In JCI or the community, recommend possible extension or discharge. In the community, recommend any changes in youth's placement, including a return to the JCI.

Revision of ICCP: case plan updates should be done based on the youth's progress or any other significant changes.

Transition: Analysis of whether the youth is ready to be placed in the 90-day transition phase.

Program Activity Documentation

Overview

This section addresses how staff should **monitor and document a youth's progress on the ICCP**. Each JCI or community program must follow a structured approach for routine documentation of progress. Program documentation should be detailed and clearly written. All staff involved with the youth need to understand the documentation.

Documentation and Responsible Staff

The following are examples of documentation that may be completed by various individuals including **agents, clinicians, HSU staff, section managers, social workers, teachers, youth and JCI youth counselors.**

Agents and Youth Counselors

- **COMPAS case plan notes document youth progress on case plan goals and activities. COMPAS general notes are used to record activity not directly related to the case plan, such as youth and collateral contacts and compliance with rules of supervision.**
  - **Agents and youth counselors are to enter routine contacts within 3 working days (defined as days the staff person is scheduled to work). Critical contacts, e.g., violations, apprehensions, law enforcement contacts or victim contacts are to be entered no later than the end of the next business day (i.e., Monday through Friday excluding holidays). The entries should include information on any problems, issues, progress on the case plan or events in the youth's life, as well as any notable aspects of the youth's behavior during the contact.**

LWE Portfolio: As a youth completes career development activities, documents related to the activities should be placed in their Portfolios. Agents assist the youth to identify appropriate documentation to place in the Portfolio and physically maintain it when the youth is on community supervision.

- **Updates on youth Education, Employment and Substance Abuse history in COMPAS case manager modules.**

Clinicians

• Psychological/Psychiatric Evaluations	• Clinical Notes
• Chapter 980 Documents	• Observation Status Procedures, if applicable

HSU Staff

• **Youth Medical File**	• DOC-3387	• DOC-3314

Section Managers

- Program content/structure
- Team youth interventions

Social Workers

- Documents relating to youth's participation in and completion of programming in COMPAS case plan notes.
- Entries in JJIS for the Release Assessment Dialogue. [*see Chapter 18*]
- Updates on youth Education, Employment and Substance Abuse history in COMPAS case manager modules
- Referral to CSP, type 2 RCC, or other placement documentation
- General Notes: completed in COMPAS to describe contacts with or about the youth within 24 hours of contact, except for completely routine contacts.

1. LWE Portfolio: As a youth completes career development activities, documentation of those activities should be placed in the youth's Portfolio. DJC staff involved with a youth should assist him or her to identify appropriate documentation to placed and maintained in the LWE Portfolio. The Lifework Education Portfolio Checklist (DOC-2313) should be maintained and updated as new documents or activities are completed.

Teachers

• Work completion records	• SPED paperwork
• Attendance	• Grade books
• Educational Report to JPRC (DOC-1937)	• Educational Report to JPRC (DOC-1938)

1. Education Report (DOC-1938): This shows current grades and credits. It also gives a summary of a youth's school performance and transition plan. Agents assist the youth to identify appropriate documentation for an education portfolio and physically maintain it when the youth is on community supervision.

1. LWE Portfolio: As a youth completes career development activities, documentation of those activities should be placed in the youth's Portfolio. Teachers involved with a youth should assist him or her to identify appropriate documentation to placed and maintained in the LWE Portfolio. Designated teachers physically maintain the Portfolio.

Youth

- Written ICCP assignments (letters, lists, etc.)
- Program specific work (packets, etc.)
- Youth's Release Action Plan (DOC-2312)
- Personal journals
- Student self-evaluation reports

1. LWE Portfolio: As a youth completes career development activities, documentation of those activities should be placed in the youth's Portfolio. DJC staff involved with a youth should assist him or her to identify appropriate documentation to placed and maintained in the LWE Portfolio. The youth needs to assume responsibility for working with staff to develop a complete Portfolio.

Youth Counselors

Copyright © 2012 [WI Department of Corrections]

- Track phase or level system points
- Conduct reports and related documents
- Visitation logs
- Primary counselor logs
- Instructions for completing notes in COMPAS can be found in MyDOC under Directories/Work Groups/UCC/Supporting Documents/COMPAS Notes Reference Guide.

1. LWE Portfolio: As a youth completes career development activities, documentation of those activities should be placed in the youth's Portfolio. Youth counselors involved with a youth should assist him or her to identify appropriate documentation to placed and maintained in the LWE Portfolio.

Documentation of Caseworker Face-to-Face Contact Requirement

(CFS 2427)

INTRODUCTION

This section addresses the reason for the monthly documentation of caseworker face-to-face contact, the topic areas necessary in the documentation, and when this documentation is required.

BACKGROUND

The Department of Children and Families (DCF) created policy outlining the Caseworker Contact Requirement for Children and Juveniles in Out-of-Home Care. These requirements are a result of the Federal Child and Family Services Improvement Act of 2006, which requires caseworkers to have contact with children and juveniles placed in out-of-home care who are under the placement and care responsibility of the State each and every full calendar month they are placed in out-of-home care. The policy requirements apply to all children and juveniles in out-of-home care settings, including those placed by a CHIPS, JIPS, or delinquency order and through the Interstate Compact on the Placement of Children or the Interstate Compact on the Placement of Juveniles.

For the purposes of this policy, "caseworker" is defined broadly to include a social worker or other professional staff who has involvement with child removal or placement decisions or case management responsibility for a child. A caseworker could include a private agency caseworker, tribal caseworker, out-of-state caseworker, facility caseworker, or contracted staff person. The social worker may appoint a "designee" to see the youth that fits the requirements above. If DCF or a county department designates other caseworkers to be responsible for visits with the child or juvenile, the DCF or county caseworker primarily responsible for the child or juvenile should have face-to-face contact with the child or juvenile on at least a quarterly basis.

Monthly caseworker face-to-face contact applies to youth placed in the institution only if the county worker has this out-of-home placement listed as a placement, rather than a service in eWiSACWIS. **The county worker must ask the institution staff upon the youth's placement in the institution to act as the designee. They may also ask the agent assigned to supervise the youth on aftercare to act as the designee as well.** It will be up to the county worker to inform the designee of how many days they have to complete the form and return to the county worker so it can be documented in eWiSACWIS on time. CFS 2427 should be used to document the contact. A DJC staff person acting as the caseworker's designee is responsible to complete the contacts and documentation according to the standards specified below.

DOCUMENTATION

Caseworker face-to-face contacts must be focused on the safety, permanence, and well-being of the child and must be of substance and duration sufficient to address the goals of the case plan or permanency plan. Content of the contacts must be documented in accordance with the documentation requirement. The caseworker's monthly face-to-face contacts with a child or juvenile must be documented in eWiSACWIS as a case note and will be entered by the county worker. The case note must include, at a minimum, the following information describing the face-to-face contact:

1. the date, time, and duration of the visit
2. the participants involved
3. the location of the visit
4. the type of contact

Copyright © 2012 [WI Department of Corrections]

5. the purpose of the contact
6. a summary of the results of the contact

DCF or county department must document the information listed above in eWiSACWIS within 20 calendar days after the face-to-face contact with the child or juvenile regardless of whether the visits were conducted by DCF or county department caseworker or his or her designee.

QUALITY OF THE FACE-TO-FACE CONTACTS

The Federal Child and Family Services Improvement Act of 2006 requires monthly contacts to be well-planned and focused on issues pertinent to case planning and service delivery to ensure safety, permanence, and well-being of children. It is important to make face-to-face contacts purposeful and meaningful in order to promote positive outcomes for children. The ultimate intent of face-to-face contacts is to monitor safety and to provide services to promote permanency and the well-being of the child, the child's family, and the child's caregivers. For this reason, it is critical that documentation reflects and supports the content of monthly contacts.

In the monthly contact a caseworker's face-to-face contact with a child or juvenile may be documented under the narrative section and include or address the following topics:

- Safety
  - Ongoing assessment of safety of the child and, if applicable, community
  - Child or juvenile's behavioral risk(s), including risk to self and risk to others
- Stability/Adjustment of child or juvenile in:
  - Current living arrangement (e.g., biological home, foster home, group home, RCC, incarceration)
  - Educational setting
  - Alternative setting (e.g., non-custodial parent, respite care)
- Status of child's well-being:
  - Physical health
  - Learning and Development: educational program attendance, progress, and IEP (if applicable)
  - Mental health needs (e.g., emotional development and behavioral functioning)
- Progress towards planning goals/outcomes, permamanence goals, and court orders:
  - Tracking progress on achieving outcomes
  - Adjustment of strategies/intervention(s) when needed.
  - Life Skills Development and Independent Living Transition planning for youth aged 15 or older.
- Family interactions and relationships
  - Frequency of contact/communication and with whom
  - Type of contact/communication and with whom
  - Quality of contact/communication and with whom

An opportunity to engage in private communications with the caseworker regarding the out-of-home placement and any other concerns.

Copyright © 2012 [WI Department of Corrections]

7 - JCI Programs

OVERVIEW OF CHAPTER CONTENTS

Primary Topics Covered In This Chapter:

• Standardized JCI Programs: Overview	• Sex Offenders Accepting Responsibility (SOAR)
• JCI Education Program: Overview	• Juvenile Cognitive Intervention
• Education Documents	• Families Count (Family Component of JCIP)
• LifeWork Education	• Mendota Juvenile Treatment Center (MJTC)
• Employment Program	• Victim Impact Program
• 8th Grade Advancement Policy	• Intensive Treatment Program (CLS)
• High School Graduation Policy	• Short Term Re-Entry Program (CLS)
• HSED Testing	• Programming for Special Types of Legal Commitments
• Transitional Independent Living Program (TILP)	• SUD Abbreviated Reception Program
• Substance Use Disorders (SUD)	

Forms Discussed in this Chapter:

• Authorization for Use and Disclosure of Protected Health Information (PHI) (DOC-1163A)
• Referral to Employment or Independent Living Programs (DOC-2368 rev. 01/2007)
• Department Revocation Order – DJC (DOC-1700)
• Department Order – OJOR (DOC-1722A)
• Request for Extension (DOC-1723)
• Community Supervision Referral and Screening (DOC-1857)
• Assessment and Evaluation Report – DJC (DOC-1933)
• Education Evaluation Report – DJC (DOC-1936)
• Educational Report to JPRC (HSED) – DJC (DOC-1937)
• Educational Report to JPRC – DJC (DOC-1938)
• Home Language Interview – Parent/Guardian (DOC-2664)
• Family and Home Assessment – DJC (DOC-1939)
• Progress Summary – DJC (COMPAS)
• Type 2 Permanent Return Report – DJC (DOC-1945)
• Confidentiality of Alcohol and Drug Abuse Patient Records (DOC-2108)
• Adolescent Diagnostic Interview-Light [ADI-L] (DOC-2127)
• Emergency Medical Authorization for a Minor (DOC-2196)
• Program Protocol Request (DOC-2490)
• Health Screening – DJC (DOC-3387)
• Youth Job Service Registration (DOC-2572)
• Plan for Health Living (DOC-2589)
• DCF Scholarship Application for Youth in Out-of-Home Care (CFS-2197) available on the DCF website http://dcf.wisconsin.gov/forms/pdf/CFS2197.pdf

NOTE:
Forms DOC-1700, DOC-1722A, DOC-1723, DOC-1857, DOC-1936, DOC-1937, DOC-1938, DOC-1939, and DOC-1945 are completed in JJIS. Other forms can be accessed on myDOC by going to http://myDOC/ and using the "find a form" link.

Standardized JCI Programs: Overview

While a youth is at a JCI, he or she participates in a variety of educational and treatment programs based upon assessed strengths and needs. Programming assists the youth to develop skills that support a successful return to the community. DJC has worked to standardize its primary programs in order to provide consistent high quality programs with agreed upon performance measures. Program areas that have been standardized include education, sex offender program, AODA Program, and JCIP.

PROGRAM PROTOCOL REQUEST

The Division strives to implement research based programs for youth both in the institutions and the community. Evidence or research based programs are ones which have been shown to produce positive outcomes, stem recidivism and increase opportunities for youth to become productive members of society.

To insure application of current research in treatment programs for youth, and consistency in how programs are delivered across the Division, a protocol for implementing new programs, deleting programs or making changes to existing ones must be completed and approved by the Division Administrator. The DOC-2490 shall be completed by the program contact and submitted to the appropriate institution superintendent or regional chief. The Request is then discussed at a management team meeting and if approved, it is forwarded to the DJC Administrator for final approval.

Administrative Directive 02-09 provides further details on submitting a request to modify, delete or add a new treatment program.

JCI EDUCATION PROGRAMS: OVERVIEW

General Description

Wisconsin law requires school enrollment and attendance by youth under 18 years of age who have not earned a high school diploma or high school equivalency diploma. Youth over 18 years of age or those with a high school diploma/equivalent are not legally required to participate in academic/career and technical education programs. However, a youth's ICCP [see Chapter 6] may require participation in educational programming.

The academic/career and technical education programs at the JCI play a vital role in the efforts of DJC to assist youth to successfully reintegrate into the community. The JCI's offer individualized academic and LifeWork Education programming at all academic levels from elementary through career and technical education, as well as special education (SPED) programming.

A vast array of courses are available to youth in a JCI. Course offerings differ among the JCIs. All DJC courses are listed in JJIS which assists education staff to keep track of courses a youth has taken and credits earned.

EDUCATION DOCUMENTS

DURING ASSESSMENT & EVALUATION

Education staff complete the Education Evaluation Report (EER) (**DOC-1936**) [see Chapter 4] **prior to the initial JPRC** [see Chapter 5].

PERIODIC REPORTS: COMPONENTS OF DOC-1937 & 1938

At least **every 90 days** following the initial JPRC, education staff complete either the Educational Report to JPRC (HSED) (**DOC-1937**) **or** the Educational Report to JPRC (**DOC-1938**) depending on the education program in which the youth is enrolled.

SPED Needs

- SPED Field
  - If the student has been referred for a special education evaluation, but the process has not yet been completed, enter "In Process."

Copyright © 2012 [WI Department of Corrections]

If the student has been diagnosed as SPED, this will be indicated.

Summary of Student **Performance and Transition Plan**

- List the current classes in which the student is enrolled.
- Report on progress and grades.
- SPED needs (general) and any explanations needed.
- Comments about youth behavior and relationships with staff and peers.

Any other pertinent information, for example, a student who has unusual health problems, refuses to wear glasses, or is frequently in security.

SPED DOCUMENTS

Evaluation of and programming for youth with special education needs is governed by both federal and state laws. Procedures and time lines must be followed by DJC education staff.

For the youth with special education needs, an IEP plan must be updated at least annually. Federal and state law mandate that a youth's multidisciplinary team design the IEP and help to build a transition plan to reach both short and long term independent living goals.

COMMON DJC TRANSCRIPT

Designated education staff in each JCI completes the DJC common transcript in JJIS upon release/transfer of a youth from the JCI.

ALIGNMENT OF CURRICULUM WITH MODEL ACADEMIC STANDARDS

The education staff at the JCIs are working diligently to align curriculum to meet the Common Core State Standards. The revisions of curriculum, where needed, will better prepare youth for advancement from 8th to 9th grade as well as for state standardized testing.

LIMITED ENGLISH PROFICIENCY

Modifications to educational materials and reports will be made to accommodate the needs of youth and/or parent/guardian when indicated by the Home Language Interview (DOC-2664).

LIFEWORD EDUCATION (LWE)

RELATIONSHIP TO TRADITIONAL EDUCATION PROGRAM

LWE does not replace any of the basic academic skills or career and technical education skills that are currently taught in JCI education programming, but enhances those skills by integrating age appropriate career development competencies that assist the student to relate those skills to the world of work.

GOALS OF LWE

LifeWork Education entails more than the goal of merely finding an entry-level job with no planning for the future. Goals include:

- **Provide age appropriate activities** that engage youth in academic and occupational learning, self-knowledge, career exploration, and planning and preparation for employment.

- **Provide youth** with the **knowledge and tools they need to make career decisions** and successfully transition from school to careers in the community.
- **Assist youth to establish educational and career goals** based on realistic and informed expectations about their skills and abilities, employment requirements, and future adult work roles.

COMPONENTS OF LWE

- Assessment
- LifeWork Education Planning and Programming
- Career Portfolios and Transition
- Community Partnerships

ASSESSMENT DURING A&E

As indicated in Chapter 4, CareerScope and the Daniel Memorial Assessment of Independent Living Skills are initially administered during A&E. The **results of these assessments** and numerous other A&E assessments and evaluations **assist the social worker and teacher in developing** an initial and revised set of comprehensive **objectives and LWE activities**. Some of the documents include:

- Education Evaluation Report (EER) (**DOC-1936**) [see Chapter 4]
- Assessment and Evaluation Report (**DOC-1933**) [see Chapter 4]
- Family and Home Assessment (**DOC-1939**) [see Chapter 4]
- COMPAS-youth

Ongoing Assessment

Several of the above-mentioned documents reflect attitudes and values about work which assist in ongoing LWE planning. During the course of the youth's DJC supervision, CareerScope may be re-administered as appropriate. **Effective LWE planning depends on current and comprehensive assessment data.** Consider re-administering CareerScope when:

- The student requests to complete the assessment again and DJC staff determine the request is appropriate, or
- It has been more than 12 months since the last time the student completed the assessment, or
- It appears the student may not have made his or her best effort when first taking the assessment and is now ready to do so, or
- The student is leaving the JCI and a more current assessment will better reflect his or her current career interests and aptitudes.

LIFEWORK EDUCATION PLANNING AND PROGRAMMING

COMPAS Youth Reentry GOALS

- The next component of LWE occurs during the development of the youth's **COMPAS Educational Case Plan** after the initial JPRC.
- DJC COMPAS goal T: "Participate fully in academic, career, technical/vocational education and improve your reading, writing, and job skills."
- As with all COMPAS Case Plan goals, the objectives, tasks, and interventions change during the course of the youth's DJC supervision in the JCI and community.

Copyright © 2012 [WI Department of Corrections]

Goals and Tasks associated with Goal T

- Develop realistic monthly budget/payment plan
- Participate fully in literacy activities
- Learn independent living skills
- Obtain gainful employment
- Complete your HSED
- Complete your high school diploma
- Go to school and attend all classes
- Prepare to take your HSED test
- Complete Lifework Education Program including Portfolio
- Create a plan for job seeking
- Explore other possible living arrangements
- Obtain affordable housing
- Attend school and receive no suspensions
- Follow all school rules related to behavior, expectations and attendance

Development of an Academic and Career Plan (ACP)

As youth begin the process to develop an Academic and Career Plan it will include the aspects of Career Development:

- Career Cluster and Pathways of Interest
- Future Goals
- Personal and Social Goals
- Detailed Planning on Accomplishing Youths Goals

LWE activities under COMPAS Goal #5 will include identifying one of the 16 career clusters, leading youth towards a career pathway. A career pathway is a sequence of courses, a field of study or an array of experiences that prepare a youth for employment and accomplishes the following:

- Integrates school-based learning, work-based learning, and activities that connect academic and occupational learning.
- Prepares youth for employment within a career pathway.
- Provides youth, to the extent practicable, with strong experience in and understanding of all aspects of the industry.
- Results in the award of a high school diploma or its equivalent; a certificate or diploma recognizing successful completion of a 1-2 year post-secondary education, if appropriate, and a skills certificate.
- May lead to further education and training such as entry into a registered apprenticeship program, or admission to a 2 or 4 year college.

LIFEWORK EDUCATION PORTFOLIO AND TRANSITION

Purposes of Portfolio

Lifework Education Portfolios are **a record of the student's academic, career and technical education, social, and employment achievements** intended to:

- Compile documentation of a youth's knowledge, skills, and abilities.
- Provide a youth with tangible evidence of his or her successes and strengths.
- Help a youth build his or her self-esteem.
- Offer a mechanism to gather and organize information about the world of work, education, training, skills, interests, and abilities that assists in the career planning process.
- Assist youth to communicate their knowledge, strengths, and skills to employers, admission counselors, and others who will play a critical role in their future career development.
- Provide documents the youth will need to secure employment i.e., the Birth Certificate and Social Security card; resume template and cover letters; etc.

Contents of Portfolio

The **contents of the portfolio will vary by individual**. The **following items may be found in the youth's portfolio**

- Assessment results such as CareerScope, Daniel Memorial, and others
- Awards and honors
- Birth Certificate and Social Security Card
- Completion certificates
- USB Flash Drive with Portfolio information and documents
- Cover letters, resume and thank you letters
- Education and career goals and plans
- Educational achievements & classes taken
- Employment competencies
- Information on future education and training, work and volunteer activities
- Occupational research information
- Sample applications
- Set of common interview questions

Work samples

Youth's Release Action Plan

Other appropriate documents

Youth Responsibilities for Portfolio

The portfolio is a **tool for the youth**. The youth must **take responsibility and feel ownership** of the material in his/her portfolio, including **deciding what to include**. Making those decisions helps youth connect their own interests, skills, and values to future education and employment opportunities. The inclusion of formal assessments such as CareerScope and the Daniel Memorial Assessment of Independent Living Skills along with informal assessments provides the youth with some of the information needed to make those connections.

JCI Staff Responsibilities for Portfolio

Social worker is responsible for writing objectives, tasks, and interventions in cooperation with other staff, especially education staff. [see Chapter 6] Social workers, treatment staff, youth counselors, worksite staff, and agents have other responsibilities with respect to the portfolio:

- Be familiar with the contents of the portfolio.
- Discuss portfolio at JPRC conferences [see Chapter 5].
- Suggest documents to include in the portfolio.

Education Staff or designated Treatment Social Workers have responsibility for instruction that assists a youth in completing the contents of the Portfolio. In addition they:

- Assist social worker in writing objectives, interventions, and tasks.
- Maintain the physical Portfolio in the education department.
- Be familiar with the contents of the Portfolio.
- Familiarize youth with contents of the Portfolio.
- Prepare youth to discuss Portfolio contents at JPRC conferences [see Chapter 5].
- Suggest documents to include in the Portfolio.
- Assist youth with tracking which components have been completed on the Lifework Education Portfolio Checklist.

Many of the **skills and competencies** documented in the Portfolio are **acquired in the classroom and in treatment programs**. Appropriate behavior, team work, problem solving, and leadership skills can all be related to future success in the workplace and discussion about how to document those skills and specific accomplishments can occur at any time.

TRANSITION OF YOUTH TO THE COMMUNITY: PORTFOLIO FLOW POLICY

JCI Staff Responsibilities When Youth Leaves a JCI

Staff designated by superintendent do the following before the youth leaves the JCI:

- Make **copies of selected documents** in the Portfolio for retention at the JCI.
- Ensure that the Portfolio is **current and includes all relevant documents.**
- Make sure that the original **Social Security Card and Certified Birth Certificate** are in a sealed envelope and stapled to the back inside cover of the Portfolio.
- **Transfer Portfolio to the appropriate individual** based upon status of youth upon leaving the JCI as described **below.**

State Community Supervision

When a youth with a portfolio leaves the JCI and will remain under state supervision, the education department at the **JCI** delivers the portfolio to the Gatehouse where it should be given to the youth's DJC agent at the time the youth is released from the JCI.

If someone other than the DJC agent picks up the youth from the JCI, the JCI will retain the portfolio until it either

1. can be picked up by the agent or another staff person from the agent's work site or
2. mailed to the agent.

In these cases, portfolios must be picked up or mailed within 1 calendar week of the date the youth is released. The current agent will review the contents of the portfolio prior to the initial community meeting with the youth, copy any pertinent documents, then **review the contents with the youth.** The agent will then give the portfolio to the youth to keep.

County Aftercare

Similarly, the portfolio for youth who will be under county supervision in the community is given to the county

Copyright © 2012 [WI Department of Corrections]

liaison, or alternate care facility representative, who picks the youth up at the JCI at the time they are discharged from the JCI. If the transfer does not occur at the Gatehouse, the JCI will mail the Portfolio to the County liaison within one week.

The county liaison will review the contents of the portfolio, subsequently review it with the youth, then give it to the youth to keep.

Expired Orders and Administrative Discharges

- **Youth who are discharged from a JCI** due to an expired order or an administrative discharge **are to be given their portfolios** when they leave [see Chapter 18].

Inter-Institution Transfers Between LHS and MJTC

Designated education staff at LHS are responsible for the transfer of the youth's portfolio when a youth transfers to MJTC. The portfolio should be transferred along with other file materials.

Youth Transferred Between Agents

Youth who are transferred from one agent to another are to be responsible for bringing the portfolio to the first meeting with the new agent.

- The new/current agent will review the contents of the portfolio then review the contents with the youth at a subsequent meeting. The portfolio will then be returned to the youth.

Youth Who Return to the JCI

- Youth who are terminated from Type 2 community supervision are to have their Portfolio returned, by the agent, to the education department of the JCI at the time the Regional Chief signs the Termination of Type 2 Community Supervision Report Face Sheet (DOC 1945). Note: A field supervisor and agent may return a portfolio prior to completion of the DOC 1945 if they are certain the youth will be terminated from Type 2 community supervision.
- Youth on state aftercare who are returned to the JCI due to revocation of their aftercare are to have their Portfolio returned to the education department of the JCI. The Portfolio is to be sent when the revocation process has been completed signified by either the Division of Hearings and Appeals signing the DHA-11 or the DJC Administrator signing the Department Revocation Order (**DOC-1700**). Note: A field supervisor and agent may return a portfolio prior to completion of the DHA-11 or the **DOC-1700** if they are certain the youth will have their aftercare revoked.
- Missing, lost, or damaged portfolios will be re-developed with the youth upon return at no cost to the youth.

TRACKING PORTFOLIOS

The movement of portfolios is to be tracked in COMPAS notes. This movement could be from one institution to another or from the institution to the youth. Each institution office should designate a staff person to enter a COMPAS general note whenever a portfolio is received or transferred. The note should include the date the portfolio was received/transferred and if transferred, where it was sent.

DJC Agent

- Review portfolio between first and second visit with youth. Review contents of portfolio with youth at next meeting.
- Document in the portfolio additional LWE related achievements, e.g., completion of career and technical education training, completion of an HSED or GED, etc.
- Work with the youth, placement facilities, schools, workforce development partners, and families to ensure the portfolio continues to be maintained and includes a complete record of the youth's current achievements. (see Chapters 13, 14 & 16)

Revealing Contents of Portfolio

- Staff should **be sensitive to the confidential nature of achievements** accomplished by the youth in the JCI and the community.
- Staff should **discuss what information is appropriate for the youth to use in contacts with others** such as employers and post-secondary education professionals versus information the youth and/or his or her family may not want to reveal.

Completing Job Applications and Job Interviews

- Advise youth that if asked on an application or during an interview if he or she has ever been **convicted** of a crime, the answer is "No" if the youth has only been adjudicated for an offense in juvenile court.
- If a youth has been convicted in criminal court, the youth must answer "Yes" to the question. If a youth
- has been adjudicated and convicted, only the conviction must be revealed.

For jobs in specific areas such as childcare, information about an adjudication can be requested by the work site, in accordance with the provisions of the Caregiver Background Check Law (s.48.685, Stats.).

COMMUNITY WORKFORCE DEVELOPMENT PARTNERSHIPS

Goals

The final main component of the LifeWork Education program is **establishing and enhancing partnerships with the existing workforce development system.** Wisconsin has a strong history of innovation and has led the nation in workforce development initiatives.

The LifeWork Education program seeks to **build a bridge between the juvenile justice system and the Wisconsin workforce development system**. The program expands the juvenile justice system's capacity to access workforce development programs. The program works with our workforce development partners to develop ways to successfully prepare this untapped labor pool for employment that will strengthen Wisconsin's economy. **This component consists of capacity building, for juvenile justice and workforce development** staff, development of **pilot projects**, establishment of formal **referral processes**, and **increased use of Job Center and Career Center** services and resources. Capacity building includes development of **resource materials**, **training** and **technical assistance,** and increased exposure to **cross system round tables, conferences, and other events**.

Wisconsin Workforce Development Resources

Wisconsin was one of the first states to implement the one-stop concept for workforce development services through the establishment of **Job Centers**. Currently there are over 60 Job Centers around the state. Those Job Centers, and the entities that operate programs from them, along with school districts, Technical Colleges, and business provide a comprehensive statewide workforce development service delivery system available to youth and young adults.

Partnerships with entities such as the **11 Workforce Development Boards**, the **Department of Workforce Development**, other **state agencies, school districts, technical colleges, county entities, and the business community** forms the foundation for this component of LifeWork Education.

Utilizing Job Center Resources

Responsibilities of Agents and (SERO) Corrective Sanctions Program Youth Counselors

After reviewing the portfolio with the youth, agents and YC's can use the following checklist as a guide to utilizing the community resources discussed above. The checklist was designed for
field agents and youth counselors to help youth find work and future careers. Some items listed are recommended for all youth although specific items are more suitable for youth 16 and older.

* Indicates suggested requirements for youth 16 and older.

1. Review Lifework Education Portfolio with youth. Have youth explain what is in the portfolio and how they will use it in the community. Also have youth explain to you what materials they will continue to add to the

portfolio while in the community. Have youth identify the address of a local job service center.

2. * Begin to complete the Youth Job Service Registration form. If a job service center is not available, use a local library computer, or personal computer to access JobNet, or search local new papers for job opportunities. (See **Youth Job Service Registration Form**).
3. * Have youth go to the Job Center and register. Continue to complete the Youth Job Service Registration form.
4. * Have youth pick 3 or more jobs, using JobNet that he/she is interested in and print them off while at the Job Center. Bring them to the Job Center for the Job Development Coordinator or other support staff to discuss job selections. Continue to complete the Youth Job Service Registration form.
5. * Have youth ask if the Job Center has information on Job Service training programs. Youth should also ask a staff member at the Job Center specifically for resume writing and job search workshops. How much do they cost? How often are they held? Continue to complete the Youth Job Service Registration form.
6. Review at least 3 completed job applications to ensure youth is filling them out correctly.
7. * For appropriate youth: have youth visit or call a technical college or university to order information on a program they are interested in, bring it to the Job Center for the Job Development Coordinator or other support staff.
8. Routinely review with him/her job retention skills.
9. Assist youth in keeping their resume updated and current.

Benefit for Youth

Remaining in the community, completing educational goals, obtaining and maintaining employment, and identifying and working toward a career goal will measure success of the LifeWork Education program for each youth.

INSTITUTION EMPLOYMENT PROGRAM

OVERVIEW

Employment Program for HSED students and graduates

Employment provides young adults with the opportunity to develop work skills that will help them transition to productive jobs once they leave Lincoln Hills/Copper Lake School. Youth fill out job applications and are then interviewed for specific jobs. The interviewer will seek references from staff working with the youth. Youth are placed at a variety of work sites throughout the school. Working within the school gives the young men and women an opportunity to get meaningful employment and acquire vocational skills and qualifications. They can develop a real work ethic, current work experience and skills, including working with others, following instructions, working to meet deadlines, punctuality, regular attendance, multi-tasking and interpersonal skills. Participants meet regularly with the Employability Skills Teacher to discuss job skills, goal setting, job readiness, and future employment. Youth are evaluated by work site supervisors on a weekly basis and this information is given to the youth and Employability Skills Teacher. Youth can become mentors for the students in the Employability Skills Program.

Employability Skills Program or E.S.P.

ELIGIBILITY CRITERIA

- 17 years or older
- Do not qualify for H.S.E.D. (below a 9th grade reading level)
- Credit deficient

Overview

The Employability Skills Program is designed to help students develop their career plans and improve their employability skills. It will help students make smooth transitions from their classrooms to meaningful jobs. Future success in the workplace requires important skills and qualities. Students will develop thinking skills and personal qualities that will make them a more capable person and valuable worker. Students will improve their ability to read, write, speak, listen and solve math problems. Students will develop the workplace know-how needed to perform well on a job.

- Academics will be taught using more real work ideas. English=interviews, job applications, business letters, employment test etc. Math = budgets, check writing etc. Students continue to earn credit towards high school graduation.
- The Daniel Memorial Independent Living Assessment for Life Skills will be used in the academic classes.
- Students will work part time at the different institution jobs. Application and interview process is completed the same as explained with the HSED students and graduates.
- Students will be assigned a mentor at the assigned jobs
- Students will start at lower rate of pay than our traditional institution workers and be offered raises as they complete the necessary assignments in class and at the jobsite.
- Role playing, guest speakers, and scenarios will be used in the classroom
- Each student will have an Individual Learning Plan (ILP) which will facilitate students' smooth transition from school to work.

8TH GRADE ADVANCEMENT POLICY

PURPOSE

To establish guidelines for DJC staff for advancing youth from eighth grade to ninth grade.

POLICY

DJC's secured Juvenile Correctional Institutions shall follow the requirements of s. 118.30, Stats., in implementing procedures relating to the advancement of youth from 8th to 9th grade. A youth shall meet the legal requirements in order to advance to 9th grade.

PROCEDURES

A youth must demonstrate proficiency by acquiring **8 points from one or a combination of options as** described below:

Option 1

8th Grade Academic Performance

1. Youth earn one point for obtaining a passing grade in one or more of the following subjects: language arts/English, mathematics, social studies, and science.

Option 2

A. 7th and 8th Grade Performance

a. Youth earn one point, with a maximum of 6 points, for obtaining a passing grade in one or more of the following subjects: language arts/English, mathematics, social studies and science.

A. Wisconsin Knowledge and Concepts Exam (WKCE)

a. Youth can earn one point, with a maximum of 2 points, for each proficiency level of basic or above on the Wisconsin Knowledge and Concept Exam (WKCE)

Other Academic Criteria

a. Youth may earn a maximum of 4 points for satisfactory completion of an approved, individually designed, standards-based intervention program.

b. Special Education (SPED) youth may earn a maximum of 4 points for satisfactory completion of standards based goals on their Individual Education Plan (IEP).

c. Youth may earn a maximum of 2 points for demonstrating grade level proficiency on the STAR Renaissance Reading and Math standardized tests.

Option 3

A. **Automatic Advancement to 9th Grade**

a. Upon a youth turning 16 years old, by statute they are automatically advanced to 9th grade.

b. Upon a youth's satisfactory completion of 8 points, the school counselor shall document the youth's advancement to 9th grade.

A. **Appeal Process If Committee Does Not Recommend Advancement to 9th Grade**

1. The decision to recommend that a student not advance to 9th grade is to be included in the next Educational Report to JPRC **(DOC-1938)**.
2. A parent/guardian of any student who is not recommended for advancement to 9th grade may appeal that decision within 10 days of receipt of the denial decision.
3. The Education Director shall review the committee's decision and issue a written final decision within 10 days of the appeal and send a copy to the parent.
4. If the parent is dissatisfied with the Education Director's decision, the parent may appeal to the Superintendent within 10 days of receiving the Director's decision. The Superintendent issues a written decision within 10 days and forwards it to the parent.

HIGH SCHOOL GRADUATION POLICY

PURPOSE

The purpose of this policy is to award high school diplomas to students who meet academic requirements.

POLICY

DJC's secured Juvenile Correctional Institutions shall follow the requirements of s.118.30 and s.118.33 Stats., in implementing procedures relating to graduation from high school. A youth shall meet the legal requirements in order to graduate from high school.

PROCEDURE

A. **Credits**

Under current law, in order to graduate and receive a high school diploma from a Wisconsin juvenile correctional school, students must earn a minimum of 20 credits. Beginning with the 2016-2017 graduating class, the minimum number of credits required to graduate will increase to 22. (In accordance with Wisconsin Act 63)

1. Current High School Students
   a. In the high school grades (until graduates of the 2016-2017 school year) students must earn a minimum of:

      4.0 English credits including writing composition
      3.0 Social Studies credits including state and local government
      2.0 Mathematics credits
      2.0 Science credits
      1.5 Physical Education credits
      7.0 Elective credits from a combination of career and technical education, fine arts, foreign languages, and other courses

   b. Grades 7-12

      In grades 7 to 12, students must earn a minimum of:
      0.5 Health Education credits

1. 2016-2017 High School Students

*beginning with the 2016-2017 graduating class, in order to graduate and receive, students must earn a minimum of 22 credits.

a .

4.0 English credits including writing composition
3.0 Social Studies credits including state and local government
3.0 Mathematics credits
3.0 Science credits
1.5 Physical Education credits
7.0 Elective credits from a combination of career and technical education, fine arts, foreign languages, and other courses

c. Grades 7-12

In grades 7 to 12, students must earn a minimum of:
0.5 Health Education credits

1. **Grade Placement**

1. The school counselor or designee reviews all prior school records and posts prior school credit to the official division transcript and identifies the current grade placement utilizing the following scale:

9th Grade	0.00 – 4.99	Credits
10th Grade	05.0 – 9.99	Credits
11th Grade	10.0 – 14.99	Credits
12th Grade	15.0 – 19.99	Credits

1. In accordance with Wisconsin Act 63, beginning with students who would be graduating or their class is to

graduate with the 2016-17 school year, the following grade placement scale will be used:

9th Grade	0.00 – 5.49	Credits
10th Grade	05.50 – 10.99	Credits
11th Grade	11.00 – 16.49	Credits
12th Grade	16.50 – 22.00	Credits

1. **Educational Progress**

1. Education staff provides instructional programming in the areas identified as deficient to the graduation requirements.
2. At least every 90 days, education staff completes the Educational Report to JPRC (**DOC-1938**).
3. Upon completion of the required twenty or twenty two credits, education staff will submit to the school counselor or designee all earned credit information for review.
4. The school counselor or designee will review all prior and current credit information to ensure that all DPI graduation requirements have been met.

1. **Graduation**

1. When the school counselor or designee has determined that all requirements are completed, he/she will recommend to the Education Director or designee that a high school diploma be awarded to the student.
2. The Education Director or designee from the facility will issue a high school diploma to the student.
3. Graduation will be documented in JJIS under Youth Oriented Course and Credits Graduation Screen with the date and graduation code.

1. **Students with Disabilities**

1. The Individual Education Program (IEP) team for a child with a disability, as defined in s.115 Stats., may establish alternatives to the high school graduation requirements.
2. A parent of a child with a disability who has met the high school graduation requirements must receive prior written notice that by graduating from high school, their child will have completed their secondary school education. As such, the child will no longer be eligible to receive special education services. If the child has reached the age of majority, the notice must be provided to both the individual and the individual's parent.

1. **Administration**

1. The Education Director shall:
   a. Be responsible for the general supervision and management of the graduation of students under this policy.
   b. Develop, review, and recommend policies to prepare students to satisfy the criteria in this policy and to otherwise implement this policy.
   c. Ensure the established policies and procedures, described under the Education Documents section of this chapter, for submitting the Education Report to JPRC (HSED) (**DOC-1937**) or the Education report to JPRC (**DOC-1938**) are followed.

Copyright © 2012 [WI Department of Corrections]

1. **Appeal Process**

1. A parent/guardian of any student (or an adult student) who has been denied graduation after successfully completing the required credits may appeal that decision.
2. The parent/guardian of any youth who has been denied advancement to 9th grade may appeal that decision by writing to the Education Director at the institution.
3. The Education Director shall review the committee's decision and issue a final decision within 10 days of receipt of the appeal. The written decision shall be sent to the parent.
4. If the parent/guardian is dissatisfied with the Education Director's decision, the parent/guardian may appeal to the Superintendent within 10 days of receiving the Education Director's decision. The Superintendent shall issue a written decision within 10 days and forward it to the parent/guardian.

HSED TESTING

PURPOSE

The purpose of the procedures in this section is to ensure that High School Equivalency Diploma (HSED) testing is accomplished according to established rules and guidelines in order to provide a service to students and protect the integrity of the high school diploma that can be earned.

POLICY

It is the policy of the Department of Corrections to provide opportunities for qualified students to participate in HSED testing. The Chief Examiner at each testing site is responsible for managing the testing center according to the policies and directives of the GED Testing Services and the Wisconsin Department of Public instruction. Additional DOC guidelines have been established to provide a uniform experience and reliable records for students transferred from one facility to another.

This policy does not pertain to any HSED Testing Center operated by other agencies in facilities providing education to DOC inmates. However, it is the policy of the DOC to encourage efficient record transfer between HSED Testing Centers.

REFERENCES

- GED Testing Service Website (www.gedtestingservice.com)
- The Wisconsin High School Equivalency Diploma from Department of Public Instruction (DPI) s. PI 5.
- GED (General Education Diploma) Test Administration Handbook.
- Pearson Vue Test Center Guidelines
- Teachers Guide to the 2014 GED Tests
- Assessment Guide for Educators

REQUIREMENTS TO OBTAIN HSED

Requirements for obtaining a Wisconsin High School Equivalency Diploma are contained in ss. PI 5.03, 5.035 and PI 5.05, WI Adm. Code. They include:

- Satisfactory completion of each test of General Education Development (GED) with a passing score of 145 on each test.
- Participation in counseling sessions which include:
  - Reading level assessment

- Career interest aptitudes
- Discussion of the HSED/GED/High School Diploma options available
- Development of a plan for completing one of the options

- Successful completion of one of the following:
  - 0.5 high school credits in health.
  - A course in health approved by the State Superintendent of Public Instruction
  - A passing score on a test in health approved by the State Superintendent of Public Instruction through a Wisconsin GED Testing Center

- Successful completion of one of the following:
  - A course in citizenship/civic literacy approved by the State Superintendent of Public Instruction
  - A passing score on the Civic Literacy test approved by the State Superintendent of Public Instruction and administered through a Wisconsin GED Testing Center
  - Completion of employability skills component
  - Completion of career awareness component

REQUIREMENTS FOR OBTAINING A WISCONSIN HSED BASED ON A FOREIGN DIPLOMA OR DEGREE

State Superintendent of Public Instruction shall grant under s. PI 5.08, WI Adm. Code, a high school diploma to a person who meets the requirements of s. PI 5.03 and all of the following:

- Presents a high school diploma or the equivalent or a degree from an institution of higher learning earned in another country and a certified transcript attesting to the completion of the program of study required for the diploma or the degree. If this transcript is not in English, the applicant shall also provide a certified translation.

- Has United States citizenship ορ meets both of the following requirements:

- Documents that he/she is able to speak, read and write words in ordinary usage in the English language as required for United States citizenship under 8 U.S.C 1423

  Successfully complete a course in citizenship approved by the State Superintendent of Public Instruction; received a passing score on a test in citizenship administered by the State Superintendent; or documents that he/she has satisfied the requirements for a knowledge of United States history and forms of government required for United States citizenship under 8.U.S.C 1423.

LOCATION OF TESTING CENTERS

- HSED Testing Centers are established in many DOC facilities.
- DPI State Administrator approves the opening and closing of testing centers.
- DPI or GED Testing Services may suspend and lift a suspension at any testing center.
- Chief Examiner must report as soon as possible to the DPI State Administrator any suspension or special problem concerning the testing center.

PROCEDURES PRIOR TO EXAMINATION

- GED Testing Service requires written confirmation of eligibility including the student's signature using the

Copyright © 2012 [WI Department of Corrections]

appropriate form. Original form must be retained at the testing center with a copy in the student's education file, for use in verifying that the candidate is, in fact, the person he or she claims to be.

- Minimum age for testing and issuance of a High School Equivalency Diploma is at least 17 years.
- All applicants who are at least 17 years old, but not yet 18, must have the Education Director's written approval prior to any GED testing.

- First time testing for any GED test is permitted after classroom instruction and/or self-study and when the following requirements are met:
  - Student is enrolled in HSED program through completion of DPI Form PI-1783. Document in JJIS by "enrolling" student in Course #176.
  - HSED teacher may refer a student who has passed a GED pretest
  - Chief Examiner or Alternate Examiner tests only those students referred for testing by their instructor who has the requirement education records on file.

TESTING CENTER PROCEDURES

- Chief Examiner adheres to all DPI, DOC, and GEDTS regulations/instructions regarding test security, administration and centralized scoring.
- GED tests are administered with the following time limits:
  - Reasoning Through Language Arts: 150 minutes
  - Mathematical Reasoning: 115 minutes
  - Social Studies: 90 minutes
  - Science: 90 minutes
- Special accommodations
  - GED TS may require special accommodations on a case by case basis
  - DOC/DJS School Psychologist or one of the professionals listed in the GED Test Accommodations booklet must review and approve the request
  - Neither special education teachers nor ophthalmologists are considered qualified diagnosticians Additional information can be found at www.gedtestingservice.com

LEAVING THE PREMISES

- Students may not leave the testing room until they have completed the test and returned the erasable whiteboard and marker to the examiner.
- If a student must leave the room, the testing session is concluded.

CRITERIA FOR EVALUATING TEST SCORES

- A minimum score of 145 for each test is required for a HSED.
- **Any GED test score of less than 145 is considered failing.**

RE-TESTING PROCEDURES

Copyright © 2012 [WI Department of Corrections]

- Students are eligible for **re-testing referral after 30 days.**
- Student must have **teacher approval** to re-test.
- GED Testing Service allows individuals to retake the tests with a 30-day waiting period.

TESTING CENTER RECORDS

- Records of all GED testing activity will be maintained by the Chief Examiner to include:
  - Data shall be entered into Infinite Campus student database and maintained in institution educational archive files.
  - Method of notifying students and teacher(s) of the test score.
  - Entry in DOC education record.
  - All pertinent information necessary for the completion of the General Educational Development Testing Service's Annual Report is in the GED Manager.
  - A procedure to transfer student records to other DOC facilities.

- Sending Scores
  - Official GED Testing Center Records of scores of individual students may be sent to any school, employer, military operation, etc., in any state at the written request of students or former students who complete an appropriate signed request.

- Student Orientation to the Pearson Vue/GED Testing Center
  - Orientation will include information regarding the types and location of records and the proper way to access them. Official GED Testing Center records of scores of individual students shall not be transferred by the center to the departments of public education in other states for the purpose of assisting a student in obtaining a GED credential in those states.

CHIEF EXAMINER AND ALTERNATE EXAMINER(S)

Chief Examiner

The appointing authority of each JCI selects a Chief Examiner for the HSED Testing Center who meets the established educational qualifications and submits the name for approval to appropriate DPI staff.
Upon DPI approval, the Chief Examiner directs the business of the center. He or she establishes a testing schedule, conducts testing sessions in accordance with instruction and procedures, and maintains records as required.

Alternate Examiners

The appointing authority selects alternate examiners or proctors as needed who meet the established qualification and submits the name(s) for approval to appropriate DPI staff.
Upon approval by DPI, the alternate examiners or proctors are empowered to perform assigned duties appropriate to their qualification as directed by the Chief Examiner.
The Chief Examiner and Alternate Examiner will meet minimum educational qualifications and will attend the mandatory DPI Annual GED Conference and training sessions.

DJC TRANSITIONAL INDEPENDENT LIVING PROGRAM

Copyright © 2012 [WI Department of Corrections]

PREPARING YOUTH FOR INDEPENDENT LIVING

The primary focus of the Independent Living program is to assist youth 17-22 years of age who are emotionally and behaviorally able to live on their own, and further interested in acquiring the skills and tools necessary to do so. *In general, youth who will discharge in less than one to two months are probably not best served in TILP. A minimum of three to six months is ideal to set and accomplish goals.*

Youth who may need Independent Living Services move through the following stages to determine eligibility, readiness, and provision of services:

I. Screening & Assessment

II. Active Participation

III. Support Services

I. SCREENING & ASSESSMENT

The Social Worker or Agent screens a youth's readiness for independent living on an on-going basis. Primary factors to determine suitability include consideration of the youth's attitude, motivation and the transferability of skills already learned.

In this screening process, youth who exhibit several of the following are probably not appropriate for the Independent Living Program at this time.

- Less than 2 months left on supervision
- Violating rules of supervision/institution
- Returning for sanctions/security placements
- Recurring positive UA's
- Excessive confinement hours
- Need counseling but not yet involved or committed to the process
- Not attending school regularly/not completing homework
- Volatile, rapidly changing residence or home in state of emergency
- Mental health issues that significantly interfere with daily functioning, including refusal to take prescribed medication
- Does not voice motivation for positive change
- Lack of progress on his/her level system
- Not participating in community service requirements

The Agent or Social Worker use the following guideline to determine if a youth is appropriate for referral to the Independent Living Program.

Youth must meet *all* of the criteria in Part A and a *majority* of the applicable criteria in Part B:

Part A

- Be identified as a Serious Juvenile Offender, Type 2 community supervision Youth, or Chaffee Eligible*
- Be willing to participate in goal-setting and activities that address their identified independent living needs.

Part B

- Have an original Social Security card
- Have a certified birth certificate
- Have a State I.D. or Wisconsin Driver's License

Copyright © 2012 [WI Department of Corrections]

- 17 years of age or older
- Positive work attitude
- Demonstrate ability to manage time and engage in positive recreation
- Paying restitution
- Paying ticket obligations
- Understands the goals on their Individual Case Plan and demonstrates progress on them
- Daniel Memorial Assessment shows that youth has need for independent living training
- Actively seeking employment with a record of applications submitted
- Has had a part-time or full-time job – include any work in the JCI
- Completed a resource tool such as the Pocket Book of Job Search Data & Tips
- Has had volunteer work or community service experiences
- Enrolled in secondary education or HSED program and attending regularly
- Attend counseling and/or groups as required
- Taking medication regularly if required

Please note per CMM 7:8, designated JCI staff are responsible to insure that the original Social Security card and certified birth certificate are in a sealed envelope and stapled to the back inside cover of the Lifework Education Portfolio. Youth will receive their state ID (paid for by DOC) while in the JCI. Once released, the Agent is to insure that the youth report to the DOT within ten days to obtain an updated ID showing their new address.

***Chaffee Eligibility Criteria**

Chaffee eligible youth *must meet* criteria #1 and #2.
Criteria #3, #4, and #5 explain the limits of eligibility.

1. Are between the ages of 15 to 21 and are "likely to remain in out-of-home care until age 18".
2. Have been in out-of-home care (OHC) placement (foster home, group home, residential treatment center or court ordered Kinship Care) for at least 6 months after the age of 15 OR have been in out-of-home care for at least 6 months, any time during their lives, but adopted after the age of 15. **(Juvenile correctional institutions DO NOT count as out-of-home care.)** OHC provided by a delinquency order does count towards the 6 months of out-of-home care required to qualify.
3. Eligibility for Chaffee youth stops when the youth is in a JCI or when the youth is living with their parents or guardians if the guardian was not appointed by the court.
4. If a youth is eligible by meeting the criteria of #1 and #2 above but turns 18 while in a JCI or while living with their parents, they will lose their eligibility permanently.
5. If a youth is eligible by meeting the criteria of #1 and #2 above and is in OHC, state or county funded, on or the day before their 18th birthday they will continue to qualify up to the age of 21 of IL services and up to age 23 for educational support.

If the agent/social worker determines a referral is appropriate a Referral Form DOC-2368 should be submitted via e-mail to the Independent Living Coordinator.
Upon receipt of the referral, the TILC will contact the agent or social worker to discuss the youth's readiness and, if appropriate, set up an interview with the youth.
Upon completion of the assessment, the TILC will contact the social worker or agent regarding the youth's

Copyright © 2012 [WI Department of Corrections]

acceptance or denial into the Independent Living Program, or make recommendations that the youth should address prior to admittance to a program. Acceptance or denial will be entered in chronological notes by the TILC.

II. ACTIVE PARTICIPATION

If a youth is found appropriate for the Transitional Independent Living Program, goals are established based on his/her current needs. It should be noted that this stage may overlap with the Supportive Services State. What follows is a list of **possible** services available for youth at this stage:

- Workshops such as Dress for Success, Job Seeking and Maintenance Skills, Job Readiness (filling out of applications and follow up), The Power of Money – Budgeting/Housing, College – What it Takes, Food Management, Health & Hygiene, Emergency & Safety, Time Management-Leisure Activities, Community Resources
- Refer youth to local job training programs
- Assist with resume development
- Assist youth with interviewing techniques and mock interviews
- Discuss post-secondary educational opportunities to obtain marketable job skills
- May provide financial assistance in acquiring driver's permit or license
- May provide financial assistance in purchasing suitable interview attire
- May provide financial assistance in purchasing employment related work tools, clothing or equipment
- Assist youth in acquiring a bank account
- Planning a budget for transportation whether it's a car, saving money for one, planning for insurance, understanding bus transit system
- Accessing community resources that can assist with independent living
- Employment maintenance coaching
- Grocery shopping and menu planning skills
- Tenant rights & responsibilities
- Information on responsible sexuality and parenting
- May provide financial assistance for educational programs
- Preparation of a work/recreation schedule
- Preparation of an individualized budget based on current earnings

Please note that when a youth transfers from the institution to a community placement a one month stabilization period is required prior to any financial support services being offered.

III. SUPPORTIVE SERVICES

Youth who have participated in the Independent Living Program are in the Supportive Services stage when they met all the requirements of the Active Participation stage and are ready to live independently. A successful plan to live on their own requires that they first meet the following criteria:

- Have permission from their gent to live on their own
- Follow rules of supervision
- Have a job working 30 or more hours/week for a minimum of 1 month
- Have a bank account with at least $300

Copyright © 2012 [WI Department of Corrections]

- Have a written budget based on their current earnings
- Have reliable transportation (bus/car)

When the youth meets the above criteria the TILC will work on the following goals with the youth:

- Assistance seeking & obtaining affordable housing
- Assistance setting up utilities
- Assistance acquiring household items needed for independent living
- Financial assistance up to $500 may be available for security deposit or partial rent subsidies

The TILC will provide support services to the youth for approximately 3 months. During this time the TILC will evaluate the youth's progress, coach and redirect as needed, and be available for daily living questions. It is anticipated that youth will be discharged from the program at the end of the Support Phase. TILC will notify DJC staff via email and chronological note, that youth is now discharged from the Independent Living Program.

SUBSTANCE USE DISORDERS (SUD)

Overview

A significant percent of youth placed in Juvenile Correctional Institutions (JCIs) have a history of alcohol and/or drug use or abuse. Addressing substance abuse needs of youth is of paramount important to their successful reintegration into the community.

LHS Substance Use Disorders Program (SUD) utilizes "Seeking Safety" which is an evidenced based, manual-guided, cognitive-behavioral approach, designed for individuals with co-occurring substance abuse and post-traumatic stress disorder (PTSD). It is a present-focused therapy that focuses on building current coping skills. DJC SUD TREATMENT GOALS

The goal of the SUD program is to reduce substance abuse by recognizing how substance use impacts our youth's behaviors and develop strategies to regain power to make healthy choices. Youth in this program will learn coping strategies without the use of substance, manage trauma symptoms, develop grounding techniques, set boundaries, learn how to recognize healthy relationships, and identify people who are supportive in their recovery. The institution program builds the foundation with the youth such that recovery can be transitioned to the community with the support of their significant others.

SCREENING AND ASSESSMENT

Substance use screening and assessment help ensure that the youth is receiving the type of treatment he or she needs in order to live a drug free life. DJC has developed assessment tools and to ensure a comprehensive and consistent screening process for all youth who enter a JCI. This process is documented in order to retain the information for the youth as they move forward in their programming needs.

All juveniles must receive a confidentiality notice prior to any AODA screening or treatment. The youth shall be provided a copy of the *Confidentiality of Alcohol and Drug Abuse Information* form (DOC-2108) and provided explanation. After the youth is given an opportunity to ask any questions, the youth is asked to sign the form as acknowledgment that he/she received and understands the confidentiality notice. If the youth refuses to sign the form, the staff member shall note the refusal on the form, sign and date the form.

Upon initial admission to a JCI, the Reception social worker administers the COMPAS – Youth, risk and needs assessment tool. Those who are identified as moderate to high SUD need, scoring a 4+ on either scales 12, 13, or 14 will be referred to a SUD social worker for a formal assessment using the Adolescent Diagnostic Interview – Light (ADI-L). If the youth does not score a 4+ on either scales and the social worker believes that the youth needs to be screened further, the social worker may refer the youth for a full assessment.

The SUD social worker will complete the ADI-L assessment prior to the youth being transferred to another JCI or

Copyright © 2012 [WI Department of Corrections]

community placement. The SUD social worker enters the appropriate ADI-L information into the SUD Roster in JJIS. Periodically, the SUD social worker reassesses a youth based on new information received by JCI staff from counties, new information from a parent/guardian, or when the youth admits he or she lied during the screening. The ADI-L Collateral Information is also used to determine the youth's appropriateness for participation in the SUD program and is used by OJOR when establishing substance abuse as a broad goal. If the youth is diagnosed with a substance use disorder and determined by OJOR to be placed into the program they will be placed into a group based on their risk level. Low risk youth will participate in groups independent of moderate and high risk youth. Moderate and high risk youth will participate in groups co-mingled. The dosage of the full program is approximately 48 hours.

- Upon a **Youth's Return** to a JCI
  - **Re-administer the ADI-L** to establish the youth's current substance use if:

    a. youth previously scored 4 or higher on COMPAS-Youth Part 3 scales, or

    b. youth returned based upon a substance use related violation or new offense, re- administer AD1-L to establish youth's current substance use, or

    c. youth has history of substance use while under community supervision.

- If the youth returns to a JCI **after a 6-month or longer absence,** re-administer the ADI-L to establish the youth's current substance use.
- If the youth returns in less than 6 months for an aftercare revocation/termination of type 2 status based upon an substance use-related violation or new offense, re-enroll youth in SUD based on youth's original ADI-L assessment.

Youth who have returned to the institution and have previously completed the *Seeking Safety* program may be determined appropriate for a relapse group. This group will entail an abbreviated program high lighting specific modules and will be eight to ten weeks in length. This group also may include low, moderate, and high risk youth co-mingled.

INFORMATION GATHERING

SUD staff are charged with creating an accurate picture of the youth's life involving use/abuse of substances. They may reach out to other DOC staff or county personnel in order to gain answers to questions. Additional resources may consist of:

1. Information in the youth's committing Dispositional Order.
2. Any Termination of Parental Rights actions have been filed and, if so, the status of the proceedings.
3. All prior juvenile court orders.
4. Any Permanency Plan completed for a youth previously placed in alternate care.
5. Any related medical information incorporated into the *Assessment and Evaluation Report* (AER) from the results of the *Health Screening* (DOC-3387) process. Please note, medical information is protected under HIPAA rules so AODA staff may need to contact HSU staff directly to find out relevant medical information.
6. The youth's social services filed opened by the OOA to familiarize self with youth's history.

In addition, SUD staff interview the youth for his/her own perspective of any alcohol and/or drug use or abuse. This interview can be a great source of information even if the youth refuses to answer. The lack of answers or minimization of answers can be very telling of the youth's ability to be honest with one self and others. Moreover, the interview provides a chance for the staff to learn about the youth's strengths and needs, attitude toward commitment, awareness of his or her effects on victims/witnesses, and perception of his or her treatment needs.

GENERAL SUD TREATMENT PROGRAM INFORMATION

The standard DJC SUD Treatment program length is approximately 16 weeks. All SUD programming must be secular in nature and youth shall not be required to participate in a program with a religious component. Treatment consists of group and individual counseling. A written referral process is established to address those issues which are beyond the training and expertise of SUD program staff. All JCI policies and procedures apply to the SUD program. Confidentiality of SUD treatment records is covered by state and federal laws. See CMM Chapter 27 regarding applicable statutes and how to obtain written consent to release a youth's confidential SUD records.

ELIGIBLE YOUTH

Youth who are eligible for SUD Treatment programming will:

1. have a history of substance abuse issues OP
2. score 4+ on the COMPAS Youth Substance Abuse Scale 12, 13 or 14 OP
3. have received a diagnosis of alcohol and/or drug abuse or dependency

CORE CONTENT

The manual consists of 25 topics that are designed as cognitive, behavior, or interpersonal domains. The topics are designed to be independent of each other such that they can be utilized in any order or in any quantity based on the needs of the youth. The list of treatment topics is as follows:

- Introduction to treatment/case management/pre-test
- Safety
- PTSD: Taking Back Your Power
- Detaching from Emotional Pain (Grounding)
- When Substances Control You
- Asking for Help
- Taking Good Care of Yourself
- Compassion
- Red and Green Flags
- Honesty
- Recovery Thinking
- Integrating the Split Self
- Commitment
- Creating Meaning
- Community Resources
- Setting Boundaries in Relationship
- Discovery
- Getting Others to Support Your Recovery

Coping with Triggers

Respecting your Time

Healthy Relationships

Self-Nurturing

Copyright © 2012 [WI Department of Corrections]

- Healing from Anger
- The Life Choices Game (review)
- Termination/post-test

The first two weeks of programming consist of individual sessions with the facilitator. The topics of introduction, safety, PTSD: Taking Back Your Power, and Detaching from Emotional Pain are completed. Although two weeks is anticipated for completion, the youth will need to have a strong understanding of these modules prior to being placed in the group setting; therefore, the time may be extended based on the youth's commitment. The following weeks consist of the remaining topics being completed through a group process that is open ended and rotates through a cycle format. Groups occur for 50 minute sessions three times a week. No more than two topics are covered in any single week. The youth will again meet for individual sessions with the facilitator for the last week. The focus is on completion of the relapse prevention plan and termination topics.

Girls identified with a treatment need participate in a treatment group named Reflections, a 10-week gender specific curriculum created to address the needs of adolescent girls. Over the course of five 1-hour sessions per week, the program presents a strength-based approach and a wide variety of treatment activities including group discussion, workbook activities, and development of a detailed autobiography of alcohol and drug use. This curriculum teaches youth to interrupt the relapse process before they return to their previous high risk behaviors.

COMMUNITY AFTERCARE

As part of the transition back to the community, the youth needs a realistic Relapse Prevention Plan. The Relapse Prevention Plan will be incorporated into the youth's ICP and used in the reentry planning phases. Prior to the youth's release from the institution, the agent and the youth shall review the Relapse Prevention Plan together.

SUD ABBREVIATED RECEPTION PROGRAM

OVERVIEW

The SUD **Abbreviated Reception Program** targets juvenile males and females ages ten through seventeen with Alcohol and Other Drug Use and Abuse issues. The program shortens the length of the initial Assessment and Evaluation phase of programming to three days, on the consideration that the county provides recent SUD assessment and other required information on youth and has followed the process for screening and placement in the program. The duration of the program is approximately 16 weeks.

PROGRAM COMPONENTS AND CONTENT

Entry Requirements

Legal Criteria

- Youth meets the statutory criteria for correctional supervision under s. 938.34(4m).
- Court found youth to be delinquent for commission of an act, which if committed by an adult, would be punishable by a sentence of six months or more.
- Youth must have a commitment to the Division of Juvenile Corrections of not less than six months.
- Court found youth to be a danger to the public and in need of restrictive custodial treatment.

Youth Characteristics and Criteria

- Youth must be between the ages of ten and seventeen.
- Youth does **NOT** have serious mental health needs.

Components

- Reception that includes basic orientation on institution rules, behavior expectations, clothing, schedules, etc.

and educational placement

- Placement in the LHS SUD program

Processes

Placement

1. Office of Juvenile Offender Review (OJOR) at Lincoln Hills School will serve as the initial contact for county workers.
2. Referrals will be pre-screened via the telephone by OJOR and tentative approval will be given verbally to the county worker.
3. Appropriate information **must** be provided **prior** to the youth being accepted to the program and physically admitted to Lincoln Hills School (see "Required Information, Forms, and Data" below).

Communications and Information Dissemination

Contact Information

- Primary Contact: Judy Lehman (715) 536-8386 ext. 1222
- Secondary Contact: Coda Gerber (715) 536-8386 ext. 1216

Information Dissemination

Information on the youth's adjustment to the program will continue to be shared on a regular basis with the court, the family, and the county.

REQUIRED INFORMATION, FORMS AND DATA

County

- An SUD Assessment with a diagnosis of chemical dependency or abuse completed on the youth less than six months prior to screening.
- A copy of the Court Report that includes a social history.
- Educational, medical, and mental health records. Educational records include transcript, cumulative records, immunization records, and special education documentation and signed consent forms for evaluation and placement.
- A transition plan (may be completed at first JPRC).
- A Family-Home Assessment (may be completed at the first JPRC).

Division of Juvenile Corrections

The Unit Manager will prepare a document stating all information and documents were received and that Lincoln Hills School is accepting the information as the Assessment and Evaluation Report (AER). The assigned reintegration social worker will complete a COMPAS prior to the initial JPRC. If during the initial screening additional programming beyond the SUD program is being requested, OJOR and/or Unit Manager will refer the case to the Reception Unit Manager who will assign a Reception Social Worker to complete an Assessment and Evaluation Report (AER) at least 3 working days prior to the initial JPRC. The youth's adjustment to the institution will be documented in the AER-Observations and Analysis section. The Reintegration Social Worker will represent the institution at the initial JPRC.

NOTES

OJOR will schedule the first JPRC within 21 days.

OJOR will designate eligibility for release upon successful completion of **SUD treatment program** and additional

programming if requested.

SEX OFFENDERS ACCEPTING RESPONSIBILITY (SOAR)

OVERVIEW

The SOAR Treatment Program (Sex Offenders Accepting Responsibility) is designed as a module program and it is based on a cognitive-behavioral approach to sex offender treatment. SOAR consists of the following components: Juvenile Cognitive Intervention Program (JCIP), a cognitive restructuring program, and CORE Phases A and B, or C, which make up the sex offender treatment specific portion. The program is appropriate for both juvenile offenders who have a wide range of criminal behavior in their backgrounds and for those youth who have only histories of sexual offending. Once youth have started the SOAR program components, they generally will not be removed from them as both JCIP and CORE are viewed as the complete sex offender treatment program for youth. ASSESSMENT

As mentioned in Ch. 4, the psychologist assesses the youth using the MAYSI-2 to give staff information regarding areas in which the youth has the strongest needs. In addition, all juvenile sex offenders will be assessed by using the J-SOAP II as outlined in Chapters 4 and 13. Information from this assessment will be used to assist with further case planning for the youth upon transition from the JCI. All non-Chapter 980 youth will be assessed for sex offender treatment needs during reception. When the youth is returned to the community after completion of treatment, the assigned DJC agent continues periodic assessment using the J-SOAP II as outlined in Chapters 4, 10 and 13.

THE SOAR TREATMENT PROGRAM OVERVIEW

The JCIP is a cognitive restructuring program designed to help youth build cognitive skills that will enable them to make choices that are pro-social. The JCIP curriculum consists of three phases: Choices, Changes and Challenges. Choices and Changes are delivered to youth in groups at the institutions and Challenges is a self-paced application for youth on supervision in the community. Each phase includes several lessons that follow a standardized format. Each lesson includes presentations of concepts, role-playing and group exercise which enable youth learn skills to confront thinking distortions and patterns that have resulted in negative choices and behaviors. The first two phases take 11 to 13 weeks to complete. [See JCIP section below]

Participation in JCIP is a vital element in the SOAR program. It provides the groundwork for the CORE portions of sex offender treatment program and prepares youth for participation in group discussions and role-playing activities. The initial content of JCIP defines the concepts of beliefs, thoughts, feelings, behaviors, and consequences. The program then helps youth to identify how each of those concepts works in concert with the others. Finally, JCIP builds upon that foundation and helps youth to begin to see and take ownership of the patterns of thinking and behavior that have influenced their lives.

CORE Component

Upon completion of the JCIP, youth begin the CORE treatment component. This portion of the program specifically addresses sexual offending. This program was originally adapted from an adult sex offender treatment program developed by Her Majesty's Prison Service in England and, with the assistance of Dr. Anna Salter, tailored for work with juveniles who committed sexual offenses.

This program was originally piloted in 1999 in the Wisconsin Department of Juvenile Corrections and modifications were made in 2005, 2007, 2008, 2010 and 2012. The changes have been based upon research in the field, successes in the program and a grant from US DOJ. Ongoing revisions and modifications to the program will continue in order to incorporate current research findings and best practice approaches in a field of study that continues to evolve rapidly.

JCIP and Core Orientation

While the youth are in JCIP, the Core group facilitator will meet with them on an individual basis in an effort to give them an orientation to the Core program, and build rapport with the youth.

Copyright © 2012 [WI Department of Corrections]

Based on the youth's JSOAP-II scores, COMPAS results, and other possible assessments, it will be decided if the youth would fit into the one of the following tracks: High Sexual Preoccupation or High Anti-Social Tendencies. Throughout Core there will be supplemental assignments for the youth based on which track they fit into. Core Phase A

When youth complete the JCIP program, they will likely be placed into a Core Phase A group. Phase A of Core is open-ended. A new member will start the program at whichever module the rest of the group is studying. Youth complete Phase A when they have completed all of the topics and assignments listed below. The youth should be able to complete Phase A in three months. Youth who commit major conduct rule violations, or have other significant problems are likely to have slower progress in group.

Elements of Core Phase A

- What is Consent?
- Healthy vs. Unhealthy Relationships
- Understanding Risky Thinking
- Anti-Social Peers Carey Guide
- Anger Carey Guide
- Coping with Problems
- Sexual Fantasies
- Coping with Urges
- Emotional Regulation Carey Guide
- Moral Reasoning Carey Guide
- Pro-Social Leisure Activities Carey Guide
- Overcoming Family Challenges Carey Guide

Core Phase B

Phase B of Core is a close-ended group. The material in Core B builds on the material before it, so it cannot be done out of order. It should take a youth approximately three months to complete this phase. If a youth commits a major conduct rule violation while in Phase B, and they miss 3 or more group sessions, they will be restarted into the next Core Phase B group. It is anticipated that a new Phase B group will start every-other month. If a youth needs to be restarted in Phase B, and a new Phase B group is not scheduled to begin, that youth will then go back to Phase A until a new Phase B group starts, in order to enhance their awareness of the elements of Phase A.

Elements of Core Phase B

- Life History Presentation
- Patterns in Offending Presentation
- Offense Decision Chain Presentation
- Impact of Offending
- Victim Narratives
- Family/Other Role Plays
- Letters of Responsibility
- Risk Factors
- Who I Want to Be

Copyright © 2012 [WI Department of Corrections]

- Handling Disappointments and Setbacks in Life
- Putting It All Together
- Future Me Role Plays
- Plan for Healthy Living

Alternative Treatment Program Option for Low Risk Youth – CORE C

Program objectives:

- To develop in youth a greater understanding of the definition of "consent."
- To educate youth regarding sexual assault laws in the State of Wisconsin
- To provide youth with a better understanding of healthy relationships and how to build and maintain them
- To provide youth with a greater understanding about safe, healthy sexual functioning, healthy sexual practices, sexual development, and sexual identity
- To provide a youth a better understanding of how their thoughts and feelings played a role in their decision making and behaviors.
- To provide a greater awareness of how sexual assault impacts victims and provide an opportunity for youth to reflect on the impact they may have had on their victims
- Develop realistic goals and plans for the future while identifying pro-social methods for success by pointing out what and who helps to achieve those plans and goals.

Youth who will be considered for this program are those that, following an assessment and evaluation process, are determined to be in need of sex offender treatment and

- Youth who's sexual offense or misconduct does not appear to be the primary criminogenic need, Youth
- assessed as being at lower risk for repeat sexual offending,
- Youth that have been returned to LHS for a non-sexual offense/violation, but the offense/violation is determined to have elements of inappropriate or concerning sexual behavior,
- Youth that have engaged in inappropriate sexual behaviors that have not risen to the level of a crime,
- Youth who have been adjudicated for an offense that does not meet statutory criteria as a 980 offense,
- Youth not required to register with SORP.

CORE C elements are adapted from CORE A and B. The modules and their goals are as follows:

- Consent
- Healthy Relationships
- Sexual Relationships
- Healthy Sexuality
- Understanding Risky Thinking / Coping with Risk Factors
- Sexual Fantasies / Coping with Urges
- Offense Decision Train
- Impact of Offending
- Victim Role Plays
- Family Role Plays

Copyright © 2012 [WI Department of Corrections]

- Being Successful

Family component

Every youth in our program has sexually victimized another person. Some of these victims are other family members, and when the victim is a younger sibling at home, the injury to the family is usually devastating. Sometimes it is not possible for the youth to ever live at home again. In other cases, it is hoped that the youth be able to return home after treatment, and in some rare cases, the victim will be in the home. Other family issues that come up are the difficulty of some families to accept that their son committed a sexual assault, the ability of the family to help the youth with his relapse prevention plan, and family conflict. At times, the family is simply not a viable resource in helping the youth make progress toward positive goals.

DJC has provided family counseling on occasion, and this is an area targeted for expansion pending available resources. In the rare case where a youth will return to the home where the victim lives, an apology session between the youth and his victim and family is a minimal expectation. In these cases DJC makes efforts to involve a community counseling service provider who could verify that the victim is ready for the apology session, and could be a resource for additional services in the community.

JUVENILE COGNITIVE INTERVENTION PROGRAM (JCIP)

OVERVIEW

The JCIP is a cognitive restructuring program designed to help youth build cognitive skills that will enable them to make choices that are pro-social. The JCIP curriculum consists of three phases: Choices, Changes and Challenges. Choices and Changes are delivered to youth in groups at the institutions and Challenges is a self-paced application for youth on supervision in the community. Each phase includes several lessons that follow a standardized format. Each lesson includes presentations of concepts, role-playing and group exercise which enable youth learn skills to confront thinking distortions and patterns that have resulted in negative choices and behaviors.

In 2010, the curriculum was updated to incorporate evidenced-based practices and principles. Text was reordered to improve the flow, language was updated and text boxes were added to the Facilitator's Manuals to document the evidence-based rationale for emphasizing specific concepts and activities. The evidence-based practice of motivational interviewing is an example added to the Facilitator's Manuals. The bibliography was also updated to reflect current sources which were used in revising the material. To ensure standardized application and integrity of the curriculum, it is distributed only to those who have attended facilitator training.

PHASE 1 CHOICES

Curriculum

- CHOICES consists of 13 lessons. The lessons are covered in group sessions which are held 2-3 times per week.
- Generally, Phase I is completed in 7-8 weeks.

Goals

- The primary goal of CHOICES is to help youth understand and challenge the thinking that encourages and excuses his/her own illegal or harmful behavior. Upon completing this phase, a youth should:
  - Understand how a person's beliefs, thoughts, and feelings affect their choices.
  - Differentiate between thinking that helps the youth get what they really want versus thinking that gets them in trouble.
  - Become skillful at writing Thinking Reports so they can find patterns in their thinking.
  - Recognize the underlying beliefs that keep them locked in a cycle of offending.

Expectations for Youth

In order to benefit from the group sessions, staff expect youth to be reliable, respectful, honest, involved, and to maintain confidentiality.

Course Completion

- Attend 13 of 15 classes and make-up missed classes.
- Complete homework assignments.
- Participate fully and respectfully in group.
- Successfully complete "cycle of offending" assignment.

  Score at least 75% on the final test.

PHASE 2:

CHANGES

Curriculum

- Consists of 13 lessons. The lessons are covered in group sessions which are held 2-3 times per week.
- Generally, Phase II is completed in 4-5 weeks.

Goals

- The primary goal of CHANGES is to build a youth's cognitive skills to help the youth to change thinking patterns and to develop pro-social interpersonal skills. Upon completion of the program, a youth should be capable of the following:
  - Set positive goals and recognize barriers that keep the youth from reaching the goals.
  - Use thinking in a conscious way to maintain better control of behavior during problem times. Think
  - through and solve problems more effectively.

Expectations of Youth and Course Completion See Choices sections above.

PHASE 3: CHALLENGES (COMMUNITY PHASE OF JCIP) See Chapters 13 and 16 for description of curriculum and goals.

FAMILIES COUNT (FAMILY COMPONENT OF JCIP)

The FAMILIES COUNT Program is designed to be a three-lesson "bridge" program for youth leaving the institution and re-entering the community. Its purpose is to orient families to how the Juvenile Cognitive Intervention Program (JCIP) concepts and skills will help youth remain crime-free in their communities. FAMILIES COUNT specifically uses the format from CHOICES (Phase I) and CHANGES (Phase II) of the Juvenile Cognitive Interventions Program, with which the youth are familiar. Youth participate in the lessons as facilitators as well as students in addressing coming home issues for both parent and youth.

The JCIP Reference Guide available on MyDOC was developed by JCIP Trainer Kari Buske as an aide for parents, providers, social workers and agents to describe the main tools of juvenile cognitive intervention such as Stop and Think, the Choice Funnel, Thought Train, etc.

DELIVERY OF FAMILIES COUNT

- All youth who have completed JCIP will participate in a single combined session of Families Count following a youth's entrance into the Transition Phase. Both lessons 1 and 2 will be covered in one session at the institution.
- Lesson 3, the Check Up, should be conducted within 45 days of a youth's return to the community by the youth's agent.

Copyright © 2012 [WI Department of Corrections]

Contents

Lesson 1 – Social worker will facilitate the session on Hope, Optimism, and application of the JCIP concepts to communication challenges between parents and youth. Youth participates by demonstrating JCIP tools.

> **Participants:** Social worker, agent, youth, parents and other Transition Team members, especially from the community, are encouraged to participate.

Lesson 2 - The focus of this session is on Challenges, Regrets, and Commitments. The youth and family will look back at past regrets, examine useful ways they each have learned to cope with current challenges, and make a commitment to newly changed behaviors that will help maintain the youth in the community.

> **Participants:** Social Worker, youth, parents and other family members, agent, county worker, services providers.

Lesson 3 – The purpose of this component is to check how the family and youth are able to apply the JCIP concepts to challenges once the youth is in the community. The assigned agent will conduct the Lesson 3 follow-up about one month after the youth returns to the community.

> **Participants:** Youth, agent, family. Other members from the Transition Team are welcome.

Communication

Institution social worker will inform DJC agent about Families Count goals and participation by providing a copy of youth's preparatory work and the assignment completed by youth and family.

Evaluation of JCIP

The JCIP has an evaluation component built into the curriculum. The program is examined from three vantage points:

1. Standardized testing or the research view. The HIT (How I Think), a nationally normed questionnaire, is used as a pre/post-test measure of change in youths' thinking patterns.
2. Behavioral change of youth as observed by institution staff. The Institutional Behavioral Rating Form (IBRF) is used to objectively gauge a youth's improvement in behavior on a day-to-day basis as they interact with peers and others in the classroom, on the living units, and on-grounds of the institutions.
3. Youth knowledge of the JCIP material. The final test scores for each phase are reviewed, coded, and entered into JJIS. This enables staff to track on the number of youth who complete the program and receive pass or fail scores.

Program facilitators complete a summary sheet of each youth's scores on the above measures and send it to DJC Central Office for data entry and analysis. Quarterly reports of program participation by youth and the percentage of youth who earn pass/fail/incomplete scores are compiled. HIT and IBRF scores are collected and analyzed periodically.

MENDOTA JUVENILE TREATMENT CENTER (MJTC)

OVERVIEW

Youth at LHS may be **administratively transferred to** Mendota Juvenile Treatment Center (MJTC) [see Chapter 10]. MJTC is a statutorily authorized **Type 1 secure juvenile correctional facility** which provides psychiatric assessment and mental health treatment to adolescent male youth referred from DJC. The facility is **administered by the Department of Health** (DHS) on the grounds of the Mendota Mental Health Institute (MMHI) in Madison.

YOUTH PLACED AT MJTC

MJTC youth usually display **very serious behavioral problems** while at a JCI. The often dangerous behavioral symptoms are usually signs of **underlying psychiatric problems** such as cumulative anger, depression, agitation, psychosis or other psychiatric issues frequently generated from a lifetime of abuse and/or neglect. Youth transferred to MJTC [see Chapter 10] often have **specific problem areas diagnosed by the JCI**, or the **JCI has specific clinical questions** or issues that they would like MJTC to address.

CLINICAL TEAMS

The 29 beds are separated into 2 units. Each unit maintains its own clinical team that focuses on individual mental health needs.

Team 1: This team handles the **admission assessments** and treats residents who have recently arrived at MJTC or are in need of placement in a **very secure environment**. The primary **mission** of this team is to **reduce the amount of security** lock-up time of youth through the use of psychiatric interventions.

Team 2: This team receives youth who have successfully reduced security time while working with Team 1. The primary mission is to **maintain the decreased security time** and increase **the psychiatric treatment** related to the needs of the youth. In addition, Team 2 **begins to transition** the youth either back to the JCI or into the community in an improved state of mental health.

PROGRAMMING AND TREATMENT **Types of Treatment and Programs**

MJTC was specifically developed and designed to **meet the psychiatric needs** of DJC male youth by assessing and treating their psychiatric needs through the use of:

- Individual therapy
- Behavioral programming
- Activity therapy
- AODA treatment
- Sex Offender Treatment
- Group and family therapy
- Specialized individual incentive programming
- Psychotropic medications
- Educational programming

ICCP and Progress Summary

MJTC offers a variety of **multi-disciplinary treatment programs** for youth. They continue to work on their **ICCP** goals and objectives. In addition, social workers complete a **Progress Summary** in COMPAS every 90 days to determine the youth's progress on his goals and objectives. MJTC staff maintains **program activity documentation**. Staff revise the youth's ICCP as needed based on the Progress Summary [see Chapter 6].

Release to the Community or Transfer to a JCI

If the youth will be released to the community upon completion of the programming at MJTC, the social worker, county or DJC agent and youth work together to develop an ICCP at least 3 days prior to the youth leaving MJTC. [see Chapter 6]. If the youth will be transferred back to the JCI, the JCI social worker reviews the youth's ICCP and Progress Summaries from MJTC and recommends changes as needed at the next JPRC conference.

VICTIM IMPACT PROGRAM

BASIC DESCRIPTION

The Victim Impact Program offers an **educational curriculum** that emphasizes **victims' rights** and creates an awareness of the harmful effects of crime. The program helps youth to understand that all crime negatively affects the lives of individuals physically, emotionally, psychologically, and/or financially.

PROGRAM OBJECTIVES FOR YOUTH

- Develop empathy
- Increase accountability
- Develop awareness of short and long-term impact of victimization
- Express empathy via an apology letter to their victim
- Develop awareness of harm caused by crime
- Explore tendency to depersonalize victims
- Recognize that youth have a choice regarding their own behavior

PROGRAM COMPONENTS

- Staff screen youth for academic readiness (**minimum 5th grade reading ability**) and **psychological**

- **stability.**
- **VIP** meets five days a week for six hours per class for three weeks.
- Curriculum contains **14 lessons** dealing with a variety of crimes such as homicide, sexual assault, and property crime.
- Youth may or may not earn **academic credit.**
- Youth attend **crime survivor presentations** during which crime survivors talk about the short- and long-term impact of crime on their lives and their families. The presentations serve as strong, personal reinforcement of the negative impact of crime on its victims.

INTENSIVE TREATMENT PROGRAM (ITP) - CLS

PURPOSE OF ITP

Population Served

ITP at CLS addresses the **extensive treatment needs of the most severely challenged female youth** with emotional disturbance/mental health issues typically combined with severe disruptive/aggressive behavior patterns.

Primary Objectives

- To reduce or eliminate negative behaviors by providing more effective management and treatment of their behavioral, mental health disorders, and/or emotional disorders.
- To improve the short- and long-term adjustment of the youth.

TREATMENT APPROACH

- The **eclectic treatment approach** involves strong developmental systems and cognitive-behavioral perspectives. It places high priority upon **identifying underlying causal factors** for the negative behaviors and using multi-leveled therapeutic interventions across a broad range of treatment domains to create positive change. Treatment includes relief from underlying biological disturbances through selective prescription of psychotropic medications.
- Repair damaged views of “self” and “others” due to past trauma and/or neglect, and rebuild healthy, pro-social qualities of self-esteem, resilience, hope, belonging, mastery, independence, and generosity through ongoing involvement in therapeutic relationships and activities.
- Correct deficits in self-management, social relationship, and/or academic skills through comprehensive and intensive skill building.
- Promote emotional health and positive pro-social behavior through use of cognitive-behavioral therapeutic techniques.
- Eliminate high-risk (harm to self or others) and anti-social behaviors while reinforcing appropriate, pro-social behavior using a powerful, flexible, and targeted behavioral management system.
- Promote release/resolution from past emotional issues through use of trauma-resolution and emotional conflict-resolution therapeutic techniques.
- Rebuild family, social, and community support systems.
- Emphasize victim awareness and restorative justice concepts throughout all aspects of treatment.
- Treatment is individualized and includes therapy with clinical staff and DBT Groups.

SHORT TERM RE-ENTRY PROGRAM FOR JUVENILE GIRLS – CLS

HISTORY

The Short Term Re-Entry Program for Juvenile Girls began January, 2004. It is a targeted program for girls who are

identified by the court as benefiting from a maximum of **120 days placement** at Copper Lake School.

ENTRY INTO THE SHORT TERM RE-ENTRY PROGRAM FOR JUVENILE GIRLS

Girls are selected through a referral process facilitated by the Office of Juvenile Offender Review (OJOR). OJOR representatives will provide the initial screening processes for direct commitments. Some girls with regular commitments will be placed in the program through the OJOR review process. The juvenile is to be an adolescent female the county department may normally consider placing at the Copper Lake School. Additionally, the youth is to have NO serious mental health needs.

A county considering direct placement in the Short Term Re-entry Program for Juvenile Females should contact Karri Gorton of the Office of Juvenile Offender Review at (715) 536-8386 ext. 1165. If it appears the girl is appropriate for the program the county would prepare a dispositional report recommending placement with the Department of Corrections for a direct commitment to the Short Term Re-entry Program for Juvenile Females. The report should include a clear and complete transitional proposal for re-entry.

PROGRAM DESCRIPTION

Goal

Main goals upon arrival at Copper Lake School are to identify and address issues related to the development of pro-social skills and competencies; replace aggressive tendencies with more acceptable choices; and facilitate opportunities to practice these newly acquired skills. Behaviors of juvenile girls stem from pathways their lives have taken. A critical element in these pathways is the family or support group for each girl. Contact with family and aftercare providers, whether these services will be provided by a County Social Worker or by a State Agent as dictated by the county and court, will be extensive.

Components

The Short Term Re-Entry Program for Juvenile Girls consists of the following components:

- JCIP Phase I – Choices
- Aggression Replacement Training
- SUD Program
- Lifework Education Planning
- Skillstreaming
- Academic Education
- Re-Entry Initiatives

CLS Phase

- Re-entry begins on day one and continues parallel to activities with the community, family, and natural supports preparing for community reintegration.
- *Reception:* Two weeks in reception includes all screening activities and evaluations. These include (1) medical and dental evaluations, (2) Psychological Screening Report, (3) Suicide Risk Assessment, (4) MAYSI-2 (Massachusetts Adolescent Youth Screening Instrument, Second Version), (5) COMPAS-Youth, (6) Adolescent Diagnostic Interview Light (ADI-L), (7) Education evaluations, and (8)Career assessments. *Following Reception:* Students committed to the Short Term Reentry Program will actively participate in gender specific, culturally diverse, targeted programming including Family Therapy, Re-entry Skills, Academic Education, Juvenile Cognitive Interventions, and Skillstreaming module of Aggression Replacement Training. **Academic Programming:** Consists of instructional programming in the following subject areas: Mathematics, English, Social Studies, and Science at both the Middle and High School levels. Copper Lake School's curriculum offerings are aligned with the State of Wisconsin Model Academic Standards in all areas and credits earned are all transferable to school districts statewide.
- *Family Therapy*: Unless contraindicated by family dynamics, family therapy sessions will be conducted to enhance post-release adjustment.
- *Life Work Education Planning:* To include career assessment, exploration, and career counseling.

Community Supervision

The program is extremely re-entry focused with the goal of targeting and providing the skills each girl needs to survive and succeed. Upon leaving the institution, a reintegration plan will be in place and operational. Agencies

and people/natural supports will be ready with understanding and open arms to provide necessary follow-up. Reintegration planning will begin during the initial reception process, which will develop firm links with key community agencies including family, schools, health providers, churches, recreation centers, and case specific service providers. These are key components to the successful community reintegration of each girl, and ultimately ensure the continuity of service upon release.

PROGRAMMING FOR SPECIAL TYPES OF LEGAL COMMITMENTS

A youth's legal commitment type can impact program options available to a youth as well as when certain programming may be most appropriate. Social workers and other JPRC members should keep in mind the youth's type of legal commitment when considering programming choices [see Chapter 3].

PROGRAMMING FOR FEDERALLY PLACED YOUTH

By contract, the Federal Bureau of Prisons (FBOP) may place youth adjudicated delinquent by a federal court in a JCI [see Chapter 3]. The Statement of Work (SOW) sets the federal standards that JCIs will follow.

The JCI provides federally committed youth with the same case management, programmatic, and educational opportunities as other youth committed to JCIs.

SECURE DETENTION AT LHS/CLS

Programming/Documentation

Youth in secure detention at LHS and CLS are governed by the DOC Administrative Rules and the Administrative Rules for the committing county's detention center [see Chapter 3]. While in secure detention, youth receive educational services, recreational time, and treatment groups related to youth's past behaviors, and chaplain services if desired by the youth. Copper Lake School will offer secure detention for girls, to the counties that contract with LHS for detention of boys.

Copyright © 2012 [WI Department of Corrections]

8-Leaves from JCI, Transfers Between JCIs, and Case Transfers

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Three Categories of Leaves	• Offgrounds Leaves and Furloughs
• Trial Visit Procedures	• Transfer of Youth Between LHS and MJTC
	• Transfer of Cases

Forms Discussed in this Chapter

• Department Order (DOC-1722-A)	• Juvenile Release Authorization (DOC-1788)
• Juvenile Offgrounds Request (DOC-2060)	• Community Supervision Rules and Conditions (DOC-1741 or DOC-1741S)
• Furlough Request (DOC-1947)	• Health Screening - DJC (DOC-3387)
• Trial Visit to Parental Home Agreement (DOC-1720)	• Inter-Institution Transfer Summary (DOC-1980)
• Trial Visit and Pre-Placement Agreement	• Recommendation for Administrative Action (DOC-44A)
• Order to Produce & Return (Milwaukee County)	

DOC-1788 is accessible in MyDOC. The DOC-1741 is to be completed in COMPAS. All other forms are completed in JJIS screens.

Three Categories of Leaves

Leaves from a JCI are authorized absences by a youth from a JCI for a pre-determined period of time. The absences support the youth's treatment and program needs by providing community reintegration experiences. Chapter DOC 381, Wisconsin Administrative Code, and DOC/DJC S.I.M.P.#1 contain the policies and procedures governing leaves.

- **Offgrounds leave** means an escorted or supervised leave from the JCI **not exceeding 24 hours**. The 24-hour limitation does not apply when a court has issued an "Order to Produce and Return" form and the court proceedings exceed 24 hours.
- **Furlough** means an approved, supervised leave from a JCI for a period **not exceeding 7 days**.
- **Trial visit** means an approved leave from a JCI wherein a youth resides for **up to 28 days** in a potential community placement.

Off-Grounds Leaves and Furloughs

Reasons for Approval

- To attend the funeral of a close family member
- To visit a terminally ill close family member
- To respond to a request from law enforcement officials or to make a court appearance
- To attend educational, social therapeutic, athletic or recreation events
- To participate in a structured work program
- To be interviewed by a prospective employer or educational official who requests the interview to determine an appropriate work release or study release placement
- To go to a medical appointment
- To participate in activities deemed appropriate by the superintendent
- To participate in community transition and family reintegration services

Copyright © 2012 [WI Department of Corrections]

Procedures Prior to the Offgrounds Leave or Furlough

Staff initiated request for offgrounds leave or furlough for youth

- Recommendation and approval procedures
  - Youth's social worker/team recommends authorization of an offgrounds leave or furlough to the superintendent/designee according to institution policy.
  - Designated staff member submits a Juvenile Offgrounds Request (DOC-2060) or Furlough Request (DOC-1947) to superintendent/designee.
  - Superintendent/designee decides whether to approve recommendation according to institution policy. Youth's section manager/team may appeal the superintendent's decision to the DJC assistant administrator.
- Role of HSU: exercises authority relating to medical appointments according to institution policy.
- Role of social worker: provides notice to victim/witness, with request on file, for an offgrounds leave or furlough. [see Chapter 11]

Youth initiated request for offgrounds leave or furlough

- Request and approval
  - Youth submits a Juvenile Offgrounds Request (DOC-2060) or Furlough Request (DOC-1947) to superintendent/designee.
  - Superintendent/designee provides a copy of the decision to approve or deny the youth's request including reasons for a denial.
  - If the superintendent/designee approves the request, he or she:
    - Identifies the JCI staff, agent or other person supervising the youth.
    - Completes and has the youth sign special rules or conditions on the DOC-2060 or DOC-1947.
    - Provides the youth's agent with a copy of the DOC-2060 or DOC-1947.
    - Social worker provides notice to victim/witness, with request on file, for an offgrounds leave or furlough.

Legal Status and Cancellation of Offgrounds Leave or Furlough

Legal Status

- A youth on an offgrounds leave or furlough remains under type 1 DJC supervision. Therefore, a youth may be disciplined under Chapter DOC 373, Wisconsin Administrative Code, for committing a violation of any condition of the leave or lawful directive of JCI staff, agent or other supervising person.
- A youth who leaves a location without permission or fails to return to a designated location at a specified time may be treated as an escapee and could be charged with committing a criminal offense.

Cancellation

At anytime during an offgrounds leave or furlough, the superintendent/designee may cancel the offgrounds leave or furlough.

Trial Visit Procedures

Overview

- DJC may release a youth from a JCI to the community for a trial visit to evaluate a community placement either in the youth's home or in an alternate care placement.

- Generally, a trial visit is for 14 days, but may be extended for up to 28 total days.
- DJC bills the county for all trial visits home at the DJC daily institution rate. DJC bills the county for all trial visits to the alternate care placement at the alternate care placement daily rate. If the youth is being released to county supervision, the alternate care placement would bill the county for all trial visit days at the placement's published daily rate.

JCI Social Worker Responsibilities Prior to Trial Visit

Required Collaboration

- Recommend to OJOR that youth be made eligible for a trial visit
- Verify with OJOR that OJOR will notify a victim/witness when a request is on file
- Work cooperatively with the youth's aftercare worker and trial visit placement staff to determine location and conditions of trial visit
- For trial visits home, confirm with the county representative that they understand billing will occur at the DJC daily rate. With this understanding, they are authorized to request a trial visit home. Enter a COMPAS note to this effect.

Required Documentation

- Have youth sign the following:
  - Trial Visit and Pre-Placement Agreement (DOC-1718) or Trial Visit to Parental Home Agreement (DOC-1720)
  - Community Supervision Rules and Conditions (DOC-1741). Select standard juvenile rules in COMPAS. Complete the DOC-1741S if needed for Spanish-speaking youth.
- FAX the signed DOC-1718 or DOC-1720, and DOC-1741 to aftercare worker and trial visit placement Inform
- the trial visit placement in a standardized letter of the following:
  - JCI maintains a medical file regarding the youth and questions regarding the youth's health status should be directed to the appropriate institution HSU.
  - Trial placement must obtain prior authorization from JCI HSU before scheduling appointments for non-emergency medical or dental care.
- If youth will be enrolled in school during trial visit, arrange for transfer of education records and IEP (if applicable) to receiving school.

Aftercare Worker Responsibilities Prior to Trial Visit

Required Collaboration

- Work cooperatively with JCI social worker, OJOR, and trial visit placement staff to determine appropriateness of and **location of trial visit**.
- Develop conditions of trial visit and **rules of supervision** with JCI social worker.

Required Documentation

- State Agents must complete the **Juvenile Release Authorization** (DOC-1788) reflecting transfer of youth from JCI to the trial visit placement. This does not pertain to county supervised youth. County aftercare workers are not mandated to utilize this form and may satisfy trial visit affirmation via other methods.
- Complete required **referral materials** to alternate care placement. [see Chapter 10].
- Prior to the beginning of a trial visit to an alternate care placement, ensure the alternate care placement has

Copyright © 2012 [WI Department of Corrections]

obtained **written parental consent** authorizing staff to consent to **emergency medical care**. This consent applies only to a medical emergency occurring during a trial visit wherein a parent cannot immediately be reached to obtain consent, and only remains in effect until parental consent is obtained.

OJOR Responsibilities Prior to Trial Visit

- OJOR discusses with JPRC participants the merits of utilizing a trial visit to release.
- If a trial visit is agreed upon, determine the length of TVR. Typical duration is 14 days, but it must not exceed 28 days.
- Discuss with aftercare worker notification procedures for conclusion of trial visit.
- Confirm with county workers that trial visits to parental home (or relative's home) are billed at the JCI's daily rate. County supervised trial visits to other placements are billed at the daily rate of the specific facility.

HSU Responsibilities Prior to and During the Trial Visit

- Send to trial visit placement a current Health Screening—DJC (DOC-3387) [*see Chapter 4*] and the youth's medications, if any, for the duration of the trial visit.
- Respond to questions posed by trial visit placement regarding the youth's physical and/or mental health status.
- During the trial visit, decide whether to authorize non-emergency medical and dental care when contacted by trial visit placement.

Aftercare Worker Responsibilities During Trial Visit

- Monitor youth's behavior during trial visit.
- Revise and have youth sign Community Supervision Rules and Conditions (DOC-1741) when modifications are made. Youth supervised by a county aftercare worker may utilize an independently developed form.
- Communicate information relating to youth to the JCI social worker and OJOR reviewer.
- May cancel a trial visit at any time. (see below)

Extension of Trial Visit

- Frequently, a trial visit is scheduled for 14 days. In some cases, an aftercare worker may request OJOR to extend the trial visit for another 14 days.
- The aftercare worker notifies the JCI social worker and trial visit placement of the extension when OJOR extends the trial visit.

Aftercare Worker Responsibilities Upon Cancellation of Trial Visit

- State agents will complete and distribute the bottom portion of the DOC-1718 or 1720 indicating the reason(s) for the cancellation of the trial visit.
- County workers will contact the JCI shift supervisor for cancellation of trial visit, detaining and transporting arrangements for the youth.
- Follow procedures under "Conclusion of Trial Visit: Unsuccessful" described below.

Escape from Trial Visit Placement

- Aftercare worker immediately notifies JCI shift supervisor, social worker and OJOR reviewer in the event that the youth escapes from trial visit placement.
- JCI shift supervisor issues an Apprehension Request (DOC-58) immediately when notified by the youth's aftercare worker that the youth has escaped.

Copyright © 2012 [WI Department of Corrections]

- JCI designee notifies the victim/witness, if there is a request on file, of the youth's escape from the trial visit placement. [*See Chapter 11*.]
- JCI may pursue escape charges with the local District Attorney.

Conclusion of Trial Visit

Successful Trial Visit: Youth Remains in the Community

- Aftercare worker notifies OJOR reviewer and JCI social worker that the youth will not return to the JCI by completing and distributing the ANR (DOC-1734). [*see Chapter 5*]
- OJOR issues DOC-1722a releasing (not done from TV status) the youth to the community. [*see Chapter 5*]

Unsuccessful Trial Visit: Youth Returns to JCI

- Aftercare worker notifies OJOR reviewer, JCI social worker and trial visit placement that the youth will return to the JCI.
- Aftercare worker arranges for transportation of youth back to the JCI in concert with JCI shift supervisor.
- Aftercare worker obtains remaining medications, if any, from trial visit placement and returns them to the JCI with the youth.
- OJOR decides whether to continue or rescind youth's eligibility for release/transfer.

  If OJOR decides to rescind youth's eligibility for release/transfer, OJOR issues a DOC-1722a and sets up next review date.

Transfer of Youth Between LHS and MJTC

Transfer of Youth from LHS to MJTC

- LHS chief psychologist determines that a youth should be considered for a transfer to MJTC.
- MJTC and LHS liaisons consult to determine if transfer of a youth from LHS to MJTC is appropriate and possible, based upon bed availability.
  - When liaisons agree to the transfer, LHS liaison notifies staff including at least the superintendent, gatehouse, social worker, psychiatrist and clinician.
  - If liaisons disagree about the transfer of a youth, the superintendents make the decision.
- [illegible]
  - Pending charges (include any known information about pending charges: juvenile or adult, in or out of state.)
  - LHS social worker completes the Inter-Institution Transfer Summary (DOC-1980).
  - Clinician writes a list of treatment services requested and/or referral questions to be addressed by MJTC staff.
  - LHS social worker notifies youth's parent/guardian, committing county, and agent.
  - LHS Psychological Services Unit OOA notifies OJOR reviewer of transfer decision and notifications.
- LHS sends to MJTC with the youth, the above described documents, along with the clinical, medical, SS and education files, and the youth's approved correspondence and visitors list.

Copyright © 2012 [WI Department of Corrections]

- OJOR issues a DOC-1722a transferring the youth to MJTC.

MJTC Responsibilities During Youth's Stay at MJTC

- By the end of the first 6 weeks of the youth's placement, MJTC forwards to LHS the answers to the referral questions posed by the LHS clinician and/or in the DOC-1980.
  - MJTC forwards to the LHS liaison, OJOR and the agent:
  - The results of any psychological or psychiatric assessments if the youth is returned to LHS upon completion of evaluation period.
  - Reports every 90 days regarding treatment services being provided and the youth's progress (e.g., COMPAS case plan updates).

Return of Youth from MJTC to LHS

- **Transfer Request**
- A youth may be transferred from MJTC back to LHS at the request of liaison staff at MJTC or LHS. Return may be requested for one of the following reasons:
  - Youth has reached maximum benefit from MJTC programming,
  - Youth does not seem to be making progress, or
  - A bed is needed for a youth requiring immediate transfer to MJTC.
- **Information discussed by Liaisons**
- Length of stay at MJTC.
- Progress in treatment; transfer may be necessary because the youth has successfully completed a treatment program, or youth does not seem to be benefiting from treatment.
- Stability of behavior.
- Mental health status.
- Anticipated negative and positive reactions to a return to LHS.
- Responses to referral questions posed by LHS prior to transferring the youth to MJTC.
- Other information relating to the return of the youth such as security.

Emergency Placement of Youth at MJTC

- **Information discussed**
- Emergency needs of the youth at LHS to be immediately placed at MJTC.
- Selection of most appropriate youth to return back to LHS based upon discussion of information regarding youth already placed at MJTC described above.
- **Liaisons choose the youth to return to LHS**
- Based on notification from the LHS Psychological Services OOA, OJOR issues a DOC-1722a returning the youth to LHS.
- Liaisons schedule a return date.
- LHS liaison informs other LHS staff including at least the superintendent, gatehouse, social worker, and clinician of youth's return date.

- LHS social worker notifies the youth's parent/guardian, committing county and agent.
- If liaisons disagree about the transfer of a youth, the superintendents make the decision.

Youth's return to LHS

- MJTC sends with the youth the results of the MJTC evaluation, responses to original referral questions, if not already forwarded to LHS, and other pertinent information relating to the youth's return.
- Based upon discussions between MTJC and LHS liaisons and other staff, LHS places youth in an appropriate level of security status or cottage placement.
- Gatehouse notifies chief psychologist of the time of the youth's return to the LHS.
- Youth's clinician arranges to meet with youth shortly after return.

  Youth's clinician reviews materials sent with youth from MJTC staff.

Transfer of Cases

Overview

Case transfer means the **transfer of formal case responsibility** from a social worker to another social worker, from an agent to another agent, or from an agent to a social worker.

Case transfers include transfers within JCIs, between JCIs, from JCIs to the community, from the community back to the JCI, between DJC agents, and between DJC and DCC.

Case transfers do not occur due to a short security stay or a sanction where case responsibility stays with the same social worker or agent.

Case Transfers within and between JCIs

When cases are transferred from one social worker to another within the same JCI or between JCIs, the receiving social worker informs the other JPRC participants either verbally or in writing within 5 working days and re-assigns case responsibility in COMPAS. He or she also notifies the youth's parent/guardian.

Case Transfers from the JCI to the Community

Documentation

- When youth are administratively transferred or released from a JCI to the community, the receiving agent (either state or county) completes the Juvenile Release Authorization (DOC-1788) prior to the youth leaving the JCI. [see Chapter 10]
- Agent should complete the DOC-1788 as soon as the release/transfer date is known to permit the JCI and OJOR to provide legally-required notices to victim/witness and community agencies at least 15 days prior to the youth's release/transfer. [see Chapters 11 & 12]
- The receiving agent re-assigns the COMPAS person record to the community location and takes the case responsibility.

Notification of case transfer

Agent also notifies the youth's parent/guardian of the case transfer.

Case Transfers from the Community to the JCI

Two kinds of case transfers from the community back to a JCI:

- Aftercare revocation [see Chapter 17]
- Termination of type 2 community supervision [see Chapter 15]

Responsibilities of staff

- OJOR-CO distributes copies of the revocation or termination packet to all JPRC participants and other appropriate staff. [see Chapters 15 & 17]
- JCI social worker informs the other JPRC participants, either verbally or in writing, within 5 working days that he or she has case responsibility and re-assigns case responsibility in COMPAS.
- Social worker also notifies the youth's parent/guardian.

Case Transfers between DJC and DCC Agents or County Agents

DJC to county agent, or DJC to DCC agent

- Sending DJC agent completes and distributes to the receiving agent and others as appropriate the **Recommendation for Administrative Action** (DOC-44a).
- Receiving DCC or county agent and his or her supervisor discuss the transfer, and sign and distribute the DOC-44a as appropriate.
- If transferring case to a county worker, DJC agent re-assigns the person in COMPAS if the county is active in COMPAS.
- If transferring case to a DCC agent, DJC agent closes the juvenile case in COMPAS. DCC opens a new case in COMPAS and assigns the agent in WICS.

DJC agent to another DJC agent

- Sending agent completes the **Transfer Preparation Record in JJIS** and mails the youth' s field file to the receiving agent.
- Receiving agent and supervisor discuss the transfer, and the receiving agent accepts the Transfer Preparation Record in JJIS.
- The receiving agent changes the person assignment in JJIS and re-assigns the case in COMPAS.

Case Transfer Timelines

Prior to Youth's Release/Transfer from JCI to the Community

Sending Agent Responsibilities	**Due Date**
Discuss community placement plans with social worker	90-120 days
Contact receiving field supervisor for assignment of agent	60-90 days
Call the receiving agent to discuss: release/transfer date, ICCP, family issues and needs, victim issues, Dispositional Order and need for extension [*see Chapter 10*]	60-90 days
Complete Transfer Preparation Record in JJIS	15 days
Forward youth's field file to receiving agent	15 days
Sending Agent Responsibilities	**Due Date**
Notify OJOR CO if victim/witness notification is on file [*see Chapter 11*]	At least 15 days
Complete transition or detailed ICCP (Note: CSP agent completes the ICCP)	At least 3 days

Receiving Agent Responsibilities	**Due Date**
Schedule and complete monthly contacts with youth during transition phase [*see Chapter 10*]	
Discuss community placement plans with sending agent	60-90 days
Contact parent/guardian to decide if home placement is appropriate	60-90 days

Discuss home visit results, if home visit took place, with sending agent	60-90 days
Schedule Transition Team meeting [*see Chapter 10*]	30-60 days
Notify parent/guardian if youth will be placed in alternate care	At least 30 days
Schedule placement date with social worker	21 days
Accept Transfer Preparation Record in JJIS	As soon as decision is made to accept
Transfer case in COMPAS	Effective date

Prior to Transfer of Case to a New Agent When Youth is in the Community

Sending Agent Responsibilities	**Due Date**
Contact receiving field supervisor for assignment of agent	At least 15 days
Call the receiving agent to discuss: release/transfer date, ICCP, family issues and needs, victim issues, Dispositional Order and need for extension [*see Chapter 10*]	At least 15 days
Schedule placement date with receiving agent, if necessary	At least 15 days
Complete Transfer Preparation Record in JJIS or DOC-44a depending on type of transfer	15 days
Forward youth's field file to receiving agent	15 days
Notify OJOR CO if victim/witness notification is on file only if youth is changing placements	At least 15 days
Receiving Agent Responsibilities	**Due Date**
Discuss community placement plans with sending agent	At least 15 days
Contact parent/guardian to decide if home placement is appropriate	At least 15 days
Discuss home visit results, if home visit took place, with sending agent	At least 15 days
Notify parent/guardian if youth will be placed in alternate care	At least 5 days
Accept Transfer Preparation Record in JJIS, or sign and distribute the DOC-44a depending on type of transfer	As soon as decision is made to accept
Transfer case in COMPAS	Effective date

Copyright © 2012 [WI Department of Corrections]

9 Court Proceedings

Overview of chapter contents

Primary topics covered in this chapter (read across)

- Order to Detain Procedures
- Disposition of a New Offense
- Original Adult Court Jurisdiction
- Psychotropic Medication/Mental Health Placements
- Guardianship
- Extension of Youth's Commitment
- Court-Ordered SJO Report
- Waiver of Juvenile Jurisdiction
- Placement in a Mental Health Facility
- Interview of Youth by Defense Attorney/Investigator

Forms Discussed in this chapter

- Order to Detain (DOC-1915)
- Department Order (DOC-1722a)
- Order to Produce and Return (Milwaukee County)
- Extension Report (DOC-1723)
- Sample Dispositional Report
- Cancellation of Order to Detain (DOC-1916)
- Release of Information (DOC-1163h)
- Order for Temporary Physical Custody (JD-1171)
- Petition for Extension (DOC-1707)
- Petition for Extension (Milwaukee) (DOC-2640)

NOTE: DOC forms discussed in this chapter are available in MyDOC or in JJIS. See tables listing all forms in front of CMM to determine where specific forms can be accessed. Wisconsin court forms may be accessed at www.wicourts.gov.

ORDER TO DETAIN PROCEDURES

Order to Detain Issued to DJC

At the time of the youth's admission to a JCI, the youth may have an "order to detain" issued by a court because of a pending charge. The order means that DJC lacks authority to discharge the youth from supervision into the community without notifying the holder of the detainer. The OOA notifies the security director of any existing detainers upon the youth's admission. The OOA marks the Social Services file [see Chapter 3] to notify staff that there is an existing detainer. The social worker must be aware of which youth on his or her caseload have detainers when making recommendations regarding transfer, release or discharge.

Order to Detain Issued by DJC

When a youth has a pending charge for which the youth must make a court appearance, the social worker must notify the Office Operations Associate (OOA) at least 72 hours prior to the youth's departure. The OOA completes and forwards the Order to Detain (DOC-1915) to the Security Director, Supervising Youth Counselor's Office and to the sheriff's department in the county where the court proceedings are scheduled. A copy of the order to detain is filed in the youth's social services file. The detainer prevents the court from releasing a youth from DJC supervision so that the youth returns to the JCI. The DOC-1915 is only effective for the specified court proceeding. Following the conclusion of the proceedings and the youth's return to the JCI, the order to detain is canceled by the OOA. The district attorney, corporation counsel, youth, youth's parent(s)/guardian, legal custodian and others bound by the original Dispositional Order [*see Chapter 3*] may request the court to extend the period of time the youth remains under DOC supervision. [s. 938.365 (1m), Stats.]. A variety of situations may occur. For example, all parties involved may agree with a request for extension, DJC and the district attorney may be in agreement, the youth may object, or DJC may disagree with the district attorney's request for extension. The court reaches a decision based upon an extension hearing.

The JPRC members decide if a petition for extension should be filed for a youth in a JCI. The DJC agent and supervisor make the determination for a youth on state aftercare or on type 2 status.

EXTENSION OF YOUTH'S COMMITMENT

Petition for Extension and Extension Report

Overview of DOC-].707 and DOC-].723

- When DJC petitions for an extension, the social worker or agent completes the **Court Petition** (DOC-1707) .

- It is not available in JJIS and must be completed via MyDOC.
- For Milwaukee County cases, only submit the cover page (DOC-2640), extension report and attachments.
- Social worker or agent prepares an **extension report** (DOC-1723) regardless of who requests the court for an extension. The DOC-1723 is completed in JJIS.

Extension Report as it Relates to the Petition

- In the majority of situations, the DJC **report supports the petition**.
- Occasionally, a DA pursues an extension request even though DJC does not believe it is necessary. In that case, the DJC extension report would not support the petition for an extension.
- Staff **person with case responsibility** for a youth writes an extension report regardless of the youth's location. For example, the agent writes the report for a youth under the agent's supervision even when the youth is on administrative detention or a sanction at a JCI.
- The Milwaukee County Liaison attends the initial hearing. The author of the report represents DJC in court proceedings in the event of a contest.

Hearings at Which Extension Requests are Heard

- **Extension Hearing Due to Expiration of Court Order**

Social worker or agent must be aware of the youth's expiration as indicated in JJIS. Staff must adhere to strict timelines regarding the initiation of a request for extension as well as the writing and submission of the extension report.

- **Dispositional Hearing**

In some cases, DJC may request a court to extend the youth's supervision on an existing order at the same time a court is conducting a dispositional hearing on a new offense. [see section below regarding dispositional hearings]

Initiating Request for Extension

- Social worker initiates the request for an extension with OJOR at least 4 months prior to the expiration of supervision. The social worker utilizes the JPRC process to reach a decision whether extension will be requested well in advance of the expiration date.
- A county or state agent follows timelines established by supervisors as to when to address the question of whether to request an extension.

Timelines for Writing and Submitting the Extension Report

- **Milwaukee County**: Social worker or agent with case responsibility writes the extension report **90 days** prior to the expiration date.
- CLS/LHS: Social worker completes the report in JJIS and sends it to the OOA 70 days prior to expiration. The OOA forwards the report to the DJC liaison 63 days prior to the youth's expiration date. The DJC liaison is located at the Milwaukee County Children's Court Center.
- MJTC and Agents—The social worker or agent completes the report in JJIS and sends it to the DJC liaison 63 days prior to the youth's expiration date.
- **Other counties**: Social worker or agent responsible for the case writes the extension report **60 days prior** to the expiration date.

CLS/LHS: social worker completes the report in JJIS and sends it to the OOA 49 days prior to expiration. The

OOA sends to the Clerk of Courts in the appropriate county 42 days prior to the youth's expiration date.

- MJTC and Agents: social worker or agent sends the extension report to the Clerk of Courts in the appropriate county 42 days prior to the youth's expiration date.

Length of an extension request

The time requested in a petition for extension should be based upon an assessment of the time the youth needs to successfully complete his or her JCI and/or community supervision program, the youth's age, and current expiration date. The **maximum extension request is for one year**.

- For example, a youth needs 3 months to complete the institution program, 3 months to complete the group home program, and could benefit from 3 months supervision once he or she returns home. Therefore, a request for an extension of 9 months would be reasonable.

Extension Past 17th Birthday

- **Issue**: The courts in Wisconsin differ in their interpretation of the law regarding extending supervision orders made after January 1, 1996, which expire on or after the youth's 17th birthday.

- **Some Courts Will Grant Extensions Beyond 17th Birthday**

- Some courts will extend supervision past the 17th birthday for a youth with an existing order that expires on or after the 17th birthday when the request takes place prior to the 17th birthday.

- In these types of cases, the request must be a petition for revision and extension, not just an extension request. In the request, DJC recommends that the court revise the existing Dispositional Order before the 17th birthday and then extend the Dispositional Order for one year, or whatever time period the youth should be extended.
- These requests for revision and extension must be **heard and decided** by the court **prior to the youth's 17th birthday.**
- In Milwaukee County, the district attorney frequently requests the court to extend the order until "the day before the 17th birthday" for youth whose order expires between 16 and 16.9 years of age. This permits the filing of a subsequent request for extension before the youth's 17th birthday. DJC's request should correspond with the district attorney's petition.

- **Some Courts Will Not Extend Past 17th Birthday:** Some courts interpret ch. 938, WI Stats., as not permitting them to extend supervision beyond an order that expires on or after the youth's 17th birthday.

Meeting Deadlines in Court

Extension reports must be completed by the required deadlines. DJC may lose supervision of a youth if a request for an extension and the report are not submitted to the court on time.

Content of Extension Report

- Request for Extension Report (DOC-1723) must include **information required by s. 938.365 (2g), Stats.**
- Court cannot hear a request for extension without the required information.
- Extension report **summarizes the youth's case**; court can obtain detailed information from court records or during oral testimony.
- Information regarding financial obligations of youth including amount ordered and remaining balances.
- Report must contain **current information** as of the submission date. An attorney may object to a report

containing outdated information and require the social worker or agent to write an addendum. Report

- should be **completed in JJIS**.

Instructions for Section 3 of DOC-1723

A.**Extent to which original ICP** [*see Chapter 6*] **is meeting objectives** (youth's adjustment), s. 938.365, Stats.: list the original ICP goals and objectives and any subsequent revisions to the goals and objectives including the revision date(s).

Discuss **JCI and field** progress. "Adjustment to placement" refers to DOC placement, not just field, institution or alternate care specific. A social worker should include youth's programs/services and progress in the community if he or she has been on community supervision. An agent should discuss JCI programs/services and progress.

B.**Future Planning**: include potential for return to the parental home [refer to s. 938.365 (2g)(b)(2), Stats.]; refer to Permanency Plan if one has been developed.

C.**Recommendation**: include length of extension requested, projected transfers for program involvement and completion, and/or release.

D.**Attachments**: include in chronological order, copies of **all** Department Orders (DOC-1722a) excluding the comments and observations prepared by the OJOR reviewer. These attachments should cover the time period from admission to present or from date of prior extension to present.

See the **example Extension Report contained in ch. 29**, Sample Case.

Obtain Release Authorization

- Social worker or agent asks the youth to sign the Authorization For Disclosure of Non-Health Confidential Information (DOC-1163) and Authorization For Use and Disclosure of Protected Health Information (PHI) (DOC1163A) to authorize his or her court appointed defense attorney to review the youth's files.
- Social worker or agent explains to the youth that the defense attorney will need access to his or her file to properly represent the youth at the extension hearing especially when the youth objects to the request for extension.
- On the DOC-1163 and DOC-1163A in the "Information may be Released to," the social worker or agent write in "Court Appointed Defense Attorney."

Dane County Procedures

Extension Packet Deadlines

Responsibilities of CLS/LHS social workers and the OOA

- A social worker at CLS or LHS handling an extension submits an original set of documents, including the petition, extension report, and any attachments, to the OOA at least 49 days prior to the youth's expiration date. This allows the OOA the time needed to assemble and mail the documents to Dane County in a timely manner.
- The OOA mails the required documents to Dane County a minimum of 42 days prior to the youth's expiration date.
- CLS and LHS **social workers should not mail** any documents relating to an extension directly to any parties involved in the proceedings. Only the OOA should mail extension documents.

Responsibilities of MJTC social workers and DJC agents

A social worker at MJTC handling an extension mails an original set of documents, including the petition, extension

report, any attachments, and Department Orders (DOC-1722a), to Dane County a minimum of 42 days prior to the youth's expiration date.

- Extension packet for the court for more than one court case

  DJC may request the court to extend the court commitment orders of a youth on more than one court case at the same extension hearing. If a youth was adjudicated delinquent on more than one case, more than one court case number would be involved. Therefore, the court may have multiple court case files for a youth. When a social worker or agent requests an extension in more than one case for a youth, the court must include all the necessary documents in each court case file.

Contents of an extension packet:

- Original petition includes: names and addresses of involved parties including the youth, youth's county or state agent, judge, district attorney, public defender, and youth's parents/guardian.
- All court cases associated with the youth's extension.
- Extension report
- Any attachments with the report

  Department Orders (DOC-1722a).

If this is the first petition for an extension for a youth, every signed Department Order since the youth's admission date will be included in the extension packet.
If it is the second petition or more, only include the signed Department Orders since the last petition in the packet.
An original set of the above documents must be provided to the court for filing into each court case file. For example, if the youth had five court cases for which the social worker is requesting an extension, five sets of the original documents must be provided to the court. One set includes the original petition with each of the five court cases listed for that youth, extension report, Department Orders (DOC-1722a), and any attachments.

- Extension Packet Assembly
- The OOA at CLS and LHS assembles the extension packets, which may include typing any required documents that the social worker did not type, gathering Department Orders (DOC-1722a), etc., to be mailed to Dane County.
- Social workers at MJTC and agents assemble their own extension packets and mail to Dane County.
- The OOA or social worker/agent sends one original and seven copies of all documents for the court to distribute.
- Role of Court Personnel
- File a set of the original documents into each court case file.
- Distribute the copies to the involved parties listed on the petition.

Address/Contact

- Clerk of Circuit Court Juvenile Division
  Room 1000, Dane County Courthouse
  215 S. Hamilton Street
  Madison, WI 53703

If social workers and agents have questions, they may contact the Court Manager, Dane County Clerk of Circuit

Court at (608) 266-4311.

Milwaukee County Procedures

Compliance Procedures

Social workers and agents preparing reports for Milwaukee County cases should be aware that the DJC liaison forwards a monthly list to Central Office, JCI superintendents, and field supervisors of completed reports indicating whether they were done in a timely manner.

Copies of Extension Report

- The OOA or the social worker/agent sends a total of 6 six copies (original and 5 copies) to the DJC liaison in Milwaukee.
- The original request and three copies must include the OJOR Department Order (DOC-1722A) with Comments and Observations.
- One copy of court orders relating to the case(s) for which the extension is being requested should be submitted along with the six copies.
- Include one copy of the completed DOC-1163 (see page 9:5), retain original for file.

The court sends the youth and parent(s) a copy of the report.

DJC Liaison

A majority of DJC youth come from Milwaukee County. Social workers and agents should not directly contact attorneys, judges or other court personnel without first contacting the liaison.

Social workers and agents should work closely with the liaison during the court process. They share responsibility for representing the position of DJC regarding the petition as effectively as possible. The social worker or agent must **promptly inform** the liaison of the youth's location changes during any pending court process. It is the responsibility of the assigned Social Worker and/or Agent to contact the DJC Liaison one week prior to all scheduled court hearings to provide an update on youth and/or if DJC has a position, recommendation, concern, or stipulation. When a social worker or agent appears at a proceeding and the liaison does not, he or she informs the liaison of the outcome of the proceeding including court ruling, pending court dates, unusual incidents, or special requests from the Judge or other parties.

In addition, all court appearances and outcomes must be promptly chrono'd in JJIS.

Courtroom Procedures

Upon arrival at the Children's Court Center, the social worker or agent check in with the court clerk in the courtroom providing his or her own name, institution/agency represented and name of the case.

If possible, the social worker or agent discusses with the district attorney and the liaison the testimony that he or she will present at the proceeding. This interaction offers the parties the opportunity to better coordinate the case. In cases where the youth objects to the extension and DJC supports the extension, social workers and agents should use caution in making out of court statements to the defense attorney.

Whenever a youth has been transported to court under an "Order to Produce and Return" and the youth will be returned to JCI, the liaison, social worker or agent, who is in attendance must complete a "Temporary Physical Custody Order" (example at end of chapter) at the conclusion of the court proceeding. The judge signs the temporary order to permit Milwaukee County Detention to hold the youth until he or she is picked up for return to a JCI. The forms are available in the courtrooms. In Milwaukee, there are two forms. One is a two page duplicate (Addendum to JD-1711). When the Judge signs the form, the Clerk retains the top sheet (white), the Deputy receives the next (yellow), and the next (pink) should be given to the Liaison after Court. The one page form (JD-1711) is retained by the Clerk.

At the conclusion of an initial appearance or a trial, the judge may issue an Order for Extension of Dispositional Order extending supervision of the youth. The court uses a standard order, which includes:

Copyright © 2012 [WI Department of Corrections]

1. The court case number is in the very top section.
2. The date the court makes its finding in the next section. This section also includes the date of the original order that the court is extending.
3. The new expiration date is found in the bottom section.

Court Process in General

Wisconsin Statutes govern the legal procedures that must be followed to extend a youth's commitment. A judge may not issue an extension order without a court hearing. The exact nature of court proceedings vary case by case and county by county. Inexperienced social workers and agents should consult with experienced staff to learn about procedures in the county where the extension hearing will be heard. The responsibilities of the social worker or agent before, during and after court proceedings depend upon the practices of a particular county. **BE PREPARED WHEN YOU GO TO COURT**. The social worker or agent should carefully review the extension report and other pertinent information thoroughly before going to court. Having maintained complete and accurate chronological notes will be of great benefit for preparing for court.

He or she should discuss any questions or concerns with a supervisor or DJC liaison (Milwaukee County). It is also advisable to discuss the case and testimony with the assigned district attorney prior to the hearing.

The JCI needs an **Order to Produce from the court** to release a youth from an institution so that the sheriff can transport the youth to court. The OOA receives the "Order to Produce and Return" and notifies all appropriate parties of the time and date of the court proceeding. An "Order to Produce and Return" is not needed for youth released to state or county supervision.

Types of Hearings

The following court procedures are based on Milwaukee County; however, most courts follow similar procedures.

Initial Appearance

- This court proceeding takes place **before a judge** and may include the district attorney, defense attorney, DJC liaison (Milwaukee County), social worker/agent (other than Milwaukee county or if Milwaukee County judge orders), youth and youth's parent(s). The liaison or social worker/agent represents DJC at this proceeding.
- Person bringing the action, generally the district attorney, presents the petition for extension to the court. Youth may stipulate (agree) to the extension or object to the extension.
- **Stipulation Reached**. The court enters a new order extending the court's jurisdiction over the youth until the date stated on the record. No further court proceedings regarding the petition for extension take place.
- **Youth Objects**. When the youth objects to the extension, the proceeding becomes a contested matter. The court schedules a hearing (trial) date. The liaison (Milwaukee) notifies the social worker or agent of the date and time of the hearing so that he or she will be available to testify.

  If it appears that the court proceedings will not be completed prior to the expiration of the original court order, the statutes at s. 938.365 (6), Stats., permit the court to extend the order for a period not to exceed 30 days. The judge signs an order with the new expiration date.

Extension Hearing

- **Stipulation**. In some cases, the attorneys reach a stipulation (agreement) after the initial appearance and before the trial date. The district attorney, youth, youth's parent(s) and DJC liaison appear. Depending on the case, the social worker or agent may appear.

  The judge reviews the stipulation reached by the defense attorney and district attorney. He or she also verifies the youth's agreement with the stipulation and advises the youth of his or her legal rights. If the judge approves the stipulation, the court issues a new court order with a revised expiration date.
- **Contested hearing**. The defense attorney, district attorney, youth, youth's parent(s), DJC liaison, and the

Copyright © 2012 [WI Department of Corrections]

social worker or agent appear. The judge calls witnesses and takes testimony under oath. When DJC concurs with the petition for extension, the social worker or agent is the primary witness for the petitioner. After hearing all the evidence, the judge makes the decision whether to extend the youth's commitment. If the youth's commitment is extended, the court issues a new court order with a revised expiration date.

- **Continuances**: At any point the court may continue the proceedings to another date. In Milwaukee if the liaison is not present, the social worker or agent must notify the liaison of any new court dates.

Court Testimony

Prior to the hearing, **do not engage in conversations with opposing counsel outside the presence of the attorney representing the position of DJC.**

A person testifying for the first time may find it beneficial to consult with his or her supervisor prior to going to court.

Testifying in court can be an intimidating experience. Some suggestions for testifying effectively include:

- Tell the truth; do not attempt to manipulate or hide facts related to the case.
- Do not be afraid to testify to information even if you believe it may not support the position of DJC on the extension.
- Remember your role as a witness is to provide facts. The attorneys explain the evidence to the judge or jury.
- As a witness, you advocate on behalf of the DJC position and refrain from testifying to your personal opinion.
- Speak distinctly so the court reporter and others can hear the testimony.
- Look at the judge and/or jury when testifying.
- Always ask a questioning attorney to repeat any question you do not understand.
- Answer the questions concisely; do not offer additional information.
- Do not use any slang in answering questions (e.g., say "yes" rather than "yah").
- Listen carefully before agreeing that a statement made by an attorney reflects your testimony.
- If an attorney makes an objection, stop speaking and wait for the judge to make a ruling. Ask questions if you do not understand the ruling.
- In some situations, it may be appropriate to ask the judge for permission to consult written records to refresh memory. You may not read from your notes unless the document has been marked as an exhibit.
- At times a cross-examination may feel like a personal attack. Realize that this is how the adversarial system works.
- Maintain a professional demeanor at all times.
- Do not argue with attorneys or judges.
- Do not become sarcastic no matter how offensively an attorney may be treating you.
- If a jury is hearing the case, remember they see and hear everything that happens in the courtroom. In making a decision, they will consider everything that they have observed.
- Neither the DA nor the defense attorney is your lawyer. They represent the interests of "the people or the subject of the petition."

The content of the **extension report should form the basis for the oral testimony**. The social worker or agent represents the position of DJC regarding the extension request. He or she is obligated to testify consistent with the position of DJC even if his or her personal opinion differs. If, at any time, a social worker or agent offers

his or her personal opinion, he or she makes that clear to the court.

Notification of Extension of Youth's

Commitment Social Worker Attends Extension Hearing

If the court grants an extension:

1. The social worker immediately notifies the OOA of the youth's new expiration date.
2. The OOA accepts the word of the social worker pending receipt of the Order for Extension of Dispositional Order.
3. The OOA immediately enters the new expiration date in JJIS.
4. The OOA completes an amended Face Sheet (DOC-1701) to reflect the new expiration date and place in the youth's SS file. [*see Chapter 3*]
5. The OOA notifies the community unit program assistant that the new expiration date has been entered into JJIS.
6. When the OOA receives the Order for Extension of Dispositional Order, the date on the order will be compared with the date in JJIS and corrected if necessary.
7. If corrections are necessary, the OOA completes steps 4 and 5.

Agent Attends Extension Hearing

If the court grants an extension:

1. The agent immediately notifies the unit program assistant of the youth's new expiration date.
2. The program assistant accepts the word of the agent pending receipt of the Order for Extension of Dispositional Order.
3. The program assistant immediately enters the new expiration date in JJIS.
4. The program assistant completes an amended Face Sheet (DOC-1701) [*see Chapter 3*] to reflect the new expiration date and place in the youth's SS file. [*see Chapter 3*]
5. The program assistant immediately notifies the OOA that the new expiration date has been entered into JJIS. This is extremely important if the youth is at the JCI for a sanction or administrative detention [*see Chapter 20*] at the time of the extension hearing.
6. When the agent receives the Order for Extension of Dispositional Order, the program assistant compares the date on the order with the date in JJIS and corrects it if necessary.
7. If corrections are necessary, the program assistant completes steps 4 and 5.

DISPOSITION OF NEW OFFENSE

As with a petition for an extension, certain court procedures must be followed when a youth is charged with committing a new offense. Inexperienced social workers and agents should consult with experienced staff to learn about procedures in the applicable county. The following court **procedures apply to Milwaukee County, but should be similar throughout the state.**

Types of Hearings

Detention Hearing

A court commissioner conducts a detention hearing regarding the new offense. DJC must advise the court as to whether a youth in the community will be returned to a JCI. The social worker or agent does not attend this hearing. The Milwaukee County Probation Department liaison notifies DJC of the outcome of the hearing.

Plea Hearing

The DJC liaison (Milwaukee) represents DJC at the plea hearing. The social worker/agent appears in other counties. If the offense is not one automatically heard in adult court, a petition to waive a youth to adult court may be filed at this time. If a petition to waive the youth to adult court is not filed, the youth (via his or her attorney) enters a plea to the new charge.

Copyright © 2012 [WI Department of Corrections]

Disposition

Generally, the liaison (Milwaukee) represents DJC based upon the Dispositional Report written by the social worker or agent. In other counties, the social worker or agent appears and testifies. The judge takes testimony and determines whether the youth committed the offense. The judge may then proceed to disposition. The judge may also set another date for the disposition.

Dispositional Report Under s. 938.33 (1), Stats.

When Report Is Required

The court may require a social worker or agent to write a Dispositional Report when a youth in a JCI has a **pending court case for an offense other than the committing offense or when a youth on correctional supervision in the community commits a new offense.**

Responsibility for Preparing the Dispositional Report

When a youth has been in the community 45 days or more, and a Dispositional Report is required, the Agent will prepare the report. The Social Worker will forward to the agent any updated behavioral information in a timely manner. If the youth was in the community less than 45 days, the Social Worker will be responsible for preparing the report. The Agent will forward to the Social Worker details of the brief community placement in a timely manner.

Submission of Report

The report should be submitted to the DJC liaison in Milwaukee County or the clerk of courts for other counties. Report must **reference the pending case number**, not the one for which the youth is currently placed under supervision of DJC.

Purpose of Report

The judge uses the report to assist in determining the disposition of the youth. Section 938.33, Stats., describes the required content of the report.

If DJC is requesting an extension of the existing order as part of the dispositional hearing, see extension report section above

Extension Request at Dispositional Hearing

In some cases, DJC may request a court to extend the youth's supervision on an existing order at the same time a court is conducting a dispositional hearing on a new offense. [*see section above regarding extension reports*] At the hearing, the extension request may be used as a way to settle the new case in one of the two following ways:

- Youth stipulates (agrees) to an extension of the existing court commitment and the court dismisses the new charge.

  DJC withdraws the extension request, youth stipulates to the new charge and the court uses the extension report in lieu of a dispositional report.

- Current restitution owed must be considered prior to agreement for dismissal of extension request. **Contents**

of Dispositional Report

Social history that includes court history, prior services received by youth, brief description of all treatment programs provided to youth while under DJC supervision (JCI and community), and transfers between JCI's, and JCI's and community.

Recommended **plan of rehabilitation or treatment** and care that includes less restrictive alternatives considered and/or tried previously, and why they were not appropriate/successful.

Copyright © 2012 [WI Department of Corrections]

- Specific **services or continuum of services** recommended for the youth and family, entity that will provide services and identify entity that will coordinate youth's plan.
- Statement of **objectives of plan** including desired behavior changes and the academic, social and vocational skills needed by the youth.
- Plan for provision of **educational services.**
- Statement of **availability of treatment or other programs**, and availability of funds to pay for them when DJC recommends the issuance of a court order requiring youth's family member(s) to participate in mental health treatment, anger management, counseling or parent training/education.
- **DJC best practice**: include **information regarding restitution** ordered under the current commitment order requesting that the new Dispositional Order include a statement requiring the youth to continue to pay on the prior order. This authorizes DJC to continue collecting for restitution ordered under the prior commitment order even after it reaches expiration.
- For example, a youth is at a JCI with an order expiring 10/5/02 that includes victim restitution in the amount of $150.00. Youth has paid $75.00 on that order when he or she commits a new offense for which he or she is adjudicated delinquent on 7/7/02.
- The dispositional report should state that the youth has an existing restitution order with a balance of $75.00 and request that the court on the new dispositional order require the youth to pay that balance in addition to any restitution ordered for the new offense.
- If the new order does not include the prior restitution, DJC loses authority to continue collecting the balance as of 10/5/02 unless DJC obtains an extension of that order prior to 10/5/02.
- If DJC is requesting an extension of the existing order as part of the dispositional hearing, see extension report section above.

Milwaukee County Format

- A sample completed Dispositional Report is included at the end of this chapter. That format should be followed for Milwaukee County cases.
- Primary sections include:

I. **Social history**: summary of court contacts; services provided; placements within DOC; initial and revised ICP goals; summary of programs completed; significant events (major penalties, release to aftercare; administrative transfer to type 2 status; revocations; sanctions; type 2 termination, etc.)

IV. **Recommended plan** of rehabilitation/treatment: discuss alternatives considered; is DOC placement the only suitable recommendation?; address severity of pending charges; public safety issues; availability of placement in home, etc.

V. **Specific services** recommended

VI. **ICP** status: progress on current goals/objectives

VII. **Plan for recommended services**: length of time needed for services; should the option of the dispositional order expiring the day before 17th birthday be recommended or should order be until the 18th birthday?; by what age can youth complete program such as AODA, HSED, etc?

. Recommended **mental health treatment** or other counseling: is youth on psychotropic medication, why, proper consents obtained; prior counseling history

SJO Report

When the court orders DJC to prepare a SJO report, DJC reviews the Dispositional Report described above and analyzes the juvenile's appropriateness for placement in one the following:

- Serious Juvenile Offender Program (SJOP) [*see Chapter 7*]
- Secured correctional facility (JCI), but not in SJOP
- Other out-of-home (alternate care) placements
- Parent's home with supervision or community based programming

Original Adult Court Jurisdiction

A youth who is 17 years old when she or he committed an alleged offense is automatically tried in adult court. In accordance with s. 938.183 (1), Stats., the adult criminal court also has original jurisdiction when a youth is alleged to have committed one of the following offenses:

Youth aged 10 years and older [s.938.183(1)(am)]

- s. 940.01, Stats., 1st degree intentional homicide, committing or attempting
- s. 940.02, Stats., 1st degree reckless homicide, committing
- s. 940.05, Stats., 2nd degree intentional homicide, committing

Youth in a JCI [s.938.183(1)(am)]

- s. 940.20 (1), Stats., Battery by prisoners that cause bodily harm to another person
- s. 946.43, Stats., Assaults by prisoners that place another person in fear of bodily harm, confine or restrain another person

All youth age 10-16 [s.938.183(1)(b) or (c)]

- Youth alleged to have committed a criminal offense when the youth was previously convicted in adult court or a criminal prosecution is proceeding

grounds for Waiver of Juvenile Jurisdiction

Under s. 938.18, Stats., a juvenile, DA or judge may propose to waive the juvenile, 16 years or younger, to adult court. The waiver may be requested in the following situations:

Juvenile aged 14 through 16 years alleged to have violated the following:

- s. 940.03, Stats., Felony Murder
- s. 940.06, Stats., Second-degree reckless homicide
- s. 940.225 (1) or (2), Stats., 1st or 2nd sexual assault
- s. 940.305 Stats., Taking hostages
- s. 940.31, Stats., Kidnapping
- s. 943.10 (2), Stats., Burglary: while armed, use of explosive, commits battery

  s. 943.32 (2), Stats., Robbery: use or threat of dangerous weapon

Copyright © 2012 [WI Department of Corrections]

s. 961.41 (1), Stats., Uniform controlled substances act: manufactured, distribution or delivery.

- If the juvenile is alleged to have violated any state criminal law on or after his or her 15th birthday.
- If the juvenile on or after his or her 14th birthday is alleged to have committed, at the request of a criminal gang, an offense that would be a felony, if committed by an adult, under chapters 939-948 or 961, Stats.

Waiver Report

The court may designate DOC to write a report analyzing the criteria described in s. 938.18 (5), Stats.

- Personality and prior record
- Whether the juvenile is mentally ill or developmentally disabled
- Previous waivers to adult court
- Whether prior conviction/adjudication has involved serious bodily injury
- Juvenile's motives and attitudes
- Physical and mental maturity
- Pattern of living
- Prior offenses—type and seriousness of offense
- Prior treatment history

Potential for responding to treatment

Adequacy and suitable of facilities, services and treatment available in the juvenile system, including placement in the Serious Juvenile Offender Program.

The social worker or agent consults with his or her supervisor to determine DJC's official position. A social worker or agent representing DJC must present DJC's position to the court. If the court waives a youth into adult court, the social worker or agent must notify the security director immediately so a detainer can be issued based upon the existing commitment order.

Psychotropic Medication

Definition of psychotropic medication

Psychotropic medications are medications prescribed by a physician used to influence mental functioning, behavior or experience. Examples include anti-psychotics, antidepressants, anti-anxiety agents, sedative hypnotics, and psychomotor stimulants. The law treats psychotropic medications differently than other medications.

Consent for psychotropic medication

Non-psychotropic Medications and Medical Procedures

A parent/guardian has legal authority to consent for administration of other-than-psychotropic medications and for medical treatment until the son or daughter is 18 years old. The situation differs when the medication is for treatment of a mental illness.

Youth Under 14 Years of Age

A parent/guardian may consent to psychotropic medications for a son or daughter under the age of 14 years.

Youth Aged 14 Through 17 Years

Juvenile <u>and</u> a parent/guardian must consent to the administration of psychotropic medications when the juvenile reaches the age of 14 years.

- Youth Objects

Copyright © 2012 [WI Department of Corrections]

If a 14-17-year-old objects to the medication, someone would have to obtain a court order under ch. 51, Stats., Mental Health Act, to force the juvenile to take psychotropic medication.

In some cases, a DJC **youth aged 14-17 years agrees** that taking psychotropics is in his or her best interests, but the **consent of a parent/guardian cannot be obtained** because the parent/guardian refuses to consent or cannot be located, or no adult has legal custody. The Juvenile Justice Code at s. 938.505 (2), Stats., provides a court procedure whereby a **petition can be filed in court** to obtain court authorization for the psychotropics. In **Milwaukee County**, the presiding judge will sign off on a consent form provided by JCI Health Services staff. It is **Form 3401A-K**. This will include verification of efforts to locate the guardian, or the guardian's refusal to consent. It will also document letters sent to the guardian. Additionally, a letter from the prescribing psychiatrist should accompany the request and indicate why there is a need for the medication, and what medication will be prescribed. A formal petition is not required. Staff should contact the Milwaukee County Children's Court Liaison for assistance in processing a request to the presiding judge.

Youth Aged 18 Years and Older

The youth has sole authority to consent unless he or she has been placed under a legal guardianship pursuant to ch. 880, WI Stats., as being legally incompetent.

Preparing to file a Petition to the Court

The procedure under s. 938.505 (2), Stats., requires that **the juvenile 14 years or older under DJC supervision cannot be residing in his or her parental home.**

Documents Required

- Documentation that DJC has been **unable to obtain consent from the parent/guardian** due to that person's refusal to consent, inability to locate the parent/guardian, or lack of an adult with legal custody. This includes a description of efforts made such a telephone calls, letters, visits to the home, etc. Dates and name of person making the contact should be documented.
- Statement that the juvenile is **at least 14 years of age and mentally capable of consenting** to the psychotropic medication.
- Statement that the **juvenile voluntarily consents** to the medication. No threats or undue pressure may be placed upon the juvenile. Ask the juvenile to sign a consent to take the medication.
- Recommendation from a licensed physician that **psychotropic medication is appropriate** for the juvenile and that it is the least restrictive treatment consistent with the juvenile's needs.
- Current or last known **address of parent/guardian** so that the he or she can be served with a legal notice regarding the petition.

NOTE: DJC may request the attorney to **ask the court to temporarily approve the psychotropic medication for not more than 10 days** after the date of the filing of the petition. The hearing must be held within 10 days.

Submission of Documentation

The clinician/social worker/agent or other designated staff person gathers the following information and forwards it to one of the following:

- Court liaison in Milwaukee County
- District Attorney/Corporation Counsel in a county wherein one of them agrees to file the petition
- DJC Central Office when the DOC Office of Legal Counsel files the petition

DJC Central Office procedures

For other than a Milwaukee County case or a case in another county in which the District Attorney/Corporation

Copyright © 2012 [WI Department of Corrections]

Counsel files the petition, DJC staff requesting the petition should **contact an Administrative Policy Advisor in CO.**

Policy advisor reviews the documentation and contacts the appropriate attorney in the DOC Office of Legal Counsel.

The **DOC attorney assigned to the case files the necessary paperwork with the court** and communicates with the DJC staff involved with the youth regarding the court proceeding.

Placement in a Mental Health Facility

State Mental Health Institutes

Winnebago Mental Health Institute and Mendota Mental Health Institute are the state mental health institutes for treating psychiatric illnesses. An individual may be admitted to one of those facilities as a voluntary or involuntary patient. Chapter 51, Mental Health Act, of the Wisconsin Statutes governs procedures for both types of placements. All services for youth have been consolidated at MMHI.

MJTC

The Mendota Juvenile Treatment Center (MJTC) is a separate unit from MMHI as a whole. When a clinician thinks that a male youth at LHS would benefit from transfer to MJTC, he or she follows the procedures for inter-institution transfer. [*see Chapters 7 & 10*] Chapter 51 proceedings are not required for placement at MJTC.

Voluntary placement in WMHI

If a youth's mental health needs cannot be met by DJC or MJTC programming, a clinician may recommend placement in WMHI. The parent/guardian of a juvenile under the age of 18 years has legal authority to consent to voluntary placement of his or her son or daughter. In the case of a youth age 14-17, while the application for admission can be initiated by the parent alone, the youth has the right to object to the placement and request a hearing be held to determine the appropriateness of the admission. A parent has no legal authority when the son or daughter becomes 18 years old unless a court has appointed the parent (or other adult) to be a legal guardian due to the individual's legal mental incompetence under ch. 880, Stats., Guardians and Wards.

WMHI staff must agree with the DJC recommendation that the youth be admitted. Historically, DJC has transported a youth to a facility and had to immediately, or within 72 hours, return the youth to a JCI.

Involuntary placement in WMHI

If a clinician believes that a youth needs an involuntary placement at WMHI, he or she follows the procedures under s. 51.35 (3)(e), Stats., Transfer of Certain Juveniles from Secured Juvenile Facilities, s. 51.20, Stats., Involuntary Commitment for Treatment, or s. 51.15, Stats., Emergency Detention.

In cases wherein legal assistance from Office of Legal Counsel is needed to initiate the proceedings, the clinician or other designated staff contacts Central Office, Administrative Policy Advisor, who coordinates with OLC.

Guardianship

Medical Care

Authority of Parent/Guardian

For general medical purposes, a **parent/guardian has legal authority to consent to medical treatment for his or her son or daughter until the age of 18** years of age. When the son or daughter becomes 18 years old, the parent (or other adult) has no authority unless appointed by a court to be the individual's guardian under ch. 880, Stats., Guardians and Wards.

Authority of Health Care Agent

If an individual aged 18 years or older has executed a Power of Attorney for Health Care that has been activated, the named health care agent has authority to make medical decisions.

Procedures When Unable to Obtain Proper Consent

- If a juvenile under DJC supervision requires a medical procedure and consent from a parent/guardian cannot be obtained, it may be necessary to file a petition for the appointment of a legal guardian to provide the consent. This would not be required in a life threatening situation.
- If an individual aged 18 years or older does not consent to medical treatment and staff believes that the individual is mentally incompetent, a petition could be filed.
- Contact Persons
- In Milwaukee County, DJC staff first contacts the court liaison to discuss the case.

  For other counties, JCI or community supervision staff contacts DJC Central Office, Policy and Grants Coordinator, to discuss the facts of a case in which guardianship may be required. If the decision to proceed is made, CO will work with the referring staff to compile the information needed by DOC Office of Legal Counsel. In a case of a serious medical condition, a petition for temporary guardianship can be filed.

Guardian for Other Purposes

Sometimes, the consent of a parent/guardian is needed for other than medical reasons, but DJC cannot obtain the consent. For example, some alternate care placements require the consent of a parent/guardian prior to admission to the facility. Again, DJC staff contacts the court liaison for Milwaukee County cases and DJC Central Office, Policy and Grants Coordinator, for other counties.

Interview of a Youth by a Defense Attorney or Investigator

Responsibilities of Gatehouse

In most cases, the Gatehouse should be aware ahead of time of the arrival of an attorney/investigator wishing to interview a youth because he or she has made an appointment for the interview. Occasionally, an attorney or investigator may arrive without an appointment.

Upon Arrival of Attorney/Investigator

- Follow Entrance Procedures contained in SIMP 11.
- Request written proof of the court appointment of the attorney.
- Generally, document will be a court order appointing the attorney to represent the youth.
- A court order specifically granting the attorney/investigator access to a youth or subpoena is not required, but can accepted as granting authority for the person to interview the youth.
- If the individual is an investigator, ask for proof that he or she works for the attorney.
- Ask for name(s) of the youth to be interviewed; youth may be a defendant, witness or alleged victim.
- Gatehouse staff may state whether or not the youth is present on the grounds at that time for the interview (individual requesting the interview knows the youth is a resident of the JCI).
- Inform the appropriate staff member that the individual wishing to interview the youth is at the Gatehouse and state the nature of the documentation provided by the attorney/investigator.

Youth Refusal to Participate in Interview

- If required by institution policy, Gatehouse staff should contact a supervisor upon receiving a call stating that the youth has declined to participate in the interview.

Copyright © 2012 [WI Department of Corrections]

- If required by institution policy, a supervisor informs the attorney/investigator of the youth's decision.
- If the involvement of a supervisor is not required by institution policy, the Gatehouse informs the attorney/investigator of the youth's refusal to be interviewed.

Social Worker, Youth Counselor or Other Designated DJC Staff

Attorney/Investigator Schedules an Interview Appointment

- Inform the youth of the interview appointment explaining the identity of the person wishing to interview him or her, and the reason(s) for the interview.
- Inform the youth that he or she has the legal right to refuse to speak with the attorney/investigator, to answer only the questions he or she wishes to answer, and to end an interview at anytime.
- Explain to the youth that he or she may ask a staff member to be present during the interview, but that the interview can be conducted without a staff member present.
- Do not attempt to influence the youth's decision as to whether or not to participate in the interview. Inform the attorney/investigator if the youth states that he or she will not participate in an interview.

Attorney/investigator Arrives at the JCI

- Tell the youth that the attorney/investigator has arrived for the scheduled interview and verify that he or she agrees to see the attorney/investigator.
- If the attorney/investigator arrives without having scheduled an appointment, inform the youth of information described in the above subsection.
- Remind the youth that he or she has the legal right to refuse to speak with the attorney/investigator, to answer only the questions he or she wishes to answer, and to end an interview at anytime.
- This may be accomplished either outside the presence of or in the presence of the attorney/investigator.
- Remind the youth that he or she has the right to ask a staff member to be present during the interview, but that the interview can be conducted without a staff member present.

Staff should <u>not</u> attempt to influence the youth's decision as to whether or not to participate in the interview. **Youth refuses to participate in interview**

- If a youth refuses to participate in the interview outside of the presence of the attorney/investigator, the staff member shall inform the Gatehouse of the youth's decision.
- If a youth refuses to participate in the interview in the presence of the attorney/investigator or wishes to terminate an interview, the youth shall be returned to his or her living unit or assigned program location.

Copyright © 2012 [WI Department of Corrections]

10 - Re-Entry Planning

Overview of Chapter Contents

- This chapter has two main sections:

  Section I: Re-Entry Planning For All Youth

  Section II: Re-Entry to Community Supervision in Various Placements

Primary Topics Covered in Section I (read across)

• Phase 1 Re-Entry Planning: Institution Preparation Before Transition Phase	• Program Markers
• OJOR Action Types	• Phase 2A Re-Entry Planning: Transition Phase 90-60 Days Prior to Release/Transfer 60-30 Days Prior to Release/Transfer Last 30 Days Prior to Release/Transfer
• Role Of Corrective Sanctions Program Youth Counselors During Transition Phase Planning	• 90-Day Transition Phase Procedures for Youth Held in a JCI Until Expiration of Commitment Order
• 90-Day Transition Phase Procedures for SJO youth in a JCI with no Type I time remaining	• Re-Evaluation of Transition Phase Status
• Role of County During Transition Phase Planning	• Additional Activities to Complete Institution Portion of Transition Phase
• Phase 2B Re-Entry Planning: Transition Phase - First 30 Days in Community	• Phase 3 Re-Entry Planning: Community Supervision and Long Term Stabilization

Primary Topics Covered in Section II

General Applicability	
• Community Supervision Placement Guidelines	• Guiding Principle for Supervision
• Placement of Sex Offenders	• Referral to Placement with Religious Programming
Re-Entry to Community Supervision in Various Placements	
• JCI to CSP	• CSP to Aftercare
• JCI to Type 2 RCC: DJC Supervision	• JCI to Type 2 RCC: County Supervision
• JCI to DJC Aftercare Supervision	• JCI to County Aftercare Supervision (See Section I)
• Short Term Program Youth to CSP or Group Home	• SJO Youth to Aftercare Supervision
Other Topics of General Applicability	
• Medical Assistance	• Cash Grants
• Permanency Plan	

Forms/Documents Discussed in this Chapter

• Department Order (DOC-1722A)	• Visiting Request Form (DOC-1686)
• Youth's Release Action Plan (DOC-2312)	• Lifework Education Portfolio Checklist (DOC-2313)
• Plan for Healthy Living (DOC-2589)	• Juvenile Release Authorization (DOC-1788)
• Community Supervision Rules/Conditions (DOC-1741 or DOC-1741S)	• Community Supervision Referral/Screening (DOC-1857)
• Authorization For Use and Disclosure of Protected Health Information (PHI) (DOC-1163A)	• Authorization For Disclosure of Non-Health Confidential Information (DOC-1163)
• Apprehension Request (DOC-58)	• MA Certification (DOC-1787)
• Referral for Termination of Parental Rights (DOC-2185)	• Permanency Plan (DOC-1797)
• Summary of Permanency Plan Review (DOC-2184)	• Notice of Review of Permanency Plan (DOC-2183)
• Sample Letters	• Sample Transition Team Meeting Agenda
• COMPAS-Youth	• COMPAS Re-Entry
• CANS (Child and Adolescent Needs and Strengths)	• DJC Re-Entry Checklist (DOC-2659)

Accessing and Completing Forms

• DOC-1857 and DOC-1741 must be completed in the appropriate JJIS screen	• The fact that a DOC-0058 has been issued or cancelled must be recorded in COMPAS notes
• Other forms are on MyDOC and can be completed or printed	• Whenever completing a form, be sure that it is the most current version
• Sample letters written by an Agent to a Youth and the parents are included at the end of this chapter	• COMPAS-Youth, COMPAS Re-Entry, and CANS are accessed via the COMPAS website by trained, authorized users.

Re-Entry Planning for All Youth

~~Introduction~~

- Careful re-entry planning assists a youth, youth's family, DJC staff and other involved agencies/facilities in preparing for the movement of the youth from a JCI to the community or between community placements with as few disruptions as possible in services/programming. Continuity and consistency increases the chance that a youth will succeed in making the transitions and reintegrating into the community.

Phases of Re-Entry Planning

There are three major phases of Re-entry Planning:

1. The first phase, Institution, begins during a youth's placement at a secured juvenile correctional facility prior to entry into the Transition Phase.
2. The second phase, Transition, starts approximately 90-days prior to a youth's return to the community and will continue for one month in the community (phases A and B, respectively).
3. The third phase, Stabilization, takes place during ongoing community supervision of the youth for an average of six to nine months.

Responsibilities of DJC Staff

During the Institution portion of a youth's re-entry planning prior to placement in the Transition Phase, multidisciplinary staff is involved in the care and treatment of the youth. The social worker has the primary case management responsibility.

The youth's agent plays the primary role during the formal Transition Phase. However, the JCI social worker, OJOR, IPC, Health Services Unit and Education department all have specific duties related to transitioning a youth from a JCI to the community. OJOR responsibility for administrative transfer/release authorization continues for all youth. While a youth remains in the institution in the Transition Phase and his or her community placement has been determined, staff responsibilities are quite similar regardless of where the youth will reside. Responsibilities are distributed amongst institution and community staff.

This chapter briefly describes responsibilities of DJC staff during the community portion of the Transition Phase, i.e., the first 30 days in community.

Staff responsibilities during Stabilization, or Phase 3 of Re-entry Planning, are explained in Chapter 13 Community Supervision of CSP and SJOP Youth and Sex Offenders, Chapter 14 Supervision of Youth in a Type 2 RCC and Chapter 16 Supervision of Youth on Aftercare.

- Section I: Re-Entry Planning for all Youth
  - Re-Entry Planning Phase I: Institution Preparation before Transition Phase
  - Re-Entry Planning Phase 2A: Transition Phase
  - Role of the Corrective Sanctions Program Youth Counselors during 90-Day Transition Phase
  - 90-Day Transition Phase Procedure for Youth held in JCI until Expiration of Commitment Order
  - 90-Day Transition Phase Procedure for SJO Youth who will be Released from a JCI with no Type I Time Remaining
  - Transition Phase Reevaluation
  - Role of County During Transition Phase
  - Phase 2A Re-Entry Planning Continued
  - Phase 2B: Re-Entry Planning Transition Phase - First 30 Days in Community
  - Phase 3 Re-Entry Planning: Community Supervision and Stabilization
- Section II - Re-Entry to Community Supervision in Various Placement
  - Community Placement Guidelines
  - Guiding Principles for Supervising Youth in the Community
  - Placement of Sex Offenders on Community Supervision
  - Referral to Placement/Program with Religious Components
  - Transfer Planning from a JCI to CSP

- Release from CSP to DJC Aftercare
- JCI to a Type 2 RCC on DJC Supervision
- Transfer from a JCI to Type 2 RCC: County Supervision
- Transfer from JCI to DJC Aftercare in an Alternate Care Setting
- Transfer from a JCI to DJC Aftercare in Own Home
- Transfer from JCI to County Aftercare Supervision
- Transfer from JCI to County Aftercare in an Alternate Care Setting
- Transfer from JCI to County Aftercare in Own Home

  Transfer of Youth in Short Term Programs to Community Supervision

  Transfer of SJO Youth from Type 2 Status to Aftercare

- Other Topics of General Applicability
  - Medical Assistance
  - Cash Grants for Youth Leaving a JCI
  - Permanency Planning
  - Sample Notification Letter from New Agent to Youth's Parent/Guardian
  - Sample Notification Letter from New Agent to Youth

  Sample Transition Team Meeting Agenda

Copyright © 2012 [WI Department of Corrections]

Re-Entry Planning Phase 1: Institution Preparation before Transition Phase

Introduction

Planning for a youth's return to the community may begin at anytime during his or her placement in a JCI. Early planning may be most important for youth identified as "difficult-to-place". Community placement guidelines as well as general guidelines for community supervision are included in Section II.

The roles and responsibilities described below cover activities during a youth's initial placement in the JCI. Approximately three months prior to the youth's anticipated release/transfer to the community, staff determines whether the youth is ready to begin a formal transition planning process. Institution, field staff and OJOR reviewers should carefully **review all JCI documents** for information regarding the youth's readiness for community supervision. Examples of documents include the AER [see Chapter 4], pending charges (include any known information about pending charges: juvenile or adult, in or out of state), an Individual Education Plan for Special Education students [see Chapter 4], ICCP's, Progress Summaries [see Chapter 6], COMPAS notes, Department Orders (See Chapter 5), and the following Program Markers:

Transition Phase Program Markers

A reintegration social worker or any member of the JPRC may recommend placing a youth in the 90-day Transition Phase after careful review of the youth's readiness for release from the JCI. Examples of documents to consider include the Assessment and Evaluation Report, Individual Case Plan, Progress Summaries and the following Program Markers. Multiple program markers exist based on gender, youth behavior and individual treatment needs.

Copper Lake School

A youth must achieve and display appropriate behavior on a daily basis receiving "0" Conduct Reports for a minimum of 30 days and a minimum of Level II status of the unit level system prior to entering Transition Phase. Additionally, a youth must have successfully completed JCIP Phase I and be enrolled or participating in Phase II. Youth in the mental health unit are evaluated individually regarding goal achievement, number of incident or conduct reports and response to treatment.

Lincoln Hill School

- **Sex Offender Programs:**

  Youth screened out of Ch. 980 consideration may be recommended for Transition Phase once they have completed JCIP Phases 1 and 2 and completed 25 lessons of the Core Program.

  Youth reviewed for a possible Ch. 980 referral may be recommended for Transition Phase after being cleared by the local institution SVPC (Sexually Violent Persons Act Review Committee) and after they have completed JCIP Phases 1 and 2 and completed 25 lessons of the Core Program.

  Placement of a sex offender who is identified for Ch. 980 psychological evaluation and is within 90 days of release, only may be placed in transition contingent upon the outcome of the evaluation.

- **JCIP:**

  Youth may be recommended for Transition Phase in JCIP upon successful completion of at least the first 30 days of Phase I of the program. Program completion (Phase I and Phase II of JCIP) generally is obtained in four to six months.

- **SUD Program:**

  Youth may be recommended for Transition Phase between successful completion of week 8 of the program and the youth is designated to be released from the institution upon completion of the program.

- **ART Program:**

Copyright © 2012 [WI Department of Corrections]

Youth may be recommended for Transition upon successful completion of at least the first 30 days of the program. ART Program completion generally is obtained in 10 to 12 weeks.

Education Markers:

Education Markers (HSED, NTC, High School Credits/Diploma) will need to be used in tandem with Program Markers to determine youth readiness for transition.

Special Cases:

Two unique categories of youth, those held in a JCI until discharge and SJO's in a JCI with no Type 1 time remaining, should be placed in the 90-day Transition Phase **based on their release date** rather than the above program markers.

- Youth held in a JCI until discharge will be placed in the Transition Phase no less than 90 days prior to discharge date.
- SJO's in a JCI who will be released with no type 1 time remaining will be placed in the Transition Phase no less than 90 days prior to the end of their Type 1 time.

Roles and Responsibilities: Institution Preparation before Transition Phase

Agent Responsibilities

- Discuss recommendations regarding community placement plans identified in the FHA [see Chapter 4] and discuss the plans at the youth's initial JPRC [see Chapter 5].
- Involve the parent/guardian and youth in the planning process to assist them to understand placement options.
- Maintain regular communication with the social worker in order to obtain current information regarding when a youth is nearing completion of programming and readiness for Transition Phase planning.
- Participate in formal JPRC conferences.
- May initiate a recommendation to place a youth in the Transition Phase via an ANR or after consultation with the reintegration social worker, at the JPRC.

Social Worker Responsibilities

- Address community supervision recommendations in the **AER**. [see Chapter 4]
- Maintain **regular contact with the youth's agent** regarding the youth's progress in programming and readiness for community supervision. Include recommendations in Progress Summaries [see Chapter 6].
- **Involve the parent/guardian and youth** in the planning process to assist them to understand placement options.
- Participate in JPRC's and participate in discussion of transition options.
- Recommend placement in the 90-day Transition Phase after determining youth readiness.
- Complete a COMPAS-Youth for a youth under age 17 who has not had a COMPAS-Youth assessment in the past 12 months.
- Complete a COMPAS-Re-entry for a youth age 17 or older.
- Complete ICCP's and Progress Summaries [see Chapter 6].
- If a JPRC is not scheduled and a youth is ready to be placed in the 90-day transition phase, initiate an ANR (DOC-1734).
- To develop a bi-monthly tracking system to evaluate youth readiness for transition. If program markers and other benchmarks are achieved, social workers may initiate an ANR as described above.
- Coordinate Cottage Team meetings to assist in the development of revised ICCP goals and objectives.

Copyright © 2012 [WI Department of Corrections]

- Notify team, including LifeWork Education staff, when youth is placed in the 90-day Transition Phase.

OJOR Responsibilities

- Conduct formal JPRC conferences and routines (informal conferences) [see Chapter 5]
- If an OJOR Reviewer has sufficient information for JPRC members prior to an informal review to place a youth in transition, and does so during the review, he/she must notify via email all members of the JPRC within 24 hours.
- It is incumbent upon the OJOR reviewer to obtain and use the email addresses of the JPRC members for each youth. Only some email addresses or names will be available from JJIS.
- Discuss community placement options recommended by other JPRC members.
- During a formal JPRC meeting and upon recommendation of a SW or other member of the JRPC, place a youth in the 90-day Transition Phase by noting so under the "Official Action" on the Department Order (DOC-1722A).
- A youth who is identified for Ch. 980 evaluation and is within 90 days of release may only be placed in the Transition Phase contingent upon the outcome of the evaluation.
- Encourage family members, agents and others at the JPRC to set a tentative date for a Transition Team Meeting about 30 days prior to the youth's anticipated release.
- If no formal JPRC is scheduled, review, approve (or deny), and distribute an ANR (DOC-1734) initiated by a reintegration social worker or any other member of the JPRC. (Decision is communicated via a JJIS generated email).
- Place youth in Transition Phase and issue Department Order (DOC-1722A).

OJOR Action Types

When OJOR places a youth in the Transition Phase, an Action Type is recorded on the Department Order. Most action types are self-explanatory. However, some of the Place in Transition action codes require definition.

ACTION TAKEN CODES

The following designations mean that a youth is eligible for release planning and staff and the youth should begin activities and services that characterize the Transition Phase. In these cases, no additional formal OJOR review is required prior to OJOR issuing a transfer/release order.

ELIGIBILITY FOR RELEASE CODES

EACP-**T** = Elig Alternate Care/**Place In Transition Phase**

ECSP-**T** = Elig Corrective Sanctions/**Place In Transition Phase**

EOHP-**T** = Elig Own Home/**Place In Transition Phase**

ERHP-**T** = Elig Relative Home/**Place In Transition Phase**

ET2-**T** = Eligible Type 2/**Place In Transition Phase**

RETAIN CODES

RTN-**T** = Retain/**Place In Transition Phase**

RTNEX-**T** = Retain To Expiration/**Place in Transition Phase**

When youth is retained but placed in the Transition Phase, it means that a **formal OJOR review will be scheduled prior to release/transfer to review the results of Transition Phase planning** prior to making the youth eligible for release/transfer.

RTNEX-**T** = Retain To Expiration/**Place In Transition Phase**

See Program Markers discussion for explanation.

ADMINISTRATIVE TRANSFER CODES

TRANS-**T** = Transfer From Reception/**Place In Transition Phase**

Youth who are placed into a JCI short-term program are simultaneously placed in the Transition Phase upon entry. An OJOR Decision Summary Report available in JJIS also provides information about the action type that was taken

to place the youth into the Transition Phase. Access the report by logging onto JJIS and clicking through the menu choices: Case Management > OJOR > Decisions > Summary of Decisions Report [MODS].

Special Education Teacher Responsibilities (For Special Education Students ONLY)

Federal and state special education laws require that a special education (SPED) student's multidisciplinary IEP team include a transition plan in the student's Individualized Education Program (IEP). Transition is defined as a "coordinated set of activities designed within a results-oriented process focused on improving the academic and functional achievement of the student with a disability." The plan can encompass the student's post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living, and community participation. This transition plan must take into account the student's strengths, preferences and interests.

During the youth's JCI stay, the assigned special education IEP teacher will:

- Check that the youth has completed the **Daniel Memorial Institute Assessment of Independent Living Skills** and that copies of the report have been placed in the youth's special education file as well as provided to the LifeWork Education teacher for inclusion in the youth's Lifework Education Career Portfolio.
- Maintain **communication with the youth's social worker** to obtain current information regarding prioritizing the youth's treatment, educational, and transition goals.
- Ensure that three good-faith efforts have been made to involve the youth's parent(s)/guardian in the IEP process as required by federal and state law.
- Involve JCI staff and community service providers in the youth's IEP process as needed.
- Oversee timely development and implementation of the youth's Individualized Education Program (IEP) during his/her stay in the JCI.

Teachers, treatment specialists, HSU, youth counselors and clinicians

- Perform all required job duties by providing appropriate services and programming [see Chapter 7].
- Update Lifework Education Career Portfolio Checklist (DOC-2312), noting date of last IEP if applicable, prior to formal JPRC.

Copyright © 2012 [WI Department of Corrections]

10 - Re-Entry Planning

Overview of Chapter Contents

- This chapter has two main sections:

  SECTION I: Re-Entry Planning For All Youth

  SECTION II: Re-Entry to Community Supervision in Various Placements

Primary Topics Covered in Section I (read across)

• Phase 1 Re-Entry Planning: Institution Preparation Before Transition Phase	• Program Markers
• OJOR Action Types	• Phase 2A Re-Entry Planning: Transition Phase 90-60 Days Prior to Release/Transfer 60-30 Days Prior to Release/Transfer Last 30 Days Prior to Release/Transfer
• Role Of Corrective Sanctions Program Youth Counselors During Transition Phase Planning	• 90-Day Transition Phase Procedures for Youth Held in a JCI Until Expiration of Commitment Order
• 0-Day Transition Phase Procedures for SJO youth in a JCI with no Type I	• Re-Evaluation of Transition Phase Status
• Role of County During Transition Phase Planning	• Additional Activities to Complete Institution Portion of Transition Phase
• Phase 2B Re-Entry Planning: Transition Phase - First 30 Days in Community	• Phase 3 Re-Entry Planning: Community Supervision and Long Term Stabilization

Primary Topics Covered in Section II

General Applicability	
• Community Supervision Placement Guidelines	• Guiding Principle for Supervision
• Placement of Sex Offenders	• Referral to Placement with Religious Programming
Re-Entry to Community Supervision in Various Placements	
• JCI to CSP	• CSP to Aftercare
• JCI to Type 2 RCC: DJC Supervision	• JCI to Type 2 RCC: County Supervision
• JCI to DJC Aftercare Supervision	• JCI to County Aftercare Supervision (See Section I)
• Short Term Program Youth to CSP or Group Home	• SJO Youth to Aftercare Supervision
Other Topics of General Applicability	
• Medical Assistance	• Cash Grants
• Permanency Plan	

Forms/Documents Discussed in this Chapter

• Department Order (DOC-1722A)	• Visiting Request Form (DOC-1686)
• Youth's Release Action Plan (DOC-2312)	• Lifework Education Portfolio Checklist (DOC-2313)
• Plan for Healthy Living (DOC-2589)	• Juvenile Release Authorization (DOC-1788)
• Community Supervision Rules/Conditions (DOC-1741 or DOC-1741S)	• Community Supervision Referral/Screening (DOC-1857)
• Authorization For Use and Disclosure of Protected Health Information (PHI) (DOC-1163A)	• Authorization For Disclosure of Non-Health Confidential Information (DOC-1163)
• Apprehension Request (DOC-58)	• MA Certification (DOC-1787)
• Referral for Termination of Parental Rights (DOC-2185)	• Permanency Plan (DOC-1797)
• Summary of Permanency Plan Review (DOC-2184)	• Notice of Review of Permanency Plan (DOC-2183)
• Sample Letters	• Sample Transition Team Meeting Agenda
• COMPAS-Youth	• COMPAS Re-Entry
• CANS (Child and Adolescent Needs and Strengths)	• DJC Re-Entry Checklist (DOC-2659)

Accessing and Completing Forms

• DOC-1857 and DOC-1741 must be completed in the appropriate JJIS screen	• The fact that a DOC-0058 has been issued or cancelled must be recorded in COMPAS notes
• Other forms are on MyDOC and can be completed or printed	• Whenever completing a form, be sure that it is the most current version
• Sample letters written by an Agent to a Youth and the parents are included at the end of this chapter	• COMPAS-Youth, COMPAS Re-Entry, and CANS are accessed via the COMPAS website by trained, authorized users.

Re-Entry Planning for All Youth

~~Introduction~~

- Careful re-entry planning assists a youth, youth's family, DJC staff and other involved agencies/facilities in preparing for the movement of the youth from a JCI to the community or between community placements with as few disruptions as possible in services/programming. Continuity and consistency increases the chance that a youth will succeed in making the transitions and reintegrating into the community.

Phases of Re-Entry Planning

There are three major phases of Re-entry Planning:

1. The first phase, Institution, begins during a youth's placement at a secured juvenile correctional facility prior to entry into the Transition Phase.
2. The second phase, Transition, starts approximately 90-days prior to a youth's return to the community and will continue for one month in the community (phases A and B, respectively).
3. The third phase, Stabilization, takes place during ongoing community supervision of the youth for an average of six to nine months.

Responsibilities of DJC Staff

During the Institution portion of a youth's re-entry planning prior to placement in the Transition Phase, multidisciplinary staff is involved in the care and treatment of the youth. The social worker has the primary case management responsibility.

The youth's agent plays the primary role during the formal Transition Phase. However, the JCI social worker, OJOR, IPC, Health Services Unit and Education department all have specific duties related to transitioning a youth from a JCI to the community. OJOR responsibility for administrative transfer/release authorization continues for all youth. While a youth remains in the institution in the Transition Phase and his or her community placement has been determined, staff responsibilities are quite similar regardless of where the youth will reside. Responsibilities are distributed amongst institution and community staff.

This chapter briefly describes responsibilities of DJC staff during the community portion of the Transition Phase, i.e., the first 30 days in community.

Staff responsibilities during Stabilization, or Phase 3 of Re-entry Planning, are explained in Chapter 13 Community Supervision of CSP and SJOP Youth and Sex Offenders, Chapter 14 Supervision of Youth in a Type 2 RCC and Chapter 16 Supervision of Youth on Aftercare.

- Section I: Re-Entry Planning for all Youth
  - Re-Entry Planning Phase I: Institution Preparation before Transition Phase
  - Re-Entry Planning Phase 2A: Transition Phase
  - Role of the Corrective Sanctions Program Youth Counselors during 90-Day Transition Phase
  - 90-Day Transition Phase Procedure for Youth held in JCI until Expiration of Commitment Order
  - 90-Day Transition Phase Procedure for SJO Youth who will be Released from a JCI with no Type I Time Remaining
  - Transition Phase Reevaluation
  - Role of County During Transition Phase
  - Phase 2A Re-Entry Planning Continued
  - Phase 2B: Re-Entry Planning Transition Phase - First 30 Days in Community
  - Phase 3 Re-Entry Planning: Community Supervision and Stabilization
- Section II - Re-Entry to Community Supervision in Various Placement
  - General Applicability-Community Placement Guidelines
  - Placement of Sex Offenders on Community Supervision
  - Referral to Placement/Program with Religious Components
  - Transfer Planning from a JCI to CSP
  - JCI to a Type 2 RCC on DJC Supervision

Copyright © 2012 [WI Department of Corrections]

- Transfer from a JCI to Type 2 RCC: County Supervision
- Transfer from JCI to DJC Aftercare in an Alternate Care Setting
- Transfer from a JCI to DJC Aftercare in Own Home
- Transfer from JCI to County Aftercare Supervision
- Transfer from JCI to County Aftercare in an Alternate Care Setting
- Transfer from JCI to County Aftercare in Own Home
- Transfer of Youth in Short Term Programs to Community Supervision

  Transfer of SJO Youth from Type 2 Status to Aftercare

- Other Topics of General Applicability
  - Medical Assistance
  - Cash Grants for Youth Leaving a JCI
  - Permanency Planning
  - Sample Notification Letter from New Agent to Youth's Parent/Guardian
  - Sample Notification Letter from New Agent to Youth

  Sample Transition Team Meeting Agenda

Copyright © 2012 [WI Department of Corrections]

Role of the Corrective Sanctions Program Youth Counselors during 90-Day Transition Phase

Youth who are placed in Transition Phase with anticipated transfer to the Corrective Sanctions Program in the Southeastern Region, will be assigned a CSP Youth Counselor at the time the case is transferred to an agent. A youth who is determined to require alternate care placement will not have a YC assigned unless the youth will transfer from alternate care to the CSP. The YC will be assigned during the transition planning that occurs during alternate care placement.

- Review Youth's Release Action Plan and ICCP and assist or alternate with agent to conduct monthly contacts with youth during 90-day Transition Phase.
- Assist agent in setting up and attending family assessment to determine potential community placement.
- Assist agents and social workers with contacting community service providers and enabling visitation with youth during transition planning.

For referrals to alternate care placements, assist in getting release of information (DOC 1163 and 1163A) and participation in religious programming (DOC-2176 and DOC 2177) forms signed by parents and youth where applicable.

- Participate in transition team activities and meetings.
- Attend any formal JPRC when possible to assist in finalizing youth's goals and objectives, and ensure that relapse prevention plans are in place.
- Staff case throughout 90-day Transition Phase with agent and assist in updating a community supervision plan.
- Ensure family and/or children have all questions answered about the CSP or expectations.
- Assist in obtaining parental signatures if necessary prior to the youth's release.
- Assist youth in identifying employment opportunities and securing employment upon release.

Establish electronic monitoring schedule.

Copyright © 2012 [WI Department of Corrections]

90-Day Transition Phase Procedure for Youth Held in a JCI until Expiration of Commitment Order

Youth will be placed in the Transition Phase no less than 90 days prior to termination of a regular correctional order. OJOR places the youth into the Transition Phase by Department Order upon recommendation in a formal JPRC or through approval and distribution of an ANR. Transfer of the case shall follow the same timeframe and procedures for youth with DJC aftercare in their own home.

Regional Chiefs and Field Supervisors will assist and encourage staff to identify what services and planning, staff can undertake to help youth obtain a workable situation upon release to the community and engage community representatives in a dialogue of how this might be improved. Transition Team meetings remain an important tool, Identifying informal supports in the community becomes critical for youth discharging without the formal support of supervision.

Social Worker Responsibilities

- When a youth is placed in the Transition Phase, the social worker performs the tasks listed in CMM Ch. 18. Not all tasks are required for all youth. However, for each youth the social worker and agent will coordinate convening of a Transition Team and at least one Transition Team meeting will be held prior to departure from the JCI. (The Transition Team in some instance will only consist of the agent, social worker and family, but may include service providers from the community or other informal supports).
- Inform Education/ Lifework Education staff of Transition Phase and request completion and distribution of the Youth's Release Action Plan (DOC-2312) including 3 relevant job listings of interest to youth.
- Notify education director that youth's expiration is approaching in time for teachers to administer updated testing and assemble records to forward to receiving school district, if applicable. Ensure that the youth has possession of her or his Portfolio including social security card and birth certificate upon departure from the JCI.
- Refer to Transitional Independent Living Program if eligible: (See Ch. 18).
- Assist agent in assembling a Transition Team meeting to review Youth's Release Action Plan, Lifework Education Portfolio, Healthy Living Plan and/or Relapse Prevention Plan, community resources, employability status, and goals and objectives.
- Re-emphasize the LifeWork Education Portfolio completion process and use of the Youth's Release Action Plan to focus on goals that are transferable to the adult facility.

OJOR Responsibilities

- Upon request of JCI Social Worker at a Formal JPRC or via an ANR, issue a Department Order indicating that the youth is placed in the 90-day Transition Phase and the eligibility for placement upon release.

Agent Responsibilities

- The agent has no formal supervisory role upon the youth's commitment expiration but is instrumental in transitioning the youth from the JCI to community or other placement.
- Agent reviews the Youth's Release Action Plan, Healthy Living Plan and/or Relapse Prevention Plan, job listings of interest and the youth's Lifework Education Portfolio.
- Assembles a Transition Team based on projected needs of the youth.
- Convenes and chairs a Transition Team meeting 30 to 60 days prior to release.
- Agent may transport parents/guardians to the meeting, introduce representatives of community resources, and provide resource guides to no-cost services in the community.

  If youth does not have a stable residence in the community, refer youth to low or no-cost resources such as the Salvation Army, Rescue Missions, temporary shelters, food pantries, St. Vincent DePaul and the United Way.

Copyright © 2012 [WI Department of Corrections]

- Provide a DJC contact number or agent telephone number for future assistance with referrals to services if needed.

Copyright © 2012 [WI Department of Corrections]

90-Day Transition Phase Procedure for SJO Youth who will be Released from a JCI with no Type I Time Remaining

A youth will be placed in the Transition Phase by Department Order no less than 90 days prior to the end of their Type 1 time.

Transfer of the case shall follow the same time frame and procedures for youth being released or transferred upon successful completion of prescribed programming.

If youth's progress warrants, the DJC reintegration Social Worker and community agent may advocate for the youth to be released prior to entire Type 1 time elapsing to allow for sanctionable time upon transfer to community supervision.

See Section II regarding general procedures for transferring SJO youth to aftercare supervision.

Copyright © 2012 [WI Department of Corrections]

Transition Phase Reevaluation

It may be necessary to re-evaluate the appropriateness of a youth's participation in re-entry planning and to consider the status of youth who are returned to a JCI from community supervision.

Procedure

If a Social Worker believes a youth's Transition Phase status should be adjusted, extended, or terminated based on performance or disciplinary issues within the JCI, the Social Worker will take the following actions:

- Meets with supervisor and other program staff to develop a recommendation
- Notifies agent (State) or county worker of recommendation
- Agent (State) or county worker discusses recommendation with supervisor, develops a response and provides it to the institution social worker
- Social Worker submits Action Needed Request (ANR) with recommendations and field position.
- OJOR, in concert with social worker, agent and/or county worker, makes decision to adjust, extend, or terminate the Transition Phase.
- If the youth is removed from transition phase through the use of an ANR, OJOR will send an email notification to all JPRC members.

If a formal JPRC is scheduled, rescind the Action during the review. In both cases a Department Order with an Action Taken Code of RTN (retain) would replace the "T" designation.

If decision is to adjust or extend Transition Phase status:

- Social Worker will assist the agent (State) and/or County worker in modifying the youth's case plan and transition planning activities.
- If the decision is to terminate the Transition Phase status the social worker assumes responsibility for developing a revised institution case plan.
- OJOR issues a new Department Order.

When Transition Phase is terminated or extended, Social Worker assures that youth's parent/guardian is immediately notified. Agent is to contact parent/guardian to determine if termination or modification of Transition Phase will affect youth's post-release placement.

If a youth returns to the JCI with less than 90 days remaining on his/her commitment order, consider the youth in the Transition Phase until/unless OJOR determines otherwise:

- Agent meets with supervisor to develop recommendations regarding youth's return to JCI and future placement
- Agent contacts the institution social worker and OJOR reviewer with recommendations
- If no formal JPRC is scheduled, the social worker submits Action Needed Request (ANR)
- OJOR in concert with social worker, agent and/or county worker makes decision on Transition Phase status

If decision is to place the youth in Transition Phase, the agent or county worker assumes responsibility with assistance from social worker in developing a Transition Phase case plan and conducting transition planning activities.

Copyright © 2012 [WI Department of Corrections]

Role of County during Transition Phase

Whether a county wishes to place a youth in an alternate care setting or in their own home, participation in the transition planning for the youth includes these expectations:

Minimum Expectations for County Agencies during youth's institutional commitment

- Develop preliminary recommendations regarding post-release placement based on knowledge of the youth's and family's circumstances, and discuss the plans at the youth's initial JPRC.
- Maintain regular contact with the youth's social worker in order to obtain current information regarding the youth's progress in treatment and readiness for Transition Phase planning.
- Participate in formal JPRC conferences.
- Involve the parent, guardian and extended family (as appropriate) in the planning process and assist them in understanding placement options.

Minimum Expectations for County Agencies during Youth's Transition Process while in the institution

- Participate in determination of a youth's readiness to be placed in Transition Phase, e.g. in JPRC or via contacts with institution staff. Identify a release date 60 to 90 days in future.
- Meet with key persons involved in youth's transition (to home or alternate care) either individually or as a Transition Team to develop transition plan and get agreement from participants.
- Provide for continuity of treatment when needed by reviewing youth's treatment progress and relapse prevention plan (as appropriate) and making arrangements for ongoing treatment in community.
- Working with institution social worker, facilitate contact between youth and her/his community-based service providers via phone, in-person meeting or initiation of treatment.

Phase 2A Re-Entry Planning Continued

Additional activities to complete instituion portion of transition phase:

DJC Responsibilities

Agent Responsibilities

- Schedule the release/transfer date with JCI social worker and alternate care facility or parent. Arrange
- for transportation of the youth from the JCI to his or her place of residence.
- **MA**: Complete Medical Assistance Certification Work Sheet (**DOC-1787**) form at least 7 days prior to youth's departure from the JCI. [See Section II regarding MA]

DOC-1788: Complete Juvenile Release Authorization **at least 15 calendar days prior** to the youth leaving the JCI. The timeline is established by s. 938.51, Stats.

- **Completion of the DOC-1788 is required for the following reasons**:
  - Provides OJOR with information needed to issue the Department Order (DOC-1722A) releasing the youth or administratively transferring the youth to the type 2 status.
  - Permits OJOR to provide at least 15 days notice to a victim/witness as required by statute at s. 938.51, Stats. [see Chapter 11]
  - Permits IPC to provide at least 15 days notice to community agencies as required by statute at s. 938.51, Stats. [see Chapter 12]
  - Provides HSU with time to obtain needed prescriptions and to complete the Health Screening (DOC-3387).
  - Provides teachers with time to assemble educational records, including the current IEP for youth with an IEP, and forward them to the receiving school district or other appropriate entities. Additionally, the time enables teachers to administer math and reading tests prior to the date the youth leaves the JCI and to review the LifeWork Education Portfolio to be sure it is up to date.
  - Provides social worker with time needed to complete tasks required when a youth leaves a JCI described below.
- If the DOC-1788 is not completed at least 15 calendar days prior to the placement date, the agent **documents** in her or his chronological log the reason that the **DOC-1788 could not be completed in a timely manner**
  - The entry shall explain the reasonable efforts made by the agent to comply with the time requirement.
  - The agent must obtain supervisory approval and signature to complete the form less than 15 days prior to placement.
  - The form must be completed at least 5 working days prior to the youth leaving the JCI.

- **ICCP**: Complete ICCP in COMPAS at least 3 days prior to the youth's reentry to the community. [see Chapter 6]
- **DOC-1741**: Ensure that the **youth signs** the Community Supervision Rules and Conditions prior to the youth actually leaving the JCI.
- For sex offenders, agents shall incorporate into the DOC-1741 all or some of the supplemental community supervision rules and the special community supervision rules and conditions for juvenile sex offenders available in COMPAS. Agent shall obtain approval of the DOC-1741 from his or her supervisor.
- For sex offenders being monitored by GPS, submit information to the DOC Monitoring Center not less than 5 or

more than 7 days before the desired GPS hook-up date. See GPS Enrollment Checklist on MyDOC/Policies and Procedures/DJC/GPS.

- **DOC-1750**: Disbursement Order (DOC-1750): Send form to the DJC special benefits coordinator in Central Office to release the youth's funds to the parent/guardian or the county department if the youth is in a foster home. [see Chapter 21]
- **Permanency Plan**: Agent completes an initial DJC **Permanency Plan** prior to youth leaving the JCI whenever possible, but within 60 calendar days of alternate care placement at the most. [see section later in this chapter]

When New Agent Assigned

- Agent of record completes the JJIS Transfer Preparation Screen to transfer the youth's case to the new agent.
- Agent of record forwards the youth's field file 2 weeks prior to the transfer date or within 5 calendar days of notification of the youth's acceptance into an alternate care placement or finalization of placement in the home of a parent/guardian.
- New agent reviews all COMPAS documentation including case plan and notes.
- Note the **actual date** he or she **mailed the youth's field file** to the new agent.
- **Letters**: Send letter to parent/guardian and youth prior to youth leaving the JCI notifying them of the new agent assignment.

Social Worker Responsibilities

- **Order to Detain**: Review youth's record to determine if an agency has an order to detain on file and notify that agency that the youth's expiration date is approaching. [see Chapter 3]
- **Dual supervision**: Contact the youth's adult agent to coordinate transition plans when a youth will be under an adult supervision order upon expiration. [see Chapter 20]
- **Sex Offenders**: Ensure that youth has met requirements for registration, DNA specimen and ch. 980. [see Chapter 22]
- **Cash grant**: see section later in this chapter.
- **CHIPS referral**: see section later in this chapter.
- **Referral to Transitional Independent Living Program**: see section later in this chapter.
- **Community residence**: Finalize the youth's living arrangements and arrange for transportation.
- **Notice to a parent or relative**: When the youth will reside in a home in the community, the social worker notifies in advance the responsible adult in the home of the date of the youth's arrival.
- **Health Services**: Contact HSU at least 3 days prior to expiration to obtain a prescription for medications that the youth will continue to take after leaving the JCI. Best practice is to contact HSU 7-10 days prior to youth's departure.
- **Education Records/LifeWork Education Portfolio**: Notify Education Director that youth's expiration is approaching in time for teachers to review the LifeWork Education Portfolio, and to administer updated testing and assemble records to forward to receiving school district, if applicable. Make sure that the youth has possession of her or his Portfolio upon departure from the JCI.
- **Exit Evaluation**: Ensure that designated JCI staff request that the youth complete the Exit Evaluation (DOC-1749)
- **Release Assessment Dialogue: See chapter 26**, "Admission and Release Assessment Dialogues" for instructions for completing the release assessment dialogue.

IPC Responsibilities

Complete and distribute the Notice of Release/Transfer of the Youth to Community Supervision (**DOC-1627**) at least 15 days prior to the youth's transfer to the type 2 RCC whenever possible.

In some cases, the IPC does not receive the Juvenile Release Authorization Form (DOC-1788) or Action Needed Request (DOC-1734) in a timely manner in order to complete and distribute the DOC-1627 within the legally required time-frame. [see Chapter 12]

HSU Responsibilities

Youth remaining under DJC supervision

- Complete the **Health Summary** (DOC-3003).
  - Send the original with the adult transporting the youth being sure to protect confidentiality.
  - Provide a copy to the staff transporting the youth.
- Provide other **pertinent medical information** for the agent to put into the youth's field file. Provide
- the youth with at least a 2-week **supply of prescribed medications**.

Youth to be supervised by county

- Complete the **Health Summary** (DOC-3003).
- Provide the youth with at least a 2-week **supply of prescribed medications**.

OJOR Responsibilities

- Issue a DOC-1722A making the youth eligible for release to aftercare or administrative transfer when JPRC reaches agreement that the youth is ready to leave the JCI.
- OJOR may issue an eligibility order upon receiving an Action Needed Request (DOC-1734) or a Juvenile Authorization Release (DOC-1788) [see Chapter 5] or other appropriate notification that the date of the youth's departure from a JCI is known.
- **OJOR must issue the DOC-1722A administratively transferring or releasing to aftercare before the youth leaves the JCI. A youth may not be released without this documentation.**

  OJOR-CO notifies a victim/witness of the youth's trial visit in the community, release to aftercare or administrative transfer to type 2 status. [see Chapter 11]

Phase 2B: Re-Entry Planning Transition Phase-First 30 Days in Community

- During the 30 days after a youth is released from a JCI, the Transition Phase continues and is characterized by intensive supervision and the use of graduated incentives and sanctions. During this step-down period of supervision, associations between the youth and community resources are increased so that the community and the youth become increasingly responsible to maintain the youth in a stable situation once he/she is no longer on DJC supervision.

Social Worker Responsibilities

- Complete Release Assessment Dialog in JJIS within 10 days after release, expiration of order or discharge.

Agent Responsibilities

- Incorporate a step down plan of supervision into the ICCP.
- Apply graduated incentives and sanctions as per Guidelines (See chapter 13).
- Conduct the Sex Offender Face to Face Registration with Law Enforcement within ten calendar days of release, for youth required to register.
- Ensure that staff associated with an independent living placement understands the youth's rules of supervision and placement conditions.
  - A youth may be placed in a contracted Transitional Independent Living Program, and the Program Coordinator may not have been part of the Transition Team meeting in which Rules of Supervision were reviewed.
  - Ignorance of the Rules of Supervision, placement conditions and other features of the ICCP may jeopardize the youth's transition. The agent will ensure that the Program Coordinator and staff are informed so they can assist the youth to remain in compliance and help youth to move into his/her next living situation.
- Attend the initial case staffing at a RCC or Group Home, in which the youth is placed.
  - Review the following:
    - outstanding details concerning the youth's treatment program and goals
    - behavioral expectations of the youth and what consequences / sanctions will be used if the youth fails to cooperate with treatment and procedures at the RCC or Group Home
    - procedures to be followed if the youth absconds from the RCC or Group Home.
  - No home passes will be permitted during the first 30 days of a youth's stay in alternate care.
- Coordinate with alternate care facility to complete youth's ICCP case plan within 30 days of placement. Include components for a 90-day Transition Phase to his/her next placement. Obtain youth's input into the development of the goals and objectives prior to finalizing the plan.
- Meet with the parent (or other adult caretakers) and review what is needed from them to enable the youth to return home after the RCC placement. This meeting could take place during a regularly scheduled review at the alternate care site.
- Schedule and chair a transition team meeting with the alternate care staff prior to youth's next placement.
- Schedule and chair another Transition Team meeting 30 days after release/transfer to the new placement to review the youth's progress and transition into the community.
  - Transition team may consist of agent, youth, parent or other adult care takers in an Independent Living setting, employer, and other informal supports.

Copyright © 2012 [WI Department of Corrections]

- Make revisions to the case plan as needed.

- Complete Lesson 3 of Families Count one-on-one with youth and family within 75 days of community placement if youth and family participated in Families Count Lessons 1 & 2 in the institution.

For Type 2 Youth Who Will Transfer from RCC or Group Home to Corrective Sanctions Program Assign

- a YC in case staffing with supervisor if YC has not been assigned to a youth in a RCC (Milwaukee only).

- The agent will meet face to face once per week with the youth, and the parent(s) or guardian, (per current minimum contact standards) to review the youth's initial progress in Corrective Sanctions and to address any case plan concerns.
- YC ensures that the CSP contact schedule is followed.
- If the youth is on CSP, staff the case at a minimum of once during the first 30 days with the Youth Counselors, contracted job coaches (if any), and unit supervisor.

  If youth is not enrolled in the Corrective Sanctions Program, staff the case a minimum of once per month with the unit supervisor on an ongoing basis

For youth who have Special Education Needs

Chapter 115, Wis. Stats., requires that the school district within which a SPED student resides must provide SPED services as specified in the student's IEP. This district obligation is in force until 1) the student reaches age 21 OR 2) the SPED student receives a district diploma. Receiving an equivalency diploma (a GED or HSED) does not end the district's obligation to provide special education services to the youth with a disability.

Check that the SPED student has been enrolled in his/her school district of residence and is receiving SPED services from that district.

- Any problems enrolling a SPED student in a school district should be reported to the DOC Special Education Coordinator at 608-240-5923 or email julie.lidbury@doc.state.wi.us.

Copyright © 2012 [WI Department of Corrections]

Phase 3 Re-Entry Planning: Community Supervision and Stabilization

- The third phase, Stabilization, takes place during ongoing community supervision of the youth for an average of six to nine months.
- See Chapters 13, 14, 16, 18, and 22

Copyright © 2012 [WI Department of Corrections]

Community Placement Guidelines

General Concepts

The goal of DJC is to place every youth under the age of eighteen in his or her family's home in order to maintain the family unit. However, if the youth is over the age of eighteen it may be in his or her best interest to pursue placement in an independent living setting.

The agent shall conduct a thorough analysis of the strengths and weaknesses of the home environment of the parent, guardian or relative, and develop a plan to enhance strengths and address the needs. Before recommending that a youth should not be returned to the home of a parent, guardian or relative, the agent should **answer the question, "Why isn't the home workable with a full array of services?"**

- The youth and youth's family should be actively involved in developing the release to aftercare or administrative transfer plan and selecting the recommended category of placement.
- During the youth's stay at the JCI, the continuing appropriateness of the release/transfer plan should be considered at every JPRC. The plan should be revised as the youth completes ICCP goals and objectives, new treatment needs arise, and other factors change.
- When a recommendation will be made for an out of home placement, the category (independent living, foster care, group home or RCC) should be based upon the needs and strengths of the youth.
- When an agent recommends placement in a RCC (regular or type 2), the agent shall take into consideration the distance from the youth's home, strength of the family component of the program, and the RCC's capacity to meet the youth's needs and enhance strengths identified in the ICCP.
- Placement in a RCC is generally not appropriate when a youth has less than 6 months remaining on the court commitment order and cannot be extended. [see Chapter 8]
- In a case wherein more than one RCC placement has been tried and been unsuccessful, the agent will have to have significant justification to propose another RCC placement.
- ICCP's and Progress Summaries shall address how the youth's educational, LifeWork Education and treatment goals/objectives, developed according to SMART criteria, are being met in the out of home placement [see Chapter 6]. If the youth has a disability and receives special education (SPED) services, a summary of these services shall be found in the youth's current Individualized Educational Program (IEP).
- At least 90 days prior to expiration of supervision, the ICCP shall include a component that transitions the youth to the home of his or her parent, guardian or relative, or to an independent living situation.

Return to Home Not Appropriate

If one or more of the circumstances exist, placement in the youth's home is **not** appropriate:

- Parent or other relative refuses to cooperate with DJC in the proposed community supervision plan. Victim of
- the youth is in the home or someone currently in the home has victimized the youth.
- Risk of harm to self or others makes living in the home unreasonable and does not support the protection of the community.
- Youth has intensive treatment needs that cannot be met with an in-home program and collateral services.

Careful Screening Required

Agents must pay special attention when developing placement recommendations for the following youth:

- Youth registered as sex offenders [see Chapter 22] because they may require specialized supervision to ensure public safety and provision of appropriate supervision and services. [see Chapter 13]
- Youth approaching the age of 17 years.

Copyright © 2012 [WI Department of Corrections]

Supervisory Approval

If an agent believes that an out-of-home placement is necessary, he or she **carefully determines which placement will best meet the needs** of the youth by doing the following:

- Answer the question **"In what living environment can the needs of the youth be met while still providing community protection?"**
- Youth with less than 6 months remaining on supervision with no possibility of an extension of the order is not typically placed in a type 2 RCC unless special circumstances arise.
- Agents **obtain their supervisor's approval prior to recommending placement in an out of home** placement such as a group home or type 2 RCC to other JPRC members.

Copyright © 2012 [WI Department of Corrections]

Guiding Principles for Supervising Youth in the Community

The following Guiding Principles for Community Supervision are intended to direct **the daily practice of all community supervision staff working with youth** to carry out the Balanced and Restorative Justice vision, mission and goals of DJC. [see Chapter 1]

- Strive to place a youth in his or her own home when the youth leaves the JCI, unless circumstances exist that preclude the home from being the initial community placement.
- Implement services for youth in the community that are victim sensitive, risk-based and accountability driven.
- Develop the youth's ICCP case plan to bridge the goals and objectives completed by the youth at the JCI; that address the restorative justice philosophy; and continue to build upon the youth's strengths, skills and competencies.
- Monitor and report regularly on youth's progress with respect to established performance measures.
- Minimize case transfers between agents to strengthen the working relationship between the agent and youth.
- Strive to build effective services for youth in the community by implementing the best practices based upon research regarding how to effectively intervene and change the lives of delinquent youth.
- Connect youth to their communities through a variety of activities such as educational/vocational programming, performance of community service, payment of financial obligations, participation in religious opportunities, if desired, and mentor matches.
- If the youth has a disability and received special education programming in the JCI, monitor that modifications and accommodations provided for in the youth's Individualized Education Program (IEP) are used in the youth's required programs as well as educational/vocational programming.
- Assist youth to build a support network of positive people who will be available to them for personal guidance and life planning.
- Apply graduated incentives and sanctions for youth on type 2 status which reinforce positive behavior and immediately respond to negative behavior and address both the youth's needs and public safety.
- Establish and maintain meaningful communication between DJC and community programs.
- Collaborate with local communities through outreach efforts, presentations, and education of the community about the juvenile justice system as a key to addressing delinquent behavior of youth.
- Work cooperatively with other DJC staff to train and support them in their day-to-day work.

Copyright © 2012 [WI Department of Corrections]

Placement of Sex Offenders on Community Supervision

Overview

DJC is committed to reintegrating all youth including sex offenders into their home communities. By DOC policy, DJC must follow **special procedures** when placing in the community a state supervised sex offender. A sex offender under this policy is a **youth required to register with SORP or a youth committed to DJC for perpetrating a sexual offense.**

In order to protect the public, sex offenders require the imposition of rules of supervision beyond those included in the standard Community Supervision Rules and Conditions (DOC-1741). The special sex offender conditions reduce the youth's access to potential victims, thereby protecting the community. The special conditions require the youth to participate in treatment to learn to manage and control sexually deviant behaviors.

The **agent selects in COMPAS all or some of the special sex offender conditions** based upon the youth's risks and strengths. Generally, sex offenders will have many of the Juvenile Special Rules of Community Supervision (JSP1-JSP19) and the majority of the Juvenile Sex Offender Rules of Supervision (JS01-JS022) included with standard rules in the DOC-1741. Supervisory approval is needed to ensure that appropriate rules are imposed.

Placement Options From a JCI to the Community

- It is the policy of the Department of Corrections to release DJC-supervised sex offenders to a placement in the county that committed them.

Secretary Approval NOT Required

DJC may release/transfer sex offenders from a JCI to the locations listed below without obtaining approval from the Secretary.

- County of the committing court that adjudicated the youth delinquent, typically the county where the offense(s) occurred.
- A residential treatment facility located in any county. These facilities include a regular or type 2 Residential Care Center (RCC) or a Community-Based Residential Facility (CBRF).

Secretary Approval Required

When DJC proposes to place a DJC-supervised youth in a county other than the committing county or in a placement other than a facility listed above, approval of the Secretary must be obtained. For example, if youth is being considered for return/placement in the county in which his/her parent/guardian lives rather than in the committing county, DJC must request an exception from the Secretary by following the steps below:

- OJOR reviewer consults with OJOR director to discuss the specific facts of the case including placement options and the specific reason(s) for requesting an exception from the Secretary.
- Upon approval of the OJOR director, OJOR reviewer prepares a written justification for submission to the OJOR director.
- OJOR director discusses the case with the DJC Administrator.
- If the Administrator agrees that the request should be made, he or she submits the request to the Secretary.
- Upon approval by the Secretary, OJOR may proceed with the release/transfer and issue the Department Order (DOC-1722a).

Placement Options for Youth on Community Supervision

Secretary Approval NOT Required

An agent may transfer a youth from a less-restrictive community placement (e.g., home) to an RCC or CBRF located in any county.

Copyright © 2012 [WI Department of Corrections]

An agent may continue to place a sex offender outside of his or her committing county without approval from the Secretary only when the following 2 criteria are met:

- Youth was placed in a residential treatment facility upon leaving a JCI or while in the community.
- New placement is in a less restrictive alternate care setting (e.g., group home) operated by the same agency that operates the residential treatment facility.

Secretary Approval Required

If the specific facts of the case do not meet the criteria described above, the approval of the Secretary must be obtained by the procedure below:

- Agent consults with his or her supervisor regarding the facts of the case including placement options and the specific reason(s) for requesting an exception from the Secretary.
- If the supervisor is in agreement, he or she discusses the case with the Regional Chief.
- If the Regional Chief agrees with the supervisor's recommendation, he or she discusses the case with the DJC Administrator. The OJOR Director may represent the Regional Chief in this discussion.
- If the DJC Administrator agrees with the recommendation of the Regional Chief, he or she promptly discusses the case with the Secretary.

  Upon approval by the Secretary, the placement may proceed.
  - Follow transition procedures of chapter 10 being sure to add the supplemental conditions and special community supervision conditions for juvenile sex offenders to the standard Community Supervision Rules and Conditions (DOC-1741) in COMPAS.
  - Consult relevant supervision chapters for information regarding special requirements for supervising sex offenders: primarily chapter 13, but also ch. 14 if youth is in a type 2 RCC, or ch. 16 if the sex offender is on aftercare supervision rather than type 2 status.

Copyright © 2012 [WI Department of Corrections]

Referral to Placement/Program with Religious Components

Overview

Federal and state law require that DJC inform a youth and the parent/guardian (if youth is under 18 years) about the religious components of a treatment program, service or residential facility program, and **obtain written informed consents prior to referring a youth to a program, service or facility with religious aspects** to its program. Federal case law defines a religious component broadly. It includes a reference to a higher being/power and religious artwork, etc. [see Chapter 1]

When Consent is Required

The agent consults the list describing the religious components of residential facilities to determine whether consents are required prior to a referral to a particular facility or service/treatment program. The list is accessible on MyDOC/About DOC/Manuals/DJC CMM. The information contained in the list was compiled based upon responses that DJC received from residential facilities. If an agent has knowledge that a facility or other service/treatment program has religious components not identified on the list, he or she should follow the procedures for obtaining consents to religious programming.

Procedures to Refer a Youth To A Program With Religious Components

General

- An agent, social worker or OJOR reviewer may at anytime during the youth's placement at a JCI discuss with the youth and the youth's parent/guardian the fact that some treatment programs, services and residential placements involve religious components.
- It may be beneficial to discuss with youth and parent/guardian their thoughts about religious programming early in the youth's placement at the JCI.
- The DJC staff member should explain the requirement that both the youth and parent/guardian must sign written informed consents before DJC makes a formal referral.
- Two consent forms are available on MyDOC: Youth Decision Regarding Religious Program (**DOC-2176**) and Parent/Guardian Decision Regarding Religious Program (**DOC-2177**). A Spanish version of the DOC-2177S is also available on MyDOC.
- The consent **forms must name a specific program, service or facility**.
- The forms should not be used to obtain a general consent to religious programming.

JPRC Conference

- Agents shall make all reasonable efforts to attend the JPRC conference in person at which the youth may be made eligible for release planning, i.e., placed in the 90-day Transition Phase.
- If an agent cannot personally attend the JPRC conference, he or she may request the JCI social worker or OJOR reviewer to perform the functions discussed below.
- **Agent has lead responsibility** for informing the youth and parent/guardian of the religious aspects of the program.
  - Agents shall consult the religious program information contained in this chapter.
  - Agents are responsible for obtaining information about religious activities for a program, service or facility not described in the CMM.
- Agent shall explain to the youth and parent/guardian the specific religious components such as prayer before meals, text books with Bible verses, display of religious artwork, Bible study, references to a "higher power" and administration of spiritual assessments by clergy.
  - Ask youth and parent/guardian to express opinions about the youth's participation in the religious

components of a facility, program or service.

- If the youth and parent/guardian do NOT express objections to the program, review the consent form, DOC-2176 with the youth, and DOC-2177 with parent/guardian if the youth is under 18 years old.
- Obtain signatures if they do not object to the referral to the program.
- **If either the parent/guardian or youth object to the religious program, the referral to that program shall NOT be made**.

When consents are not obtained, the agent shall offer a secular alternative as soon as possible. Best practice would be to provide information about the alternative at the JPRC.

Other than at JPRC Conference

When the parent/guardian does not attend the JPRC conference or a referral is being considered outside of a JPRC conference, the agent shall:

- Discuss with the youth the religious components of the facility, program or service
- Ask the youth if he or she consents to the referral. If yes, review and complete the DOC-2176.
- If the youth consents, contact the parent/guardian to explain the religious components of the program in person or by telephone. (If that is not practical, the agent shall send a written explanation of the program and the DOC-2177 to the parent.)

If either the parent/guardian or youth objects, the agent shall not make the referral to the religious program and shall offer a secular alternative.

Options Included on DOC-2176 and DOC-2177

Some programs with religious components can within that program offer alternatives to the religious activities. However, some are religious-focused to the extent that secular options could not be provided within the program itself.

The **consent forms contain three sections**.

- Consent to be referred to and participate in a program with religious components including the religious activities.
- Consent to be referred to and participate in a program with religious components when the program can offer secular alternatives to all religious activities.
- Refusal to consent to a referral to a program with religious components.

Attempts to Contact Parent/Guardian When Not Present at a JPRC Conference

The agent shall make reasonable attempts to **contact the parent/guardian of a youth under 18 years** old to explain the religious aspects of the program by telephone calls, home visits and letters.

- Agent shall enter attempts to contact parent/guardian into daily chronological logs such as a phone call, letter or home visit.
- If agent cannot meet face-to-face with the parent/guardian, he or she shall send a letter to parent/guardian. The agent shall provide the parent/guardian with the following information:
  - Name of program, service or residential facility.
  - Reason that DJC believes the youth would benefit from involvement in the program or service, or from living at the facility.
  - Specific religious components such as: prayer; Bible study; references to God or a higher power; display of religious art, symbols or artifacts; religious based literature or other reading materials used by the program,

service or facility.

- Explanation of the need for a consent form.
- Instructions for signing the DOC-2177.
- Statement that consent will be assumed if the parent/guardian does not respond within 10 days of the date of the letter.
- Consent can be given verbally to DJC if two staff members verify the consent via telephone call with the parent/guardian.
- Agent shall place in the youth's file any letter sent to the parent/guardian that was returned as undeliverable.
- If a parent/guardian fails to respond to a letter that explained the religious components of a program, service or facility.
- Agent shall consult his or her supervisor when he or she believes that reasonable efforts have been made. When supervisor approves agent's decision, the youth's consent alone is sufficient for the referral.

Transfer Planning from a JCI to CSP

Requirements for Referral to CSP

- A youth may be considered for participation in CSP if **all of the following apply**:
- Youth is not likely to present a physical danger to self or others.
- Youth's security, supervision and programming needs can be met by CSP.
- Appropriate placement appears to be available, generally in the youth's home.

  There is reason to believe that involved adults and youth will agree to follow the requirements of CSP when the plan is for youth to live in a family setting (not in an alternate care setting).

Initiating Referral

- Any **JPRC member may initiate a referral** to CSP utilizing the JJIS data base to complete the Community Supervision Referral and Screening (DOC-1857).
- Although CSP youth generally live in a home, if pursuing placement in a paid setting, then requirements for referral to an alternate care with religious components must be met.
- Referrals are made during the 90 day Transition Phase, but can be made before OJOR issues the Department Order for transition. Referring staff member must keep in mind that the receiving CSP agent needs to receive the referral once the youth is placed in transition.
- **Consultation**: Referring JPRC member consults with other JPRC members to determine if CSP will meet the youth's needs. If agreement is reached, no formal conference is needed. If consensus is not reached, a formal JPRC is scheduled. [see Chapter 5]

Referral Packet Compiled by Agent

A referral packet would be sent, **only if placement of the youth is being pursued outside of the current unit**.

Contents of Packet

Community Supervision Referral and Screening (DOC-1857)	COMPAS-Youth or COMPAS Re-Entry
FHA (DOC-1939) (See Chapter 4)	AER (DOC-1933) (See Chapter 4)
Court reports including the Dispositional Report (See Chapter 3)	Department Order (DOC-1722A)-eligibility for transfer (See Chapter 5)
Current COMPAS case plan ICCP	Any other pertinent information that may be helpful for CSP to make a decision

- **After Referral Packet Sent to Receiving CSP Unit**
- Referring staff should call CSP to check the status of the referral if he or she does not hear from CSP within 10 calendar days of the date the referral was sent.
- Referring staff member must keep in mind that the receiving CSP Agent needs up to 15 days to investigate the CSP referral.

Placement of the youth should occur within 90 calendar days of the transition planning date on the DOC-1722A.

Agent Responsibilities

- **Internal Steps**
- **Acknowledge receipt** of the DOC-1857 with 24 hours by checking the appropriate box in the screen in JJIS.
- Begin COMPAS notes

- **Contact with Parent/Guardian**
- Prepare the CSP packet/handbook for the youth and the parent/guardian which will be distributed.
  - Call or send letter to parent/guardian to **schedule a home visit. Conduct the home visit.**
    In some cases, the CSP agent may be the first DJC agent assigned. This occurs when the county had

planned to provide aftercare supervision, but at some point during the youth's placement at a JCI decided the youth was appropriate for CSP. The CSP agent must complete the FHA because they were not completed during A&E. [see Chapter 4]

- Review the CSP requirements and the Community Supervision Rules and Conditions (DOC-1741) with the adult with whom the youth would reside.
- Determine whether the parent/guardian/relative seems willing to cooperate with CSP requirements and staff.

Ensure that the parent/guardian has appropriate telephone service. Inform the parent/guardian that he or she is responsible for paying the monthly bill.

Interview with Youth

- Review the CSP requirements and the Community Supervision Rules and Conditions (DOC-1741) with the youth during the transition meeting. [See section above regarding supplemental conditions and special community supervision conditions for juvenile sex offenders.]
- Determine the youth's willingness to cooperate with CSP requirements and staff.

Discuss the following issues with the youth:

Daily contact standards	24 hours/day schedule
Daily school attendance	Required community service
Payment of restitution	Obtaining employment
Participation in programming	Submitting urinalysis tests
Restrictions on peers	

- Agent (agent of record) completes the Community Supervision Plan (DOC-1736) if requested by OJOR.
- Check on availability of electronic monitoring equipment.
- Send letter to the committing county Judge, when required per Dispositional Order.

Upon Completion of Investigation

- After the investigation, the agent **completes the "Decision" section of the DOC-1857** and distributes as indicated on the form, i.e., determine the appropriateness of CSP for the youth and of the home for the youth's community placement.
- If the youth is accepted into CSP, **OJOR issues** a Department Order (DOC-1722A) transferring the youth to CSP.

Extension of Time to Place Youth in CSP

- If **complications** occur in finding an appropriate CSP placement, the agent notifies his or her supervisor to request an extension to the 15 day investigation time period.
- If the supervisor approves the extension, the agent notifies all parties listed on the DOC-1857.

Electronic Monitoring Center

Fax the Electronic Monitoring Center (EMC) forms 3 days prior to the youth leaving the JCI:

- Enrollment-Residence-Employment Information (**DOC-1362**).
- Apprehension Request (**DOC-58**).
- Electronic Monitoring Schedule Modification/Curfew (**DOC-1363**).
- Key the youth's **daily schedule into BI Total Access** through the office computer or by calling EMC.

Agents shall **never give the EMC phone number to youth** or **parents/guardians**.

Release from CSP to DJC Aftercare

Recommendation for Release

- At least 30 days prior to the youth's completion of CSP, any JPRC member may recommend that the youth be released to state aftercare.
- Release recommendation is generally to a home setting such as home of parent, guardian, relative, or a foster home.
- OJOR considers the release recommendation and input from other JPRC members.

If OJOR agrees with the recommendation, OJOR issues a Department Order (DOC-1722A) which releases the youth to state aftercare.

Responsibilities of CSP Agent and Assigned YC prior to Youth's Release

Youth on Electronic Monitoring

- Notify EMC and the assigned YC that the youth is being released from CSP.
- Remove the electronic monitoring equipment.
- Delete the youth's electronic monitoring schedule.
- **Cancel Medical Assistance**, if applicable.

Responsibilities of Corrections Office Associate

- Complete Movement Code in JJIS on the Institution Daily Population Report (DOC-355).
- Remove the youth's information from the current CSP case directory.

Copyright © 2012 [WI Department of Corrections]

JCI to a Type 2 RCC on DJC Supervision

Agents

"Agent of record" means the agent assigned to a youth during his or her placement at a JCI.

Case Assignments

Due to the geographical distance between some type 2 RCC's and the work site of the agent of record assigned to the youth, the youth's case is transferred to a liaison agent (assigned to a particular type 2 RCC) after a type 2 RCC accepts a youth.

"Liaison agent" means the agent assigned to a youth upon acceptance by a type 2 RCC according to the following standards:

- In the **Northwest Region**, a **liaison agent** assumes case responsibility if the type 2 RCC is **more than one hour's drive from the work site of the agent** assigned during the youth's placement at the JCI.
- In the **Southeast Region**, a **liaison agent** assumes case responsibility if the type 2 RCC is **located outside of Milwaukee County**.

Referral of a Youth to a Type 2 RCC

If an agent determines, after thorough evaluation of the home's strengths and weaknesses, that the youth's needs cannot be met in the home of a parent, guardian or relative even with the provision of services, he or she may recommend placement in a RCC.

- Agent must fill out the CANS in COMPAS to determine level of need.
- **Involve the parent/guardian and youth** in the transition planning process to assist them to understand the type of services offered at the type 2 RCC such as academic education, vocational training, community service projects, treatment programs, recreational activities and religious study.
  - The agent shall consider the distance of the RCC from the youth's family, strength of the program's family component and the RCC's ability to meet the youth's needs as defined in the ICCP case plan.
  - If a type 2 RCC includes religious components in its program, refer to section above, "Referral to a Service/Facility with Religious Components."
- During transition planning, the agent begins the referral process to a type 2 RCC after OJOR issues a **DOC-1722A** making the youth **eligible for transition planning**.
- In other cases, after consulting with other JPRC members, the agent makes a **pro-active referral to a type 2 RCC before OJOR issues a transition planning Department Order** (DOC-1722A). [see Chapter 5] In those cases, the agent notes in the referral packet that OJOR has not issued the eligibility DOC-1722A.
- If the agent thinks that referral to more than three RCC's is necessary, he or she obtains supervisor's approval. Referring
- agent telephones DJC liaison agent or facility to determine if beds are available at the type 2 RCC.

Type 2 RCC Referral Packet

Complete in JJIS the Community Supervision Referral and Screening (DOC-1857).

- Forward the complete type 2 RCC referral packet to liaison and RCC. The referral packet includes, but is not limited to the following:

FHA (See Chapter 4)	Release of Information (DOC-1163)
Dispositional Order (original) (see Chapter 3)	Court reports (see Chapter 3)
Request for Extension (DOC-1723) (see Chapter 9)	ICCP's (see Chapter 6)
Progress Summaries (see Chapter 6)	Treatment notes (see Chapter 6)
CANS report	Youth's Release Action Plan (DOC-2312)
COMPAS bar scale and narrative	Apprehension Request (58-J)
Any other documents that may be helpful for the type 2 RCC to make a decision whether to accept the youth	

Procedures Following Youth's Acceptance by Type 2 RCC

Type 2 RCC Responsibilities

- **Notify** the JCI social worker and assigned agent of the **acceptance** of the youth by the type 2 RCC.
- **Obtain**, prior to placement, a written document from the youth's parent/guardian that permits the type 2 RCC to **consent to emergency medical care** if the parent/guardian cannot be contacted immediately. The type 2 RCC may ask the agent to assist in getting the parent/guardian signature(s).
- Develop and submit to the liaison agent a **written treatment plan** as soon as possible, but not later than 30 days after the administrative transfer of the youth to the type 2 RCC.
- Type 2 RCC should begin obtaining information and developing the treatment plan as soon as the type 2 RCC accepts the youth.
  - Treatment plan shall be consistent with the youth's DJC ICCP case plan, shall include components for a 90 day Transition Phase to youth's next placement.
  - Schedule and participate in a transition team meeting with youth, family, state or county agent, community providers, employer, and/or informal supports.

Youth with **mental health needs**

- Complete and send the Authorization For Use and Disclosure of Protected Health Information (PHI) (**DOC-1163A**) signed by the youth and/or parent/guardian to JCI clinical services, if the youth had an assigned clinician at the JCI.
- DJC clinical services determines what information the type 2 RCC should receive.
- Review the clinical services information to incorporate into the treatment plan and arrange for continued mental health services, if appropriate.
- When case is transferred to a liaison agent, agent of record may complete a broad goal based ICCP with the understanding that the liaison will complete the more detailed ICCP case plan [see Chapter 6]

Agent Tasks Before Youth Leaves the JCI

- **Meet with youth** and schedule the youth's verbal presentation of his or her Relapse Prevention Plan, Healthy Living Plan (DOC-2589) and/or Release Action Plan for the transition team meeting prior to the youth's transfer to the type 2 RCC.

Copyright © 2012 [WI Department of Corrections]

Transfer from a JCI to Type 2 RCC: County Supervision

County Requests Placement in a Type 2 RCC

JCI Social Worker Responsibilities

- Complete in JJIS the Community Supervision Referral and Screening (DOC-1857) in consultation with the county liaison and sends it to the county liaison.
- Work with the county liaison and the type 2 RCC to schedule a placement date and make transportation arrangements upon acceptance by a type 2 RCC.
- Encourage type 2 RCC staff to consider the youth's JCI case plan ICCP when developing the type 2 RCC treatment plan to provide continuity of programming for the youth.
- Determines need for cash grant following procedures described later in this chapter.

DJC Agent Responsibilities

DJC agents are **not involved** in supervision of youth in a type 2 RCC on **county supervision**.

- **Exception**: in some cases, the court does not grant the county's petition [see below] to transfer supervision to the county and **DJC continues its supervision.**
  - Assigned DJC agent forwards appropriate file information and the **signed DOC-1741** to OJOR.
  - When OJOR receives this information, **OJOR issues a DOC-1722A** transferring the youth from the JCI to the type 2 RCC on state supervision.
  - DJC agent assumes the community supervision responsibilities. [See chapter 14]

Type 2 RCC Responsibilities

- **Notifies** the social worker and county liaison when the type 2 RCC **accepts a youth**.
- Works with social worker and county liaison to schedule actual **placement date** and make **transportation** arrangements.
- Develops a **treatment plan and submits to county liaison** including language that the county department will obtain a revised Dispositional Order that transfers supervision from DOC to the county, and takes into account the youth's JCI ICCP.

County Responsibilities

- Cooperate with the JCI social worker and type 2 RCC staff to determine the **placement date** and coordinate **transportation arrangements.**
- Certify the youth for **Medical Assistance**, if eligible, through county department.
- Ensure that the **youth signs** the Community Supervision Rules and Conditions (**DOC-1741**) before the youth leaves the JCI. (JCI Social worker may have youth sign.)
- Complete the DOC-1788. In some counties, the county does not complete the form. The JCI social worker must complete the Action Needed Request (DOC-1734) in those cases.
- Petition the court
  - If the original Dispositional Order does not include the provision for county Type 2 aftercare, the county petitions the court to revise the Dispositional Order, vacating the correctional placement under s. 938.34 (4m), Stats., and placing the youth on county supervision in a type 2 RCC under s. 938.34 (4d), Stats.
    - If the court grants the revised Dispositional Order, the case is transferred to the county liaison on the effective date of the revised order. The county liaison sends OJOR a copy of the revised Dispositional Order.

Copyright © 2012 [WI Department of Corrections]

- If the court declines to modify the Dispositional Order, the county department immediately contacts the appropriate DJC supervisor to request state supervision of the case while the youth is in the type 2 RCC.
- If DJC agrees to provide supervision, the supervisor assigns a state agent to the youth. [see DJC agent responsibilities above]

OJOR Responsibilities

When the county must obtain a revised Dispositional Order, OJOR may not issue an eligibility order, but instead issue an order placing the youth in type 2 status as of a certain date. The order would be valid until the county obtains the revised Dispositional Order.

- OJOR issues the final DOC-1722A transferring correctional supervision from DJC to the county upon receipt of a revised Dispositional Order that authorizes the transfer of supervision to the county.

See Section I: Role of County during Transition Phase planning for youth with County Aftercare Supervision.

Transfer from JCI to DJC Aftercare in an Alternate Care Setting

Agent Referral to Alternate Care

Agent consults with JPRC members to determine which alternate care placement appears most likely to meet the youth's needs by consulting with JPRC members. [See section above for referral to a type 2 RCC.]

Agent should use the CANS to guide discussion about youth's need for alternate care placement.

- If an alternate placement being considered includes religious components in its program, refer to section above, "Referral to a Service/Facility with Religious Components."

If the agent thinks that referral to more than three placements is necessary, obtain supervisor's approval.

- Within 5 calendar days after OJOR issues the eligibility DOC-1722A or prior to the eligibility order, complete in JJIS the Community Supervision Referral and Screening (DOC-1857).
- Placement of the youth should occur within 30 calendar days of the eligibility date on the DOC-1722A when OJOR has issued the eligibility order.
- If the eligibility order has not been issued, the agent notes in the referral packet that it is a pro-active referral and OJOR has not issued the DOC-1722A. Include the anticipated date that OJOR will issue the DOC-1722A.

Forward the complete **alternate care placement referral packet** to placement.

The referral packet includes, but is not limited to the following:

FHS (see Chapter 4)	Release of Information (DOC-1163)
Dispositional Order (original) (see Chapter 3)	Court reports (see Chapter 3)
Request for Extension (DOC-1723) (see Chapter 9)	ICCP's (see Chapter 6)
Progress Summaries (see Chapter 6)	Treatment notes (see Chapter 6)
CANS report	Youth's Release Action Plan (DOC-2312)
COMPAS bar scale and narrative	Apprehension Request (DOC-58-J)
Any other documents that may be helpful for the type 2 RCC to make a decision whether to accept the youth	

Procedures Following Youth's Acceptance by Alternate Care Placement

Alternate Care Placement Responsibilities

- Notify the JCI social worker and assigned agent when the placement accepts a youth.
- Prior to the youth's placement, obtain a written document from the youth's parent/guardian that permits the placement to consent to emergency medical care if the parent/guardian cannot be contacted immediately. The placement may ask the agent to assist in getting the parent/guardian signature(s).
- Complete and send the Authorization For Use and Disclosure of Protected Health Information (PHI) (DOC-1163A) signed by the youth and/or parent/guardian to the JCI clinical services department, if the youth received clinical services during placement at the JCI.

Copyright © 2012 [WI Department of Corrections]

Transfer from a JCI to DJC Aftercare in Own Home

Agent Recommendation for Release

- If OJOR issues Department Order (DOC-1722A) making youth eligible for release to aftercare, the placement of the youth should occur by the end of the Transition Phase.

Copyright © 2012 [WI Department of Corrections]

Transfer from JCI to County Aftercare Supervision

See Section I: Role of County during Transition Phase planning for youth with County Aftercare Supervision.

Copyright © 2012 [WI Department of Corrections]

Transfer from JCI to County Aftercare in an Alternate Care Setting

County Request For Placement

If a county wishes to place a youth in an alternate care placement under county supervision following a commitment to a JCI, the procedures below shall be followed.

JCI Social Worker Responsibilities

- Complete in consultation with the county liaison the Community Supervision Referral and Screening (**DOC-1857**) and distribute appropriately.
- Complete the Action Needed Request (DOC-1734]
- Work with the county liaison and the alternate care placement to schedule a release date and arrange transportation.

OJOR Responsibilities

- In some cases, OJOR issues an eligibility DOC-1722A prior to the referral to and acceptance by an alternate care facility.
  - To issue that order, OJOR determines that placement in alternate care under county aftercare supervision is appropriate.
  - The eligibility order alone is not sufficient for the actual release of the youth from the JCI.
- If an eligibility order has not been previously issued, OJOR may or may not issue an eligibility order upon receiving an Action Needed Request (DOC-1734) from the JCI social worker [see Chapter 5] or other appropriate notification from the county informing OJOR that an alternate care facility has accepted a youth.
- When the county must obtain a revised Dispositional Order, OJOR may issue a DOC-1722A releasing the youth to aftercare as of a certain date. The order would be valid until the county obtains the revised Dispositional Order.
- OJOR issues a final DOC-1722A transferring correctional supervision from DJC to the county either based upon the original Dispositional Order or upon receipt of a revised Dispositional Order that authorizes the transfer of supervision to the county.

Responsibilities of Alternate Care Placement

- Meet with key persons involved in youth's transition either individually or as part of a Transition Team to develop transition plan and get agreement from participants.
- Attend a youth's verbal presentation of an AODA or Sex Offender relapse prevention plan in the JCI.
- Notify the social worker and county liaison when the placement accepts a youth.
- Work with social worker and county liaison to schedule actual **release date** and arrange **transportation**.

County Department Responsibilities

- Cooperate with the social worker and alternate care placement staff to determine the **release date** and coordinate **transportation** arrangements.
- Certify the youth for medical assistance via county procedures.
- Petition the court to revise the dispositional order, vacating the correctional placement under s. 938.34 (4m), stats., and placing the youth on county supervision in alternate care.
  - If the court grants the revised Dispositional Order, the case is transferred to the county liaison on the effective date of the revised order. The county liaison sends OJOR a copy of the revised Dispositional Order.
  - If the court declines to modify the Dispositional Order, the county department immediately contacts the

appropriate DJC supervisor to request state supervision of the youth while in the alternate care placement.

- If DJC agrees to provide supervision, the supervisor assigns a state agent to the youth.
  - The assigned DJC agent forwards appropriate file information and the signed DOC-1741 to OJOR.
  - When OJOR receives this information, OJOR issues a DOC-1722A transferring the youth's supervision from the county back to DJC.

DJC Agent Responsibilities After Youth Leaves JCI

DJC agents are not involved in supervision of county aftercare cases unless the above special circumstances apply.

Transfer from JCI to County Aftercare in Own Home

County Recommendation

If a county wishes to place a youth in own home under county supervision following a commitment to a JCI, the procedures below apply.

JCI Social Worker Responsibilities

- Work with county liaison to assess youth readiness for transition planning.
- Work with the county liaison and the parent/guardian to schedule a release date and arrange transportation.
- Complete the ANR (DOC-1734) at least 15 days prior to a youth's departure. Supervisory approval is required to complete the form in less than 15 days prior to that date. If youth has no victim notification, special permission must be obtained from supervisor to release in no less than 5 days (excluding weekends/holiday) before the youth returns to the community.

OJOR Responsibilities

- In some cases, OJOR issues an eligibility DOC-1722A making the youth eligible for placement in own home on county supervision.
  - The eligibility order alone is not sufficient for the actual release of the youth from the JCI.
- If an eligibility order has not been previously issued, OJOR may or may not issue an eligibility order upon receiving an Action Needed Request (DOC-1734) from the JCI social worker [see Chapter 5] or other appropriate notification informing OJOR that the youth will return home. When the county must obtain a revised Dispositional Order, OJOR may issue a DOC-1722A releasing the youth to aftercare as of a certain date. The order would be valid until the county obtains the revised Dispositional Order.
- OJOR issues a final DOC-1722A transferring correctional supervision from DJC to the county either based upon the original Dispositional Order or upon receipt of a revised Dispositional Order that authorizes the transfer of supervision to the county.
- OJOR-CO notifies a victim/witness of the youth's placement in the community. [see Chapter 11]

DJC Agent Responsibilities when youth is going to county supervision

DJC agents are not involved in supervision of county aftercare cases after the youth leaves the JCI unless the county is not able to obtain a court order transferring supervision to the county and DJC agrees to provide aftercare supervision as an exception.

County Responsibilities

- Meet with key persons involved in youth's transition either individually or as part of a Transition Team to develop transition plan and get agreement from participants.
- Cooperate with the social worker to determine the **release date** and coordinate **transportation** arrangements.
- If the original dispositional order does not include the provision that the county will provide aftercare, petition the court to revise the dispositional order, vacating the correctional placement under s. 938.34 (4m), stats., and placing the youth on county supervision.

  If the court grants the revised Dispositional Order, the case is transferred to the county liaison on the effective date of the revised order. The county liaison sends OJOR a copy of the revised Dispositional Order.
  - If the court declines to modify the Dispositional Order, the county department immediately contacts the appropriate DJC supervisor to request state supervision of the youth.
  - If DJC agrees to provide supervision as an exception, the supervisor assigns a state agent to the youth.
    - The assigned DJC agent forwards appropriate file information and the signed DOC-1741 to OJOR.

- When OJOR receives this information, OJOR issues a DOC-1722A transferring the youth's supervision from the county back to DJC.

Copyright © 2012 [WI Department of Corrections]

Transfer of Youth in Short Term Programs to Community Supervision

Completion Short Term Programs

Youth must enter these short term programs with a pre-determined plan to transition into the community. Family reintegration is a focus throughout the programs. The agency (county or state) normally responsible for aftercare in the county will also be responsible for supervision of youth upon release. For youth returning to county supervision, it is expected that the youth will have a reintegration plan in place prior to release.

A county that wishes to request state supervision of a youth from PRIDE or the Short Term Re-Entry Program for Juvenile Girls to the Corrective Sanctions Program may make a request on an exception basis by contacting the DJC regional community supervision office.

Agent Responsibilities

The majority of youth completing a short term program will be supervised by DJC in the Corrective Sanctions Program (**CSP**). Agent follows normal **procedures for transferring a youth from a JCI to CSP.**

Placement in a Group Home

For a small number of these youth, the most appropriate option is placement in a group home on DJC aftercare supervision.

Copyright © 2012 [WI Department of Corrections]

Transfer of SJO Youth from Type 2 Status to Aftercare

Generally, a youth in SJOP [see Chapters 3 & 7] remains on type 2 status in the community until the expiration of the court commitment order or administrative discharge [see Chapter 18].

However, if DJC decides to place a youth under the Interstate Compact for Juveniles [see Chapter 19] in another state, OJOR must issue a Department Order (DOC-1722A) releasing the SJO youth from type 2 status to aftercare [see Chapters 5 and 19].

OJOR has the legal authority to release any SJO youth from type 2 status to aftercare after the youth has been in the SJOP for at least 2 years. See procedures above regarding release of a CSP youth to aftercare.

Copyright © 2012 [WI Department of Corrections]

Medical Assistance

Overview

The medical costs for youth in a JCI are covered by the JCI. However, when OJOR makes a youth eligible for release to aftercare or administrative transfer to a type 2 placement, the agent needs to assess how the youth's medical costs will be paid in the community. If the parent/guardian of a youth has no medical insurance that covers the youth, the agent applies for MA for the youth.

Role of Agent

- Agent enters in JJIS – Case Management – Medical Records – Medical Assistance Certification Action Request, the following: Action, Initiation Date, Certification Date & End Date.

  The end date must be the earlier of
  - The date the youth's corrections order ends, or
  - The date the youth becomes age 19

- JJIS sends an automatic email to the OOA indicating a Medical Certification Action Request has been entered.
- Agent notifies OOA if the youth's supervision expiration date is amended so that the MA certificate date can be updated in the EDS ForwardHealth Portal.
- Agent cannot submit a MA eligibility request for any youth who is age 19 or older when s/he is released from a JCI.

Role of Office Operations Assistant

- When auto email is received, the OOA accesses the ForwardHealth Portal. If the youth has MA, the OOA enters the new certification dates and any other update information. The end certification date entered is the last date youth is under DJC supervision.
- If the youth does not have MA, OOA enters necessary information in Portal to enroll the youth.
- If OOA cannot initiate MA enrollment through the ForwardHealth Portal, the OOA will complete form DES-3070 and email to EDS Federal Corporation.
- After the OOA completes the process, he/she enters the date processed in JJIS – Case Management – Medical Records – Process Medical Assistance Action Request – Date Processed by OOA.
- OOA enters updated information in Portal if the youth's supervision expiration date is amended.
- OOA makes a screen print of the eligibility screen in the ForwardHealth portal when the eligibility and end dates are first entered, and at any other time the eligibility information is changed. The screen prints are to be placed in the youth's field file under General Documents.

Issuance of MA Card

- EDS mails the MA card. Typically the card is mailed to the agent in the DJC Field office who makes a copy of card for the youth's file. The agent gives the card to the youth's parent or to another appropriate person.
- WMAP will send youth a 10-day notice of termination. For most youth, the MA card will become ineffective at the end of the month in which their enrollment is terminated.

Disenrollment from Medicaid

- Generally, a youth will be disenrolled from Medicaid at the time s/he turns age 19 or his/her order terminates, whichever occurs first, as outlined above.
- Youth must also be disenrolled when they are permanently returned to a JCI, as federal law prohibits payment for services to incarcerated persons. There is no provision in WI law for suspending MA eligibility during a

- period of incarceration.

  For AWOL youth, the agent will terminate MA eligibility when the youth is picked up and detained in a secure setting. If we as an agency know that a youth has done something that makes him/her ineligible – for example, that he leaves Wisconsin without intention to return – then he should be terminated at that point.

Other Resources

Continuity of health care and access to needed medications may be disrupted for youth whom DJC terminates from Medicaid in the community. Such considerations also may be barriers to placement of youth in community-based residential facilities. Agents should assist such youth to find potential resources that will preserve necessary care. Possible resources may include

- BadgerCare Plus Core Plan, the state's insurance program for low-income adults with no dependents (more information at https://access.wisconsin.gov/).
- Supplemental Security Income (SSI) for low-income persons with disabilities, which includes enrollment in Medicaid (more at http://dhs.wisconsin.gov/ddb/). Note that DJC can apply for SSI while a youth is in a JCI; see DOC Executive Directive 30 for a detailed explanation of the application process.
- Free medication programs offered by pharmaceutical companies for some brand-name drugs.
- Community-based medical and mental health clinics.

Copyright © 2012 [WI Department of Corrections]

Cash Grants for Youth Leaving a JCI

Wisconsin law at s. 938.48 (13), Stats., requires that DOC determine if a youth leaving a JCI needs a **cash grant** to meet basic needs on the day of departure from the JCI.

In most cases, a youth being released/transferred to community supervision does not need a cash grant because DJC or a county department meets the youth's needs on the day he or she leaves the JCI.

However, **a youth whose correctional supervision terminates on the day of departure may need a cash grant** because neither DJC nor a county department will be involved as of that date.

The reintegration social worker must **follow procedures to determine the amount, if any, of the cash grant** to be paid to a youth upon leaving the JCI. [see Chapter 18]

Copyright © 2012 [WI Department of Corrections]

Permanency Planning

Overview

State and federal laws require DJC to engage in **permanency planning for a juvenile under DJC supervision who resides in the community in an out of home placement.** This includes **aftercare and type 2 juveniles**. [See Chapters 13, 14, & 16]

Agents are encouraged to complete the Plan prior to a youth's departure from a JCI although the law requires the Plan to be completed by the end of 60 days from the date of a youth's removal from his or her parental home, not counting time in a JCI. NOTE: If the youth spent time in an out of home Placement prior to admission to a JCI, the agent may have fewer than 60 days in which to complete the Plan.

An agent should be thinking about the Plan during the transition planning process even if he or she does not complete it until the youth is in the community in alternate care.

Definitions

"Permanency Plan" (Plan) (**DOC-1797**) means a plan designed to ensure that a juvenile is reunified with his or her family whenever appropriate, or that the juvenile quickly attains a placement or home providing long-term stability.

"Permanency planning" is the process described below that results in the development of a Plan.

"Juvenile" for the purposes of this chapter includes an **individual under the age of 18 years**. However, if an individual becomes 18 years old and will complete an educational program by the 19th birthday, he or she is considered a juvenile for Permanency Plan purposes.

Initial Permanency Plan: Overview

Federal law and chapter 938 of the Wisconsin Statutes require the agency supervising a juvenile in an out-of-home placement to **complete an initial Plan** within 60 calendar days of a juvenile's placement in an alternate care setting (out of parental home) other than a JCI.

For the placement in alternate care to take place, a court must have made the finding that "Placement of the juvenile in the home is contrary to the welfare of the child and that reasonable efforts were made to prevent removal from the home."

6 Month Plan Reviews: Overview

Permanency Plan Reviews are required every 6 months from the date of the juvenile's removal from the parental home except for the days he or she is in a JCI.

If the youth was in a placement prior to commitment to a JCI, the time period prior to the JCI is counted as part of the 6 months.

Required Court Finding Within 12 Months of Placement: Overview

The court, not a review panel, must make the following finding within 12 months of placement out of the home (not counting JCI time) and every 12 months thereafter: **Reasonable efforts were made to achieve the goals of the Permanency Plan**.

DJC Staff Training

A videotaped training, called, **"Federal Child Welfare Rules: Application To Youth Moving Out Of Correctional Facilities"** is available in all field offices. Agents should become familiar with the information and instructions contained on that tape.

Federal Laws

The Adoption and Safe Families Act (ASFA) of 1997, the Social Security Act of 1980, and the Multi-Ethnic Placement Act of 1994 promote the **health and safety of children**.

Federal rules and regulations were promulgated to implement the laws addressing the following matters:

- Timely Decision-Making
- Reasonable efforts

Copyright © 2012 [WI Department of Corrections]

- Termination of Parental Rights in certain situations
- Required court findings/orders
- Non-discriminatory placement of children in out-of-home settings
- Adoption recruitment for children whose parental rights are terminated
- Determination of federal funding available to assist the child

Achievement of a permanent and stable living arrangement for all children removed from their homes

Penalties for Non-Compliance

The federal regulations include penalty and corrective action provisions for non-compliance. Fiscal penalties are directed at the state Dept. of Children and Families, but will affect the amount of funding that DJC receives for placement, services, and administration costs for juveniles place in out of home care following departure from the JCI.

Primary Permanency Plan Goals

Permanency Plan goals are reunification, adoption, transfer of guardianship, permanent placement with a fit and willing relative or other permanent living arrangement (i.e. sustaining care or long-term foster care).
Planning to achieve the goals includes:

- Case specific identification of a permanent living arrangement for the juvenile

Provision of services

Identification of person's responsibilities to attain that permanent living situation

Identification of time frames

Clear documentation of actions on the part of all parties.

For children with a goal of "Other Planned Living Arrangement" continued planning efforts to achieve the goals of reunification, adoption, transfer of guardianship, or permanent placement with a fit and willing relative are required. In each case one or more of these basic sets of circumstances apply:

- The child cannot be safely reunited with his or her family.
- Recruitment of an adoptive or guardian family has not be successful.
- There is an identified appropriate planned permanent living arrangement in which the child wishes to continue living.
- A decision is made that adoption or guardianship is incompatible with a youth's age, special need or complex circumstances.
- The youth is being provided an opportunity to be a part of the decisions related to his or her permanency.

When Plan Does Not Include One Of Primary Goals

Documentation of reason

If the identified permanency goal in the DOC-1797 does not include one of the primary goals, an agent documents his or her reasoning in the case file, and notifies the court via the Plan or at a future court review. The **court evaluates the agent's reasons for not choosing one of the primary goals.**

Termination of Parental Rights as Option

If Termination of Parental Rights appears to be a reasonable option, the agent should make a referral to the appropriate county department using the **Referral for Termination of Parental Rights** form (letterhead format: **DOC-2185**) available on **MyDOC**. DJC provides information and consults with the county agency with

responsibility to file the petition for termination of parental rights.

Definition of Reasonable Efforts

An **"earnest and conscientious effort to take good faith steps to provide the services ordered by the court while taking into consideration the special needs of a parent and child and other relevant circumstances."** Health and safety are paramount concerns.

Examples of reasonable efforts include a wide range of services including collaboration with community resources, referrals to treatment, skills training, community service, education or special education, mentoring services, respite care, visitation with family members, telephone calls, etc.

Reasonable Efforts Not Required

Chapter 48 and s. 938.355 (2d) (a) and (b), Stats, define the **circumstances** under which **reasonable efforts** to be made prevent removal of the juvenile from the parental home are **not required**.

- Abandonment under s. 948.20, WI Stats., or equivalent offense in another jurisdiction
- Parent was convicted of murder of another parent of the child.

  Parent was convicted of voluntary manslaughter of another child of the parent
- Parent was convicted of aiding or abetting, attempting, conspiring, or soliciting to commit such a murder or such a voluntary manslaughter
- Parent was convicted of a felony assault that resulted in serious bodily injury to the child or another child of the parent, s. 940.19 (2) through (5), or s. 940.22, WI Stats.
- Parent convicted of sexual abuse under s. 940.225, 944.30, 948.02, 948.025, 948.05, 948.055, 948.06, 948.09 and 948.10, WI Stats.

  Parental rights of the parent with respect to a sibling have been involuntarily terminated, ch. 48, Stats.

Court Hearing When Reasonable Efforts Not Required

If the court determines that reasonable efforts are not required because one of the above situations exists, a permanency plan hearing must be held within 30 days after the youth is placed in an out-of-home setting (not counting time in a JCI) to determine the permanency plan.

Role of Social Worker While Youth at JCI

A & E

Youth's social worker does the following during A&E [see Chapter 4], whenever possible. If not all the information can be assembled during A&E, the social worker should do so as soon as possible:

- **Obtain** from the committing county **court reports, court orders** (signed, dated, identified date of initial removal, findings of "Contrary to the Welfare" and "Reasonable Efforts to Prevent Removal" and "Reasonable Efforts to achieve the goals of the Permanency Plan"), **prior permanency plans, agency service plans** if not included in the committing court Dispositional Report or order [see Chapter 3], and **Title IV financial forms** to assist agents in completing Permanency Plans, ICCP's, and eligibility for funds.
- Determine with the committing county if Termination of Parental Rights Proceedings (TPR) were initiated prior to admission and the status of those proceedings. Include the information in the AER [see Chapter 4} or other notation in youth's file if information not available before the end of A&E.

Prior to Youth's Departure from JCI

Assist the agent in completion of the section in DOC-1797 related to services provided prior to admission and during the youth's stay in the JCI.

Role of Agent

Consultation While Youth at JCI

Consult with the JCI social worker to obtain information which may be included in court reports, prior permanency

plans, agency service plans, and the institution case file.

Initial Plan

- Federal rules require completion of the Plan **no later than 60 days after release/transfer from JCI** into a placement facility. Time spent in alternate care prior to placement in JCI is counted. The agent may encounter one of the two situations below:
  - **County completed an initial Plan**
    - If a youth was in alternate care for at least 60 days prior to commitment to a JCI, the county should have completed and distributed an initial Plan within the required 60 days. If the juvenile currently under DJC supervision was in alternate care for a 6 month period prior to the JCI placement, the county should have reviewed the Plan.
  - **County did not complete an initial Plan**
    - If the youth was in an alternate care placement for fewer than 60 days before placement in a JCI, the county may not have completed an initial Plan.
    - In that situation, DJC must count the alternate care placement days prior to admission to a JCI in computing the 60 day time frame and complete an initial Plan.
  - **Example**
    - If a juvenile was in a group home for 45 days prior to commitment to a JCI, the agent must complete the initial Plan within 15 days of the juvenile's release/transfer from a JCI to community supervision in an alternate care setting.
- **Recommended** DJC **practice** is for the agent to complete and distribute the Permanency Plan (DOC-1797) at least **3 days prior to the youth's departure from the JCI.**
- Plan must be part of the **youth's case file.**
- Determine **date of required 6-month Permanency Plan Review** (6 months in out-of-home care may include days in out-of-home care prior to JCI commitment).

Completion and Distribution of Permanency Plan (DOC-1797)

Instructions

Prior to 2002, DJC agents completed a DOC-1797 containing checklists for services provided, offered, unavailable, inappropriate and planned. Federal regulations state that a **checklist is insufficient without case specific information**. The current version of the DOC-1797 includes expanding text boxes for the agent to key in narrative case specific explanations regarding the following:

- Describe prior alternate care placements including type of facility and dates of placement
- Explanation of why services checked under Section 2 were offered/refused, provided, inappropriate or unavailable up to the date of the Plan.
- Explanation of why services checked under Section 2 are planned for the future.
- Explanation of the reasons the juvenile is placed outside of his or her parent/guardian's home or the home of a relative as indicated in check boxes in Section 3.
- Description of why changes indicated in Section 4 need to be made.
- Explanation of why Concurrent Plan not developed under Section 4.

Distribution

The Permanency Plan (DOC-1797) must be completed by the agent and approved by the supervisor, and

distributed to the list on page 3 of the form within 60 days of initial removal date, excluding JCI time, and may include alternate care prior to admission to a JCI.

Definition: Concurrent Planning is a process of working on one permanency goal while at the same time establishing and implementing an alternative permanency goal that involves simultaneous activities to move a child more quickly to permanence. It involves a mix of meaningful family engagement, targeted case practice, and legal strategies aimed at achieving timely permanence.

Example: one permanence goal may be that a youth will return to his or her biological parents' home, but the concurrent plan is that the parental rights will be terminated and the youth will be adopted. Discussions should occur between agent and supervisor regarding the need for concurrent planning for all types of cases if a placement in out of home care exists.

Determination of Appropriateness for Concurrent Planning

Certain indications have been shown to be related to factors that can delay or decrease the likelihood of reunification. When one of the following circumstances exists, a concurrent permanence goal and plan must be established for a child:

- The child has been the victim of more than one form of abuse.
- There have been three or more CPS interventions for serious separate incidents, indicating a chronic pattern of abuse or severe neglect or there is a pattern of intergenerational abuse with a lack of historical change in family dynamics.
- A parent has a history of substance abuse or is chemically dependent and/or has a history of treatment failures or the child was drug-exposed at the time of birth.
- The child has been abandoned with friends, relatives, out-of-home care providers, hospital, or after being placed in care, parents do not visit on their own accord. Parents disappear or appear rarely.
- A parent is intellectually impaired, or has shown significant deficits in care for the child and has no support system of relatives able to share parenting.
- Parents or caretakers have a pattern of at least one year of documented history of domestic violence between caretakers and they refuse to separate.
- A parent's rights to another child have been involuntarily terminated or the parent has asked to relinquish the child on more than one occasion.
- A parent has significant, protracted, and untreated mental health issues.
- The child or siblings have been placed in out-of-home care or with relatives for periods of over six months duration or have had repeated placements with CPS intervention and previous attempts at reunification have failed.
- A parent's only visible support system is a drug culture, with no significant effort to change over time.
- A parent has repeatedly, and with premeditation, harmed a child or the child experienced extreme physical or sexual abuse by a parent or the parent has allowed someone else to abuse the child.
- A parent has previously killed or seriously harmed another child.

The above list shall not be considered the only instances when a concurrent plan is established. The establishment of a concurrent plan must be documented in the permanency plan.

Permanency Plan Review: Two Methods

State law requires that a youth's Permanency Plan be reviewed within 6 months of the youth's removal from home (not counting the JCI days) and every 6 months thereafter while the Plan is in force. The review must be by the court every 12 months: that is, no later than 12 months after the youth is removed from home (again not counting

JCI days) and every 12 months thereafter. The interim 6 month reviews may be done by two methods: **by a panel or by the court**. Agents should contact the county worker or consult with their supervisors to determine the best method for accomplishing the reviews.

Review in Court

If a youth is in an out-of-home placement and an extension hearing is scheduled within 6 months of the time that the juvenile was placed out-of-home, an agent may request that the court review the Plan at the extension hearing. [see Chapter 9}

Some courts want to conduct a court review of all Plans whether or not an extension hearing is scheduled within the 6 months time frame.

Panel Review of Plan: Preparation

I**f there is not an extension hearing scheduled within the required 6 months and the court approves the use of panel to review Plans**, an agent must convene a panel to review services, placement, and planning.

- At least 30 days prior to a review by a panel, the agent shall complete the **Notice of Permanency Plan Review (DOC-2183)** available on **MyDOC** to notify the required persons of the following information:
    - Date and location of the review
    - Opportunity to participate in the review.
    - Opportunity to submit written comments no less than 10 days prior to the review.
    - Required persons include: committing court, district attorney, corporation counsel, guardian ad litem (if any), parent, child, defense attorney, residential placement, guardian (if any), county agency, other appropriate service providers, and panel members.
- At least 5 days, by statute, prior to the review, distribute written comments regarding the Plan to the panel members.
- **Recommended DJC practice is to complete and distribute the form at least 30 days prior to the review.**

Following Panel Review

Within **30 days of the panel review**, agent completes the **Permanency Plan Review Summary (DOC-2184)** available on **MyDOC** to submit to the court, panel members and other interested parties.

It must explain how DJC will address any issues arising at the review such as a conflict between panel recommendations and the court order and/or DJC supervision of the youth.

Role of Agent at Court or Panel Review

Testify and Document

- Reasonable efforts to finalize the permanency plan goal
- Date of return home, if known
- Decision on concurrent plan
- Necessity, safety, and appropriateness of the placement
- Compliance with the court order and Plan
- Special needs identification and provision of services

  Independent living services

Role of Court or panel

Court or panel evaluates the following

- Continuing necessity for out-of-home placement

- Extent of compliance with the Plan by DJC and other service providers, juvenile and his or her parent/guardian
- Extent of effort to involve appropriate service providers in addition to DJC staff to meets needs of juvenile and parent/guardian
- Progress made toward eliminating causes for juvenile's placement outside of his or her home and toward returning juvenile to home or other permanent placement
- Date by which juvenile will return to home, be adopted, or be placed in an alternative permanent placement. Whether
- DJC has made reasonable efforts to achieve the goals of the Plan.

Youth in out-of-home placement for 15 of the last 22 months: assess appropriateness of Plan and circumstances that prevent the juvenile from:

- Returning Home
- Being placed for adoption
- Achieving Guardianship
- Placement with a fit and willing relative
- Some other planned permanent living arrangement

Judicial Review: Permanency Review Hearing (12 Months From Placement Out-of-Home)

Federal Requirement

Federal regulations emphasize judicial oversight of juveniles in out of home care. Thus, within 12 months from the removal from the parental home and not more than 6 months after the prior review, whether by panel or court, the court must review the permanency plan, services, and goals. The days in out of home care placement prior to placement in the JCI may be included in determining the 6 and 12 month deadlines. The court may make the finding prior to the 12 month deadline.

This review differs from the required 6 month Plan review. It cannot be completed by a panel, but only by a court.

Court Finding Required

At this court review, the court must make a finding that **reasonable efforts were made to achieve the goals of the Plan.** This finding is critical for continued federal funding for the out of home care placement. Court reviews and this finding must occur annually during the placement in out of home care.

Note: It is vital that the completion of the permanency plan and the required court and panel reviews and findings be documented for purposes of federal funding eligibility.

Copyright © 2012 [WI Department of Corrections]

Sample Notification Letter from New Agent to Youth's Parent/Guardian

Use Work Site Letterhead

(Current Date)
(Name of Parent/Guardian)
(Mailing Address)
(City, State, Zip Code)
Dear Mr./Ms. (Last Name of Parent/Guardian):
This letter is notification of a change in the assigned agent for (name of son/daughter) during his or her placement in the community. As of (effective date of assignment), I am the new agent who will supervise your son/daughter while (he/she) is in the community.
In order to work more effectively with (first name of youth), I would like to meet with you to discuss past behaviors, current situation and future goals of (first name of youth).
Please call me as soon as possible to schedule an appointment to meet. My phone number is (000) 000-0000.
Thank you for your cooperation.
Sincerely,
(Name of Agent)
Juvenile Services Agent
cc: Supervisor
OJOR CO
SS File
Previous Agent

Sample Notification Letter from New Agent to Youth

Use Work Site Letterhead

(Current Date)

(Name of Youth)

(Mailing Address)

(City, State, Zip Code)

Dear (Name of Youth):

This letter is notification of a change in your assigned agent during your placement in the community. As of (effective date of assignment), I will be the agent supervising you while on community supervision.

If you have any questions or concerns about your community supervision, please call me at (000) 000-0000.

Sincerely,

(Name of Agent)

Juvenile Services Agent

cc: Supervisor

OJOR CO

SS file

Previous Agent

Copyright © 2012 [WI Department of Corrections]

Sample Transition Team Meeting Agenda

(For use with Youth's Release Action Plan)

Anticipated Participants

Transition Team Core Group:			
Youth:		Family:	
Agent:		Social Worker:	
Other:			
Education:			
JCI Teacher:			
Teacher Community School:			
Enrollment Staff Community School:			
Community Based Provider:			
Name:		Agency:	
Name:		Agency:	
Name:		Agency:	
Name:		Agency:	
Other:			

Meeting time and purpose:
Meeting location:
Facilitator: Note: Pre-requisite for meeting: Signed authorization for release of confidential non-health related information including selected special education information.
Pre-Meeting: Schedule confidential conversations regarding school enrollment, special education details, or other necessary items with selected participants.
Welcome and introductions

If Transition Team meeting is to be followed by a Families Count session, remind people of the time and sequence of planned events.

Review strengths and successes during Re-entry Planning

JCI SW and/or Teacher input, knowledge of youth, how providers / others can help

Review youth's responses to Q 1-3 on Youth's Release Action Plan

Review the Lifework Education Portfolio

Youth's perception of his/her goals. What s/he believes the team can do to help with these goals.

Specifically responses to Questions 4 & 5 on Youth's Release Action Plan.

Review the CANS if youth going to alternate care

Communication tool for identifying issues to be addressed and strengths to be nurtured while youth is placed out of home.

If applicable, listen to the youth's presentation of his/her Sex Offender Healthy Living or AODA relapse prevention plan.
Break
Family / Parent - Feedback; Expectations and concerns about services

Providers – Discuss their role, intentions, and expectations, how they will help regarding:

- School enrollment; Other educational/training options
- Living Arrangements
- Employment
- Personal/Treatment/ Family/ Residence
- Treatment (Needs as stated by youth? AODA, SO, Other counseling, Medical)

Community Supervision (Probation/Levels for bracelet/Passes; Meeting financial obligations)

Review Rules of Supervision (DOC-1741A) and obtain youth and parental signatures

Summarize

Inform families/providers and other participants, who will participate in Families Count, about community follow up and expectation to participate.

Evaluate the meeting

Ask, did we accomplish our purpose? Did we miss something? Could we do something better in the next meeting? Give each participant a chance to answer.

Next meeting

Transition Team – set date for meeting when youth is back in community

Adjourn

Copyright © 2012 [WI Department of Corrections]

11 Victim/Witness Notification and Services

Overview of Chapter Contents

Primary Topics Covered in this Chapter (Read Across)

• Individuals Eligible to Request Notification	• Request for Notification Process
• Circumstances Requiring Notification	• Notification Procedures: Overview
• Prior to Leaving a JCI	• Prior to Expiration/Administrative Discharge
• Prior to Movement within the Community	• Upon Escape
• Verbal Notification of Victim	• Prior to Furlough
• When a Youth Goes to Court	• Notification of Extension of Supervision
• Victim/Witness Access to SORP Registry	• Victim/Witness Services

Forms Discussed in this Chapter

• Action Needed Request (DOC-1734)	• Juvenile Release Authorization (DOC-1788)
• Department Order (DOC-1722A)	• Victim Witness Notification Program (DOC-1717)
• Victim Statement	• Cover Letter for Youth Apology Letter
• Rights of Victims of Crimes (sample)	

DOC-1722a and DOC-1734 must be completed in JJIS. The DOC-1788 and DOC-1717 can be accessed in MyDOC. CMM holders may print a copy from MyDOC and place in CMM. When completing a form, check MyDOC to be certain that the current version is being used.

Individuals Eligible to Request Notification

The following parties may request notification:

- An **adult victim** of an act for which a youth has been found delinquent.
- **Parent/guardian of a minor victim**.
- Adult **family member of a victim who died** as a result of the delinquent youth's act.
- **Witness who testified against** the youth in court.

Request for Notification Process

District Attorney

District Attorney in the committing county **provides the victim/witness with a Victim/Witness Notification Program (DOC-1717) form**. Additionally, the victim receives a Rights of Victims of Crimes Committed by Juveniles notice.

Eligible Individual

The person requesting notification **completes the DOC-1717** and sends it to OJOR Central Office. In the case of a delinquent youth required to register as a sex offender, the Sex Offender Registry Program also receives notice of the request. [see Chapter 22]

Sex offender registration imposed: In the case of a juvenile sex offender with a registered victim, whose stayed registration is imposed by the court, the DOC victim services office should be notified by the reintegration social worker (if youth is in a JCI) or field agent (if youth is in the community) so that the victim may be given the opportunity to sign up for VOICE notification.

OJOR Central Office

- Sends the victim/witness a **letter acknowledging receipt of the DOC-1717** and a **Victim Statement** to complete, and informs the victim/witness of the notification process.
- Sends a **copy of the letter** described above to the **Victim/Witness Coordinator** in the District Attorney's office in the youth's committing county.
- **Informs OJOR local, the OOA, and state or county agent** of the receipt of the DOC-1717.
- **Stamps** the youth's **OJOR file** to indicate notification is required.
- Sends a monthly **list of victim/witness names** and their phone numbers to the JCI superintendents and field supervisors.

Copyright © 2012 [WI Department of Corrections]

- Maintains an **Apology Letter Bank** of non-court ordered letters that are sent to youths' victims upon their request. Notes when victims indicate on the DOC-1717 that they are interested in receiving an apology letter.

The OOA

- **Stamps the youth's Social Services** file noting the existence of a victim/witness notification request.
- Marks the Face Sheet (DOC-1701) to indicate that victim notification is required if that information is known at the time the form is completed.

Circumstances Requiring Notification

Five Critical Times

The victim notification subsection of the Juvenile Justice Code in s. 938.51, Stats., requires DOC to notify victims and others who request such notification, upon the occurrence of the first four critical events listed below:

- Youth leaves a JCI on community supervision [see Chapter 10]
- DJC supervision terminates due to expiration or administrative discharge [see Chapter 18]
- Release from a Residential Care Center, including a Type 2 RCC, when youth adjudicated for certain offenses
- Escape from a JCI or a Type 2 juvenile correctional facility, or from a Residential Care Center when youth adjudicated for certain offenses

  Furlough: Although not required by statute, DJC notifies a victim/witness when a youth leaves the JCI on a furlough. [see Chapter 8]

Notification Procedures: Overview

According to the law, DJC shall provide **written notification** to individuals with a request card on file at **least 15 days prior to the youth's release, transfer, start of a trial visit, expiration or discharge.** The law states that movement of a youth will not be "prejudiced" if DJC does not provide notification at least 15 days prior to the movement.

By DJC policy, the Juvenile Release Authorization form (DOC-1788) or other appropriate form, e.g., the Noticed of Release of Youth from Community Supervision (DOC-1626) or Action Needed Request (DOC-1734), must be completed in a timely manner to allow 15 days notice to be provided to a victim/witness. Not adhering to the 15 day requirement should be the exception, not the practice.

However, with substantiation by the agent or social worker as to why the notice could not be provided within the legally required 15 days and supervisory approval, the document resulting in victim/witness notification can be completed 5 days (excluding weekends and holidays) prior to the movement of the youth or the date may have to be re-scheduled.

Prior to Trial Visit, Release, or Administrative Transfer from a JCI

Preliminary Notice by OJOR

- In most cases. OJOR issues a Department Order (DOC-1722a) making the youth **eligible for release/transfer** or for a trial visit more than 15 days prior to the expected date of departure from the JCI. The eligibility decision is made at a formal conference, routine review or as a result of OJOR receiving an Action Needed Request (DOC-1734) from a JPRC member, or a DOC-1788 from an agent.
- OJOR sends a letter to the victim/witness informing him or her of the eligibility decision whether or not the exact date of the placement is known.
- OJOR eligibility notification demonstrates the good faith effort of DJC to comply with the legally required "at least 15 days" notification.

Responsibilities of DJC or County Agent When Assigned

Copyright © 2012 [WI Department of Corrections]

As soon as the movement date is known, the **agent** completes and faxes the **Juvenile Release Authorization** (DOC-1788) to OJOR CO and local, the OOA, committing county and the social worker in a timely fashion to enable OJOR CO to issue the DOC-1722a, and send a letter to the victim/witness of the youth's departure date.

Responsibilities of OJOR (Date is Known)

- When the exact placement date becomes available via a DOC-1734 or DOC-1788, OJOR issues a second DOC-1722a [see Chapter 5] containing the exact date of the youth's return to the community.
- OJOR CO **sends** a **notification letter** to the victim/witness indicating the date the youth will leave the JCI for a trial visit, release to aftercare or administrative transfer to type 2 status.
- In the case of a failed trial visit, OJOR CO notifies the victim/witness by letter if the youth does not successfully complete a trial visit. The DOC-1722a placing the youth in the community for the trial visit is rescinded.

Placement Date is not Known at least 15 days in Advance

An agent or social worker **may experience difficulty obtaining the actual release or administrative transfer date at least 15 days in advance.** For example, the foster or group home staff where the youth will be placed may not provide DJC with the exact date until shortly before the movement date.

- When the placement date is not known until less than 15 days prior to the youth's departure from the JCI, the agent or social worker **makes a notation** in the youth's file as to why the notice cannot be given in a timely manner and **obtains supervisory approval**.
- Agent completes and sends the DOC-1788, or the social worker completes the DOC-1734 in JJIS, the first working day after the placement date becomes available. [see Chapter 10]

Prior to Expiration or Administrative Discharge

In most cases, the **notification of a youth's expiration can be provided in compliance with the law** because DJC knows that date well in advance. The social worker or agent must inform OJOR in a timely manner so that OJOR can forward the notification letter to the victim/witness at least 15 days before the youth leaves the JCI. [see Chapter 18]

As soon as the date of **administrative discharge** is known, the social worker or agent must notify OJOR to assist OJOR in providing required notification. If the youth is being transferred to an adult correctional facility due to conviction and sentencing on a new charge, the movement may occur suddenly. The notice should be provided as soon as possible. [see Chapter 18]

Prior to Movement in the Community: Residential Care Centers and Type 2 Residential Care Centers

Notification Requirement

Applies to youth **adjudicated** delinquent for the **following offenses**:

- Any offense in chapter 940, Stats., Crimes-Life and Bodily Security
- Section 948.02, Stats., Sexual Assault of a Child
- Section 948.025, Stats., Repeated Acts of Sexual Assault of the Same Child
- Section 948.03, Stats., Physical Abuse of a Child

Responsibilities of Agent

Agent notifies OJOR CO **at least 15 days, whenever possible, prior to the planned movement** of the youth. The minimum notice to OJOR CO is 5 working days prior to the youth's movement from a RCC to a different placement. The **minimum time frame** should be used **only** when relevant information is not known earlier. The agent must document in the youth's file the reason for non-compliance with the notification requirement. **Responsibilities of OJOR CO**

OJOR sends the **notification letter** to the victim/witness subsequent to receiving notification from the agent. This

should occur at least 15 days prior to the youth's movement.

Upon Escape from a JCI, Type 2 Facility, or Residential Care Center

Definition Of Escape

A youth is considered to have escaped if the youth

- Leaves an assigned area without permission
- Fails to return within 12 hours of the expiration of an approved leave.

Contact By Telephone

- If a youth escapes from a **JCI**, the **superintendent/designee** calls the victim/witness after the escape is discovered. Escapes from trial visits and furloughs while on type 1 status are considered escapes from a JCI.
- If a youth escapes from a **type 2 facility** (YCSP, SJO, or a type 2 RCC), the **regional chief/designee calls** the victim/witness after the discovery of the escape.
- If a youth escapes from a Residential Care Center and committed an offense listed in the "Prior to Movement in the Community: RCC" section above, the **regional chief/designee calls** the victim/witness after the discovery of the escape.

The call generally should be placed no more than two hours after the superintendent, chief or designee is informed about the escape. This period may be extended up to 12 hours in order for the designated staff person to obtain additional information that would be helpful to the victim, or if the call otherwise would occur between the hours of 9:00 p.m. and 8:00 a.m.

Other Efforts to Contact Victim/Witness

- If the designated staff person **cannot reach the victim/witness by telephone** because it is out of service or disconnected, or the person does not answer the telephone after a few attempts, the staff person who attempted to place the call requests OJOR-Central Office to generate and mail **a letter to the victim/witness to the last known address**.
- If the designated staff person reaches an answering machine, a message should be left including the staff person's name, phone number and the best time to call back. State that you are calling from the Department of Corrections and have information requested by the person.
- Other steps staff may take to obtain a current address and/or phone number include contacting Directory Assistance, OJOR CO, or the Victim/Witness Coordinator in the committing county. The County Victim Witness Coordinator List is available in "DJC CMM" in the "Groups Folder". In Milwaukee County contact with the Victim/Witness Coordinator should be made through the DJC liaison to Milwaukee County Children's Court Center.

Documentation

Responsible staff **document all of the attempts to reach** the victim/witness.

Apprehension of Youth

The superintendent/regional chief or designee **calls the victim/witness if the youth is apprehended**. If the victim/witness cannot be contacted by telephone, the superintendent/regional chief or designee contacts OJOR-Central Office to request that a letter notifying the individual of the apprehension be generated and mailed.

Verbal Victim Notification Guidelines

Calling Guidelines

Ask to Speak to the Person Who Has Registered for Notification

"May I please speak with _____?" (full name of person registered).

If the person answering the phone informs you that the registered person is not there, identify yourself and

ask if you can reach the registered individual at another number and when would be the best time to reach him or her.

If another person answers the phone and calls the registered individual to the phone, verify that you are speaking to the proper person by asking, "Is this (full name of person registered)?

Identify Yourself

- State your full name, job title, and that you work for Department of Corrections, Division of Juvenile Corrections
- State that, "You requested notification regarding (name of youth)."
- Explain that you are **calling because the youth has escaped**.

Explain what information you can share

- **Date and time** youth escaped
- **Type of placement, not actual address**, from which youth escaped – May mention the municipality or county from which the youth escaped
- **DO NOT discuss confidential information** such as treatment, services or other programming youth has been receiving
- Re-assure the individual that you **will notify them if/when the youth is located**

Provide the individual with the **phone number of a DJC contact** in case he or she has questions/concerns or information to report in the future

Ask if the individual has any concerns about his or her safety

- **Listen** carefully to the individual
- **Explore safety options** if he or she wishes to do so
- At a minimum, inform the individual that he or she can call local law enforcement about the situation and provide the phone number.
- Discuss other local resources which may be helpful .
- Explore safety planning as appropriate. DJC's goal is to listen to the individual's concerns about safety and offer suggestions, but try not to unduly alarm the individual; i.e., assist the individual to evaluate and weigh risks.

Advise that in the event of an emergency or concern about immediate safety, the individual should call local law enforcement. Either provide that local phone number, or suggest that he or she call 911 where available.

Close the conversation

- Ask if there is anything else the person wishes to discuss.
- Remind the individual of your name and phone number, or the name and phone number of a DJC contact person if it will not be you.
- Reassure the individual that you or another **contact person will be available if she or he has any questions or concerns, or wants to provide information.**

If the individual has financial concerns because the call would be long distance, offer to call the individual in a week as a follow-up. Suggest also providing the DJC toll-free number in case long distance charges are problematic.

<u>Tips to Follow when Calling</u>

When calling to notify a victim/witness that a youth has escaped, the following may be helpful:

- **Relax** and be yourself
- Be **professional**: don't be overly casual about the call
- Be **honest** about what you can and cannot do, and what you can and cannot say
- **Listen** to the individual
- Provide verbal support during the call

Remember that Fear is Real even if the Danger is only Perceived

Prior to a Furlough

The designated social worker at a JCI telephones the victim/witness before a youth leaves a JCI on a furlough.

When a Youth Goes to a Court Hearing

Social workers and agents must be especially careful to **track a youth who goes to a court hearing** for one of the following reasons:

- An adult charge when the youth's juvenile supervision order is nearing expiration.
- A DJC petition for extension of the youth's supervision when the existing court order is close to expiration.
- A petition by a youth to terminate DJC supervision.

In these situations, the **court could immediately terminate DJC supervision**. The social worker or agent **informs OJOR CO** as soon as the court makes a decision regarding the expiration date. OJOR CO may immediately telephone the victim/witness, with a notification request on file, to inform the victim/ witness of the youth's expiration of supervision.

Victim/Witness Access to SORP Registry

VINE and VOICE

An eligible person, victim, witness and/or certain family members, who have enrolled with the DOC **Office of Victim Services and Programs,** have access to information regarding youth who are required to register with the Sex Offender Registry via two automated systems: **Victim Information and Notification Everyday** (VINE) at 1-800-398-2403 and the VOICE for Victims Web site at www.WIVictimsVOICE.org. The Office of Victim Services and Programs staff can be reached Monday through Friday at 1-800-947-5777 should you have questions or concerns.

An enrolled person can obtain a considerable amount of **information about the juvenile sex offender**. The registry **includes juveniles adjudicated or convicted for a felony sex offense** at any age. [see chapter 22] The enrolled person may not re-disclose the confidential juvenile information to anyone unless specifically authorized by DOC.

Victim and Witness Services

Coordination of Services within DJC

DJC has established a structure to coordinate services to a victim/witness beyond the legally required notification of a youth's release, transfer, escape, expiration or discharge. The structure encourages staff to focus on victim and witness issues on an ongoing basis.

DJC **superintendents and regional chiefs designate a staff member to assume responsibility for coordinating the delivery of the victim/witness services.** Each JCI and regional office may establish a Victim Services Committee to advise the designated person.

Page 11:11 is a summary of victim rights in Wisconsin, originally prepared by Dane County. It is included as a resource for DJC staff persons called upon to work with or provide services to victims, so that the Division can help victims access the rights afforded to them by the state Constitution and statutes.

Victim Services

Copyright © 2012 [WI Department of Corrections]

Response to a Victim Statement

A victim may submit a written victim statement to OJOR CO. **OJOR CO forwards copies of the victim statement** to the appropriate point of contact, social worker, regional chief, agent and OJOR reviewer.

When a youth is in a JCI, agent and social worker consult by telephone to discuss the victim statement and the possible responses to it. When the youth is under community supervision, the agent consults with his or her supervisor to determine the proper response to the statement.

Contact by Youth with a Victim

Written Letter

- Not court-ordered. A youth may apologize to a victim by writing a letter. The assigned social worker reviews the letter, asks other staff to review per JCI policy and distributes copies to the youth's SS file, committing county (JCI liaison or case worker) and agent.
- An apology letter not ordered by the court should be sent by the social worker to OJOR Central Office for filing in the DJC Apology Letter Bank. Victims may request to have OJOR inform them as to whether a youth wrote an apology letter and, if a letter exists, to provide them with a copy of the letter.
- Court-ordered. If court ordered the youth to write the letter of apology, the social worker sends a copy to the committing court with a cover letter including the information in the sample cover letter provided at the end of this chapter.
- For court-ordered apology letters, the reintegration social worker mails the cover and apology letters to the Victim/Witness Coordinator in the committing county who then decides whether to send the letter to the victim. The County Victim Witness Coordinator List is available in "DJC CMM" in the "Groups Folder".

- **Victim Initiated Dialogue**
  - A **youth may not initiate the request** for conferencing with the victim. Only the victim (or the victim's family, in the case of a minor or deceased victim) can initiate the request.
  - If a **victim expresses interest** in having contact via conferencing with the youth, the youth's treatment team, clinician (if assigned), victim services point of contact person and section manager discuss the request for the victim/youth dialogue.
  - Staff seriously consider the victim's request coupled with the fact that the preparation process can be a lengthy process for the victim and the youth. Often the preparation is done while the youth is in the JCI, and the dialogue session takes place after the youth has been released.
  - If DJC staff decide to explore the feasibility of conferencing, the assigned social worker calls the Office of Victim Services and Programs at 1-800-947-5777. OVSP works with both the University of Wisconsin Law School's Frank J. Remington Center and Marquette University Law School Restorative Justice Initiative to obtain a facilitator for the Victim Offender Dialogue process.

Victim Impact Programming

A youth's ICP may direct that he or she participate in victim impact programming as defined by the JCI and/or community corrections office. [See Chapter 7]

Staff Training

The point of contact in a JCI and in the community on an on-going basis assess staff need for and provide training regarding victim issues and provide that training. The DOC Office of Victim Services and Programs is also a resource for training and technical assistance.

Cover Letter for Apology Letter

The following cover letter should be placed on the appropriate institution letterhead.

(Date)

(Name of Victim/Witness Coordinator)
(Street Address)
(City, State Zip Code)
Re: (Name of Youth), (J-number)
(Court Case Number)
Dear Mr./Ms. Last Name of Coordinator:
Enclosed is an apology letter written by the above named youth. The apology letter was court ordered. A copy has been sent to the committing court along with this cover letter.
As the youth's assigned social worker, I have reviewed the apology letter written by this youth. However, the apology letter has not been sent to the victim/witness. Therefore, I am enclosing the letter so you may forward the letter to the victim or take any action that would be in the best interest of the victim/witness.
If you have any questions or concerns regarding the enclosed apology letter or any victim-related matter involving this youth, please call me at (000) 000-0000.
Sincerely,
(Name of Social Worker)
Social Worker, (Name of Institution)
Enclosure
cc: Agent

Enclosure

Rights of Victims of Crimes
Committed by Juveniles

In addition to your rights to confer with an intake worker, to submit a victim impact statement, and to request restitution, victims of crimes committed by juveniles have the following rights.

1. You may learn the name and address of the juvenile and his/her parents and may obtain information from the juvenile's police records.

   Contact the law enforcement agency that investigated the offense; their policy will determine what information may be shared with you. (This information will be disclosed to you to assist you in the exercise of your rights as a victim under the Wisconsin Constitution and state statute [938.346]. Because this is a juvenile case, any further disclosure by you to persons, unless authorized by law or order of the court, may subject you to CONTEMPT OF COURT which is punishable by a fine and/or imprisonment.)
2. You have the option of pursuing restitution in civil court.

   The juvenile's parents may be held liable for personal injury damages, damages to property, and for the value of un-recovered stolen property. Parental liability may not exceed $5000 for damages resulting from any one act of the juvenile plus reasonable attorney fees and costs. Contact the county small claims court for information regarding a civil action.
3. You may be accompanied by a service representative at all hearings, depositions, court proceeding and related interviews and meetings.

   (A service representative is an individual member of an organization or victim assistance program.)
4. You may apply for financial assistance from the state Department of Justice, Crime Victim Compensation Program, for financial losses (excluding property losses) resulting from a violent crime. (Claims must be filed within one year of the date of the crime and the crime must have been reported to law enforcement within 5 days.) More information is available at 1-800-446-6564 or on-line at the Department of Justice Web site http://www.doj.state.wi.us/cvs/

Copyright © 2012 [WI Department of Corrections]

5. You have the right to a speedy disposition of the case.
6. You have the right to have assistance with property being returned when it is no longer needed as evidence.
7. You may contact the state Department of Justice Office of Crime Victim Services, WI Victim Resource Center at 1-800-446-6564 regarding any concerns you have about your treatment as a crime victim.

Copyright © 2012 [WI Department of Corrections]

13 - Community Supervision of YCSP and SJOP Youth, and Sex Offenders

Primary Topics Covered in this Chapter (read across)

• Introduction	• Community Supervision Tools
• CSP Overview	• SJOP: Community Phase
• CSP Team Work	• CSP Vision & Mission
• CSP Electronic Monitoring	• CSP Referral Procedures
• Relocation of CSP Youth/Family	• CSP UA Draws
• CSP Level System	• CSP Travel Permits
• Graduated Rewards Guidelines	• CSP Reward System
• Collaboration with Counties on State-Supervised Youth	• Supervision of Sex Offenders
• Contact Standards for Agents	• Progress and Activity Documentation
• Community Supervision Rules & Conditions	• Notification of Complaint Procedures
• Permanency Plan	• Notice Of Change In Agent
• Financial Obligations	• Handling Violations by Type 2 Youth
• Extension of Commitment	• Victim/Witness Notification
• Community Notification	• Expiration/Administrative Discharge
• Selective Service Registration	• Purchase of Services
• Searches	• Use of Physical Force
• Use of Mechanical Restraints	• Use of Chemical Agents
• Escape	• Taking a Youth into Custody
•	

Forms Discussed in this Chapter: Available in MYDOC or JJIS (see forms tables)

• Community Supervision Rules & Conditions (DOC-1741 or DOC-1741S)	• Electronic Monitoring Schedule (DOC-1363)
• Apprehension Request (DOC-58)	• Apprehension Cancellation (DOC-58a)
• Sample Letters to Parent/Youth	• Youth Activity Request (DOC-2129A)
• Request for Purchase (DOC-775)	• J-SOAP II (COMPAS)
• EMP Equipment Lost/Damaged (DOC-2238)	• Confidential Information Release Authorization (DOC-1163)
• Authorization for Use and Disclosure of PHI (DOC-1163A)	• Chaperone Agreement (DOC-2559A)
• Contact Standards Amendment (DOC-2128)	

DOC-1741 must be completed in COMPAS. Other DOC forms are on MyDOC. When DOC-58 or DOC-58a is completed via MyDOC, that fact must be recorded in COMPAS.

Introduction

- Youth in the Serious Juvenile Offender Program (SJOP) and Youth Corrective Sanctions Program (CSP) are in type 2 secure correctional facilities pursuant to ch. 938, WI. Stats.
- The majority of DJC agent supervision responsibilities do not differ between SJO and CSP youth.
- Sex offenders require intensive supervision as described in this chapter. They may be on type 2 or aftercare supervision.

This chapter discusses:

- SJO-community phase
- Requirements for sex offenders.
- Components of CSP
- Supervisory duties of agents

Copyright © 2012 [WI Department of Corrections]

Serious Juvenile Offender Program: Community phase

Court Order

The court may place a youth who committed certain offenses in SJOP under s. 938.34 (4h), Stats., as part of his or her Dispositional Order. [see Chapters 3 & 7]

Administrative Transfer from JCI

OJOR Order

OJOR issues a Department Order (**DOC-1722a**) administratively transferring the SJO youth from the JCI to the community on type 2 supervision. SJO youth may reside in a parental/guardian, foster or group home or a type 2 RCC, or may live independently.

End of Type 2 Supervision

A DJC agent **supervises the youth as a type 2 youth until one of the 4 events occurs**:

- Court **commitment expires**
- OJOR issues a Department Order (DOC-1722a) **releasing the youth to aftercare** supervision after a youth has completed a **minimum of 2 years** in SJOP, including time spent in the JCI. [see Chapter 10]. This would be necessary if a youth were being placed out-of-state under the Interstate Compact for Juveniles.[see Chapter 19]
- DJC **Administrator administratively discharges** the youth **after** the youth completes a **minimum of 3 years** in SJOP. [see Chapter 18]
- Youth's **legal status may remain type 2**, but agent may supervise him or her at the **aftercare level of supervision**. [see Chapter 16] This situation is reflected in JJIS.

Youth Corrective sanctions Program

csp Vision and mission statements; philosophy and program goals

Vision Statement

To develop a nationally recognized model for the community treatment and rehabilitation of delinquent youth that is an alternative to secure institutional care.

Mission Statement

To provide humane, family-oriented, community-based treatment by professional staff while ensuring protection of public safety and accountability of youth for their actions and behavior.

Philosophy

- We believe each youth in our care has unique value, is deserving of compassion, is to be treated as an individual and is capable of change.
- We believe we have a public responsibility to promote positive change in youth through meaningful home-based treatment while protecting the public from harm.
- We believe what we are doing is significant and that we have the knowledge, ability and desire to help youth in our care.
- We believe the structure and treatment opportunities inherent in the program will teach youth the values necessary to lead a crime-free lifestyle.

Program Goals

- To provide a community-based option for youth who would otherwise be in a JCI.

- Maintain public safety through intensive supervision and appropriate sanctions.
- Provide necessary treatment, services, educational/vocational training, discipline, supervision, and employment opportunities to assist youth to make meaningful positive changes in their lives.
- To encourage youth to live a crime-free lifestyle.
- To involve the youth's family when appropriate.

Purpose

The intent of CSP is to provide **highly intensive community supervision** with the goal of successfully reintegrating youth in the community. CSP agents, youth counselors and occasionally private providers, provide services in addition to **electronic monitoring and daily contacts.** Youth are extensively involved with families, schools and treatment providers.

Length of CSP

In counties where available, CSP has become the preferred means of community supervision for high-risk adjudicated youth. **CSP lasts approximately 6 months** after which time OJOR may release the youth to aftercare by issuing a Department Order DOC-1722a [see Chapters 10 & 16] or administratively discharge from supervision. [see Chapter 18].

Placement In CSP

A youth may be administratively transferred to CSP in one of three ways:

- Administrative transfer from a JCI [see Chapter 10]
  - All sex offenders not residing in a type 2 RCC shall be placed in CSP. Agents shall require the youth to complete all phases of CSP. A supervisor may grant an exception.
- Transfer from another type 2 placement. [see Chapter 10]
- Direct court commitment [see Chapter 3].

Completion of CSP

In order to complete CSP, a youth successfully progresses through the CSP levels (described later in this chapter) and meets his or her ICP goals/objectives. Upon completion, one of the following may occur:

- **Released to state or county aftercare**. [see Chapters 10 and 16]
- **Supervision level decreased to** aftercare level of supervision without OJOR formally releasing the youth to aftercare supervision by issuing a Department Order, DOC-1722a.
- **Administratively discharged** from correctional supervision by the DJC administrator based upon agent's recommendation. [see Chapter 18]

CSP Team Work

DJC Staff

Supervisors, agents, youth counselors and program assistants must work cooperatively as a team to deliver effective services to youth. The agent has primary case management authority with regards to the youth on his or her caseload, but the supervisor has the final decision making authority.

Each member of the team should understand the overall program and basic job duties of all involved. The team members should **maintain flexibility and a willingness to share the workload**. Each person should efficiently and effectively perform his or her assigned job duties. Regular communication between team members and regular scheduled meetings (no less than every other week) are essential elements of CSP. Staff schedules

Copyright © 2012 [WI Department of Corrections]

shall ensure that youth are initially seen daily and that necessary contacts with collateral service occur.

Advisory Committees

Purposes

- To provide information to the local community about the requirements and expectations of CSP youth and their families, and
- To obtain feedback and suggestions from committee members about CSP improvements to make CSP more responsive to local community needs and concerns.

Make-up of committee

The committee which meets on an average of quarterly should be comprised of representatives from public schools, HSED/vocational schools, County Department of Human and/or Social Services, the judiciary, the District Attorney's office and law enforcement.

CSP: Referral Procedures

See Chapter 10

The JCI social worker, DJC agent, OJOR, and CSP staff play important roles in the referral and placement process.

CSP Electronic Monitoring

Overview

All youth that participate in CSP are under intensive supervision with electronic monitoring equipment, which includes an **electronic monitoring unit and a transmitter** (bracelet). The equipment monitors the youth **24 hours a day, 7 days a week**.

The **enrollment and installation phases** of electronic monitoring are completed during the transition planning process before the youth leaves the JCI. [see Chapter 10]

Schedules of Youth in CSP

- CSP youth must submit the Electronic Monitoring Schedule Modification/Curfew (DOC-1363) indicating the youth's weekly schedule to CSP staff.
- CSP staff discuss the schedule with the youth and must approve all scheduled activities and hours.
- Youth must give staff at least 24 hours advance notice of any schedule change requests.

Alerts

- EMC will fax an alert (i.e., leaving early, returning early, not leaving, leaving late, etc.) to each CSP office when youth do not following their weekly schedule.
- If a youth is more than one hour late returning home, EMC completes the Apprehension Request (DOC-58). If the youth comes back into range and stays in range for one hour, EMC will automatically issue an Apprehension Cancellation (DOC-58a).
- If CSP staff believe a youth is AWOL (out of range and not at his scheduled location), they may request EMC to issue an Apprehension Request (DOC-58). If CSP staff request the apprehension and the youth is then located, CSP staff shall issue the Apprehension Cancellation (DOC-58a) and fax to EMC.

Increase of the Youth's Monitoring Range

- The EMC equipment has three range settings: Low (35 feet), Medium (75 feet) and High (150 feet).
- CSP staff may request EMC to increase the youth's range from low to medium.
- CSP staff shall obtain supervisory approval to increase the range to high.

Copyright © 2012 [WI Department of Corrections]

- Upon the increase in range, CSP staff should walk through the youth's home with the youth to test the range of the electronic monitoring unit.

Lost/Stolen Monitoring Equipment

When an HMU or a transmitter is lost or stolen, CSP staff shall complete and fax the EMP Equipment Lost/Damaged (DOC-2238) to EMC immediately.

Damaged Monitoring Equipment

Intentional Damage

- If a youth deliberately damages the electronic monitoring unit or discards or damages the transmitter, he or she will be charged for the cost of the equipment.
- CSP staff send the completed Disbursement Order (DOC-1750), which was previously signed by the youth to the DJC Special Benefits Coordinator in Central Office.
- The DOC-1750 requests that the appropriate fee be withdrawn from the youth's institution account. Cost of the transmitter is $500 and $1,500 for the electronic monitoring unit.

Accidental Damage

- CSP staff complete the Equipment Lost/Damaged form providing a detailed explanation of why the equipment is being returned to EMC.
- CSP staff return all damaged equipment along with the rest of the package (EMU, transmitter, power pack, etc.) to EMC.

Electronic Monitoring Inventory Report

- Designated staff faxes a current Inventory Report to the CSP Regional Office and EMC on a weekly basis.
- Regional Office will have a supply of monitoring equipment and parts (rails, batteries, straps, etc.) on hand for offices to request as need arises.

CSP UA DRAWS

The agent is responsible for ensuring that CSP youth submit urine specimens according to the CSP level. An agent, supervisor or youth counselor may do the UA draw and ship it to the appropriate location within 48 hours. Test results are recorded in COMPAS.

- Level 1: one time per week
- Level 2: one time every other week
- Levels 3 & 4: one time per month

Relocation of CSP Youth and Family

Family Plans to Move

If a youth's family is planning to move out of the local community or out-of-state, the agent discusses the situation with his or her supervisor.

Special Considerations for SJO Youth

A **CSP youth who is a SJO** [see Chapters 3 & 7] **must participate in the SJOP for at least 2 years prior** to being released to **aftercare** by OJOR and **3 years before** the DJC Administrator can **discharge** the youth from supervision.

Options Available to YCSP Staff

- **Deny Permission**

An agent may deny the youth permission to move with his or her family and seek a different living placement (e.g., other family member, foster care)

- **Case Transfer to a Different County**
- An agent may make arrangements through the county social services department or state aftercare agents to transfer the youth's supervision to the new county within the state.
- If the new county of residence does not contract with DJC for CSP services, the agent contacts OJOR, who must complete a Department Order (DOC-1722a) releasing the youth to state aftercare or county aftercare.

Move Out Of State

- Send ICJ referral packet to the **Interstate Compact** coordinator in Central Office if the agent approves the youth's move out-of-state. [see Chapter 19]
- Agent contacts OJOR who must complete a Department Order (DOC-1722a) releasing the youth to aftercare and indicating that the youth will be supervised in another state. [see chapter 5]
- Recommend the administrative discharge of the youth to the DJC administrator after youth has successful transition and period of stability in new placement. [see Chapter 18]

CSP Travel Permits

- See Chapter 19

Csp Level System

Four level System

- Each level has a distinct set of requirements and reporting standards.
- Level system requires a youth to demonstrate satisfactory adjustment to living in the community
- Youth must complete treatment programming and assignments before advancing to the next level.

Youth's Progress

A youth progresses through the four levels depending on the **dedication of the youth** to the program. **Restrictions decrease with good behavior** at each level and by the time the youth arrives at Level 4, it is possible he or she may be ready for **release to aftercare** [see Chapter 10] **or administrative discharge** from DJC supervision. [see Chapter 18]

Sanctions

Within the 4 tier level system, good behavior is rewarded and rule violations have consequences called "sanctions."

An agent should reference the "graduated sanctions guidelines" in order to determine the appropriate sanction for the violation. These guidelines are not limited to the listed violations and sanctions and are subject to supervisor's approval based upon the local unit practice. [see Chapter 15]

Sanctions can range from writing assignments, additional household chores or community service, or return to a JCI for short period of time, depending on the severity of the infraction. [see Chapter 15]

CSP Across the State

Each of the DJC regional offices, Southeastern Regional Office (SERO) and the Northwestern Regional Office (NWRO), operates CSP a little differently. There may be variances also among field offices. **Differences in the**

CSP's meet the needs of the population served and reflect the availability of community resources.

CSP Rewards Program

PURPOSE OF REWARDS AND GROUP RECREATIONAL ACTIVITIES

DJC utilizes rewards (incentives) to periodically recognize an achievement by an individual youth or group of youth. Additionally, CSP youth occasionally participate in group recreational activities in the community. The rewards and group activities encourage pro-social behavior. Research reveals that successful intensive supervision programs include rewards to reinforce positive behavior as well as a system of consistent, graduated sanctions in response to violations.

OVERALL POLICY

- All CSP youth have an equal opportunity to participate in the rewards program and group recreational activities.
- CSP staff must follow procedures below regarding obtaining supervisory and regional chief approval, purchasing rewards, and maintaining accurate records.
- Staff may not personally benefit from any rewards or group recreational activities.
- Staff cannot purchase items with personal cash for youth or give cash to youth as a reward.

INDIVIDUAL OR GROUP RECOGNITION REWARDS

Reasons for Rewards

All achievements by a youth or group of youth do not necessitate a reward. However, a CSP staff member may believe that an individual or group of youth should be recognized for a particular achievement.

An agent should reference the "graduated rewards guidelines" in order to determine the appropriate reward for the accomplishment. These guidelines are not limited to the listed accomplishments and rewards and are subject to supervisor's approval based upon the local unit practice [see below].

*These guidelines are not limited to the listed accomplishments and reward. These guidelines are subject to supervisors approval based upon the local unit practice (an override may be possible after discussion with your direct supervisor).			
Wisconsin Division of Juvenile Corrections; Graduated Rewards Guidelines			
Level 1 (4 - 6 weeks)	**Level 2 (minimum 4 weeks)**	**Level 3 (minimum 30 days)**	**Level 4 (minimum 30 days)**
Accomplishments			
▪ Followed daily schedule	▪ **Repetition of Level 1 accomplishments**	▪ **Repetition of Level 1 or 2 accomplishments**	▪ **Repetition of Level 1, 2 or 3 accomplishments**
▪ Attended and participated in school on a daily basis	▪ Completed at least 25 hours of community service	▪ Completed an additional 25 hours of community service	▪ Completion of required community service hours
▪ Was available for daily face-to-face contact with CSP staff	▪ Continues to submit negative urine samples to CSP staff	▪ Has no reports of destructive behavior	▪ Maintained employment for 16 weeks after release from JCI
▪ Attended and participated in required treatment programming	▪ Maintained employment for 8 weeks after release from JCI	▪ Maintained involvement in positive leisure activities	▪ Saved a minimum of $500.00 in a bank account
▪ Followed treatment guidelines set by treatment providers	▪ Seeks out positive leisure activities	▪ Obtained a High School Diploma, HSED or GED	▪ Completed JCIP phase 3 with the assigned agent
▪ Had no association with people not on approved friends list	▪ Maintained Community Placement	▪ Maintained passing grades in school	
▪ Completed at least 10 hours of community service	▪ Has no new felony or misdemeanor charges	▪ Obtained drivers license with DJC permission and insurance	
▪ Paid municipal fines in order to be eligible for a drivers license	▪ Has not been tardy in school	▪ Participated in programming that involves the youth/family	
▪ Made required restitution payments	▪ Has made significant improvement in school grades	▪ Maintained employment for 12 weeks after release from JCI	
▪ Submitted negative urine samples to CSP staff when required	▪ Has no reports of gang activity	▪ Saved a minimum of $200.00 in a bank account	
▪ Participating in goals & objectives in case plan (i.e. job search/employment)	▪ No reports of threatening or assaultive behaviors		
▪ Was available for weekly home visit with parent/guardian and CSP staff	▪ Had no contact with victim or has not violated the no contact rules		

Copyright © 2012 [WI Department of Corrections]

▪ Received no Municipal tickets	▪ Opened a bank account		
▪ Reported all police contact			
▪ Obtained employment within 4 weeks of release from JCI			
▪ Notified CSP staff of any employment changes			
▪ Completed JCIP Families Count within 30 days of release from the JCI			
Rewards			
▪ Purchase of snack packs	▪ **Category 1 reward and/or**	▪ **Category 1 & 2 reward and/or**	▪ **Category 1, 2 & 3 reward and/or**
▪ Level Change	▪ Extra hours out	▪ Later Curfew	▪ Decreased contacts
▪ $10.00 phone cards	▪ Off Electronic Monitoring Program	▪ Reduced required Community Service Hours	▪ Release to aftercare
▪ Fast food certificates	▪ Movie Passes	▪ Change of placement to a less restrictive environment	▪ Administrative discharge
▪ Educational events (free)	▪ Passes to a YMCA, YWCA, Boys and Girls Club	▪ Certificate of Program Completion	
▪ Recreational events (free) i.e. high ropes, basketball)	▪ Roller-skating passes	▪ Letter to judge reporting progress - approved by DJC staff	
▪ Gift card to general purpose store (Target, Walmart)	▪ Theater tickets	▪ $10.00 Gas Cards	
	▪ Bowling passes	▪ Tickets to sporting/entertainment events	
	▪ Tickets to educational speaking events	▪ Books, Video's, DVD, CD's approved by DJC staff	
	▪ Family lunch/dinner outing with DJC staff	▪ Materials for hobbies approved by DJC staff	

Approval Steps

- When a CSP staff member proposes that a youth or a group of youth receive a reward, he or she follows the steps below:
  - Discuss the merit of the reward with corrective sanctions team.
  - Use the graduated rewards guidelines to determine what , if any, will be awarded [see graduated reward guidelines above].
  - Present the recommendation to the Field Supervisor and Regional Chief.

- If reward is approved, the Field Supervisor does the following:
  - Ensure that adequate supervision will be provided for youth attending the event.
  - Purchase tickets/certificates/passes.
  - Complete the required inventory record.
  - If the reward was a gift card to a general-purpose store that sells alcohol or tobacco, require youth to submit a receipt to verify that only appropriate items were purchased.

GROUP RECREATIONAL ACTIVITIES

As a part of routine program operations, youth may periodically participate in community recreational events to expose them to new experiences and to promote pro-social behavior.

Approval Steps

- A CSP staff member wishing to take a group of youth to a recreational event must obtain approval from his or her supervisor and Regional Chief.
- If the event is approved, the supervisor does the following:
  - Ensure the adequate supervision will be provided for youth attending the event.
  - Purchase tickets/certificates/passes.

Copyright © 2012 [WI Department of Corrections]

- Complete the required inventory record.

PURCHASE/DONATION/SOLICITATION OF REWARDS

- A supervisor must make all purchases in the form of a certificate, ticket or pass to an event **not to exceed $10.00 per item.**
- Most items should be purchased close to the time of the planned event.
- The **inventory** of reward items stored at a field office **may not exceed $50.00.**
- **Donated tickets** to events **may be accepted** and used with prior approval by the CSP supervisor.

  Line staff may not solicit tickets to events.

INVENTORY LOG AND REPORTING TO CENTRAL OFFICE

- Each field office must maintain an accurate Inventory Log of reward items including the following information:
  - Youth's name
  - Date reward/activity occurred
  - Youth's DOC-number
  - Initials of staff involved in the activity
  - Reason for the reward; youth's achievement
  - An accounting of unused reward items
- Each field office must keep the Inventory Log with any supply of reward items in a locked storage area.
- Separate pages of the log should be used to track recreational events versus presentation of group or individual rewards.
- Supervisors must initial all entries made on the Inventory Log.

  At the end of each quarter, the Regional Chief will submit a report to the Division Administrator on group recreational activities within the region, presentation of individual and group rewards, and the total expenditures.

Collaboration with Counties on State-Supervised Youth

Counties who provide their own aftercare may also elect to enroll their youth in the DJC Corrective Sanctions Program (CSP) and have them assigned to a state agent. In these instances, communication between agents and county staff is key to ensure continuity of services, prevent disagreements and to create a service plan for the youth that will enable them to be successful in the community. County liaisons must be notified and/or consulted regarding decisions such as sanctions and permanent returns to a JCI due to the case management and fiscal implications for the county. [see Ch. 15]

Sex Offenders

Special Concerns

Public safety is the primary objective of community supervision of sex offenders. Each youth's potential to re-offend must be considered continuously by staff throughout the youth's community supervision. Even though juvenile sex offenders remain anonymous to a large extent compared to adult offenders, all field staff need to be sensitive to public reaction to sex offenders. The high profile nature of sex offenders is undisputed. Each

Copyright © 2012 [WI Department of Corrections]

community's willingness to tolerate and accept sex offenders into their community varies significantly. **Staff must be sensitive and flexible in their efforts to reintegrate the youth.**

Forming **close working relationships with law enforcement, community advocacy groups, service providers, schools, employers, landlords, and victims** as others can play a major role in the successful reintegration of youth while assuring public safety. The network of community contacts can assist DJC in its monitoring of the youth's behavior in the community by supporting and encouraging the youth to cooperate with his or her ICCP and other requirements of supervision. Additionally, members of the network can immediately report to the agent any signs of relapse by the youth.

Throughout the remainder of this chapter, special supervisory requirements relating to sex offenders will be explained.

Supervision of Sex Offenders

For purposes of this chapter, a sex offender is any youth that DJC has determined to have **sex offender treatment needs** whether or not the youth is required to register with SORP or has been adjudicated/convicted for a sex offense. Generally, sex offenders are in type 2 status in the community. [see Chapter 22] In most respects, the responsibilities of agents for SJOCSP youth apply equally to sex offenders. However, DJC must take **extra precautions to protect public safety when supervising sex offenders.**

Specific case supervision steps are outlined further in this Chapter. Broad elements of effective supervision of sex offenders include the following:

- Individualized COMPAS Case Plans are developed and continuously updated.
- Risk factors of youth are continually assessed and the J-SOAP II formal risk assessment tool is re-scored when new information becomes available.
- Contact standards for the youth and parents are followed and documented.
- The status of the youth is formally staffed with the unit supervisor to jointly problem-solve and share decision-making.
- Electronic Monitoring and GPS may be useful community supervision tools, whether or not the youth is enrolled in the Corrective Sanctions Program.
- Immediate response to violations of supervision rules/conditions.
- Youth must be involved in treatment programming in the community.
- A network of community contacts such as police, therapists, school staff and others should be formed to assist in monitoring the youth's behavior in the community.

TRANSITION PHASE PROTOCOL FOR SEX OFFENDERS

All sex offenders will participate in a structured Transition Phase (TP) as a part of their placement with DOC. This segment of a youth's stay will begin 90 days prior to transfer/release of the youth to the community. The purpose of the TP is to prepare the youth for a successful transition to the community by ensuring program continuity, and the completion of a set of preparatory steps by staff as outlined below. Youth who leave a JCI and enter either a Group Home or Residential Care Center (RCC) will also experience a TP prior to returning home or to another placement if necessary. The RCC TP will mirror the process that took place prior to the youth's departure from the Juvenile Institution.

DETERMINATION THAT A YOUTH SHOULD ENTER THE TRANSITION PHASE

The Joint Planning and Review Conference will determine that a youth is officially entering the Transition Phase. This determination will be based on:

- Review of treatment progress summaries;

- The youth's direct commitment to CSP or a short-term program [see Ch. 7]
- The youth's referral or enrollment into a short-term program; or
- The youth being referred to the Chapter 980 Committee or one who has been reviewed and passed by the Committee [see Ch. 22].

The decision that a youth is in the Transition Phase will be communicated in one of two ways: Department Order issued by OJOR, or an Action Needed Request (ANR) initiated by either the Institution Social Worker or the Field Agent followed by a Department Order.

TRANSITION STEPS 90 DAYS PRIOR TO RELEASE/TRANSFER OF YOUTH TO COMMUNITY

- The Reintegration Social Worker (RSW) identifies who will be the supervising field agent and community care provider. If the youth is from a county that provides its own aftercare, the RSW will determine who will provide aftercare and will notify them.
- If necessary, referrals to alternate care placements are made by the field agent. If an exception to DOC's sex offender placement policy is sought [see Ch. 10], OJOR is requested to seek approval for an exception to placement policy.
- The agent and the community care provider (either a representative from a RCC or a private community provider) should then be notified and attend the JPRC at the 90-day mark prior to release/transfer. Agent shall review all file material regarding the youth in preparation for the JPRC.
- The Transition Team is made up of the following parties: RSW, institution treatment provider, field agent, community care providers, the youth, parents or other family members, and others as appropriate (e.g. mentors, school officials, law enforcement rep., religious figure, victim advocate). The Transition Team will be led by the agent (either the liaison agent or agent originally assigned to the youth).
- The Transition Team shall discuss victim issues when so indicated by the youth's situation (example: youth should have no contact with children as has victimized children in the past).
- The Team will formulate a Transition Case Plan (TCP), which will be written by the agent. This TCP will be based on the agent's consultation with the youth's unit supervisor, wherein they will review details concerning the level of supervision, the youth's daily schedule, relapse prevention plan, and the procedures for responding to youth and/or parental requests for special privileges.
- Assigned agent determines that planned release location is not prohibited due to local sex offender residence ordinance, if any.
- If youth is going to an out-of-home-placement, agent follows up on placement referral(s) to ensure timely response, confirm projected placement date, and set-up a pre-placement interview for the youth.
- If youth is going home, agent completes updated Family & Home Assessment to determine the viability of enrolling the youth in the Corrective Sanctions Program.
- Agent sets dates for monthly face-to-face JCI contacts with youth over next 60 days.
- Agent meets with the parent (or other adult caretakers) and reviews what is needed from them to enable the youth to return home. If victims are in the home, determine what will be necessary to make the home safe.

TRANSITION STEPS 60 DAYS PRIOR TO A YOUTH'S DEPARTURE FROM A JUVENILE INSTITUTION

- Agent makes face-to-face contact with youth at JCI to further develop and review transition plan with youth.

Copyright © 2012 [WI Department of Corrections]

- If youth is going to a relative home, foster home, independent living, or Group Home, locate community service providers and have them arrange contacts with the youth at the JCI. These could include AODA counselors, sex offender treatment therapists, employment/job counselors, mentors, and others as the case plan dictates.
- If the youth is going to a RCC, the social worker and agent arrange and participate in a pre-placement visit between RCC facility staff and the youth. This is done after acceptance of the youth by the RCC.
- Agent will "staff" the youth's case with the unit supervisor and review all details concerning the proposed community supervision plan.

If needed, OJOR will seek approval concerning any exception to the sex offender placement policy, as noted above.

TRANSITION STEPS 30 DAYS PRIOR TO YOUTH'S DEPARTURE FROM A JUVENILE INSTITUTION

Agent meets with youth face to face at JCI to review final case plan with the youth and to review placement details.

- Agent attends the youth's verbal transition presentation, including his/her healthy living plan and progress in treatment (part of the Sex Offender Treatment Program in JCI).
- JCI education staff will coordinate the youth's school transition by completing the following tasks: update the youth's academic records and LifeWork Education Portfolio, make phone call to the receiving school district to arrange for transfer of academic records, and, if youth is going to RCC, call the education staff at a RCC to brief them on the youth's academic progress and needs.
- If relevant, agent will address issues of victim attending same school as offending youth.
- Agent will identify a network of people (service providers, relatives, police, school staff, and others) who will agree to communicate regularly with the agent regarding the status of the youth. These individuals may be different from case to case. Their role is twofold: 1) Support and encourage the youth to cooperate with his/her case plan and to meet the supervision requirements 2) Monitor the youth and report any signs of relapse to the agent so that a backslide can be interrupted.
- Agent has youth sign Supervision Rules for Juvenile Sex Offenders.
- If required to register by the court, Sex Offender Registration Form is updated by Social Worker prior to youth's release [see Ch. 22].
- Social worker re-scores all relevant scales of the J-SOAP II Risk Assessment tool in COMPAS and distributes to agent and all other persons listed on the tool.
- Discuss community service expectations of youth.
- Agent meets with parent or other relatives where the youth will reside to review Case Plan and the Corrective Sanctions Program requirements including phone restrictions.

Agent will complete paperwork such as Medicaid eligibility request form and victim notification steps, and arrange with health services unit any medication needs or instructions for the youth.

JCI staff will update youth's LifeWork Education Portfolio [see Ch. 7].

Agent will staff the youth's case with the field supervisor and review the final case plan including details concerning level of supervision and frequency of contacts, the youth's daily schedule, relapse prevention plan,

Copyright © 2012 [WI Department of Corrections]

and the procedures for responding to youth and/or parental requests for special privileges.

- Agent will contact the RCC and arrange to attend an initial case staffing within 30 days of the youth's arrival at the placement.
- If the youth is returning to the community (not a RCC), finalize school enrollment plans.
- If youth counselor is not available, set up community coaches to serve youth. If possible, document youth and/or parent permission to share information with the coach via a signed DOC-1163 form.

CASE REVIEW PROCEDURES REQUIRED WITHIN 30 DAYS FOLLOWING A YOUTH'S DEPARTURE FROM A JUVENILE INSTITUTION

- If the youth was placed at a RCC, the agent will attend the initial case staffing at the facility. Any outstanding details concerning the youth's treatment program and goals will be reviewed. Also, the behavioral expectations of the youth, what consequences or sanctions will be used if the youth fails to cooperate with treatment, and procedures the RCC will follow if the youth escapes all needs to be discussed. No overnight or weekend passes will be permitted during the first 30 days of a youth's stay in a group home or RCC. Exceptions may be made with supervisory approval.
- If the youth was placed at home or with other adult caretakers, the daily contact schedule of the Corrective Sanctions Program will be followed.
- Conduct a Transition Team meeting within 30 days following release to evaluate progress of youth in implementing ICP, and adjust community services.
- The agent will meet face to face once per week with the parents and school staff (per current minimum contact standards) to review the youth's initial progress in Corrective Sanctions and to address any case plan concerns.
- Conduct the Face to Face Registration with Law Enforcement (DOC-3) within 10 calendar days of release, for youth required to register.

Staff the case each week with the Corrective Sanctions Youth Counselors or Community Coaches and field supervisor. If youth is not enrolled in the Corrective Sanctions Program, staff the case a minimum of once per month with the unit supervisor on an ongoing basis.

CASE REVIEW PROCEDURES REQUIRED BETWEEN 30 TO 60 DAYS AFTER A YOUTH'S DEPARTURE FROM A JUVENILE INSTITUTION

- If the youth is living in the community (any living arrangement other than a RCC) agent continues to make all required face to face contacts each week with the youth, parents, and others as required by the Corrective Sanctions Program.
- Staff the case each week with the Corrective Sanctions Youth Counselors and supervisor. Review the youth's recreational schedule and get approval from supervisor.
- If the youth is placed at a RCC, maintain required contacts with the youth, family and treatment staff. Review youth's progress in meeting case plan goals and objectives.
- Review approval steps with the RCC regarding home passes. Agent and supervisor must consult prior to approving a home pass for a youth. Unit where youth is to be supervised on pass should be notified.

All youth on home passes will be placed on electronic monitoring if the youth is returning home on CSP. If the plan for the youth does not involve CSP or EMP, the agent and supervisor will staff the case based on the risk

Copyright © 2012 [WI Department of Corrections]

and needs of the youth to determine if EMP will be necessary for weekend home visits. This requirement will be reviewed with parents (or other approved adult caretaker) before a home pass is granted.

CASE REVIEW PROCEDURES REQUIRED BETWEEN 60 TO 90 DAYS AFTER A YOUTH'S DEPARTURE FROM A JUVENILE INSTITUTION

- The agent will continue to meet all contact standards with the youth and others in accordance with the living arrangement and program of the youth (either RCC or Corrective Sanctions).
- If the youth placed at a RCC, the agent will staff the case with the unit supervisor.
- Permission for home passes and other recreational activities will be discussed and agreed upon with the supervisor.
- For youth on Corrective Sanctions, recreational and work schedules will be discussed at the weekly staffing and agreed upon by the supervisor.
- Prepare the COMPAS Case Plan update and distribute in accordance with Chapter 6. Re-score the scales of the J-SOAP II according to instructions listed below.
- The agent will seek exceptions to the placement policy of sex offenders if needed by following the CMM procedure outlined in Chapter 22.
- Agents will get approval from the supervisor for travel permit requests by youth.

Agent Scoring Steps for J-SOAP II in COMPAS

- Re-score Scales 1 and 2 (the historic or static scales) at the time information becomes available which will change a youth's scores on any of the items in these two scales.
- Examples of new information that would change a youth's scores and risk profile would include items such as the discovery of new victims, changes in sexual preoccupation, and any new sexual offenses.
- If no changes have occurred that would alter the scores of the static scales, only Scales 3 and 4 will be scored by agents on routine basis.
- Scales 3 and 4 of the J-SOAP II shall be completed no later than 90 days after a youth's entrance into the community and every 180 days thereafter..
- Scale 3 should be completed by the community treatment provider. The agent will transmit the scale to the treatment provider and follow-up to ensure that it is completed and returned to the agent.
- The agent will complete Scale 3 based on treatment progress summary updates if the community treatment provider does not complete it as requested.
- Scale 4 may be completed more frequently if the youth presents evidence of increased risk and unstable behavior in the community.
- If the youth is returned to the institution via a Type 2 Termination or Revocation, the agent will include a copy of the most recently completed J-SOAP II in the packet of materials required for the procedure.
- The J-SOAP II scoring form will be maintained in the youth's file.
- Each time the J-SOAP II is scored, the assessment will be saved in COMPAS.

Case Staffing for Sex Offenders

In addition to following the ch. 6 requirements, agents and supervisors shall conduct a formal staffing for sex

offenders a minimum of once per month to jointly make decisions and solve problems. The formal staffings assist the agent to handle difficult cases and to more effectively manage the risks to the community presented by sex offenders. Topics to be reviewed at the staffing include:

- ICCP, relapse prevention plan and current progress of youth in meeting goals/objectives [see ch. 6]
- Youth's cooperation with ongoing **required treatment** in the community and results of agent contact with providers using agent chronological logs and other documentation.
- Review J-SOAP II scores for Scales 3 and 4, and any need to re-score Scales 1 and 2 based on new information that has become available.
- Youth Report forms [see ch. 6]
- School and employment status
- Living arrangement/home adjustment including discussion of others who reside with youth.
- Current level in CSP for CSP youth
- Compliance with sex offender registration requirements [see ch. 22]
- Violations within past month not already discussed
- Efforts being made to locate an AWOL youth
- Agent compliance with contact standards as documented by COMPAS notes
- Proposed and completed youth activities [requested by form DOC 2129A; see below].
- Need for extension [see ch. 11] and/or appropriateness for administrative discharge [see ch. 18]

TREATMENT PROGRAMMING FOR JUVENILE SEX OFFENDERS

Comprehensive case plans for sex offenders will be written prior to the youth's departure from a JCI.

All sex offenders will be involved in follow-up treatment in the community until a treatment specialist indicates that it is no longer necessary.

Additional Supervision Procedures for Juvenile Sex Offenders

- All contact standards will be monitored for compliance by the supervisor. Contact standards may not be waived for workload reasons.
- All home passes from alternate placements need supervisor approval. If granted, the youth will be placed on EM for the duration of the visit.
- All sex offenders on interstate compact supervision will have a minimum of one face-to-face contact per week with the assigned agent.
- The agent will follow-up with the treatment provider and staff cases monthly.
- Staff will promptly and thoroughly investigate all unusual events or activities.
- When youth are returned to the JCI for sanctions, they will be given written work assignments related to the relapse prevention plan.
- Youth will also address the relapse prevention plan with the social worker and/or other former treatment staff. Depending upon the length of the sanction, the youth may also be returned to SSOP to address ongoing treatment needs.

Copyright © 2012 [WI Department of Corrections]

Sex offenders: Activity Request

Submission of Sex Offender Activity Request

In order to attend a special activity, a youth must complete and submit to the agent the DOC-2129A, Youth Activity Request at least 7 calendar daily prior to the date of the requested activity unless the time requirement is waived by the supervisor. Special activities include, but are not limited to:

- Change of residence
- Change of employment
- Change of school enrollment
- Travel out of state
- Attendance at events such as school events, community fairs, cultural activities, weddings, graduations, family reunions, etc. at which persons similar to the youth's victim may be present.
- Activities extending beyond approved daily schedule
- Dating and sexual relationships
- Contact with persons under a specified age pursuant to rules in DOC-1741.
- Changes in approved contacts list.

Consultation with Supervisor and Approval by Supervisor

Due to the high risk to public safety presented by sex offenders, an agent shall consult with and obtain approval from his or her supervisor prior to approving the Youth Activity Request submitted by the youth. Both the agent and his or her supervisor shall approve the request and sign the form.

Sex Offenders: Registration

See Chapter 22

The agent must follow **sex offender registration procedures** for youth adjudicated for certain offenses and required to register with the Sex Offender Registry Program.

If a youth commits a new offense or previously committed an offense requiring DNA specimen, but DNA was not taken while the youth was at the JCI, the agent must ensure that the youth provides a specimen.

Some youth whose sex offender registration had been stayed by the court [see Ch. 22] are required to participate in a court hearing to determine if the stay should be lifted and the registration requirement imposed. The agent should notify the DJC victim services office (OJOR) in the following circumstances:

A youth with a previously-stayed registration is required to register by the court; and the youth's file is stamped "Victim/witness notification required".

Minimum Contact Standards

CSP/ SJO Youth and Sex offenders

Agents follow the **minimum** contact standards listed below. Under special circumstances, a supervisor may waive a particular contact requirement. For sex offenders, minimal contacts cannot be waived due to workload.

If an agent wishes to modify contact standards for the foreseeable future, he or she completes and submits to his or her supervisor the Contact Standards Amendment form (DOC-2128). Upon supervisory approval, the agent documents the modification in the chronological log for the youth.

A **face to face** contact means that the agent **sees and speaks** with the individual. Merely seeing the person, and not engaging or attempting to engage in a dialogue does not constitute a face to face contact. Supervisors shall monitor compliance by agents with the contact standards. Agents and youth counselors shall document all successful contacts and attempts to make contacts in their COMPAS notes. An attempted contact is an effort made by an agent that resulted in no face to face dialogue. If a youth fails to be present for a scheduled contact with an

Copyright © 2012 [WI Department of Corrections]

agent, the agent shall follow appropriate disciplinary procedures. [see Chapter 15]

Supervisors shall monitor compliance by agents with the contact standards. For sex offenders, contacts cannot be waived due to workload. Agents shall document attempts to meet contact standards in the COMPAS notes.

Youth counselors and community coaches (NWRO only) assist agents in the supervision of CSP youth. Coaches are independent contractors who contact a youth based upon a request from DJC. Following a contact, the coach completes a daily contact sheet that the agent reviews. The agent or OOA enters pertinent information into the COMPAS notes.

YCSP Youth		
Person(s) to Contact	Nature of Contact	Frequency of Contact
Youth	**Face-to-face**	**One time per week**
Parent/Guardian	**Face-to-face**	**One time every other week**
School Staff	**Face-to-face**	**One time per month**
Employer and/or Community Services site	**Face-to-face**	**One time per month**

YCSP YOUTH **(Minimum Youth Counselor Contacts)**		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	Level 1: daily Level 2: 4 times per week Level 3: 2 times per week Level 4: 0 time per week
Parent/Guardian	Face-to-face	One time every other week
School Staff	Face-to-face	One time per week
Employer and/or Community Services site	Face-to-face	Two times per month

Youth Residing in a Type 2 RCC		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per month
Parent/Guardian	Face-to-face or telephone	One time every 2 months
RCC Staff	Face-to-face or telephone	One time per month

SJO Youth and Sex Offenders Residing **In Parent/Guardian Home, Foster Home or Independent Living** **(not in CSP)**		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per week
Parent/Guardian	Face-to-face/telephone	One time per week (no contact with parent if youth is living independently)
School Staff	Face-to-face	One time per month
Employer and/or Community Services site	Face-to-face/telephone	One time per month

SJO Youth and Sex Offenders **Living in Group Home or Residential Care Center** **(not in CSP)**		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	Two times per month
Parent/Guardian	Face-to-face or telephone	One time per week
School Staff	Face-to-face or telephone	Two times per month
Employer and/or Community Services site	Face-to-face	Two times per month

ICCP's, Progress and Program Activity Documentation

See Chapter 6

Agents **comply with the CMM procedures with respect to writing ICCP's and Case Plan Updates or Progress Summaries, and completing program activity documentation**. Youth, agents and youth counselors also have program activity documentation responsibilities.

Community Programs/Services

Overview

Unlike the JCI's which offer many established programs delivered by DJC staff, agents must connect the youth and her/his family with educational, vocational and treatment programs/services provided by community agencies. Youth in the community have a variety of treatment needs that must be met for the youth to successfully

reintegrate. All sex offenders shall be involved in sex offender treatment until a treatment specialist determines the youth no longer needs the treatment.

Agents have a responsibility to continually assess the strengths and needs of a youth and family in order to connect the youth and his/her family with appropriate community resources.
Successfully reintegrating a youth into the community is a process that begins before the youth leaves the JCI. It is a complex process requiring ongoing monitoring and modification.

JCIP

Phase 3 of JCIP is called Challenges. It is the self-paced application of the JCIP that is designed to be implemented under the guidance of the agent and county aftercare staff with youth in the community. The curriculum consists of 15 lessons contained in a student workbook. The goals of Phase 3 are to:

- Review Phases 1 and 2, Choices and Changes
- Challenge a youth's thinking patterns and continue to build a youth's skills to be successful in the community
- Teach youth to develop realistic prevention and relapse strategies

Youth may also participate in Phase 3 on a group basis if groups are available. In some DJC community supervision offices or in RCCs, purchase of service contracts with facilitators may be an option to provide youth with JCIP Phase 3.

Community Supervision Steps

- The agent shall assign Phase 3 JCIP to all youth who reside in the community (except those living at RCCs) and who have completed Phase 1 and 2 while at the JCI.
- All youth who have committed sex offenses must be assigned to work on JCIP Phase 3 unless they are residing in a RCC.
- Youth who have not completed Phases 1 and 2 while at the JCI may be assigned to Phase 3 at the discretion of the supervising agent after consultation with the supervisor.

COMMUNITY SUPERVISION RULES AND CONDITIONS

The agent prepares and the youth signs the DOC-1741 or DOC-1741S during the transition planning period before he or she leaves the JCI. [see ch. 10] Agents supervising sex offenders shall incorporate into the DOC-1741 the applicable special rules in COMPAS for sex offenders.
An agent may **modify in COMPAS a youth's rules and conditions of supervision** (DOC-1741) at anytime during the youth's community supervision. He or she prints out the revised DOC-1741 and requests that the youth sign it. The youth may exercise the appeal rights described on the form.

Community Supervision Tools

To ensure an appropriate level of supervision in the community and in the interest of public safety, an agent may require a youth to submit a Youth Activity Request (DOC-2129A) and/or require a chaperone to accompany the youth.
Youth adjudicated delinquent for a sexual offense is required to submit an Activity Request as noted in 13:19.
Youth that have been identified as a higher risk of reoffending either through the COMPAS assessment or recent community behavior, may be required by their agent to complete the Youth Activity Request when requesting attendance at events such as school events, community fairs, cultural activities, weddings, graduations, family

Copyright © 2012 [WI Department of Corrections]

reunions, etc. at which there is concern that the youth will engage in behavior not in the best interest of the community or the youth's supervision.

Youth that have been adjudicated for a sexual offense or who have been identified as higher risk by assessment or recent behavior, may be required by the agent to be chaperoned while in the community.

- The discussion of a chaperone should begin while the youth is in the institution or as activity requests arise.
- The agent, youth, alternate care staff, and guardian, if applicable, should discuss the appropriateness of the activity, identify the chaperone and complete a Confidential Information Release Authorization (DOC-1163) and/or the Authorization for Use and Disclosure of PHI (DOC-1163A) to allow for information to be shared with the proposed chaperone.
- A chaperone is defined as an adult age 25 and older, willing to provide supervision, guidance, and redirection of a youth if the activity or situation is not in the best interest of public safety or the youth's supervision.
- The chaperone is required to pass a CCAP/DOC Locator check and/or CIB check if needed, and must be approved by the agent and legal guardian if the youth is under 18 years old.
- Once the 1163 and/or 1163A is completed, the agent and youth complete the Chaperone Agreement (DOC-2559A), meet with the chaperone to review the agreement, expectations, and Conditions of Supervision.
- If the youth is required to complete the Youth Activity Request (DOC-2129A), the Chaperone Agreement should be attached to the Youth Activity Request.
- Once the activity is completed, it is the agent's responsibility to contact the chaperone for a review of the youth's participation in the activity.

NOTIFICATION OF COMPLAINT PROCEDURES

See Chapter 23

The agent must inform the youth of the right to file complaints based upon ch. DOC 396, WI Adm. Code, and provide the youth with a Complaint form.

Permanency Plan

See Chapter 10

Agents must complete an **initial Permanency Plan** (DOC-1797) for a youth under the age of 18 years old who resides in an out of home placement. Also, the Plan is required for a youth who is 18 years old and enrolled in an educational program that he or she will complete during his or her 18th year. Also, agents are responsible for the **6 month reviews of the Plan**.

Notice of Change in Agents

See Chapter 8

The agent transferring a case to another agent follows required case transfer procedures.

Sample Letters

When a youth's case is transferred to a new agent, the receiving agent sends a **letter of notification to the parent/guardian and the youth**. The sample letters at the end of this chapter contain the information that must be included in the agent's letters

Financial Obligations

See Chapter 21

The agent must continue to require the youth to make payments towards his or her debts according to the DJC debt collection procedures.

Handling Violations

See Chapter 15

Agents have authority to **counsel, recommend sanction** of a type 2 youth in a JCI for a specified number of days and/or **terminate** the **youth's type 2 status** resulting in the youth returning to the JCI for an indefinite period of time. Research indicates that prompt and clear responses to violations meets best practice standards, especially for sex offenders and other violent offenders. The procedures are governed by ch. DOC 396, WI. Adm. Rules. As indicated in ch. 15, agents shall place specific requirements upon sex offenders sanctioned at a JCI.

Photographs of Youth

See Chapter 3

Assigned staff in regional/field office updates photos of youth in LOCATOR annually or when youth's appearance changes significantly.

Extension of Commitment

See Chapter 9

Agents need to keep track of the youth's expiration date in order to make a timely decision as to whether DJC should petition the court for an extension of the youth's commitment.

Victim/Witness Notification

See Chapter 11

When a youth has a victim/witness notification request on file with DJC, the agent must follow proper procedures upon a youth's escape, or movement out of a RCC under certain circumstances.

Community Notification

See Chapter 12

When a youth in community nears the end of his or her commitment, the agent must follow required procedures with respect to providing notification to certain community agencies.

Expiration of Commitment and Administrative Discharge

See Chapter 18

A youth's community supervision may terminate upon the expiration date of the court order or upon the DJC decision to administratively discharge the youth.

FIREARM RESTRICTION

State law [s.938.341] requires a youth adjudicated delinquent for an offense that would be a felony if committed

Copyright © 2012 [WI Department of Corrections]

by an adult be prohibited from possessing a firearm under s.941.29. The court that adjudicated an affected youth delinquent is required to send the youth's name to the state firearm registry maintained by the Department of Justice [s.938.396(2g)(n)]. In order for a person to be removed from the firearm registry, he or she must petition the committing court to make a finding that the person is not likely to act in a manner dangerous to public safety. Most youth committed to DJC are affected by the firearm restriction. Agents should be aware that the restriction applies to ownership, use, carrying or even touching a firearm. Affected youth cannot be permitted to hunt with a gun or to participate in the portion of hunter safety class that involves handling a gun. The firearm restriction does not apply to non-firearm weapons including a bow and arrow. It also does not limit youth from participating in sports that use a non-explosive projectile device, such as paintball.

Selective Service

Male youth who become 18 years of age must register with Selective Service. As a youth nears that age, agents should inform him of that obligation and assist him with the process, if needed.

PURCHASE OF SERVICES (POS)

Overview

Funds are available for Type 2 youth for purchasing services needed to implement the youth's ICP. **Funds can be used for purchasing services for the youth and his or her family** including family therapy, AODA treatment, support groups, educational services and some recreational activities and equipment.

Financial Guidelines

$ For purchases under $5,000, staff use their best judgment to select a provider and make the purchase using a p-card. Bids are not needed.

$ For purchases over $5,000, a staff member completes the DOC-775 and obtains three different bids. Bids may consist of telephone, other verbal, or written quotes.

$ For any purchase $25,000 or more, staff needs to contact the DJC Central Office purchasing agent.

Procedures for Obtaining Approval of Purchase Order

Agent Responsibilities

- **Complete the Request for Purchase (DOC-775)**
- For individual services, list the name of the youth/family member who will receive the service.
- For group services, list the vendor providing the service and number of youth participating in the group. For
- blanket POS requests, the agent obtains supervisor approval.
- For purchases requiring only a purchase request, agent makes a special effort to place purchase of services with small and minority businesses.
- For purchases requiring three bids, document the bids on the back of the DOC-775. Obtain in writing the low bid price by the vendor.

Submit the completed original DOC-775 to supervisor for approval and monitoring of expenditures.

Supervisor and Office Operations Associate (OOA) Responsibilities

Supervisor approves and signs original DOC-775 and gives it to OOA.
OOA makes two copies of DOC-775; one which is placed in an office POS file and the other youth's file
OOA forwards the original to the Office of Management and Budget in Central Office (OMB).
OMB Responsibilities: Make the final approval decision regarding the POS request.

Billing and Payment Procedures

- **Vendors submit bills** to the agent for payment of services.
- **Agent** carefully **reviews, initials, corrects as needed, and submits** copies of bills to the program assistant.
- Program assistant **(OOA) makes and retains copies and forwards original bills** to OMB.

OMB pays the bills.

SEARCHES

Introduction

Chapter DOC 396, WI. Administrative Code, governs the procedures that may be used to conduct searches of type 2 youth.

Search of the Youth's Living Environment

- Staff may **search, with or without evidence of the presence of contraband**, a youth's living quarters at any time with a **supervisor's approval.**
- The search may include the youth's private bedroom and common living areas inside and outside to which a youth has access.
- Staff should request assistance of law enforcement whenever practical.
- If a parent or other adult refuses to allow the youth's agent to search a youth's living quarters or property, the youth's placement may be changed.

Staff may conduct a search without prior approval when there is a suspicion that the youth will destroy contraband or use a weapon.

How To Conduct a Search of a Youth's Living Environment

- Staff should conduct a **thorough search while using care** to disturb the youth's possessions as little as possible.
- Staff **may not read legal materials** belonging to the youth.

written report

Staff members who conduct a search must submit a **written report of the search** including the following:

- Name of the staff member(s) who conducted the search and supervisor who approved it.
- Name of youth, date, time, and location of the search.
- Reason for conducting the search or whether it was random.
- Central Office Notification of Unusual Incident (DOC-1837) and distribute as indicated on the form.

Any objects seized or property damaged.

Personal Search

A "personal search" or "pat down" means that **staff use their hands to feel the outside of a youth's clothes, to search pockets, shoes, coat and hat, and to look inside the youth's mouth**. It may be conducted under the following conditions:

- If a staff member has a reasonable belief that the youth has something prohibited by the youth's rules of supervision.

Copyright © 2012 [WI Department of Corrections]

- After the youth has been taken into custody and before transport
- Upon release from a secure detention center, a type 1 secured correctional facility or other secured confinement.
- Routinely when a youth enters a report center, a staff office, or other placement or sanction facility. At random with supervisor approval or upon direction of a supervisor.

Strip Search

A "strip search" means that **staff asks a youth to take off his or her clothes** so they can look at the youth's body to see if he or she has any **contraband**. A strip search may be conducted when the following requirements have been met:

- With prior **supervisor's approval** when staff have a reasonable belief that the youth is hiding a prohibited object within the youth's underclothing or external body areas.
- **Youth refuses to give the item** to staff.
- **Two staff members of the same sex** as the youth are present during the search in a clean, private place.
- After the youth has been taken into custody.

Body Contents Search

A "body contents" search means the youth provides a sample of his or her **blood, breath, urine, saliva, stool** to test for the **presence of drugs or alcohol**. It includes non-surgical procedures like x-rays to detect the presence of contraband. A body contents search may be conducted when the following requirements have been met:

- With prior **supervisor approval** when staff have a reasonable belief that the youth has consumed or is concealing alcohol or drugs.
- Only a doctor, physician's assistant, nurse or other person authorized by law may collect blood and stool samples. Only licensed radiology personnel may take x-rays.
- Staff may require a youth to take a drug and alcohol test as part of a routine testing of all youth in a program or as part of a random testing program.
- A supervisor may require that staff of the same sex as the youth observe the collection of a urine sample.

Use of Physical Force

Involve Law Enforcement

Whenever practical, **staff should rely on the police** when it is necessary to use force to apprehend a youth who has escaped.

Two Reasons for Using Physical Force

Immediately necessary to stop a youth in the act of escaping

Take a youth into custody **who has escaped**

Amount of force

- Staff may only use **minimum force** needed to stop a youth in the act of escaping or to apprehend a youth who has escaped
- Staff may not use excessive force or use force as a form of corporal punishment

Copyright © 2012 [WI Department of Corrections]

Prior to Using Force

- Staff should not attempt to physically handle a youth until **sufficient staff are present**
- **Ask the youth to voluntarily comply**.
- One or more staff may **firmly grasp the youth**
- **Restrain youth as needed** to protect the youth and other, or to transport the youth.

After Physical force has been used

- **Check everyone for injury** and get medical care for anyone who was injured.
- Notify a supervisor immediately about the use of force and any injuries.
- **Written report** to supervisor **within 24 hours of use of force**
- The youth's full name and the date, time and place that force was used against the youth
- Relevant facts related to the incident including steps taken before using force
- Names of all staff who used or witnessed the use of force
- Reason for using force

Use of Mechanical Restraints

Reasons for Using Mechanical Restraints

- To stop a youth in the **act of escaping**
- To transport a youth who **has escaped and been apprehended**
- **To temporarily restrain** youth until he or she can be taken to a secure detention facility, mental health or medical facility or JCI

Prohibited Use of Mechanical Restraints

- To punish
- Around the head or neck
- In a way that causes undue physical discomfort, pain or restricts blood circulation or breathing
- To secure a youth to a car

While the Youth is in Restraints

- When restraints are used to take a youth into custody and transport a youth **after an escape or attempted escape, staff shall go directly to the intended destination**.
- Staff **remain with a youth** at all times while the youth is in restraints.
- **Release** youth from restraints to **eat, use the restroom** and to perform other bodily functions, unless it is unsafe to do so or during transportation. If it is unsafe to release the youth, a staff member shall feed the youth and a person of the same sex should assist with bodily functions.
- **Check the youth for injury** as soon as the restraints are removed. If the youth has been injured, staff shall seek immediate medical attention and notify his or her supervisor.

Notification of Use of Restraints and Written Record

Staff must notify a supervisor who notifies CO no later than 24 hours after using restraints to **prevent an escape or to apprehend a youth who has escaped** using the incident using the Central Office Notification

Copyright © 2012 [WI Department of Corrections]

- of Unusual Incident (**DOC-1837**)
- Youth's full name, date, time and place youth was placed in restraints
- Relevant facts relating to the incident
- Reason for use of restraints and type of restraints used.
- Circumstances under which restraints were removed

Additional Staff Responsibilities

Examine Restraints

Staff examine the supply of mechanical restraints every six months and discard any that are worn out or damaged.

Report to Central Office

Each regional chief submits an annual report to the Division Administrator describing all incidents involving the use of mechanical restraints.

Chemical Agents and Weapons

Weapons

Staff may **not** carry firearms or other weapons while on duty.

Chemical Agents

Only staff **members trained** by the department may carry or use **department approved chemical agents.**
Staff may use approved chemical agents **to prevent death or bodily injury to oneself or another**.
Staff immediately provides **medical attention** to a person who has been exposed to a chemical agent.
Staff member completes a **Central Office Notification of Unusual Incident** (DOC-1837).

Escape

Wisconsin Statutes Definition of Absconding and Escape

DJC often uses the term absconding to mean that a youth on community supervision is not at his or her assigned location. However, **s. 946.50, Stats.,** **defines absconding as occurring when a person adjudicated delinquent intentionally fails to appear before the court** assigned to exercise jurisdiction under ch. 938, Stats., when a proceeding is scheduled. Violation of that statute results in a range of charges and penalties depending on the seriousness of the individual's underlying offense.
Under **s. 946.42, Stats**., **escape is defined as leaving custody** in any manner without lawful permission or authority.
It applies to DJC youth in a JCI or in a **type 2 secured correctional facility (type 2 RCC, SJOP, or CSP)** because those youth are legally in the **custody of DOC**.
If a youth on type 1 or type 2 status goes to a prohibited place or fails to appear at a required place per his or her Rules of Supervision could be charged with criminal escape.

Administrative Code Definition of Escape

Chapter DOC 396, covering type 2 secured correctional facilities defines **escape** as occurring when a **youth is absent without permission from any scheduled activity or place**

Notification responsibilities

- Immediately **contact law enforcement** authorities.
- **Notify supervisor**, and consult regarding procedures for searching for youth.
- Make reasonable effort to **notify victim/witness**(es).
- **Notify parents/guardian**

Copyright © 2012 [WI Department of Corrections]

Apprehension Request

Immediately complete an Apprehension Request (**DOC-58**), available in MyDOC, and record it in JJIS.

Referral for Prosecution

Upon consultation with supervisor, an agent may refer a youth to the local district attorney. for prosecution for escape under s. 946.42(2m), Stats., which is a class D felony punishable by imprisonment of up to 6 years.

Taking a Youth into Custody

Reasons for Taking into Custody

An agent usually wants a youth taken into custody because the youth has allegedly violated a rule/condition of supervision.

Police Assistance

Staff may **ask that the police take a youth into custody** to take the youth to a juvenile detention facility, mental health or medical facility or to a JCI.

If an officer is not available, staff may take a youth into secure custody and transport the youth as soon as possible to one of the facilities that mentioned above.

- Agent **consults his or her supervisor prior to physically taking a youth into physical custody**.
- Staff follow DJC Policy 100.05.01 "Transportation Policy".

SERO Procedures for AWOL Youth

Overall SERO Policy

It is the policy of the Southeastern Regional Office that DJC staff should search for youth who have absconded from supervision and place them in secure detention when appropriate. **Searches should not be conducted without DJC supervisory approval. Law enforcement shall accompany DJC staff** when conducting searches for absconders. For purposes of this policy, “juvenile” includes youth of any age under the supervision of DJC. It is not limited to youth under the age of 18 years.

The following procedures are written specifically for SERO staff who participate in periodic absconder checks that target more than one youth from a specific geographical area. Targeted youth shall have a current apprehension request on file.

Procedures for Determining that a Youth is AWOL

SERO considers a youth to be an absconder; i.e., away without leave (AWOL) for many reasons such as those listed below.

- A **CSP** youth **damages or removes his or her electronic monitoring** device so that monitoring cannot be done
- Family member reports that the **youth has not returned home** at the expected time.
- A youth **fails to show up for an appointment/scheduled activity** and staff cannot locate the youth
- Youth **fails to return to his or her placement facility after an approved leave**, e.g., weekend pass.

Procedures to Prepare to Search for an AWOL Youth

Develop Absconder List

- Staff consider the risk the youth presents to public safety and/or to himself/herself using the checklist included in this chapter.
- Regional chief/designee works with agents to compile a list of youth in absconder status with a last known residence in the region.
- Determine which youth should be targeted for a search based upon recommendation of agent.

Copyright © 2012 [WI Department of Corrections]

- Share the list with appropriate law enforcement agency(ies), and DOC Milwaukee Absconder Unit for Milwaukee youth.

Agent Responsibilities

Complete and file a DOC-58 with appropriate law enforcement indicating:

- Youth is in violation of his or her conditions of supervision
- Youth's location is unknown
- DJC requests assistance in conducting a search to apprehend the youth.

Obtain supervisory approval to search for a specific AWOL youth.

- Share the list of names and addresses with local law enforcement and the SERO team.

Select dates, approximately 2 times per month, to conduct searches taking into account availability of SERO staff and law enforcement.

- Assemble a team consisting of at least 2 SERO staff (agents and/or youth counselors) and law enforcement personnel.

Ensure that at least one state vehicle with a secure barrier is available for transporting the youth.

Assemble the following items:

- Radios/cell phones
- Vests
- First aid kit
- Mechanical restraints including oversized
- Flashlights
- Search kits if needed

Gather together documents as appropriate:

- Photos of youth
- Detainers if on file
- Copy of apprehension requests on file
- Names/addresses of all youth being searched for by staff (copy for each individual on the team)

Apprehension Procedures

Share Information with Law Enforcement

SERO staff and law enforcement meet prior to beginning the search for the youth to discuss procedures to be followed. SERO staff share the information listed below with law enforcement:

- Youth's offense history
- Number of occupants in home
- Family history
- Pets in home

Obtain permission of head of household to enter the residence

Identify risk factors and share with team

- Offense resistance
- Potential intoxication
- Visible weapons
- Physical injuries
- Family resistance
- Presence of dangerous animals
- Medical/mental health of any occupant

Supervisor Decision

Based upon above risk factors, other relevant information and observations, supervisor decides if and when to discontinue search or modify search plans.

Copyright © 2012 [WI Department of Corrections]

- **Completion of Apprehension**

If the youth is found on the premises, he or she is placed in mechanical restraints pursuant to procedures described above. Law enforcement or DJC agent takes the youth into custody for transportation to an appropriate location.

The agent informs the parent/guardian that the youth is being returned to a JCI, but may spend a short period of time in local detention facility. The agent should take the youth's. medications

Sample Notification Letter From New Agent To Youth's Parent/Guardian

APPROPRIATE LETTERHEAD FOR AGENT'S WORK SITE

(Current Date)
(Name of Parent/Guardian)
(Mailing Address)
(City, State, Zip Code)
Dear Mr./Ms. (Last Name of Parent/Guardian):
This letter is notification of a change in the assigned agent for (name of son/daughter) during his or her placement in the community. As of (effective date of assignment), I am the new agent who will supervise your son/daughter while (he/she) is in the community.
In order to work more effectively with (first name of youth), I would like to meet with you to discuss past behaviors, current situation and future goals of (first name of youth).
Please call me as soon as possible to schedule an appointment to meet. My phone number is (000) 000-0000.
Thank you for your cooperation.
Sincerely,
(Name of Agent)
Juvenile Services Agent
cc: Supervisor
OJOR CO
SS file
Previous Agent

Sample Notification Letter From New Agent to Youth

APPROPRIATE LETTERHEAD FOR AGENT'S WORK SITE

(Current Date)
(Name of Youth)
(Mailing Address)
(City, State, Zip Code)
Dear (Name of Youth):
This letter is notification of a change in your assigned agent during your placement in the community. As of (effective date of assignment), I will be the agent supervising you while on community supervision.
If you have any questions or concerns about your community supervision, please call me at (000) 000-0000.
Sincerely,
(Name of Agent)
Juvenile Services Agent
cc: Supervisor
OJOR CO

Copyright © 2012 [WI Department of Corrections]

SS file

Previous Agent

14 - Supervision of Youth in a Type 2 RCC

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Description of Type 2 RCC	• Goals of Placement in Type 2 RCC
• Referral Procedures to a Type 2 RCC	• Contact Standards for Agents

Form Discussed in this Chapter

• Contact Standards Amendment (DOC-2128)	• Child and Adolescent Needs and Strengths Tool (CANS)(COMPAS)
• Type 2 RCC Agreement (DOC-0349F)	

Description of a Type 2 RCC

Residential Care Centers (RCC)

- A residential care center (RCC) for children and youth is a facility operated by a child welfare agency licensed under s. 48.60, WI Stats., for the care and maintenance of children residing in the facility. Youth leaving a JCI may reside in a RCC on county or DJC aftercare supervision.
- A RCC may be designated as a Type 2 Residential Care Center (Type 2 RCC) by meeting requirements of the Department of Children and Families and complying with administrative rules contained in ch. DOC 394, WI Adm. Code. Both county and DJC supervised youth in a Type 2 RCC may be in Type 2 status.
- A RCC must comply with the following to be designated as a Type 2 RCC:
  - Facility staff must receive training in the following skill areas:
    - Use of physical force
    - Use of mechanical restraints
    - Use of incident prevention and de-escalation techniques
  - Facility must comply with all rules contained ch. DOC 394, WI. Adm. Code
  - Facility must implement DJC policies and procedures for youth on community correctional supervision as specified in DJC-facility contract, DOC-0349F.

Goals of Placement in a Type 2 RCC

- To establish continuity of programs and services for youth as they transition from a JCI to the community
- To assist the youth to continue work on ICCP goals and objectives [see Chapter 6], as established through transition programming (Chapter 10).
- To reinforce and expand on JCI programming [see Chapter 7] within the community setting
- To encourage cooperative working relationships among JCIs, community supervision staff, and Type 2 RCC staff
- To respond promptly to the positive and negative behaviors of youth by administratively transferring youth to less or more restrictive settings

Copyright © 2012 [WI Department of Corrections]

Referral Procedures for Placing Youth in a Type 2 RCC

See Chapter 10

- Within the first 30 days after placement in transition and prior to making a referral to a Type 2 RCC, the assigned agent must fill out the CANS tool in COMPAS. CANS must indicate a youth's level of need that is appropriate for RCC services; or the agent's supervisor must approve or override.

A youth's agent has primary responsibility for referring a JCI youth to a Type 2 RCC. However, the JCI social worker, OJOR, liaison agent and Type 2 RCC staff play important roles in the transition and placement process.

- Once the RCC accepts the youth, the liaison agent re-assigns the youth's case in COMPAS to him/herself.

The liaison agent will arrange transportation with JCI and alternate care facility, keeping family informed. No overnight or weekend passes will be permitted during the first 30 days of a youth's stay. Exceptions may be made with supervisory approval.
A youth placed in a Type 2 RCC may be in the community phase of SJOP [see Chapter 7] or in need of intensive supervision based on other criteria.

Contact Standards for Agents

Agents shall follow the **minimum contact standards** listed below. A face-to-face contact means a personal interaction between the agent and youth.

An agent may request a modification in contact standards with respect to the number (increase or decrease) and/or nature of contacts based upon the needs of the youth, facility, family, or for other reasons. The agent completes and submits to the supervisor the Contact Standard Amendment (DOC-2128). Upon approval, the supervisor signs the form.

YOUTH IN A TYPE 2 RCC		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
• Youth	• Face-to-face	• One time per month
• Parent/Guardian	• Face-to-face or telephone	• One time every 2 months
• Type 2 RCC Staff	• Face-to-face or telephone	• One time per month

Assignment of DJC Agent For Youth In a Type 2 RCC

Responsible Agent

NWRO

When the Type 2 RCC is located more than a one hour's drive from the work site of an agent, a DJC liaison agent has case responsibility.

SERO

When the Type 2 RCC is located outside of Milwaukee County, a DJC liaison agent has case responsibility.

See Chapter 13 for description of agent responsibilities for youth in a type 2 RCC.

Copyright © 2012 [WI Department of Corrections]

15 - Sanction, Administrative Detention and Termination of Type 2 Supervision

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Sanctions for Type 2 Youth Under DJC Supervision	• Sanctions for Type 2 Youth Under County Supervision
• Graduated Sactions Guidelines	• Collaboration with Counties on State-Supervised Youth
• Administrative Detention for Type 2 Youth under DJC Supervision	• Additional Health Information for Type 2 Youth Under State and County
• Terminiation of Type 2 DJC Supervision	

Forms Discussed in this Chapter

• Type 2 Sanction/Administrative Detention (DOC-1911)	• Type 2 Violation Report (DOC-1912)
• Health Screening (DOC-3387)	• Request for Extension of Administrative Detention (DOC-2656)
• Termination of Type 2 Community Supervision Report Face Sheet (DOC-1942)	• Sanction Decisions for County Type 2 Youth (DOC-2061)
• Termination of Type 2 Community Supervision Report (DOC-1945)	• Department Order (DOC-1722B)
• COMPAS-Youth	• Statement (DOC-1305)
• COMPAS-Re-entry	• Complaint by Youth on Community Supervision (DOC-2179)
	• Sanction Entrance Report (DOC-2475)
	• Sanction Exit Report (DOC-2476)

Forms Included in this Chapter

DOC-1305 , DOC-2475, DOC-2476, DOC-2179 and DOC-3387 are available in MyDOC. DOC-1911, DOC-1912, DOC-1942, DOC-1945, DOC-2061 and DOC-1722B are completed in JJIS. COMPAS-Youth and COMPAS-Re-entry assessments are completed in COMPAS.

Overview

The sanction, administrative detention and termination procedures of this chapter shall be used by state and county staff to remove a Type 2 status youth from community supervision and place the youth in a JCI, or to impose minor penalties in the community. Placement in a JCI may be necessary when a youth violates, or allegedly violates conditions of his or her community supervision rules and conditions, escapes or commits a new offense. In some cases, a youth may be temporarily placed at the JCI awaiting a new placement in the community, this could be for reasons other than his or her own conduct.

This chapter covers two categories of youth:

- Youth administratively transferred to type 2 state supervision in CSP [*see Chapter 13*], SJOP *[see Chapter 7*] or a Type 2 RCC [*see Chapter 12*].
- County supervised youth placed in a Type 2 RCC by a court.

Sanctions for Type 2 Youth Under DJC Supervision

Overview

Pursuant to s. DOC 396.03, a sanction means a range of actions that staff may take when a youth violates the rules of conduct or court-ordered conditions of community supervision.

A. Definitions (s. DOC 396.10 (1))

1. **Minor Offense** means a violation of one or more of the rules of supervision for which a minor sanction may be imposed if the accused youth is found guilty.

2. **Minor Sanction** includes, but is not limited to, community service, restitution, loss of privileges, electronic monitoring or other programs prescribed by the department. A minor sanction does not include sanctions included in a major sanction.
3. **Major Offense** means a violation of one or more of the rules of supervision for which a major sanction may be imposed if the accused youth is found guilty. A major offense is an offense listed in s. DOC 373.11 (4) or any offense listed in the youth's conduct rules which is identified as a major offense.
4. **Major Sanction** means a temporary placement in a Type 1 JCI or other sanction placement. An agent, with a supervisor's approval, may impose a major sanction that does not exceed 5 days. A regional chief may impose a major sanction does not exceed 14 days. The administrator may impose a major sanction that exceeds 14 days. A major sanction does not require review and approval by OJOR under chapter s. DOC 371.
5. **Administrative Detention** is defined as secure, temporary confinement of a youth in a JCI, approved detention center or approved section of a county jail pending the outcome of the termination procedure, pending investigation, or pending transfer to an alternative Type 2 status placement.

Some youth placed on administrative detention in a JCI will not be returned to the community because of the seriousness of his or her conduct; loss of residence, school or treatment program; or a DJC decision that the youth's community supervision will not accomplish the ICCP goals (see Chapter 6).

A. In accordance with s. DOC 396.10 (2) youth on Type 2 community supervision may receive a major or minor sanction if DJC determines, after completing a review that the youth has committed one of the following:

1. A violation of a state or federal statute, or a local ordinance.
2. A violation of the rules of any facility, institution, placement or program in which the youth is held or to which the youth is assigned.
3. A violation of Ch. DOC 396.
4. A violation of the Conduct Rules Ch. DOC 373.

Review of Alleged Violations

A. The agent shall follow these review procedures if a youth has allegedly committed a **Minor Offense** of his or her Type 2 community supervision as it will NOT result in a sanction to a JCI or a detention facility:

1. The agent may impose a Minor Sanction for a Minor Offense after completing the review.
   - The agent should use the Graduated Sanctions Guidelines in determining the appropriate sanction for the violation. [see later in Chapter 15]
   - The agent shall enter a chronological note in JJIS documenting the offense and sanction in the youth's file and enter this in the JJIS screen titled "Violation Log".
   - A youth may use the complaint procedures in s. DOC 396.21 to seek review of a decision to impose a minor sanction. The filing of a "Complaint by Youth on Community Supervision" DOC-2179 shall not delay the imposition of a minor sanction.

B. The agent shall follow these review procedures if a youth has allegedly committed a **Major Offense** of his or her type 2 community supervision which results in a **Major Sanction** to a JCI or a detention facility.

1. The agent shall consult with his or her supervisor after reviewing the alleged violations. If the

agent believes a sanction to a JCI is warranted:

- The agent's Field Supervisor may authorize a sanction up to 5 days.
- The Regional Chief may authorize a sanction for 6 to 14 days.
- The DJC Administrator may authorize a sanction of 15 to 21 days.

2. The agent shall call the JCI shift supervisor to provide the name and J-number of the youth, the circumstances of the sanction and the approximate time of the youth's arrival.

3. The following forms shall be completed: Type 2 Sanction/Administrative Detention (DOC-1911), Type 2 Violation Report (DOC-1912) and Health Screening—DJC (DOC-3387).
   - The agent shall complete these forms for a youth in CSP or SJOP. When a youth is in a Type 2 RCC, the agent may ask the Type 2 RCC staff to complete all or part of these forms.
   - The agent's supervisor shall sign the DOC-1912 prior to the youth's arrival at the JCI. When the supervisor authorizes the sanction or administrative detention by telephone, the agent or other designee may be authorized to sign the supervisor's name and initial the signature.
   - It is the agent's responsibility to insure that the youth is informed of his or her appeal rights, by serving the youth with a copy of the 1912 "Type 2 Violation Report". The agent shall make an effort to obtain the youth's signature within 24 hours of placement, but no later than 3 calendar days with prior supervisory approval.
   - The agent or Type 2 RCC staff shall prepare written assignments for the youth to complete during the sanction. For sex offenders, the assignment shall relate to the youth's healthy living plan. Where possible, homework from his/her community school will be provided to the youth.

4. The agent or Type 2 RCC staff completing the DOC-1911 and DOC-1912 shall send electronically or hand deliver all of the forms to the JCI shift supervisor and also to HSU.
5. The JCI shift supervisor shall distribute the DOC-1911, DOC-1912, to appropriate JCI staff
6. As soon as practical the agent will notify the youth's parent or guardian and provide them with a copy of the DOC-1912.
7. Properly trained field staff will make every effort to transport youth and shall follow procedures identified in POSC. There are times where they will seek the assistance of the JCI in transporting and in completing the Health Screening Form face to face.
8. Youth belongings which are not allowed at the JCI, shall be properly secured by the field staff and a signed receipt given to the youth and Field Supervisor.
9. The agent or Type 2 RCC staff transporting the youth to the JCI shall take the youth's medication(s), if any, **in the original containers**.
   1. Each JCI shall have the youth complete the Sanction Entrance (DOC-2475) and Exit (DOC-2476) Reports during the sanction. A copy of the "Entrance and Exit Reports" should be forwarded to/shared with the field.
   2. During a sanction of a sex offender, DJC sex offender treatment staff shall review the youth's healthy living plan and any assignments given by the agent.
   3. During a sanction, the agent or Type 2 RCC staff shall communicate with JCI staff to learn whether the youth has complied with expectations. Non-compliance by the youth may result in a new violation and new sanction time. The agent must follow the prior described procedures to re-sanction a youth. To add to the initial number of sanction days or to change the status to Administrative Detention, the youth must have committed a new **Major Offense**. The agent shall obtain supervisory approval to initiate a new DOC-1911, and the youth must be served with a new DOC-1912. Limitations on sanction time for county supervised youth are in the last section of this Chapter.

Copyright © 2012 [WI Department of Corrections]

4. In all cases, within 3 calendar days the Field Supervisor must be provided with copies of the DOC-1911 and the DOC-1912 showing the youth's signature.
5. If the youth refuses to sign the DOC-1912, a separate staff member must sign as a witness that the youth was properly served, but refused to sign.
6. During a major sanction to a JCI, all relevant Administrative Rules and JCI policies and procedures apply to the youth.
   a. When youth are transferred to a placement other than a JCI for a sanction, all rules and policies of that placement apply to the youth.
   b. JCI staff may place the youth in secure status or other program under close or modified confinement during the sanction consistent with the youth's needs and JCI needs subject to DJC administrative rules and JCI policies and procedures.
   c. Close or modified confinement may not be used in a Type 2 secured correctional facility operated by a child welfare agency.

A. **Administrative Detention** for Type 2 Youth Under DJC Supervision

1. Pursuant to s. DOC 396.03, **Administrative Detention** is defined as secure, temporary confinement of a youth in a JCI, approved detention center or approved section of a county jail pending the outcome of the termination procedure, pending investigation, or pending transfer to an alternative Type 2 status placement.

Some youth placed on administrative detention in a JCI will not be returned to the community because of the seriousness of his or her conduct; loss of a residence, school or treatment program; or a DJC decision that the youth's community supervision will not accomplish the ICCP [see Chapter 6] goals.

Reasons for Administrative Detention

1. In accordance with s. DOC 396.11, the youth's agent or other staff, with the approval from a supervisor, may place a youth in administrative detention. The youth may remain in administrative detention if the supervisor has a reasonable belief the one or more of the following are true:
   a. If the youth remains in the community or in the current placement the youth will seek to intimidate a witness in a pending investigation, disciplinary action or termination action.
   b. If the youth remains in the current placement, the youth will encourage others by example, expressly, or by the youth's presence, to defy staff authority and thereby erode the ability of staff to control a particular situation.
   c. If the youth remains in the current placement, it will create a substantial danger to the physical safety of the youth or another person.
   d. If the youth remains in the current placement, there is a substantial danger that the youth will try to flee.
   e. If the youth remains in the current placement, a criminal disciplinary or termination procedure will thereby be inhibited.
   f. If the youth remains in the current placement, there is a substantial danger that the youth will commit a crime.
   g. If the youth remains in the current placement, there is a substantial risk that the youth will engage in

Copyright © 2012 [WI Department of Corrections]

an activity that violates a type 2 community supervision rule or condition.

h. The youth's retention in the community placement will not accomplish the goals stated s. DOC 396.01 (2).

1. An agent or other staff may take a youth into custody without prior supervisory approval **only** if the decision maker reasonably believes that an urgent situation exists and that failure to immediately take the youth into custody may result in injury to some person, a violation of the law or the youth's escape.

   a. Staff shall serve the youth with the Type 2 Sanction/Administrative Detention (DOC-1912) which explains why s/he is being administratively detained. The youth's right to appeal the administrative detention status may be informed orally or in writing.

   b. Immediately upon securing the situation, the Agent shall notify their supervisor, an on-call supervisor or Regional Chief, The agent shall provide their supervisor with a copy of the DOC-1911 and DOC-1912 which has been signed by the youth within 24 hours of placement but no later than 3 calendar days with supervisory approval.

   c. Supervisory staff shall review the placement of a youth in detention within 3 calendar days after it takes place. The supervisor's review shall include consideration of the youth's response to the detention, if any. If, upon review it is determined that detention is not appropriate, the youth shall be promptly returned to the previous community placement or alternative placement.

Procedures for Administrative Detention at a JCI (Pending Investigation, Pending New Placement, and Pending Termination)

Refer to procedures B2 through 15c where youth have allegedly committed a **Major Offense** of his/her Type 2 community supervision resulting in a **Major Sanction** to a JCI or a detention facility.

1. No youth may remain in detention for more than 21 calendar days, except that the DJC administrator may extend this period for up to 21 additional calendar days for cause.

2. After the supervisor's initial review, s/he shall review the status of each youth in detention every 7 days to determine whether detention continues to be appropriate.

   a. If, upon review it is determined that detention is not appropriate, the youth shall be promptly returned to the previous community placement or alternative placement.

   b. If it is determined that an extension will be needed to allow for further investigation or a placement to occur, the agent should complete the DOC-2656, Request for Extension of Administrative Detention, and submit the form to the supervisor no later than day 14 to allow for the Administrator's review and approval or denial.. The agent must also submit the DOC-1911 and DOC-1912 to their supervisor. If in agreement, the supervisor will forward the three forms to the Regional Chief for final approval by the Division Administrator.

3. Youth may be administratively detained in a JCI or other facility approved by the Department.

4. **AWOL youth**: When a youth who has escaped is picked up by the police and placed in a secure detention facility or jail, the **agent of record shall do the following**:

   a. Complete the DOC-1911 and DOC-1912.

   b. If needed, ask the detention facility/jail to complete the Health Summary Report (DOC-3387). If detention/jail staff agree to complete the form, fax DOC-3387 to them and ask that they immediately fax it back upon completion…

   c. The DJC transport team, agent of record, or designee completes the DOC-3387 when the detention

facility/jail does not agree to do so. Include information about medications youth was taking prior to his/her escape.

5. Under supervisory approval, the youth's status may be amended from Administrative Detention Pending Investigation or Pending New Placement to Administrative Detention Pending Termination.
   a. If the decision is made to terminate a youth's Type 2 supervision, the agent shall amend the existing DOC-1911. Using the original DOC 1911, write AMENDED on the top of it in large bold print. In the lower section of the DOC 1911, cross out the original return status, and hand print "Termination", today's date and your initials.. The agent shall notify the youth of the decision to terminate and document this notification in the chronological log.

When the youth is returned to the Community

1. The person transporting the youth from the JCI must contact HSU, as necessary.
   a. If any medical changes have occurred or new medication(s) prescribed during the Administrative Detention.. Each JCI utilizes an internal procedure to update the youth's medical file.
   b. HSU shall provide prescriptions for any new medication(s) the youth will continue to take in the community.

Telephone and Fax Numbers for JCI Staff

LHS—(715) 536-8386	**CLS—(715) 536-8386**
Shift Supervisor: x1188	Shift Supervisor: x1188
FAX: (715) 536-7937	FAX: (715) 536-7937
HSU: x1227	HSU: x1227
FAX: (715) 536-8385	FAX: (715) 536-8385
FAX: (715) 536-8236	FAX: (715) 536-8236

Procedures for Termination of Type 2 DJC Supervision

Overview

The Type 2 termination procedures can **only** be used for youth under DJC community supervision on Type 2 status in CSP, SJOP or Type 2 RCC. SJO youth on community supervision who are in jail or secure detention, **and under the control of local law enforcement,** pending a charging decision or following a charge for a new offense, will not be terminated from Type 2 supervision. Termination procedures will be followed when they are released from the control of law enforcement, and physically returned to a JCI by DJC staff. The status of SJO youth under control of local law enforcement is **"hold"** for purposes of the weekly case count. Agent shall obtain a police report and youth statement form DOC-1305.

The county liaison or caseworker should be consulted before the agent recommends termination of a non-SJO youth.

County supervised youth in a Type 2 RCC **cannot** be terminated from their Type 2 status without additional court action by the committing county. DJC would not be involved in the termination proceedings.

Reasons for Termination

A youth's Type 2 community supervision may be terminated for any of the following reasons:

A. There has been a change of circumstances, such as the loss, for any reason, of a residence, school or treatment program.

B. The youth has committed one or more of the following violations:
   1. The youth has violated a state or federal statute or local ordinance.
   2. The youth has violated a department rule.

3. The youth has violated the rules of any facility, JCI or program where the youth is held or to which the youth is assigned.
4. The youth has violated one or more of the conduct rules.

C. In the discretionary judgment of the Department, the transfer will ensure accomplishment of the goals stated in s. DOC 396.01 (2).

Termination of Type 2 Supervision Packet

1. Within 7 calendar days of administratively detaining the youth pending termination, the agent shall prepare and submit to his or her supervisor the termination packet consisting of the following forms:
   a. DOC-1942 Termination Report Face Sheet
   b. DOC-1722B Department Order
   c. DOC-1911 Type 2 Sanction/Administrative Detention
   d. DOC-1912 Type 2 Violation Report
   e. DOC-1945 Type 2 Termination Report
   f. DOC-44 Turnaround document (if applicable)
   g. Copy of original and current court order
   h. DOC-1741 Copy of signed rules
   i. COMPAS Youth or Re-entry bar chart
   j. DOC-1841 Restitution Tracking

Other items to be included if available:

   k. Police Reports
   l. Progress Summaries/Discharge Summaries from GH/RCCs
   m. Youth Statements DOC–1305
   n. Victim Statement, if appropriate

1. The supervisor shall review the termination packet and the county's recommendation, if any. If appropriate, the supervisor shall approve and sign the DOC-1942, and send the packet to the regional chief.
2. The regional chief shall review the termination packet and, if appropriate, shall approve and sign the DOC-1942, DOC-1722B and send the packet to OJOR-CO who shall distribute the packet. The effective date of all Type 2 terminations shall be the date that the Regional Chief signs the Department Order DOC-1722B.
3. Within 2 calendar days of the youth's assigned agent receiving notification that the Regional Chief has approved and signed the DOC-1942 and DOC-1722B, the agent will notify the JCI assigned social worker by phone or email that the youth's community supervision has been terminated, and scan or fax a copy of the amended DOC-1911 to the JCI OOA. The agent will transfer the case in COMPAS to the social worker.
4. OJOR-CO shall schedule a JPRC [*see Chapter 5*] for the youth as soon as possible, but at the latest, within 21 days of admission. .
5. After the JPRC, OJOR shall issue a Department Order (DOC-1722A) [*see Chapter 5*] administratively transferring the youth back to the JCI.
6. The JCI social worker shall work with the youth to develop a new ICCP [*see Chapter 6*].
7. If a youth is due to discharge in 30 days or less from date of Administrative Detention, and is not extendable, then a written termination packet is not required. However, if the discharge date is more than 21 days away,

the agent must request an extension on the DOC-2656 and submit it along with the DOC-1911 and DOC-1912 to their supervisor no later than day 7 of detention. If in agreement, the supervisor will forward the forms to the Regional Chief for final approval by the Division Administrator. The agent must complete the 1626 & 1788 indicating the release date.

Instructions for Completion of DOC-1945

A. Court History

Attach the Dispositional Order. Include a brief description of the committing offense, statute number, date of court order, date of expiration, extension information, etc.

A. Prior Juvenile Contact

- Date of offense
- Offense
- Date of disposition and result of court action, current expiration date.

A. Prior Placements and Services

Note prior treatment such as alternate care, outpatient or inpatient AODA treatment, mental health treatment and probation. These are services prior to current supervision.

A. Current Violation

Attach a copy of the DOC 1911 and the Type 2 Violation Report (DOC-1912). Also, include a brief statement as to how the investigation was conducted.

A. Adjustments to Community Supervision

Discuss the youth's release to the community, including the date, placement and intended Case Plan. Address the youth's progress on the ICCP goals, identifying his/her positive and negative behavior while under the current community supervision. Attach a copy of the signed Community Supervision Rules and Conditions (DOC-1741). A. Discussion with Supervisor

Note the date and events of the supervisory conference when the decision was made to terminate the youth's Type 2 community supervision.

A. Alternatives Considered

Indicate what alternatives have been reviewed and why alternatives to a Termination of Type 2 community supervision are not being recommended. Note if alternatives to termination were previously pursued, and the outcome of these.

A. Parent Information

Note parent(s)/guardian's name, address and phone number.

I. Problem Areas

Briefly describe the youth's problem areas.

A. Recommendations

- Current Placement: if placed in a JCI, state the JCI.
- Current Treatment: proposed treatment programming.

Copyright © 2012 [WI Department of Corrections]

- Future Placement: anticipated placement upon release from a JCI.
- Future Treatment: anticipated treatment needs.
- Anticipated Length of Stay: in the JCI (example—3 months).

GRADUATED SANCTIONS GUIDELINES

*An Override of the following may be possible after discussion with your Direct Supervisor.		
Wisconsin Division of Juvenile Corrections; Violations & Sanctions Guidelines		
Category 1	**Category 2**	**Category 3**
VIOLATIONS		
▪ Curfew hours	▪ **Chronic repetition of category 1 violations**	▪ **Chronic repetition of category 1 and/or 2 violations**
▪ AWOL<24 hours	▪ AWOL>24hrs with no other rule violations	▪ New felony and misdemeanor charges
▪ Truancy	▪ Continued use of alcohol/drugs	▪ Failed placement
▪ Failure to check in or show for scheduled appointments with DJC staff	▪ Fired from job for cause	▪ Active participation in gang activities
▪ Job changes without approval	▪ Criminal behavior warranting new charges	▪ Refusing to attend or participate in treatment or submit to drug test
▪ Association with people not on approved friends list	▪ Moved from present address without permission or failure to notify staff of emergency address change	▪ AWOL>48 hours
▪ Failure to complete assigned community service hours	▪ Driving without license/insurance/permission	▪ Removal or destruction of EMP equipment
▪ Failure to make restitution payments	▪ Suspended from school	▪ Expelled from school or behavior warranting expulsion from school
▪ Use of alcohol and/or drugs	▪ Failure to follow approved sex offender activity request	▪ Failure to comply with SORP requirements
▪ Not participating in goals/objectives in case plan (i.e. job search/employment)		▪ Reported threatening or assaultive behaviors
▪ Family rule violations		▪ Contact with victim or violation of no contact rules
▪ Failure to follow treatment guidelines as set by treatment providers		
▪ Not attending or participating in required treatment		
▪ Municipal ticket issued for minor law violation		
▪ Failure to report police contact		
SANCTIONS		
▪ Reprimand - Verbal	▪ **Category 1 sanction and/or**	▪ **Category 1 & 2 sanctions and/or**
▪ Restricted schedules	▪ Extended house arrest	▪ Initiation of Juvenile Permanent Return or Adult Revocation Process
▪ Loss of privileges	▪ Increased level of treatment participation	▪ Secure placement to locate DT/jail or JCI
▪ Increased contacts, UA's and/or level adjustment	▪ Electronic monitoring	▪ Court notification and/or court review
▪ House arrest	▪ Supervised work assignment	▪ Formal Alternative to Permanent Return contract
▪ Community service hours	▪ Letter to judge as approved by DJC staff	▪ Electronic monitoring
▪ Sanctions determined by parent/guardian or AC staff and approved by DJC staff	▪ Written reprimand	▪ Change in level of supervision
▪ Youth pays for treatment when not engaging	▪ Change of placement	
▪ Oral presentation (e.g, relapse prevention plan)	▪ Change in level of supervision	
▪ School sheets		
▪ Employment job search sheet		
▪ Automatic restitution withdrawal from paycheck		
▪ Developing family contract		
▪ Behavioral contract		

Copyright © 2012 [WI Department of Corrections]

Collaboration with Counties on State-Supervised Youth

In counties that provide their own aftercare and contract with DJC for CSP services, it is important that the agent and supervisor provide notification to the county human/social services agency on decisions about placing a CSP youth in a JCI for a sanction, administrative detention and/or permanent return. Prior notification to the county may lead to valuable feedback about alternative sanctions or programming for the youth that could maintain him/her in the community while providing appropriate consequences for violations. If prior notification is not possible, the county should receive immediate notice after the youth is placed in a JCI.
To foster communication with counties, the state agent will implement the case management steps below in addition to all other CSP case management procedures for youth in the CSP program:

- Notify the county liaison by phone as soon as possible after a youth is sanctioned at a JCI.
- Consult with the county liaison either in person or by phone to attempt to achieve consensus prior to any of the following case management decisions:
  - Termination of the youth's Type 2 community supervision and return of the youth to the institution.
  - Placement of youth on CSP into group homes or RCCs.
  - Determining the length of a sanction at a JCI.

  Document all contacts with the county liaison in the youth's chrono notes in JJIS.

Sanctions for Type 2 Youth Under County Supervision

Procedures to Sanction County Youth to a JCI

State, county and Type 2 RCC staff shall follow the procedures described below to sanction a type 2 county supervised youth placed in a Type 2 RCC by a court. A sanction involves placing a youth in a JCI for up to 10 days as a consequence for a major rule violation or a series of minor rule violations.

A. Referral of County Supervised Type 2 RCC Youth to JCI for Sanction

1. Type 2 RCC Responsibilities
   a. Type 2 RCC staff shall consult with the county staff person assigned to the youth (hereinafter referred to as county) to obtain authorization to sanction a youth at a JCI for up to 10 days.
   b. When the county authorizes the sanction, the Type 2 RCC shall consult with the JCI's designated Type 2 contact to obtain final approval for the sanction.
   c. Type 2 RCC shall provide the JCI with the medical information contained in the DOC-3387 verbally or faxing it to the JCI, which shall distribute appropriately.

2. JCI Decision to Accept or Reject the Referral
   a. The JCI has final authority to accept or reject a referral of a county supervised youth for placement in a JCI for a sanction.
   b. The JCI may reject a referral for one or more of the following reasons after consulting with health services or clinical staff, or for a reason not listed below related to the safe and secure operation of the JCI or the health and safety of the youth being referred.
      - Youth has an acute or chronic mental condition requiring health care not provided at the JCI.
      - Youth has a serious mental illness that impairs his or her functioning to a significant degree.
      - Youth has a history of attempting suicide or serious self-harm, or currently presents a risk of suicide or serious self-harm.

Copyright © 2012 [WI Department of Corrections]

c. The JCI shall notify the referring RCC of the decision to reject or accept the referral as soon as possible by telephone. He or she shall mail or FAX the Sanction Decisions for County Supervised Youth (DOC-2061) by the end of the working day following the decision.

B. JCI Accepts Youth for Sanction

1. Type 2 RCC/County Responsibilities

a. Type 2 RCC/county shall complete the DOC-1911, DOC-1912 and DOC-3387, if DOC-3387 not previously submitted to JCI, and provide copy of youth's Dispositional Order designating Type 2 status.

b. Type 2 RCC/county shall FAX the DOC-1911 and DOC-1912 to the JCI shift supervisor and FAX the DOC-3387 to HSU.

c. Type 2 RCC/county shall arrange for secure transportation of the youth to the JCI.

d. The person transporting the youth to the JCI shall bring the youth's medication(s), if any, **in the original containers** with a sufficient supply for the duration of the sanction.

e. Type 2 RCC/county shall FAX to the JCI or send with the transporting person any available copies of medical documents such as last physical exam, immunizations, TB skin testing, significant lab tests and insurance information.

f. As soon as possible after the decision to sanction the youth at the JCI, Type 2 RCC shall inform the youth about his or her appeal rights. Type 2 RCC staff shall:

- Have the youth indicate on the DOC-1912 whether he or she wants to appeal the disposition and sign it.
- If the youth wishes to appeal, provide the youth with the necessary information to write a letter of appeal to the county staff person.

g. Type 2 RCC/county shall provide the youth with written assignments to complete during the sanction.

2. JCI Responsibilities

JCI shift supervisor shall distribute the DOC-1911 and DOC-1912 to appropriate JCI staff.

A. During Sanction at JCI

1. When a youth is at a JCI for a sanction, he or she is considered to be in secure status.
2. All DOC administrative rules and JCI policies and procedures apply until the youth is physically transferred back to the custody of the Type 2 RCC.
3. If a youth is on an off grounds leave for any reason such as a visit to a hospital, JCI staff shall supervise the youth at all times, and follow all JCI policies and procedures.
4. JCI staff shall have the youth complete the Sanction Entrance and Exit reports during the sanction.
5. Type 2 RCC/county staff should communicate with the JCI liaison to learn whether the youth is complying with expectations.

B. Conclusion of Sanction at JCI

1. Type 2 RCC shall arrange for pick up of the youth at the JCI at the conclusion of the sanction.
2. The person transporting the youth from the JCI back to the Type 2 RCC shall stop at HSU prior to leaving the JCI.

Copyright © 2012 [WI Department of Corrections]

3. If any medical changes have occurred or new medication(s) prescribed during the sanction, HSU shall update the DOC-3387.
4. HSU shall provide prescriptions for any new medication(s) the youth will continue to take in the community.

C. Termination of Sanction by JCI Prior to Youth's Completion of Sanction

1. If new information regarding the youth's physical or mental health becomes available or the youth's mental or physical condition changes, the JCI liaison may terminate the sanction for the reasons under A.2.b above.
2. JCI shall:
   a. Contact the referring Type 2 RCC and verbally state that the JCI has terminated the sanction.
   b. Complete, and mail or fax the Sanction Decisions for County Supervised Youth (DOC-2061) to the Type 2 RCC.
   c. Request that the Type 2 RCC arrange to pick up the youth as soon as possible. A.

Escape

If a youth escapes during a sanction, JCI staff shall immediately notify the Type 2 RCC, local law enforcement, and the county who shall follow the apprehension procedures for that county. The JCI shall issue an Apprehension Request (DOC-58) [*see Chapter 20*].

A. If there are any changes to the original 1911/1912, the assigned agent will amend the form and fax to the appropriate JCI staff. The agent or other DJC staff shall serve the youth with the amended 1911/1912 within a reasonable amount of time.

16 - Supervision of Youth on Aftercare

OVERVIEW OF CHAPTER CONTENTS

Primary Topics Covered in this Chapter (read across)

• Introduction	• Release to Aftercare Procedures
• ICCP/Progress and Program Activity Documentation	• Contact Standards
• Permanency Plan	• Financial Obligations
• Sex Offender Requirements	• Firearm Restriction
• Selective Service Registration	• Change of Agent Notification
• Agent Contact Standards	• Community Supervision Rules & Conditions
• Notification of Complaint Procedure	• Administrative Detention
• Extension of Commitment	• Expiration/Administrative Discharge
• Victim/witness Notification	• Community Notification
• Purchase of Services	• Handling Violations by Aftercare Youth
• Searches	• Use of Physical Force
• Use of Mechanical Restraints	• Use of Chemical Agents
• Escape	• Taking a Youth into Custody
• Community Supervision Tools	

Forms Discussed in this Chapter

• Contact Standards Amendment (DOC-2128)	• Sample Letters regarding Change in Agent
• Rules/Conditions of Supervision (DOC-1741)	• Field Notice 1: Secure Transportation.
• Youth Activity Request (DOC-2129A)	• Confidential Information Release Authorization (DOC-1163)
• Authorization for Use and Disclosure of PHI (DOC-1163A)	• Chaperone Agreement (DOC-2559A)

DOC-1741 is completed in COMPAS. The DOC-1741S and DOC-2128 are available in MyDOC. Field Notice is in MyDOC.

INTRODUCTION

Definition

"**Aftercare" is the supervision status of a youth released by OJOR from a JCI or type 2 secured correctional facility by OJOR.** [see Chapter 5] The youth remains on correctional supervision by DOC or a county department until the expiration of the commitment order or administrative discharge from supervision. [see Chapter 18].

Certain Type 2 status youth may be supervised at the aftercare level. These include: Serious Juvenile Offender youth in alternate care placements and Type 2 RCC youth transferred to a less restrictive alternate care setting. Some **counties provide their own aftercare services and other counties contract with DJC** to provide aftercare services. Please see the **list in the CMM section of myDOC**. A DJC agent supervises youth on state aftercare while a county social worker supervises youth on county aftercare.

Purpose

The purpose of aftercare supervision is to **monitor a youth's behavior in the community** while he or she continues to participate in treatment programs and educational/vocational training based upon the youth's ICCP.

Rules/Conditions of Supervision

The youth follows the rules of supervision contained in the DOC-1741 and required by a specific program. If a youth violates a rule of supervision, the agent follows the counseling, summary disposition and revocation procedures. [see Chapter 17].

Placement While on Aftercare

While the youth is on aftercare, the youth may reside in the parental/guardian's home. If that placement is unsuitable for some reason, an agent may place youth in alternate care such as a foster home, group home, or regular RCC/RCC pursuant to DJC procedures. Generally, **youth spend a period of 4 to 5 months on aftercare**.

Copyright © 2012 [WI Department of Corrections]

RELEASE TO AFTERCARE PROCEDURES

See Chapter 10

The agent, JCI social worker, OJOR and OOA have specific responsibilities during the release to aftercare process from a JCI or type 2 status.

ICCP, PROGRESS AND PROGRAM ACTIVITY DOCUMENTATION

See Chapter 6

The agent meets ICCP, Progress and Program Activity Documentation requirements for youth on community supervision.

Community Programs/Services

Overview

Unlike the JCI's which offer many established programs delivered by DJC staff, agents must connect the youth and her/his family with educational, vocational and treatment programs/services provided by community agencies. Youth in the community have a variety of treatment needs that must be met for the youth to successfully reintegrate. All sex offenders shall be involved in sex offender treatment until a treatment specialist determines the youth no longer needs the treatment.

Agents have a responsibility to continually assess the strengths and needs of a youth and family in order to connect the youth and his/her family with appropriate community resources. The COMPAS-Youth and Re-entry tools provide the basis for identifying the most important criminogenic needs for each youth. Successfully reintegrating a youth into the community is a process that begins before the youth leaves the JCI. It is a complex process requiring ongoing monitoring and modification.

See Chapter 13

The third phase of Juvenile Cognitive Intervention Program (JCIP) described in ch. 13 is available to youth on aftercare as a DJC standardized program.

CONTACT STANDARDS FOR AGENTS

Agents must meet the **minimum contact standards** listed below. An agent's supervisor may modify the number (increase or decrease) and nature of required contacts based upon the needs of the youth, facility, family, or for other reasons specified by the supervisor. The supervisor completes the Contact Standard Amendment (DOC-2128) to modify the standards contact standards. Contact standards for sex offender youth may be found in Chapter 13. Contacts are to be documented in COMPAS notes.

Own Home, Foster Home or Independent Living (Non-Sex Offender)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
• Youth	• Face-to-face	• One time per week
• Parent/Guardian (no contact if youth on Independent Living)	• Face-to-face or telephone	• One time every other week
• School Staff	• Face-to-face or telephone	• Two times per month
• Employer and/or Community Service Site	• Face-to-face or telephone	• One time per month
Group Home or Residential Care Center (Non-Sex Offender)		
• Youth	• Face-to-face	• Two times per month
• Parent/Guardian	• Face-to-face or telephone	• One time every other month
• Facility Staff	• Face-to-face or telephone	• Two times per month

Copyright © 2012 [WI Department of Corrections]

PERMANENCY PLAN

See Chapter 10

Agents must complete an **initial Permanency Plan** (DOC-1797) for a youth under the age of 18 years old who resides in an out of home placement. Also, they are responsible for the **6 month reviews of the Plan**.

FINANCIAL OBLIGATIONS

See Chapter 21

Youth with remaining debts for Victim/Witness Surcharge, court-ordered restitution or other types of restitution must continue to pay on those obligations as a part of his or her ICCP. [*see Chapter 6*].

SEX OFFENDER REQUIREMENTS

See Chapter 22

Agents follow required legal procedures regarding sex offender registration and submission of DNA specimens.

FIREARM RESTRICTION

State law [s.938.341] requires a youth adjudicated delinquent for an offense that would be a felony if committed by an adult be prohibited from possessing a firearm under s.941.29. The court that adjudicated an affected youth delinquent is required to send the youth's name to the state firearm registry maintained by the Department of Justice [s.938.396(2g)(n)]. In order for a person to be removed from the firearm registry, he or she must petition the committing court to make a finding that the person is not likely to act in a manner dangerous to public safety. Most youth committed to DJC are affected by the firearm restriction. Agents should be aware that the restriction applies to ownership, use, carrying or even touching a firearm. Affected youth cannot be permitted to hunt with a gun or to participate in the portion of hunter safety class that involves handling a gun. The firearm restriction does not apply to non-firearm weapons including a bow and arrow. It also does not limit youth from participating in sports that use a non-explosive projectile device, such as paintball.

SELECTIVE SERVICE REGISTRATION

Male youth who become 18 years of age must register with Selective Service. As a youth nears that age, agents should inform him of that obligation and assist him with the process, if needed.

CHANGE OF AGENT NOTIFICATION

Whenever a youth's case is assigned to a new agent, the **new agent sends a letter to the youth and another letter to the parent(s)/guardian** to introduce himself or herself. Sample letters are included later in this chapter.

COMMUNITY SUPERVISION RULES AND CONDITIONS

An agent may **modify a youth's DOC-1741 in COMPAS** at anytime during the youth's aftercare supervision. He or she prints out the revised form and requests that the youth sign it. The youth may exercise the appeal rights described on the DOC-1741.

Copyright © 2012 [WI Department of Corrections]

COMMUNITY SUPERVISION TOOLS

To ensure an appropriate level of supervision in the community and in the interest of public safety, an agent may require a youth to submit a Youth Activity Request (DOC-2129A) and/or require a chaperone to accompany the youth.

Youth adjudicated delinquent for a sexual offense is required to submit an Activity Request as noted in 13:19.

Youth that have been identified as a higher risk of reoffending either through the COMPAS assessment or recent community behavior, may be required by their agent to complete the Youth Activity Request when requesting attendance at events such as school events, community fairs, cultural activities, weddings, graduations, family reunions, etc. at which there is concern that the youth will engage in behavior not in the best interest of the community or the youth's supervision.

Youth that have been adjudicated for a sexual offense or who have been identified as higher risk by assessment or recent behavior, may be required by the agent to be chaperoned while in the community.

- The discussion of a chaperone should begin while the youth is in the institution or as activity requests arise.
- The agent, youth, alternate care staff, and guardian, if applicable, should discuss the appropriateness of the activity, identify the chaperone and complete a Confidential Information Release Authorization (DOC-1163) and/or the Authorization for Use and Disclosure of PHI (DOC-1163A) to allow for information to be shared with the proposed chaperone.
- A chaperone is defined as an adult age 25 and older, willing to provide supervision, guidance, and redirection of a youth if the activity or situation is not in the best interest of public safety or the youth's supervision.
- The chaperone is required to pass a CCAP/DOC Locator check and/or CIB check if needed, and must be approved by the agent and legal guardian if the youth is under 18 years old.
- Once the 1163 and/or 1163A is completed, the agent and youth complete the Chaperone Agreement (DOC-2559A), meet with the chaperone to review the agreement, expectations, and Conditions of Supervision.
- If the youth is required to complete the Youth Activity Request (DOC-2129A), the Chaperone Agreement should be attached to the Youth Activity Request.
- Once the activity is completed, it is the agent's responsibility to contact the chaperone for a review of the youth's participation in the activity.

NOTIFICATION OF COMPLAINT PROCEDURES

When the youth signs the Community Supervision Rules and Conditions (DOC-1741), the agent notifies the youth about the complaint procedures available to the youth and provides her or him with a copy of the Youth Complaint Form (DOC-2051) available for printing from MyDOC. [see Chapter 23]

ADMINISTRATIVE DETENTION

No Suitable Alternative in the Community

Occasionally, DJC needs to **remove a youth from an approved community placement for reasons other than the initiation of revocation proceedings.** For example, if the parental home or a group home become uninhabitable due to a fire, or new concerns are raised about safety in the placement.

When there is **no suitable alternate placement readily available**, DJC may place a youth at a JCI on administrative detention until a suitable alternate placement is found.

Notifications

If a suitable alternate placement is not found within 30 days, the agent's supervisor notifies the regional chief of

Copyright © 2012 [WI Department of Corrections]

the youth's status.

If a suitable alternative placement is not found within 60 days, the regional chief notifies the DJC administrator.

EXTENSION OF YOUTH'S DISPOSITIONAL ORDER

See Chapter 9

During the youth's aftercare supervision as the youth nears his or her expiration date, the agent may believe that an extension of a youth's court commitment may be appropriate. The agent consults with his or her supervisor to obtain approval to file an extension petition and follows the proper extension procedures.

EXPIRATION OF COMMITMENT OR ADMINISTRATIVE DISCHARGE

See Chapter 18

Agents have responsibilities when a youth's expiration date approaches or when it appears appropriate to consider an administrative discharge of the youth.

VICTIM/WITNESS NOTIFICATION

See Chapter 11

When a youth has a victim/witness notification request on file with DJC, the agent must follow proper procedures upon the expiration of the youth's court commitment, administrative discharge and upon escape from certain settings for specified offenses.

COMMUNITY NOTIFICATION

See Chapter 12

When a youth in community nears the end of his or her commitment, the agent must follow required procedures with respect to providing notification to certain community agencies.

PURCHASE OF SERVICES (POS)

Overview

Federal grant funds may be available for youth on aftercare for **purchasing services needed to implement the youth's ICCP**. Funds can be used for purchasing services for the youth and his or her family including family therapy, AODA treatment, support groups, educational services and some recreational activities and equipment.

Financial Guidelines

$ For purchases under $5,000, staff use their best judgment to select a provider and make the purchase using a p-card. Bids are not needed.

$ For purchases over $5,000 but under $25,000, staff complete the DOC-775 and obtain three different bids. Bids may consist of telephone, other verbal, or written quotes.

$ For any purchase $25,000 or more, staff needs to contact the DJC Central Office purchasing agent.

Procedures for obtaining approval of purchase orders

Agent Responsibilities for Request for Purchase

- Complete the Request for Purchase (**DOC-775**)
  - For individual services, list the name of the youth/family member who will receive the service.
  - For group services, list the vendor providing the service and number of youth participating in the group.

Copyright © 2012 [WI Department of Corrections]

- For blanket POS requests, the agent obtains supervisor approval.
- For purchases requiring only a purchase request, agent makes a special effort to place purchase of services with small and minority businesses.
- For purchases requiring three bids, document on the back of the DOC-775. Confirm the low bid price in writing by the vendor.

- Send the completed original DOC-775 to his or her supervisor for approval and monitoring of expenditures.

Supervisor and Office Operations Associate (OOA) Responsibilities

- Supervisor approves and signs original DOC-775 and gives it to OOA.
- OOA makes two copies of DOC-775; one which is placed in an office POS file and the other in the youth's file.
- OOA forwards the original to the Office of Management and Budget in Central Office (OMB).

OMB Responsibilities: Makes the final approval decision regarding the POS request.

Billing and Payment Procedures

- Vendors submit bills to the agent for payment of services.
- Agent carefully reviews, initials, corrects as needed, and submits copies of bills to the OOA.
- OOA retains copies.
- OOA forwards original bills to OMB.

OMB pays the bills.

HANDLING VIOLATIONS BY AFTERCARE YOUTH

See Chapter 17

When a youth is alleged to have violated a rule or condition of supervision, the agent may take one or more disciplinary actions permitted under administrative rules, ch. DOC 393.

SEARCHES

Searches permitted for aftercare youth are governed by the administrative rules contained in **chapter DOC 393, WI. Adm. Code**.

Search of the Youth's Living Environment

- Staff may **search, with or without evidence of the presence of contraband**, a youth's living quarters at any time with a **supervisor's approval.**
- The search may include the youth's private bedroom and common living areas inside and outside to which a youth has access.

Staff should request assistance of law enforcement whenever practical.

- If a parent or other adult refuses to allow the youth's agent to search a youth's living quarters or property, the youth's placement may be changed.

Staff may conduct a search without prior approval when there is a suspicion that the youth will destroy contraband or use a weapon.

How To Conduct a Search of a Youth's Living Environment

- Staff should conduct a **thorough search while using care** to disturb the youth's possessions as little as possible.
- Staff **may not read legal materials** belonging to the youth.

Written Report

Staff members who conduct a search must submit a **written report of the search** including the following:

- Name of the staff member(s) who conducted the search and supervisor who approved it.
- Name of youth, date, time, and location of the search.
- Reason for conducting the search or whether it was random.
- Central Office Notification of Unusual Incident (DOC-1837) and distribute as indicated on the form.

Any objects seized or property damaged.

Personal Search

A "personal search" or "pat down" means that **staff use their hands to feel the outside of a youth's clothes, to search pockets, shoes, coat and hat, and to look inside the youth's mouth**. It may be conducted under the following conditions:

- If a staff member has a reasonable belief that the youth has something prohibited by the youth's rules of supervision.
- After the youth has been taken into custody and before transport

Upon release from a secure detention center, a type 1 secured correctional facility or other secured confinement.

- Routinely when a youth enters a report center, a staff office, or other placement or sanction facility. At random

with supervisor approval or upon direction of a supervisor.

Strip Search

A "strip search" means that **staff asks a youth to take off his or her clothes** so they can look at the youth's body to see if he or she has any **contraband**. A strip search may be conducted when the following requirements have been met:

- With prior **supervisor's approval** when staff have a reasonable belief that the youth is hiding a prohibited object within the youth's underclothing or external body areas.
- **Youth refuses to give the item** to staff.
- **Two staff members of the same sex** as the youth are present during the search in a clean, private place.

After the youth has been taken into custody.

Body Contents Search

A "body contents" search means the youth provides a sample of his or her **blood, breath, urine, saliva, stool** to test for the **presence of drugs or alcohol**. It includes non-surgical procedures like x-rays to detect the presence of contraband. A body contents search may be conducted when the following requirements have been met:

- With prior **supervisor approval** when staff have a reasonable belief that the youth has consumed or is concealing alcohol or drugs.
- Only a doctor, physician's assistant, nurse or other person authorized by law may collect blood and stool samples. Only licensed radiology personnel may take x-rays.

Copyright © 2012 [WI Department of Corrections]

- Staff may require a youth to take a drug and alcohol test as part of a routine testing of all youth in a program or as part of a random testing program.
- A supervisor may require that staff of the same sex as the youth observe the collection of a urine sample. Drug and
- alcohol test results are recorded in COMPAS by the agent or youth counselor.

USE OF PHYSICAL FORCE

Overview

Whenever practical, staff should **rely on the police when it is necessary to use force** to control a youth.

- Staff should make reasonable efforts to persuade the youth to be taken into custody voluntarily or to cease inappropriate behavior before force is used.
- Staff may not spank, slap, or strike a youth as punishment.
- Staff may not use more physical force than necessary to control a youth's behavior.

Use of Non-Deadly Force

• To prevent an escape	• To change the location of a youth
• To prevent unlawful damage to property	• To take a youth into custody
• To prevent death or bodily injury to oneself or another	

Use of Deadly Force

To control a youth only if the staff member reasonably believes that it is necessary to prevent death or great bodily injury to the staff member or another person.

Staff may **not** use deadly force to a control a youth if the use is likely to harm an innocent bystander unless the danger created by not using deadly force is greater than the danger created by its use.

After Force has Been Used

Staff shall **check everyone for injury** and obtain medical care for anyone who was injured, and immediately notify a supervisor of any injuries.

Report

All staff who used or witnessed the use of force must write a report within 24 hours including: Central Office Notification of Unusual Incident. (**DOC-1837**)

USE OF MECHANICAL RESTRAINTS

Reasons to use mechanical restraints

- To take a youth into custody
- To prevent death/bodily injury to oneself or another
- To change the physical location of a youth
- To transport a youth
- To prevent unlawful damage to property.
- To prevent a youth from escaping.

Prohibited use of mechanical restraints

- To punish.
- Around the head or neck.
- In a way that causes undue physical discomfort, pain or restricts blood circulation or breathing.
- To secure a youth to a car.

Staff responsibilities when youth is in restraints

- Go directly to the intended destination if youth is in restraints for transportation purposes
- Remove restraints as soon as staff believe that it is safe to do so when restraints are used to control the

Copyright © 2012 [WI Department of Corrections]

youth's behavior.

Treatment of youth while in restraints:

- Check on the youth at least once every 15 minutes until the youth has been admitted to a secure facility or released from the restraints.
- Release youth from restraints to eat, use the restroom and to perform other bodily functions, unless it is unsafe to do so or during transportation. If it is unsafe to release the youth, a staff member shall feed the youth and a person of the same sex should assist with bodily functions.
- Check the youth for injury as soon as the restraints are removed.
- If the youth has been injured, staff shall seek immediate medical attention **and**

  Notify his or her supervisor.

written record and report to central office

- Staff keep a **written record** of their observations including the date and times staff observed the youth, name of the person making the observation and comments on the youth's condition while in **restraints for behavioral reasons: i.e., not for taking a youth into custody or transporting youth**.
- Complete a Central Office Notification of Unusual Incident (**DOC-1837**) and distribute as indicated on the form when **restraints are used for behavioral reasons.**
- Reason and a description of the restraints that were used.
- Statement including when and why the restraints were removed.

Each regional **chief** submits an **annual report to the administrator** describing all incidents involving the use of mechanical **restraints to control a youth's behavior**.

Examination of restraints

Staff examine the supply of mechanical restraints every six months and discard any that are worn out or damaged.

USE OF CHEMICAL AGENTS AND WEAPONS

Firearms/weapons

Staff may not carry firearms or other weapons while on duty.

Use of Chemical Agents

- Only **staff members trained by the department** may carry or use oleoresin of capsicum (OC) or other chemical agents approved by the department.
- Staff may use approved chemical agents **to prevent death or bodily injury** to oneself or another.
- Staff must immediately **provide access to medical attention** to a person who has been exposed to a chemical agent.

Report Required

Staff involved in the use of chemical agents submit a Central Office Notification of Unusual Incident (DOC-1837) report about the incident.

ESCAPE

Administrative Rules: Ch. DOC393

Chapter **DOC 393**, WI. Adm. Code, covering aftercare supervision **does not define "escape" nor does that chapter include detailed rules regarding procedures** to be followed if a youth is not where he or she should be at a particular time. The chapter does not define or use the term "absconding."

- s. DOC 393.06 (4)(a)1, refers to **using non-deadly physical force to prevent an escape.**

  s. DOC 393.07 (2), permits the **use of mechanical restraints to prevent a youth from escaping or to take a youth into custody**.

- s. DOC 393.10, gives DJC staff authority to **take a youth into custody to transport to secure detention, JCI, medical or mental health facility.**

Wisconsin Statutes Definition of absconding and Escape

Absconding

DJC often uses the term absconding to mean that a youth on community supervision is not at his or her assigned location. However, **s. 946.50, Stats., defines absconding as occurring when a person adjudicated delinquent intentionally fails to appear before the court** assigned to exercise jurisdiction under ch. 938, Stats., when a proceeding is scheduled. Violation of that statute results in a range of charges and penalties depending on the seriousness of the individual's underlying offense.

Criminal Escape

Under **s. 946.42, Stats**., **escape is defined as leaving custody** in any manner without lawful permission or authority. The statute **does not cover a youth on aftercare** supervision unless his or her aftercare has been revoked.

Section 946.42, Stats applies to DJC youth in a JCI or in a type 2 secured correctional facility (Type 2 RCC, SJOP, or YCSP) because those youth are legally in the custody of DOC.

Therefore, a non-Type 2 **youth on aftercare who violates his or her rules of supervision by not attending school and/or other programming would not face criminal escape charges** merely for not being where he or she is supposed to be at a particular time. That would be a violation of his or her Rules of Community Supervision (DOC-1741) possibly resulting in initiation of revocation proceedings.

TAKING A YOUTH INTO CUSTODY

General

Staff may **ask law enforcement to take a youth into custody** to a detention facility, mental health or medical facility or to a type 1 correctional facility.

If law enforcement is not available, staff may take a youth into secure custody and transport the youth as soon as possible to one of the facilities mentioned above.

Agent consults with his or her supervisor prior to physically taking a youth into custody without the assistance of law enforcement.

After a youth has been taken into custody, staff follow the procedures outlined in **Field Notice 1, "Secure Transportation of Youth."** [see MyDOC/About DOC/Policies & Procedures/DJC/DJC Field Notices]

SERO Procedures for AWOL Youth

Overall SERO Policy

It is the policy of the Southeastern Regional Office that DJC staff search for youth who are not at the location their rules require them to be, and if the youth is located, the youth may be placed in secure detention.

Searches should not be conducted without DJC supervisory approval. Law enforcement shall accompany DJC staff when conducting searches for absconders. For purposes of this policy, "juvenile" includes youth of any age under the supervision of DJC. It is not limited to youth under the age of 18 years.

Copyright © 2012 [WI Department of Corrections]

The following procedures are written specifically for SERO staff who participate in periodic absconder checks that target more than one youth from a specific geographical area. Targeted youth shall have a current apprehension request on file.

Procedures for Determining that a Youth is AWOL

SERO considers a youth to be an absconder; i.e., away without leave (AWOL) for many reasons such as those listed below.

- A CSP youth damages or removes his or her electronic monitoring device so that monitoring cannot be done.
- Family member reports that the youth has not returned home at the expected time.
- A youth fails to show up for an appointment/scheduled activity and staff cannot locate the youth.
- Youth fails to return to his or her placement facility after an approved leave, e.g., weekend pass.

Procedures to Prepare to Search for an AWOL Youth

Develop Absconder List

- Staff consider the risk the youth presents to public safety and/or to himself/herself using the checklist included in this chapter.
- Regional chief/designee works with agents to compile a list of youth in absconder status with a last known residence in the region.
- Determine which youth should be targeted for a search based upon recommendation of agent.
- Share the list with appropriate law enforcement agency(ies), and DOC Milwaukee Absconder Unit for Milwaukee youth.
- **Agent Responsibilities**

  Complete and file a DOC-58 with appropriate law enforcement indicating:
  - Youth is in violation of his or her conditions of supervision
  - Youth's location is unknown
  - DJC requests assistance in conducting a search to apprehend the youth.
- Obtain supervisory approval to search for a specific AWOL youth.
- Share the list of names and addresses with local law enforcement and the SERO team.
- Select dates, approximately 2 times per month, to conduct searches taking into account availability of SERO staff and law enforcement.
- Assemble a team consisting of at least 2 SERO staff (agents and/or youth counselors) and law enforcement personnel.
- Ensure that at least one state vehicle with a secure barrier is available for transporting the youth.
- **Assemble the following items**
  - Radios/cell phones
  - Vests
  - First aid kit
  - Mechanical restraints including oversized
  - Flashlights
  - Search kits if needed
- **Gather together documents as appropriate:**
  - Photos of youth
  - Copy of apprehension requests on file

Copyright © 2012 [WI Department of Corrections]

- Detainers if on file
- Names/addresses of youth being searched (copy for each individual on the team)

Apprehension Procedures

- **Share Information with Law Enforcement**

SERO staff and law enforcement meet prior to beginning the search for the youth to discuss procedures to be followed. SERO staff share the information listed below with law enforcement:

- Youth's offense history
- Family history
- Number of occupants in home
- Pets in home
- **Obtain permission of head of household to enter the residence**

  Identify risk factors and share with team
  - Offense resistance
  - Family resistance
  - Potential intoxication
  - Presence of dangerous animals
  - Visible weapons
  - Medical/mental health of any occupant

    Physical injuries

- **Supervisor Decision**

Based upon above risk factors, other relevant information and observations, **supervisor decides if and when to discontinue search or modify search plans**

- **Completion of Apprehension**

If the youth is found on the premises, law enforcement or DJC takes the youth into custody. DJC uses procedures described above to place youth into mechanical restraints. The agent notifies the parent/guardian of the youth's apprehension and intended transportation to secure detention and/or to a JCI. The agent should obtain the youth's medications, if any.

Sample Notification Letter From New Agent To Youth's Parent/Guardian

Use Work Site Letterhead

(Current Date)
(Name of Parent/Guardian)
(Mailing Address)
(City, State, Zip Code)
Dear Mr./Ms. (Last Name of Parent/Guardian):
This letter is notification of a change in the assigned agent for (name of son/daughter) during his or her placement in the community. As of (effective date of assignment), I am the new agent who will supervise your son/daughter while (he/she) is in the community.
In order to work more effectively with (first name of youth), I would like to meet with you to discuss past behaviors, current situation and future goals of (first name of youth).

Please call me as soon as possible to schedule an appointment to meet. My phone number is (000) 000-0000.
Thank you for your cooperation.
Sincerely,
(Name of Agent)
Juvenile Services Agent
cc: Supervisor
OJOR CO
SS file
Previous Agent

Sample Notification Letter From New Agent to Youth

Use Work Site Letterhead

(Current Date)
(Name of Youth)
(Mailing Address)
(City, State, Zip Code)
Dear (Name of Youth):
This letter is notification of a change in your assigned agent during your placement in the community. As of (effective date of assignment), I will be the agent supervising you while on community supervision.
If you have any questions or concerns about your community supervision, please call me at (000) 000-0000.
Sincerely,
(Name of Agent)
Juvenile Services Agent
cc: Supervisor
OJOR CO
SS file
Previous Agent

Copyright © 2012 [WI Department of Corrections]

17 - Violations and Revocation of Aftercare Supervision

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

• Applicability of Chapter	• Violation of Aftercare Supervision
• Counseling	• Summary Disposition
• Initiation of Revocation Process	• Administrative Detention
• Taking Youth into Custody	• Notice to Youth
• Revocation Packet	• Preparation for Revocation on Hearing
• Revocation Hearing	• Hearing Waived
• Placement In Corrective Sanctions Program	• Petition for Change in Placement by the Court

Forms Discussed in this Chapter

	• Apprehension Request (DOC-58)
• Apprehension Cancellation (DOC-58a)	• Order To Detain (DOC-1915)
• Cancellation of Order to Detain (DOC-1916)	• Aftercare Administrative Detention (DOC-2109)
• Detention Notice and Appeal (DOC-1614)	• Juvenile Aftercare Revocation Notice, Rights, Acknowledgment & Waiver (DOC-1795)
• Revocation Hearing Request (DOC-1794)	• Violation Investigation Report (DOC-1783)
• Recommendation for Administrative Action (DOC-44a)	• Community Supervision Rules & Conditions (DOC-1741)
• COMPAS Youth/Re-entry	• Youth Restitution & Debt Collection (DOC-1841)
• Statement (DOC-1305)	• Aftercare Revocation Report (DOC-2125)
• Subpoena (DOC-1304)	• Department Revocation Order (DOC-1700)

Forms Discussed and Included in this Chapter

• Aftercare Revocation Checklist

The following forms are available in MyDOC: DOC-58a, DOC-1916, DOC-44a, DOC-1305, DOC-1304, DOC-58, and DOC-1915. The balance are completed in JJIS or COMPAS.

Applicability

The disciplinary procedures described are in accordance with Chapter DOC 393 of the Wisconsin Administrative Code. They **apply only to youth released by OJOR from a JCI and placed on state or county aftercare supervision, or a youth released to aftercare from type 2 status**.

Violation of Aftercare Supervision

Finding of Violation

DJC staff respond to alleged violations following the procedures pursuant to s. DOC 393.12.

In accordance with s. DOC 393.11, a youth may be found to have violated a conduct rule or a court-ordered condition of aftercare under s. DOC 393.05 if one of the following applies:

- Youth committed an act(s) prohibited by the conduct rule or court-ordered condition.
- Youth was convicted or was adjudicated delinquent for violating a criminal law or municipal ordinance.

Investigation

- Investigation by agent includes an interview with the youth to discuss the alleged violation within a reasonable period of time after the agent becomes aware of the allegation.
- Agent consults with his or her supervisor regarding the amount of time remaining for the youth's commitment

Copyright © 2012 [WI Department of Corrections]

to DJC.

- Agent and supervisor determine the most appropriate response to the youth's conduct considering the options listed below:
  - Counseling
  - Summary Disposition
  - Revocation

Counseling

Circumstances When Counseling is Appropriate

Counseling may be an appropriate course of action if the **violation is minor** and the **risk** the youth presents **to the community is not substantial** or immediate **and one or more of the following apply**:

- Youth is **unfamiliar** with the conduct rule or court-ordered condition.
- Youth has **not previously violated** the same or a closely related conduct rule or court-ordered condition.
- Youth is **unlikely to repeat** the behavior if warned and counseled.
- Youth's **ability to understand** the conduct rules or court-ordered conditions is **limited** or impaired.

Summary disposition or revocation is not appropriate.

Actions by Agent

- **Explain and review** the Community Supervision Rules and Conditions (DOC-1741) and **court-ordered conditions**.
- Inform the youth **why the conduct is a violation**
- Direct the youth to take **corrective action**
- Agent completes and places in youth's file the **Violation Investigation Report** (DOC-1783)
  - Youth's name and DOC number
  - Date and location of incident
  - Description of behavior
  - Counseling the agent provided to the youth

Summary Disposition

Procedures

If an agent believes that counseling would not serve the purpose of holding the youth accountable for his or her actions, but revocation is not necessary, the agent may use the summary disposition procedures.

After informing the youth that the youth's **conduct is in violation of his or her DJC community supervision, or court-ordered condition of aftercare**, the agent takes one or more of the following actions:

- **Explain and review** the Community Supervision Rules and Conditions (DOC-1741) and **court-ordered conditions**.

Copyright © 2012 [WI Department of Corrections]

- **Warn** the youth that further violations may result in revocation of the youth's aftercare.
- **Modify the DOC-1741**.
- Require the youth to **re-sign** the revised DOC-1741.
- Require the youth to take **corrective action**.

Further restricts the youth's placement or supervision.

Completion of Documentation

Agent completes and places in youth's file the **Violation Investigation Report** (DOC-1783) that includes:

- Youth's name and DOC number
- Date and location of incident
- Description of behavior
- Summary disposition imposed by agent

Appeal procedures:

- A youth may appeal a summary disposition either verbally or in writing **within 5 days of its imposition.**
- An appeal **does not delay the imposition** of the summary disposition pending outcome of the appeal.
- Agent's **supervisor reviews the appeal and responds** in writing to the youth within 5 working days of receipt of the appeal.
- If the supervisor does not issue a written decision within 5 working days, the agent's disposition is upheld. Agent places a copy of the youth's **appeal and the supervisor's decision**, if issued, in the youth's **field file**.

Initiation of Revocation Process

Consultation with supervisor

Recommendation by Agent

Agent recommends **to his or her supervisor** that revocation proceedings should be initiated after consulting with the county liaison or caseworker and determining that counseling and summary disposition are not satisfactory options.

Role of Supervisor

Supervisor considers the following prior to initiating revocation proceedings:

- Seriousness of committing offense upon admission to a JCI.
- Past conduct and the positive or negative adjustments while on aftercare.
- Previous violations of aftercare and the disposition of each.
- Seriousness of the new violation.
- Why alternatives to revocation are not appropriate and have been rejected.

Decision to Initiate Revocation

When the agent and supervisor **decide to begin revocation proceedings**, the agent **completes a Violation Investigation Report** (DOC-1783) providing all the information required including the youth's name, DOC number, date, location and description of the youth's behavior.

Copyright © 2012 [WI Department of Corrections]

Administrative Detention of Youth

Administrative Detention

Appropriateness of Administrative Detention

A youth on aftercare, unlike a youth in type 2 status, may not be placed in a JCI as a form of sanction without first deciding to begin the revocation process. The **decision to begin revocation proceedings must precede the determination of the need for administrative detention** of the youth.

Not all youth against whom revocation has been initiated **need to be placed in administrative detention**. Further assessment of the youth must take place. [*see section below*]

Role of Agent

Agent decides whether to recommend to his or her supervisor that the youth should be administratively detained based on the alleged violation and the youth's past conduct.

Role of Supervisor

Supervisor determines **if it is likely that the youth will do any of the following if the youth remains in the current community placement:**

- Seek to intimidate a witness in a pending investigation, disciplinary action or revocation action.
- Encourage others by example, expressly or by the youth's presence, to defy staff authority and thereby decreasing the staff's ability to control a particular situation.
- Present a substantial danger to the physical safety of himself or herself, or another person.
- Attempt to flee.
- Commit a crime.
- Engage in an activity that violates a conduct rule or court-ordered condition of aftercare.

  Not achieve the goals and objectives of his or her aftercare.

If none of the above conditions exist, the youth may remain in his or her current placement pending outcome of the revocation. There must be a **reason to remove the youth from the community; initiation of the revocation process alone is not sufficient.**

Decision to Administratively Detain

- DJC may place a youth in a JCI or secure detention facility pending the outcome of revocation proceedings.
- DJC may request that the youth be taken into custody under s. 938.19 (1) (d) 6., Stats., and released to DJC under s. 938.20 (2) (cm), Stats. [*see section below*]

Notice to Youth to be Placed on Administrative Detention

- Agent's **supervisor completes the Detention Notice and Appeal** (DOC-1614) and sends it **to the youth no later than the 7th day** after the day the youth was placed on administrative detention.
- DOC-1614 explains why the youth is on administrative detention based upon the considerations described above.

Youth's Appeal Rights

- Youth has the **right to appeal the administrative detention decision** in writing at any time prior to the revocation hearing.
- **Regional chief reviews and responds** to the youth's appeal in writing within 7 days after receipt of the appeal.

  Youth may **appeal the regional chief's decision to the administrator** who responds in writing to the youth within 7 days after receipt of the appeal.

Copyright © 2012 [WI Department of Corrections]

Taking Youth into Custody

Law Enforcement Involvement

Under s. DOC 393.10 (1), DJC staff may request that law enforcement authorities take a youth into custody and transport the youth to a detention facility, a mental health or medical facility or a JCI.
Pursuant to administrative rules, DJC may take youth into custody; however, by practice DJC usually requests law enforcement to take youth into custody.

- Agent completes the **Apprehension Request** (DOC-58) and forwards to local law enforcement. Completion of DOC-58 must be noted in JJIS.
- When **law enforcement apprehends a youth**, the youth may be turned directly over to DJC staff for transportation to the JCI.
- Agent cancels the DOC-58 by completing the **Apprehension Cancellation** (DOC-58a) as soon as the youth is taken into custody by law enforcement. Completion of DOC-58a must be noted in JJIS.

Placement in local secure detention facility

Roles of Agent and Supervisor : Return within 24 hours

- Agent notifies his or her supervisor that a youth has been placed in a detention facility pending return to a JCI.
- Supervisor calls and **notifies the JCI that the youth is being returned to the JCI** on administrative detention pending the outcome of revocation proceedings.
- Supervisor tries to arrange for the youth's return to the JCI within 24 hours of the youth being placed in custody.
- Agent completes and faxes the **Aftercare Administrative Detention** (DOC-2109) to the JCI immediately following the supervisor's telephone call to the JCI.

Involvement of County Intake Worker: Return to JCI Not in 24 Hours

- If the youth is not released directly to DJC within 24 hours of arrival at the local detention facility, a local county intake worker must see the youth to authorize the placement.
- Depending on the county, the **intake worker may request** one or both of the following from the youth's agent: **Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver** (DOC-1795) and/or **Order to Detain (DOC-1915).**
- County Schedules **Detention Hearing**
- Agent participates in hearing speaking in support of the request for on-going detention. Upon

Issuance of Order to Detain

If the **youth is 17 years or older**, the local intake worker may order the youth be held in an approved portion of a county jail pending pickup by DJC staff. This is a local issue determined by the county intake department, county sheriff's department and the county board of supervisors.

- **Youth Returned to JCI**: Agent completes and faxes the **Cancellation of Order to Detain** (DOC-1916) to the local detention center when DJC staff transports the youth from secure detention to JCI.

Pre-Hearing Procedures

Schedule Revocation Hearing

- **Agent calls DHA to schedule a revocation hearing**, which takes place **within 30 days** after the youth was

Copyright © 2012 [WI Department of Corrections]

taken into custody. Agent should clearly indicate to DHA that this is a juvenile revocation.

The time limit for the hearing may only be extended by agreement of the youth, youth's attorney and the agent.

- For **interstate compact youth** outside of Wisconsin, the 30-day time period for a revocation hearing begins the first day when the youth is back in Wisconsin. [*see Chapter 19*]

Serve Youth with DOC-1795

- Agent completes and serves the youth with the Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver (DOC-1795).

DOC-1795 includes date of hearing.

- If the youth is being held on **administrative detention**, the agent serves the youth with the DOC-1795 **no later than the 7th day after the day on which the youth was taken into custody**.
- If the youth is **not in custody**, the agent serves the **DOC-1795** to the youth **at least 14 days prior to the scheduled revocation hearing.**
- When the agent cannot personally meet with a youth who was returned to a JCI, he or she forwards the DOC-1795 to the JCI and arranges for the social worker to serve the youth with the DOC-1795.

Agent or social worker **carefully explains the contents** of the DOC-1795.

When the youth understands the contents of the DOC-1795, the agent or social worker may **proceed with asking the youth if he or she wishes to waive the right to a revocation hearing.**

Waiver of Hearing by Youth

- A youth served with a DOC-1795 **may waive the right to a revocation hearing at the time notice is served upon youth or at a later time**, including the right to be represented by an attorney at that hearing. [*see later section regarding procedures when hearing waived*]
- Youth must waive his or her rights **knowingly, voluntarily and in writing** after a DJC staff member thoroughly explains the consequences of waiving the right to a hearing.
  - DJC staff **may not accept a waiver from a youth who is less than 14 years** of age at the time of the waiver, unless the youth's attorney approves the waiver. If a youth who is less than 14 years of age at the time of the waiver does not have an attorney, DJC staff may not accept a waiver unless the youth's parent, guardian or legal custodian approves the waiver. The youth may consult with an attorney, if requested, before the youth waives any rights.
  - DJC staff **may not accept a waiver** from a youth of any age if the DJC staff reasonably believes that the youth **lacks the mental capacity** to make a reasoned and voluntary waiver of his or her rights.
- An **adult witness** must observe the explanation of the waiver and the youth's signing of the waiver. The witness may not be DJC staff, unless no other witness is available.

Youth Requests Hearing

If the youth requests a revocation hearing, the agent completes the following tasks in addition to the above documents.

- Complete the **Revocation Hearing Request** (DOC-1794).

- Notify the appropriate State Public Defender's office in the county where the hearing is scheduled.
- List the **names of all witnesses** on the DOC-1794 who will attend the revocation hearing on behalf of DJC.
- Complete the **Subpoena** (DOC-1304) for each witness.
- Provide youth and witnesses with the information on the Division of Hearings and Appeals web page (http://www.doa.state.wi.us/Divisions/Hearings-Appeals/Corrections-Unit)
- Serve the subpoena to each of the witnesses or request the local Sheriff's Department, if practical. Arrange for appearance of witnesses testifying on behalf of DJC.

Revocation Packet

Contents

The following documents shall be in every **revocation packet regardless of whether the youth wants a hearing or waives his or her right to a hearing.**

- Original Dispositional Order and any subsequent Orders that extend the youth's supervision under DJC [*see Chapter 3*]
- Community Supervision Rules and Conditions (DOC-1741) [*see chapters 10 & 16*]

1. Violation Investigation Report (DOC-1783)
2. Aftercare Revocation Report (DOC-2125)
3. Statement (DOC-1305) from any unavailable witness and why the witness will be unavailable at the hearing
4. Recommendation for revocation included on the Administrative Action (DOC-44a)
5. Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver (DOC-1795)
6. Youth Restitution and Debt Collection (DOC-1841)
7. Aftercare Administrative Detention (DOC-2109)
8. COMPAS Youth or Re-entry bar chart
9. Any other pertinent information (e.g., police reports, alternate care placement reports, etc.)

Distribution of Revocation Packet: Hearing

Agents follow the timeline below for distributing the revocation packet when a **revocation hearing will be conducted**.

- At least **10 days prior to the hearing**, the **agent provides his or her supervisor** with the original revocation packet so the supervisor may review and approve the packet.
- At least **5 days prior** to the day of the revocation hearing, the agent sends a **copy of the entire revocation packet to the following:**

• Division of Hearings and Appeals	• Youth
• Youth's attorney	• Youth's SS file
• OJOR-local	• Agent's supervisor
• County	• Agent retains original for youth's field file

- See section below regarding distribution of packet when youth waives hearing.

Agent Reviews File

Prior to the hearing, **agents should be thoroughly prepared** by reviewing the revocation packet, looking over the Court Testimony section of the Court Proceedings chapter (*see Chapter 9*).

Copyright © 2012 [WI Department of Corrections]

Youth and Attorney Review File

At least 2 days prior to the day of the hearing, the youth and youth's attorney may review all evidence that the agent will submit at the hearing including documents not provided in the revocation packet.

Revocation Hearing

Hearing Procedures

Hearings are conducted in accordance with chapter HA 2, Wisconsin Administrative Code by an **Administrative Law Judge (ALJ) from the Division of Hearings and Appeals (DHA)**.

- See **chronological outline of a revocation hearing below prepared by the DHA**.
- Remember that each ALJ has a different style and approach to conducting a revocation hearing.

Revocation hearings are dynamic and the order in which things occur may change depending on the circumstances. For example, child victim/witnesses or witnesses with time constraints may require special accommodations. **Do not be surprised if hearings vary**, even with the same ALJ.

Audiotape

All hearings are recorded on audiotape; therefore, it is imperative to speak clearly. If the agent needs a copy of the tape or transcript made from the tape, he or she may order it from the Division of Hearings and Appeals for a fee.

Prior to beginning of Tape Recording

- A defense attorney may request some time to discuss the case with his or her client before the hearing. An ALJ generally allows this time because it may result in a waiver of the hearing or an admission to the violations.
- Some ALJ's may go through the revocation packet and mark the documents in numerical order. The documents will then be referred to as "exhibits" during the hearing.
- If the agent has any documents that he or she wants to submit that were not included in the packet, he or she shall give these documents to the ALJ at this time. In addition, the defense attorney may submit documents or evidence to be marked by the ALJ.
- Most ALJ's mark DOC exhibits then the defense attorney's exhibits in continuing numerical order.
- Any objections to exhibits are usually considered on the record (i.e., when the tape begins recording).
- When all the participants (i.e., agent, defense attorney, youth, and ALJ) are in the designated hearing room, participants may raise an issue to discuss off the record (i.e., meaning without the tape recording). For example, the ALJ may ask what witnesses are present. Then an agent or attorney may make an uncontested request for a continuance/adjournment (i.e., both the agent and attorney agree to the continuance/adjournment).
- Each ALJ will determine what is acceptable to discuss off the record; therefore, if the agent is uncertain, he or she shall ask the ALJ.

Calling the Case

- The ALJ turns on the tape recorder and calls the case.
- ALJ states the purpose of the hearing, the name of the youth, date, time, location of hearing, and his or her name for the record.
- Some ALJ's may state the names of the agent and the defense attorney and others may ask those parties to say their names for the record.
- If there is an interpreter, the ALJ may swear him or her in at this point, but not all ALJ's may do this.

Copyright © 2012 [WI Department of Corrections]

Reading the Violations

- Youth have the right to have the Department's allegations read to them at the hearing.
- Most youth waive this right because his or her attorney has usually previously discussed the allegations with the youth.

Preliminary Matters

The defense attorney states whether the youth admits or stipulates (agrees) to any of the violations.

- Other matters may be raised at this point such as a contested (agent and attorney disagree about the issue) request for a continuance. The party objecting to the adjournment should be given an opportunity to state his or her reasons for the objection. The ALJ will decide whether to grant the continuance.
- The ALJ may ask about witnesses who will be testifying at the hearing, if he or she did not ask prior to the tape beginning to record.
- The agent or attorney may have an objection to the appearance of a witness which may be addressed at this time.

If the agent has safety concerns about a witness, arrangements should be made prior to the hearing; however, the issue may be discussed at this time to allow the defense attorney the opportunity to object to the safety measures being taken for a witness.

DOC Presentation of the Case

- **General Procedures**
- Agent testifies and presents the documentation related to the case.
- As a general rule, all witnesses will be asked to wait outside of the hearing room until he or she is called to present testimony.
- Witnesses are called; however, they may be called out of order to accommodate off-duty police officers or civilian witnesses who have time constraints.

Direct Examination of the Agent

- Most ALJ's swear in the agent (i.e., "Do you swear or affirm, under penalty of perjury that the testimony you're about to give is the truth, the whole truth and nothing but the truth?" The agent shall respond "yes".).
- The ALJ begins to ask the agent basic questions such as, "What is your name?", "Where are you employed?", How long have you been worked for your current employer?", etc.
- Then the ALJ will ask questions for the agent to show his or her familiarity with the case (i.e., "Do you know the youth?", How do you know the youth?", etc.).
- Next, the ALJ will ask the agent to identify the documents in the revocation packet. If the ALJ did not mark the exhibits before this point of the hearing, he or she will now mark the documents.
- If the youth has not admitted or stipulated to the alleged violations, some ALJ's may ask the agent questions about the evidence that the Division is relying upon to prove the allegations.
- The ALJ asks questions of the agent about his or her knowledge of the youth's alleged violations. Agents should be aware that some ALJ's may not ask many or any questions after reviewing the revocation packet. The ALJ may only ask the agent if he or she has any additional information to add to the record. The agent shall determine the necessity to testify on the additional information.

After the facts of the case have been established, the ALJ may ask the agent questions about alternatives to revocation (ATR) (i.e., counseling or summary disposition).

Copyright © 2012 [WI Department of Corrections]

- If the only issue in dispute is whether the youth should be given an ATR, the ALJ may ask the agent questions about the youth's adjustment to aftercare, other ATR's the youth has received, prior revocations, and the youth's treatment history.

Cross Examination of the Agent

- When the ALJ finishes the direct examination, the defense attorney may then cross-examine the agent.
- After cross-examination, the agent may have the opportunity to make additional comments to the record. **Note:** Agents should not give their closing arguments at this time. Agents shall provide information not yet in the record, but relates to the questions asked by the attorney or ALJ.

Direct Examination of DJC Witness

- When the agent concludes his or her testimony, the ALJ asks the agent to bring in the first witness. ALJ
- swears in the witness.
- Agent conducts a direct examination of the witness by asking questions such as "How does he or she know about the case?" or "What does he or she know about the case?".
- If the defense attorney objects to a question, he or she raises the objection before the witness answers the question. The agent has the opportunity to defend the validity of the question, if necessary.
- The ALJ either sustains (agrees with) the objection or over rules (disagrees with) it.

The ALJ may interrupt the direct examination to ask the witness questions, or he or she may wait for the agent and attorney to finish asking questions.

Cross Examination of DJC Witness by Defense Attorney

- Youth's defense attorney may cross-examine the witness after the agent finishes his or her direct examination.

If the agent objects to a question asked by the defense attorney, he or she raises the objection before the witness answers the question. The defense attorney has the opportunity to defend the validity of the question, if

- necessary.
- ALJ either sustains (agree with) the objection or over rules (disagree with) it.

ALJ may interrupt the cross-examination to ask the witness questions, or he or she may wait until the agent and attorney are finished asking questions.

Excusing the Witness

When the agent, attorney and ALJ have finished asking questions of the witness, the ALJ excuses the witness and the agent brings in the next witness. This process continues until all of the agent's witnesses have testified on behalf of DJC.

Defense Attorney Presentation of the Youth's Case

- Attorney usually introduces the exhibits during the course of the testimony of witnesses.
- When the attorney brings in witnesses, the process described above is followed except the defense attorney presents the direct examination and the agent conducts the cross-examination.

Closing Arguments/Statements

Closing Argument

- Agent has the opportunity to present a closing argument in order to:
  - Emphasize the evidence that he or she believes proves the youth's involvement in the alleged violations.
  - Explain why the youth's aftercare should be revoked.
  - **Note:** Agents may decide not to give a closing argument and simply rely on the revocation packet.

Copyright © 2012 [WI Department of Corrections]

- Defense attorney has the opportunity to give a closing argument in order to:
  - Assert that the evidence does not prove the youth's involvement in the alleged violations. State why
  - revocation is not appropriate for the youth.
- Rebuttal

ALJ may ask the agent if he or she wants to make a rebuttal statement, i.e., response to the defense attorney's closing argument.

Conclusion of Hearing

The ALJ makes a brief statement concluding the hearing such as, "This concludes the final revocation hearing of Jamie Smith" and turns off the audio tape.

Procedures Following Revocation Hearing

Hearing examiner revokes the youth's aftercare

- The administrator of the Division of Hearings and Appeals signs and sends the (DHA-11) revoking the youth's aftercare. The DHA-11 is the equivalent of the DOC-1700 signed by the DJC administrator.
- Within 24 hours of the agent's receipt of the DHA-11, the agent will notify the youth's institution social worker by phone or email that the youth's aftercare is revoked.
- If the youth is in custody, the DHA-11 authorizes the transfer of supervision to the JCI.

  If the youth was not in custody during the revocation process, DJC takes the youth into custody and returns him or her to the JCI upon receipt of the DHA-11.

Hearing examiner does not revoke the youth's aftercare

Youth continues on aftercare, and is promptly released from administrative detention to an approved alternative placement as soon as practical after receipt of the DHA-11.

Appeal of Hearing Decision

The youth or youth's attorney may **appeal a decision to revoke** the youth's aftercare to the Division of Hearings and Appeals administrator and then to a court. If the youth is in custody, he or she remains on administrative detention pending the outcome of an appeal.

Youth Waives Right to Hearing

Role of Agent

Within 10 days after the youth signs the DOC-1795 waiving his or her right to a revocation hearing, the **agent sends the original revocation packet to his or her supervisor**. Youth may waive the right to a hearing at the time DOC-1795 is first served or at a later time prior to the hearing. Within 24 hours of receipt of the signed Department Revocation Order from the DJC Administrator, notify the youth's institution social worker by phone or email that the youth's aftercare is revoked.

Role of Supervisor

- Review and approve the agent's recommendation that the youth's aftercare be revoked.
- **If the supervisor agrees** with the agent's recommendation of revocation, the supervisor **forwards the revocation packet to the administrator** within 14 days after acceptance of the waiver, unless the administrator grants an extension for cause.

Role of Administrator

- If the administrator agrees with the recommendation of revocation, he or she signs the Department Revocation

Order (DOC-1700) which states:

- Reasons the youth's aftercare is being revoked.
- Orders the youth's aftercare revoked and transfers supervision of the youth back to the JCI.
- Within 14 days of receipt of the revocation packet, the **administrator/designee sends copies of the following documents to the entities listed below:**

Entire Revocation Packet	DOC-1700 only	DOC-1700 & DOC-44a
• JCI if youth on administrative detention	• Div. of Hearings & Appeals	• County Clerk of Courts
• OJOR-local	• Youth	
• Agent	• Youth's parent(s)/guardian	
• Agent's supervisor		
• Committing county		
• Youth's attorney, if any		
• OJOR-Central retains originals		

Revocation of Youth Not in Custody

If the Administrator revokes the youth's aftercare and he or she **was not in custody** during the revocation proceedings, the administrator directs the **agent to take the youth into custody and transports him or her to the JCI.**

Revocation Hearing Canceled

Agents Responsibilities

The agent completes the following tasks **if the youth's revocation hearing is canceled because of a late waiver by the youth or the agent decides not to pursue the revocation.**

- Complete the **DOC-1700** stating the reasons **why the youth's aftercare was revoked or not revoked.**
- Notify the Hearing Examiner's Office of the canceled hearing.
- Notify any witnesses.
- Notify the youth's attorney if agent decides not to pursue. Attorney should be aware of youth's decision to waive.
- Cancel the hearing room.

Aftercare Not Revoked

If the agent terminates revocation proceedings or the Administrator does not issue a Department Order (DOC-1700) revoking the youth's aftercare and youth has been held on administrative detention during the proceedings, the **youth shall be released from the JCI to a suitable community placement at the earliest practical time**. This placement may be the previous placement from which the youth was initially removed, or an alternative placement.

Placement in Corrective Sanctions Program

After revocation of aftercare, DJC may place a youth in CSP if all of the following have occurred:

- Youth waived the revocation hearing.
- Administrator signed the Department Revocation Order (DOC-1700) revoking the youth's aftercare.

Copyright © 2012 [WI Department of Corrections]

- OJOR approved the transfer to CSP and issued a Department Order (DOC-1722a). [*see Chapters 5 and 10*]

Petition for Change in Placement by the Court

DJC, **in lieu of a revocation hearing**, may **petition** the committing court under s. 938.357 (3), Stats., for a **change in placement** to a JCI. This procedure is followed by counties more frequently than by DJC.

Aftercare Revocation Checklist

Name of Youth	DOC Number
Location of Youth	

Revocation Initiated Without Administrative Detention

- Serve youth Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver (DOC-1795) before or on the 7th day the youth was taken into custody on administrative detention OR at least 14 days prior to the hearing if the youth is not in custody.

Administrative Detention

- Contact supervisor for approval to administratively detain the youth at a JCI
- Fax Aftercare Administrative Detention (DOC-2109) if youth is detained at a JCI
- Schedule revocation hearing within 30 days of youth being detained
- Reserve hearing room for revocation hearing (at JCI or jail; usually where youth is detained)
- Serve youth Detention Notice and Appeal (DOC-1614) within 7 days of being detained

Serve youth Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver (DOC-1795) within 7 days of being detained

Revocation Packet must include the following:

- Original Dispositional Order and any subsequent orders
- Community Supervision Rules and Conditions (DOC-1741) and, if applicable, Special
- Violation Investigation Report (DOC-1783)
- Aftercare Revocation Report (DOC-2125)
- Statement (DOC-1305)—from youth and/or witness(es)
- Recommendation for Administrative Action (DOC-44a)
- Juvenile Aftercare Revocation Notice, Rights, Acknowledgment and Waiver (DOC-1795)
- Youth Restitution and Debt Collection (DOC-1841)

Juvenile Aftercare Risk Assessment (DOC-1909)—completed in JJIS or COMPAS bar chart

Any other pertinent information (e.g., Face Sheet (DOC-1701), police reports, etc.)

- **Revocation Hearing Requested**
- Revocation Hearing Requested (DOC-1794)
- List all witnesses on DOC-1794 who will attend the hearing
- Ensure all subpoenas are issued to witnesses testifying on behalf of DJC
- Request to protect witness identity, if applicable

Copyright © 2012 [WI Department of Corrections]

Revocation Hearing Waived

- Department Revocation Order (DOC-1700)

Revocation Hearing Canceled Due to Late Waiver or Agent Decision Not to Continue

- Department Revocation Order (DOC-1700)
- Notify Division of Hearings and Appeals of late waiver
- Notify all witnesses
- Notify youth's attorney
- Cancel hearing room

Forward original revocation packet to supervisor for review

Copyright © 2012 [WI Department of Corrections]

19 - Interstate Compact for Juveniles and Travel Permits

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

• Overview	• ICJ Definitions
• ICJ Personnel	• Channels of Communication
• Wisconsin as Receiving State	• Wisconsin as Sending State
• Victim Notification	• Travel Permits
• Return of DJC Escapees/Absconders	• ICJ Youth in Wisconsin Escapes/Absconds
• Out-of-state travel for court appearance	

Forms Discussed in this Chapter

• Form VIII Home Evaluation Report/Reply to Case Transfer Request (DOC-9007)	• WI Youth Primary Needs (COMPAS) • Individual COMPAS Case Plan • Progress Summary (COMPAS)
• Quarterly Progress or Violation Report (DOC-9008)	• Violation Report (DOC-1783)
• Form IV Parole or Probation Investigation Request (DOC-9004)	• Form IA-VI Application for Services and Waiver (DOC-9001A)
• Form V Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State (DOC-9005)	• Form III Consent for Voluntary Return of Runaway, Absconder or Escapee (DOC-9003)
• Form II Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent (DOC-9002)	• Form VII ICJ Travel Permit (DOC-9009)
• Notice of Release/Transfer of Youth to Community Supervision (DOC-1627)	• Victim Notification Supplement (DOC-2636)

Forms in the list above are available on MyDOC. The Primary Needs Assessment, Case Plan, and Progress Summary are completed in COMPAS.

Overview of Interstate Compact for Juveniles

The Interstate Compact for Juveniles (**ICJ**) has the force and effect of **federal law.** The ICJ assists states in the **return of youth who run away, escape or abscond across state lines.** It also provides for the **cooperative supervision of juvenile probationers and parolees between states**.

Currently, a new Interstate Compact for Juveniles has been adopted by 49 states, one territory, the District of Columbia and the U.S. Virgin Islands. Georgia is the only state in the U.S. that continues to operate under the 1956 Interstate Compact on Juveniles, as well as four territories (American Samoa, Guam, Northern Mariana Islands and Puerto Rico).

Wisconsin Statutes

In **Wisconsin**, the ICJ is contained in s.938.999, Wis. Stats. The cooperative **supervision portion** of the ICJ covers youth on **county probation, county aftercare and state aftercare**. Wisconsin Statutes do not use the term "parolee" for a youth on community supervision following a period of confinement in a JCI. Only youth on **aftercare, not type 2 status, can be sent from Wisconsin to another state under the ICJ.**

Variations in State Laws

Copyright © 2012 [WI Department of Corrections]

Laws vary from state to state. When the laws of the sending state pertaining to juvenile court jurisdiction differ from the receiving state, the ICJ generally directs that the **laws of the sending state control**.

State laws may define and use a term such as "juvenile" differently. For purposes of the ICJ, **persons in Wisconsin under a commitment of a juvenile court are covered by the ICJ**. Therefore, an individual under DJC supervision could be supervised out-of-state under ICJ even if more than 18 years of age.

Conflicts with ICJ and State Statutes

Whenever state laws conflict with provisions of the ICJ, the **ICJ supersedes the state laws**.

Questions About Applicability of a Law

If there are questions or concerns about which law applies, please contact your supervisor or the WI ICJ staff.

DJC Staff Responsibilities

This chapter deals with youth on state supervision/aftercare and out-of-state youth being supervised in Wisconsin under ICJ. It also describes the **duties of the DJC Agent, Compact Administrator, and ICJ Deputy Compact Administrator.** DJC agents have the responsibility to directly supervise ICJ youth who are eighteen years or older.

ICJ Definitions

"Absconder" means a youth on DJC aftercare who hides, conceals or absents himself or herself with the intent to avoid legal process or authorized control.

"Compact Administrator" means the person appointed by the Governor who oversees his or her State's ICJ operations. If the Governor does not appoint a Compact Administrator, the duties fall to the Secretary of Corrections or other employee designated by the Secretary.

"Cooperative Supervision" means the delivery of services to a youth by a receiving state, including the provision of quarterly progress reports to the sending state.

"ICJ Deputy Compact Administrator" means the person responsible for handling specific duties relating to the compact and under the supervision of the ICJ Supervisor and Compact Administrator.

"Escapee" means a youth who has made an unauthorized flight from a facility to which he or she has been committed by a court.

"JIDS" means the Juvenile Interstate Data System used by ICJ offices throughout the U.S.

"Juvenile" means any person within the juvenile jurisdictional age limit of any court in the home/sending state, or any individual adjudicated delinquent within the home/sending state and who remains under custodial care of community supervision of the juvenile authority.

"Parolee" means a youth conditionally released from an institutional setting, training school or correctional type facility, or is a delinquent ward on conditional release.

Copyright © 2012 [WI Department of Corrections]

"Probationer" means a youth placed on supervision by a court who is permitted to remain in the community under the supervision of a court, designated person or agency.

"Sending State" means the state with court jurisdiction that sends a youth to another state for supervision under the provisions of ICJ.

"Receiving State" means the state in which a youth is placed by another state for supervision or the state that has been requested to supervise an out of state youth under the provisions of ICJ.

ICJ Personnel

Compact Administrator

Governors, under the authority of the ICJ, **appoint the Compact Administrator**.

- The Compact Administrator is responsible for Acting as a communicator with all other states and jurisdictions
- Assuring continuing cooperation and resolution of any problems that may arise
- Assuring consistent interpretation of the ICJ rules and regulations.

Responsibilities of ICJ Deputy Compact Administrator

The ICJ Deputy Compact Administrator has the responsibility for coordinating and providing policy direction in the statewide implementation of the Interstate Compact for Juveniles.

INTERSTATE COMMISSIONER

Appointed by the Governor, the Interstate Commissioner represents Wisconsin in the National Interstate Commission for Juveniles.

INTERSTATE COMMISSION

Made up of a representative from each signatory state, the Interstate Commission promulgates rules governing the Compact, resolves disputes, assures compliance and collects data.

Channels of Communication

All **communication** between states on ICJ matters should be conducted **between the ICJ offices** for the states involved. There should be **no communication between DJC agents and supervising workers or ICJ offices in other states** unless specifically authorized by the Wisconsin ICJ office. This applies to written and verbal communication.

Wisconsin as Receiving State

Legal Status of Juvenile in Wisconsin

Legal jurisdiction of a juvenile **may not be transferred across state lines** through ICJ. Therefore, the **sending**

Copyright © 2012 [WI Department of Corrections]

state retains jurisdiction over a youth sent to Wisconsin. However, Wisconsin has the authority to act as the sending state's agent to provide cooperative supervision of the youth.

A youth sent to Wisconsin must be on probation, parole, consent decree, or under the equivalent of a JIPS order as defined by the ICJ. DJC agents have the responsibility to directly supervise ICJ youth who are eighteen years or older on supervision from other states (probation and parole cases).

Assignment of Cases from Other States

Assignment depends on the county a youth will be living in and the age of the youth

- County/State aftercare: If a county provides its own aftercare, it also provides ICJ supervision of youth from other states (except as noted below). State agents provide ICJ supervision in state aftercare counties.
- Age under/over 18: DJC agents provide ICJ supervision of all youth from other states who are age 18 or older.

Request for Wisconsin to Supervise

Initiation of Request

1. Requesting state sends referral packet to Wisconsin ICJ Office. [*see required contents of referral packet in the following chapter sub-part "Wisconsin as Sending State"*]

    1. If it is recommended the ICJ case be sent to a DJC agent to have a Home Evaluation Report completed, the ICJ Deputy Compact Administrator will obtain a DOC number for the juvenile, assign the youth a county SID number and enter the youth into COMPAS.
    2. ICJ Deputy Compact Administrator forwards paperwork within 5 working days to the appropriate DJC field supervisor who assigns an agent to conduct the Home Evaluation required by the ICJ.

Home Evaluation by DJC

Purpose

The ICJ recommends that a Home Evaluation be conducted **prior to transfer of the youth to the receiving state.** In reality, often the youth has already gone to the receiving state, or was a resident of the receiving state when s/he committed the offense in the sending state.

Purposes include:

- To ensure the appropriateness of the requested placement
- To assess the ability of the parent or guardian to supervise the youth in the home
- To assess the attitude of the parent or guardian at the proposed placement regarding the youth's situation
- To determine the availability of necessary community resources in the area

- Home Visit: agent visits the proposed placement, and meets with the parent, relative or legal guardian to obtain the information for the form.

Copyright © 2012 [WI Department of Corrections]

- Visit is required even if placement will be with the custodial parent(s)
- Review of Referral Packet
- Completion of the Wisconsin Youth assessment in COMPAS.

Factors to Consider

- Youth's offense history
- If the youth is a sex offender, whether there is a victim or a potential victim in the home
- Availability of appropriate mental health services, etc., in the area and how they will be paid for
- Accessibility to schools, employment, etc.

For sex offenders, the receiving state shall ensure compliance with local policies or laws prior to issuing reporting instructions. If the proposed residence is unsuitable, the receiving state may deny acceptance. In the home evaluation report, note if there are local ordinances restricting residence.

Agent Recommendation

Legal Custodian Lives in Wisconsin

Generally speaking, a Wisconsin agent **cannot reject courtesy supervision** of the juvenile when a parent/legal custodian lives in Wisconsin. He or she makes a recommendation based upon the information known to the agent.

Per ICJ Rule 5-101(5), if the juvenile does have a custodial parent or legal guardian residing in Wisconsin, and does not have a custodial parent or legal guardian remaining in the sending state, supervision shall be accepted.

Legal Custodian Does Not Live in Wisconsin

- If the legal custodian does not live in Wisconsin, agent may recommend to the Compact Administrator that the referral be accepted or rejected.
- Agent must provide a valid reason for recommending rejection of the referral.
- Supervision cannot be denied solely on the basis of the juvenile's age or offense.

Submission to the ICJ Deputy Compact Administrator

- DJC agent **completes** and signs the Home Evaluation Report/Reply to Case Transfer Request Interstate Compact for Juveniles (**DOC-9007**) and submits **one copy or one scanned copy** to the ICJ Deputy Compact Administrator within **30 calendar days after the DJC office has received** the request.
- **Compact Administrator approves or rejects the request**.
- ICJ Rules and Regulations require that the Compact Administrator make every effort to forward to the referring ICJ Office the Home Evaluation Report and the **acceptance/rejection decision within 45 calendar days of originating request.**
- Compact Administrator decides to accept or reject the case based upon the DJC agent's recommendations contained in the Home Evaluation Report and the ICJ Rules and Regulations.

  Supervision may be denied when the home evaluation reveals that the proposed placement is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the

sending or receiving state.

Supervision Requirements

- Interstate Commission Rules require that **out-of-state youth** supervised under ICJ in Wisconsin **receive the same supervision and services as Wisconsin youth**.
- **DJC agent must follow case management procedures identified in the CMM including writing an ICCP.** [*see Chapter 6*]

Legal Ability of DJC to Apprehend and Detain an Out-of-State ICJ Youth

Per ICJ Rule 4:104(2), Wisconsin has the legal ability to apprehend and detain ICJ youth in secure detention or jail if we detain Wisconsin youth under similar circumstances. The youth's signature on the ICJ Form IA/VI (DOC-9001A) provides authorization and indicates an understanding that failure to abide by their rules of supervision may result in imposition of sanctions by the sending or receiving state. This signed form also provides documentation for Wisconsin's authority to request that a youth be taken into custody and detained. [NOTE: Any costs associated with an ICJ detention or sanction that WI imposes is the financial responsibility of WI].

- Contact Standards:
  - Based on risk leve as indicated in COMPAS

Under ICJ, fees may not be imposed for supervision of out-of-state youth.

SEX OFFENDER REGISTRATION REQUIREMENTS FOR YOUTH FROM OTHER STATES

In addition to youth adjudicated in Wisconsin, the ICJ youth in Wisconsin must also register during DJC supervision and 15 years after discharge from DJC supervision:

- Any juvenile in Wisconsin on or after May 9, 2000, on supervision from another state under ICJ with an offense comparable to an offense in Wisconsin requiring registration. Registration must occur 10 days prior to entering Wisconsin.
- A youth required to register as a sex offender in another state or registered as a sex offender with the FBI who lives, works or attends school in Wisconsin on or after November 9, 2000.
- A youth found to have committed a comparable sex offense in another jurisdiction who lives, works or attends school in Wisconsin on or after November 9, 2000.

ICJ Deputy Compact Administrator will forward all sex offender files to be reviewed by SORP for determination of placement on the registry. The agent will be advised of the decision.

See Chapter 22 Sex Offenders-Legal Requirements

Need for special services

Role of DJC

If the youth requires **services over and above "standard supervision"** and the family insurance does not cover them, the DJC agent should **contact the Wisconsin ICJ** Deputy Compact Administrator in writing who will

ask the sending state for preliminary approval for additional services. The request should include:

- Type of services that DJC is recommending
- Brief summary of why the services are necessary
- Name(s), address(es), and phone numbers(s) of the local service provider

Role of Sending State

Sending state has the authority to decide what services should be provided to the youth. If the sending state approves the request, the sending state will set up payment arrangements directly with the service provider.

The sending state shall be financially responsible for treatment services ordered either by the court or paroling authority when they are not available through the supervision agency in the receiving state or cannot be obtained through Medicaid, private insurance, or other payor. The initial referral shall clearly state who will be responsible for purchasing treatment services.

Quarterly Progress Reports

- DJC agent must complete Quarterly Progress Reports that include:
- Progress Summary (COMPAS) [*see Chapter 6*]
- Interstate Compact for Juveniles Quarterly Progress or Violation Report Form IX (DOC-9008): provide a thumbnail sketch of the youth's status on supervision.

  Agent sends a scanned copy of the report and additional documentation to the report to the Wisconsin ICJ Deputy Compact Administrator who forwards them to the ICJ office in the sending state.

Violation of the Conditions of Supervision by Youth

Agent Responsibilities

- **Promptly report** the violation IN WRITING to the ICJ Deputy Compact Administrator by forwarding a scanned copy of the Violation Report (DOC-1783), Interstate Compact for Juveniles Quarterly Progress or Violation Report Form IX (DOC-9008) and attachments to the Wisconsin ICJ office via e-mail or fax (608-240-3371).

  Violation Report should clearly describe the DJC agent's recommended action to the sending state.

  - The "check boxes" given on the Violation Report form (DOC-9008) may be used for either the violation or quarterly progress report, but more importantly for the quarterly progress report.
  - DJC **agent may recommend** that the juvenile be returned to the sending state for **revocation** proceedings, but the **sending state decides** whether or not to revoke youth's aftercare supervision.
  - The agent may impose graduated sanctions (see Chapter 13) as appropriate, as an alternative to requesting return of the youth to the sending state.
  - Attach any **supporting documentation** to the Violation Report such as urinalysis reports, police reports, petitions, criminal complaints, or CCAP printouts.

    If the juvenile is alleged to have violated a criminal law, **write the description of the charges** rather than providing the statute sections; e.g., write "Sexual Assault, 2nd Degree" rather than only stating, s. 940.225(2), Stats.

Copyright © 2012 [WI Department of Corrections]

Coordinate the filing of new charges in Wisconsin, if appropriate.

- If the matter **requires immediate attention, fax or scan the Violation Report and attachments** to the ICJ Deputy Compact Administrator. The ICJ Deputy Compact Administrator cannot request action by the sending state without WRITTEN DOCUMENTATION of the violation and the agent's recommendation.

Role of ICJ Deputy Compact Administrator
The ICJ Deputy Compact Administrator transmits the Violation Report to the sending state's ICJ office. The matter is forwarded to the out-of-state agent who decides how to proceed.

Role of Sending State
Sending state ICJ Office provides Wisconsin ICJ Office with a decision regarding the agent's recommendation for early discharge or termination of supervision upon the juvenile's expiration date.

Termination of/or Discharge From Supervision

Legal Authority
Only the sending state has the legal authority to terminate supervision. Wisconsin cannot release an ICJ youth from supervision until it receives authorization from the sending state. EXCEPTION: when a juvenile is convicted of a crime and sentenced under the jurisdiction of the adult court in the receiving state and the adult sentence is longer than the juvenile sentence. In such cases, the receiving state may close the ICJ case once it has notified the sending state, in writing, and provided the sending state with a copy of the adult court order.

DJC Recommendation
If a DJC agent believes that an out-of-state youth has complied with all terms of supervision, the DJC agent may recommend to the sending state that they authorize release from supervision.

- **Early Discharge**
  - DJC agent may recommend early discharge by completing and sending a **progress report**, or a scanned copy, to the ICJ Deputy Compact Administrator detailing the youth's compliance with his or her conditions of supervision along with a recommendation for early discharge.

- **Expiration of Supervision Order**
  - DJC agent completes a **progress report**, and sends it to the ICJ Deputy Compact Administrator **at least 30 days prior to the supervision expiration date** including an inquiry to the sending state as to whether the agent may discontinue supervision of the youth upon expiration of the order.
  - **Alternative:** DJC agent may elect to **notify the sending state, through the ICJ office, that supervision will be discontinued unless informed by the sending state that supervision should be continued**. If the agent in the sending state wants to continue supervision, this puts the responsibility on the sending state's agent to inform Wisconsin to continue supervision.

Role of ICJ Deputy Compact Administrator
ICJ Deputy Compact Administrator forwards the agent's request to the sending state's ICJ Office who forwards it to the supervising agent in the sending state.

Upon receiving confirmation from the sending state that a case may be closed, the ICJ Deputy Compact Administrator notifies the agent and OOA, and closes the case in COMPAS.

Copyright © 2012 [WI Department of Corrections]

Wisconsin as Sending State

Legal Status of Wisconsin Juvenile

Aftercare Supervision

A DJC youth **must be on non Type 2 status prior to placement in another state** through the ICJ. A juvenile on any **Type 2 status** (SJO, Community Supervision, or Type 2 RCC) **may not be placed** in another state.

If a juvenile is in type 2 status, OJOR must issue a Department Order (DOC-1722a) that changes the youth's status to non-Type 2 supervision. [*see Chapters 5* & *10*] SJO youth must have completed 2 years in the program before OJOR can release them to non-Type 2 community supervision, in accordance with s. 938.538(5), Stats. [*see Chapter 7*]

Legal Jurisdiction

Legal jurisdiction of a juvenile **may not be transferred across state lines** through ICJ. Wisconsin retains jurisdiction over a youth sent to another state. However, the receiving state has the authority to act as Wisconsin's agent to provide cooperative supervision of the youth.

The ICJ cannot be used to request supervision in a U.S. state or territory that is not a signatory member of the compact, or in any foreign country. If placement of a youth in a non-signatory state or territory is being considered, consult the ICJ Deputy Compact Administrator to see if temporary special rules apply that would allow the supervision request to be made.

DJC Agent Initiates an ICJ Referral

The agent should initiate the process by submitting the **referral packet** (described below) to the ICJ Deputy Compact Administrator **at least 90 days prior** to the youth's anticipated **release date from the JCI or departure from the state.**

ICJ Documents in Referral Packet

1. **Cover Letter Containing the Following**
   - Brief statement of **why a placement out-of-state** under the ICJ is appropriate.
   - Information about the prospective **placement** including:
     - Whether the youth's parent or legal guardian resides in the receiving state
     - Whether placement in the home of the youth's parent or legal guardian is appropriate.
     - Whether the youth wishes to receive post-secondary education in the receiving state

Summary of the court order, rules of supervision, restitution obligations and special treatment needs or service requirements. (Include detailed information on balance owed prior to departure from WI, and provide clear instructions for where to mail payments)

Information alerting the receiving state if the youth is a sex offender and whether or not the youth is required to register with SORP in Wisconsin.

Anticipated **date for release from supervision**.

1. **Form IV Interstate Compact for Juveniles Parole or Probation Investigation Request** (DOC-9004)

Copyright © 2012 [WI Department of Corrections]

•

•

•

- Complete in MyDOC including your name on Form IV which serves as a cover sheet listing the required documents included in the referral packet.
- Form IV is the legal document that **asks the receiving state to investigate** the possibility of supervising a DJC youth in their state.
- Under the section entitled "**Reason for Adjudication**", the DJC agent should write out the criminal violations that resulted in the delinquency findings rather than simply listing the statute sections. The agent in the receiving state will not be able to understand Wisconsin statutory cites.

1. **Form IA-VI Interstate Compact for Juveniles Application for Services and Waiver**

(DOC-9001A)

- **Section IA**: Application for Compact Services **requesting the transfer of supervision** of a Wisconsin youth to another state.
- **Section VI**: Memorandum of Understanding and Waiver:
  - Details where the youth will live and with whom
  - Establishes the terms of a legal and **binding contract** between Wisconsin, the receiving state, the youth, and the youth's parent or legal guardian.
- **Signature of legal authority**: Judge must sign form when the youth is on supervision (probation). Compact Administrator must sign form when the youth is on aftercare (parole)**.**
- **Signature of youth:** Youth needs to sign Form IA-VI prior to actual placement. Without the youth's signature, it could be more difficult to return a youth to Wisconsin if he or she violates the terms of supervision resulting in revocation of aftercare.
  - If the youth is in Wisconsin at the time the agent completes Form IA-VI, he or she should obtain the youth's signature before submitting the form the ICJ office.
  - In the event that the youth is in the receiving state when the agent completes the form, he or she can submit it to the ICJ office without the youth's signature. The receiving state official who conducts the Home Evaluation can obtain the youth's signature at a later date.

DJC Required Documents In Referral Packet

- Petition(s) related to adjudication(s) [*see Chapter 3*]
- Signed court order(s) [*see Chapter 3*]
- Rules and conditions of aftercare (ICJ uses term parole for WI. aftercare) contained in DOC-1741. [*see Chapter 10*]
- Legal and social history [*see Chapters 4 & 6*]
- School information including overview of grades, attendance, progress reports, etc. available in JJIS. [*see Chapter 7*]
- Arrest reports
- Medical or psychological information (if available in the DJC agent's file)
- Any supplemental information regarding the youth that could assist the receiving state in evaluating the placement.

Copyright © 2012 [WI Department of Corrections]

- Provide proof of enrollment in post-secondary education if applicable
- For sex offender referrals, provide the following additional information/documents when available: Risk Assessment, Arrest Reports, Victim Information, Supervision and Treatment Plan
- Restitution Information (if applicable) to include amount owed, amount paid to date, where to send payments and date restitution must be paid by.

Submission of Referral Packet to the ICJ Office

After assembling the referral packet, the DJC agent should mail or e-mail the packet to the ICJ Office, located in Central Office in Madison**,** to the attention of the **ICJ Deputy Compact Administrator**.

Responsibilities of Wisconsin ICJ Office upon Receiving Referral Packet

The Wisconsin ICJ Office **reviews the packet** to make sure all **necessary documentation** is **included** and all **forms are completed properly**.

The **packet will be uploaded into JIDS and sent to the compact official** in the receiving state.

Action by Receiving State Upon Receiving Referral Packet

- **ICJ official** in the receiving state contacts the appropriate supervising agency and **requests a Home Evaluation that is due** to the receiving state's ICJ office within **30 calendar days** from the date of the request.
- ICJ requires states to make all **reasonable efforts** to have the Home Evaluation **Report completed within 45 calendar days of the referral** by the sending state**.**
- Supervision may be denied when the home evaluation reveals that the proposed placement is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state.
- If the legal custodian **does not live in the receiving state, the receiving state may reject** a referral, but must provide Wisconsin with a valid reason. **Supervision cannot be denied solely on the basis of the juvenile's age or offense.** Only the Compact Administrator for the receiving state has the authority to reject or deny a request for supervision.

When Referral Accepted by Another State

ICJ Deputy Compact Administrator's Responsibilities

Receiving state sends the Home Evaluation Report to the Wisconsin ICJ Deputy Compact Administrator who **forwards the report to the DJC agent.**

Agent's Responsibilities

- **Home Evaluation Report contains the final approval or rejection** from the receiving state.
- If the DJC agent does not think that the receiving state's recommended placement is appropriate, the agent may refuse to allow the youth to go to the other state.
- In the event that the youth does not go to that state, the DJC agent must notify the Wisconsin ICJ office in writing.

Copyright © 2012 [WI Department of Corrections]

- When the DJC agent approves the receiving state's placement recommendation, he or she **determines the youth's arrival date and coordinates travel arrangements** with the youth's parent, guardian, or placement resource in the receiving state.
- DJC agent confirms with ICJ Deputy Compact Administrator if youth is a sex offender, whether registration is required in receiving state
- DJC agent **completes** the Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State (**Form V, DOC-9005**) and **scans** it to the Wisconsin ICJ **Deputy Compact Administrator at least 5 working days prior to the youth's arrival in the receiving state**.
- DJC agent provides the **youth with a copy** of this form so he or she has the reporting instructions.

NOTICE OF RELEASE/TRANSFER

- For DJC youth who are being released from a Juvenile Correctional Institution to supervision out of state, it is the responsibility of the DJC agent to send the Notice of Release/Transfer of Youth to Community Supervision (DOC-1627) to the DJC Deputy Compact Coordinator. [*see chapter 12]*
- The DJC agent must send a copy of this form to the local authority in the receiving state, via the ICJ Deputy Compact Administrator, in order to comply with s.938.51.

When Referral Rejected by Another State

When placement of a youth with a person entitled to legal custody is not recommended in the receiving state, ICJ rules permit the sending state to proceed with the placement despite the concerns of the receiving state. When such a rejection is received, the WI ICJ office will immediately forward the information to the WI agent. The agent shall review the concerns of the receiving state. Upon review, if any additional information can be provided to the receiving state (for example, alternative contact information or placement resource), the agent may submit to the ICJ Deputy Compact Administrator. If and when additional information is provided, the ICJ Deputy Compact Administrator would submit to the receiving state's ICJ office for further review. However, if the agent is unable to address the receiving state's concerns, the agent shall look into alternative placement options for the youth.

Responsibilities of DJC When Youth is in Another State

Legal Authority

Wisconsin **maintains juvenile court jurisdiction and ultimate responsibility** for decisions about the youth's supervision, including recommendations for revocation. The DJC agent should receive specified documents from the receiving state:

Quarterly Progress Reports

- **Agent in the receiving state is required to provide** Quarterly Progress Reports to DJC regarding youth's adjustment to supervision.
  - Progress Summary on form determined by receiving state
  - Interstate Compact for Juveniles Progress Report Cover Sheet (DOC-9008) to provide a thumbnail sketch of the youth's status on supervision.

- Receiving state ICJ Office sends the report to the Wisconsin ICJ Deputy Compact Administrator who forwards it to DJC agent

Violation Report

Receiving State Responsibilities

Each receiving state will assume the duties of visitation and supervision over any delinquent juvenile, including juvenile sex offenders who it has accepted for cooperative supervision and in exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own juveniles released on probation and parole.

Agents may impose graduated sanctions upon any juvenile transferred under the compact if such standards are also applied to its own delinquent juveniles.

If a Wisconsin **youth violates his or her rules** of aftercare (referred to as "parole" in ICJ), the **agent in the receiving state** will:

- **Document the details** of the violation in writing
- Make a statement concerning **whether the agent recommends the youth be returned** to Wisconsin for revocation proceedings
- Scan the violation **report and supporting documentation to the ICJ Deputy Compact Administrator in their state** who forwards it to Wisconsin's ICJ Office so the Deputy Compact Administrator can send it to the DJC agent.
- Asks the sending state to impose graduated sanctions or revocation of youth's supervision.

DJC Agent/Supervisor Responsibilities

DJC agent, in consultation with the supervisor, decides whether to pursue revocation or recommend other sanctions. [*see Chapter 17*]

Return of Juveniles whose ICJ Placement has Failed

If it is determined necessary to return a juvenile whose placement has failed to the sending state and the ICJ Application for Compact Services and Memorandum of Understanding and Waiver form (DOC-9001A) has the appropriate signatures, no further court procedures will be required for the juvenile's return. The ICJ pre-signed voluntary waiver provides the due process requirements for this return.

Termination of or Discharge from Supervision

Legal Authority

Generally, only **Wisconsin,** as the sending state, **has the legal authority to terminate supervision**. If the out-of-state worker believes that a youth has complied with all terms of supervision, the **out-of-state worker may recommend** that Wisconsin authorize discharge from supervision. EXCEPTION: when a juvenile is convicted of a crime and sentenced under the jurisdiction of the adult court in the receiving state and the adult sentence is longer than the juvenile sentence. In such cases, the receiving state may close the ICJ case once it has notified the sending state, in writing, and provided the sending state with a copy of the adult court order.

Copyright © 2012 [WI Department of Corrections]

Early Discharge

- Out-of-state agent may recommend early discharge by submitting a **report to that state's Compact Administrator detailing compliance** with the youth's conditions of supervision along with a recommendation for early discharge.
- Compact Administrator from the other state forwards the report and recommendation to Wisconsin's ICJ who sends it to the DJC agent.

Early release request from other state:

1. Agent talks to supervisor and develops a recommended response to receiving state.
   A. Agree with early release:
      I. Prepare an Administrative Discharge request, and send to OJOR Director for consideration by Division Administrator.

   2. Disagree with early release:
      B. Prepare written justification for why supervision should be continued and submit to ICJ Deputy Compact Administrator.

   3. The sending state will forward a copy of the discharge report or notification to close based on the receiving state's recommendation, or;
   4. If the request to close has been denied, the WI agent will provide a written explanation, via ICJ Deputy Compact Administrator, to the receiving state within 60 days, as to why the youth cannot be released from supervision/aftercare. Failure by the sending state to respond within 60 days may allow the receiving state to close the ICJ case.

Expiration of Supervision Order

- Receiving state **may elect to notify** Wisconsin that **they will discontinue supervision** when the current term of supervision expires **unless informed otherwise** by Wisconsin.
- If the **DJC agent wants to continue supervision**, it is the responsibility of the DJC agent to **inform the receiving state** to continue supervision based on the extension of the youth's court order.
- All communications should go **through the Wisconsin ICJ Office**.

Extension of Supervision Requests

Agent Pursues Extension

If the DJC agent wants to extend the period of supervision for a youth being supervised out-of-state, the DJC agent must follow the proper extension procedures. [*see Chapter 9*]

Copy of Extension Order

A copy of the **Extension Order** from the court should be sent to the receiving state through the **Wisconsin ICJ Office**. No further action is required to continue ICJ supervision because the receiving state may not terminate supervision without Wisconsin's permission.

Role of Sending State

Sending state ICJ Office provides Wisconsin ICJ Office with a decision regarding the agent's recommendation for

Copyright © 2012 [WI Department of Corrections]

early discharge or termination of supervision upon the juvenile's expiration date.

Notice of Release of Youth from Community Supervision

For DJC youth who are being released/discharged from Community Supervision out-of-state, it is the responsibility of the DJC agent to send the Notice of Release of Youth from Community Supervision (DOC-1626) to the DJC Deputy Compact Administrator. [see chapter 12]
The DJC agent must send a copy of this form to the local authority in the receiving state, via the ICJ Deputy Compact Administrator, in order to comply with s.938.51.

VICTIM NOTIFICATION

The responsibility for victim notification rests with the sending state and is subject to the laws of that state.

For DJC youth who are being supervised out-of-state, it is the responsibility of the DJC agent to comply with the Wisconsin victim/witness notification requirements. [*see chapter 11]*

Travel Permits

The following procedures apply to all DJC youth *(not only youth under ICJ supervision).*

ICJ Travel Permit Policy and Procedure

The DJC agent must complete an Interstate Compact for Juveniles Out-of-State Travel Permit and Agreement to Return (DOC-9009) and submit it to the Wisconsin ICJ Deputy Compact Administrator for juveniles traveling who have committed or case circumstances include any of the following:

a. Sex-related offenses;
b. Violent offenses that have resulted in personal injury or death;
c. Offenses committed with a weapon;
d. Juveniles who are state committed;
e. Juveniles testing placement and who are subject to the terms of the ICJ compact;
f. Juveniles returning to the state from which they were transferred for the purposes of visitation;
g. Juveniles transferring to a subsequent state(s) with the approval of the initial sending state;
h. Transferred juveniles in which the victim notification laws, policies and practices of the sending and/or receive state require such notification.

The permit shall not exceed ninety (90) calendar days, and the youth and parent/guardian sign the travel permit indicating their agreement to cooperate with the rules of supervision during travel.

ICJ rules do not require submission of a travel permit for youth traveling out-of-state for a period of less than 24

Copyright © 2012 [WI Department of Corrections]

hours. Such travel permits will not be entered in JIDS.

Travel Permits/Sex Offender Registration for Sex Offenders Traveling Out of State

- Travel permits (DOC-9009) for sex offenders, as for all permits, must be submitted to the ICJ Deputy Compact Administrator PRIOR to travel.
- The agent must scan the form to the ICJ Deputy Compact Administrator. The agent must note on the travel permits that the youth is a sex offender, the specific offense the youth was adjudicated for, and whether or not the youth is required to register in Wisconsin.
- The ICJ Deputy Compact Administrator, in addition to scanning the travel permit to the other state's ICJ office, will call the ICJ office and advise them of the sexual offense the youth was found delinquent of and whether or not the youth is registered in Wisconsin. He/she will ask whether a youth who has committed a sexual offense (example 4th degree sexual assault) that does not require registration in Wisconsin must register in the other state. He/she will confirm whom we should contact in the other state. He/she will then relay that information back to the agent. The agent will provide any special instructions regarding reporting, restrictions, etc., to the youth.

Length of Stay

- For the purpose of testing a proposed placement, the permit shall not exceed 90 days, with a referral packet submitted within 30 days of the effective date of the travel permit.
- For the purpose of visit/vacation, the permit shall not exceed 90 days.

Content of Permit: Permit must contain instructions **requiring the youth to return to Wisconsin**.

Signatures Required: All travel permits must be signed by the juvenile, probation/parole agent, and agent's supervisor.

Travel Permit is NOT required when the juvenile will be traveling with supervising agent, counselor, etc. However, a permit may be submitted to obtain the juvenile's consent to return should he/she go AWOL during the travel.

Travel Permit is NOT required if a juvenile receiving courtesy supervision in Wisconsin returns to his/her home/sending state to **reside**. Form IA-VI covers this movement and the ICJ office must be notified. However, if the juvenile is going to the home/sending state for a visit and is expected to return to Wisconsin, a permit is required. Agent should consult the youth's file to determine if victim notification is required – see below.

Note: Please consult with the ICJ Deputy Compact Administrator to see if temporary special rules apply for the vacation/visit being requested.

- **Special Situations**: Travel Permit can be used to test an ICJ placement. If a DJC agent believes a particular case warrants a test placement, he or she should contact the ICJ Deputy Compact Administrator to determine the feasibility of the test placement.

Copyright © 2012 [WI Department of Corrections]

VICTIM NOTIFICATION

When a travel permit is being issued, responsibility for victim notification rests with the sending state in accordance with the laws and policies of that state. The sending and receiving state will collaborate to assure that the legal requirements of victim notification are met and that the necessary information is exchanged to meet the sending state's obligation. [DJC agent may use the optional form, DOC-2636, Victim Notification Supplement]

Return of DJC Escapees and Absconders

Overview

ICJ governs the **return of absconders and escapees to their home state**. For purposes of this section, **"home state"** will mean the state **where the youth is under supervision**. **"Holding state" or "asylum state"** will mean the **state that has physical custody** of the youth.

Apprehension of DJC Escapees and Absconders Outside of Wisconsin

Applicability

A DJC youth who is on supervision in Wisconsin absconds from aftercare or escapes from a JCI or Type 2 supervision to another state.

Apprehension in Another State

A Wisconsin juvenile may be apprehended in one of two ways:

- Juvenile is picked up by police in another state
- If the DJC agent knows the whereabouts of the youth, the requisition form described below should contain the location of the juvenile. The judge in the asylum (the other) state will issue an order for the youth to be brought into custody.

Procedures After Apprehension in Another State

- DJC agent is notified that the youth has been apprehended in another state.
- **Juvenile court** in the holding state will schedule a **hearing** to inform the youth of his or her legal right to consent to or to refuse to return to Wisconsin.
- Judge may appoint an attorney for the youth.

Youth's decision at the hearing determines whether he or she returns to Wisconsin voluntarily or involuntarily.

Voluntary Return of a Youth to Wisconsin

- When the youth consents in juvenile court in the holding state to return to Wisconsin, the **judge and the youth sign ICJ Form III** Consent for Voluntary Return of Runaway, Absconder or Escapee (DOC-9003).
- Juvenile court judge will order that the youth be returned to Wisconsin or that the youth return unaccompanied.
- **DJC** agent's supervisor **determines how the youth will be returned** and whether he or she will be escorted. The DJC field office **bears the responsibility for the costs and arrangements** of returning the DJC youth to Wisconsin.
- When the **ICJ Deputy Compact Administrator receives the signed ICJ Form III**, he or she will advise **the DJC agent to make arrangements** for the youth's return to Wisconsin.

If the youth is not returned to Wisconsin within **5 working days**, the holding state can release the youth. This

time period may be extended up to an additional five (5) working days with approval from both ICJ Offices.

Non-voluntary Return of a Youth to Wisconsin: Requisition Procedures

If the **youth refuses to consent to return to Wisconsin**, juvenile **requisition procedures** must be followed which are similar to adult extradition.

- Juvenile court worker in the holding state will notify the holding state's ICJ office of the refusal to consent to return.
- Holding state's ICJ office will contact the Wisconsin ICJ office informing the ICJ Deputy Compact Administrator of the youth's refusal to consent to return.
- Wisconsin ICJ Deputy Compact Administrator will notify the DJC agent of the youth's refusal to sign the consent form.
- **DJC completes ICJ Form II**, Requisition for Escapee or Absconder/Juvenile Charged with being delinquent (DOC-9002) and submits it to the Wisconsin ICJ Office.
- Requisition is addressed to the juvenile judge in the jurisdiction where the youth is located.
- Compact Administrator signs before a notary the requisition as the Compact Official entitled to the juvenile's return.
- **A requisition** with **original signature** must be accompanied by a **certified copy** of the **adjudication, disposition order, and the rules of supervision**.

Return Procedure

- The Wisconsin ICJ office will upload the packet into the Juvenile Interstate Data System (JIDS) and workflow this to the holding/asylum state's ICJ office.
- Under the ICJ, a youth may be held in **secure detention for up to 90 days pending the completion of the requisition process.**
- If the judge in the holding /asylum state deems that all of the paperwork is in order, the youth will be ordered to return to Wisconsin.
- **DJC** Field Office (agent/agent's supervisor) is responsible for the costs of transportation, for making **transportation arrangements** and for the return of DJC youth to Wisconsin **within five (5) working days**. This time period may be extended up to an additional five (5) working days with approval from both ICJ Offices.
- The ICJ Deputy Compact Administrator will communicate to the holding state the transportation arrangements made by the DJC agent.

Transportation of Youth and Public Safety

Youth Requiring Escort

- Youth who are returned to a home state pursuant to a Requisition Agreement or who are considered to be a risk to themselves or others shall be accompanied on the return by the home state. In other situations, the juvenile may travel without an escort.
- DJC agent may be asked to accompany a juvenile in the following 2 circumstances:
  - Escort DJC juvenile back to Wisconsin who escaped or absconded from Wisconsin to another state
  - Escort an out-of-state youth to an airport, bus or train station for return to his or her home state.

Copyright © 2012 [WI Department of Corrections]

- Automobile

  When transporting a youth by automobile, the DJC agent must comply with **DJC Policy 100.05.01.**

- Airport, bus or train station

  - A DJC agent who is accompanying a youth to an airport or a bus station should take the following steps:
  - Coordinate the ticketing procedure with the ICJ Deputy Compact Administrator.
  - Allow sufficient time for check-in (For air travel, arrive at the airport 1 1/2 to 2 hours prior to departure.)
  - Remove handcuffs/restraints prior to entering airport, bus or train station.
  - Check all bags and medication.
  - Provide the youth with a copy of Form III.
  - Remain at gate until flight/trip is airborne/enroute.

    Do **not** reschedule a flight without confirmation from the Wisconsin ICJ office.

ICJ Youth in Wisconsin Who Abscond

ICJ Youth in Wisconsin

Role of Agent

If a **youth under ICJ supervision in Wisconsin absconds**, the DJC agent must prepare a **Violation Report** (DOC-1783), prepare a Form IX Absconder Report and send via e-mail to the ICJ Deputy Compact Administrator as soon as possible.

DJC Agents and Office Operations Associates should document an ICJ youth's AWOL status in JJIS just as they would for a WI DJC juvenile.

Role of ICJ Deputy Compact Administrator: notify the sending state's ICJ office.

Role of Sending State: Only the state that has jurisdiction has the authority to issue a warrant for the apprehension of the youth.

DJC Youth Under Supervision in Another State

If a DJC youth on courtesy supervision in another state absconds, the **ICJ Deputy Compact Administrator will notify the DJC agent that the youth has absconded**. The DJC agent should follow the DJC revocation procedures. [*see Chapter 17*]

Out-of-State Travel for Court Appearance

When a court in another state issues a summons for a youth in a JCI to appear as a witness in a case, appropriate documentation and procedures should be used to assure that the youth appears as requested and then returns to custody/supervision in Wisconsin.

Copyright © 2012 [WI Department of Corrections]

Role of Social Worker

If a youth in a JCI is summoned to appear in court in another state, the social worker shall:

- Review the court documents to assure that the youth will be continually in custody of authorized representatives of the requesting state.
- Confirm that the youth will be detained in an appropriate facility based on the youth's age.
- Request the juvenile court in which the JCI is located to issue a transport order for the appearance in the requesting state if the court finds the appearance to be legally required and the youth's right appropriately safeguarded.
- If the court in the county where the JCI is located cannot process the request, the committing court should be contacted to issue the transport order.
- Discuss the court appearance with the youth and give the youth a copy of the summons and transport order.
- Contact the requesting state's representatives to confirm when the youth will be picked up and the approximate return date and time.
- Notify the youth's parent or guardian of the youth's out-of-state travel.
- Talk with the youth after her/his return about the court appearance and offer additional services if needed; for example, individual counseling if the court appearance involved re-visiting a traumatic event in the youth's life.

CONTACT INFORMATION

COMPACT ADMINISTRATOR
Shelley Hagan, Director
Office of Juvenile Offender
Review Division of Juvenile
Corrections Department of
Corrections 3099 W. Washington
Ave. Madison, WI 53704
(608) 240-5918 (voice)
(608) 240-3371 (fax)
shelley.hagan@wisconsin.gov

ICJ DEPUTY COMPACT ADMINISTRATOR

Joy Swantz
Division of Juvenile Corrections
Department of Corrections
3099 W. Washington Ave.
Madison, WI 53704

(608) 240-5931 (voice)
(608) 240-3371 (fax)
Joy.swantz@wisconsin.gov

Interstate Commission for Juveniles Website: www.juvenilecompact.org

Copyright © 2012 [WI Department of Corrections]

20 - Youth with Adult Convictions

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

• Overview	• Definitions
• Placement of Youth With Conviction-Only	• Program Review Committee Process
• Transfer of Youth with Conviction-Only from DCI or TCI to JCI	• Transfer of Youth with Conviction-Only from JCI to DCI or TCI: Security Reasons
• Youth with Dual Commitments in a JCI	• Transfer of Youth with Dual Commitment from JCI to DCI or TCI
• Youth on Dual Supervision in the Community	• Violations by Youth on Dual Supervision
• New Conviction of Dual Supervision Youth	• Case Transfers from DJC to DCC
• DNA Specimen	

Overview

Adult Sentence Only

A youth may be placed at a JCI even though he or she does not have a juvenile court order, but only an adult sentence stemming from a conviction as an adult in a criminal court. This sub-population of youth in a JCI is generally quite small. The majority of JCI youth have only a juvenile court order.

Dual Commitment

A youth at a **JCI** may have **both an adjudication and a conviction** (referred to as a dual commitment).

Dual Supervision

A youth under DJC community supervision may have a juvenile adjudication only, or **both an adjudication and an adult conviction** (dual supervision). The majority of youth on DJC community supervision have a juvenile court order only.

Definitions

"BOCM" means the DOC Bureau of Offender Classification and Movement that determines the classification and movement of convicted individuals through the correctional system.
"Conviction" means a criminal court finding of guilt for violation of a criminal statute by an individual subject to the jurisdiction of criminal court.
"Commitment" means a juvenile court order placing a youth adjudicated delinquent under DOC supervision until the expiration of the order.
"DAI" means the DOC Division of Adult Institutions that operates the prisons that house convicted offenders.
"DCC" means the DOC Division of Community Corrections that provides community supervision of convicted offenders on probation, parole or extended supervision.
"DCI" means the Dodge Correctional Institution.
"Judgment of Conviction" means a court order stating an individual has been found guilty of one or more criminal charges.
"MSDF" means the Milwaukee Secure Detention Facility.
"PRC" means the Program Review Committee that meets with an offender in a DAI institution or a youth in a JCI with an adult sentence. PRC functions in a manner similar to the JPRC in DJC.
"Probation" means that a court places a convicted individual on DOC supervision in the community instead of in a

Copyright © 2012 [WI Department of Corrections]

prison. Probation may be served in a JCI by a convicted youth with a concurrent juvenile commitment.
"Parole" means that a court places a convicted individual on DOC supervision in the community after he or she serves time in a prison.
"RCI" means the Racine Correctional Institution.
"RYOCF" means the Racine Youthful Offender Correctional Facility.
"Sentence" means a period of time for which a criminal court orders an individual to be in a prison. There are three types of sentences:

- "Imposed" means a sentence that an individual begins to serve immediately following the conviction.
- "Imposed and Stayed" means that the court orders a prison sentence, but places the individual on probation with the condition that if probation is revoked due to a violation of conditions of supervision by the individual; the stay is lifted and the sentence is imposed.
- "Withheld" means that the court places an individual on probation without determining a prison sentence with the condition that if probation is revoked due to a violation of conditions of supervision by an individual, then the court will determine and impose a sentence.

"TCI" means the Taycheedah Correctional Institution.
"WICS" means the Wisconsin Integrated Corrections System.

Placement of Youth with Conviction-Only

Appropriate Placement

By Age and Gender

The court may place a youth under the age of 17 years with no adjudication as a delinquent, but with an **adult-sentence-only in a JCI or DCI or TCI for the A&E process**. DOC placement policy is as listed below:

- Female under 18 years old: Copper Lake School (CLS).
- Male under 18 years old: Lincoln Hills School (LHS).

Initial Placement in a JCI for A & E

Responsibilities of JCI Social Worker

- **E-mail the registrar at DCI** or TCI regarding a youth's admission to the JCI providing the youth's name, DOC number, SID number, information regarding the sentence, and stating that the social worker will mail either the original or a copy of the Judgment of Conviction.
- The OOA notifies the social worker within 2 working days of receipt of the Judgment of Conviction.
- Mail a copy of the **Judgment of Conviction to the DCI or TCI registrar**. If the JCI receives the original Judgment at anytime, it should be forwarded to DCI or TCI. [*see Chapter 3*]
- **Notify the OJOR-CO** regarding the adult sentence including charges, length of sentence and DOC number.

  Obtain a DNA specimen within 30 days of the date the JCI receives a copy of the Judgment of Conviction for a felony. [*see Chapter 22*]

Responsibilities of DCI or TCI Registrar

- Enter the youth's name and initial sentencing information into **WICS** as a "paper admission."
  - Compute the youth's parole eligibility date, mandatory release date and maximum discharge date.
  - Prepare a **temporary release order** for the warden's signature stating that the youth has been admitted to a JCI.
  - **At DCI, notify a classification specialist at MSDF** that a youth with an adult-sentence-only has been

received at a JCI and entered into WICS.

DJC A&E & BOCM Assessment

- Youth participates in **DJC A&E process**. [*see Chapter 4*]
- Additionally, the **BOCM initial assessment process described below** will be followed so that BOCM can decide whether the youth remains at the JCI or moves to a DAI institution.

Continuing Placement at a JCI

Youth with an **adult-sentence-only may remain at JCI unless the youth's adjustment and program participation at the JCI becomes counter-productive.** The DJC administrative rules and case management procedures, aside from the OJOR process, govern the youth while he or she remains at the JCI.
No DJC agent will be assigned to an adult conviction-only youth.

Initial Placement at DCI or TCI for A & E

Responsibilities of DCI or TCI Registrar:

- Enters the youth's name and initial sentencing information into WICS.
- Computes the youth's extended supervision date.
  - **At DCI, notifies a classification specialist at MSDF** that a youth with an adult-sentence-only has been received at DCI and entered into WICS.

Responsibilities of the DCI A&E Director

Conduct the required A & E process and consider whether transfer to a JCI is appropriate. If transfer appears appropriate, follow transfer procedures from DCI to a JCI described later in this chapter.

Inmate Review Process

Initial Assessment

Purpose, Membership and Forms

A BOCM classification specialist analyzes case factors, and **recommends a security classification** (maximum, medium or minimum), **program need assignments and institution placement**.

Please note that the forms referred to in this section, ICCS011B and ICCS030B are computer generated forms available on WICS.

Interview with Youth

The specialist interviews the youth, discusses the content of the COMPAS-youth assessment, DJC Assessment and Evaluation Report (AER) (DOC-1933) and other A & E documents [*see Chapter 4*]. They explain the BOCM classification process including the criteria and basis for custody level, program assignment and institution placement recommendations.

Review Documents

- An A&E Initial Classification Action (ICCS011B) is referenced for sentence information, anticipated program assignment, etc.
- A Risk Rating Assessment (ICCS030B) determines the risk rating pertaining to the current offense(s), offense history, sentence structure, institution adjustment, escape history, emotional and mental health, behavior and attitude, and temporary factors (e.g., detainers or pending charges).

The appropriate COMPAS assessment provides further information on criminogenic needs and risk factors.

Results of Initial Assessment

The **youth has the opportunity to dispute facts** given and indicate his or her beliefs regarding the appropriate classification and assignment.

Classification specialist prepares a **report outlining the information** and the **rationale** for the custody level, program need assignments and institution placement. Once approved by the specialist's supervisor or designee, the report serves as the **basis for an individualized correctional service delivery plan.**

BOCM staff may modify the service delivery plan in terms of program and work assignments without a formal referral to PRC.

PRC Reclassification Hearings

General

The multidisciplinary Program Review Committee members for a youth at a JCI generally consist of the BOCM classification specialist (chair), JCI section manager, supervising youth counselor, and supervisory educational representative, or a guidance counselor. Program and work performance factors are addressed at PRC reclassification hearings scheduled at a **minimum of once every 6 months**. The recall hearings bear similarity to the quarterly formal JPRC conferences. [*see Chapter 5*]

Reason for Early Reclassification

Early reclassification hearings may be conducted if the formal review process will have a meaningful impact on the youth's adjustment, a site change is being considered or a **significant change** in circumstances arise such as serious institution misconduct, a sentence modification, or a parole commission action. The Program Review Office at MSDF is notified at (414) 212-3535 of a need for an early reclassification.

PRC Hearing Procedures

Overview of PRC Hearings

Classification review hearings are conducted on a schedule every 6 month or early reclassification basis by the **same committee members as the initial assessment**.

Youth's BOCM classification specialist completes program review **worksheets, reviews information from the JCI including COMPAS case plan update, and the risk rating** to facilitate the committee's review of the youth's adjustment and progress in addressing program needs.

Role of Social Worker

The social worker reviews the youth's social services file and interviews the youth. From the review and interview, the social worker completes the COMPAS case plan update following these steps:

- Document whether the youth agrees to see PRC or waives an appearance.
- Supply a short description of the offense or refer to a previous PRC entry with description of offense noted.
- Reference pending charges, if any.
- Comments about the youth's participation in essential (offense related) treatment.
- What is the youth's position regarding treatment?
- What needs have been addressed and what needs remain? (sex offender treatment, AODA, anger management, etc.)
- Describe major misconduct if it is being used to recommend movement to an adult institution. Identify any past or present escape behaviors.
- Highlight any Special Placement Needs (SPN) and list locations where the SPNs exist for a youth in an adult facility.
- Note the youth's request for custody level, program assignment and institution placement.
- **Submit a recommendation** regarding custody level, programming assignment and institution placement. Accompany recommendations with justification statements.

Role of the classification specialist

Within DJC, the OJOR reviewer chairs the JPRC conferences. The classification specialist likewise chairs PRC

hearings at which time committee considers the youth's sentence structure, risk rating, medical and dental information, program participation, requests, and social worker recommendations.

- Complete the ICCS011B and ICCS030B.
- Consult with the social worker, if additional information is needed.
- **Determine and justify placement, either in a JCI or an adult institution.**
- A reclassification date will be scheduled, but no longer than 6 months from the current date of review.

BOCM Decision

The **BOCM director/designee evaluates all PRC recommendations** and makes final decisions by taking one of the following actions:.

- Approve the recommendations without modification
- Revise and then approve the recommendations
- Disapprove the recommendations
- Withhold a decision pending case factor clarification, or consultation with the director if designee is reviewing the recommendations

Subsequent to a decision by the BOCM director/designee, report **documents will be distributed to the youth, social worker, social services file, and education department.**

Appeal by youth

- If the youth disagrees with any aspect of his or her classification, the youth may file an appeal by submitting a Request for Review of Assessment and Evaluation or a Program Review Action (DOC-1292 English or DOC-1292S Spanish). The DOC-1292 must be copied on both sides.
- Youth's statement of reasons for review must be in writing and mailed to the BOCM director. Director
- will provide a written response to the youth within approximately 30 days.

Transfer of Youth With Conviction-Only from DCI or TCI to a JCI

Expedited Transfer of Youth to a JCI

At any point **during DCI or TCI A&E, DCI or TCI may find the youth to be "vulnerable" and appropriate for transfer to a JCI** because of his or her mental and/or physical condition which may place the youth's health and/or safety at risk. The procedures below are followed:

Responsibilities of the DCI or TCI A&E Director

- Contact the BOCM director to discuss the recommendation.
- If BOCM concurs with the expedited transfer, the DCI or TCI A&E director:
  - Contacts the JCI superintendent to provide notification of the pending transfer.
  - Provides the JCI with all documentation prepared by the DCI or TCI A&E Unit.
  - Notifies PRC of the pending transfer of the youth from DCI or TCI to a JCI.
  - Notifies the security director, so that he or she may arrange transportation from DCI or TCI to the JCI.

Responsibilities of DCI or TCI Registrar

- Prepare a temporary release order for the warden's signature stating that the youth has been admitted to a JCI.
- At DCI, notify a classification specialist at MSDF that the youth has been transferred to a JCI and information

Copyright © 2012 [WI Department of Corrections]

has been entered into WICS.

Transfer to a JCI Upon Completion of A&E

When a youth completes the A&E process at DCI or TCI, the initial BOCM assessment (PRC Hearing) takes place to determine the appropriate placement for the youth. [*see description of the PRC process above*]

When BOCM recommends placement at a JCI, the A&E director and DCI or TCI registrar follow the steps described in the section directly above for an expedited transfer.

In COMPAS, the "person" remains assigned to DAI and the "case" is re-assigned to the JCI social worker as case manager.

JCI Responsibilities Upon Youth's Transfer to a JCI

- At whatever point a youth transfers from DCI or TCI to a JCI, the **DJC case management procedures, administrative rules, and DJC policies and procedures apply to the youth** as long as the youth remains at the JCI.
- DJC lacks legal authority to move the youth out of the JCI without approval of BOCM. The DJC policies and procedures pertaining to OJOR reviews and JPRC recommendations do not apply to sentenced-only youth.

Transfer of youth with conviction-only from JCI to DCI or TCI: Security Reasons

Transfer of Youth 16 Years or Older For Security Reasons

JCI Recommendation

A JCI may **transfer a youth** with an adult-sentence-only to DCI or TCI when he or she reaches the age of 16 if his or her **behavior presents a security risk**. However, efforts generally are made to retain a youth at a JCI to enable the youth to benefit from program resources.

To facilitate a transfer from a JCI to DCI or TCI, the steps below are followed:

- **JCI social worker and section manager meet** to decide whether to recommend transfer to an adult institution.
- **PRC** meets to discuss the case and make a **recommendation to BOCM** considering the **following factors**:
  - Extent to which the youth's conduct in the JCI is violent and disruptive.
  - Security needs of the youth and the JCI.
  - Extent to which the youth is refusing to participate in the JCI treatment and educational/vocational programs.
  - Maturity of the youth and his or her likely vulnerability in an older, adult population.
  - Extent to which the program needs of the youth can be met in an adult institution.
- BOCM **classification review process described below** must be followed.

BOCM Decision to Transfer

- When **BOCM approves PRC recommendation for transfer**, the JCI superintendent arranges transportation from the JCI to DCI or TCI.
- The JCI closes the youth's case (offender life cycle) and DAI creates a new COMPAS case.
- Youth participates in the **3-day A&E process at DCI or TCI** where he or she is processed into and orientated

to the DAI system.

- Youth is governed by the DAI administrative rules and the policies and procedures of the specific adult institution in which the youth is placed.

Transfer of a Youth Under 16 Years to DCI or TCI For Security Reasons

A transfer may occur **prior to the age of 16 after the steps described above for youth 16 years and older are followed with exception described below:**

PRC considers the following factors, in accordance with s. 973.013 (3m), Stats.,:
instead of the ones described under PRC bullet above

- Prior record of institution adjustment.
- Present and potential vocational and educational needs.
- Interests and abilities.
- Adequacy and suitability of available facilities.
- Services available for treatment of the youth within the various adult institutions.
- Protection of the public.
- Other considerations promulgated by DOC administrative rules

Youth with Dual Commitments at a JCI

Dual Commitment Upon Admission

When a youth at a JCI has an **adjudication and a conviction**, he or she may be referred to as having a **dual commitment**. A youth could enter a JCI with a dual commitment

DJC, DCI or TCI, OJOR and BOCM each have specific responsibilities with respect to a youth with a dual commitment.

Pending Or New Charges

Role of JCI Social Worker

An adjudicated youth at a JCI may have a **pending criminal charge upon admission** that may result in a conviction. Additionally, a youth may commit a **new offense** while under DJC supervision that results in criminal charges.

Whenever the social worker becomes aware that a youth has a pending charge in adult court, he or she does the following:

- Notifies OJOR
- Informs JCI section manager.
- Informs the state agent if one is assigned.
- Verifies that the OOA and the security director are aware of the pending charge.
- Assures that COMPAS notes and other program documentation reflect the status of the charge.

  Ensures that JCI policy is followed before a youth leaves to go to court so that an **Order to Detain** (DOC-1780) is completed. The detainer requires that the youth be returned to the JCI after the court proceeding; unless the court orders the youth to be placed directly at DCI or TCI.

  Court Options Upon New Conviction

- Conviction with placement on "**probation with an imposed, but stayed sentence**" means that the youth **returns to the JCI.**

- Conviction with placement on "**probation with sentence withheld**" means that the youth **returns to the JCI**
- Conviction with "**sentence imposed**" means the **youth may or may not return to JCI**.
  - Responsibilities of JCI social worker
    - Verifies that the DJC detainer remains in effect.
    - Notifies the JCI section manager.
    - Obtains a copy of the Judgment of Conviction from DCI or TCI.
    - Completes the Juvenile Release Authorization form (DOC-1788) [*see Chapter 5*] if the youth is not returned to the JCI.
    - Attaches a copy of the Judgment of Conviction to the DOC-1788 for distribution to JPRC members. [*see Chapter 5*]
    - If the youth is returned to the JCI, the case should be discussed with the section manager to determine if the youth should be sent to DCI/TCI.
    - Discusses the case with section manager to determine if youth should be recommended for administrative discharge from DJC supervision.

- Responsibilities of DCI or TCI registrar:
  - Enters the youth's name and initial sentencing information into WICS.
  - Computes the youth's extended supervision date and maximum discharge date.
  - DCI or TCI notifies DCC, so an agent can be assigned.

Transfer of Dual Commitment Youth from a JCI to DCI or TCI

Factors to Evaluate

At some point, a youth with a dual commitment in a JCI **may be appropriate for transfer to an adult institution**. Pursuant to DOC 371.11 (3), Stats., DOC (DJC-OJOR and BOCM) considers the following factors:

- Extent to which the youth's JCI conduct is violent and disruptive.
- Security needs of the JCI.
- Extent to which the youth is refusing to participate in the JCI treatment programs.
- Maturity of the youth, the extent to which the program needs of the youth can be met vulnerability of the youth in an older, adult population.

As a matter of sound correctional practice these **additional factors** will be considered:

- When does a youth's juvenile commitment expire?
- What would be the extended supervision date and maximum discharge date if sent to an adult institution?
- Does the sentence include probation or may the youth be considered for community placement (e.g., home, work, school release program)?

Decision: Transfer Appropriate

When OJOR finds the transfer of a youth to be appropriate via the JPRC process [*see Chapter 5*], the steps described below are followed:

- OJOR-local notifies the DCI or TCI registrar of the pending transfer.
- JCI superintendent arranges for transportation to DCI or TCI.
- The JCI closes the youth's case (offender life cycle) and DAI creates a new COMPAS case.
- DCI or TCI registrar:
  - Updates the information in WICS to reflect the youth's transfer.
  - If a male youth is sent to DCI, notifies a classification specialist at MSDF that the youth has been admitted to DCI.

- Upon transfer, a youth follows all policies, procedures and rules of DAI.

Exception: The **JPRC process will not be followed when a youth's behavior poses an immediate and serious threat of harm to self or others**. In that situation, the superintendent and DCI or TCI warden may consult and authorize an immediate transfer of a youth to DCI or TCI. If the superintendent and warden disagree, the DJC administrator/designee and the DAI administrator/designee resolve the matter.

Youth on Dual Supervision Assigned to a DJC Agent

Overview

Applicability

The following procedures apply to a DJC youth with a concurrent juvenile court and criminal (adult) court order. These youth are under the dual supervision of DJC and DCC.

Authority

The procedures in this section are based upon Chapters 301 and 938 of the Wisconsin Statutes, and a 1999 Memorandum co-issued by DCC and DJC administrators.

Purposes of Procedures

- Provide direction and **guidance to DJC and DCC agents who are co-responsible for a dual supervision case**. The procedures define how the **concurrent juvenile and adult court orders will be supervised and transferred between DJC and DCC agents.**
- Assign a DJC agent, as the primary agent, to any state supervised youth with dual orders for the duration of the juvenile court order.
- Decrease confusion and save money
  - Eliminate the confusion of DJC and DCC agents trying to manage the same youth at the same time under different sets of community supervision rules.
  - Resolve the problem created by 2 agents being assigned to the same case when our current DOC field tracking software, WICS, can only track one agent number.
  - Reduce DOC staff time and financial resources by eliminating direct supervision of one youth by 2 agents.
- Increase placement options
  - Allows DOC to place appropriate dual supervision youth into DJC contracted alternate care facilities, subject to available DOC funding.
  - Allows DJC to place youth who are too old for juvenile alternate care facility into a DJC or DCC contracted half-way house, such as a transitional living program.

Procedures for Dual Supervision DJC Youth

Copyright © 2012 [WI Department of Corrections]

Identification of Dual Supervision Cases

Every new youth admitted to a JCI or DCI or TCI for A&E, or under supervision at a local DJC or DCC field office, is screened through WICS or JJIS to determine if a DJC or DCC agent is currently assigned to the case.

- If there is no DJC agent assigned, the DCC office proceeds with the case as usual.
- If there is a DJC agent assigned, the DCC supervisor/designee calls the DJC agent's supervisor/designee within 2 business days after receiving the new court order to determine the status of the juvenile case.

Decision Regarding Juvenile Court Order

Youth on Type 1 Status:

If a youth is convicted of an adult offense while on Type 1 status, follow the administrative discharge procedures in Chapter 18 of the CMM, if appropriate.

Youth on Community Supervision:

If a youth is on community supervision and is convicted of an adult offense, DJC field supervisor and agent immediately review the case to determine whether to recommend to the DJC Administrator that the youth be administratively discharged thereby terminating the juvenile order, or that the juvenile order be allowed to continue in force.

- DJC decides to administratively discharge the youth, DJC staff follow administrative discharge procedures. [*see Chapter 18*]
- DJC closes the case (offender life cycle) and DCC starts a new case in COMPAS.
  - DCC directly assigns the case (following the procedures in the DCC Manual) to the DCC office in the county of the youth's legal residence.
  - Receiving DCC office accepts and assigns the case immediately to an agent.
- DJC decides to continue the juvenile court order in force [*see DJC agent and DCC responsibilities directly below*].

DJC Agent Responsibilities

DJC agent is the **primary agent** and supervises both the juvenile and adult court orders **until the juvenile order expires.**

- **Makes all case decisions** regarding the supervision, revocation, type 2 termination, or return to a JCI in consultation with his or her supervisor and pursuant to DJC case management procedures.
- **Maintains separate** juvenile and adult case **files**, segregating all confidential juvenile records in the juvenile case file.
- **On the date of sentencing or as soon as possible thereafter, explains the Community Rules of Supervision and incorporates them into the existing juvenile rules in COMPAS. Has the youth sign the**
- **rules and also signs the form as the assigned agent.**
- **Enforces all juvenile and adult rules** of supervision and **court ordered obligations**.
- Receives information via the Judgment of Conviction as to the restitution and other costs ordered by the adult court.
- Determines an appropriate monthly amount of adult restitution for youth to pay and incorporates it into supervision rules.
- Advises youth to pay adult restitution amounts to DCC Cashier's Unit.

DCC Responsibilities

- Directly assigns the case to the current DJC agent.

Copyright © 2012 [WI Department of Corrections]

- Establishes reporting instructions for the youth based on the adult court order.
- Completes all PSI's prior to sentencing.
- May contact DJC to provide any available information relevant to a PSI.
- Waives the normal supervision fees, case documentation requirements and case classification procedures during the time DJC supervises the adult order.

Criminal Court Ordered Financial Obligations

Responsibilities of DCC

- Determine, if the court did not determine, all criminal court ordered obligations including restitution amounts based upon victim information.
- Obtain court approval of obligations based upon this information.
- Forward information to DOC Cashiers Unit and the DJC agent

Responsibilities of DJC

- Field office maintains a DCC receipt book.
- Agent collects all debts by money order from the youth following the DCC financial procedures.
- If the adult court order terminates prior to the expiration of the juvenile court order, and court obligations incurred by the adult order remain unpaid, the agent:
  - Reviews the case with his or her supervisor prior to the termination date to determine if an extension of the adult court order should be requested to allow more time for payment of court ordered debts.
  - If an extension of the order is necessary, agent prepares it and forwards to the court and other appropriate persons.

Juvenile Court Ordered Debts

DJC agent for youth in the community follows the DJC procedures. [*see Chapter 22*]

Concurrent Juvenile and Adult Court Ordered Debts

DJC agent consults with his or her supervisor to determine the priority of payment on all obligations. Priorities established by DJC and DCC should be considered.

Violations By Dual Supervision Youth

Violation of Juvenile Rules

If a youth violates the rules of DJC supervision in the community, the DJC agent consults with his or her supervisor to determine a response to the violation which may include:

Youth on aftercare: Follow counseling, summary disposition and revocation procedures. [*see Chapter 17*]

Type 2 youth: Follow sanction, administrative detention and termination of type 2 status procedures. [*see Chapter 15*].

- If the youth is held at a JCI or juvenile secure detention center for a sanction, DJC agent keeps a case file ledger of days in secure confinement in the adult case file.
- Sanction days will be credited against any sentence ordered by the adult court.

Violation of Adult Rules

If a youth is in the JCI and is in violation of adult rules of supervision, the DJC agent will consult with his or her supervisor. The agent may initiate the adult revocation proceedings at the JCI or the youth may be moved to a county jail on adult probation hold status and the revocation proceedings could be held in the county jail. The

Copyright © 2012 [WI Department of Corrections]

adult revocation process will be followed.

If a youth needs to be placed in custody due to a violation of adult rules of supervision, the DJC agent may put the youth in a county jail on hold, rather than juvenile detention or a JCI.

If the youth's adult probation is revoked, DJC agent notifies the juvenile committing court of the adult revocation.

Adult Revocation Process

DJC Agent Responsibilities

Review and follow the Division of Community Corrections revocation procedures found in Chapter 10 of the DCC Operations Manual. To access this, go to MyDOC, then About DOC. Click on DCC Manuals, then choose Operations Manual and go to Chapter 10 Revocation. Also, follow the CUSTODY/REVOCATION TIME FRAMES located in the back of CMM chapter 20.

Special Circumstances

Youth on Probation with Imposed and Stayed Adult Sentence

A youth under DJC supervision and "adult probation with an imposed, but stayed adult sentence" who is alleged to have violated a term of his or her probation remains at the JCI, or if on DJC supervision in the community, is admitted to a JCI or DCI or TCI.

Placement depends on the youth's age and sex, according to the DOC policy described in the first section of this chapter.

The youth remains at that placement (JCI or DCI or TCI) pending the adult revocation proceedings. If the youth's adult probation is revoked, the A&E procedures of the JCI or DCI will be followed.

Youth on Probation with Adult Sentence Withheld

A youth on "adult probation with no adult sentence imposed" who is placed in a county jail for an adult probation violation remains in jail pending revocation of adult probation and a possible return to court for sentencing. The youth cannot be placed in a JCI or an adult correctional facility until the court imposes a sentence. Depending on the circumstances, the youth could be placed in a JCI with an adult conviction only.

Escape

If a youth absconds from supervision, the DJC agent reviews the case with his or her supervisor and, if appropriate, submits a request to stop time on the adult order.

When the youth is apprehended, the DJC agent and supervisor again review the case to determine if the adult probation order should be revoked, reinstated with no time tolled, or reinstated with time tolled.

Dual Supervision Youth With New Conviction

If a youth under DJC supervision is **convicted of a new crime, the DJC agent forwards to the DCI or TCI A&E Unit the following documents** upon receiving them:

- Judgment of Conviction from the criminal court.
- Copy of the adult criminal complaint and PSI (if completed by DCC).

Youth With Imposed and Stayed Adult Probation or Sentence

Assignment of Case Upon Youth's Admission to JCI

If the stayed adult order will start on the expiration date of the juvenile order, the DCC agent directly assigns the stayed order to the DJC agent until the juvenile expiration dates nears.

Prior to Expiration of Juvenile Order

When the juvenile order is nearing expiration, the DJC agent transfers the case back to DCC following the procedures above.

Revocation of Aftercare or Termination of Type 2 Supervision

- DJC agent notifies the county jail if the youth is being held there to hold the youth for transport to DCI or TCI A&E Unit, or if the youth is in a JCI, he or she arranges for transportation to DCI or TCI.

Copyright © 2012 [WI Department of Corrections]

- DJC agent forwards the revocation or type 2 termination order to Central Records Unit (CRU) for entry of an adult sentence or termination of the case.

Youth With Withheld Sentence

When the DJC Administrator or an Administrative Law Judge revokes an aftercare youth [*see Chapter 17*] or terminates type 2 status [*see Chapter 15*], with a withheld sentence and returns the youth to a JCI, the DJC agent notifies the adult court to set a sentencing hearing.

Case Transfers from DJC to DCC

Upon Expiration of Juvenile Order

Placement in Alternate or Contracted Facilities

Youth Needs Change of Alternate Care Placement Due to Age

- DJC supervisor contacts the DCC office in the youth's county of permanent residence to determine if the youth can be placed in a DCC contracted facility.
- If this requires placement of the youth in a different community, the DJC agent transfers the case to a DJC agent in that community until the case can be transferred to DCC upon expiration of the juvenile court order.

Expiration of Juvenile Order

When the juvenile order expires, the DCC agent may continue placement of a youth in a DJC alternate care facility only if the youth is still age appropriate and DCC has made direct financial arrangements with the facility to pay the daily rate.

60 Days Prior to Expiration

Sixty days prior to the expiration of the juvenile court order, or immediately, if less than 60 days remains on the juvenile order, DJC and DCC have the following responsibilities.

Responsibilities of DJC

- DJC agent contacts his or her supervisor to determine which DCC office will receive the case when the juvenile order expires.
- DJC supervisor contacts the local DCC office in the youth's county or permanent residence to let the office know the following:
  - Impending transfer of the case DJC to DCC: name of youth and anticipated date of transfer
  - Name and phone number of the current DJC agent.
- DJC agent confers, in person where possible, with the assigned DCC agent to discuss the planned placement/living arrangement for the youth when the juvenile order expires.
  - If the agents disagree on an appropriate placement for the youth, they consult with their supervisors.
  - If the supervisors cannot resolve the issue, the DCC regional chief makes a final decision.

Responsibilities of DCC Upon Contact from DJC

Receiving DCC office designates and assigns a DCC agent to the case within 5 working days from the initial contact from the DJC supervisor.

15 Days Prior to Expiration: DJC Agent

- Send the following **to the DCC agent at least 15 days before expiration** of the juvenile order
  - Adult supervision file

- Appropriate DOC form
  - Youth in Community: Complete and distribute the DOC-44A.
  - Youth in JCI: Complete and distribute the DOC-34.

- Send a copy of the appropriate notice to OJOR-CO and others on distribution list

  Youth in the Community: Notice of Release of Youth from Community Supervision (DOC-1626) [*see Chapter 18*]

  - Youth in a JCI: Complete and distribute the Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630) [*see Chapter 18*]

- Close the youth's case in COMPAS.
- T-number (DOC termination number for juvenile court order)
  - Obtain T-number from OJOR-CO for the juvenile supervision file immediately upon expiration of the juvenile order.
  - Notify DCC agent of the T-number within 14 days.

DCC Responsibilities

- Agent accepts the case as of the expiration date of the juvenile order.
- Agent completes all necessary documentation, case classification and supervision fees effective the date of the case transfer.
- Designated staff person in the DCC office opens a new offender case (life cycle) in COMPAS.
- Agent meets with the youth and re-signs the rules of supervision to be consistent with the remaining adult court order(s).

  Agent re-issues an apprehension request under his or her own agent number with the adult court case information, if the DJC agent has an outstanding apprehension request active on the date the juvenile order expires.

Joint Responsibility When Violation of Adult Order Pending

When a case transfers from DJC to DCC with an adult revocation proceeding pending, DCC and DCJ agents work together to conduct the investigation. DJC agent provides all evidence and documentation available to DJC and testifies at the DCC revocation hearing.

DNA Specimen

Upon admission to a JCI , at any point during placement at an institution, or while in the community if the youth is **convicted of a felony or certain misdemeanors**, the law requires the youth to submit a human biological specimen for **DNA** analysis. At an institution, the OOA notifies the social worker within 2 working days of receipt of a Judgment of Conviction. The youth's social worker or agent ensures that the youth submits the specimen within 30 days of receipt of a copy of the Judgment of Conviction for a felony. [*see Chapter 22*]

Copyright © 2012 [WI Department of Corrections]

21 - FINANCIAL OBLIGATIONS OF YOUTH

OVERVIEW OF CHAPTER CONTENTS

Primary Topics Covered in this Chapter (read across)

• Summary	• Priority of Debts
• Definitions	• Collection from Youth with Adult Order in JCI
• Collection Procedures on Juvenile Orders in a JCI	• Procedures Upon Inter-Institution-Transfer
• Collection from Youth on Community Supervision	

Forms Discussed in this Chapter

• Disbursement Request (DOC-184B)	• Youth Restitution (DOC-1841)
• Sample Restitution Worksheet	• County Restitution Contact List

The DOC-184B may be printed from MyDOC. DOC-1841 is completed in the appropriate JJIS screen and printed out in hard copy. Restitution Contact List is a stand-alone document titled "County Restitution Contact List" in the Case Management Manual section of myDOC.

SUMMARY OF POLICY

Purpose

The Youth Restitution and Debt Collection Policy **holds DJC youth accountable for their actions** and **ensures compensation to victims** of their crimes. The policy is consistent with the mission of DOC and the principles of restorative justice. It establishes **uniform debt collection procedures** for all youth under DJC supervision in a JCI and on community supervision. This chapter explains procedures to track and collect debts owed by youth as they move from one JCI to another, move from a JCI into the community, and during community supervision. **Applicability**

The policy pertains to youth **with juvenile and/or adult court orders** although the collection procedures differ in some ways. Youth are expected to pay all debts including surcharges, victim restitution, and other court ordered financial obligations according to the procedures in this chapter.

Payments must be made in accordance with court orders, Wisconsin Statutes, Administrative Code Rules and DJC policies. DJC can collect for a **debt appearing on a court order directed at DJC** or for a debt arising while a youth is in a JCI or on community supervision.

Documents that Include Financial Obligation Information

- ICCP: Payment of financial obligations is part of the youth's **ICCP** under the broad program goal: **Display a positive attitude and accept personal responsibility for all of my actions.**

Payment of Debts as a Goal in ICCP

Payment of debt(s) is part of the youth's ICCP under the broad program goal: "Make positive changes in your behavior." [see Chapter 6] The youth's success in decreasing financial obligations should be addressed in the following ways:

- Discussed at each JPRC conference and routine OJOR's.
- Included in Case Plan update in the JCI and the community. [see Chapter 6]
- Included by a social worker or agent in an extension or dispositional report. [see Chapter 9]

PRIORITY OF DEBTS

Priority 1 Debt

Pursuant to the statutes, the court must order payment of the required **Victim/Witness Surcharge** of $20.00 per

Dispositional Order. The Dispositional Order, JD-1745, contains the $20.00 amount. [see chapter 3] Under the statute applying to convicted persons, the court may order payment of surcharges per order.

Priority 2 Debt

Victim Restitution: Court may order a youth to pay restitution to a victim for injuries and property damage resulting from the acts of the youth. The court may or may not specify the amount of the restitution owed. **Other Court-Ordered Financial Obligations**. The court may order the youth to pay other financial obligations such as court costs, court fees and court forfeitures. By law, a court cannot order a youth under 14 years of age to pay court costs, s.938.37, Stats.

Priority 3 Debt

Institution: A youth may be required to pay institution restitution based upon an act of the youth resulting in property damage.

Community (field): An agent and his/her supervisor may order the youth to pay field restitution for damage to state property.

DEFINITIONS

This chapter contains complex procedures. Understanding the following definitions will be helpful to staff implementing the procedures.

"**Cash Grant**" means an amount of money given to a youth sufficient to meet the youth's immediate needs on the day of departure from a JCI. The JCI considers the youth's needs in relation to the amount of money in the youth's account and the availability of other resources to determine the amount of the cash grant, if any.

"**Court Order**" means an order of a court relating to a youth adjudicated or convicted for committing an offense.

"**Court Ordered Victim Restitution**" means an amount of money the youth must pay to the victim of the youth's crime for personal injury and/or property damage; a Priority 2 debt.

"**Debt**" means money owed by a youth to another person or entity.

"**Delinquency Victim and Witness Assistance Surcharge**" means the payment established in the Juvenile Justice Code s. 938.34 (8d)(a), Stats., that the court orders a youth to pay to assist the victims of crime; a Priority 1 debt. The money goes into a state fund to assist victims of crime.

"**Disbursement Request** (DOC 184B)" means the form a youth signs acknowledging the withdrawal of money from his or her account for payment of a debt.

"**Field Restitution**" means restitution imposed by a field agent and supervisor when a youth under community supervision damages state property; a Priority 3 debt.

"**Financial Obligations**" means the debts of a youth.

"**Institution Restitution**" Restitution ordered for the replacement or repair of JCI property or the property of another youth altered or damaged by a youth. A hearing officer, as part of a disposition of a major disciplinary hearing or a section manager, as part of a summary disposition, orders the restitution; a Priority 3 debt.

"**Joint and Several Order**" means a debt owed to a victim that the court orders more than one youth to pay because of their involvement in the same offense. Each youth owes the total debt to the victim.

"**Money from a Youth Complaint**" means money paid to a youth as a result of a complaint filed by a youth stating that the institution was responsible for damage or lost youth's personal property.

"**Restitution Worksheet**" means a form used in Milwaukee County to compute the amount of restitution owed by a youth for damages and losses resulting from the acts of the youth. Other counties may use a form that differs in name and format.

"**Social Security Benefits**" means money a youth receives monthly from the Social Security Administration because the youth's parent(s) has died or becomes disabled.

"**Victim Worksheet**" means a form used by a county to compute the amount of restitution owed to a victim(s) by

Copyright © 2012 [WI Department of Corrections]

a youth.

"Wages" mean money earned by a youth for performing job duties in a JCI or in the community.

"**Youth Allowance**" means a sum of money given weekly to youth in JCI by DJC.

"**Youth Income**" means all money received by a youth including, but not limited to wages, youth allowance, monetary gifts, money from a youth complaint, and Social Security benefits.

"**Youth Restitution and Debt Collection form** (DOC-1841) means a form signed by a youth that provides information regarding debt payments made by a youth and debt balances remaining. The DOC-1841 is incorporated into JJIS and maintained by the Business Office at a JCI and by an agent in the community.

DEBT COLLECTION FROM A YOUTH IN A JCI WITH AN ADULT CONVICTION

Differences exist between the statutes governing juvenile and adult court orders regarding payment of the Victim Witness Surcharge, DNA Surcharge and victim restitution. The statutes permit DJC to use funds in an adjudicated youth's JCI account without the youth's consent to pay court ordered debts.

However, Wisconsin law as of early 2002 does not permit the involuntary use of funds in an account of an individual with a sentence in an institution to pay court ordered victim restitution unless the court order specifically states that those funds can be used.

In other words, a **Judgment of Conviction that orders the convicted individual to pay victim restitution, but does not state that funds in the person's institution account shall be used does not permit the institution to involuntarily withdraw funds from the individual's account.** Payment of the restitution would begin when the individual is in the community as a condition of supervision.

Therefore, DJC should not involuntarily withdraw funds from a youth's account to pay court ordered restitution stemming from a conviction unless the court stated that payment begins **within the JCI**. This does not prohibit the youth from voluntarily paying the funds.

A JCI may involuntarily withdraw funds from a convicted youth's account to pay a court ordered surcharge such as a Victim Witness Surcharge or DNA Surcharge.

Therefore, upon arrival in the JCI, a youth with an adult conviction should immediately start paying the Victim Witness Surcharge and DNA Surcharge. Also, voluntarily the youth may begin to pay restitution in accordance with DJC policy.

If the youth refuses to volunteer, the social worker may deliver to the youth the notice, included at the end of this chapter, regarding restitution payment. If the youth still prefers not to pay restitution, the social worker, with the approval of their supervisor, may send the notification, included at the end of this chapter, to the court in case the court may wish to modify the order.

COLLECTION PROCEDURES ON JUVENILE ORDERS

Steps During A & E

Notice to Parents

Shortly after a youth's admission to a JCI, the JCI provides the youth's parent(s) with written notification of the DJC Youth Restitution and Debt Collection policy as part of the admission packet. {see Chapter 4}

Screening Court Orders

- Designated staff **screen all court orders** relating to the current commitment to determine whether the court has ordered the youth to pay any type of debt.

- All court **orders relating to a particular court case number must be reviewed** when DJC staff determines the youth's debt(s). For example, a youth may be admitted to a JCI based upon an Order Lifting Stay of Execution or Sentence, or a Change of Placement order. That order would probably not reflect a prior order to pay a financial obligation. The original Dispositional Order or Judgment of Conviction would include the court's orders relating to restitution and other debts. Therefore, it is important to always obtain and review the original Dispositional Order or Judgment of Conviction relating to the current commitment.

Court Order Versus DJC Policy

At times a court order may conflict with the procedures contained in this chapter. The court order must be followed unless amended at some point.

If a court order appears to conflict with DJC policy, the social worker or other designated staff should consult with the section manager. If the manager agrees that the DJC policy differs from the court order, the social worker or other designated person should prepare a letter to the court for the section manager's signature. See sample letter at end of the chapter.

Youth Account at JCI

Each youth has an account in the JCI business office. A youth's account will include exempt and non-exempt income.

Exempt income: Money that cannot (by DJC policy) be used without the youth's consent to pay a youth's debt(s). It includes:

- 50% of the youth's weekly allowance: (see Priority 3: Institution Restitution regarding an exception to this policy)
- 100% of monetary gifts to the youth
- 100% of money received pursuant to a youth's complaint,
- 100% of a cash grant given to a youth upon return to the community.

Non-exempt income: Money that may be used (by DJC policy) without the consent of the youth to pay a youth's debt(s) including:

- 50% of the youth's weekly allowance
- 100% of money earned at a JCI
- 100% of Social Security benefits deposited into a youth's account.

Business Office Responsibilities

The business office deducts payments from the youth's account. The **JJIS Trust Account** system makes the necessary computations for all 3 debt categories using only non-exempt income to pay the youth's debt(s) in the proper priority order.

- When a Dispositional Order includes the actual payment amount, the designated staff or the OOA uses the Case Book screen, Restitution tab in JJIS to enter a separate record for each of the youth's financial obligations.
- Whenever the amount of victim restitution is determined at some point after the youth's admission (Dispositional Order did not state amount), designated staff enters the data as if the amount had been known upon the youth's admission.
- During youth's stay at JCI, business office staff make the appropriate entries in the JJIS trust accounting screens.
- Whenever a youth in a JCI incurs additional debts, such as institution restitution, the information should be entered properly into JJIS.

Debt payment and balance information is available in JJIS under these menu items: Trustacc >

Copyright © 2012 [WI Department of Corrections]

Trust > Display Account.

Youth Restitution and Debt Collection (DOC-1841)

- Designated staff or Social Worker or the OOA, uses the **Case Book screen, Restitution tab in JJIS** to enter a separate record for each of the youth's financial obligations: type of debt, to whom the debt will be paid and the amount owed.
- That staff member should use JJIS to print the DOC-1841 for each obligation and distribute the form per DJC policy.
- Youth signs the DOC-1841 acknowledging receipt of the form. If the youth refuses to sign, social worker notes that refusal on the form.

Disbursement Request (DOC-184B)

Youth signs the form to acknowledge the deduction of money from his or her account for payment of a debt(s). If a youth refuses to sign, the social worker notes the refusal on the DOC-184B, and signs as approving the disbursement and sends the form to the business office. This may be printed from myDOC.

Payment of a Priority 1 Debt

Deduction from Account

- The Victim/Witness Surcharge is **deducted from the youth's account until it is paid in full**. All of the nonexempt money (100%) is used to pay the surcharge.
- Money cannot be deducted to pay either a Priority 2 or 3 debt until the Priority 1 debt is paid in full.

Forwarding of Payments

The business office forwards payments for the **Victim/Witness Surcharge directly to the state controller's office in the Department of Administration.** In some cases, the court may have issued an order stating that the youth shall pay the surcharge to the county clerk of courts. At the time the judge signed the court order, the youth was present in court. If the youth paid the surcharge before admission to the JCI, then the payment is made to the county clerk.

However, s.938.34 (8d)(c), Stats., directs that when a youth is placed in a JCI, DOC collects the amount owed for the surcharge and transmits it to the state Department of Administration. When the JCI sends the youth's surcharge payment to the state Department of Administration, the JCI **notifies the committing county clerk of courts in writing and requests the clerk to note the payment** in the youth's court record. The business office includes, with the notice to the clerk of courts, a copy of the payment transmitted to the state Department of Administration treasurer.

Priority 2 Debt

More than One Debt

- **Victim restitution**: Orders of victim restitution are **paid sequentially** according to the date the orders were signed by the court. This includes only court orders relating to a youth's commitment to DJC
- **Other court ordered debts**: **After the victim restitution** has been **paid** in full, any **other court-ordered debts are paid sequentially** according to the date the orders were signed by the court. This includes only court orders relating to a youth's commitment to DJC.

Forwarding of Payment

The business office forwards court ordered restitution to the **county contact** whose address is identified on the DOC-1841 or on the document titled "County Restitution Mailing List" in "DJC CMM" in "Groups Folder."

Court Order Does Not Specify Amount of Victim Restitution

- **Overview**

- Historically, courts have ordered payment of victim restitution, but in some cases did not indicate the amount. Those **orders indicated that the amount was "to be determined".**
- Generally, that determination became the responsibility of DJC. After determining the amount using the procedures described below, the Business Office withholds money from the youth's account according to the court order or this chapter.
- As of May 2001, the standard required Court Dispositional Order (JD-1745) does not include a place for the court to indicate that the amount is "to be determined". The court should enter the amount. However, it is likely that DJC will continue to receive orders stating "to be determined."

- **"To-Be-Determined" Orders**

When DJC needs to determine the amount of victim restitution, the cases fall into 1 of 2 categories described below. Money cannot be withheld from the youth's account without a determination of the amount.

- **Victim Worksheet Available at the JCI**

In some cases, the reception social worker receives a Restitution Worksheet completed by the victim upon or shortly after a youth's admission to the JCI. In that case, he or she follows procedures described below based upon the completed worksheet.

- **Need to Obtain Victim Worksheet**

If the reception social worker does not have a completed victim worksheet, he or she **contacts the Victim/Witness Coordinator** [*see list at the end of chapter*] in the committing county to ask that person to obtain a completed form from the victim and send it to the JCI.

In Milwaukee County, the assigned social worker contacts the Milwaukee County Children's Court Liaison.

- Reception social worker discusses the Restitution Worksheet with the youth and **informs the youth of the legal right to dispute the amount** in a court hearing.
- If the court had determined the amount at the time of the youth's hearing, he or she could have exercised this right at that time.
- Youth has the responsibility to contact his or her attorney if he or she wishes to appeal the amount.

When the youth **does not dispute the amount** of restitution or a dispute has been resolved, the **business office deducts 100% of the youth's non-exempt money** until the Priority 2 debt is paid in full

- **Appeal by Youth**

When a **youth decides to request the court to review** a restitution amount, the business office **may deduct and forward any non-exempt money** for debt payments, until the dispute is resolved.

If a youth is released or transferred from the JCI before the resolution of the dispute, the money remains in the youth's account until the matter is resolved.

When the youth's appeal has been heard and the court orders the youth to pay a specific amount, the **business office deducts 100% of the youth's non-exempt money** until the Priority 2 debt is paid in full. Designated staff using the Case Book screen, Restitution tab in JJIS should amend the DOC-1841 and process per DJC policy.

Copyright © 2012 [WI Department of Corrections]

Joint and Several Orders of Victim Restitution

- **Explanation**

  When **2 or more youth are involved in the same offense**, the court may issue an order holding all involved youth accountable for restitution. A joint and several order requires that **each youth be responsible for the total amount** of the restitution ordered.
  A youth's obligation to continue paying does not end when he or she has paid an amount that would be equal to the amount if the total were divided equally among the involved youth.
  When the court issues a joint and several order for restitution to be paid by youth assigned to different social workers, the social workers should work cooperatively to establish a payment plan and track restitution payments. **Each payment made by a youth modifies the amount owed by all involved youth**; i.e., when one youth makes a payment, the total balance owed by all the youth is reduced by the amount of the payment.
  The **victim** receiving the restitution from the joint and several order is **not entitled to receive more than 100%** of the amount of restitution ordered by the court.

- Youth Request for **Amended Order**

The social worker informs a youth paying on a joint and several order that when the youth believes he or she has paid an equitable share of restitution, the **youth may request the court to amend the restitution order** from a joint and several order to a sole payment order. The youth has the responsibility for contacting his or her attorney. An amended order would relate only to payments made subsequent to the revision. The **court will not necessarily grant the request**.

- **Youth's Right to Sue**

The social worker informs the youth that he or she has the **right to sue the other youth in civil court** if the youth believes he or she has paid more than a proportionate share of restitution. If successful in the legal action, the youth may recover from the other involved youth excess payments he or she made.

Payment of a Priority 3 Debt: Institution Restitution

Order to Pay Institution Restitution

A hearing officer, as part of a **disposition of major disciplinary hearing**, **or** a section manager, as a part of a **summary disposition**, may order a youth to pay institution restitution for damages caused by the youth.

Methods of Deduction

Institution restitution is deducted from the youth's account following one of two methods:

- After all Priority 1 and 2 debts have been paid, the automated system in the business office deducts 100% of the youth's non-exempt money to pay Priority 3 debts.
- **Exception: Withholding of 100% of Allowance**
  - In some cases, a youth repeatedly damages property, causes substantial property damage in an incident, or causes personal injury resulting in medical expenses for the injured person.
  - As part of a major disciplinary hearing process (not summary disposition), the hearing officer may order **with the approval of the superintendent or designee, that the usually exempt 50% of the youth's allowance can be used to pay institution restitution** for a period limited to 4 weeks; i.e., up to $8.00.
  - The hearing officer should include in the order a dollar amount, rather than the number of weeks, and a statement that the youth does not have access to the Canteen during the time it requires to withhold the amount of money.
  - Business Office begins withholding via JJIS the second half of the allowance as of the date of the major

discipline.

- Allowance withheld under this procedure must be used for institution restitution.

Sequential Payment
A youth may have **more than one Priority 3 debt** at the same time. The automated system pays the debts sequentially based upon the date the debt is entered into the system, with the earliest debt being paid first.

PROCEDURES UPON RELEASE/TRANSFER TO COMMUNITY SUPERVISION OR DISCHARGE

Any money remaining in a youth's account upon the youth's placement on community supervision or discharge from the institution will be applied to any remaining debts.
Exception: If a Social Worker determines a dire need exists for a youth to be allowed to keep a portion of the money remaining in his/her account, an exception to this policy may be requested. To request an exception, the Social Worker must submit a written request to the Superintendent or designee asking that a specific portion of money, from the youth's account, be disbursed to the youth.
The request should include justification for the amount of the request.
If approved by the superintendent, the request should then be forwarded to the person responsible for handling resident accounts.
Examples of when an exception may be requested:

- A youth is going on to an independent living situation
- A youth is being discharged with few resources and might otherwise require a cash grant (see chapter 18)

PROCEDURES UPON INTER-INSTITUTION TRANSFERS

Upon arrival at receiving JCI, the **receiving social worker reviews in JJIS** the youth's current debt(s) payments and balance information.
When there is a remaining balance, payment of a debt **continues to be part of the ICCP, addressed in Progress Summaries** and discussed at **JPRC's.** [see Chapters 5 & 6]
The **business office** at the receiving JCI **continues to deduct** payments from the youth's account.

PREPARATION FOR YOUTH TRANSFER OR RELEASE TO THE COMMUNITY FROM A JCI

The trust accounting portion of JJIS has been tracking youth payments toward financial obligations. This information must be transferred to the DOC-1841 to allow community staff to use JJIS to track youth payments toward remaining obligations.
While not every youth receives community supervision from DJC, it is important to make the following entries for each youth. This will allow DJC to consistently provide current debt(s) and balance information to youth, parents, DJC agents and county staff using the DOC-1841, which is printed in from the Case Book screen, Restitution tab in JJIS.

- Business office reviews youth's debt(s) payments and balance information in the **trust accounting portion of JJIS (Trustacc > Trust > Display Account) to ensure all of the youth's financial transactions (weekly**

allowance, Social Security payments, etc.) have been completed in JJIS.

- Business office staff make entries on the **Case Book screen, Restitution tab** to reflect the current status of each youth obligation. The staff will enter one transaction record for each obligation toward which the youth made some payment. This record will indicate the sum of all payments made toward the given obligation, resulting in the display of the correct balance for each obligation on the Restitution tab.
- Business staff notify the youth's social worker that these entries have been made and that the DOC-1841 can be printed to reflect the current status of the youth's obligations.

In the event these entries are made prior to the completion of the youth's financial transactions at the institution, business office staff can enter additional transaction records to reflect additional payment(s) toward any of the youth's obligations.

DEBT COLLECTION PROCEDURES FOR YOUTH ON COMMUNITY SUPERVISION

Agent Establishes Payment Plan

- When a youth is being released to community supervision, the receiving agent looks up the youth's current debt(s) payments and balance information in JJIS (**Case Management > Youth Community Activities > Case Book)**
- Agent uses JJIS to print the DOC-1841 for each youth obligation.
- The agent consults with his or her supervisor to establish a payment plan according to the youth's ability to pay.
- Plan is incorporated into the youth's ICCP.

Agent completes a DOC-1841 and requests the youth to sign.

Payment of debt(s) continues to be part of the youth's ICCP

- Agent records in JJIS each payment that she/he has observed [see below]

the youth make. (**Case Management > Youth Community Activities > Case Book**)

- Agent can print a new version of the DOC-1841 from this screen as needed. The agent tracks payments on a DOC-1841.

Method of Payment

Agents **cannot have possession** of or directly handle a youth's money to be used for payment of any debts.

- An agent may provide an envelope and a stamp to a youth.
- Agent may observe a youth place a payment (check or money order) in an envelope, seal it, and place it in a mailbox or location in the community corrections office from which a mail carrier will pick it up.
- Agent may accept a receipt that indicates the youth made a payment.

Payment of Priority 1 Debt

It would be unusual for a youth to have a remaining Priority 1 debt. However, if a balance remains, the youth sends the payment to the local Clerk of Courts where the surcharge was imposed.

Payment of Priority 2 debt

The youth makes payments for Priority 2 debts directly to the **county contact** whose address appears on the DOC-1841 or on the available current list of county restitution contacts. The youth either mails the payment in the

presence of the agent, or requests a receipt from the county contact and submits the receipt to his or her agent. **Payment of Priority 3 Debt**

Institution Restitution

Youth makes payments for Priority 3 institution restitution directly to the **JCI business office**. The youth either mails the payment in the presence of the agent, or requests a receipt from the business office and submits it to his or her agent.

Field Restitution

If a youth **damages state property** while under community supervision (e.g. electronic monitoring device), the agent and the supervisor determine the amount of the Priority 3 field debt to be paid by the youth.

- Agent notifies DJC Office of Management and Budget (OMB) of the youth's name, address, J-number and the amount of the debt.
- Youth makes payments for Priority 3 field restitution directly to DJC in Madison by money order made out to the Department of Corrections. The youth either mails the payment in the presence of the agent, or requests a receipt from the OMB and submits it to his or her agent

YOUTH RETURNS TO A JCI

If a youth returns to a JCI, the agent informs the business office of any remaining balance(s) by forwarding a current DOC-1841 or via entry into JJIS. The Trust Account System pays and keeps track of the youths' financial obligations. [Case Management>Youth Community Activities>Case Book]

The following letter should be placed on the appropriate letterhead.

When juvenile court order conflicts with DJC collection policies

{Date}
{Court}
{Street Address}
{City, State, Zip Code}
Re: {Name of Youth}, {DOB}, {Court Case Number/s}
To The Honorable Judge {Name},
On {date of commitment}, the above identified youth was committed to the Department of Corrections, Division of Juvenile Corrections for a period to expire on {court ordered expiration date}. At that time, the Court did further order {"specifically what the court order states in reference to restitution"}.
The Department policy pertaining to restitution is as follows:
"Money that may be used by DJC policy without consent of the youth to pay a youth's debt(s) include **50% of youth's weekly allowance, 100% of wages, and 100% of Social Security Benefits deposited into a youth's account**." A youth may consent to utilize the remaining 50% of weekly allowance, any monetary gifts received, any money received pursuant to a youth's complaint, and any cash grant given to a youth upon release. In addition, with a few exceptions, **any money remaining in a youth's account upon leaving the institution** upon placement under Community Supervision or discharge **is applied to remaining debt such as victim witness surcharge and restitution.**
Due to an automated system for collecting restitution, such will be collected in accordance to the above stated policy.
If approved: Please sign here and return .
Should there be any questions or concerns, please feel free to contact {name, title, and phone number}.
Your attention to this matter is greatly appreciated.
Sincerely,
Institution Letterhead

NOTICE REGARDING RESTITUTION PAYMENT

DATE: Insert Date
TO: Insert Youth Name, J#, Cottage
FROM: Social Worker
CASE#: Insert Court Case #

The court has ordered you to pay restitution in the amount of $XX for case #Court Case. Per DJC Manual Procedure, the social worker is required to ask you to authorize this deduction.

If you choose to authorize this deduction, the amount shown above will be withheld from all funds posted to your account in accordance with DJC policy.

If you refuse to authorize this deduction, the court will be notified of your refusal. Please note that in most cases, the courts have issued amended judgements specifying repayment at 50% rather than the 25% you would pay within the adult system by voluntarily allowing the deductions.

Please indicate your choice below, sign, and return the bottom half of this form to your social worker within 5 days.

TO: Institution Business Office
FROM: Insert Offender Name, DOC#
CASE #: Insert Court Case #

a. I agree to have restitution in the amount of $XX withheld from my account for the above referenced case.

a. I refuse to have restitution from this case withheld from my account. I understand that the court will be notified.

Signature_____ Date:
Cc: File

Institution Letterhead

DATE: Insert Date
TO: XX County Circuit Court
FROM: Insert Staff Name
Social Worker
SUBJECT: Case # Insert Case

The above Judgement of Conviction orders Youth Name to pay restitution in the amount of $XX. However, it does not direct the Department of Corrections (DOC), Division of Juvenile Corrections (DJC) to take deductions from this youth's account while he/she is placed in a juvenile correctional institution and he/she is refusing to make voluntary deductions to satisfy this debt.

The DJC Case Management Manual requires that we contact you regarding the youth's refusal to authorize restitution deductions. If it is the court's intention that DOC/DJC take deductions from all money received for the benefit of the youth, then we need a revised judgement stating this.

Thank you for your time.

Copyright © 2012 [WI Department of Corrections]

22 - Sex Offenders-Legal Requirements

OVERVIEW OF CHAPTER CONTENTS

Primary Topics Covered in this Chapter (read across)

• Sex Offender Registration	• Sexually Violent Person Commitment, Ch. 980

Forms Discussed in this Chapter:

• Sex Offender Registration Form (DOC-1759)	• Face Sheet (DOC-0003A)
• S	• Registration/Confirmation Letter (DOC-1796)
• Chapter 980 Internal Report (DOC-1946)	• Youth Report (DOC-1943)
• Treatment Notice for Youth Covered by Chapter 980 (DOC-2069)	• Guidelines for Release of Confidential Information (DOC-2342)

All forms **except** for DOC-1759 and DOC-1759A are available at MyDOC. Whenever completing a form, go to MyDOC
to ensure that the most current version is being used. DOC-1759 and DOC-1759A must be ordered because they are carbon forms.

INTRODUCTION

This chapter does not include information regarding the transitioning of sex offenders from a JCI to the community, or for supervising sex offenders in the community. This chapter **only covers the special legal requirements relating to sex offenders** with respect to the Sexually Violent Persons Act (ch. 980, Stats.) and registration with the Sex Offender Registration Program. See "Offenses Table – Sex Offense-Related Requirements" in CMM Groups folder for a summary of what statutory sex offenses are affected by one or both of these requirements.

SEX OFFENDER REGISTRATION

S. 301.45, Stats., and s. 938.34 (15m), Stats.

This section summarizes the sex offender registration requirements under s. 301.45 and s. 938.34 (15m), Stats. in the JCIs, during community supervision and following discharge/release from supervision.

Offenses Requiring Registration

- **Mandatory Registration**
  State statutes 938.34 (15m)(bm) and 301.45 (1g) require a **youth, adjudicated for committing certain offenses, to register as a sex offender** with DOC Sex Offender Registration Program (SORP).
- The law also covers **solicitation, conspiracy, and attempt** to commit the named offenses.
- Youth **adjudicated or convicted for a mandatory offense(s) or who were under DOC supervision on or after December 25, 1993, must register**. Therefore, DJC is responsible for registering a youth with an adjudication/conviction for a mandatory SORP offense, regardless of whether that offense is included on the current Dispositional Order, unless the order explicitly stays the registration requirement as explained below.

Discretionary: Court-ordered registration

The court may order a youth to register as a sex offender under s.938.34 (15m)(am), when the **court determines that the youth's conduct was sexually motivated** and that registration is in the **best interest of the public**. **The court may impose a stay of the registration requirement as explained below.**

Exception from Registration-Cesar G

The Wisconsin Supreme Court has confirmed the ability of the juvenile court to order a youth to register as a sex offender under s.938.34 (15m), as a disposition, and then **stay** imposition of the registry requirement under s.938.34 (16), which allows the juvenile court to stay any dispositional order, including sex offender registration, contingent on the juvenile's satisfactory compliance with any conditions that are specified in the dispositional order and explained to the juvenile by the court.

The Supreme Court states that the "balanced approach" of the Juvenile Justice Code provides the court more

Copyright © 2012 [WI Department of Corrections]

leeway in treating juvenile sex offenders differently than adult offenders with regard to imposition of the registration requirement. However, there are criteria that should guide the juvenile court's decision to stay a youth's registration requirement.

In deciding whether to exercise its discretion to stay a sex offender registration disposition, the juvenile court should consider the seriousness of the offense along with the factors in s.938.34 (15m)(c) and s.301.45 (1m) which include:

- Violation of s. 948.02 (1) or (2) or s. 948.025, Stats., in a manner that did **not** involve **sexual intercourse** by the **use or threat of force/violence** and did **not involve a victim under 12 years of age**.
- At the time of the offense, the offender was under 19 years of age and was not more than 4 years older or 4 years younger than the child/victim.
- It is not necessary for the protection of the public to require SORP registration.

If the juvenile makes a motion to the court to stay the sex offender registry requirement in his or her case, the juvenile has the burden to prove by **clear and convincing evidence** that, based on these factors, a stay should be granted. The court may, on its own initiative, decide to stay the registration requirement as part of its dispositional order.

To summarize, if the order specifically exempts the youth from registration by staying, suspending or waiving the requirement, DJC will not require the youth to register. The order will be accepted and the youth will not be registered until and unless the committing court lifts the stay and imposes the registration disposition. **If the order is silent on registration**, the youth should be required to register under the mandatory provisions cited below. DJC will follow the registration procedures as outlined in this chapter.

In some cases when the committing court imposes and stays a DJC youth's registration requirement, the JCI social worker or assigned DJC agent may be asked to testify in a court hearing on whether the stay should be continued or lifted. The JCI may also be asked to provide a report on the youth's sexual re-offense risk and response to treatment. Such a request may be documented in the youth's court order (see Chapter 3 and 4) or may occur when the court hearing is scheduled. Staff are to follow the following protocol in such cases:

- Make every effort to participate in the scheduled hearing.
- Any testimony given should be objective and present the current progress and behavior of the youth in whatever program or level of supervision she/he is on. If requested, prepare a summary to the court on the youth's adjustment.
- Present any reports that would help the court make a decision, obtaining the signed confidential release of information forms prior to the testimony.
- Remain mute when asked your opinion as to lifting the stay or continuing it. Your role is only to report out the progress of the youth in treatment and/or supervision, not to offer a professional or personal opinion. Respectfully indicate that you ask the court to make that decision.

In the **rare cases** in which a youth's court order indicates that DOC/DJC will determine whether a youth is to register with SORP, the staff person reviewing the order should contact his or her supervisor. The issue will be discussed with the DJC administration for appropriate course of action. *Under no circumstances should the JCI social worker or the field agent make a determination on an individual's requirement to register.*

Sex Offender Registration table

Mandatory Offenses: Registration Required for violation, and solicitation, conspiracy or attempt to commit.

Statute	Offense Title
940.22(2)	Sexual Exploitation by a therapist
940.225(1)	Sexual assault, first degree
940.225(2)	Sexual assault, second degree

Statute	Offense Title
940.225(3)	Sexual assault, third degree
940.30	False imprisonment (victim was a minor and not the offender's child)
940.302	Human trafficking
940.31	Kidnapping (victim was a minor and not the offender's child)
944.06	Incest
948.02(1)	Sexual assault of a child, first degree
948.02(2)	Sexual assault of a child, second degree
948.025	Repeated sexual assaults of the same child
948.05	Sexual exploitation of a child
948.051	Trafficking of a child
948.055	Causing a child to view or listen to sexual activity
948.06	Incest with a child
948.07(1) to (4)	Child enticement
948.075	Use of a computer to facilitate a child sex crime
948.08	Soliciting a child for prostitution
948.085	Sexual assault of a child placed in substitute care
948.095	Sexual assault of a child by a school staff person or a person who works or volunteers with children
948.11(2)(a) or (am)	Exposing a child to harmful material or harmful descriptions or narrations
948.12	Possession of child pornography
948.13	Child sex offender working with children
948.30	Abduction of another's child; constructive custody
948.302	Human trafficking; if s.948.302(2)(a)1.b. applies (trafficking for sexual purposes)

Discretionary Offenses: Registration Required If Court Finds the Offense Was Sexually Motivated

- Ch. 940, Stats., Crimes Against Life & Bodily Security
- Ch. 944, Stats., Crimes Against Sexual Morality
- Ch. 948, Stats., Crimes Against Children
- s. 942.08 Invasion of Privacy (i.e., Peeping Tom) or s. 942.05
- ss. 943.01 through s. 943.15, Stats., Crimes Against Property

s. 971.17 Not Guilty by Reason of Mental Disease

Registration Requirements for Youth from Other States

In addition to youth adjudicated in Wisconsin, the ICJ youth in Wisconsin [see Chapter 19] must also register during DJC supervision, and for 15 years after discharge from DJC supervision:

- Any juvenile in Wisconsin on or after May 9, 2000, on supervision **from another state under ICJ with an offense comparable to an offense** in Wisconsin requiring registration. **Registration must occur 10 days prior to entering Wisconsin.**
- A youth required to register as a **sex offender in another state or** registered as a sex offender **with the FBI** who lives, works or attends school in Wisconsin on or after November 9, 2000.

A youth found to have **committed a comparable sex offense in another jurisdiction** who lives, works or attends school in Wisconsin on or after November 9, 2000.

Lifetime Registration

- Youth placed on lifetime supervision by a court under s.939.615 (2) on or after June 26, 1998, or under s.938.34

(15m) (d).

- The court may choose to require lifetime registration when ordering registration under s.51.20 (13), 938.34(15m) (d), 938.345(3), 971.17(1m) (b), or 973.048. This is up to judicial discretion, not a mandatory imposition.
- Youth committed by a court as a sexually violent person under Chapter 980. Please note that youth are not required to register for life as a Chapter 980 committee until he/she has been formally committed as a sexually violent person by a court.

Notification and Photographs

SORP may send notification of registration and confirmation to the parents/guardian of a youth adjudicated/convicted of an offense requiring registration.

All youth who must register with SORP are digitally photographed upon admission to a JCI, and at other required times during a youth's DJC supervision [see Chapter 3].

Access to Information on the Sex Offender Registry

Registered Victim/Witness

A victim/witness who has registered with the DOC Victim Information and Notification Everyday system (V.I.N.E.), can access the automated information system 24 hours a day to obtain the following:

- Verification that the offender committed an offense requiring registration
- Date information was last updated
- Offender's name and any known aliases
- Current address
- Name/address of place of employment
- Name/address of school
- Location of offender if in custody
- Name/phone number of supervising unit/agency
- Whether offender has absconded or is in not in compliance with SORP requirements

Public

Generally, the public does not have the right to access information in the sex offender registry about a person who is required to register because of a juvenile adjudication only. There is an exception – see below.

Disclosure of Information by Law Enforcement to the Public

Law enforcement may also obtain the above information. With the enactment of 2005 Act 5, Chapter 301.46 Stats. allows law enforcement agencies, specifically a police chief or sheriff (or designee), to disclose information about individuals registered as sex offenders, based on a delinquency adjudication, to specific entities or to members of the general public if, in the opinion of the police chief or sheriff, providing that information is necessary to protect the public. The Division has published voluntary guidelines for law enforcement agencies to use in making the decision to release a juvenile's sex offender registration information (DOC-2342). The Division does **not** take assertive action to notify law enforcement using the DOC-2342 form, nor to recommend to local law enforcement that they provide public notification. If you should receive an inquiry from a law enforcement agency requesting information or an opinion regarding information to be disclosed, **refer the matter to a Field Supervisor, JCI Section Manager, or higher level supervisor.**

OOA Responsibilities

Face Sheet to SORP

- Upon admission to the JCI, the OOA enters information into JJIS that produces the Face Sheet (DOC-1701) [see

When a youth is required to register with SORP, the appropriate box on the Face sheet should be checked: Required by Law or Court Ordered.

- The OOA forwards a copy of the Face Sheet to SORP. Upon receipt of the Face sheet, SORP enters the youth into its computer system.

Revision of Face Sheet

- When a youth transfers between LHS and MJTC, the OOA at the receiving JCI updates the face sheet and sends a copy to SORP.
- When a **youth returns to LHS** following aftercare revocation or termination of type 2 status, the social worker updates the required sex offender registration information with SORP. He or she **completes** the Youth Report (DOC-1943) and **forward it to SORP**.

To update SORP on information pertaining to height, weight, hair color, scars and tattoos, the receiving social worker should email this information to **docbopadmin@wisconsin.gov.**

Social Worker Registration Responsibilities

Completion of DOC-1759

A youth must register with **DOC SORP, 10 calendar days prior** to his or her **movement out of the JCI** due to expiration of the court commitment, administrative discharge, administrative transfer to type 2 status, or release to aftercare. In all situations, the social worker must do the following:

- Ask the youth the questions needed to **complete the Sex Offender Registration Form (DOC-1759).**
  - Social worker completes all information in the "registrant information" and "residence" sections of the DOC-1759.
  - Social worker indicates "not applicable" (N/A) if a section does not apply to the youth.

Read to the youth the "**Notice of Requirements to Register**" on the back of the DOC-1759.

- **Ask the youth to sign** the registrant signature line of the DOC-1759 acknowledging that he or she has been notified of the duty to register as a sex offender and to provide accurate information. If the youth refuses to sign, the social work writes "youth refuses to sign", date and sign his or her initials on the registrant signature line.

Distribution of the DOC-1759

The social worker distributes the completed DOC-1759 to:

• Original: DOC SORP	• Copy: SS file
• Copy: Youth	• Copy: Agent: youth being release/transferred in to

Completion and Distribution of the DOC-1759a

- Social worker **completes Part 2** of the Sex Offender Registration Form (DOC-1759a).
- **Youth does not receive or see** a copy of it.
- Social worker distributes the DOC-1759a:

• Original: DOC SORP	• Copy: SS file
• Copy: Agent: youth being released/transferred to community	

Upon Termination of Supervision

Some youth remain in a JCI until the end of their court commitment, and therefore will not have a DJC or county agent providing supervision after the youth leaves the JCI.

In these cases the social worker must give to the youth following information:

- Youth must **update** any changes in residence, school enrollment, employment and use of vehicle by calling the toll-free number within **10 calendar days of the change** for **15 years after termination from DOC or county supervision**.

SORP Registration: **1-888-963-3363** or **Fax the information to: 608-240-3355**
Only **youth** who are **no longer under correctional supervision** may call this number to report changes in SORP information

- Inform youth of the obligation to report to local police department and sheriff's office to complete the initial Face Sheet (DOC-0003A) process **within 10 calendar days of the date the youth left the JCI**.
- For 15 years following termination of supervision, **SORP will send periodic mailings** to the youth (DOC-1796). The **youth must promptly respond** to all correspondence from SORP. Failure to respond in an accurate and timely may result in a determination of non-compliance by SORP and possible criminal prosecution

Special Bulletin Notice

The sex offender registration law requires the issuance of a Special Bulletin Notice to local law enforcement when certain dangerous, convicted sexual offenders are discharged or released to a community. This statutory provision **does not apply to youth adjudicated for a sex offense**. However, through the enactment of 2005 Act 5, the police chief or sheriff has the ability to utilize a community notification procedure regarding a juvenile if providing the information is necessary to protect the public

Agent Responsibilities

When a youth leaves a JCI and is released or transferred to a DJC agent, the agent becomes responsible for the community phase of registration. The agent must do all the following:

Review DOC-1759 and DOC-1759a

- Ask the youth if any of the information on the DOC-1759 has changed. Do **not** show the youth the DOC-1759a.
  - **If changes are necessary** in the DOC-1759, agent and youth **complete** the Youth Report (DOC-1943).
  - If the youth refuses to sign, the agent writes "youth refuses to sign", dates and signs his or her own initials on the registrant signature line.
  - Agent **forwards** the DOC-1943 **to SORP**.

    To update SORP on information pertaining to height, weight, hair color, scars and tattoos, the receiving social worker should email this information to **docbopadmin@wisconsin.gov**.

- Inform the youth that while on supervision, he or she **will receive periodic mailings from SORP** to which the youth must promptly respond (DOC-1796). Failure to respond in an accurate and timely manner may result in a determination of non-compliance by SORP and possible criminal prosecution.
- Remind the youth of the **reporting requirements** on the back of the DOC-1759.
  - Youth must inform the agent immediately of any changes in residence, school enrollment, employment and use of vehicle. At the latest, the youth must report changes to the agent within 7 calendar days.
  - Youth must report information on the DOC-1943.
  - Youth must sign DOC-1943 and submit it to the agent, who will forward it to SORP.

Copyright © 2012 [WI Department of Corrections]

- SORP **will not** accept phoned-in, updated registry information directly from a youth under community supervision.

Face to Face Registration with law enforcement

- Accompany the youth to the local police department and sheriff's office to complete the initial **face-to-face registration** process using the **Face Sheet (DOC-0003A) within 10 calendar days** of the youth's release from the JCI, for youth required to register. DOC-0003A is a DCC form used for multiple purposes including face-to-face registration with law enforcement. It is in MyDOC under the Forms link.
- Bring **copies of the DOC-1759 and DOC-1759a**. Note: the youth is not permitted to see the DOC-1759a.
- When a **youth moves to a new law enforcement jurisdiction**, youth **must again do** a **Face to Face registration** with the police department and county sheriff.
- **Prior to a youth's termination from supervision**, the agent completes a new DOC-1759 and forwards to SORP. The **new DOC-1759 starts the 15-year period** during which the youth must continue to register.

Attending School

- Section 301.475 of the statutes requires DOC to work with the middle or high school attended by a DOC-supervised registrant to ensure the safety of other students attending the school.

Youth at a JCI for a Sanction

The agent **does not** have to inform SORP of an address change when DJC sanctions a youth for 21 days or less at a JCI because the youth's "community residence" address does not change during a sanction.

Revocation of Aftercare or Termination of Type 2

If an agent returns a youth to a JCI in anticipation of revoking aftercare or terminating type 2, he or she completes a DOC-1943 to indicate the youth's change of address.

Upon Termination of Youth's DOC Supervision

The agent informs the youth that for **15 years** after termination of his or her correctional supervision, he or she must update any changes in residence, school enrollment, employment and use of vehicle by calling the toll-free number within 10 calendar days of the change.

SORP Registration: **1-888-963-3363**
Only **youth** who are **no longer under correctional supervision** may call this number to report changes in SORP information.

Sanctions for Non-Compliance

A youth who intentionally fails to comply with any requirement to provide information may be fined and/or or imprisoned. Additionally, the failure may be treated as violation of supervision, resulting in revocation or termination of type 2 status. [see Chapter 15 & 17]

If DOC determines that there is **probable cause to believe that a youth has intentionally failed to comply with any requirement**, SORP works with the appropriate district attorney to pursue prosecution.

Role of Agent When Youth Is Out of Compliance

When a **youth fails to comply with SORP**, the **agent forwards the following documents** to the appropriate **SORP specialist** to request a warrant and prosecution.

- Copies of Dispositional Order/Judgment of Conviction [see Chapter 3]
- Copies of Department Orders (DOC-1722A) [see Chapter 5]
- Violation Investigation Report (DOC-1783) [see Chapter 15]

- Community Supervision Rules and Conditions (DOC-1741) [see Chapter 10]
- Type 2 RCC Incident Report when youth is AWOL from type 2 RCC
- Sex Offender Registration Form (DOC-1759) previously signed by youth

HIV Testing

A criminal court has the authority to order a defendant in a criminal action to submit to a HIV test to detect the presence of human immunodeficiency virus. The district attorney or the alleged victim or parent of a minor victim applies to the court stating that she or he has probable cause to believe that the defendant has significantly exposed the alleged victim. The court holds a hearing and makes a determination regarding a finding of probable cause.

If a court order includes an order regarding HIV testing, it must reflect that the required hearing has been held and the appropriate findings made.

Sexually Violent Person Commitments (Chapter 980)

Introduction

Chapter 980 of the Wisconsin Statutes, "Sexually Violent Person Commitments", creates a civil commitment procedure primarily intended to provide treatment and protect the public; not to punish the individual.

The following sections describe the Chapter 980 identification and review procedures for male youth admitted to DJC facilities. The last section describes slight modifications of these procedures for female youth.

Initial Identification Process

Review of Dispositional Order

The treatment specialist or social worker reviews the Dispositional Order to determine if the youth was committed to DOC for an offense listed under Chapter 980 as **mandatory** offense **or** if the offense is one that may be determined to have been sexually motivated. [see table later in this section]

Youth identified as being **covered by ch. 980 must undergo a mandatory review** prior to consideration for release, transfer, expiration or discharge. [see section below describing the review process]

- Treatment specialist or social worker prepares the **Chapter 980 Internal Report** (DOC-1946) and sends it to the A & E section manager and SOAR section manager for approval.
- If the section managers agree that the youth is covered by the Chapter 980 requirements, either as mandatory or as having committed a listed offense for sexual gratification ("sexually motivated offense"), they indicate that conclusion on the DOC-1946 and forward it to the OOA who places it in the youth's SS file.

Evaluation of Youth on "Sexually Motivated List"

When a youth's offense is one that ch. 980 lists as one that may be sexually motivated, the treatment specialist or social worker determines if the youth's conduct was sexually motivated by doing the following:

- Obtain from the A & E social worker specific information about the youth's offense(s) and the degree of sexual motivation in committing the offense for discussion at the initial JPRC. [see Chapter 5]
- Consult with the Sexually Violent Person Committee (SVPC) that determines whether it appears that the offense(s) was sexually motivated. Note: If in the future a petition under ch. 980 is filed by a district attorney or Attorney General, the state (petitioner) must prove beyond a reasonable doubt that a youth's offense was sexually motivated.
- Document information on the DOC-1946 and forwards it to the OOA for placement in the youth's SS file.

Sexually Violent Person Commitments (Chapter 980)

- **Offenses Requiring Ch. 980 Evaluation**

• 940.225 (1) First-degree sexual assault
• 940.225 (2) Second-degree sexual assault

• 940.225 (3) Third-degree sexual assault
• 948.02 (1) First-degree sexual assault of a child
• 948.02 (2) Second-degree sexual assault of a child
• 948.025 Repeated acts of sexual assault of a child
• 948.06 Incest with a child
• 948.07 Child Enticement

•

• 948.085 (2) Sexual assault by alternate care facility staff

Ch. 980 Evaluation Required if Court Finds Offense Was Sexually Motivated

• 940.01 First-degree intentional homicide
• 940.02 First-degree reckless homicide
• 940.03 Felony murder
• 940.05 Second-degree intentional homicide
• 940.06 Second-degree reckless homicide
• 948.02 (2) Second-degree sexual assault of a child
• 940.19 (2) (4) or (5) Battery; causing great bodily harm
• 940.195 (4) or (5) Battery to an unborn child
• 940.30 False imprisonment
• 940.305 Taking hostages
• 940.31 Kidnapping
• 941.32 Administering a dangerous or stupefying drug
• 943.10 Burglary
• 943.32 Robbery
• 948.03 Physical abuse of a child

OOA List

The OOA generates a master list of mandatory and sexually motivated Chapter 980 youth. The OOA forwards the master list on a monthly basis to OJOR-local. OJOR reviewers screen and monitor this list to ensure that all required Chapter 980 paperwork is completed on time.

Programming for Youth

During A&E, staff consisting of the treatment specialist, SOAR social worker, A&E social worker and clinical services staff review Chapter 980 youth to determine the appropriate sex offender program for the youth. [see Chapters 4, 5 & 6]

Role of OJOR

Overview

OJOR has the **ultimate authority** and responsibility for **final release/administrative transfer decisions**. In order to perform this function, OJOR must have accurate and sufficient information upon which to base decisions. **OJOR may request the SVPC to screen** a Chapter 980 youth by writing a memorandum indicating that he or she is considering making the youth eligible for release/administrative transfer. **SVPC must screen the youth within the required time frames.**

SVPC Membership

SVPC includes the chief psychologist, section manager, SOAR social workers and primary clinical therapist. Other staff such as education staff, youth counselors and consultants may be added for a more thorough evaluation of the youth's behavior and progress.

•

SVPC Review

- All Chapter 980 youth must be **reviewed by the SVPC prior to the youth's departure from the JCI.** SVPC generally does not consider a youth for placement on community supervision until he or she has successfully completed SOAR.

OJOR may request via a Memorandum that SVPC review a youth prior to his or her completion of SOAR.

Copyright © 2012 [WI Department of Corrections]

Review may be necessary due to the approaching expiration date.

- **SVPC reviews a case as early as 150 days, but no later than 120 days prior** to a youth's anticipated end of commitment or SJO type 1 status.
- **SVPC reviews a case prior to a youth's placement in Transition, but no later than 90 days prior to a youth's anticipated departure from the JCI.**
- Treatment specialist notifies SVPC members of the need to review a youth.

SVPC considers the following information:

• Committing Offense(s)	• Prior Offense(s)
• Family and Social History	• Prior Treatment Interventions
• Risk Factors	• Youth's Progress in SOAR

SVPC Recommendation

SVPC assesses whether a youth appears to meet the statutory criteria for a sexually violent person; i.e. **whether the youth is dangerous because he or she has a mental disorder making it more likely than not that the youth will engage in future acts of sexual violence**. SVPC makes one of the following recommendations:

Youth Does Not Meet Criteria

- Chief psychologist prepares a memorandum documenting the recommendation.
- SOAR staff member completes a treatment summary.
- SVPC submits the memo and summary to the OJOR reviewer who forwards the documents to OJOR-CO.
- OJOR does not necessarily conclude that the youth is appropriate for release/administrative transfer. Therefore, OJOR may or may not issue a Department Order (DOC-1722a) making the youth eligible for release/administrative transfer. [see Chapters 5 & 10]
- When the OJOR reviewer decides to make the youth eligible for release, OJOR informs the district attorney and attorney general by forwarding a notice of release and **the ch. 980 packet** that includes the following:
  - Youth's name and identifying factors
  - Anticipated future residence
  - Offense history
  - Documentation of treatment
  - Documentation of institutional adjustment

Youth requires further evaluation

- Chief psychologist sends a request to the DAI Chapter 980 Unit via the DAI Central Office Ch. 980 Specialist to conduct a thorough psychological evaluation (**special purpose evaluation**).
- Psychologist must inform the youth of the purpose of the evaluation and the right to refuse to participate.
- Evaluation includes a review of all available data such as police reports, victim statements, prior offenses, input from SOAR staff and other pertinent information.
- Psychologist sends the **report to the Ch. 980 Specialist and the OJOR director** as many as **120 days, but no later than 90 days**, prior to the youth's possible release, transfer, expiration or discharge. The OJOR Director forwards the report to the OJOR reviewer and the chief psychologist.

An **addendum** may be sent less than 90 days, if special circumstances exist which would modify the

Copyright © 2012 [WI Department of Corrections]

recommendations contained in the submitted report. For example, a youth commits another sexual assault within the JCI subsequent to writing the report, a youth is revoked for a sexual offense with less than 90 days to expiration, or a youth's progress in or completion of sex offender treatment changes since writing the report.

- After additional evaluation, the report may reach one of three conclusions.
  - Youth **has a mental disorder** making it more likely than not that he or she will re-offend.
    - OJOR reviewer forwards the psychological evaluation, the SVPC report and the youth's complete institution file material to OJOR-CO who forwards it to the Secretary.
    - DOC Secretary signs and sends a referral letter to the Attorney General's office with copies to the district attorney in the committing county and the JCI social worker.
    - Attorney General and/or district attorney may file a motion for commitment under Chapter 980. If a motion is filed, the probable cause hearing is scheduled on or before the youth's expiration date.
  - Youth **does not meet the criteria by having a mental disorder** making it more likely than not that he or she will re-offend.
    - OJOR reviewer forwards the psychological evaluation, the SVPC reports and the youth's file material to OJOR-CO.
    - OJOR-CO forwards a notice of release letter to the district attorney with a copy of the ch. 980 packet.
    - Youth may not be released from the JCI prior to the release letter from OJOR-CO being received by the JCI.
  - It is **not possible to determine** to a reasonable degree of psychological certainty whether a youth is more likely than not to sexually re-offend in the future.
    - SVPC may believe that the youth has not yet progressed in the SOAR to a point that permits the SVPC to reach a decision.
    - SVPC writes a memo explaining its concerns to the OJOR reviewer.
    - SVPC chairperson consults with the OJOR reviewer and/or deputy administrator regarding the case.
    - OJOR or the SVPC may request further evaluation of the youth.

Chapter 980 Procedures at CLS

Role of Social Worker

- Makes the initial identification of cases that automatically or may fall under Chapter 980.
- Documents the information on the DOC-1946 and forwards it to the chief psychologist.

Role of Chief Psychologist

- Reviews each case to verify that the youth meets the ch. 980 requirements that mandate SVPC review SVPC prior to departure from the JCI.
- Completes, signs and forwards the DOC-1946 to the OOA for placement in the youth's SS file.
- Maintains a master list of all Chapter 980 youth.

SVPC Membership

The SVPC includes the chief psychologist, the A&E social worker, both reintegration social workers, the designated unit supervisor and any clinical service staff assigned to the youth. The SVPC review, decision-making and reporting procedures are the same for the male youth as described above.

Copyright © 2012 [WI Department of Corrections]

24 Observation Status & Administrative Confinement in a JCI

Overview of Chapter Contents

Primary Topics Covered in this Chapter

• Types of Temporary Status in a JCI	• Administrative Confinement
• Observation Status	• Voluntary Confinement

Forms Discussed in the Chapter

• Notice of ACRC Hearing (DOC-2101)	• ACRC Hearing Decision & Review of Placement in Administrative
• Youth Appeal of Administrative Confinement (DOC-2100)	• Notice of Rights and Appeal (Observation Status) (DOC-2098)
• Self-Harm Assessment (DOC-2097)	• Review of Placement in Observation Status (DOC-2148)
• Daily Self-Harm Assessment (DOC-1770)	• Notice of Review Hearing Decision & Appeal (DOC-2153)
• Notice of Review for Continued Observation (DOC-2099)	• Voluntary Confinement (DOC-1675)
• Administrator's Decision on Appeal by Youth in Observation Status	

All the forms listed above are available on MyDOC. When completing any form, check MyDOC to be certain the most current version is being used.

Types of Temporary Status in a JCI

Discussed in this Chapter

During placement at a JCI, some youth engage in behaviors that result in temporary placement in a special status governed by the Wisconsin Administrative Code. Chapter DOC 374 covers **administrative confinement** while ch. DOC 375 deals with **observation status and voluntary confinement.**

Not Discussed in this Chapter

Youth may be placed in **security status** (close or modified room confinement) prior to a hearing on a major rule violation and/or to serve a major penalty following the hearing. This topic is **not discussed in the CMM**. [see ch. DOC 373, WI. Adm. Code and "Guide to the Administrative Rules" handbook].

A youth serving a major penalty may be placed in **control status**. Property is removed from the youth's room for a period of time based upon the belief by staff that the youth has used or may use items in his or her room to harm self or others. [see ch. DOC 373, WI. Adm. Code and "Guide to the Administrative Rules" handbook].

Administrative Confinement

Overview

A JCI superintendent may place a youth in administrative confinement. The **youth is confined in a locked room because the youth's behavior presents one or more of the risks listed in the next paragraph.**

The procedures for placing a youth in administrative confinement are described in chapter DOC 374, WI. Adm. Code. Living conditions while in confinement are contained in s. DOC 374.10, WI. Adm. Code. [see ch. DOC 374, WI. Adm. Code and "Guide to the Administrative Rules" handbook].

Reasons for Placement

- Youth presents a significant risk of harm to self, another person, or institution security
- Youth's presence in the general population poses a significant risk of escape
- Youth's continued presence in general population poses a significant risk of disturbance

Notice of ACRC Hearing

Within 24 hours of the youth's placement in administrative confinement, a staff person must serve the youth with the **DOC-2101**. It informs the youth of why he or she is in confinement, his or her due process rights at the ACRC hearing, and the date, time and location of the hearing.

DOC-2101 includes the following narrative sections:

- Reason(s) that staff think youth is in need of confinement
- Evidence to be considered at the hearing

- Sources of information to be relied upon.
- Explanation of possible consequences of the hearing decision.

The form should be completed via MyDOC on the computer because it has expanding text boxes for the narrative sections.

ACRC Committee Membership

Superintendent appoints the members of the Administrative Confinement Review Committee. Membership includes representatives from security, youth's treatment team and a supervisor who serves as chair.

Hearing Decision & Review of Placement

The ACRC chairperson completes the **top section** of **DOC-2152** to inform the youth of the ACRC **hearing decision** which is one of two conclusions:

- Evidence supports need for administrative confinement or
- Evidence does not support the need for continued confinement: youth must be released from confinement as soon as possible.

The **bottom section** of the form is used for recording the decision made at the required **every seven day review** of the need for continued placement in administrative confinement.
Each time that the form is completed, the youth receives a copy. The form can either be completed by hand or by computer in MyDOC.

Youth Appeal of Administrative Confinement

- A youth may **appeal** the ACRC hearing decision and an every seven day review decision **within 5 days of the decision**. The appeal goes first to the superintendent and then to the Administrator.
- The youth completes the top section of the (**DOC-2100**) form and the person to whom the youth appeals completes the bottom portion. The decision-maker may take one of the following actions within seven days of receiving the appeal:
  - Affirm ACRC hearing or review decision.
  - Remand the appeal back to the ACRC for further proceedings
  - Reverse the ACRC hearing or review decision
  - Administer affirms the superintendent's decision

Observation Status

Overview

Observation status is an involuntary **non-punitive status used to temporarily confine a youth to ensure the safety of the youth and others**. Observation is appropriate for youth with mental health needs or a medical problem requiring separation from others.
The procedures for placing youth in observation status are governed and described in the ch. DOC 375, WI. Adm. Code. The living conditions during observation are in s. 375.07, WI. Adm. Code. [see ch. DOC 375, WI. Adm. Code and "Guide to the Administrative Rules" handbook].

Initial Placement in Observation

The following staff may place a youth in observation status:

- Superintendent/designee
- Psychologist/physician

Copyright © 2012 [WI Department of Corrections]

- Health Service Professional
  - Has general authority for placement in observation for medical purposes, but for mental health placements only if psychologist/physician is not available

Reasons for Placement

- Youth is mentally ill and dangerous
- Youth is exhibiting signs of acute mental distress
- Youth has communicable disease/infection or other medical condition requiring separation

Notice of Rights and Appeal

DOC-2098 is a 2 page form that staff must give the youth upon placement in observation. It informs the youth of the **reason for placement, his or her rights** depending on the reason for placement, and provides the youth with a **multi-purpose appeal form**. The form can be completed on MyDOC by computer or printed to be completed by hand.

Self-Harm Assessment Forms

If a staff member places a youth in observation for self-harm behavior, a psychologist/physician must complete the **DOC-2097** in addition to the DOC-2098. It provides considerable detail regarding the youth's mental status and behavior. The form is available on MyDOC with expanding text boxes for completion via computer. The DOC-1770, Daily Self-Harm Assessment, is used to inform the shift supervisors of factors related to a youth who is on suicide checks and may be in observation status.

Review of Placement in Observation Status

DOC-2148 is completed by the staff person conducting the **every three day review** of the need for continued placement in observation. A different section needs to be completed depending on the reason for the youth's placement in observation.

Notice of Review for Continued Observation

- **DOC-2099** is only used for youth placed in observation as mentally ill and dangerous for **more than 14 days pending ch. 51 proceedings.** At that point in time, the youth has the right to a review hearing and notice of his or her due process rights.
- The psychologist or physician making the decision to retain the youth in observation status must complete the form explaining the information below. The form should be completed on MyDOC on the computer because it has expanding text boxes:
  - Allegation of mental illness and dangerousness
  - Standards used to make the above determination
  - Evidence to be considered at the hearing
  - Sources of information to be relied upon
  - Possible consequences of the review hearing
- DOC-2099 contains an order stating the date, time and location of the review hearing.

Notice of Decision and Youth's Appeal

- **DOC-2153** tells the youth that the review hearing decision is to continue to hold the youth in observation status for more than 14 days pending ch. 51, Stats. The youth may appeal that decision to the DJC Administrator.
- If the hearing decision was to release the youth from observation, that release should take place immediately.

Copyright © 2012 [WI Department of Corrections]

Administrator's Decision

The Administrator completes **DOC-2149** within five days of receiving an appeal. It informs the youth of his or her decision regarding any appeal filed by a youth. The Administrator completes the form within five days of receiving an appeal.

Voluntary Confinement

A superintendent or designee may place a youth in voluntary confinement if all the following are true:

- **Youth requests the placement** in writing using the Voluntary Confinement Agreement (DOC-1675)
- **Superintendent is satisfied that the placement is necessary for the safety and welfare** of the youth.

DOC-1675 explains to the youth all the conditions to which he or she must agree and provides space for the youth to explain why he or she thinks placement in voluntary confinement is necessary for the youth's health and/or safety. The superintendent reviews the continued need for placement at least every seven days.

Copyright © 2012 [WI Department of Corrections]

25 SOCIAL SERVICES AND COMMUNITY SUPERVISION FILES

SOCIAL SERVICES FILE FORMAT

File Contents

The OOA creates the youth's standardized social services (SS) file. **Not all forms are included in every youth's file**. The file is maintained in chronological order (most recent on top) within the following six sections.

Section 1: Legal Papers

- Victim notification alert (on top of picture page)
- Picture page(s) (on top)
- Victim notification sheet (under picture page)
- Youth Restitution and Debt Collection (DOC-1841)
- Face sheet(s) (DOC-1701)
- Dispositional Order (1745 JD) or Judgment of Conviction
- Court Petition (DOC-1706): both JCI and field
- Request for Extension (DOC-1723): both JCI and field
- Dispositional Order, revised extending youth's DOC supervision

Human Biological Specimen (DNA) (DOC-1940)

Sex Offender Registration Form (DOC-1759) and Part 2 (DOC-1759a)

Section 2: Reports

- Chronological History Sheet (form used varies by JCI)
- Status table (on top)
- Individual Case Plan (ICP) (DOC-1907) and COMPAS Case Plan
- Assessment & Evaluation Report (AER) (DOC-1933)
- Admission Dialogue—JJIS
- Education Evaluation Report (EER) (DOC-1936)
- Family & Home Assessment (FHA) (DOC-1939)
- Progress Summary (DOC-1941) and COMPAS Case Plan Updates
- Department Orders (DOC-1722A)/Comments and Observations
- Information Transmittal/Action Needed Request (ANR) (DOC-1734)
- Aftercare Revocation Packets

Termination of Type 2 Community Supervision Packets

Administrative Hearing Decisions

Release Dialogue—JJIS

Copyright © 2012 [WI Department of Corrections]

- CANS Report
- J-SOAP II Scoring Sheets

Section 3: Correspondence: Memos, Letters, Etc. To And From The Jci

- Correspondence to Sheriffs
- Order to Detain (DOC-1780)
- Correspondence to judges
- Notice of Release/Transfer of Youth to Community Supervision (DOC-1627)
- Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630)
- Inter-institution memos between staff

AWOL prosecution letters to district attorney

Section 4: Pre-Institution Material

- Prior placement discharge summaries and other pertinent reports
- Police reports
- Old field court reports

Section 5: Miscellaneous

- Commitments to Intermediate or Short Term Program(s)
- Apprehension Requests (DOC-58) and Cancellation of Apprehension (DOC-58a)
- Juvenile Offgrounds Request (DOC-2060)
- Furlough Request (DOC-1947)
- Offgrounds Leave or Furlough Agreement (DOC-2088)
- Lifework Education Portfolio Checklist (DOC-2313)
- Trial Visit to Parental Home Agreement (DOC-1720)
- Trial Visit and Pre-Placement Agreement (DOC-1718)
- Community Supervision Rules and Conditions (DOC-1741)
- Recommendation for Administrative Action (DOC-44A)—case transfers
- Interstate Compact Applications/Agreement
- Record Requests and Responses to Requests
- Juvenile Release Authorization (DOC-1788)
- Notice of hearings, writs, temporary physical custody, subpoenas, etc.

Request for Certified Copy of Birth Certificate (DOC-1999)/copy of birth certificate

Copy of application for social security card/copy of social security card

All referrals, except Clinical Services

Copyright © 2012 [WI Department of Corrections]

Section 6: Disciplinary Papers

- Notice of Disciplinary Hearing Rights and Waiver (DOC-342)
- Major Disciplinary Hearing Reasons for/Evidence (DOC-346)
- Notice of Placement in Pre-Hearing Security (DOC-1842)
- Conduct Report – DJC (DOC 1843 & 1843A)

COMMUNITY CORRECTIONS (FIELD) FILE FORMAT

File Contents

When an agent is assigned to a youth, the community corrections (filed) office creates and maintains a standardized file. The file shall be maintained in the format described below. **Not all files will contain all the documents listed.** File designated documents in the sections as described below. Within each section, file documents in the order listed. Within each category, e.g., ICP's, file in **chronological order** with the most recent being first in the section, i.e., on top as you read the file.

Section 1: Field Reports

- Picture/Victim Witness Alert (half sheet)
- Face Sheet (DOC-1701)
- Apprehension Request (DOC-58)
- Apprehension Cancellation (DOC-58A)
- Case Transfer Form (DOC-44A)
- CANS Report
- Discharge/Termination Summary from an alternate care facility
- Reports from alternate care facilities
- Family and Home Assessment/Preliminary Release Plan (DOC-1939)
- Community Supervision Plan (DOC-1736)
- Community Supervision Referral/Screening (DOC-1857) [referral portion of form DJC sent to facility and
- Acknowledgment of Referral portion of form returned by facility to DJC
- Letter to committing judge regarding youth's release/administrative transfer
- Individual Case Plan(s)-Community Supervision(DOC-1907) and COMPAS Case Plans
- Progress Summary(ies)-Community Supervision(DOC-1941) and COMPAS Case Plan Updates
- Permanency Plan (DOC-1797) - 30 day and 6 month permanency plans
- Notice of Release of Youth From Community Supervision (DOC-1626)
- Community Supervision Rules and Conditions (DOC-1741)
- Juvenile Release Authorization (DOC-1788)
- Face-Sheet (DOC-3) [sex offenders face-to-face registration with law enforcement]
- Introduction Letter(s) from agents to youth and family
- Contact Standards Amendment (DOC-2128)

Copyright © 2012 [WI Department of Corrections]

- J-SOAP II Scoring Sheets

Section 2: Orders

- Court Order For Extension of the Dispositional Order
- Court Dispositional Order [delinquency adjudication and commitment to DOC with placement at a JCI]
- Department Order(s) (DOC-1722A)
- Extension Petition (DOC-1707)
- Extension Report (DOC-1723)

Section 3: Disciplinary Proceedings

- Juvenile Aftercare Revocation Notice, Rights, Acknowledgment & Waiver (DOC-1795)
- Revocation Hearing Request (DOC-1794)
- Violation Investigation Report (DOC-1783)
- Aftercare Administrative Detention (DOC-2109)
- Detention Notice and Appeal (DOC-1614)
- Aftercare Revocation Report (DOC-2125)
- Department Revocation Order (DOC-1700)
- AWOL Report
- Type 2 Sanction/Administrative Detention (DOC-1911)
- Type 2 Violation Report (DOC-1912)
- Termination of Type 2 Community Supervision Report Face Sheet (DOC-1942)
- Sanction Violation Report (DOC-2061)
- Health Screening (DOC-3387)
- Department Order (DOC-1722B)
- Statement (DOC-1305)
- Order to Detain (DOC-1915)
- Cancellation of Order to Detain (DOC-1916)

Section 4: Institutional Material

- COMPAS Bar Chart
- Sex Offender Registration Form (DOC-1759 and DOC-1759A)
- Institution Investigation Report (DOC-70)
- Institution Face Sheet (DOC-1701)
- Assessment And Evaluation Reports (DOC-1933)
- Current Status Report (DOC-1935)
- Department Order(s) (DOC-1722A) containing youth's broad goals per OJOR
- Progress Summaries--JCI (DOC-1941) and COMPAS Case Plan Updates
- Institution School Reports (may include DOC-1936, 1937 & 1938 and other documents)

- Individual Case Plan(s)--JCI (DOC-1907) and COMPAS Case Plan Updates
- Lifework Education Portfolio Checklist (DOC-2313)

Section 5: Miscellaneous Forms

- Social Security card or copy
- ICJ: Home Evaluation Report/Reply to Case Transfer Request (DOC-9007)
- ICJ: Progress Report Cover Sheet (DOC-9008)
- ICJ Form 1A-VI Application for Services and Waiver (DOC-9001A)
- ICJ: Form IV Parole or Probation Investigation Request (DOC-9004)
- ICJ: Form V Report of Sending State Upon Parolees or Probationer Being Sent to the Receiving State (DOC-9005)
- ICJ: Form III Consent for Voluntary Return of Runaway, Absconder or Escapee (DOC-9003)
- ICJ: Form II Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent (DOC-9002)
- ICJ: Travel Permit (DOC-9009)
- Miscellaneous Letters
- Foster Care Application, License, And Other Foster Care Forms
- Disbursement Order (DOC-184B)
- Telephone Installation Form
- Purchase Of Service Form And Bills
- UA Reports (results sheets sent by DACC)
- Birth Certificate and/or Request for Birth Certificate (DOC-1999)

Youth Restitution And Debt Collection (DOC-1841)

MA Certification (DOC-1787)

Confidential Information Release (DOC-1163, DOC-1163A and DOC-1163K)

Youth Reports (DOC-1943)

Section 6: County Materials

- Information Regarding Juveniles And Family Prior To Commitment
- County Court Reports (Dispositional Report required under s. 938.33, Stats., and other reports)
- Substitute Care Staffing Form
- Court order waiving a youth into adult court

Juvenile Justice System Information Printout [log of youth's previous dispositions prior to commitment to DJC]

Copyright © 2012 [WI Department of Corrections]

28 Case Management System/Transition Audit Procedures

Overview of Chapter Contents

Primary Topics Covered in this Chapter

- Purpose of Audits
- JCI Audit Procedures
- Community Supervision Audit Procedures

Forms Discussed in this Chapter

- Institution Case Management Checklist/Audit (DOC-1981)
- Field Case Management Checklist and Audit (DOC-1979)
- Institution Case Management System/Transition Audit (DOC-1982)

DOC forms can be accessed in MyDOC When completing a form, the staff member should check to verify that he or she is using the most current version of the form.

Purpose of Case Management Audits

An effective case management system provides youth with programming to facilitate their personal growth while in a JCI and, therefore, enhance their ability to function successfully in the community while continuing to participate in programming. The system also addresses the goal of increasing the safety of the public. DJC is firmly committed to implement the case management system in an effective, efficient and consistent manner throughout the division.

As a way of **ensuring division-wide consistency and quality work** by DJC staff, supervisory staffconduct case audits in conjunction with Program and Policy Analysts-Advanced. Information gathered from the audits provides valuable information regarding the actual implementation of the case management system. Audits enable DJC to monitor compliance and make modifications as needed. Additionally, the audit procedures may include interviews or surveys of the youth and/or parent/guardian regarding their understanding of the case management system, including their ICP's transition phase and services that they received while under our care.

JCI Audits

Procedures and Requirements

JCI Audit Procedures

The superintendent at each JCI establishes the case file audit process including timetables, number of cases and the case selection procedures. Supervisors conduct audits using the Institution Case Management Checklist/Audit (DOC-1981). The audit team evaluates case files using the Institution Case Management System/Transition Audit (DOC-1982)

Institution Case Management Checklist/Audit (DOC-1981)

- The DOC-1981 may be used for two purposes:
  - Social worker may use the form in a youth's file to track the completion of his or her job duties throughout the youth's stay at the JCI. The superintendent determines whether social workers are required to maintain the DOC-1981 as a checklist in each youth's file
  - A supervisor uses the DOC-1981 to conduct a formal case audit on an individual case at any time during the youth's placement at the JCI. The form can be used as a quality control tool, as well as provide written guidance and feedback to staff.
    - The supervisor reviews the contents of the Social Services file and indicates on the DOC-1981 whether the social worker has completed required tasks and documents in a timely manner.
    - The supervisor and social worker discusses the results of the audit assessing the strengths and weaknesses, if any, of the social worker's performance.

Institution Case Management System/Transition Audit (DOC-1982)

The superintendent or designee chairs the audit team that reviews individual case files. The superintendent determines the membership of the audit team, timetable for audits, number of cases to audit and case selection procedures. The DOC-1982 provides a vehicle for routinely monitoring case practice and documentation across multi-disciplinary staff at the JCIs. Audits help to assure quality, consistency and integrity of the service delivery

Copyright © 2012 [WI Department of Corrections]

process.

- Audit Team Case Selection
  - Select cases from each unit or cottage at least bi-annually
  - Provide notice to the cottage/unit of the case to be reviewed for some selected cases

- Audit Procedures
  - Staff from the youth's cottage/unit including a section manager and/or reintegration social worker, may participate in an audit.

The audit team reviews JJIS and social service file for completeness, timeliness and quality.

- Current ICP (DOC-1907) or COMPAS Case Plan
- Most recent Progress Summary (DOC-1943) or COMPAS Case Plan Update
- Most recent Education Report (DOC-1937 or 1938)
- Chronological Log and number of contacts made by staff

The Team also interviews the youth to access his/her understanding of:

- What they are working on in living unit, at school, in treatment and in transition
- Their education/lifework plan
- Victim issues and what they are doing to address them
- Transition plan and what is being done to prepare youth

As part of the audit, the team looks specifically at transition:

- That all related documentation has been completed
- That everyone knows youth is in transition and what is taking place during that time
- Program Markers have been completed, with school and a youth's special education needs being accounted for
- Transition team meeting scheduled and held, community providers and/or alternate care providers involved
- Contacts with family are being made and social worker has increased contact with youth

The team shares the results of the audit with the manager and social worker, noting areas that have been accomplished well and those needing attention.

Community Supervision (Field) Audits

Overview

Agents have multiple complex case management responsibilities during the youth's placement in the JCI and in the community. The Field Case Management Checklist and Audit (DOC-1979) assists the supervisors in monitoring compliance of the agents in maintaining up-to-date and complete records regarding each youth.

Agent Responsibilities

Agents ensure that they maintain up-to-date records in each youth's field file. This is accomplished by utilizing the file dividers that identify what should be located in each section of the file. The file dividers provide a list of items that the agent should have filed regarding the youth's care while the youth is in a JCI as well as on community supervision. In some instances an item may not be applicable for a particular youth. In these instances the agent shall note N/A in the space provided.

Supervisor Responsibilities: Case File Documents

The **DOC-1979 form allows for formal audits** to be performed at any point during the youth's commitment. Additionally, it can serve as a **quick reference when supervisors and agents staff cases outside of the**

formal audit process.

To conduct an audit, the supervisor and/or the Program and Policy Analyst – Advanced uses a copy of the DOC-1979 to review the content in the fileto ensure that the agent has obtained and filed the documents in the proper sections.

When conducting the audit, the supervisor focuses on timeliness and accurate completion of tasks, contact standards and overall compliance with policies and procedures of the Manual. Upon completion of the audit, the supervisor and agent discuss the results. Supervisors forward a copy of all field audits to the regional chief pursuant to the schedule established by the regional chief.

Supervisor Responsibilities: Contact Standards

When auditing a case file, the supervisor **reviews the agent's record keeping regarding the agent contacts** with the youth, family, facilities, schools, employers and community services sites. The minimum contact standards are described below.

Responsiblities of Regional Chief

The regional chief determines field audit requirements including time frames, number of cases to be audited, case selection process, and the method supervisors use to submit completed DOC-1979's. A supervisor must audit a minimum of **four cases per year for each agent not on probation**. Cases can be selected on a random basis, but two of the file audits should be youth that are in the JCI and two should be youth who currently are being supervised in the field. The regional chief makes available to the assistant administrator, upon request, copies of the field audits.

Minimum Agent Contact Standards

Agents must meet the required minimum contact standards listed below. Supervisors monitor compliance by agents with the contact standards. For sex offenders, contacts cannot be waived due to workload. A face to face contact requires actual interaction with the person being contacted.

An agent may complete and submit to her or his supervisor a Contact Standard Amendment (DOC-2128) if the agent wants to modify the required minimum contact standards. The supervisor may or may not approve the agent's request.

All tables refer to standards that must be met by agents except for the 3rd table that covers youth counselors working with YCSP youth.

Youth in a JCI-		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time every 3 months
Parent/Guardian	Face-to-face or telephone	One time every 2 months
JCI Staff	Face-to-face or telephone	One time every 2 months
YSCP Youth		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per week or per level if no Youth Counselor in unit
Parent/Guardian	Face-to-face	One time every other week
School Staff	Face-to-face	One time per month
Employer and/or Community Services site	Face-to-face	One time per month
YSCP Youth (Minimum Youth Counselor Contacts)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	Level 1: daily Level 2: 4 times per week Level 3: 2 times per week Level 4: 0 time per week
Parent/Guardian	Face-to-face	One time every other week

Copyright © 2012 [WI Department of Corrections]

School Staff	Face-to-face	One time per week
Employer and/or Community Services site	Face-to-face	Two times per month
Youth Residing in a Type 2 RCC		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per month
Parent/Guardian	Face-to-face or telephone	One time every two months
RCC Staff	Face-to-face or telephone	One time per month
SJO Youth and Sex Offender Residing in Parent/Guardian Home, Foster Home, or Independent Living (not in CSP)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per week
Parent/Guardian	Face-to-face/telephone	One time per week (no contact with parent if youth is living independently)
School Staff	Face-to-face	One time per month
Employer and/or Community Services site	Face-to-face/telephone	One time per month
SJO Youth and Sex Offender Residing Living in Group Home or Residential Care Center (not in CSP)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	Two times per month
Parent/Guardian	Face-to-face or telephone	One time per week
School Staff	Face-to-face or telephone	Two times per month
Employer and/or Community Services site	Face-to-face	Two times per month
Youth on Aftercare Living in Own Home, Foster Home, or Independent Living (Non Sex Offenders)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	One time per week
Parent/Guardian	Face-to-face or telephone	One time every other week (no contact if youth on independent living)
School Staff	Face-to-face or telephone	Two times per month
Employer and/or Community Services site	Face-to-face/telephone	One time per month
Youth on Aftercare Living in a Group Home or Residential Care Center (Non Sex Offenders)		
Person(s) to Contact	**Nature of Contact**	**Frequency of Contact**
Youth	Face-to-face	Two times per month
Parent/Guardian	Face-to-face or telephone	One time every other month
Facility Staff	Face-to-face or telephone	Two times per month

Copyright © 2012 [WI Department of Corrections]

Discharge

Copyright © 2012 [WI Department of Corrections]

Division of Community Corrections (DCC) - Discharge Section

Copyright © 2012 [WI Department of Corrections]

Procedures Prior To Discharge
Case Closing
Unpaid Obligations
Offender Death
Expungement
Executive Clemency

PROCEDURES PRIOR TO DISCHARGE

.01 GENERAL STATEMENT

It is the agent's responsibility to ensure that all court-ordered conditions and statutory provisions have been completed or addressed prior to an offender's discharge from supervision.

.02 PROCEDURE

At least 90 days prior to an offender's discharge date, the agent shall determine if DNA requirements have been met:

- For those offenders whose DNA status was not previously verified as "Conviction Sample on File" on the CCH (Computerized Criminal History) and the WICS DNA Collection and Tracking screen does not have a date in the "DNA Verified Date" field, the agent must notify the offender of the DNA requirement and develop a plan and timeline to ensure compliance and sample submission prior to discharge. This plan may include but is not limited to re-referral to local law enforcement, agent scheduling the appointment with local law enforcement, or, if approved by the regional/assistant regional chief, placing the offender in custody and requesting law enforcement collection of the DNA sample. Agents should place appropriate notes in COMPAS regarding the referral.

At least 30 days in advance of an offender's discharge, the agent shall complete all of the following:

- Update the offender photos and upload to PICS;
- Ensure all court obligations are paid or an extension or civil judgment has been signed by the court;
- Ensure that all court ordered conditions have been met or removed;
- Update the offender photo;
- Verify if there are any consecutive cases; and

- Request a CCH to verify that DNA status is "Conviction Sample on File". If a DNA sample has not been submitted, as noted on the CCH, then the offender should be placed into custody on a hold and collection of a DNA sample requested through law enforcement.
  - If the CCH indicates any status other than "Conviction Sample on File", the agent must follow up with the offender and the SAFE Team, if necessary, to resolve the DNA submission issue prior to the offender discharging.
  - Confirm that there is a date in the "DNA Verified Date" field on the WICS "DNA Collection and Tracking" screen. If there is a discrepancy between the CCH and WICS DNA screens, agents should contact their regional DNA subject matter expert for assistance in resolving the conflict.
  - Offenders must not be allowed to discharge without providing a DNA sample, if required.
  - For all offenders, failure to comply with DNA requirements is a violation and an apprehension request and subsequent stop time may be issued for those offenders. Offenders who have been deported or are being held by ICE are still required to maintain compliance with DNA requirements. The agent and supervisor should staff the case prior to the discharge date to discuss appropriate action.

In addition, for sex offenders:

- Explain Sex Offender Registry requirements and complete DOC-1759 for registrants;
- Explain Lifetime GPS procedures, if applicable and
- Victim Notification

CASE CLOSING

.01 GENERAL STATEMENT

Case closing information is beneficial to staff who may assume future responsibility for an offender after all cases have been closed.

.02 NOTIFICATION

A computer generated "Notice of Case Status Change" will forwarded to the agent, giving formal notification of discharge. A Termination number will be assigned to the case. A copy of the Notice of Case Status Change should be forwarded to misdemeanant offenders upon discharge, as certificates are not issued for misdemeanants.

.03 AGENT'S RESPONSIBILITY

1. Agents will receive a Discharge Checklist (DOC-2877) from the Office Operations Associate (OOA). The agent will verify discharge eligibility and complete section two of the Discharge Checklist 30 to 60 days prior to discharge. Upon discharge, the agent shall complete section three of the Discharge Checklist (DOC-2877) and forward the file and checklist to the OOA according to office policy.

2. Case closing summary – Enter pertinent information the agent may believe is necessary as a note. Enter the following information into appropriate screens in COMPAS:

- Last known employment or school program in the COMPAS Work & Education section
- Current primary residence address and phone number

3. Case Plan - Enter end dates and completion codes then closeout the case plan and remove from COMPAS caseload.

4. Case File - Once the file is complete, the file is forwarded to an OOA for closeout while awaiting a T- number.

5. Discharge Certificate - Upon receipt of the discharge certificate, the agent will forward a copy to the offender and retain a copy in the file. Misdemeanant offenders should receive a copy of the Notice of Case Status Change indicating discharge.

6. Electronic Documents Stored on the H: or G: Drive - Within thirty days of discharge, the offender specific documents that are being stored on either one of these drives must be printed and placed in the offender file. The electronic files must then be deleted from either the H: drive (home folder) or G: drive (group folders). Note: This does not apply to COMPAS or other software systems.

.04 Office Operations Associate's (OOA) RESPONSIBILITY

1. 90 days prior to discharge, the OOA will initiate the Discharge Checklist (DOC-2877) Upon completion of Section One of the form, the OOA will forward the Discharge Checklist to the agent of record.

2. Upon completion of Section Two and Three, the agent will submit the file and Discharge Checklist to the OOA. The OOA will scan the completed Discharge Checklist to the Status Keeper.

3. In COMPAS, the last known, current residence address will remain checked as primary. Do NOT enter an end date and do NOT remove the primary check mark.

4. OOA will follow the DCC Supervision – Records Management – Case File Setup and Organization section of ECRM to organize offender file, indicate T# on file, remove/discard supervision fee booklet, and file the T file in appropriate T file area.

.05 Status Keeper's (SK) or designee Responsibility

1. When an offender discharges from supervision, the OOA will enter the date of termination in COMPAS and choose the appropriate termination code from the following:

- DAI Max Discharge
- Early Discharge
- DCC Discharge
- Revoked- Lifecycle Closed
- < >

  Court Ordered
- < >

2. The SK will then close the case in COMPAS.

UNPAID OBLIGATIONS

.01 AUTHORITY

Wisconsin Statutes Section 973.09(3)(b)

Wisconsin Administrative Code - DOC 328.09

.02 NOTICE OF STATUS OF OBLIGATIONS

The Program Support Supervisor or designee shall run the report of offender's discharging with unpaid obligations which is located in Business Objects at a minimum of once a month. The report will be forwarded to the agent and the agent's supervisor. The agent will take appropriate action to collect the balance of the unpaid obligations, including a court review or other appropriate actions based on an evidence-based response to violations.

.03 HUGGETT DECISION

Failure to make restitution in the original probation period may constitute cause for extending probation and continuing collection of restitution only if there is a basis for believing that additional restitution would achieve the objectives of probation and that the offender could make more than negligible payments during the extended period.

The court must determine that the offender has or did have the ability to comply and has not made a good faith effort. The burden of demonstrating a good faith effort toward the payment of court ordered financial obligations is on the offender.

An offender demonstrates good faith effort as follows:

- An offender shall obtain a social security card and, if unemployed, shall register with Wisconsin Job Service.
- An offender shall provide his/her agent with documentation as to his/her financial situation including but not limited to income, savings accounts, rent, utility ills, medical bills, and loan payments via Budget Worksheet (DOC-8B).
- An offender needing job skills training must cooperate with referrals to agencies to enhance job readiness.
- An offender with reasonable job skills shall provide a verifiable job search list with the name of employer, contact person, type of job applied for, address and telephone number. An offender shall apply for a minimum of five job openings each week.
- An offender must be willing to do community service work for court costs, attorney fees, and surcharges if approved by the Court.
- Regardless of employment status, some payment shall be made every month toward court ordered financial obligations.
- As a guideline, a minimum of 7% of net income is to be paid toward court ordered financial obligations.

- An offender shall cooperate with a wage assignment if he/she fails to make consistent monthly payments.

.04 EXTENSION OF PROBATION OR ISSUANCE OF A CIVIL JUDGMENT-PROBATION, PAROLE, OR EXTENDED SUPERVISION

Upon receipt of the 90-day notice of unpaid obligations (DSPY) from the Cashier's Unit the agent will attempt to collect the balance of the unpaid obligations. The agent will continue to review cases as to whether extension is appropriate under Huggett Decision described above. Where extension is not appropriate or viable, the agent will so advise the court via the memo format described below so the issuance of a judgment may occur. The agent will provide a current status of the account to document the amount of unpaid restitution for the court. The agent will discuss the delinquent obligations with the offender in order to determine the reasons for the delinquency. The agent will advise the offender of the right to appear in court in order to contest the extension of the probation term or the issuance of a civil judgment. The offender may waive the right of appearance by signing the Petition and Stipulation to Waive Appearance and Hearing (CR-208/DOC-101). The agent shall prepare a memorandum for the court supporting the reasons for the recommended action.

In the event the case to be extended derives from another county, the supervising agent, at least 60 days prior to discharge, will prepare a memorandum to the court, to include the following:

- Court History
- Status of Obligations and Payment
- Relevant Financial Information
- Reason for Nonpayment
- Agent's Recommendation

The memorandum, and CR-208/DOC-101, if signed by the offender, will be forwarded to the DCC Office in the county of sentencing (Intake Unit in Milwaukee). This office will present the matter to the Court and then forward the Court's decision to the supervising agent, who will send the original to the Central Records Unit.

If an extension is granted by the court for the purpose of court obligations, the offender will discharge upon payment of all court obligations owing for that case. Payment may not be refused. Active supervision will cease upon payment in full of court obligations owed on the extended case but it will not be considered discharged until the payment has been processed and funds received by the bank. If the payment is not valid, active supervision will resume.

In the case of parole or extended supervision, the agent shall prepare the Civil Judgment for Restitution/Court Ordered Financial Obligations (CR-207/DOC-101a), requesting the court issue a civil judgment indicating the amount of the unpaid obligations and information regarding to whom they are due. The DOC-101a can be used only for restitution and other court-ordered obligations excepting surcharges. A review of the WICS Offender Payee screen (COP010) will provide the most current and accurate amounts. Following signature by the court, a copy of the DOC-101a must be provided to the Cashier's Unit to reduce the balance to zero.

.05 REMOVAL OF COURT-ORDERED FINANCIAL OBLIGATIONS

If the agent determines that the offender has made a good faith effort to comply with the court ordered financial obligations but does not have the ability to comply, the agent may recommend that the balance of the ordered financial obligations be removed as a condition of probation. The agent will prepare a memorandum to the court, which delineates the offender's financial situation precluding payment.

.06 REFUSAL TO PAY COURT OBLIGATIONS

Refusal to pay court obligations is a violation of the Rules of Community Supervision and the order of the court. If the agent determines that the offender has had the ability to pay and has refused, an evidence-based response to violation shall be pursued.

.07 BANKRUPTCY

Financial obligations ordered by a criminal court as a condition of supervision are not dischargeable by bankruptcy proceedings. This means that a bankruptcy discharge cannot operate to discharge a restitution debt whether the bankruptcy was filed under Ch.7 or Ch. 13 of the Bankruptcy Code.

However, once the bankruptcy petition is filed, an automatic stay prevents any action to collect debts including court-ordered obligations such as restitution. No adverse action may be taken against the offender based solely upon non-payment while the bankruptcy is pending. To attempt to take adverse action, such as revocation, would potentially be a contempt of the bankruptcy court and an action subject to sanctions. However, if the offender makes payments on the obligations during the pendency of the bankruptcy those can be collected and remitted as appropriate. In view of the automatic stay it is advisable to wait until the bankruptcy is discharged or dismissed before taking any action to revoke based solely on nonpayment.

The agent should ensure that the offender does not discharge from probation inadvertently while the bankruptcy is pending, and take whatever steps are necessary to extend the probation past the duration of the bankruptcy proceeding.

The agent should file a Proof of Claim for the court ordered obligations with the bankruptcy court, if one is sent. Instructions are provided with the form. The following statement should be put in block 1 of the proof of claim form. "Restitution is an unsecured, non-priority claim. Restitution debts are established by court order on "X" date to be paid as a condition of the debtor's felony/misdemeanor conviction." Attach a copy of the Judgment of Conviction to the Proof of Claim form.

The following statement should also be inserted on the Proof of Claim form. Although for space reasons, it may need to be on the back of the form, it should be referred to on the front: "The Wisconsin Department of Corrections' position is that a restitution debt is not dischargeable under Chapter 7 or Chapter 13. See 11 U.S.C. sec. 523 (a)(7) and Kelly v Robinson, 107 S.Ct. 353 (1986). Also see Pennsylvania Dept. of Public Welfare v Davenport, 495 U.S. 552, 110 S.Ct. 2126 (1990), and changes in the Bankruptcy Code, 11 USC Sec. 1128(a) that took effect in 1990."

Under Item #5, on the Proof of Claim form, "type of debt" mark "unsecured" and refer back to your answer in Item #1.

TERMINATION OF SUPERVISION WITH OUTSTANDING FINANCIAL OBLIGATIONS

.01 UNPAID FINANCIAL OBLIGATIONS

Offenders should not be allowed to reach discharge with outstanding court-ordered financial obligations. If an offender, in error, should pass the discharge date with obligations owing and no extension is signed by the court, the agent must prepare a DOC-101a to have the outstanding balance converted to civil judgment. Upon the court's signature, a copy must be sent to the Cashier's Unit in order to reduce the balance to zero. The Department has no legal authority to continue supervision or to require further payments; however, voluntary payments may be collected. The agent or staff receipting the payment in WICS should indicate that it is a special priority payment (refer to WICS Manual/Priority Payments). It must be noted to which case the funds apply and process the receipt and payment as usual. Cashiers will apply the payment to the designated case.

.02 TERMINATION PROCEDURE WITH OBLIGATIONS OWING

On cases where the crime date is prior to September 1, 1988, cases will not automatically discharge if court ordered obligations are still due. To request termination of supervision with court obligations owing, the agent must submit a completed Request for Administrative Action (DOC-44A) to the field supervisor indicating reasons why the case should be terminated with obligations owing. Cases may be terminated in this manner only if the discharge date has passed. If approved, the Central Records Unit will close the case. A discharge certificate will not be issued.

INMATE/PAROLEE/ES OFFENDER FINANCIAL RESPONSIBILITIES

.01 AUTHORITY

Wisconsin Statutes 973.09; 973.20

.02 GENERAL STATEMENT

For crimes committed on or after September 1, 1988, courts will in most cases order restitution and/or other financial obligations in addition to imposed prison terms. The court may specify a deadline for payment of these financial obligations, which would necessitate

payment while incarcerated. If no deadline for payment is specified by the court, the financial obligation becomes a condition of parole or extended supervision.

.03 PAYMENT BY INMATES

Inmates may make voluntary payments while incarcerated or can be ordered by the court to make payments while incarcerated. Payments by inmates will be sent by the institution Business Office to the Cashier's Unit.

Persons who are direct- discharged from the institution will not receive parole supervision. Therefore, civil action by the victim will be necessary to obtain restitution.

.04 PAYMENT BY PAROLEES AND EXTENDED SUPERVISION OFFENDERS

Financial obligations which are not paid during incarceration become conditions of parole or extended supervision. Failure to pay financial obligations is a violation of the Rules of Community Supervision. Appropriate responses will be imposed consistent with an evidence-based approach to violations decision-making process. Parole or extended supervision may not be extended to allow for payment.

.05 REVOCATION

For crimes committed on or after September 1, 1988:

- A probationer having an imposed and stayed prison sentence, including financial obligations, would, if revoked, owe those financial obligations as a condition of parole or extended supervision.
- A probationer having an imposed and stayed jail sentence would upon revocation still owe those financial obligations and the court shall be notified by the agent of the amount owed.
- A probationer having a withheld sentence including financial obligations would, on revocation and sentence to prison, owe those financial obligations as a condition of parole or extended supervision unless the court addressed the obligations in sentencing.
- A person on parole or extended supervision owing financial obligations would, if revoked, owe those obligations as a condition of subsequent parole or extended supervision.

OFFENDER DEATH

.01 PROCEDURE

OFFENDER DEATH

.01 PROCEDURE

When an offender on supervision dies, the agent will submit a Recommendation for Administrative Action (DOC-44A) within 7 days of the agent becoming aware of the death. The DOC-44A will include documentation of the death in a narrative on the form or attached to the form. Verification of the death may include reports from such sources as a hospital, doctor, police, newspaper, coroner, funeral director, etc. Notice of death from a family member or significant other is not sufficient without secondary verification. Central Office staff forward the request for the death certificate to the Wisconsin Bureau of Vital Statistics or other appropriate locations if the death occurred out of state. It can take three months minimum to receive a death certificate on a Wisconsin offender and six months minimum to receive an out of state death certificate. Upon receipt of the death certificate, Central Office staff will forward the certificate to the agent of record and the case will be closed in WICS.

All deaths while on supervision should be entered into the case notes and indicate how the agent learned of the death, the date, and suspected cause. A situation alert is required for all unusual or high profile deaths of DOC offenders. Please refer to the ECRM section on situation alerts for more information.

EXPUNGEMENT

.01 AUTHORITY

Wisconsin Statute 973.015

.02 GENERAL STATEMENT

"Expunge" means "to strike or obliterate from the record all references to a defendant's name and identity." If a person is under the age of 25 at the time of the commission of an offense which has a maximum period of imprisonment of 6 years or less, and is found guilty, the sentencing court may order that the record be expunged upon successful completion of probation. The court must determine that the person will benefit and society

will not be harmed by disposition. The court must order the expungement at the time of sentencing for the offender to be eligible and be reflected in the court record. Expungement may be ordered on cases with both probation orders and prison sentences.

.03 SUPERVISION

The court order will specify if the offender is eligible for expungement. All aspects of supervision are consistent with other probationers including disposition of violations and revocations.

.04 TERMINATION

A person has "successfully completed" probation if there is no conviction for a subsequent offense, probation has not been revoked, and all conditions of probation are satisfied. A subsequent offense is defined as a conviction in criminal court. Municipal citations, including Operating While Intoxicated - 1st, are not considered a subsequent offense.

Within ten days following the discharge date, the agent shall forward information to the court indicating whether or not the eligible offender has successfully completed probation. For offenders who have successfully completed probation, the Certificate of Discharge and the Verification of Satisfaction of Probation Conditions for Expungement (DOC- 2678) are provided to the court. For offenders who have not met the criteria for expungement, the Failure to Meet Criteria for Expungement (DOC-2678A) must be completed for the court. If the offender has been granted expungement on a sentence served in prison, the agent shall submit a court memo indicating to the court that the offender has discharged from supervision within ten days of the discharge. The memo must indicate whether or not the expungement criteria defined above has been met. Submission of these documents will initiate the expungement process.

If an offender is revoked, the court is notified by the Central Records Unit.

Upon notification of successful completion of supervision, the court will expunge the record. The agent should encourage the offender to follow up with the Clerk of Court in the county of conviction to ensure that the record has been expunged.

.05 RELEASING INFORMATION

This statute, for purposes of records, only applies to court records. Release of information from Division files is handled as with standard probation cases while active. Adjudication under this statute may be included under prior record for future pre-sentence investigations.

.06 EXPUNGEMENT OF DEPARTMENT RECORDS

The court or Department of Justice may order the Department to vacate an action or finding or require specific records or information expunged from an offender record. All court orders to vacate or expunge shall be forwarded to the regional litigation coordinator, regional chief or designee. The regional litigation coordinator shall consult with the Office of Legal Counsel to coordinate the process. This section does not apply to court orders for expungement under Wisconsin Statutes 973.015.

EXECUTIVE CLEMENCY

.01 AUTHORITY

Wisconsin Statute 304.08 and 304.11

.02 GENERAL STATEMENT

The Governor has the power to grant clemency which includes pardons, conditional pardons, commutations, and reprieves. The Governor has total discretion in the granting of any of these forms of clemency.

.03 APPLICATION PROCEDURE

Chapter 304 of the Wisconsin Statutes sets forth rules regarding applications for clemency. All applications for clemency must be made in writing by the person seeking the clemency or by someone on that person's behalf. Information about the clemency application procedure, instructions, and application forms may be obtained by contacting:

Governor's Office
State Capitol
Madison, WI 53702

A lawyer is not required, nor does it usually help to have a lawyer at the Pardon Advisory Board hearing. These hearings are very informal, and the board would rather talk directly with the applicant.

.04 DIVISION RESPONSIBILITIES

The Division of Community Corrections employees should never initiate clemency proceedings, nor should they make personal recommendations concerning the clemency application of an inmate, offender, or resident under the custody or supervision of the Department of Corrections.

Some applicants or their attorneys may ask the agent to provide them a summary of the case. When this occurs, the applicant or the attorney should be informed that a statement will not be prepared unless requested by the Governor's Office. If a statement is requested by the Governor’s Office, the agent will not furnish a copy of the statement prepared for the Governor to the applicant or his attorney. If the applicant or attorney requests a copy, the agent should refer them to the Governor’s Office. In preparing a summary of the case, the agent should not include a recommendation, unless a specific request has been made. This is forwarded by the agent to the Regional Chief who will transmit it to the Division Administrator for routing to the Governor’s Office.

It is permissible for Division employees to write personal letters of recommendation on former inmates, offenders, or residents not currently under the custody or supervision of the Department of Corrections. Since such letters reflect the personal views of the writer, they should be written on plain stationery and not on Department letterhead.

Division of Juvenile Corrections (DJC) - Discharge Section

Copyright © 2012 [WI Department of Corrections]

18 - Expiration of Commitment and Administrative Discharge

Overview of Chapter Contents

Primary Topics Covered in this Chapter (read across)

• Maintaining Expiration Date in JJIS	• Expiration of Youth's Commitment in a JCI
• Expiration of Youth's Commitment in the Community	• Special Circumstances
• Administrative Discharge: Administrator's Authority	• Administrative Discharge of Youth in a JCI
• Administrative Discharge of Youth in the Community	• Cash Grants
• CHIPS Referrals	
• Death of a Youth under DJC Supervision	

Forms Discussed in this Chapter

• Department Order (DOC-1722)	• Exit Evaluation (DOC-1749)
• Wisconsin Death Certificate Application (F-5280)	• Recommendation for Administrative Action Worksheet (DOC-44A)
• Referral to DJC Employment or Independent Living Programs (DOC-2368)	• Exit Evaluation - Youth (DOC-2740)
	• Exit Evaluation - Parent/Guardian (DOC-2739)

The DOC forms are accessible in MyDOC. The death certificate form is accessible on the DHS web site at http://dhs.wisconsin.gov/forms/DPHnum.asp. CMM holders may print a copy and place in their CMM. Whenever completing a form, check MyDOC to be sure the most current form is being used.

Maintaining Expiration Date in JJIS

Dispositional Order

The youth's Dispositional Order contains either the expiration date of the commitment order, states that it is for a period of one year or until a certain age. When a youth enters a JCI, **the OOA enters the expiration date into JJIS** during the admission process. [see Chapter 3]

Change in Expiration Date

Extension Request

During a youth's JCI placement or community supervision, DJC or other authorized entity may petition the committing court for an **extension** of the youth's commitment because the youth requires further treatment and services beyond the current expiration date. [see Chapter 9]

Youth Petition to Terminate Supervision

The youth may also petition the court for termination of DJC supervision.

Court Order

The court modifies the youth's expiration date by signing an order extending or terminating the period of supervision. The OOA in a JCI or the agent in the community updates the date in JJIS whenever a court modifies the period of supervision. Social workers, agents and OJOR staff must always be aware of the youth's current expiration date by accessing the information in JJIS.

Expiration of Youth's Commitment in a JCI

Placement in Transition Phase

All youth expected to reach his or her commitment date while residing in a JCI shall be placed in a transition phase 90 days before their discharge. Participation in the transition phase will allow for more resources to be available for the youth to aid them in their successful reintegration into the community.

Copyright © 2012 [WI Department of Corrections]

Release Planning

- Institution social worker in conjunction with state agent or county worker, develops a COMPAS case plan at least 30 days before release to ensure for adequate living arrangements for youth to include housing, clothing, food, psychological care and follow-up, psychotropic medication issues, education and job opportunities and community resources. The plan is reviewed and approved by supervisor.
- At least 15 days prior to youth discharge/termination, youth signs the case plan. Copy of case plan is sent to all JPRC participants.
- If reentry assessment indicates that the youth poses a significant ongoing risk to public safety, social worker and state agent make a recommendation to the field supervisor as to whether local law enforcement should be personally notified about the youth's release.
- If reentry assessment indicates that the youth has significant ongoing treatment needs, social worker and state agent make a recommendation to the field supervisor as to whether the county human services agency should be personally notified about the youth's release.

Role of Social Worker

When a youth reaches his or her court commitment expiration date while residing in a JCI, the social worker performs the tasks described below. Not all tasks are required for all youth.

- **Notice of impending expiration**: Complete the Juvenile Release Authorization (DOC-1788), Action Needed Request (DOC-1734) or other appropriate notice **at least 15 days prior** to the youth's expiration date.
- With justification and supervisory approval, the notice may be completed a minimum of 5 days (excluding weekends and holidays) prior to expiration.
- This notice permits the OOA to complete the Notice of Discharge of Youth from Secured Correctional Facility (DOC-1630) [see Chapter 12] and OJOR to provide notice to victims/witnesses with a request on file. [see Chapter 11]
- **Order to Detain**: Review youth's record to determine if an agency has an order to detain on file and notify that agency that the youth's expiration date is approaching. [see Chapter 3]
- **Dual supervision**: Contact the youth's adult agent to coordinate transition plans when a youth will be under an adult supervision order upon expiration. [see Chapter 20]
- **Sex Offenders**: Ensure that youth has met requirements for registration, DNA specimen and ch. 980. [see Chapter 22]
- **Cash grant**: see section later in this chapter
- **CHIPS referral**: see section later in this chapter
- **Referral to Transitional Independent Living Program**: see section later in this chapter

Community residence: Finalize the youth's living arrangements and arrange for transportation.

Notice to a parent or relative: When the youth will reside in a home in the community, the social worker notifies in advance the responsible adult in the home of the date of the youth's arrival.

Health Services: Contact HSU at least 3 days prior to expiration to obtain a prescription for medications that the youth will continue to take after leaving the JCI. Best practice is to contact HSU 7-10 days prior to youth's departure.

Copyright © 2012 [WI Department of Corrections]

- **Education Records/LifeWork Education Portfolio:** Notify education director that youth's expiration is approaching in time for teachers to review the LifeWork Education Portfolio, and to administer updated testing and assemble records to forward to receiving school district, if applicable. Make sure that the youth has possession of her or his Portfolio upon departure from the JCI.
- **Exit Evaluation**: Ensure that designated JCI staff request that the youth complete the Exit Evaluation (DOC-1749)
- **Release Assessment Dialogue**: See chapter 26, "Admission and Release Assessment Dialogues" for instructions for completing the release assessment dialogue.

Role of OJOR

- **Sex offenders:** Follow required procedures for youth covered by ch. 980, Stats. [see Chapter 22]
- **Victim/witness notification**: Follow required procedures [see chapter 11]
- **Department Order**: Issue DOC-1722a terminating youth's DOC supervision. [see Chapter 5}

Role of THE OOA

Issue the Notice of Discharge of Youth from Secured Correctional Facility (**DOC-1630**) when the youth's departure date is known. WI Stat §938.51 requires that community notification be provided at least 15 days prior to the youth's return to the community. [see Chapter 12]

Role of Agent

Agents are responsible for arranging transition meetings for youth that are going to discharge while in a JCI. The focus of the transition meetings will be to make the youth aware of resources that are available to him or her upon release. Agency representatives that may provide services to the youth upon their return can be recruited to participate in the meetings.

Expiration of Youth's Commitment in the Community

Role Of Agent

When a youth reaches his or her expiration date while on community supervision (type 2 or aftercare), the agent performs the appropriate tasks listed below.
The agent retains responsibility for performing the necessary tasks when a youth has returned to a JCI from community supervision fewer than 30 days prior to the expiration date.
RELEASE PLANNING

- State agent develops a COMPAS case plan at least 30 days before release to ensure for adequate living arrangements for youth to include housing, clothing, food, psychological care and follow-up, psychotropic medication issues, education and job opportunities and community resources. The plan is reviewed and approved by supervisor.
- At least 15 days prior to discharge/termination, youth signs the case plan. Copy of case plan is sent to all JPRC participants.
- **Notice of Release of Youth from Community Supervision** (DOC-1626): complete in JJIS and distribute at least 15 days prior to the expiration date. Completion in a timely manner is required in order to comply with s. 938.51, Stats., regarding notification of victims/witnesses and community agencies. [see Chapters 11 & 12]
- **Order to Detain**: Review youth's record to determine if an agency has an order to detain on file and notify that agency that the youth's expiration date is approaching. [see Chapter 3]
- **Dual supervision**: Contact the youth's adult agent to coordinate transition plans when a youth will be under an adult supervision order upon expiration. [see Chapter 20]

Copyright © 2012 [WI Department of Corrections]

- **Sex Offenders**: Follow requirements for registration and DNA specimen. [see Chapter 22]
- **CHIPS referral**: See section later in this chapter
- **Transitional Independent Living Program**: See section later in this chapter

Community residence: Finalize the youth's living arrangements and arrange for transportation

- **Notice to a parent or relative:** When the youth will reside in a private home in the community, the agent notifies in advance the responsible adult in the home of the date of the youth's arrival.

Prescriptions: Assist the youth to obtain a prescription for medications he or she will continue to take after expiration.

- **Electronic monitoring:** For youth with an electronic bracelet or GPS unit, arrange for the removal of the equipment prior to expiration.

LifeWork Education Portfolio: Review the youth's Portfolio making sure that all documents are included and give it to the youth.

EXPIRATION OF YOUTH'S COMMITMENT IN THE COMMUNITY

During the last appointment, the agent or youth counselor shall give the youth and guardian an exit evaluation (DOC-2740 – Youth and DOC-2739 – Parent/Guardian) and a self-addressed stamped envelope. The youth and guardian are asked to complete the evaluations, providing information regarding their community supervision experience with the Division of Juvenile Corrections. They can complete the evaluation, seal it in a regular envelope, and give it to the agent or youth counselor during this last appointment. The agent forwards the sealed envelope to the regional chief for review. The youth and guardian may also complete the evaluation at a later date and mail it to the regional chief using the self-addressed stamped envelope provided. The exit evaluation allows the youth and guardian an opportunity to provide feedback to the Department. The information obtained will be complied and used to recognize successful practices and improve service delivery.

Special Circumstances

Social workers, agents and OJOR staff must be aware that occasionally a **court may unexpectedly and immediately terminate DJC supervision of a youth.** The court may do so at a hearing by granting a youth's petition for termination of supervision or denying a DJC request for extension of supervision. [see Chapter 9] All staff shall complete the appropriate tasks described in this chapter subsequent to the court's termination of the youth's commitment order.

Administrative Discharge: Authority of Administrator

Authority of Administrator

The DJC administrator has **authority**, under s. 938.53, Wis. Stats., to sign a Department Order (DOC-1722) that administratively **discharges a youth from DOC supervision prior to the expiration of the Dispositional Order.** As of the date the DOC-1722 is effective, DJC no longer has legal authority to supervise the youth. The most common circumstance under which the Administrator authorizes an administrative discharge is **when a youth is placed in an adult correctional institution** due to an adult conviction. In that situation, the Administrator determines that continued DJC supervision is not necessary because the period of adult supervision will likely extend beyond the youth's expiration of DJC supervision.

In a rare case, the Administrator discharges a youth due to the youth's success in meeting his or her goals and objectives. The **administrator determines that the youth no longer requires correctional supervision**. Administrative discharge may be requested in the following circumstances:

Copyright © 2012 [WI Department of Corrections]

A youth has been convicted in criminal court and received a prison sentence that goes beyond her/his juvenile expiration date.

- On a case-by-case basis, a youth has been convicted in criminal court and received an adult probation order that goes beyond her/his juvenile expiration date. The request should analyze whether DJC or DCC has the most appropriate services and supervision resources for the youth.
- A DJC-supervised youth goes to another state on Interstate Compact and is convicted in adult court, receiving prison or probation term longer than her/his WI juvenile order.
- An SJO youth is stable after at least three years of participation, has steady period of employment, has no violations within the past six months, and has discharged all court and DOC obligations including fines, restitution and community service.
- A DJC-supervised Interstate Compact youth goes to another state on Interstate Compact, and the receiving state requests early termination of the WI juvenile order because youth is doing well.

A youth whose juvenile correctional order expires on a weekend or holiday is being transported to a secure detention or confinement facility on the prior weekday.

Limitations on Administrator's Authority

The Administrator **lacks legal authority to discharge** youth under the following circumstances:

- **SJO** youth with less than 3 years in SJOP.
- Youth with **conviction only** (no adjudication): only DAI may discharge.

Administrative Discharge of Youth in a JCI

Role of JPRC

- JPRC member recommends to other JPRC members that a youth in a JCI should be discharged from supervision stemming from an adjudication.
- JPRC members make a recommendation to OJOR reviewer.

Role of OJOR Reviewer

- Draft a DOC-1722 if reviewer supports recommendation.
- Forward DOC-1722 to the OJOR director in Central Office.

Role of OJOR Director

- Review the youth's file to decide whether the recommendation appears to be appropriate.
- Forward the DOC-1722 to the Administrator if he or she determines the recommendation to be appropriate. If
- Administrator approves the recommendation, follow other procedures applicable to the youth:
- Chapter 980 procedures [see Chapter 22]

Victim/witness notification [see Chapter 11]

Role of Administrator

Sign and distribute the DOC-1722 if in agreement with OJOR Director.

Role of JCI Social Worker Upon the Signing of DOC-1722

When the social worker know the administrative discharge date, she or he completes tasks listed in the section above titled: "Expiration of a Youth's Commitment in a JCI: Role of Social Worker."

Role of OJOR Upon Administrator's Signing of DOC-1722

Complete the tasks listed above in the section titled: "Expiration of a Youth's Commitment in a JCI: Role of OJOR."

Administrative Discharge of Youth in the Community

Role of Agent: Recommendation

Agent may recommend to a supervisor that a youth on type 2 or aftercare supervision be discharged from correctional supervision stemming from adjudication.

Roles of Supervisor and Regional Chief

- Supervisor and Regional Chief determine whether the recommendation appears to be appropriate.
- Regional Chief drafts a DOC-1722 if he or she agrees with recommendation.
- Regional Chief forwards DOC-1722 to the Administrator for approval.

Role of Administrator

Sign and distribute the DOC-1722 if in agreement with recommendation of Regional Chief.

Agent Responsibilities Upon Signing of DOC-1722

See section above: "Youth on Community Supervision Upon Expiration; Role of Agent."

Role of OJOR

See section above: Youth on Community Supervision Upon Expiration; Role of OJOR

Cash Grants for Youth Leaving a JCI

Purpose of Cash Grant

A cash grant pays for the youth's **unmet needs on the day he or she leaves the JCI**. In some circumstances, the youth will have no unmet needs because he or she is going directly to a supervised community placement. In other situations, the youth may have no unmet needs because of the youth's financial resources combined with DJC services and supplies such as donated clothing and sack meals. In those cases, the youth would not receive a cash grant. However, in some cases, generally when a youth has reached his or her expiration date, the youth may have unmet needs for which he or she needs financial assistance.

Responsibilities of Reintegration Social Worker

The social worker follows the **procedures described below to determine the amount, if any, of the cash grant to be paid to the youth for unmet needs on the day of departure from the JCI.**

Assessment of Need for Cash Grant

- At least **30 days prior** to the youth's **departure**, assess the **youth's needs** for the day of departure.

• Clothing needed	• Transportation from the JCI to youth's destination
• Meals the youth requires during travel	• Sleeping arrangements for the night of arrival

- **Determine availability of supplies** maintained by the JCI such as donated clothing and sack meals.
- Compute the amount of money required, if any, to meet the youth's needs.
- Compute the actual amount of **money needed** to cover the youth's **unmet needs** on the departure. Consider the **reasonable costs** of the youth's expenses not met by DJC. For example, what is the actual cost

Copyright © 2012 [WI Department of Corrections]

of a pair of gloves or a meal at a restaurant during travel.

Evaluate the Youth's Personal Financial Resources

- Determine amount of **money in the youth's JCI account** and any funds that may be disbursed or received prior to the departure date.
- Obligation to make payments in the JCI on debts ceases at the time the social worker determines that the youth needs a cash grant, but not sooner than 30 days prior to the youth's departure from the JCI. [see Chapter 21]
- Obligation of a youth being released to community supervision to pay debts is reinstated as of the youth's first meeting with his or her agent.

Evaluate Family Resources

Evaluate the financial resources of the youth's family to determine to what extent the family can assist the youth. For example, could the family purchase winter clothing and send it to the JCI, or could the family send money for the cost of a bus ticket.

Youth to be Placed Out-of-State under ICJ

- Social worker consults with the youth's agent and the ICJ Office to assess the youth's needs. [see Chapter 19]
- The ability of the youth's family to contribute to the costs upon release is evaluated. If expenses remain that cannot be met with the youth's account, family's contribution and JCI supplies, the social worker and the agent determine which costs shall be paid by the field and which expenses shall be met with a cash grant from the JCI. The field pays the transportation costs.

Determination of Amount of Grant

The social worker determines the amount of the cash grant, if any, by **comparing the costs of meeting the youth's needs** on the day of departure with the money, supplies and other **assistance available.**

Award of a Cash Grant

- Social worker **informs the business office and superintendent/designee** of the **amount of money** needed for the cash grant as soon as possible, but **no later than 15 days prior** to the date of youth's departure from the JCI.
- When a portion of the cash grant and/or funds from the youth's account is needed to make purchases prior to the departure date, the social worker informs the business office at least 15 days in advance of the amount needed to make the necessary purchase(s). For example, clothing or a bus ticket may be purchased prior to the day of departure.

Business office procedures to record cash grant

Enter the cash grant paid under s. 938.48 (13), Stats., Project code 890 in fields 5, 6, and 7 in the center code on invoices.

Cash to youth

- Social worker has 2 options regarding the cash grant.
- May give cash to the youth to pay for unmet needs.
- May make some purchases and then give the remaining money, if any, to the youth in cash.
- Youth being released to supervision
- Youth signs an agreement written by the social worker stating how the cash can be spent.

  Youth submits the agreement and receipts to the agent at their first meeting in the community.

Copyright © 2012 [WI Department of Corrections]

CHIPS Referrals

Milwaukee County

In Milwaukee County, the **Division of Milwaukee Child Protective Services reviews allegations of abuse and neglect** that it receives through its hot line (414) 220-SAFE (220-7233).
If a social worker decides not to investigate the referral, he or she notifies the referral source in writing.
The Division investigates some referrals and then, if appropriate, refers the case to the district attorney with a request that a Children in Need of Protective Services (CHIPS) petition under Chapter 48 be filed.

Youth Appropriate for Referral

- Youth is under age 18 and is nearing the expiration date of her/his court commitment to DJC
- No unmet correctional or treatment needs justify the filing of an extension petition, or a petition cannot be filed. [see Chapter 9]
- Youth has no safe, suitable and legal home to return to or is otherwise at risk for abuse and neglect.

Referral Procedures

The following procedures are mandated by the Children's Division of Milwaukee County Circuit Court, in a directive signed April 26, 2012 by the presiding judge.
The reintegration social worker (for a youth in a JCI) or agent (for a youth in alternate care or a community placement) shall make a referral to the Division Access Supervisor at least 60 days prior to expiration. Referral should only be made after diligent efforts to locate a safe, suitable and legal home for the youth.
When making the referral call, the social worker or agent should be prepared to give information about:

- Why s/he is calling
- Demographic and contact information about the youth and her/his family
- Whether the youth or family has limited English proficiency
- Whether the youth may have tribal affiliation
- Family functioning, strengths and current stresses

Reasons that a safe, suitable home is unavailable to the youth; for example, past abuse and neglect, family members were victims of youth's violent or assaultive behavior, parent/guardian unable or unwilling to take youth back into the home, extended family unavailable

The Access Supervisor will transfer the call to an Access social worker who will take the referral information. If there is no placement for the youth, the referral will then be screened by the Access Supervisor and assigned to an Initial Assessment social worker.
The Initial Assessment social worker will begin the assessment process, including efforts to locate a safe placement for the youth.
If the Initial Assessment Social Worker is unable to locate a safe, suitable and legal home for the youth, The Division will prepare to take temporary physical custody and provide placement upon expiration of the youth's correctional court order.

Other Counties

The social worker or agent contacts the county's Department of Human Services or Social Services to inquire about the CHIPS petition referral procedures for that county.

Death of a Youth Under DJC Supervision

When a youth dies during active community supervision by DJC, the field agent uses the DOC-0044A form to notify

Copyright © 2012 [WI Department of Corrections]

the field supervisor that the death has occurred. The agent checks the box on the form to indicate that a non-certified copy of the youth's death certificate is to be requested from the state Wisconsin Vital Records Office. The field supervisor reviews and signs the form, and routes it to the regional chief for her/his review and signature. The regional chief returns the form to the program assistant in the agent's field office.

The program assistant places the signed DOC-0044A in the youth's field file. The program assistant fills out the Wisconsin Death Certificate Application, form F-5280, and sends it to the Wisconsin Vital Records Office along with the applicable fee and a self-addressed stamped envelope to the address on the form. A copy of the F-5280 is placed in the youth's field file.

The program assistant initiates a request for case termination by entering the appropriate code in the JJIS community tracking screen. OJOR-Central Office will issue a termination number when notified of that action by JJIS.

It may take several months for the death certificate to be issued. When the field office receives the certificate, it should be placed in the youth's field file.

Copyright © 2012 [WI Department of Corrections]