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**IDAPA 06
TITLE 02
CHAPTER 03**

06.02.03 - RULES GOVERNING RELEASE READINESS

000. LEGAL AUTHORITY.

01. Section 20-212, Idaho Code. Pursuant to Section 20-212, Idaho Code, the board shall make all rules necessary to carry out the provisions of Title 20, Chapter 2, Idaho Code, not inconsistent with express statutes or the state constitution. (2-6-15)

02. Section 20-217A, Idaho Code. Pursuant to Section 20-217A, Idaho Code, the director shall assume all the authority, powers, functions and duties as may be delegated to him by the board. (2-6-15)

03. Section 20-226(2), Idaho Code. Pursuant to Section 20-226(2), Idaho Code, the board shall use a validated risk assessment to determine, for each offender, the risk of re-offense and suitability for release and the commission is to use the risk assessment in determining parole. (2-6-15)

04. Section 20-228, Idaho Code. Pursuant to Section 20-228, Idaho Code, the commission shall include in the conditions of parole a requirement that the offender enter into and comply with an agreement of supervision with the board. (2-6-15)

05. Section 20-233(2), Idaho Code. Pursuant to Section 20-233(2), Idaho Code, the board may submit a request to the commission for a final order of discharge from the remaining period of parole for any parolee under the board's supervision at any time during the period of parole. (2-6-15)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 06.02.03, "Rules Governing Release Readiness," IDAPA 06, Title 02, Chapter 03. (2-6-15)

02. Scope. These rules are established to govern the duties and responsibilities delegated to the board for preparing offenders for release back into their communities. (2-6-15)

002. WRITTEN INTERPRETATIONS.

Pursuant to Section 20-212(1), Idaho Code, the Board is exempt from all provisions of Chapter 52, Title 67, Idaho Code, except as specifically noted therein so there are no written interpretations of these rules. (2-6-15)

003. ADMINISTRATIVE APPEALS.

Pursuant to Section 20-212(1), Idaho Code, the Board is exempt from all provisions of Chapter 52, Title 67, Idaho Code, except as specifically noted therein so there is no provision for administrative appeal. (2-6-15)

004. INCORPORATION BY REFERENCE.

No documents are incorporated by reference in this chapter. (2-6-15)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

01. Street Address. The Idaho Board of Correction's administrative office and the Idaho Department of Correction are located at 1299 N. Orchard St., Suite 110, Boise, Idaho 83706-2266. Business hours are typically 8 a.m. to 5 p.m., Monday through Friday, excluding holidays. (2-6-15)

02. Mailing Address (Board of Correction). Mail regarding the Board's rules shall be directed to the Idaho Board of Correction, Attn: Management Assistant, Office of the Director, 1299 N. Orchard St., Suite 110, Boise, Idaho 83706-2266. (2-6-15)

03. Mailing Address (Dept. of Correction). Mail regarding the department shall be sent to 1299 N. Orchard St., Suite 110, Boise, Idaho 83706-2266. (2-6-15)

- 04. Telephone Number.** The telephone number of both the Board and Department is (208) 658-2000. (2-6-15)
- 05. Facsimile Number.** Faxes shall be sent directly to the person, division, bureau, or unit as requested. If the fax number is not provided by the person, division, bureau, or unit, contact the department's main reception at (208) 658-2000 to obtain the fax number. (2-6-15)
- 06. Electronic Mail.** The department's electronic mail address for public record requests and general inquiries is inquire@idoc.idaho.gov. (2-6-15)
- 07. Internet Website.** The department's Internet website can be found at <http://www.idoc.idaho.gov/>. (2-6-15)
- 006. PUBLIC RECORDS ACT COMPLIANCE.**
The rules of the Board are subject to, and in compliance with, the Idaho Public Records Act. The rules are maintained by the department, and shall be open to the public for inspection and copying at all reasonable times. (2-6-15)
- 007. -- 009. (RESERVED)**
- 010. DEFINITIONS.**
- 01. Board.** The state of Idaho Board of Correction. (2-6-15)
- 02. Commission.** The state of Idaho Commission of Pardons and Parole. (2-6-15)
- 03. Department.** The state of Idaho Department of Correction. (2-6-15)
- 04. Director.** The director of the Idaho Department of Correction. (2-6-15)
- 05. Earliest Possible Release Date.** The earliest of parole eligibility date (PED), tentative parole date (TPD), or full term release date (FTRD). (2-6-15)
- 06. Level of Service Inventory.** An instrument used to sample an offender's risk factors in order to provide a comprehensive risk and needs assessment, which is necessary in identifying offender treatment planning and supervision. The LSI is used to screen for crime-producing attributes based on a total score with results presented in 10 subscale domains. (All references to LSI include all subsequent revisions.) (2-6-15)
- 07. Motivational Interviewing.** An emphatic goal-directed communication style used in both group and individual settings to help offenders' battle addiction and promote behavior change. (2-6-15)
- 08. Offender.** A person under the legal care, custody, supervision, or authority of the Board, including a person within or without the state of Idaho pursuant to agreement with another state or contractor. (2-6-15)
- 09. Offender Management Plan.** A computer-based system maintained with the Computer Integrated System (CIS) that is used to record, monitor, and track the program activity of an offender. (2-6-15)
- 10. Parolee.** An offender who: (2-6-15)
- a.** Is released from a facility by the paroling authority prior to the completion of his sentence; (2-6-15)
 - b.** Agrees to comply with certain conditions established by the paroling authority; and (2-6-15)
 - c.** Remains under the control of a probation and parole officer (PPO) for the established period of supervision. (2-6-15)

11. **Rider.** An offender who: (2-6-15)
 - a. Is released from a facility by the judicial authority upon completing a retained jurisdiction period; (2-6-15)
 - b. Agrees to comply with certain conditions established by the judicial authority; and (2-6-15)
 - c. Remains under the control of a probation and parole officer (PPO) for the established period of supervision. (2-6-15)
 12. **Reception and Diagnostic Unit.** Initial housing for newly committed offenders - except those under sentence of death - where orientation, screening, assessment, and classification occur. (2-6-15)
 13. **Static 99.** A specific sex offender risk assessment instrument that yields separate long-term probabilities for sexual and/or violent re-offense risk. (2-6-15)
 14. **Test of Adult Basic Education.** Specialized screening and test that provides both preliminary (locator) and in-depth (comprehensive battery) measures of basic reading, mathematics, and language skills. (2-6-15)
- 011. ABBREVIATIONS.**
01. **DARS.** Drug and Alcohol Rehabilitation Specialists. (2-6-15)
 02. **EPRD.** Earliest possible release date. (2-6-15)
 03. **FTRD.** Full-term release date. (2-6-15)
 04. **LSI.** Level of service inventory. (2-6-15)
 05. **MAC.** Medical Action Committee. (2-6-15)
 06. **MI.** Motivational interviewing. (2-6-15)
 07. **OMP.** Offender management plan. (2-6-15)
 08. **PED.** Parole eligibility date. (2-6-15)
 09. **PER.** Program exception request. (2-6-15)
 10. **PPO.** Probation and parole officer. (2-6-15)
 11. **PRS.** Pre-release Specialists. (2-6-15)
 12. **PSI.** Presentencing Investigation. (2-6-15)
 13. **PSRS.** Psychosocial Rehabilitation Specialist. (2-6-15)
 14. **RDU.** Reception and Diagnostic Unit. (2-6-15)
 15. **SIPR.** Self-initiated Parole Request. (2-6-15)
 16. **SOP.** Standard operating procedure. (2-6-15)
 17. **SSDI.** Social Security Disability Insurance. (2-6-15)
 18. **SSI.** Supplemental Security Income. (2-6-15)

19. **TABE.** Test of Adult Basic Education (2-6-15)
20. **TC.** Therapeutic community. (2-6-15)
21. **TCU-DS II.** Texas Christian University drug screen II. (2-6-15)
22. **TPD.** Tentative parole date. (2-6-15)

012. OFFENDER CASE MANAGEMENT.

01. General Procedures. The department will designate points of contact in all correctional facilities and in each department district office, for the purpose of ensuring case managers, PPOs and parole hearing officers collaborate and develop thorough discharge plans for offenders being released from correctional facilities back into their communities. (2-6-15)

a. Department designated point of contracts will be in a management position, such as a section supervisor, program manager, or deputy warden. (2-6-15)

b. Department designated case managers will be PSRS, PRS, DARS, or any staff member responsible for planning offender releases. (2-6-15)

c. The department will utilize assertive case management as its core case management philosophy. (2-6-15)

02. Reentry Priority Designations. The Department will establish reentry priority designations based upon the offender's proximity to release. The reentry priority designations will be used to determine the intensity of reentry activities and case management tasks. (2-6-15)

a. The Department will establish case manager duties and contact standards based on the offender's reentry priority designation. Case manager contact shall increase as the offender's first eligible parole date approaches. Case manager contact will include reviewing, updating, and revising the reentry checklists referenced in Subsection 012.03 of these rules. (2-6-15)

03. Reception and Diagnostic Unit Reentry Checklists. The department will begin offender reentry processes while the offender is in the correctional facility's RDU. (2-6-15)

a. The department will develop a reentry checklist to initially be used while an offender is in RDU and updated throughout the offender's incarceration. The reentry checklist will be designed to have all discharge planning and reentry information in one (1) place. This will ensure the accurate sharing of information and continuity of care, and that an offender's identified needs are addressed prior to the offender's release from the correctional facility back into the community. (2-6-15)

b. Case managers will address all assessed criminogenic and reentry areas with offenders early in their incarceration so that they can make modifications prior to their release. Case managers will follow the contact standards established pursuant to Subsection 012.02 of these rules and document their findings. (2-6-15)

04. Mental Health and Healthcare Services Discharge Planning. Licensed professional staff will be responsible for identifying those offenders who have acute healthcare concerns so that discharge planning can begin. The Department will establish process to identify those offenders who have a mental health or healthcare concern that causes disability a minimum of one hundred eighty (180) days prior to release. (2-6-15)

05. Case Management Documentation. All case management activities, including case manager contacts and reentry and discharge planning activities, will be documented in a manner and form established by the Department. (2-6-15)

013. OFFENDER PROGRAM MANAGEMENT.

- 01. Core Philosophies.** The department will deliver an offender program management philosophy that will embrace the following core concepts: (2-6-15)
- a. Strength-based (supportive accountability); (2-6-15)
 - b. Assertive case management; and (2-6-15)
 - c. Solution-focused interventions. (2-6-15)
- 02. Core Intervention Tools for Offender Engagement.** The department will only employ those intervention tools that foster respect and accountability without compromising the safe operation of its correctional facilities and probation and parole district offices. Intervention tools should enhance communication, technology, and partnerships, and include, but are not limited to, the following: (2-6-15)
- a. Motivational interviewing (MI) as primary communication method; (2-6-15)
 - b. Technology for tracking and oversight; and (2-6-15)
 - c. Collaboration with internal, public, and private entities. (2-6-15)
- 03. Inclusion and Exclusion of Pathways Criteria.** (2-6-15)
- a. The Department will identify specific inclusion and exclusion criteria to be used to assign an offender's pathway. (2-6-15)
 - b. All offenders (except those sentenced to death, life without parole, or a fixed sentence with no indeterminate portion) will be assigned a pathway to address all assessed criminogenic issues. The Department will develop pathways to establish programs and other interventions to address an offender's assessed criminogenic issues. An offender will begin a pathway in anticipation of the first parole opportunity or fixed period of time. (2-6-15)
 - c. The Department will identify criteria and establish a process to allow the offender's case manager to request an exception to an assigned pathway that addresses the offender's criminogenic needs. (2-6-15)
- 04. Offender Management Plans.** The department will develop an OMP for all offenders utilizing the information obtained from the assessment and screening process. Case supervisors will use a multidisciplinary team approach to consider both the current needs of the offender and the transition and aftercare components of the OMP upon release of the offender into the community. PPOs will continue the OMP while the offender is in the community. OMPs will include goals for primary and individual pathways to target offenders' assessed risks. (2-6-15)
- 05. Offender Assessment and Screening Instruments.** All offenders, including Riders, will undergo screening and assessment upon arrival to RDU to identify the crime-producing attributes of each offender. (2-6-15)
- a. The assessment and screening instruments to be used by the Department shall be nationally recognized for assessing criminogenic needs of offender populations. (2-6-15)
 - b. The department shall establish a process to approve the use of offender assessment and screening instruments. (2-6-15)
 - c. Department will establish a training program for staff members to administer the offender assessment and screening instruments. (2-6-15)
- 06. Individual Assessments.** (2-6-15)
- a. The Department will identify factors that indicate when an individual assessment is necessary to further evaluate an offender's needs in specific areas such as mental health, substance abuse, responsivity factors, and

sex offender attributes. (2-6-15)

b. Individual assessments will be administered by either trained department staff or community providers. (2-6-15)

07. Youth Offender Assessments. The department will establish procedures and the assessment and screening instruments to be used to assess offenders who are under eighteen (18) years of age. (2-6-15)

08. Assessment and Reassessment Standards. The Department shall establish assessment and reassessment standards for all screening and assessment tools. (2-6-15)

09. Parole Hearing Process. (2-6-15)

a. Four (4) months prior to the offender's parole hearing month, the parole hearing officer will prompt case supervisors that a status summary is due. Case managers will ensure the summary status will be available at least ten (10) business days prior to the parole hearing in a manner and form established by the Department. (2-6-15)

b. The department will identify additional staff responsibilities, and requirements for self-initiated parole requests (SIPR) and post parole hearing processes. (2-6-15)

014. -- 999. (RESERVED)

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