

 <p>CD-050200</p>	<h1>NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always." Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	ISSUE DATE: 07/01/99	REVIEW/REVISED: 10/08/15
	EFFECTIVE DATE: 07/03/00	
	TITLE: Treatment/Supervision Plan Development / PPD Case Management and Written Conditions	

AUTHORITY:

Section 31-21-7 (F), 31-20-5.2, 31-21-10.1 and 66-8-102, NMSA 1978, Comp., as amended

REFERENCE:

ACA Standards 4-APPFS-2A-02 thru 4-APPFS-2A-13, and 4-APPFS-2B-01, *Performance Based Standards for the Adult Probation and Parole Field Services*, 4th Edition.

PURPOSE:

To establish procedures for the development of supervision plans that include measurable treatment objectives consistent with offenders' needs and the risk they present to the community, to establish procedures for the implementation and monitoring of those supervision plans and to establish procedures to provide offenders with an acknowledgment and understanding of their probation or parole contract conditions.

APPLICABILITY:

All Probation and Parole Division staff, offenders and any individuals or programs contracted to provide services to offenders.

FORMS:

- A. **Community Risk** form (*CD-050201.1*)
- B. **Community Risk – New Probationers** form (*CD-050201.2*)
- C. **Community Risk – New Parolees** form (*CD-050201.3*)
- D. **New Mexico Adjusted Public Risk Re-Assessment Instrument** form (*CD-050201.4*)
- E. **Community Corrections Program Contract Conditions** form (*CD-050201.5*)
- F. **Rules for Home Visits** form (*CD-050201.6*)
- G. **Notice to Employer** form (*CD-050201.7*)
- H. **Employer Questionnaire** form (*CD-050201.8*)
- I. **Firearms Notification** form (*CD-050201.9*)

ATTACHMENTS:

- A. **Instructions for Community Risk** Attachment (*CD-050201.A*) (10 pages)
- B. **Scored Assigned Risk Level** Attachment (*CD-050201.B*)
- C. **Offender Orientation Handbook** Attachment (*CD-050201.C*) (7 pages)

- D. **Order of Probation** Attachment (CD-050202.D) (2 pages)
E. **Assessment Referral Form** Attachment (CD-050202.E)

DEFINITIONS:

- A. Collateral Contact: Any contact between the PPO and a person or organization having knowledge of, or interest in, the offender's supervision status.
- B. Successful Field Contact: Any personal contact between a PPO and offender under PPD supervision away from the vicinity of the PPO's office, or contact with a neighbor in the immediate vicinity or a family member residing in the offender's home, if the offender is not at the residence, provided that such contact permits the PPO to make observations about the offender's behavior and activities in a manner that can be documented in the case notes.
- C. Levels of Supervision: Degrees of supervision based upon degree of risk.
Minimum - low risk/needs
Medium - moderate risk/needs
High - high risk/needs
- D. Needs: The assessment of offender's social, economic, and other deficiencies that affect the offender's ability to be rehabilitated.
- E. Offender: An adult placed under, or made subject to, supervision, probation and/or parole, as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.
- F. Overrides: The altering of the level of supervision by a probation and parole officer and approved by the district supervisor when the risk and needs instrument assigns a level which the officer is able to justify.
- G. Sex Offender: Applicable to persons convicted of a sex offense on or after July 1, 1995; and persons convicted of a sex offense prior to July 1, 1995, and who on July 1, 1995, were still incarcerated, on probation or on parole for commission of that sex offense.

A person eighteen (18) years of age or older who:

- Is a resident of New Mexico and convicted of a sex offense in New Mexico;
- Is a resident of New Mexico who is convicted of a sex offense pursuant to state, federal, tribal or military law;
- Changes residence to New Mexico when that person has been convicted of a sex offense pursuant to state, federal, tribal or military law;
- Does not have an established residence in New Mexico, but lives in a shelter, halfway house or transitional living facility or stays in multiple locations in New Mexico and who has been convicted of a sex offense pursuant to state, federal, tribal or military law; or

- Is a resident of another state and who has been convicted of a sex offense pursuant to state, federal or military law, but who is:
 - Employed full time or part time in New Mexico for a period of time exceeding fourteen (14) days for an aggregate period of time exceeding thirty (30) days during any calendar year including any employment or vocation, whether financially compensated, volunteered or for the purpose of government or educational benefit; or,
 - Enrolled on a full-time or part-time basis in a private or public school or an institution of higher education in New Mexico of higher education in New Mexico.
- H. Sex Offense: Sex offense means any of the following offenses or their equivalents in any other jurisdiction:
- Aggravated criminal sexual penetration or criminal sexual penetration in the first, second, third or fourth degree,
 - Criminal sexual contact in the fourth degree,
 - Criminal sexual contact of a minor in the second, third or fourth degree,
 - Sexual exploitation of children,
 - Sexual exploitation of children by prostitution ,
 - Kidnapping when the victim is less than 18 years of age and the offender is not the parent of the victim,
 - False imprisonment when the victim is under 18 years of age and the offender is not the parent of the victim,
 - Aggravated indecent exposure,
 - Enticement of child,
 - Incest when the victim is less than eighteen years of age,
 - Solicitation to commit criminal sexual contact of a minor in the second, third or fourth degree; or
 - Attempt to commit any of the sex offenses set forth above.
- I. Special Management: Any special management program of the New Mexico Probation Parole Division or any private program contracted to provide services for the New Mexico Probation Parole Division, which provides enhanced or modified levels of supervision and/or programming for offenders.
- J. These programs include Community Corrections Programs, Special Operations and Intensive Supervision Program (ISP).
- K. Special Programs Referral form: The form that is used for making referrals to community corrections programs.
- L. Standard Supervision: That standard of supervision provided to an offender who is not in a special management program.
- M. Supervision Contact: Contact between a PPD staff member and an offender in which information is received which allows the supervising PPO to evaluate the offender's

supervision status.

- N. Risk Assessment: An assessment based on probability of re-offending.
- O. Supervision Plan: Offender Management program (OMP).

POLICY:

It is the policy of the New Mexico Correction Department Probation and Parole Division that the supervising officer, with the offender's input, shall develop treatment objectives and a supervision plan according to the guidelines set forth in this policy and within the parameters set by the Court, Adult Parole Board, Interstate Compact, or the Corrections Department. The plan shall include whichever of the following is most appropriate for the supervision of the offender: Field Contacts, Office Contacts, and/or Collateral Contacts. The offender is provided a copy of the plan. The PPO shall document the activities and events involved in the implementation and monitoring of the supervision plan.

- A. The Department shall govern the classification and supervision of offenders to safeguard the community and meet the program needs of the offender. Offenders shall be placed in the appropriate supervision category within thirty (30) days of the offender being placed on supervision.

Offenders are reassessed as needed, but no longer than 6 months from the previous assessment, and reassessment reviews are documented in chronological order. Adjustments to the individual supervision plan are made based on reassessment, and are made in accordance with the offender's performance in the community. [4-APPFS-2A-03]

- B. The Department has an objective assessment process that identifies offender programming needs, risk of reoffending and level of supervision. There are provisions for regular review. The assessment process includes the following: [4-APPFS-2A-02]
- an initial assessment of each offender (and all subsequent reassessments) using a standardized assessment tool;
 - personal interview with the offender;
 - development of objectives that address community safety and offender needs;
 - a review of the offender's progress with previously set objectives; and
 - assessment or reassessment results are recorded in the case file and communicated with the offender.
- C. An initial interview with offenders shall be conducted within three (3) business days of being placed on community supervision. Upon notification that a high risk offender has been placed on community supervision, an officer initiates contact with the offender within two (2) working days, and conducts an initial supervision interview within five (5) working days or prior to release from confinement. [4-APPFS-2A-04]
- D. An individualized supervision plan is developed for each offender jointly with staff

within thirty (30) days of disposition. This plan is documented with signatures of staff and the offender and reviewed and approved by a supervisor. The offender is provided a copy of the plan. The plan includes, as appropriate: **[4-APPFS-2A-08] [4-APPFS-2A-09]**

- The appropriate level of supervision as determined by the offender's risk and need or override;
 - Measurable objectives to be met by the offender and the PPD officer;
 - Services that address the offender's needs and support the offender's efforts to meet the objectives;
 - Measurable criteria of expected behavior and accomplishments;
 - A time schedule for achieving goals and objectives; and,
 - Schedule progress reviews.
- E. Offenders are provided with interventions targeted to factors that relate to their individual criminal behavior and attitudes. **[4-APPFS-2A-06]**
- F. Consistent with law in the jurisdiction, there is policy defining when and how victim input is sought before a probation/parole officer requests the court or the releasing authority to add, remove, or modify any of the court-ordered special conditions of supervision. **[4-APPFS-2A-05]**
- G. The conditions of supervision shall be furnished in writing to offenders. Offenders are required to sign the conditions, indicating their understanding and willingness to comply with them. The conditions shall be explained by the issuing officer. If a communication problem (illiteracy, foreign language) prevents an offender from understanding the conditions, an officer assists in explaining the conditions. Conditions are translated to the language spoken by the offender. **[4-APPFS-2B-01]**
- H. When specific services ordered by the court or releasing authority are not available, the field staff notifies the court or releasing authority and requests guidance for alternative services or programs. **[4-APPFS-2A-12]**
- I. The agency supports supervision strategies and programs that have been scientifically demonstrated to enhance compliance with court or releasing authority ordered conditions, and to reduce criminal behavior. **[4-APPFS-2A-07]**
- J. Any change to an offender's individualized supervision plan shall be reviewed and discussed with the offender. The review is dated and documented by staff and offender signatures. **[4-APPFS-2A-10]**
- K. The field supervision plan shall be reassessed with the offender on an as-needed basis and adjusted in accordance with the offender's performance in the community. For community supervision, a review, reassessment and modification of the individualized supervision plan and level of supervision shall occur at least every six (6) months. The offender's progress in achieving objectives is reviewed and documented **[4-APPFS-2A-**

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- L. When written reports from offenders under supervision are required, the interval between each report shall be modified in relation to community adjustment; and information in the reports is relevant to the supervision plan and/or agency administrative requirements.
- M. Confidentiality of the offender's supervision plan shall be maintained.
- N. Offenders shall not be confronted with possible probation/parole violations for failure to meet financial obligations other than those which are conditions of probation/parole; however, offenders shall be strongly encouraged to fulfill all financial obligations.
- O. A closing summary or a final progress report is prepared that summarizes the performance of the offender during the entire period of supervision and key points noted on the offender's electronic file case notes. The closing summary or final progress report remains in the offender's supervision file. **[4-APPFS-2A-13]**
- P. The Transitional Coordinator shall identify the collective service needs of its probationers/parolees at least biannually.
- Q. Male and female offenders under supervision shall have equal access to all agency programs and activities.



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

10/08/15
Date

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AUTHORITY:

Policy *CD-057100*

PROCEDURES:

A. General Guidelines:

1. Supervision strategies and programs that have been scientifically demonstrated to enhance compliance with court or releasing authority ordered conditions will be supported and used to reduce criminal behavior. **[4-APPFS-2A-07]**
2. Probation and Parole Officers will assess the risk and needs of offenders assigned to special management programs within seven (7) working days of the offender reporting to the District office. Probation/Parole Officers (PPO) will assess the risk and needs of an offender assigned to non-special management programs within thirty (30) days of the case being assigned to them using forms and methods developed for this assessment. **Community Risk** form (*CD-050201.1*), **Community Risk–New Probationers** form (*CD-050201.2*), and **Community Risk – New Parolees** form (*CD-050201.3*) **[4-APPFS-2A-03]**
3. The offender shall be reassessed no later than six (6) months after the initial assessment and will be reassessed/reviewed at six (6) month intervals, or sooner, if needed. If a change in supervision level is needed, a risk and needs reassessment shall be completed. The review and any change of supervision level shall be discussed with the offender and documented in the offender case notes. **[4-APPFS-2A-03]**
4. All assessment and reassessment overrides will be submitted through CMIS by the PPO to their immediate supervisor for review and approval.
5. All offenders on standard supervision will be supervised as a medium level case prior to the completion of the risk and needs assessment. Offenders in special management programs will be supervised in Phase I until the completion of the risk and needs assessment. The PPO shall conduct an initial supervision interview with the probationer/parolee immediately after the individual is placed on probation or parole status (not to exceed three (3) business days), or after PPD has been notified and attempt to identify any issues that might need immediate attention. **[4-APPFS-2A-04]**

6. An officer shall explain the supervision conditions to the offender and provide the offender with a written copy. Offenders are required to sign the conditions, indicating their understanding and willingness to comply with them. If a communication problem (illiteracy, foreign language) prevents an offender from understanding the conditions, an officer shall assist in explaining the conditions. Conditions shall be translated to the language spoken by the offender. [4-APPFS-2B-01]
7. When specific services ordered by the court or releasing authority are not available, PPD notifies the court or releasing authority and requests approval for alternative services or programming. [4-APPFS-2A-12]
8. Written travel permits shall be issued in accordance with *CD-051200*.
9. Restitution, court ordered costs and other costs and fees associated with probation and parole supervision shall be made on a monthly basis, or per approved restitution payment plan, by money order or cashier's check. When the offender reports to the office, the offender shall bring the money order or cashier's check to an office visit, complete all necessary information on the money order and provide the money order and a stamp to the supervising officer. The officer will place the money order, together with a remittance slip into an envelope pre-addressed to the COPS office. For the months where monthly reporting is not required, the offender shall send the payment directly to the COPS office in envelopes provided by the department, or otherwise instructed by departmental directives.

B. Supervision of offenders shall be accomplished as follows:

1. Intensive Supervision Caseload:

Intensive supervision caseloads shall be at an average of 40 offenders per officer and supervision shall, at a minimum, be in accordance with the following required standards.

- a. PPO contact with the offender based on the following, contact standards:
 - 1) **Phase I,** A minimum of **Two (2) months** Two (2) office visits per week and one (1) field call per week.
 - 2) **Phase II,** A minimum of **Two (2) months** One (1) office visit per week and one (1) field call every two (2) weeks
 - 3) **Phase III,** A minimum of **Two (2) months,** One (1) office visit every two (2) weeks and one (1) field call every two (2) weeks
- b. Collateral contacts shall include but are limited to: verification of employment, monitoring of social relationships, and verification of

counseling participation, and must be documented into CMIS.

- c. Offender must provide the PPO with verification of compliance with contract conditions.
 - d. Written travel permits shall be issued in accordance with *CD-051200*.
 - e. If an offender under intensive supervision fails to report to a scheduled appointment, fails to make contact with the supervising PPO, or the offender cannot be located by the department, no more than 72 hours shall elapse before declaring that offender an absconder, and providing notification to STIU. The declaration shall be made sooner if the supervising officer believes there is an immediate threat to the community. Once the investigation has been completed, the appropriate paperwork will be processed, i.e., arrest and holds, violation reports, etc. A referral to STIU will be completed when an offender is declared an absconder in accordance with department policy.
 - f. Community service providers shall verbally report all violations to the supervising PPO or the District Supervisor immediately and submit a written report of the violation(s) as soon as possible thereafter.
 - g. Intensive supervision shall require offender participation for no less than six (6) months and no more than the period of probation or parole. A review will be completed by the Regional Manager after twelve (12) months in the program.
2. Community Corrections:
Community Corrections caseloads shall be an average of 35 offenders per officer and supervision shall, at a minimum, be in accordance with the following required standards.
- a. PPO contact shall be made with an offender based on the following contact standards:
 - 1) **Phase I** A minimum of **Two (2) Months** A minimum of one (1) office visit, one (1) collateral contact and one (1) field call per week
 - 2) **Phase II** A minimum of **Two (2) Months** A minimum of one (1) office visit every two (2) weeks, one (1) collateral contact every two (2) weeks, and one (1) field call every two (2) weeks
 - 3) **Phase III** a minimum of **Two (2) Months** A minimum of one (1) office visit every two (2) weeks, one (1) collateral every month, and one (1) field call every month

- b. Collateral contacts shall include but not limited to: verification of employment, monitoring of social relationships, and verification of counseling participation.
- c. Offender must provide the PPO with written verification of compliance with conditions.
- d. Written travel permits shall be issued in accordance with *CD-051200*.
- e. If an offender under community corrections supervision fails to report to a scheduled appointment fails to make contact with the supervising PPO, or the offender cannot be located by the department, no more than 72 hours shall elapse before declaring that offender an absconder and providing information to STIU. The declaration shall be made sooner if the supervising officer believes there is an immediate threat to the community. Once the investigation has been completed, the appropriate paperwork will be processed, i.e., arrest and holds, violation reports, etc., in accordance with department policy.
- f. Community service providers shall immediately report all violations to the supervising PPO or the District Supervisor and submit a written report of the violation(s) within three (3) working days.
- g. Community Treatment Providers
 - 1) Each community treatment provider shall be monitored by the district office appropriate to their location to ensure the provider's compliance with the contract and that the treatment services provided are appropriate to offenders needs. The District Supervisor shall immediately advise the Community Corrections Administrative Office of any concerns. Monitoring shall include but not be limited the following:
 - a) Probation and Parole staff shall meet with the contracted community corrections treatment provider at a minimum of once a month to discuss progress or problems of individual offenders and to share information. The meeting will be documented in the offender's case file. Provider staff should contact the supervising Probation and Parole Officer or the District Supervisor for assistance or to address any questions or problems.
 - b) Ensure that all programs will have the offender complete the **Community Corrections Program Contract Conditions** form (*CD-050201.5*).
 - 2) Length of Stay
 - a) An offender must be in a community corrections non-residential program a minimum of six (6) months and a maximum of twelve (12)

months. Each phase will last a minimum of sixty (60) days unless waived by the probation and parole supervisor. Phase condition changes shall be entered in the data base under case update.

- b) An offender may be in a community corrections residential program anywhere from one month to 12 months, dependent upon the individual program
- c) Program extensions may be granted on a case-by-case basis with the approval of the community corrections administrative office.
- h. The probation and parole officer must develop specific program requirements at each phase of programming. These program requirements must be stated in the Community Corrections contract and/or the offender's supervision plan and reviewed with the offender. Phase requirement plans must be in compliance with PPD policy and procedure, meet individual treatment needs and identify any additional program requirements
- i. The probation and parole supervisor must approve any request for adjustment in reporting requirements or level of supervision, which would vary from what is stipulated. Any adjustments must still ensure an enhanced level of supervision/monitoring beyond what would be provided if the offender were supervised at high risk. Additionally the offender must continue with treatment/programming requirements. The probation and parole officer must document justification in support of their request for an adjustment to the probation and parole supervisor for approval.

3. Special Caseloads

a. Special Programs

- 1) Offenders should be evaluated for those caseloads based in part on their ability to comply with the enhanced supervision and treatment requirements of those programs. Factors such as geographic distance from the program, access to phone service for electronic monitoring and any unusual employment schedules should be considered before the offender is referred or placed into the program.

b. DUI/DWI

- 1) An offender who has been convicted of driving under the influence and is under probation or parole supervision shall be required to obtain substance abuse counseling and treatment;
- 2) The offender shall provide verification of compliance of drug abuse counseling and treatment requirement; and interlock, GPS, BAC home testing and SCRAM if ordered.

- 3) The supervising PPO shall document the substance abuse counseling and treatment requirement and compliance/noncompliance in the offender's case notes on CMIS and treatment tab.

c. Sex Offenders

- 1) Sex Offenders, will initially be at Extreme Supervision. Sex Offenders will never be supervised lower than Medium Supervision.
- 2) Any sex offender convicted of a sex offense on or after July 1, 1995; and persons convicted of a sex offense prior to July 1, 1995, and who on July 1, 1995, were incarcerated, on probation or on parole for commission of that sex offense as defined in the NM Sex Offender Registration Act of 1995, will be given a **Notice to Register** Attachment (*CD-040901.A*) by the PPO at the time of the initial meeting. Probation and Parole Officers must have the offender read, or read to him/her, the Notice to Register and explain the information contained in the Notice. The offender must initial each paragraph where indicated and sign the acknowledgement confirming his/her understanding of what has been read and explained to him/her.
 - a) This attachment will be maintained in the offender file. If the offender changes residence anytime during the period of supervision the PPO will advise the offender of the need to re-register with the Sheriff's Office, require the offender to sign another Notice to Register. The original Notice shall be provided to the offender and a copy maintained in the offender case file.
 - b) The offender shall present verification of registration from the Sheriff's Office to the PPO and a copy will be maintained in the offender's case file. This procedure applies to offenders convicted of a sex offense in New Mexico, and offenders convicted of a sex offense in other states but supervised in New Mexico through the Interstate Compact.

d. Interstate Compact

- 1) Offenders who are supervised under the Interstate Compact shall be supervised under the same standards as offenders sentenced in New Mexico.

4. Requirements for Standard Supervision Caseloads:

a. Extreme Supervision:

- 1) Office contacts with offender a minimum of two (2) times per month and

at least two (2) successful field calls with offender per month.

- 2) Offender must provide written documentation verifying employment, residence, and program participation, community service, and/or compliance with any other special conditions of supervision.
- 3) Written travel permits shall be issued in accordance with CD-051200.
- 4) Restitution, court ordered costs and other costs and fees associated with probation and parole supervision shall be made on a monthly basis, or per approved restitution payment plan, by money order. The offender shall bring the money order to an office visit, complete all necessary information on the money order and provide the money order and a stamp to the supervising officer. The officer will place the money order, together with a remittance slip into an envelope pre-addressed to the COPS office.
- 5) If written progress reports are not received from the relevant agency(s), collateral contacts with said agency(s) shall be done monthly to verify offender's compliance with the supervision plan and case review.

b. High Risk Supervision:

High risk supervision caseloads shall be an average of 50 offenders per officer and supervision shall, at a minimum, be in accordance with the following required standards.

- 1) Office contact with the offender a minimum of two (2) times per month plus one (1) successful field visit per month.
- 2) Offender must provide written documentation verifying employment, residence, and program participation, community service, and/or compliance with any other special conditions of supervision.
- 3) Written travel permits shall be issued in accordance with *CD-051200*.
- 4) Restitution, court ordered costs and other costs and fees associated with probation and parole supervision shall be made on a monthly basis, or per approved restitution payment plan, by money order. The offender shall bring the money order to an office visit, complete all necessary information on the money order and provide the money order and a stamp to the supervising officer. The officer will place the money order, together with a remittance slip into an envelope pre-addressed to the COPS office.

c. Medium Supervision:

- 1) Office contact with offender once a month plus field visits as needed.

- 2) Written travel permits shall be issued in accordance with *CD-051200*.
- 3) Restitution, court ordered costs and other costs and fees associated with probation and parole supervision shall be made on a monthly basis, or per approved restitution payment plan, by money order. The offender shall bring the money order to an office visit, complete all necessary information on the money order and provide the money order and a stamp to the supervising officer. The officer will place the money order, together with a remittance slip into an envelope pre-addressed to the COPS office.

d. Minimum Supervision:

- 1) All cases sentenced to supervision, must report to respective District Office to have case assessed and opened up.
- 2) All offenders must be placed on medium supervision for at least six (6) months before an offender can be assessed to a minimum level of supervision. No offender shall be placed on minimum supervision until first completing at least six (6) months of a higher level of supervision, unless they are placed in a specialized region program.
- 3) When an offender is reassessed to minimum level of supervision the case will be transferred in CMIS to the Response Center in Albuquerque. Once the Response Center accepts the minimum case. The offender hard file shall remain at the sending district office.
- 4) All offenders on minimum supervision will be transferred to and supervised by the Response Center, except in special circumstances as noted in the following procedures:
 - a. Offenders who are convicted of domestic violence or DWI/DUI will not be assessed as minimum initially. These cases may only be reassessed as minimum upon an override approval from the sending Region Manager on a case by case basis. This approval shall be documented by a case note in CMIS.
- 5) Once an offender is assessed to minimum supervision, that offender shall be reassigned to a Response Center PPO. The Response Center PPO shall make immediate contact with the offender to advise them of the reassignment, monthly reporting requirements and all other conditions required of the offender to include providing updated information regarding employment, place of residence, counseling and other treatment participation to the Response Center officer.
- 6) The Response Center PPO shall run an NCIC query on the minimum case whenever contact is made with offender. If the NCIC query result in a

“hit” and a warrant exists, the assigned PPO response center shall immediately notify their supervisor, the sending district PPO and the sending district supervisor of the warrant hit, via email. Immediate action must be taken by the sending district office PPO to resolve warrant including the detention and arrest of offender in accordance with current NCIC protocol set out in department policy *CD-043100*.

- 7) If at any time, a Response Center PPO determines that an offender may be in violation of conditions of supervision, displaying suspicious behavior, involved in illegal activity, and/or would like to further investigate the case such as conducting a field call or by having the offender report to the nearest district office, the Response Center PPO shall notify the sending district office PPO, the sending district supervisor, and their supervisor via email.
- 8) When a minimum offender violates his or her conditions of supervision, the Response Center PPO shall prepare the violation paperwork for the sending district office PPO and supervisor's signature and transfer the offender back to the sending district office for final handling. The Response Center PPO shall forward the violation and transfer to the Response Center supervisor, the sending district office PPO and the sending district office supervisor. The district office PPO and supervisor will review, edit and sign off on the violation report and proceed to serve the offender as required by normal protocol. Upon discretion of the Response Center PPO, the offender will either remain on minimum supervision or be transferred to the sending district to await the disposition of said violation.
- 9) The Response Center PPO shall update CMIS whenever changes occur for offenders under their supervision. Once an offender is transferred back to a sending district office the sending district PPO shall update CMIS.
- 10) Thirty (30) days prior to completion of an offender's sentence, the Response Center PPO shall notify the sending district office PPO of the upcoming discharge date and transfer the offender's case back to the sending district office PPO, fifteen (15) days prior to completion. The district office PPO shall submit a discharge to the sentencing judge and close the case once approved.
- 11) All offenders who participate in drug court and are assessed as minimum supervision shall continue to be supervised by the respective district office and not be transferred to the Response Center. All offenders who participate in mental health court, Delancey Street and similar programs throughout the state, and are assessed as minimum supervision, shall continue to be supervised by the respective district office and not transferred to the Response Center.

- 12) Every Response Center PPO that carries a caseload of minimum level offenders shall reassess each offender at least every six (6) months. When the reassessment is complete the Response Center PPO shall complete a supervision plan in OMP and save the supervision plan in the offender file. The Response Center PPO shall review the supervision plan with the offender and indicate his or her telephonic approval on the signature block provided for the offender. The Response Center PPO shall also make a case note entry indicating the review of the new supervision plan with the offender and his/her approval.
- 13) If at anytime, a minimum case has been reassessed to a higher supervision level, the case will be transferred back to the original district office via CMIS. The Response Center PPO shall also notify the Response Center supervisor, the original district office PPO and the original district office supervisor, via email, the original PO has four (4) days to accept the transfer back to the original district office.
- 14) The Response Center PPO will approve travel permits verbally in accordance with policy. The Response Center PPO must advise the sending district office PPO of all requests for travel permits and of all travel permits issued.
- 15) Verbal approval of travel permits shall also include in-state or out-of-state travel to border towns and inter-state compact travel, however, the offender shall be required to go to the sending district office PPO and sign a waiver of extradition on the ISC travel permit prior to such approval being issued. Once the offender has signed the waiver of extradition, and/or in-state travel permit, the sending district office PPO shall notify the Response Center PPO via email.
- 16) The Response Center PPO shall review their Agent Desktop in accordance with policy.
- 17) If the Response Center PPO determines a field visit is necessary, the officer must get approval from their supervisor prior to making a request. If approved, when the Response Center officer requests a field visit, they must provide the reason for such request and send the request, via email to the sending district office PPO, district office supervisor, the sending region manager and the Response Center region manager.
- 18) All minimum case transfer requests must be reviewed and approved by the sending district office supervisor prior to transferring the case to the Response Center. The district supervisor review shall include but not be limited to confirming that the following have been verified and updated: agreements, conditions, COPS, vehicles, tattoos, addresses, employment,

reassessment, supervision plans and case notes. If the sending PPO has not verified and/or updated all of what is required above, the offender will be placed on medium until all required documentation is current and accurate.

- 19) If it is determined that the offender has absconded from supervision while under the supervision of a Response Center PPO, the Response Center officer shall notify the Response Center supervisor and shall generate the Arrest Order, make the appropriate entries in NCIC, prepare and forward the violation report to the sending district office PPO and the sending district office supervisor. The Response Center PPO shall also conduct the necessary follow-up to ensure that the bench warrant has been issued by the Courts.

C. Development, Review, and Modification of Treatment Plans:

1. The assessment process identifies offender programming needs, risk of reoffending and level of supervision. Regular review shall include the following: **[4-APPFS-2A-02]**
 - an initial assessment of each offender (and all subsequent reassessments) using a standardized assessment tool;
 - personal interview with the offender;
 - development of objectives that address community safety and offender needs; and
 - assessment or reassessment results are recorded in the case file and communicated with the offender.
2. Consistent with probation and parole authority requirements, the PPD officer and offender shall jointly develop an individualized supervision plan that is reviewed and approved by a supervisor. The offender shall receive a copy of the individual plan. The individualized supervision plan shall provide interventions that are targeted to factors related to the individual's criminal behavior and attitude and include: **[4-APPFS-2A-06] [4-APPFS-2A-08] [4-APPFS-2A-09]**
 - conditions of supervision;
 - the appropriate level of supervision as determined by the offender's risk and need;
 - measurable objectives to be met by the offender and the field officer;
 - services that address the offender's needs;
 - measurable criteria of expected behavior and accomplishments;
 - time schedule for achieving specific goals; and
 - Schedule progress reviews.
3. When deemed necessary PPD staff may request the court or the paroling authority to add, remove, or modify any of the special conditions, including early termination

of supervision, where indicated. [4-APPFS-2A-05]

4. Consistent with law in the jurisdiction, there is policy defining when and how victim input is sought before a probation/parole officer requests the court or the releasing authority to add, remove, or modify any of the court-ordered special conditions of supervision. [4-APPFS-2A-05]
5. The supervision plan for an offender shall be reviewed, reassessed and modified with the offender on an as-needed basis, or at a minimum, every six (6) months. The offender's progress in achieving established objectives is documented under the section entitled "Supervision Plan Progress." When new objectives are stated in a supervision plan, the reasons for the new objectives must be noted in the section entitled "Supervision Plan Adjustment." Whenever changes are made regarding the treatment and supervision of an offender, the offender will be immediately informed and the Supervision Plan and Adjustments Section of the Needs Reassessment Form will be completed. The supervising officer will provide the offender with a copy of that form, bearing the offender's signature noting receipt, and make a notation of this review in the offender's case notes. The supervising officer must review the progress of previously established goals with the offender and must note that discussion and the progress, of lack thereof, in the case note entries. Under special circumstances; i.e., violations, transfers, etc. the case may be reviewed and reassessed at any time. [4-APPFS-2A-11]
6. Any change to an offender's individualized supervision plan is reviewed and discussed with the offender. The review is dated and documented by the supervising PPO and offender signatures. The District supervisor shall review and approve all changes made to an offender's supervision plan. [4-APPFS-2A-10]
7. All offenders supervised under special programs must sign an offender contract prior to being placed in the program. Offenders supervised under standard supervision may be required to sign an offender contract if the supervising PPO feels that such a contract would enhance the probability of the offender successfully completing supervision.
8. If specific services ordered by the Court or the Parole Board are not available as a resource in the community in which the offender is being supervised, the supervising officer shall notify the appropriate authority and request a modification of the conditions. Supervising officers shall request modifications of conditions of probation or parole, when it is in the best interest of society and the welfare of the offender, and when it is consistent with New Mexico State Statutes.
9. The PPO will review with the offender the **Rules for Home Visits Form** (CD-050201.7) and have the offender acknowledge receipt of the rules by signing the attachment.
10. The supervising officer will monitor the activities of the offender through personal

contacts, collateral contacts, drug tests, GPS, alcohol screen, home visits, employment visits/verification as deemed necessary, and review of the **Offender Contact Sheet** to determine the following:

- a. If the offender is abiding by the rules and conditions of supervision;
 - b. If the offender is compliant with the most recent supervision/treatment plan, or if modifications in the plan are needed; and
 - c. If the offender is experiencing any problems, difficulties, or crises.
11. The supervising officer is expected to use reasonable judgment to address any problems observed.
 12. The field agency shall identify the collective service needs of its probationers/parolees at least biannually.
 13. Male and female offenders under supervision shall have equal access to all agency programs and activities.
- D. Office contacts allow the supervising officer to observe the offender and receive detailed information from the offender regarding the offender's activities while under supervision, to evaluate that information, and to counsel the offender on decisions that the offender must make. The following procedures shall be followed:
1. At the beginning of the supervision period the supervising PPO shall inform the offender of their reporting requirements, i.e., how and when he/she must report to the PPD Office. If the PPO chooses to not use specified appointments, he/she will inform the offender of the most appropriate times to find the PPO in the office, and what to do when the PPO is not in the office at the time of reporting.
 2. The offender reports during the month he or she will be required to complete the **Offender Contact Sheet**. During this meeting they will discuss any issues relevant to the offender successfully completing the period of supervision.
 3. If the supervising PPO is unavailable when the offender comes into the office, other staff shall collect any written reports, payments, and/other documentation the offender must submit. As soon as possible, the supervising PPO will review that material, and note the review in the offender's case notes. The supervising PPO will initiate direct contact with the offender as soon as possible if there is a need for clarification or additional information.
- E. Probation and Parole officers will visit an offender's home, place of employment, or any other location where the offender might be found away from the PPD office environment. The PPO will document all efforts made to locate the offender and any and all observations made pertaining to the offender's lifestyle, behavior, and attitudes. The

following procedures will be used when making field contacts:

1. PPOs conducting field contacts will be accompanied by another PPO, PPO Supervisor, or other law enforcement agency.
2. Any safety or self-defense equipment to be used will be limited to those items authorized by the New Mexico Corrections Department **Use of Force Policy (CD-130600)**. When available, radios and cellular phones will be used.
3. Frequency of field contacts will be primarily determined by the offender's supervision level and in accordance with policy. However, when assessing or reassessing the case, the PPO will consider the nature of the offender's offense history, and may override the supervision level, with the approval of their supervisor, or include more field contacts than what is otherwise required for an offender in the Minimum supervision range.
4. If a PPO other than the supervising officer makes a field contact with the offender, the PPO making the field contact shall enter the contact as a field contact in the case notes, unless otherwise agreed that the supervising PPO will make that entry. If another PPO or staff member accompanies a PPO on a field contact the PPO making the entry in the offender case notes will document the presence of the PPO or staff member during the field contact.
5. If a PPO attempts to make a field contact, and the offender is not at the present location, the PPO shall leave a business card or note in an easily accessible location. If the offender fails to make contact with the PPO within 24 hours of the field contact, the PPO will begin immediate efforts to locate the offender. If anyone at the offender's residence intentionally interferes with the PPO's attempt to contact the offender, or if the offender is unavailable for field contact due to the residence, the offender will be advised that he/she must find a residence where access will be allowed, or he/she will be in violation of the conditions of supervision. If any animals, located at the offender's residence, pose a danger to PPD staff in the field, the offender will be directed to restrain or confine those animals in such a way that PPD staff may enter the yard and/or residence without risk of attack. If locked gates preclude access to an offender's residence, the offender must provide access to the PPD staff. Field contacts will not be required when an offender is in jail, in-patient treatment, or otherwise unavailable for approved reasons.
6. The PPO may visit an offender's place of or potential place of employment, residence, community service or other place that the offender may frequent. If the PPO determines that the offender's presence in any such location creates an immediate and serious threat to the safety of any person, the PPO will immediately order that the offender no longer remain employed at that location, reside at that location, perform community service at that location or otherwise be present at such location. (e.g., a sex offender who has been convicted of Criminal Sexual Penetration of a young child has obtained employment at a Children's Daycare

Center or is performing community service by pulling weeds at a public school).

7. If the PPO determines that the offender's presence in any location does not create an immediate threat to any person, but creates a potential serious threat to the safety of any person, the PPO may immediately order that the offender no longer remain employed at that location, reside at that location, perform community service at that location or otherwise be present at such place. The PPO shall notify the District Supervisor and Region Manager of the situation. The PPO shall notify, in writing, the Parole Board and/or District Judge (as applicable) of the situation and the order issued. This notification will include all pertinent information as to the identity of the offender and full justification of the said order. The order will be enforced unless the Parole Board and/or District Judge modify and/or disapprove said order. If an offender refuses to comply with the original order issued by the PPO, the PPO will include this in the written notification and await direction from the Courts/Board before arresting the offender or proceeding with revocation.
 8. The PPO is required to visit the place of employment/community service or potential place of employment/community service of any sex offender assigned to their caseload and verify the suitability and appropriateness of that employment/community service by completing the **Employer Questionnaire** form (CD-050201.9). The PPO will advise the employer about the conditions of the offender's probation/parole in writing on the **Notice to Employer** form (CD-050201.8). A copy of both forms will be maintained in the offenders file.
 9. The PPO will direct the offender to report any variances in their shift, duties, hours, employment location or changes in clientele to the PPO and inform the offender that failure to comply may result in the revocation of the offender's probation or parole.
 10. On a case-by-case basis the Region Manager may require more or less field contacts than are required by this policy. Any such change in field contacts will be documented in the case notes, but any general waiver or reduction of field contacts must receive the approval of the PPD Director.
- F. All contacts with the offender and any other pertinent information will be recorded in the case notes. For community supervision, a review of the levels of supervision shall occur at least every six (6) months, with prompt reclassification, where warranted. Offender case notes must be maintained throughout the period of supervision.
1. Each entry in the CMIS case notes will include date of contact, location, type of contact, description of the offender's case plan progress, legal status, NCIC search results, updates to address, family/co-habitants and vehicles, or other significant information resulting from the contact.
 2. Program participation, or lack thereof, employment verification, drug testing date and results must be recorded in the case notes.

3. Delinquent notice, if used, will be entered and dated. The address to which the delinquent notice was mailed will be noted.
 4. While entries should be made regarding the amount of costs, restitution, and/or fines, it is not necessary to maintain balances within the case notes.
 5. Offenders shall not be confronted with possible probation/parole violations for failure to meet financial obligations other than those which are conditions of probation/parole; however, the offenders shall be strongly encouraged to fulfill all financial obligations.
 6. Case conference entries will include the name and positions of those involved in the conference and summary of the conference results.
 7. The supervising officer will make a report of the offender's adjustment to supervision in the form of a closing case note entry when the offender's period of supervision has ended. This entry will summarize the offender's adjustment during the entire period of supervision.
- G. A closing summary or a final progress reporting shall be prepared that summarizes the performance of the offender during the entire period of supervision. The closing summary or final progress report remains in the offender's supervision file. **[4-APPFS-2A-13]**



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

10/08/15
Date

NEW MEXICO CORRECTIONS DEPARTMENT

Community Risk

Instructions: To be completed at time of consideration for release from prison. Circle the correct score for each item and compute the correct risk level designation.

Static Risk Factors	Pts	Dynamic Risk Factors	Pts
1. Age at First Arrest (juvenile or adult)		8. Current Age	
26 years or older	0	45 and above	-1
17 to 25 years	1	35 – 44	0
16 years or younger	2	25-34	1
2. Prior Probation/Parole Revocations – Past 5 Years		Under 25	2
No parole or probation revocations	0	9. Active Gang Membership	
One prior revocation	2	No	0
Two or more prior revocations	3	Yes	2
3. History of Mental Health Problems – Past 5 Years		10. Completed Education/OJT/Vocational Program	
No	0	Yes or Have a GED/High School/College Degree	0
Yes	2	No	2
4. Employment History		11. Disciplinary Conduct	
Employed 12 consecutive months prior to prison	0	No Major Disciplinary Problems	0
Unemployed or employed less than 12 months	2	Lost Good Time Past 12 months	1
5. Offense for Current or Prior Convictions		Lost Good Time Past 6 months	2
All Others	0	Zero Balance of Goodtime	3
Auto Theft, Burglary, Forgery, Robbery	2	12. Custody Level at Release	
6. History of Drug/Alcohol Abuse – Past 5 Years		Level - 1 & 2	0
None	0	Level - 3 & 4	1
Single Drug Abuse	1	Level - 5 & 6	2
Multiple Drug Abuse	2		
7. Gender		Total Dynamic Risk Score	
Male	0	Total Score	
Female	(-2)		
Total Static Risk Score			

Risk Level

____ Minimum (0-5 points) ____ Moderate (6-10 points) ____ High (11 -15)
 ____ Highest (16 points or higher on all items **OR** 6 points or more on dynamic factors)

Form Completed By: _____ Date: ____/____/____

NEW MEXICO CORRECTIONS DEPARTMENT

Community Risk – New Probationers

Instructions: To be completed at time of sentencing. Circle the correct score for each item and compute the correct risk level designation.

Static Risk Factors	Pts	Dynamic Risk Factors	Pts
1. Age at First Arrest (juvenile or adult)		8. Current Age	
26 years or older	0	45 and above	-1
17 to 25 years	1	35 – 44	0
16 years or younger	2	25-34	1
2. Prior Probation/Parole Revocations – Past 5 Years		Under 25	2
No parole or probation revocations	0	9. Active Gang Membership	
One prior revocation	1	No	0
Two or more prior revocations	3	Yes	2
3. History of Mental Health Problems – Past 5 Years		10. Current Education Level	
No	0	GED/High School/College Degree	0
Yes	2	No	2
4. Employment History		11. Current Residency	
Employed 12 consecutive months prior to prison	0	At Home with Family, Parents, Relatives	0
Unemployed or employed less than 12 months	2	With Friends or Alone	1
5. Offense for Current or Prior Convictions		Temporary Shelter, Jail, Hotel, or Boarding House	2
All Others	0	Homeless – No Permanent Residency	3
Auto Theft, Burglary, Forgery, Robbery	2	12. Released Pre-Trial with no FTAs	
6. History of Drug/Alcohol Abuse – Past 5 Years		Yes	0
None	0	Was not released Pretrial	1
Single Drug Abuse	1	One or more FTAs	2
Multiple Drug Abuse	2		
7. Gender		Total Dynamic Risk Score	
Male	0	Total Score	
Female	(-2)		
Total Static Risk Score			

Risk Level

___ Minimum (0-5 points) ___ Moderate (6-10 points) ___ High (11 -15)
 ___ Highest (16 points or higher on all items **OR** 6 points or more on dynamic factors)

Form Completed By: _____ Date: ____/____/____

NEW MEXICO CORRECTIONS DEPARTMENT

Community Risk – New Parolees

Instructions: To be completed at time of consideration for release from prison. Circle the correct score for each item and compute the correct risk level designation.

Static Risk Factors	Pts	Dynamic Risk Factors	Pts
1. Age at First Arrest (juvenile or adult)		8. Current Age	
26 years or older	0	45 and above	-1
17 to 25 years	1	35 – 44	0
16 years or younger	2	25-34	1
2. Prior Probation/Parole Revocations – Past 5 Years		Under 25	2
No parole or probation revocations	0	9. Active Gang Membership	
One prior revocation	2	No	0
Two or more prior revocations	3	Yes	2
3. History of Mental Health Problems – Past 5 Years		10. Completed Education/OJT/Vocational Program	
No	0	Yes or Have a GED/High School/College Degree	0
Yes	2	No	2
4. Employment History		11. Disciplinary Conduct	
Employed 12 consecutive months prior to prison	0	No Major Disciplinary Problems	0
Unemployed or employed less than 12 months	2	Lost Good Time Past 12 months	1
5. Offense for Current or Prior Convictions		Lost Good Time Past 6 months	2
All Others	0	Zero Balance of Goodtime	3
Auto Theft, Burglary, Forgery, Robbery	2	12. Custody Level at Release	
6. History of Drug/Alcohol Abuse – Past 5 Years		Level 1 and level 2	0
None	0	Level 3 and level 4	1
Single Drug Abuse	1	Level 5, Level 6 and Administrative Segregation	2
Multiple Drug Abuse	2		
7. Gender		Total Dynamic Risk Score	
Male	0	Total Score	
Female	(-2)		
Total Static Risk Score			

Risk Level

____ Minimum (0-5 points) ____ Moderate (6-10 points) ____ High (11 -15)
 ____ Highest (16 points or higher on all items **OR** 6 points or more on dynamic factors)

Form Completed By: _____ Date: ____/____/____

NEW MEXICO CORRECTIONS DEPARTMENT
Adjusted Public Risk Re-Assessment Instrument

To Be Completed After 3 Months of Supervision and Every Six Months Thereafter

Static Risk Factors	Pts	Dynamic Risk Factors	Pts
1. Age at First Arrest (juvenile or adult)		8. Current Age	
26 years or older	0	45 and above	-1
17 to 25 years	1	35 – 44	0
16 years or younger	2	25-34	1
2. Prior Probation/Parole Revocations – Past 5 Years		Under 25	2
No parole or probation revocations	0	9. Active Gang Membership	
One prior revocation	2	No	0
Two or more prior revocations	3	Yes	2
3. History of Mental Health Problems – Past 5 Years		10. Current Employment	
No	0	Employed at least 30 hours per week	-1
Yes	2	Unemployed	2
4. Employment History		11. Current Residency	
Employed 12 consecutive months prior to prison	0	Halfway House/ Treatment Facility	1
Unemployed or employed less than 12 months	2	With Family/Children/Parents/ Relatives	0
5. Offense for Current or Prior Convictions		Friends/Lives Alone/Homeless	2
All Others	0	12. Treatment/Program Participation	
Auto Theft, Burglary, Forgery, Robbery	2	Currently Participating/Recently Completed	-1
6. History of Drug/Alcohol Abuse – Past 5 Years		None Required	0
None	0	Needed Not Participating/Unsuccess Term	2
Single Drug Abuse	1	13. Supervision Compliance Problems	
Multiple Drug Abuse	2	No problems	-1
7. Gender		Moderate Compliance Problems	0
Male	0	Frequent Compliance Problems	2
Female	(-2)	Total Dynamic	
Total Static Risk Score		Total Risk Score	

Risk Level

____ Minimum (0-5 points) ____ Moderate (6-10 points) ____ High (11- 15)
 ____ Highest (16 points or higher on all items **OR** 6 points or more on dynamic factors)

Form Completed By: _____ Date: ____/____/____

NEW MEXICO CORRECTIONS DEPARTMENT
Community Corrections Program
Contract Conditions

THIS CONTRACT is made and entered into by and between, The Community Corrections Program, hereinafter referred to as the "program" and _____, a probationer a parolee community corrections reintegration program release participant, hereinafter referred to as "the offender."

(Please initial on the designated line before each stated condition, indicating your understanding and agreement of each condition, at the time the Probation and Parole Officer reviews them with you.)

I. LENGTH OF PROGRAM

- _____ A. As an offender on probation or parole supervision, the minimum length of time I must remain in the community corrections program is six (6) months. As a CCRP inmate, the minimum lengths of time I must remain in the community corrections program is three (3) months and understand that I must remain in the program for the entire remainder of my prison sentence.
- _____ B. I understand that the length of my participation in the program can exceed the minimum if I fail to meet the program requirements or I fail to comply with treatment or supervision requirements.
- _____ C. I understand that I will be assessed immediate sanctions for any occasion of non-compliance. Sanctions may include but not be limited to: electronic monitoring, and or alcohol, curfews, phone check-ins, additional community service, additional treatment sessions or support group meetings, additional office visits, house arrest, return to jail or prison.
- _____ D. I understand that I will pay a minimum of \$_____ per month Community Corrections Fee throughout my participation in this program. I am also responsible for all other fines and fees while in this program.

II. EMPLOYMENT, TRAINING AND EDUCATION

- _____ A. I will obtain employment within thirty (30) days of the date of this contract, unless I am unable to work for certified medical reasons or attending school full-time. I will provide verification of employment or school attendance or a certification for any medical condition which prohibits my ability to work.
- _____ B. I will not miss work, training or educational program/classes for any reason except for an illness or emergency. In the event of an illness or emergency, I understand that I must get approval from my Probation and Parole Officer or Case Manager prior to my absence. Any unexcused absences will be considered non-compliance.

NEW MEXICO CORRECTIONS DEPARTMENT
Community Corrections Program
Contract Conditions

- _____ C. I understand that as a participant of this program, reporting requirements and/or aspects of required programming will be increased when I am unemployed or not attending school full-time.
- _____ D. I will report all money I receive and the source of that money to my Probation and Parole Officer.

III. TREATMENT PROGRAMS AND APPOINTMENTS

- _____ A. I will show up on time for all scheduled appointments that are made for me and/or by me. I will not miss any scheduled appointments without first receiving permission from my Probation and Parole Officer for the absence. I will provide documentation demonstrating the necessity of any excused absence to my Probation and Parole Officer. Any unexcused absence will be considered non-compliance.
- _____ B. I will participate in all counseling or treatment programs recommended by my Probation and Parole Officer and I will obey all rules required by each program.
- _____ C. I will attend any support group, i.e., AA, NA, (or any other support group) recommended by my Probation and Parole Officer and I will provide proof of my attendance.
- _____ D. I will submit to all urine tests, breath alcohol or blood tests as ordered by my Probation and Parole Officer.

IV. LIVING ENVIRONMENT

- _____ A. I will report to my Probation and Parole Officer, immediately following the occurrence of any and all disagreements or problems I am having or have had with my landlord, apartment manager, parents or roommates that may immediately affect my current residence. If the disagreement or problem does not immediately affect my residence, then I will report the occurrence of said disagreements or problems within forty-eight (48) hours.
- _____ B. At any time during my participation in this program, I may be placed on a specific curfew. If placed on a curfew, I will not leave my place of residence, known to my Probation and Parole Officer, until such time as the curfew allows.
- _____ C. At any time during my participation in this program, I may be placed on GPS and/or other forms of electronic monitoring or GPS. If placed on GPS and/or other forms of electronic monitoring, I agree to provide adequate telephone service to support the electronic monitoring equipment needs.

NEW MEXICO CORRECTIONS DEPARTMENT
Community Corrections Program
Contract Conditions

- _____ D. I will allow my Probation and Parole Officer or their designee to visit me at home or elsewhere as often as they feel necessary and I will submit to a search of my person, residence, automobile, and personal belongings, upon any request by my Probation and Parole Officer or their designee to do so.

V. REPORTING

- _____ A. I will report to my Probation and Parole Officer as directed. I understand that my Probation and Parole Officer will develop specific requirements as I transition to each phase of programming and will review those requirements with me. Phase requirements will include reporting requirements, drug testing requirements, treatment requirements, and community service requirements and may include additional program requirements such as curfews, GPS and/or other forms of electronic monitoring.
- _____ B. I understand that the initial phase of programming will be the most restrictive and as I remain in compliance and complete program requirements for each phase, I will transition to less restrictive phases of programming until full completion of the program.
- _____ C. I understand that non-compliance at any phase of programming may cause me to be assessed back to a more restrictive phase or terminated from the program.
- _____ D. I will not miss a scheduled report date or time without prior permission of my Probation and Parole Officer. Any unexcused missed reporting contact will be considered non-compliance.
- _____ E. I will report to my Probation and Parole Officer, within 48 hours of occurrence, all of the following: all contacts with law enforcement agencies including arrests, detention, questioning and traffic citations, any discharge from employment, change in residence, and/or change in phone numbers.

VI. OTHER REQUIREMENTS

- _____ A. I will not do anything that will violate my conditions of release as stipulated in my Probation Orders, Parole Certificate, and/or Community Corrections Reintegration Conditions.
- _____ B. I will perform required community service as assigned by my Probation and Parole Officer. I will complete a minimum of four (4) hours of community service per month if employed full-time or enrolled in school full-time or any combination of the two when together are equivalent to full-time status. I shall complete a minimum of ten (10) hours of community service per month if I am unemployed or my employment and/or enrollment in school is equivalent to part-time.

NEW MEXICO CORRECTIONS DEPARTMENT
Community Corrections Program
Contract Conditions

- _____ C. I will not offer a gift or bribe to any staff member of or associated in any way with, the program.
- _____ D. In the absence of my assigned Probation and Parole Officer, I will abide by the instructions of my Probation and Parole Officer's supervisor or their representative.
- _____ E. I understand that any time during my participation in a community corrections program, additional conditions, determined to be necessary for my continued participation and that meets my treatment needs, may be required of me. In addition, I understand that I will be required to participate on each phase for a minimum of 60 days and that based upon my performance during any phase, I may be promoted or demoted to a different phase.
- _____ F. I will not leave the County in which I am supervised without prior written permission of my Probation Parole Officer.

Additional Conditions:

- _____ 1. _____
- _____ 2. _____
- _____ 3. _____
- _____ 4. _____
- _____ 5. _____

I, _____, the offender, have initialed before each condition above acknowledging that I understand each condition of this contract and that I understand I must obey each of the contract conditions and program rules listed herein. I also understand that participating in the program is now a condition of my: probation parole or Community Corrections Reintegration Program inmate status. By affixing my signature below, I hereby agree to abide by, and strictly obey each and every one of the contract conditions and program rules and affirm that I am in receipt of the contract.

SIGNED this _____ day of _____, 20_____.

Signature of Offender

WITNESSED by _____ on this _____ day of _____, 20_____.

Signature of Witness

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Community Risk Form

The risk instrument is separated into two components. The first component consists of what we are referring to as static factors associated with the offender's at the time of admission to prison. The second component consists of dynamic factors that reflect behavior the offender has demonstrated since being incarcerated.

For both sets of data, the information used to score an offender should be based on both official records in the offender's file and an interview with the offender. The interview should include a review of each scored item, the total score and designated risk level. Offenders should also receive a copy the risk assessment and final assessment.

I. Static Items:

Item #1: *Age at First Arrest (adult or juvenile)*

26 years or older = 0

18-25 years old = 1

17 years old or younger = 2

Clarification: Arrests are for all types of crime including status offenses as a juvenile. Traffic and parking violations are not to be considered. If the offender reports an arrest that differs from the official record, the Classification Officer shall rely upon the official record.

Item #2: *History of Probation and Parole Release Revocations-- Past Five Years.*

Never had parole (including Controlled Release and Juvenile Parole), or probation revoked (adult or juvenile) = 0

Had parole (including Controlled Release and Juvenile Parole), or probation revoked once = 2

Had parole (including Controlled Release and Juvenile Parole), or probation revoked more than once = 0

Clarification: Only score revocations that occurred within the five (5) years prior to the current prison admission date. Credit will not be allowed if parole or probation was completed while confined in jail awaiting trial, which resulted in felony conviction.

Reinstatement of parole or withdrawal of a warrant does not qualify as a revocation and, when applicable, credit should be awarded.

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Community Risk Form
(Continued)

Item #3: *History of Mental Illness?—Past Five (5) Years*

No = 0

Yes = 2

Clarification: Count any official record of mental health illness at the time of the most recent admission to prison for the past five (5) years. In general, the score should be based on person's pre-sentence investigation and information contained in the Department's own psychological assessments.

Item #4: *Employment – Past 24 Months at time of admission*

Employment (30 hours or more per week) or full-time school attendance for a continuous period of at least 12 months during the last two (2) years in the community = 0

None or less than 12 months during the past two (2) years in the community = 1

Clarification: Military service, self-employment of a stable nature, and SSI/Pensions may receive credit.

Item #5: *Commitment or Prior Conviction Offenses*

Auto Theft, Burglary, Theft, Forgery, or Robbery = 1
(Includes any land-operated motorized vehicle, insufficient funds checks, credit card abuse, forged prescriptions, possession of stolen credit card and related similar offenses).

Else = 0

Clarification: Include all convictions in determining the offender's score.

Item #6: *History of Drug/Alcohol Abuse – Past 5 Years*

None = 0

Abuse of a Single Drug Only = 1

Abuse of Two or more drugs = 2

Clarification: Score this item based on official or self-reported history of frequent use of alcohol or illegal substances which interfere with school/work, family, financial status or health.

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Community Risk Form
(Continued)

Item #7: *Gender*

Male = 0

Female = -2

Clarification: Note that this is the only scoring item that requires the person completing the form to apply a negative number. Make sure that the calculation is correct when summing the static, dynamic and total risk scores.

II. Dynamic Factors:

Item #8: *Prisoner's Current Age*

Under 25 years = 3

25 - 34 years = 2

35 - 44 years = 1

45 years and above = 0

Item #9: *Active Prison Gang Membership*

Yes = 2

No = 0

Clarification: Must be based on NMCD confirmation. Do not code yes if prisoner was previously designated as gang member but NMCD has since confirmed that he/she renounced membership. This applies only to the current incarceration.

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Community Risk Form
(Continued)

Item #10: *Completed Education/Vocational Program/Certified OJT Program since Being Incarcerated On Current Incarceration*

No = 2

Yes or already completed GED or High School Degree = 0

Clarification: Do not code yes if inmate is currently in program. Inmate must have completed in order to receive credit. Credit to be included for completion of program at any time of current incarceration.

Item #11: *Disciplinary Conduct*

No Major Disciplinary Problems = 0

Lost Good Time Past 12 months = 1

Lost Good Time Past 6 months = 2

Zero Balance of Goodtime = 3

Clarification: Based on offender's current period of incarceration. If the offender has been returned as a parole violator, ignore prior record of good-time awarded or lost.

Item #12: *Current Custody Level*

Minimum = 0

Medium = 1

Maximum or Administrative Segregation = 2

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Risk Form for New Probationers

The Austin Risk Form for New Probationers is separated into two components. The first component consists of what will be referred to as dynamic risk factors associated with the offender's history at the time of placement on Probation. The second component consists of static factors that reflect behavior the offender has demonstrated prior to placement on Probation.

For both sets of data, the information used to score an offender should be based on both official records in the offender's file and an interview with the offender. The interview should include a review of each scored item, the total score and designated risk level.

I. Dynamic Risk Items:

Item #1: *Current Age*

45 and above=	-1
35-44=	0
25-34=	1
Under 25=	2

Item #2: *Active Gang Membership*

No=	0
Yes=	2

Clarification: Must be based on NMCD and/or law enforcement confirmation. Do not code Yes if offender was previously designated as gang member but NMCD/law enforcement has since confirmed that he/she renounced membership. This applies only to the current Probation period.

Item #3: *Current Education Level*

GED/High School/College Degree=	0
No=	2

Clarification: _____ Do not code yes if offender is currently in program. Any GED/High School/College Degrees should be verified by actual records, provided either by NMCD or by the offender.

Item #4: *Current Residency*

At home with Family, Parents, Relatives=	0
With Friends or Alone=	1
Temporary Shelter, Jail, Hotel or Boarding House=	2
Homeless—No Permanent Residency=	3

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Risk Form for New Probationers

Item #5: *Release Pre-Trial with No FTA's*

Yes= 0
Was Not Release Pre-Trial= 1
One or More FTA's= 2

Clarification: Coding must be based on actual court records of any FTA's that are received during Pre-Trial release.

II. Static Risk Items

Item #1: *Age at First Arrest*

26 Years or Older= 0
17-25 Years Old= 1
16 Years or Younger= 2

Clarification: Arrests are for all types of crime including status offenses as a juvenile. Traffic and parking violations are not to be considered. If the offender reports an arrest that differs from the official record, the Probation Officer shall rely upon the Official record.

Item #2: *History of Probation/Parole Revocations—Past 5 Years*

No parole or probation revocations= 0
One prior revocation= 2
Two or more prior revocations= 3

Clarification: Only score revocations that occurred within the five years prior to the current probation period. Credit will not be allowed if parole or probation was completed while confined in jail awaiting trial, which resulted in felony conviction.

Reinstatement of probation or parole or withdrawal of a warrant does not qualify as a revocation and should not be scored as such.

Item #3: *History of Mental Problems—Past 5 Years*

No= 0
Yes= 2

Clarification: Count any official record of mental health illness for the past five years. In general, the score should be based on the offender's pre-sentence investigation and/or information contained in the Department's own psychological assessments.

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Risk Form for New Probationers

Item #4: *Employment History*

Employed 12 consecutive months prior to prison= 0

Unemployed or employed less than 12 months= 2

Clarification: Consider the time period of 12 months prior to the date of assessment and/or placement on Probation. Military service, self-employment of a stable nature, and SSI/Pensions may receive credit.

Item #5: *Offense for Current or Prior Convictions*

All Others= 0

Auto Theft, Burglary, Forgery, Robbery= 2

Clarification: Include all convictions in determining the offender's score.

Item #6: *History of Drug/Alcohol Abuse—Past 5 Years*

None= 0

Single Drug Abuse= 1

Multiple Drug Abuse= 2

Clarification: Score this item based on official or self-reported history of frequent use of alcohol or illegal substances which interfere with school/work, family, financial status or health.

Item #7: *Gender*

Female= -2

Male= 0

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Reassessment Form for Probationers and Parolees

The Austin Reassessment Form for Probationers and Parolees is separated into two components. The first component consists of what will be referred to as dynamic risk factors associated with the offender's present status. The second component consists of static factors that reflect behavior the offender has demonstrated since their last assessment date.

For both sets of data, the information used to score an offender should be based on both official records in the offender's file and an interview with the offender. The interview should include a review of each scored item, the total score and designated risk level.

I. Dynamic Risk Items:

Item #1: *Current Age*

45 and above=	-1
35-44=	0
25-34=	1
Under 25=	2

Item #2: *Active Gang Membership*

No=	0
Yes=	2

Clarification: Must be based on NMCD and/or law enforcement confirmation. Do not code Yes if offender was previously designated as gang member but NMCD/law enforcement has since confirmed that he/she renounced membership. This applies only to the current Probation period.

Item #3: *Current Employment*

Employed 30 or more hours a week=	-1
Unemployed or working less than 30 hours a week=	2

Clarification: Score should reflect proofs of employment provided by the offender. Military service, self-employment of a stable nature, and SSI/Pensions may receive credit, but require documentation to verify status.

Item #4: *Current Residency*

With Family/Children/Parents/Relatives=	0
Halfway House/Treatment Facility=	1
Friends/Lives Alone/Homeless=	2

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Reassessment Form for Probationers and Parolees

Item #5: *Treatment/Program Participation*

None Required=	-1
Currently Participating/Recently Completed=	0
Needed Not Participating/Unsuccessful Termination=	2

Clarification: Coding must be based on verification of treatment assessments and records of treatment attended and/or completed.

Item #6: *Supervision Compliance Problems*

No Problems=	-1
Moderate Compliance Problems=	0
Frequent Compliance Problems=	2

Clarification: Scoring should be supplemented by documentation of any problems noted—for example Preliminary Violation Reports, Full Violation Reports, Sanctions Received, etc. Only include those compliance issues raised since the last assessment date.

II. Static Risk Items

Item #1: *Age at First Arrest*

26 Years or Older=	0
17-25 Years Old=	1
16 Years or Younger=	2

Clarification: Arrests are for all types of crime including status offenses as a juvenile. Traffic and parking violations are not to be considered. If the offender reports an arrest that differs from the official record, the Probation Officer shall rely upon the Official record.

Item #2: *History of Probation/Parole Revocations—Past 5 Years*

No parole or probation revocations=	0
One prior revocation=	2
Two or more prior revocations=	3

Clarification: Only score revocations that occurred within the five years prior to the current Probation period. Credit will not be allowed if parole or probation was completed while confined in jail awaiting trial, which resulted in felony conviction.

Reinstatement of probation or parole or withdrawal of a warrant does not qualify as a revocation and should not be scored as such.

NEW MEXICO CORRECTIONS DEPARTMENT
Instructions for Austin Reassessment Form for Probationers and Parolees

Item #3: *History of Mental Problems—Past 5 Years*

No= 0

Yes= 2

Clarification: Count any official record of mental health illness for the past five years. In general, the score should be based on the offender's pre-sentence investigation and/or information contained in the Department's own psychological assessments.

Item #4: *Employment History*

Employed 12 consecutive months prior to prison= 0

Unemployed or employed less than 12 months= 2

Clarification: Consider the time period of 12 months prior to the date of assessment. Military service, self-employment of a stable nature, and SSI/Pensions may receive credit.

Item #5: *Offense for Current or Prior Convictions*

All Others= 0

Auto Theft, Burglary, Forgery, Robbery= 2

Clarification: Include all convictions in determining the offender's score.

Item #6: *History of Drug/Alcohol Abuse—Past 5 Years*

None= 0

Single Drug Abuse= 1

Multiple Drug Abuse= 2

Clarification: Score this item based on official or self-reported history of frequent use of alcohol or illegal substances which interfere with school/work, family, financial status or health.

Item #7: *Gender*

Female= -2

Male= 0

NEW MEXICO CORRECTIONS DEPARTMENT
Scored Assigned Risk Level

Based on the total score, the initial supervision level is set as follows:

Minimum Risk = 0-5 points

Persons assigned to this risk level are expected to have a 10 percent chance of being returned to prison for either a technical violation or a new felony conviction within a 2-3 year period. Commission of violent crimes is extremely rare. A minimal level of supervision and services are required once it is ensured that the person has secured employment and stable residency.

Moderate Risk = 6 - 10 points

Persons assigned to this risk level are expected to have a 25 percent chance of being returned to prison for either a technical violation or a new felony conviction within a 2-3 year period. If returned to prison, it far more likely it will be for non-criminal behavior rather than a new felony crime. Violent behavior is relatively rare. A moderate level of supervision and services are initially required. But once the person has secured employment and stable residency, the supervision level should be reduced.

High Risk = 11 – 15

Persons assigned to this level of risk level are expected to have a 50 percent chance of being returned to prison for either a technical violation or a new felony conviction within a 2-3 year period. If returned to prison, a significant proportion of the persons will have been arrested and convicted of property and drug crimes. Although violent behavior is relatively rare, a higher proportion of this group becomes involved in such behavior absent meaningful supervision and services. A high level of supervision is required for at least a 12 month period. Participation in treatment services is often required.

Highest Risk = 16 pts or higher or six or more points on dynamic items 8-12.

Persons assigned to this level of risk level are expected to have a 65 percent chance of being returned to prison for either a technical violation or a new felony conviction within a 2-3 year period. If returned to prison, a significant proportion of the persons will have been arrested and convicted of property and drug crimes. Although violent behavior is relatively rare, a higher proportion of this group becomes involved in such behavior absent meaningful supervision and services. The highest level of supervision is required for at least a 12 month period. Participation in treatment services is required.

**NEW MEXICO CORRECTIONS DEPARTMENT
PROBATION PAROLE DIVISION
OFFENDER ORIENTATION HANDBOOK**

This handbook has been prepared to help you understand your term of supervision in the community. Read it carefully and if you have any questions, discuss them with your supervising Probation Parole Officer. This book tells you what is expected of you and what you can expect in general. It does not address your specific conditions of supervision, which vary from case to case. Remember that you are responsible for being aware of those conditions and abiding by them. Successful completion of your term of supervision is the goal of the Probation Parole Division. Make it your goal too and you can look forward to a successful discharge from supervision.

CIVIL RIGHTS INFORMATION

By New Mexico law, any person convicted of a crime punishable by imprisonment for a period of one year or more, even though the sentence is suspended or deferred, loses the following civil rights upon conviction:

1. The right to vote
2. The right to bear arms, and
3. The right to hold elected public office.

Federal law also prohibits such persons from possessing, receiving, shipping or transporting firearms or ammunition, upon penalty of not more than ten years imprisonment and/or a fine not to exceed \$250,000 and a mandatory term of supervised release of not more than 2 years nor more than 3 years (18 U.S.C., Sections 1922g1 and 1924a2).

If your sentence was suspended, these rights may be restored to you by a grant of Executive Clemency (also known as a pardon), in accordance with the Governor's Executive Clemency Policy. (If you have a felony conviction from another state as well, you must seek a pardon from the Governor of that state). If you have successfully completed the terms of your supervision, you may request of your Probation/Parole Officer a Certificate of Completion of Sentence. By taking this document to the County Clerk's office you may have your rights restored. (*Your right to vote is automatically restored upon completion of your sentence and it is not necessary to take the Certificate of Completion of Sentence to the County Clerk.*)

If your sentence was deferred, your rights are restored by receipt of an Order of Dismissal from the sentencing judge after you complete probation. If you have specific questions about the restoration of your rights, you should contact your attorney.

Additionally, the State of New Mexico has the power to refuse to grant or renew (and may suspend or revoke) public employment or a license to conduct certain trades, businesses and professions when a person has been convicted of a felony or certain misdemeanors (Section 228-2-1 through 6, NMSA, 1978) A pardon is generally not required to restore the ability to be licensed, however, at a minimum, you must satisfactorily complete your term of probation or parole.

CODE OF ETHICS

- A. Employees of the Corrections Department are subject to a strict Code of Ethics, as expressed in NMCD Policy CD-032200. The Code of Ethics is available at the NMCD website, under NMCD policies, at <http://cd.nm.gov/policies/policies.html>. Offenders are encouraged to review the Code of Ethics and may request guidance related to the Code of Ethics from their Supervising Officer or any other NMCD employee. NMCD has a zero tolerance policy for any unprofessional, unethical, dishonest, or illegal conduct by its employees.
- B. The chief purpose of the Corrections Department is to enforce the commitment orders of the courts and to supervise offenders under its charge, while aiding them in their rehabilitation process.
- C. Staff cannot discriminate against any probationer or parolee on the basis of race, color, sex, religion, national origin, age or disability.
- D. Staff cannot have undue familiarity or any sort of financial or business transactions with probationers or parolees or their immediate families, agents or close friends. Staff cannot give or accept any gifts or gratuities to or from, or engage in any personal business with probationers or parolees or their immediate families, agents or close friends. Undue familiarity is that degree of familiarity with such a person that goes beyond the degree of familiarity necessary for the employee to perform his or her duties on behalf of the NMCD. Undue familiarity includes, but is not limited to, the following:
 1. Any financial or business transactions,
 2. Loaning or giving items,
 3. Writing or exchanging notes, letters or pictures,
 4. Engaging in telephone conversations,
 5. Spending an unusual amount of time alone with offenders, except as necessary to perform duties on behalf of the NMCD.
 6. Displays of affection toward or an intimate or personal relationship;
 7. Sexual misconduct, meaning any behavior or act of a sexual nature towards an offender, including:
 - Sexual assault;
 - Sexual abuse;
 - Sexual contact;
 - Conduct of a sexual nature;
 - Kissing and or hugging;
 - Sexual gratification of any party;
 - Obscenity or unreasonable invasion of privacy;
 - Conversations or correspondence of a romantic, intimate, or sexual nature between an offender and any NMCD employee, contractor, volunteer, visitor, or NMCD representative.

GRIEVANCE PROCEDURE

All persons supervised by the New Mexico Corrections Department Probation Parole Division have a right to communicate their concerns regarding any actions that they feel might violate their rights. The offender grievance procedure is available at the NMCD website, under NMCD policies, at <http://cd.nm.gov/policies/policies.html> in CD-050300 PPD Citizen Complaint and Offender Grievances. Any offender who has a grievance will first seek informal resolution (either verbally, in writing, or via the 1-800 number listed below) and will exhaust all other available administrative remedies prior to using the grievance process. After all informal remedies are exhausted with no resolution, the offender may then request an

Offender Grievance Form (*CD-050302.1*) from the District Supervisor. The offender will state the grievance on the form, using the backside if necessary. One 8.5 x 11 page may be added, if necessary. Grievances exceeding this length will be returned to the offender without response by the district supervisor, or other reviewing authority. The complaint must be filed with the District Supervisor within 15 calendar days of the incident in which the aggrieved action occurred. The District Supervisor will respond to the grievance within ten working days of receipt.

If the probationer or parolee feels the District Supervisor's response was not satisfactory, an appeal may be made to the Region Manager within ten calendar days of the receipt of the District Supervisor's response.

A grievance form sent directly to the region manager without first filing with the district supervisor will be returned to the offender to follow proper procedure. If the offender believes that the complaint is of a sensitive or an emergency nature or that there may be adverse effects by the submission of the complaint at the district level, the offender may address the complaint directly to the region manger.

If the offender chooses to submit the grievance directly to the region manager, they must indicate a valid reason for not bringing the complaint to the attention of the district supervisor. If the offender does not provide a reason, or the reason supplied is not adequate, the grievance shall be denied and returned to the offender with a written explanation.

Abuse or misuse of the grievance process will result in the offender having to show cause before being permitted to grieve. Each grievance will include a single written complaint.

All offender grievance records will be treated as confidential and will be maintained in a separate district file. Access is limited to corrections employees who have need for such information to carry out the performance of their duties.

Offenders shall not be subject to retaliation, reprisal or discipline for the legitimate use of the grievance procedure.

Employees engaging in reprisals against inmates for good faith use of, or participation in, the grievance procedure shall be subject to disciplinary action.

NON GRIEVABLE ACTIONS: The offender grievance process may not be used to appeal the disposition of violation allegations, any actions outside the control of Division staff (such as actions of the Courts or Parole Board), the scoring of Risk/Needs Assessments or the terms of any Intensive Supervision contracts or Community Corrections contracts.

Additional information concerning the grievance process can be obtained from the Probation Parole Office.

SEX OFFENDER REGISTRATION

The New Mexico Sex Offenders Act requires all persons convicted of a sex offense on or after July 1, 1995, or any person who changes his or her residence to New Mexico, when that person has been convicted of a sex offense in another state on or after July 1, 1995, to register with the county sheriff of the county in which the sex offender resides. All registered sex offenders must notify the local sheriff's office within 10 days (5 days if convicted on or after July 1, 2013) of any change in address, employment or phone number. A sex offender who willfully fails to comply with the registration requirements is guilty of a misdemeanor and shall be punished by

imprisonment for a definite term less than one year or a fine of not more than one thousand dollars (\$1000), or both. After July 1, 2000, failure to register or to report a change in address, employment or phone number will be considered to be a fourth degree felony and shall be punishable by imprisonment of 18 months or a fine of \$5000, or both.

FEE AND RESTITUTION COLLECTION

Since you are under Probation and/or Parole supervision, the sentencing Court or Parole Board may have ordered you to pay supervision fees, which are collected on a monthly basis. You may also have been ordered to pay restitution. Your supervising Officer will work with you to develop a payment schedule for which you will be held responsible. Other ordered costs/fees may include court fines and DNA Identification fees. Your supervising Officer will also develop a payment plan for you concerning these financial obligations.

All payments **must** be made in the form of a **money order or cashier's check**. Probation and Parole fees are payable to the NM Corrections Department, while restitution payments will be made out to the victim, whose name(s) your Probation Parole Officer will provide you. **CASH, PERSONAL CHECKS, BUSINESS CHECKS, THIRD PARTY CHECKS WILL NOT BE ACCEPTED FOR PAYMENT.** When you make any payment, you will not receive a receipt; however, you may request a printout of your Transaction History at any time. It is your responsibility to make all required payments. Your Probation Parole Officer will give you a Remittance Slip to send with each payment as well as a mailing envelope. You must put a stamp for first-class postage on the envelope. All payments must be mailed to:

For PPD Offices in Regions I and II: (Albuquerque / Northern New Mexico)	For PPD Offices in Regions III and IV: (Southern New Mexico)
New Mexico Corrections Department Probation & Parole Division PO Box 27116 Santa Fe, NM 87502-0116	New Mexico Corrections Department Probation & Parole Division 116 Mechem Street Socorro, NM 87801-4506

Payment of fees and/or restitution is not to be taken lightly. Failure to maintain your payments is cause for your Officer to file a Violation Report with the Court and/or Parole Board and could result in the revocation of your probation and/or parole.

HOW TO CONTACT PROBATION AND PAROLE DIVISION STAFF IN CASE OF AN EMERGENCY

You should make every effort to make contact with your supervising Officer during the regular business hours of the office where you routinely report. In case of an actual emergency situation that occurs after business hours, the Probation Parole Division maintains a 1-800 number, which you may use to contact your Officer. Dial 1-866-416-9867, a number that is maintained on a 24-hour basis by a radio dispatcher who will then call your supervising Officer at home and ask the Officer to contact you. If the dispatcher cannot reach your Officer, the District Supervisor will be called and asked to call you. You will find this number posted in the Probation Parole office where you routinely report and this number will be on your PPO's business card.

The 1-800 number is available to offenders at any time, for any urgent matter.

For more information on PPD 24-Hour Services for Offenders, please see <http://cd.nm.gov/policies/policies.html> CD-052400.

WHAT TO EXPECT FROM YOUR PROBATION PAROLE OFFICER

Your Probation Parole Officer is assigned to monitor your compliance with the conditions imposed by the Court and/or the Parole Board and to assist you in making the decisions necessary to successfully complete your period of supervision. The Officer cannot live your life for you or make the decisions for you as to whether or not you comply with your conditions of supervision.

Your Officer's job is to assist you in developing a supervision and treatment plan that can help you redirect your life. But the Officer, at the same time, is mandated to report any failure to comply with the expectations of the Court or Parole Board. The decision to succeed or to fail is yours, and yours alone.

SUPERVISION PLAN: Shortly after you begin supervision, your Officer will determine the level of supervision you will be assigned, which then establishes how often you will be required to report and will outline specifically what will be expected of you.

Until that process is completed, you should follow any specific reporting requirements given by your Officer. The Officer will work with you to develop a treatment and supervision plan and will provide you with a copy of that plan. Your level of supervision and supervision plan will be reviewed at least every six months.

OFFICE VISITS: Whenever you report to the Probation Parole Office, be sure to sign in on the sheet provided in the reception area and let the security guard know that you are there and who you need to see. Be advised that security staff can and will conduct searches of persons and belongings entering the building. When you report to the Probation Parole Office, you will report by yourself; friends and family must wait outside the building unless you have received prior permission from your Probation Parole Officer.

On your first report each month, you will be required to fill out a Monthly Report of your activities of the previous month. Fill this form out accurately, completely and legibly. Be sure to sign the report when you have completed it. Your Officer may require other reports to be filled out during subsequent office visits and will advise you if that is the case.

DRUG TESTING: If your conditions of supervision include a provision for drug testing, you may be required to submit a urine specimen at any time while you are under supervision. An Officer will observe the collection of this specimen and you will be required to fill out certain paperwork related to the collection of the specimen. If you cannot immediately provide a specimen, you will be required to wait at the office until you are able to provide one. Unless you wish to wait at the Probation Parole Office for an extended time, you should report prepared to leave a urine specimen. Failure to leave a specimen in a timely fashion can be considered failure to submit to urinalysis and can be grounds for arrest and for revocation of your Probation and/or Parole. Lab results provide detailed information about the drugs in your system as well as any attempts to cover up drug usage.

FIELD VISITS: Your Officer may visit you at your home and/or place of employment at any time. The Officer must do this as part of the supervision process and it is not their intent to embarrass you or create problems for you or your family. If you have any specific concerns about such field visits, you should share them with your Officer beforehand. When the Officers are visiting in your home they may ask to see other parts of the house and may wish to talk with you and your family. You should provide the Officer with accurate directions to your home, and if you have dogs or any other hindrances to their visits. You must make arrangements for your residence to be accessible. If you or your family make yourself inaccessible for field visits, you could be charged with a violation of your conditions of supervision and/or be required to move to another approved residence.

GENERAL INFORMATION: You must secure the permission of your Officer before changing residences or employment. You may not travel outside your county of residence without prior permission from your PPO. There are specific procedures for transferring your supervision to another jurisdiction, if you have a legitimate need to relocate.

ARRESTS: If you are arrested, you must report that arrest to your PPO promptly. If you are arrested after hours, use the emergency number to notify the Probation Parole Office. Follow any other specific after hours instructions provided you by your supervising officer.

The Probation Parole Office wants you to successfully complete your term of supervision. Your Probation Parole Officer will help you succeed. The responsibility is yours.

OFFENDER ORIENTATION HANDBOOK ACKNOWLEDGMENT

I have received a copy of the New Mexico Corrections Department, Probation Parole Division Offender Orientation Handbook which includes information on my civil rights, the Department’s Code of Ethics, the offender grievance procedure, sex offender registration, fee and restitution collection procedures, office and field visits, how to contact my Probation Parole Officer in an emergency, drug testing and other information regarding the Probation/Parole process. By signing below, I acknowledge that I have read and understand the Offender Orientation Handbook, and that the Handbook was explained and discussed with me during my initial interview with my supervising officer.

Probationer/Parolee

Date

Witness

Date

PAYMENT RESPONSIBILITY ACKNOWLEDGEMENT

By signing below I acknowledge that I understand the following responsibilities and procedures:

As outlined in my probation/parole conditions I am required to make various payments. I will mail all payments to:

For PPD Offices in Regions I and II: (Albuquerque / Northern New Mexico)	For PPD Offices in Regions III and IV: (Southern New Mexico)
New Mexico Corrections Department Probation & Parole Division PO Box 27116 Santa Fe, NM 87502-0116	New Mexico Corrections Department Probation & Parole Division 116 Mechem Street Socorro, NM 87801-4506

I understand I must send **MONEY ORDERS OR CASHIERS CHECKS ONLY**; no cash or personal checks.

I understand it is my responsibility to fill out my money orders/cashier checks **completely and correctly**.

I understand it is my responsibility to obtain a remittance slip and mailing envelope from my probation office each month in order to make these payments. **DO NOT SEND IN PAYMENT WITHOUT REMITTANCE SLIP.** I understand that I must put postage on the mailing envelope.

Probationer/Parolee

Date

Witness

Date

NEW MEXICO CORRECTIONS DEPARTMENT
Rule for Home Visits

I, _____, acknowledge that I have been instructed by my supervising Officer that the following behavior will be expected of me while Officers are visiting me at my residence.

1. I will advise all members of my household that Probation & Parole Officers will occasionally visit the residence and ask them to show courtesy and respect toward the Officers and be compliant with their reasonable requests.
2. I will assure that Officers have safe access to my residence by having dogs restrained and, if I reside in a secured apartment complex or have a locked gate I will provide a key or a key code.
3. I will promptly answer the door and invite the Officers in.
4. I will promptly advise the Officers of who is in the residence.
5. I will ask the Officers where they would like me to be seated.
6. I will be courteous and cooperative with the Officers.

By following these steps, I understand that I will be helping to assure that both my safety and the safety of the Probation & Parole staff will be maintained. In return, I understand the Probation & Parole staff will also be courteous to my family and me during these visits to my residence.

Signed

Date

Witness

Date

NEW MEXICO CORRECTIONS DEPARTMENT
Notice to Employer

Date: _____

Sir or Madam:

This letter is to inform you that your employee _____ is a sex offender and/or is under the supervision of the Probation Parole Division for a sexual offense. He/She has been adjudicated guilty of the following crime(s):
_____.

OR

This letter is to inform you that your employee _____ is under the supervision of the Probation-Parole Division for the crime of _____. _____ was originally charged or indicted with a sex offense (_____), but that offense was plead down or reduced to the above-designated crime.

We are submitting this letter in compliance with the Departmental directive that employers be notified of their employees who are on Probation Parole supervision for sexual offenses.

We request that you sign this letter below as an acknowledgement that you have been so notified. If you have any questions or concerns, please contact the assigned Probation-Parole Officer _____, at _____.

Sincerely,

Probation Parole Officer

Employer Signature/Acknowledgement

Date

NEW MEXICO CORRECTIONS DEPARTMENT
PROBATION-PAROLE DIVISION
Employer Questionnaire

1. What is the offender's specific job? _____

2. What are his/her specific job duties? _____

3. What is his/her usual work site? _____

4. Does he/she ever work off-site? Where? _____

5. What contact does he/she have with the public? _____

6. What are his/her regular hours? _____

7. Does he/she ever work hours that are outside of the regularly scheduled hours? When?

8. Is he/she ever responsible for opening or closing the business? _____

9. For what portion of the work day is he/she under direct supervision? _____

10. Does he/she have access to the Internet or other electronic media while on the job?

11. Does he/she ever have contact with minors (under the age of 18) without another adult present? _____
12. **(As appropriate):** Does he ever have contact alone with adult women (over the age of 18) without another adult present?

13. Will you notify his/her Probation Parole Officer of any changes to his/her employment to include variances in shift, duties, hours, employment location or clientele?

Firearms Notification

Pursuant 18 USC 922 (g) (1), it shall be unlawful for any person who has been convicted in any Court of a crime punishable by imprisonment for a term exceeding one (1) year, to ship, receive, possess, or transport in interstate or foreign commerce, any firearm, or ammunition. The penalty shall be a fine not more than \$250,000 or imprisonment for not more than ten (10) years or both [18 USC 924 (a) (2)].

Also included in the prohibition are component parts of a firearm, a starter's pistol, a firearm muffler or silencer, a bomb, or any other destructive device [18 USC 921 (a) (3)].

I understand that I am a convicted felon. Therefore, Federal law prohibits me from receiving, shipping, or transporting a firearm,ammunition, or explosives.

I further understand that I am prohibited from possessing a firearm, having a firearm in my residence, or at any time having physical access to a firearm.

I understand that this prohibition will continue as long as I am a convicted felon unless Iam granted relief by applicable law or Executive Clemency by the state in which I was convicted.

I have read, or have had read to me, the above restrictions and I fully understand my status as a felon and the prohibitions stated above.

Probationer/Parolee

Date

Witness

Date

 <p>CD-050202</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	<p>ISSUE DATE: 02/21/94</p>	<p>REVIEW/REVISED: 10/08/15</p>
	<p>EFFECTIVE DATE: 02/21/94</p>	
<p>TITLE: Written Probation and Parole Conditions</p>		

AUTHORITY:

Policy *CD-050200*

PROCEDURES: [4-APPFS-2B-01]

A. Probation Conditions:

Written conditions of probation shall be entered in CMIS and maintained in the offender file, served on and acknowledged by the offender in accordance with the directives of the District Courts. If the **Order of Probation** Attachment (*CD-050202.C*) contains the length of the probation term, only those pre-sentence confinement credits specifically designated to be credited towards time on probation as reflected on the Judgment and Sentence will be reflected on the **Order of Probation** Attachment (*CD-050202.C*). If the Judgment and Sentence does not specifically reflect that specific pre-sentence confinement credits are to be credited towards time on probation, then pre-sentence confinement credits will only be credited by the receiving facility if the offender's probation is subsequently revoked, and the offender is sentenced to a term of incarceration.

B. Parole Conditions:

1. Parole conditions are issued by the New Mexico Parole Board through the releasing institution and signed by the offender prior to release. Parole Officers shall review the parole conditions with the offender at their first contact. These conditions will be entered into CMIS.
2. In cases where a period of probation follows parole in the same cause number, any conditions of probation must be included as conditions of parole. If the Parole Board has not included one or more of those probation conditions, the supervising PPO should send a letter advising the Parole Board and request the parole certificate be amended to include the omitted condition(s).

- C. The supervising PPO may write a formal request to the sentencing Court or Parole Board to add, remove, or modify any or all special conditions of probation or parole supervision. All requests must be justified and approved the District Supervisor. [4-APPFS-2A-05]



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

10/08/15
Date



STATE OF NEW MEXICO CORRECTIONS DEPARTMENT PROBATION AND PAROLE DIVISION

DISTRICT COURT
COUNTY OF
STATE OF NEW MEXICO

Cause #
D.A. Number

STATE OF NEW MEXICO

Plaintiff

vs.

Defendant

Order of Probation

Now, on this day of , in accordance with authority conferred by the State of New Mexico, the Honorable , sitting in and for this Court at , New Mexico, places you under probation supervision for a period of . You are to be under probation supervision until , or until further order of the Court.

IT IS THE ORDER OF THIS COURT that you comply with the following standard and special conditions of probation.

1. STATE LAWS: I will not violate any of the laws or ordinances of the State of NM, or any other jurisdiction. I shall not endanger the person or property of another.
2. REPORTING: I will report to my Probation/Parole Officer as often as required and will submit completed and truthful written reports as required by my Probation/Parole Officer. All communication with my Probation/Parole Officer will be truthful and accurate and I will promptly reply to any correspondence or communication I may receive from the Probation Office.
3. STATUS: I will get permission from my Probation/Parole Officer before: a) Leaving the county where I am being supervised and/or residing; b) Changing jobs; c) Changing residence; or d) Engaging in any major financial contract or debt.
4. ASSOCIATION: I will not associate with any person identified by my Probation/Parole Officer as being detrimental to my Probation supervision, which may include persons having a criminal record, other probationers and parolees, and victims or witnesses of my crime or crimes.
5. SUPV LEVEL: I will follow all orders and instructions of my Probation/Parole Officer including actively participating in and successfully completing any level of supervision and/or treatment program, which may include Community Corrections, ISP, Electronic Monitoring or other supervision/treatment program, as deemed appropriate by the Probation/Parole Officer.
6. VISITS: I will permit any Probation/Parole Officer to visit me at my home or place of employment at any time. I will permit a warrant-less search by the Officer of my person, automobile, residence, property and/or living quarters if he/she has reasonable cause to believe the search will produce evidence of a violation of my conditions of probation.

7. EMPLOYMENT: Unless exempted, I will make every effort to obtain and hold a legitimate job and fulfill all financial obligations required of me including support of my family. I shall cooperate with my Probation Officer in any effort to assist me in obtaining employment. If I lose my job for any reason, I shall report this fact to my Probation/Parole Officer within 48 hours of the change.
8. WEAPONS: I will not buy, sell, own or have in my possession, at any time, firearms, ammunition, or other deadly weapons.
9. DRUGS: I will not buy, sell, consume, possess or distribute any controlled substances except those legally prescribed for my use by a State Certified Medical Doctor. I will also provide urine or breath test specimens for laboratory analysis upon request of the Probation and Parole Division.
10. ARREST: I will report any arrest, charge or questioning by a Peace Officer to my Probation/Parole Officer within 48 hours of the incident. The toll free number 1-800-428-5686 is available for emergency contact with my Probation/Parole Officer.
11. TRANSFER: If my probation supervision is transferred to another state, I will abide by any additional supervision conditions required by that state.
12. INFORMANT: I will not enter into any agreement to act, or act as an "informer" or special agent for any law enforcement agency without the permission of the Director of the Probation and Parole Division and the sentencing judge.
13. PROBATION COSTS: I will pay probation costs as determined by my Probation/Parole Officer on or before the designated date each month to the Corrections Department in the form of a money order or cashier's check.
14. PHOTO: I will submit myself for photographing and fingerprints as directed by the Probation & Parole Division.
15. ALCOHOL: I shall not possess, use or consume any alcoholic beverages and will not at any time enter what is commonly known as a bar or lounge where alcoholic beverages are served or sold for consumption on the premises.
16. SPECIAL CONDITIONS:

You are hereby advised that under the law of the Court, the Court may at any time during the probation term issue a warrant for your arrest and your probation may be revoked if you violate any one of the conditions of this Order during the time of your probation. When acting in accordance with official policy and New Mexico law, your Probation Officer has the authority to have you arrested without a warrant.

The Honorable

I have read and understand the terms of this Probation Order and will abide by its terms.

, Probationer

, Probation & Parole Officer

Date _____

Witness:

Title;

NEW MEXICO CORRECTIONS DEPARTMENT
Assessment Referral Form

Treatment Provider:

Date of Referral:

Probation/Parole Officer:

Dear Valued Provider,

We are referring this individual to receive an assessment and follow up services as recommended. They have been instructed to contact your office. Please send an assessment summary to the Probation Parole Officer listed above. Thank you.

Note: Offender will be required to pay their co-pay, if applicable and financially able. Per NMCD contract, provider must first bill private insurance or Medicaid. NMCD funding is used as a secondary only.*

Client Information

Name:

DOB:

Address:

City:

State:

ZIP:

Home Phone #:

Cell Phone #:

Comments:

Please Note: List any specific orders from Judgment & Sentence or Parole Board relating to treatment

Previous Treatment:

Current Offense:

Circumstances:

Supervision Expiration date:

Sentence Date:

Release of Information Authorization

I, _____, _____, do hereby consent to the
(Client First/Last Name) (Client DOB)
disclosure of information during my probationary period.

By: New Mexico Corrections Department Staff

To: _____ (Treatment Provider)

Address:

Supervising Officer

Offender Signature

Date