

 <p>CD-053600</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: 06/27/96</p>	<p>REVIEW/REVISED: 04/30/12</p>
	<p>EFFECTIVE DATE: 07/01/96</p>	
<p>TITLE: Local Selection Panel</p>		

AUTHORITY:

NMSA 33-9-1 through 33-9-10 (1989)

REFERENCE:

None

PURPOSE:

To establish procedures for the selection and implementation of a Local Selection Panel (LSP) by each Community Corrections program.

APPLICABILITY:

All Community Corrections programs.

FORMS:

- A. **Local Selection Panel Application** Form (*CD-053601.1*)
- B. **Pledge for Maintaining Confidentiality and Waiver of Liability** Form (*CD-053601.2*)
- C. **Special Programs Referral** Form (*CD-053601.3*) (4 pages)

ATTACHMENTS:

None

DEFINITIONS:

- A. *Conflict of Interest*: Any personal action or inaction motivated by the possibility of personal gain or personal interest, which adversely affects the interest of the New Mexico Corrections Department (NMCD) or conflicts with the person's duty to the Department.

- B. *Local Selection Panel (LSP)*: A local panel comprised to the maximum extent possible of representatives of the Judiciary, the Office of the District Attorney, the Office of the Public Defender, the Adult Probation and Parole Division (PPD) of the NMCD, the County Sheriff or the Municipal Police Department, individuals representing local programs and private citizens, who may screen and identify criminal offenders using the same criteria as the State of New Mexico Selection Panel.

POLICY:

Each Community Corrections program funded by Community Corrections grant funds shall establish a LSP as stipulated by Community Corrections Statute 33-9-8 NMSA 1989, to screen, approve, reject or defer action on referred criminal offenders for participation in the Community Corrections program in their community.



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

04/30/12
Date

 <p>CD-053601</p>	<h1 style="text-align: center;">NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p style="text-align: center;"><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>	
	ISSUE DATE: 06/27/96	REVIEW/REVISED: 04/30/12
	EFFECTIVE DATE: 07/01/96	
TITLE: Local Selection Panel		

AUTHORITY:

Policy *CD-053600*

PROCEDURE:

- A. The LSP shall be composed of no less than three members. The composition of the LSP shall include, to the maximum extent possible, representatives of the Judiciary, the Office of the District Attorney, the Office of the Public Defender, the PPD, the County Sheriff or the Municipal Police Department, individuals representing local programs and private citizens. A minimum of three (3) panel members must be present at an LSP meeting for a decision to be rendered.
- B. Each Community Corrections program is responsible for contacting agencies/organizations in their community to inform them of the LSP and its functions and to solicit their participation on the panel. Persons wishing to participate on an LSP shall submit in writing to the PPD Supervisor, their reasons for wanting to participate and shall provide written background information including experience, education, and other relevant information using the **Local Selection Panel Application Form** (*CD-053601.1*).
- C. The PPD Supervisor shall compile the LSP packet, which must include the **Local Selection Panel Application Form** (*CD-053601.1*) and the **Pledge for Maintaining Confidentiality and Waiver of Liability Form** (*CD-053601.2*) so that a records check may be conducted, both an NCIC query and local query. The Program Director or designee shall screen all nominees.

If the PPD Supervisor supports a new panel member's application, then results of the records check along with the LSP application packet shall be submitted to the Community Corrections administrative office for processing.

- D. The Secretary of Corrections (Secretary) or designee shall have sole authority for the approval of appointments to the LSP. Criminal justice professionals are excluded from a records check (i.e., judges, court employees, employees of the district attorney's office, employees of the public defender's office or any other individual that is required to complete a records check by virtue of their employment).
- E. Appointments to LSP's shall be reviewed regularly by the PPD Supervisors to determine continued membership based on participation and current standing in the community. The Secretary or designee may, at the Secretary's discretion, terminate an appointment to an LSP at any time.
- F. Each LSP shall develop written bylaws that delineate LSP operational policies and procedures and shall follow those bylaws when conducting panel business. The Director of the PPD or designee thereto must approve the bylaws and amendments.
- G. Members of an LSP who have a conflict of interest with an applicant's case shall be required to divulge said conflict and excuse themselves from voting in regards to the applicant's approval for participation in a program. If a contracted provider is represented on the panel, that representative must excuse himself/herself from voting in regards to any applicant that may be referred to his/her agency for services.
- H. Members shall hold as confidential all information received relating to referred cases and shall not release such information to public inquiry. All LSP members shall sign a written statement agreeing to abide by the principles of **Pledge for Maintaining Confidentiality and Waiver of Liability** Form (CD-053601.2). At no time will case materials be removed from the meeting site and all case materials will be returned to the program representative upon completion of the review process.
- I. All LSP members shall go through a period of program orientation prior to being allowed to vote as a panel member. This orientation shall include, but may not be limited to, a discussion of the history of Community Corrections in New Mexico and in the community, the mission of Community Corrections, eligibility criteria for offenders, type of offenders, services offered by the program and other related topics as deemed appropriate by the local PPD Supervisor. Newly appointed panel members shall refrain from voting during their first meeting.
- J. No prospective panel member shall sit in on a panel meeting, even for orientation purposes, until such time as the Department has approved their application. No individual shall sit in on a panel meeting as an observer unless approved by the Department.

- K. PPD Supervisors shall be conscientious of panel membership composition for every meeting and shall make every effort to ensure community involvement at each meeting. At no time shall the majority of the panel composition be strictly NMCD staff ; in those cases, any decision should be deferred until the next scheduled meeting except in areas where attempts to recruit non-NMCD staff have been exhausted and special dispensation has been given by the Community Corrections Administrative Office.
- L. LSP members shall review at the meeting all case material available relating to the offender, discuss the case, approve, reject, or defer action on the referral, and complete and sign the **Special Programs Referral Form** (*CD-053601.3*). All panel members present shall sign the referral form. The method of approval or rejection shall be in accordance with established and approved panel bylaws. The decision of the LSP is final and no appeal is allowed.
- M. If a referral is re-paneled for the same program within a ninety (90) day period, the PPD Supervisor or designee shall advise the current panel attendees the decision reached by the previous panel attendees and the reason for the re-panel.
- N. Any offender that has been discharged from a Community Corrections program, regardless of time frame, must be re-paneled and approved by the currently appointed panel member prior to returning to active status. Circumstances surrounding the discharge must be shared with the panel.
- O. The PPD Supervisor or designee shall be responsible for scheduling panel meetings and ensuring all panel members present at each meeting have available to them case material and other relevant information on each referral necessary to make a decision. The PPD Supervisor or designee shall review the material first and make an initial approval for participation in the program and then shall present each referral and answer panel members' questions concerning the referral for final approval.
- P. Documentation must be maintained on the panel members' attendance, cases reviewed, and outcome of the meetings (whether a case is approved, rejected or deferred). A separate file on LSP meetings will be maintained with this information.
- Q. Except as in place at the March 2012 revision of this policy, LSP members shall not be family members or cohabitants of NMCD staff.

- R. A panel member may, at any time and without advance notice, choose to resign from a Local Selection Panel (LSP). Panel members doing so are requested to supply notification of resignation via letter or electronic communication to the local CCU supervisor or the Community Corrections Administrative Office, with as much advance notice as possible so that a replacement can be empanelled.
- S. Panel members failing to show up for a panel for four (4) consecutive meetings without notice or justification shall be considered discharged from the Panel and would need to tender a new application in order to be reinstated.
- T. Panel members may also be dismissed or removed from the Panel by the Secretary of Corrections or his designee(s), in consultation with the Director of Probation and Parole and the Community Corrections Administrative Office, for reasons including, but not limited to, arrest or criminal conviction or other action of the Court, conflict of interest, failure to abide by NMCD volunteer policies or protocols, undue familiarity with offenders, and/or irreconcilable differences.



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

04/30/12

Date

NEW MEXICO CORRECTIONS DEPARTMENT
Local Selection Panel Application Form

Program: _____ Location: _____

Name of Applicant: _____ DOB: _____

Social Security Number: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone #: _____

Reasons for Applying

Employment Title: _____

Business Name: _____

Address: _____

Work Phone #: _____

Education _____

Experience _____

References (at least 3)

NOTE: A records and NCIC check will be completed on all applicants prior to approval.

Signature: _____

Date: _____

NEW MEXICO CORRECTIONS DEPARTMENT
Pledge for Maintaining Confidentiality

I, _____, hereby state that I fully agree to maintain confidentiality of all records and information both written and verbal, which pertain to Parolees, Probationers, and other Probation and Parole Division (PPD) offenders.

Volunteer's signature

Waiver of Liability

I hereby understand that as a volunteer, I have no authority to act on behalf of the State of New Mexico.

I will receive no compensation or benefits from the State.

I will participate only under direct supervision of a _____
employee. (Program Name)

I hereby agree to indemnify and hold harmless the New Mexico Corrections Department and the State of New Mexico for any of my acts or claims related to the Volunteer Program.

Volunteer's Signature

Program Director's / PPD Supervisor's Signature

Date

Date

NEW MEXICO CORRECTIONS DEPARTMENT
Special Programs Referral

Name: NMCD: Offender No:
Cause #: Dual:
SSN #: DOB: Age: Gender:
Program Referred to: Date:

PART I – APPLICANT – Signed statement indicating wish to participate.

I certify that I wish to participate in a Special Program and that I am willing to enter into a contract that establishes objectives that must be achieved before release from the program. I understand that if I fail to achieve the objectives of the contract, engage in any unlawful acts or violate program rules I will be referred back to the: (check one)

- Court for implementation of my suspended sentence. (Probation)
 Parole Board for revocation hearing. (Parole)

Inmate / Offender Signature

Date

PART II – REFERRAL SOURCE – Complete all applicable items and attach necessary forms (please refer to page 2).

Proposed Residence:
(actual physical address; no P.O. boxes)

Telephone: Ethnicity:

Current Offense(s):

County of Current Conviction:

Sentence/Commitment:

Projected Release Date from Supervision:

Referred by:

Is this a referral from an institutional Therapeutic Community? Yes No

Specific Recommendations and/or Needs:

NEW MEXICO ORRECTIONS DEPARTMENT
Special Programs Referral

REFFERAL PACKETS should include the following information:

- A. Pre/Post Sentence Report
- B. Release of Information to All Necessary Parties
- C. DNA Verification
- D. Progress Report / Discharge Plan with Attachments (*CD-083001.1*)
 - IRP Employability Record Form (*CD-083001.2*)
 - Consent Form to Release Psychiatric/Mental Health Information (*CD-171401.B*)
 - Consent Form to Release Medical Information (*CD-171401.A*)
 - Consent Form to Release Substance Abuse Information (*CD-171401.C*)
 - Security Threat Intelligence Unit (*CD-131500*)
- E. FBI Rap Sheet (if available)
- F. Picture
- G. Judgment & Sentence
- H. Parole Certificate (if available)
- I. Violation Reports (if applicable); in the case of a parolee this information should be included in the Progress Report / Discharge Plan packet
- J. Order of Probation (if available)
- K. Physical Exam / Medical Records (if a residential program); in the case of a parolee this information should be included in the Progress Report / Discharge Plan packet

DIVERSION (PROBATION) REFERRAL

ATTACHMENTS
A, B, C, F, G, I, J, K

PAROLE REFERRAL

ATTACHMENTS
A, B, C, D, E, F, G, H, I, K

RESIDENTIAL PROGRAMS

Note: Community Corrections Residential Programs may require additional information specific to their program which they will request upon receipt of referral, i.e. verification of a physical exam.

NEW MEXICO CORRECTIONS DEPARTMENT
Special Programs Referral

Name:
SSN:

NMCD Number:
Offender Number:

PART III – PROGRAM DIRECTOR AND PANELS – Review referral, approve/deny and indicate reason.

State Selection Panel / Institution Reentry Committee Review Date: ____/____/____

- Approved. List program recommendations.
- Denied. List reason(s) for denial. (see possible options on Page 4)

Signatures _____

Program Director / Supervisor Review Date: ____/____/____

- Approved. List program recommendations.
- Denied. List reason(s) for denial. (see possible options on Page 4)

Signature _____

Local Selection Panel Review Date: ____/____/____

- Approved. List program recommendations.
- Denied. List reason(s) for denial. (see possible options on Page 4)

Signatures _____

NEW MEXICO CORRECTIONS DEPARTMENT
Special Programs Referral

Reasons for Rejection:

1. Candidate does not meet eligibility requirements of the Special Program.
2. Candidate high profile case; feared adverse public reaction.
3. Candidate's needs exceed Program's ability to provide required services.
4. Candidate has an on-going history of violent behavior that cannot be appropriately monitored in a residential program.
5. Candidate has a history of gang affiliation that could put the applicant and current participants of the residential program in conflict.
6. Candidate is unwilling to commit to contract conditions set forth by the program.
7. Candidate is demonstrates little or no motivation to participate in treatment programs (i.e., denial of existing addiction, absence of participation in rehabilitation programs during incarceration).

NOTE: Candidate should not be denied program participation due to a conviction of a violent crime alone.

If any other concerns, please specify in the area provided on Page 3.