

## **IDAPA 06 – BOARD OF CORRECTION**

### **06.02.02 – Rules Governing Release Readiness**

#### **Who does this rule apply to?**

*These rules apply to the Idaho Department of Correction and to any person under the legal care, custody, supervision, or authority of the Board of Correction.*

#### **What is the purpose of this rule?**

*The purpose of this rule is to govern the duties and responsibilities delegated to the Board of Correction for preparing offenders for release back into their communities.*

#### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

State Prison and County Jails -

Suspension of Judgment and Sentence and Parole Offenders:

- [Section 20-209, Idaho Code](#) – Control and Management of Correctional Facilities and Prisoners – Rehabilitative Services – Rules

State Board of Correction:

- [Section 20-212, Idaho Code](#) – Rules – Authority of the Board
- [Section 20-217A et seq, Idaho Code](#) – Appointment of Director – Salary – Powers and Duties
- [Section 20-223\(10\), Idaho Code](#) – Parole and Rules Governing – Restrictions – Psychiatric or Psychological Examination
- [Section 20-224\(2\), Idaho Code](#) – Information Regarding Prisoners to be Secured

#### **Who do I contact for more information on this rule?**

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## 06.02.02 – RULES GOVERNING RELEASE READINESS

### 000. LEGAL AUTHORITY.

**01. Section 20-212, Idaho Code.** Pursuant to Section 20-212, Idaho Code, the board is authorized to 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. (7-1-21)

**02. Section 20-217A, Idaho Code.** Pursuant to Section 20-217A, Idaho Code, the director is authorized to assume all the authority, powers, functions and duties as may be delegated to him by the board. (7-1-21)

**03. Section 20-224(2), Idaho Code.** Pursuant to Section 20-224(2), Idaho Code, the board uses 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. (7-1-21)

**04. Section 20-223(10), Idaho Code.** Pursuant to Section 20-223(10), Idaho Code, the Department is authorized to, in consultation with the commission, make rules regarding the preparation of offenders for release, and make rules regarding case plan development and assessment of risk. (7-1-21)

### 001. SCOPE.

These rules are established to govern the duties and responsibilities delegated to the board for preparing offenders for release back into their communities. (7-1-21)

### 002. 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. (7-1-21)

### 003. -- 009. (RESERVED)

### 010. DEFINITIONS.

**01. Board.** The state of Idaho Board of Correction. (7-1-21)

**02. Commission.** The state of Idaho Commission of Pardons and Parole. (7-1-21)

**03. Department.** The state of Idaho Department of Correction. (7-1-21)

**04. Director.** The director of the Idaho Department of Correction. (7-1-21)

**05. 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. (7-1-21)

**06. Rider.** An offender who: (7-1-21)

**a.** Is released from a facility by the judicial authority upon completing a retained jurisdiction period; (7-1-21)

**b.** Agrees to comply with certain conditions established by the judicial authority; and (7-1-21)

**c.** Remains under the control of a probation and parole officer (PPO) for the established period of supervision. (7-1-21)

**07. Reception and Diagnostic Unit (RDU).** Initial housing for newly committed offenders - except those under sentence of death - where orientation, screening, assessment, and classification occur. (7-1-21)

### 011. (RESERVED)

### 012. OFFENDER PROGRAMMING.

**01. Core Philosophies.** The department will deliver an offender program management philosophy that will embrace the following core concepts: (7-1-21)

- a. Strength-based (supportive accountability); (7-1-21)
- b. Assertive case management; and (7-1-21)
- c. Solution-focused interventions. (7-1-21)

**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: (7-1-21)

- a. Communication methods designed to enhance motivation; (7-1-21)
- b. Technology for tracking and oversight; and (7-1-21)
- c. Collaboration with internal, public, and private entities. (7-1-21)

**03. Reentry Plan.** The department will develop a reentry plan for all offenders utilizing the information obtained from the assessment and screening process. Program managers will use a multidisciplinary team approach to consider both the current needs of the offender and the transition and aftercare components of the reentry plan upon release of the offender into the community. PPOs will continue the reentry plan while the offender is in the community. (7-1-21)

**04. 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. (7-1-21)

- a. The assessment and screening instruments to be approved and used by the Department shall be nationally recognized for assessing criminogenic needs of offender populations. (7-1-21)
- b. Department will establish a training program for staff members to administer the offender assessment and screening instruments. (7-1-21)

**05. Individual Assessments.** (7-1-21)

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. (7-1-21)

b. Individual assessments will be administered by either trained department staff or community providers. (7-1-21)

**06. 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. (7-1-21)

**07. Assessment and Reassessment Standards.** The Department shall establish assessment and reassessment standards for all screening and assessment tools. (7-1-21)

**08. Parole Hearing Process.** Correctional 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. (7-1-21)

**013. CORRECTIONAL CASE MANAGEMENT.**

**01. General Procedures.** Management staff in all correctional facilities and in each department district office will be responsible for ensuring correctional case managers, PPOs, and parole hearing officers collaborate and develop thorough discharge plans for offenders being released from correctional facilities back into their communities. (7-1-21)

**02. Reentry Priority Designations.** (7-1-21)

**a.** 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. (7-1-21)

**b.** The Department will establish correctional case manager duties and contact standards based on the offender's reentry priority designation. Correctional 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 plan. (7-1-21)

**03. Reentry Plan.** The department will begin offender reentry processes while the offender is in the correctional facility's RDU. (7-1-21)

**a.** The department will develop a reentry plan to be used while an offender is in RDU and updated throughout the offender's incarceration. The reentry plan 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. (7-1-21)

**b.** Correctional 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. (7-1-21)

**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. A minimum of one hundred eighty (180) days prior to release, the Department will identify offenders who have a mental health or healthcare concern that causes disability. (7-1-21)

**05. Case Management Documentation.** All case management activities, including correctional case manager contacts and reentry and discharge planning activities, will be documented in a manner and form established by the Department. (7-1-21)

**014. -- 999. (RESERVED)**