

## 1.5. G.4 Parole- Community Risk Assessment and Supervision of Offenders

### I Policy Index:



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**Office of Primary Responsibility:** Director of Parole Services & DOC Administration

### II Policy:

An offender's supervision requirements for parole, suspended sentence or interstate compact under the jurisdiction of Parole Services, will be based on the Community Risk Assessment/Re-Assessment. A Community Risk Assessment/Re-Assessment will be completed on each offender eligible to be placed on supervised release.

Nothing in this policy or its applications may be the basis for establishing a constitutionally protected liberty, property or due process interest in any offender.

### III Definitions:

#### **Administrative Contact:**

Parole agent initiated contact with or about an offender and/or others that deal with administrative duties. Examples include contacts with offenders regarding travel permits, chance meetings, drug tests/PBT's (Portable Breath Tester) and receiving a monthly report, where no further discussion takes place to deal with issues directly affecting the parolee's success on supervised release.

#### **Approved Result:**

The supervision level established after all administrative risk factors, both mandatory and discretionary, are applied and approved.

#### **Calculated Result:**

The supervision level established prior to the application of any mandatory administrative risk factors and discretionary risk factors.

#### **Case Plan**

An individualized documented accountability and behavior change strategy utilized by parole agents to encourage successful completion of Parole Supervision.

**Collateral Contact:**

Parole agent initiated contact with an offender's employer, family members, treatment providers, etc. to deal with issues directly affecting the offender's success on supervision; i.e. housing, employment, treatment, etc.

**Comprehensive Offender Management System (COMS)**

A DOC database for staff use in the management, storage, and collection of informational and statistical data pertaining to adult corrections and parole agent caseloads.

**Criminogenic Risks/Needs:**

Offender need areas, which are related to criminal conduct and, when addressed in correctional treatment, can be impacted to reduce the overall or specific risk for recidivism. Substance abuse is an example of a criminogenic need; low self-esteem is not.

**Dynamic Factors/Needs:**

Those risk factors which are subject to change as a result of treatment interventions; i.e. substance abuse.

**Offender:**

For the purposes of this policy, an offender is an inmate (in the custody of the Department of Corrections institutional system) or a parolee (under parole or suspended sentence supervision by South Dakota Parole Services).

**Override Result:**

The supervision level established after the application of all administrative risk factors, both mandatory and discretionary.

**Parolee:**

An inmate who is conditionally released from the physical custody of a Department of Corrections (DOC) facility before the expiration of the inmate's term of imprisonment. The term "parolee" also applies to an inmate who is released from the physical custody of a DOC facility on a suspended (split) sentence or an offender transferred to parole supervision in the state of South Dakota from another state under interstate compact. A parolee remains under the legal custody of the Department of Corrections until the expiration of the term of imprisonment (See SDCL § [24-15-1.1](#), [24-15-13](#) and [24-15A-15](#)).

**Parole Agent:**

For the purposes of this policy, a parole agent is an employee of the Department of Corrections responsible for the direct supervision of parolees (See SDCL § [24-15-14](#)).

**Personal Contact:**

Parole agent initiated contact with an offender to deal with issues directly affecting the offender's success on supervised release; i.e. housing, employment, treatment, etc. Personal contact may be made by a designee of the parole agent, such as local law enforcement, pastor or another community resource person.

**Random Contact:**

Unannounced face-to-face contact or attempted contact with an offender that is initiated by a parole agent.

**Sex Offender:**

For the purposes of this policy, a sex offender is any adult offender convicted or adjudicated of a felony sex crime, as listed in SDCL § [22-24B-1](#), regardless of the offense date or date of conviction; an offender serving a current prison term as a condition of a suspended imposition of sentence for the commission of a

sex crime; and offenders identified as having a Sexual Behavior Issue (SBI) by SOMP staff (designated by sexual behavior code of 2), or an offender convicted of any offense requiring sex offender registration.

**Static Factors/Needs:**

Those risk factors and variables which are either unchanging (e.g. gender) or not subject to change as a result of treatment interventions (e.g. age).

**IV Procedures:****1. Community Risk Assessment/Re-Assessment Fundamentals:**

- A. The main purpose of the Community Risk/Needs Assessment and Community Risk Re-Assessment is to assign an assessed risk score to offenders on supervision, which can be used to focus supervision resources. Offenders are assigned an assessed risk level. Offenders with a higher score (higher assessed risk level) are assigned to a higher level of supervision.
- B. The Community Risk/Needs Assessment and Community Risk Re-Assessment combine the static factors of an offender's criminal history and behavior with his/her dynamic factors/needs.
  - 1. The combination of static and dynamic factors shows a strong statistical relationship to offender recidivism, and thus can be used to help predict success on supervision and focus supervision resources.
  - 2. The combination of static and dynamic factors also provides a useful means of monitoring changes in an offender's behavior, attitudes and circumstances.

**2. Criteria for Parole Classification:**

- A. Each offender's parole supervision level will be determined through:
  - 1. The completion of an Initial Community Risk/Needs Assessment by an admissions case manager upon the offender's admission to the DOC.
  - 2. Follow-up Initial Community Risk/Needs Assessments (CRA) completed by an offender's unit case manager prior to the offender's release to parole or suspended sentence, or prior to any appearance by an offender at a discretionary parole hearing.
  - 3. This information will be used in discretionary decision making by the Parole Board and for release planning by institutional staff (See DOC policy 1.4.G.1 [Transition Programs and Services](#)).
- B. The final Initial Community Risk/Needs Assessment will be completed by the parole agent following or just prior to the offender's release to parole/suspended sentence.
  - 1. This will ensure any changes to the release plan are captured and appropriately scored, placing the offender at the most appropriate supervision level.
  - 2. Subsequent Community Risk/Needs Reassessments (CRR) will be completed by the assigned parole agent on every offender in their caseload a minimum of every three (3) months thereafter.
    - a. Parole agents are not required to complete Community Risk/Needs Reassessments on parolees who are assigned Indirect Supervision (unless an Alternative to Violation Sanction

(AVS) has been issued, resulting in a change in supervision level), or the offender has failed to maintain compliance with Exceptional Criteria.

- b. Parole agents are not required to complete Community Risk/Needs Reassessments on parolees who have absconded from supervision and/or when a warrant has been issued for their arrest by the Executive Director.
3. An earlier than scheduled Community Risk/Needs Reassessments may be initiated by a parole agent as a result of dramatic changes in the offender's behavior or upon the receipt of information such as:
  - a. An offender's arrest for a new offense.
  - b. An AVS by the offender.
  - c. An offender's loss of employment or a change in employers.
  - d. A change in the offender's housing situation.
  - e. Frequent contacts by the offender with law enforcement.
- C. An offender who does not have an Initial Community Risk/Needs Assessment completed prior to release to supervision; (e.g. a South Dakota offender housed in another state, an offender from another state paroling to South Dakota), will be maintained on a final supervision level of **Maximum** until the appropriate information is gathered and an initial Community Risk Assessment is completed.

### 3. Scoring the Community Risk Assessment/Related Supervision Level:

- A. The Initial Community Risk/Needs Assessment scoring will be applied as follows (see [Attachment 1](#) for scoring instructions):
  1. **Intensive Supervision** 28 or more points.
  2. **Maximum Supervision** 19 to 27 points.
  3. **Medium Supervision** 8 to 18 points.
  4. **Minimum Supervision** 0 to 7 points.

**Note:** The Initial Community Risk/Needs Assessment will not allow an offender to begin supervision at a level lower than **Minimum** supervision.
- B. The Community Risk/Needs Reassessments scoring will be applied as follows (see [Attachment 2](#) for scoring instructions):
  1. **Intensive Supervision** 23 points or more.
  2. **Maximum Supervision** 14 to 22 points.
  3. **Medium Supervision** 4 to 13 points.
  4. **Minimum Supervision** 3 to - 4 points.

5. **Indirect Supervision** –5 points or below.

- C. An Approved Result will be established after a Community Risk Assessment/Re-Assessment is completed and all mandatory and discretionary administrative risk factors, along with the appropriate approvals (if required), applied in accordance to this policy.
1. The parole agent will generate the CRA/CRR on the assessment screen in COMS. After the agent verifies the questionnaire is answered correctly, the agent will save the assessment and the score will be automatically calculated.
  2. Once an Approved Result is established, the system will automatically update the offender's supervision level.

**4. Administrative Risk Factors – Mandatory and Discretionary:**

A. Mandatory Risk Factors:

1. Sexual Behavior (the system will automatically apply sexual behavior overrides).
2. Exceptional Criteria (this will be manually checked by the parole agent in the questionnaire).

B. Discretionary Risk Factors:

1. Mitigating Risk.
2. Additional Risk.

C. The placement on or removal of Discretionary Risk Factors requires the approval of the Regional Supervisor.

1. If Discretionary Risk Factors are used to increase/decrease an offenders' supervision level by two or more levels, the parole agent must obtain approval from both the Regional Supervisor and the Director of Parole Services.

**5. Contact Standards Based on the Supervision Level:**

- A. **Intensive Supervision:** A minimum of one (1) personal contact per week, one (1) collateral contact per week and one (1) random contact each thirty (30) day period (See ARSD § [17:61:02:18](#)).
- B. **Maximum Supervision:** A minimum of two (2) personal contacts and one (1) collateral contact each thirty (30) day period (See ARSD § [17:61:02:08](#)).
- C. **Medium Supervision:** A minimum of one (1) personal contact and one (1) collateral contact each thirty (30) day period (See ARSD § [17:61:02:09](#)).
- D. **Minimum Supervision:** A minimum of one (1) personal contact and one (1) collateral contact each sixty (60) day period (See ARSD § [17:61:02:10](#)).
- E. **Indirect Supervision:** One (1) monthly report submitted from the offender to the parole agent either in person or by mail. No personal contact or collateral contact is required with indirect supervision (See ARSD § [17:61:02:19](#)).

- F. Contact standards are only minimum supervision standards. The number of contacts may exceed the requirements, based upon individual offender circumstances.
1. Exceeding the minimal standards should be to address exceptional circumstances.
  2. The number of actual contacts should be based upon public safety, offender needs, risk factors, DOC policy and agency directives.
  3. Contacts are encouraged as the need arises.
    - a. There are times when a parole agent may need to see an offender more often than the standard requires in order completing a specific task.
    - b. The parole agent will not change the supervision level, but rather will continue to see the offender as deemed necessary.
- G. Offenders on **Intensive** supervision may be allowed to reside outside the immediate location of their respective parole agent's office.
1. This provision is contingent on contact standards being met and the availability of necessary treatment resources.
  2. A parole agent can designate an appropriate, reliable local community person to assist in meeting the contact standards in these cases.

## 6. Case Planning

- A. Parole agents will continue the individual case plan from the institutional case manager for each parolee. Case plans will:
1. Match the type and intensity of supervision to the assessed risk of re-offending.
  2. Target and prioritize the specific criminal risk factors of the individual, with attention to addressing barriers to learning and participation.
  3. Establish a timetable for achieving specific behavioral goals, including a schedule for payment of victim restitution, child support, and other financial obligations.
- B. Parole agents will continue to update case plans in response to the parolee's behavior on supervision.

## 7. Drug Testing Requirements:

- A. Random and targeted drug testing/PBTs will be completed in accordance with Parole OM 7.4.F.1 [Drug Testing](#) and DOC policy 1.3.A.8 [Offender Drug Testing, Sanctions & Treatment](#).
- B. Parolees releasing at Intensive, Maximum, or Medium Community Risk who are serving time for a drug conviction on this Booking will be drug tested monthly for the first three (3) months of supervision.
- C. Parolees on Indirect Supervision may be excluded from random drug testing/PBT's.

## 8. Random Visits:

- A. Random Visits conducted on offenders on Intensive supervision require no less than two (2) parole agents, or one (1) parole agent assisted by law enforcement, whenever practical, unless public safety is at risk and the immediate intervention of a parole agent is required to maintain lawful objectives.
- B. Parole agents are encouraged to obtain assistance from another parole agent or law enforcement as the need and circumstances warrant whenever conducting an offender visit; i.e. offender behavior, situational risk, etc.

## 9. Curfew Requirements:

- A. Curfew requirements will be set up for offenders at the discretion of the parole agent.
- B. There are no curfew requirements specifically set forth for each supervision level.

## V Related Directives:

SDCL §§ [24-15-1.1](#), [24-15-13](#) and [24-15-14](#)

ARSD § [17:61:02:08](#), [17:61:02:09](#), [17:61:02:10](#), [17:61:02:18](#) and [17:61:02:19](#).

DOC policy 1.3.A.8 -- [Offender Drug Testing, Sanctions & Treatment](#)

DOC policy 1.4.B.9 – [Sexual Behavior Issue Review](#)

DOC policy 1.4.G.1 – [Transition Programs & Services](#)

Parole OM 7.4.F.1 – [Drug Testing and Sanctions](#)

## VI Revision Log:

**March 2006:** New policy.

**November 2006:** **Revised** the wording/scoring for intensive supervision under the initial community risk assessment. **Revised** the follow-up initial assessment duties to fall on the unit case manager. **Removed** the exclusion for probation sentences from the felony history listing on the initial assessment. **Clarified** burglary 2<sup>nd</sup> is only a violent crime if committed before July 1, 2006.

**August 2008:** **Revised** formatting of policy and attachment in accordance with DOC policy 1.1.A.2. **Added** “initial” when referring to the final Community Risk Assessment in ss (B of Criteria for Parole Classification). **Added** “Parole” when referencing OM 7.4.F.1 in ss (A of Drug Testing Requirements). **Revised** titles of Attachments 1 and 3 to be consistent with policy, templates and WAN. **Revised** statement within ss (Initial Community Risk/Needs Form Instructions in Attachment 2) to state the initial risk/needs assessment will be completed on each offender, except those under life or death sentence and those with a SIS or SES and **added** LSI-R Case Manager as one of the staff responsible for completing the initial risk/needs assessment. **Deleted** statement regarding multiple reasons leading to focusing on only the primary reason within ss (Mitigating Risk Information of Attachment 2). **Added** statement regarding the immediate intervention of a parole agent in ss (A of Randoms). **Added** reference to DOC policy in section V. **Revised** minor grammatical, spelling and wording throughout policy.

**March 2009:** **Added** statement regarding interstate compact to definition of Parolee. **Added** monthly reports to definition of Administrative Contacts. **Replaced** “Transition” with “Admissions” in referencing Case Managers in ss (A1), **added** statement regarding supervision level in ss (B1) and **added** statement regarding caseload in ss (B2) within Criteria for Parole Classification. **Added** reference to “regional” supervisor in ss (C2 and C3) and **added** reference to “Parole” as it relates to ED in ss (C3) of Discretionary Administrative Risk Factors. **Deleted** statement regarding “nationally accepted “what works” in ss (A of SAP). **Revised** section title “Randoms” to “Random Visits” and **added** reference to “Random Visits” in ss (A) and **revised** wording regarding “risky situations” to “situational risk” in ss (B) of Random Visits. **Added** “Parole Agents” and **replaced** “Community Risk Director” with “Respective Supervisor” within (Approval section of Attachment 2). **Added** “Executive” to Director of Parole within (Approval section of Attachment 4).

**April 2010:** Revised policy significantly by adding definitions, adding new sections, revising sections and attachments to address increasing or decreasing of supervision levels.

**May 2012:** Reviewed with No Changes.

**February 2014:** Added definitions of "Calculated Result", "Override Result", "Approved Result", "COMS" and "Case Plan" and Deleted definitions of "Assessed Risk/Supervision Level", "Final Assessed Risk/Supervision level" and "Final Supervision level". Revised definition of "Sex Offender". Deleted language in Section 3 C. 1. & 2. regarding final supervision levels and Replaced with new language. Deleted "Mitigating" and Replaced with "Exceptional Criteria" in Section 4.A. 2 Added B. 1. & 2. and C. 1. to Section 4. Deleted Section on "Mandatory Administrative Risk Factors" Deleted B. "Mitigating Administrative Risk Factors-Exceptional Criteria" and C. Exceptional Criteria. Deleted Section on "Discretionary Administrative Risk Factors". Deleted Section on "Supervision Accountability Plan (SAP)". Added new Section 6 "Case Planning". Updated language in Attachment 1-2.

**March 2016:** Updates to attachments 1 and 2. regarding references to documentation in COMS and Sex Offenders on page 12.

**March 2017:** Updated definition of "Sex Offender" consistent with the SOMP policy. Deleted "PDR" and Replaced with "AVS" in Section 2 b. 2. a. Deleted "PDR" and Replaced with "AVS" in Section 3 B. 3. b. Added new B. to Section 7.

**June 2018:** Reviewed with no changes.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

07/27/2018

Date



## Attachment 1: OVERVIEW - COMMUNITY RISK/NEEDS ASSESSMENT

Community Risk/Needs Assessment combines static factors of an offender’s criminal history and behavior with ratings of “needs” to determine levels of supervision while under parole supervision. All factors taken into account to determine the Approved Result demonstrate a strong statistical relationship to offender recidivism, and thus can be used to predict an offender’s probability of failure while under supervision. Community Risk/Needs Assessment scores can be used to effectively focus supervision resources and provide a useful means of monitoring changes in the offender’s behavior, attitudes, and circumstances which are clearly related to successful completion of supervision. By combining risk (static) and needs (dynamic) factors, the Community Risk/Needs Assessment is designed to be both empirically related to successful supervision outcome and responsive to intervention. The main premise behind Community Risk/Needs Assessment is that of protecting the public. This is accomplished by effectively predicting the risk an offender has to the community and supervising higher risk offenders, as determined by the risk/needs assessment, at an appropriately higher supervision level; and, conversely, lower risk offenders at an appropriate lower supervision level.

### INITIAL COMMUNITY RISK/NEEDS INSTRUCTIONS

The information necessary to complete the Initial Community Risk/Needs Assessment is auto populated by COMS. The Risk Assessment portion of the initial assessment concentrates on the offender’s behavior while living independently in the community. If the offender demonstrated dramatic negative behavior during periods not being counted, that information may form the basis for applying Administrative Risk Factors to elevate the Approved Result.

### Scoring the Initial Community Risk Assessment (CRA)

#### Initial Risk Score:

The initial risk questionnaire is composed of six (6) different scoring categories that describe the offender criminal history or behavior that demonstrate a strong statistical relationship to offender recidivism. These risk scoring categories are summed by the system and the risk classification is assigned based on the offender’s total risk score (i.e., high risk offenders have a higher score than the reduced risk parolees).

Question	Description	Screen / Source	Scoring
Number of Adult Felony Convictions	The offender’s largest felony count associated with an offense in the offender’s criminal history, across all bookings and jurisdictions	Criminal History (OIDCRMHS)	(4) Multiple (2) One
Number of violent felony convictions (listed in attachment #3)	The offender’s largest felony count, minus any offenses with unique felony counts that have felony class that is non-violent across all bookings and all jurisdictions	Criminal History (OIDCRMHS)	(6) Multiple (0) One

Age at first felony conviction	The age of the offender at the time of he/she was sentenced for his/her first felony offense across all bookings and jurisdictions.	The system automatically calculates the age by subtracting the offenders birth date from the date of the first felony	(4) less than or equal to 23 (0) greater than or equal to 24
Age at current felony conviction	The age of the offender at the time he/she was sentenced for the current conviction	The system automatically calculates the age by subtracting the offenders birth date from the date of the current felony	(6) less than or equal to 17 (1) greater than or equal to 18 and less than or equal to 29 (0) greater than or equal to 30
Chemical Dependency/Gambling Diagnosis	The chemical dependency diagnosis created by the chemical dependency staff. The points for CD Diagnosis and Gambling Diagnosis are summed to provide a total. The maximum score is 8.	The answer to this question and the related scoring will be based on entries on the Health Problem Detail screen (OIUHPROB)	(7) Dependency (Alcohol and Other Substances) (4) Dependency (other substances) (4) Dependency (Alcohol) (3) Abuse (1) Gambling (-2) No problem / Deferred
Prior probation/parole absconding	The number of unique instances where the offender has absconded supervision	Criminal History – Supervision Tab (OIDCRMHS)	(4) Multiple Incidents of prior adult probation/parole absconding (2) One incident of prior adult probation/parole absconding (0) not applicable

**Assessed Risk Score:** Total the six items under the previous section (automatically calculated by the system)

**Initial Needs Score:**

The initial needs questionnaire is composed of three (3) different scoring categories which demonstrate strong statistical relations to offender recidivism. The needs assessment provides a useful means to monitor changes in the offender’s behavior, attitude, and circumstances that are clearly related to supervision outcome. The rationale is that as need areas are addressed, the relative risk the offender represents to the community will be reduced and less supervision and contact will be required to manage that offender effectively in the community.

Corrective Thinking Score	The result of Section 1 of the offender’s most recent LSI-R assessment and completion (if applicable) of Corrective Thinking classes (to include MRT and Thinking for a Change in both the institution and community classes)	The system will pull the score of section 1 from the most recent LSI-R from the assessment screen (OCDNOQUE). The system will also review the documented completion of Corrective Thinking classes since the offender’s latest admission to the	(4) High / Medium High, no treatment (2) High / Medium High, with treatment (1) Medium (0) Low/Not Applicable
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	as documented in COMS	institution (not including detainments).	
Release Housing Plan	Excellent housing = immediate family members in a supportive, alcohol/drug free environment Adequate Housing plan = some positive support and is alcohol free but not long term Temporary Housing plan = mission, hotel, or other short-term placement until a long-term placement can be arranged	The housing type will be pulled from the Plan Details tab on the Release Planning screen (OIDRPLAN)	(4) Temporary Housing (2) Adequate housing (0) Excellent Housing
Employment Plans	30 day job verification – offender is requesting 30 days to find employment Disability/SSI – Offender will require disability/SSI as means of support Employment verified – transitional case manager has verified employment	The employment type will be pulled from the Plan Details on the Release Planning Screen (OIDRPLAN)	(5) 30 day job verification (2) Disability/ SSI (0) Employment Verified

**Assessed needs score:** Total the score from the previous 3 sections (calculated automatically by COMS)

**Calculated Result:** Add together the total from the Assessed Risk Score and the Assessed Needs Score (calculated automatically in COMS).

**Assessed Risk Level:**

- Intensive: 28-45 points
- Maximum: 19-27 points
- Medium: 8-18 points
- Minimum: 0-7 points

**Administrative Risk Factors – Mandatory**

**I. Sex Offender Behavior Risk Factor**

Offenders assessed as having a sexual behavior problem, but determined as not in need of STOP treatment or those who have been determined (at any time while on supervision) by an approved sex offender treatment provider in the community as no longer needing sex offender treatment, will be supervised at a level determined by the Community Risk/Needs Assessment/Re-Assessment score. The sexual behavior administrative risk factor will not be utilized to elevate their supervision level.

The system will automatically identify those offenders with sexual behavior issues and distinguish when treatment is recommended based on the information entered into COMS by SOMP (Sex Offender Management Program) staff.

The system will automatically identify those offenders with sexual behavior issues and distinguish when treatment is recommended based on the information entered into COMS by Sex Offender Management Program (SOMP) staff as follows:

1. The Sex Offender Code Assessment is a 2Y; and
2. The Criminal History screen shows one of the following:
  - a. The offender is required to register; or
  - b. The offender is identified as having a sexual behavior issue (SBI).

First three months of supervision	Maximum supervision if the offender has successfully completed SOMP modules in the institution and program records in COMS show as "complete"	Intensive supervision if the offender has not successfully completed the SOMP modules in the institution.	
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### Administrative Risk Factors – Discretionary

#### II. Mitigating Risk Factors

Mitigating risk information may be used by case managers/parole agents to lower an offender’s final risk level below what is indicated by the Calculate Score. Justification of mitigating risk information must be documented and specific circumstances listed in the Comments field of the Assessment Screen in COMS.

Note: Special conditions imposed by the court/parole board take priority.

#### III. Additional Risk Factors

Additional Risk information may be used to raise an offender’s final supervision level above what is indicated by the Calculated Score. Justification of additional risk must be documented and specific circumstance listed in the Comments field of the Assessment Screen in COMS. Use of additional risk must be for a reason not addressed by the assessment, such as severity of offense, special conditions imposed by the court/parole board, public sentiment, release from a secure/controlled/non-community environment, or other conditions which must be specified.

### Approval

Parole Agent – If no discretionary administrative risk is applied or removed

Regional Supervisor – Regional Supervisor **must** approve lowering or raising the Approved Result one (1) level above or below the Calculated Result or Override Result.

Executive Director of Parole or Director of Field Services – Regional Supervisor **and** Executive Director of Parole or Director of Field Services **must** approve lowering or raising the Approved Result more than one (1) level above or below the Calculated or Override Result; (e.g. lowering from **Maximum** supervision to **Minimum** supervision).

## Attachment 2: Scoring the Community Risk Re-Assessment (CRR)

While the initial assessment considers the offender's status and history prior to admission to supervision, the reassessment focuses on behavior during supervision. The reassessment serves as a mechanism for observing changes in the offender's behavior over time and for adjusting the supervision plan or supervision level. Consequently, the definitions used differ somewhat from those applied at the initial assessment. Because the Risk Assessment portion of Community Risk/Needs Reassessment measures the criminal history of an offender and these factors are static, an offender's Risk Assessment scores will be the same scores as indicated on the Risk Assessment completed on the initial Community Risk/Needs Assessment. However, the reassessment includes an additional factor: Prior Probation/Parole Revocations, as this factor shows a statistically significant impact on recidivism after living on supervision for a period of time. Thus, the final assessed risk score on the re-assessment may differ from the final assessed risk score on the initial assessment.

### Risk Reassessment:

Question	Description	Source/Screen	Scoring
Number of Adult Felony Convictions	The offender's largest felony count associated with an offense in the offender's criminal history, across all bookings and jurisdictions	Criminal History (OIDCRMHS)	(4) Multiple (2) One
Number of violent felony convictions (listed in attachment #3)	The offender's largest felony count, minus any offenses with unique felony counts that have felony class that is non-violent across all bookings and all jurisdictions	Criminal History (OIDCRMHS)	(6) Multiple (0) One
Age at first felony conviction	The age of the offender at the time of he/she was sentenced for his/her first felony offense across all bookings and jurisdictions.	The system automatically calculates the age by subtracting the offenders birth date from the date of the first felony	(4) less than or equal to 23 (0) greater than or equal to 24
Age at current felony conviction	The age of the offender at the time he/she was sentenced for the current conviction	The system automatically calculates the age by subtracting the offenders birth date from the date of the current felony	(6) less than or equal to 17 (1) greater than or equal to 18 and less than or equal to 29 (0) greater than or equal to 30
Chemical Dependency/Gambling Diagnosis	The chemical dependency diagnosis created by the chemical dependency staff. The points for CD	The answer to this question and the related scoring will be based on entries on the Health Problem Detail screen	(7) Dependency (Alcohol and Other Substances) (4) Dependency (other substances) (4) Dependency (Alcohol)

	Diagnosis and Gambling Diagnosis are summed to provide a total. The maximum score is 8.	(OIUHPROB)	(3) Abuse (1) Gambling (-2) No problem / Deferred
Prior adult probation/parole Revocations	The number of unique instances where the offender has had supervision revoked	Criminal History – Supervision Tab (OIDCRMHS)	(4) Multiple Incidents of prior adult probation/parole revocations (2) One incident of prior adult probation/parole revocations (0) not applicable
Prior probation/parole absconding	The number of unique instances where the offender has absconded supervision	Criminal History – Supervision Tab (OIDCRMHS)	(4) Multiple Incidents of prior adult probation/parole absconding (2) One incident of prior adult probation/parole absconding (0) not applicable

**Assessed Risk Score:** Total the 7 items under the previous section (automatically calculated by COMS)

**Actual Risk Behavior/Needs Assessment:** The actual Risk Behavior/Needs Assessment is composed of five (5) scoring categories which demonstrate a strong statistical relation to offender recidivism. By combing a Needs Assessment to the Risk Assessment portion, there is improved predicted value with regards to successful completion of supervision. Reassessing an offender’s behavior and needs periodically also provides a useful means to monitor changes in the offender’s behavior, attitude, and circumstances which are clearly related to supervision outcome. The rationale is that as need areas are addressed, the relative risk the offender represents to the community will be reduced and less supervision and contact will be required to manage that offender effectively in the community.

Corrective Thinking Score	The result of Section 1 of the offender’s most recent LSI-R assessment and completion (if applicable) of Corrective Thinking classes as documented in COMS	The system will pull the score of section 1 from the most recent LSI-R from the assessment screen (OCDNOQUE) The system will also review the documented completion of Corrective Thinking classes since the offender’s latest admission to the institution (not including detainments)	(4) High / Medium High, no treatment (2) High / Medium High, with treatment (1) Medium (0) Low/Not Applicable
Release Housing Plan	Excellent housing = immediate family members in a supportive, alcohol/drug free environment Adequate Housing plan = some positive support	The housing type will be pulled from the Plan Details tab on the Release Planning screen (OIDRPLAN)	(4) Temporary Housing (2) Adequate housing (0) Excellent Housing (-1) Excellent situation in last 3 months (-2) Excellent situation in last 6 months

	and is alcohol free but not long term Temporary Housing plan = mission, hotel, or other short-term placement until a long-term placement can be arranged		(-3) Excellent situation in last 9 months (-4) Excellent situation in last 12 months
Employment Plans	Unemployed – capable of working but is unemployed Unsatisfactory employment – working irregularly day-to-day and needs regular full/part time work Satisfactory employment – consistent work including working through a temp agency, home-maker, seasonal,	This information is documented on the Education/Employment screen (OCDEDEMP)	(2) Unemployed (1) Unsatisfactory employment (0) Satisfactory employment, Less than 3 months, Unable to work due to disability, Retired (with means), or full time student (-1) Satisfactory employment last 3 months (-2) Satisfactory employment last 6 months (-3) Satisfactory employment last 9 months (-4) Satisfactory employment last 12 months
Alcohol/Drug Review	Score this section based on the positive test results/admissions to use of alcohol and substances	This information is pulled from the Substance Testing Screen (OIDSTEST). The system automatically calculates the length of time.	(4) One violations in less than or equal to 3 months (2) one violation, greater than 3 months but less than or equal to 6 months (1) one violation, greater than 6 months but less than or equal to 9 months (0) One violation, greater than 9 months but less than 12 months (-1) No violation in less than or equal to 3 months (-2) No violation in greater than 3 months but less than or equal to 6 months (-3) No violation in greater than 6 months



			but less than or equal to 9 months (-4) No violation in greater than 9 months
Response to Supervision/Parole Agreement	This category will score an offender's technical violation record through sanctions (AVS) received during the assessment period. IF more than one violation/sanction occurs as a result of the same incident, only the highest level of sanction imposed for each incident is scored.	This information is pulled from the Violations and sanctions screen (OCDVSANC) and the Parole Violation Response screen (OCDPVRSP)	(3) Noncompliance (1) Moderate compliance (-1) Substantive Compliance (-3) Full compliance in less than or equal to 3 months (-4) Full compliance in greater than 3 months but less than 6 months (-5) full compliance in greater than 6 months but less than 9 months (-6) Full compliance in greater than 9 months

**Assessed actual risk behavior/needs score:** Total the previous 5 sections together (automatically calculated in COMS).

**Calculated Result:** Add the total risk score with the actual risk behavior/needs score (automatically calculated in COMS).

**Assessed Risk Level**

- Intensive: 23 points and over
- Maximum: 14 to 22 points
- Medium: 4 to 13 points
- Minimum: 3 to -4 points
- Indirect: -5 points and below

**Administrative Risk Factors – Mandatory**

**I. Sex Offender Behavior Risk Factor**

Offenders assessed as having a sexual behavior problem, but determined as not in need of STOP treatment or those who have been determined (at any time while on supervision) by an approved sex offender treatment provider in the community as no longer needing sex offender treatment, will be supervised at a level determined by the Community Risk/Needs Assessment/Re-Assessment score, and the sexual behavior administrative risk factor will not be utilized to elevate their supervision level.

The system will automatically identify those offenders with sexual behavior issues and distinguish when treatment is recommended based on the information entered into COMS by SOMP (Sex Offender Management Program) staff as follows:

- 1) The Sex Offender Code Assessment is a 2Y, and
- 2) The Criminal History screen shows one of the following:
  - a. The offender is required to register,
  - b. has a sex offense misdemeanor, or
  - c. Is identified as having a Sexual Behavior Issue (SBI).

First three months of supervision	Maximum supervision if the offender has successfully completed SOMP modules in the institution and program records in COMS show as "complete"	Intensive supervision if the offender has not successfully completed SOMP modules in the institution.
Three-six months of supervision	Medium supervision providing the offender has continued sex offender treatment while in the community as documented in COMS	Maximum supervision providing the offender has continued treatment while in the community as documented in COMS
Six months and longer of supervision		Medium Supervision providing the offender has continued participation in sex offender treatment while in the community as documented in COMS

**II. Exceptional Criteria Risk Factor**

1. Offenders with an assessed risk score of Maximum or Intensive are not eligible for placement on Indirect Supervision through Exceptional Criteria.
2. Offenders who are sex offenders are not eligible for placement on Indirect Supervision through Exceptional Criteria.
3. While on community supervision:
  - a. The parolee has successfully completed all designated programming (halfway house, 24/7, SCRAM, IMT, Chemical Dependency Treatment and Sex Offender Treatment);
  - b. The parolee has received no negative Policy Driven Responses (AVS) within the past ninety (90) days and is not under any sanctioning;
  - c. The parolee has displayed consistent behavior in meeting financial obligation payments;
  - d. The parolee's residence has been either excellent or adequate for ninety (90) days (not including halfway house placements/residency); and

- f. The parolee has maintained compliance with employment standards for ninety (90) days as set forth in Parole Services OM 7.5.A.1 *Employment or Other Means of Support*.
4. If the above established Exceptional Criteria are met by a parolee, the parole agent will manually check "Yes" in the Exceptional Criteria section of the CRR assessment which will result in the establishment of an Approved Result of INDIRECT for the offender unless other discretionary administrative risk factors are present, applied, documented, and approved.

## Administrative Risk Factors – Discretionary

### I. Mitigating Risk Factors

Mitigating risk information may be used by case managers/parole agents to lower an offender's final risk level below what is indicated by the Calculate Score. Justification of mitigating risk information must be documented and specific circumstances listed in the Comments field of the Assessment Screen in COMS.

Note: Special conditions imposed by the court/parole board take priority.

### II. Additional Risk Factors

Additional Risk information may be used to raise an offender's final supervision level above what is indicated by the Calculated Score. Justification of additional risk must be documented and specific circumstance listed in the Comments field of the Assessment Screen in COMS. Use of additional risk must be for reason not addressed by the assessment, such as severity of offense, special conditions imposed by the court/parole board, public sentiment, release from a secure/controlled/non-community environment, or other conditions which must be specified.

## Approval

Parole Agent – If no discretionary administrative risk is applied or removed

Regional Supervisor – Regional Supervisor **must** approve lowering or raising the Approved Result one (1) level above or below the Calculated Result or Override Result.

Executive Director of Parole or Director of Field Services– Regional Supervisor **and** Executive Director of Parole or Director of Field Services **must** approve lowering or raising the Approved Result more than one (1) level above or below the Calculated or Override Result; (e.g. lowering from Maximum supervision to Minimum supervision).

**Attachment 3: Violent Felony Convictions:****CRIME CODES & CLASSIFICATION**

<b>UJS CODE</b>	<b>Crime</b>	<b>Classification</b>	<b>SDCL</b>
ABEL	ABUSE OR NEGLECT OF ELDER OR ADULT W/ DISABILITY	6V (AFTER 7/1/07)	22-46-2
AWIF	AGGRAVATED ASSAULT	3V	22-18-1.1
AGLO	AGGRAVATED ASSAULT AGAINST LAW ENFORCEMENT	2V	22-18-1.05
AGAC	AGGRAVATED ASSAULT- BABY	2V	22-18-1.1(7)
AGIN	AGGRAVATED INCEST-FOSTER CHILD	3V (AFTER 7/1/12)	22-22A-3.1
AGIN	AGGRAVATED INCEST-RELATED CHILD	3V (AFTER 7/1/12)	22-22A-3
ARS1	ARSON 1 <sup>ST</sup>	1V (BEFORE 7/1/06)	22-33-9.1
ARN1	ARSON 1 <sup>ST</sup>	2V (AFTER 7/1/06)	22-33-9.1
ARS2	ARSON 2 <sup>ND</sup>	2V (BEFORE 7/1/06)	22-33-9.2
ARN2	ARSON 2 <sup>ND</sup>	4V(AFTER 7/1/06)	22-33-9.2
ARS3	ARSON 3 <sup>RD</sup>	4V (AFTER 7/1/06 RESCIND)	REPEALED
BRG1	BURGLARY 1 <sup>ST</sup>	2V	22-32-1
BRG2	BURGLARY 2 <sup>ND</sup>	3V (BEFORE 7/1/06)	22-32-3
CHAB	CHILD ABUSE- VICTIM AGE 7 OR OLDER	4V (AFTER 7/1/01)	26-10-1
CABU	CHILD ABUSE- VICTIM UNDER AGE 7	3V (AFTER 7/1/01)	26-10-1
ARA1	COMMITTING A FELONY WHILE ARMED -1 <sup>ST</sup> OFFENSE	2V	22-14-12
ARA2	COMMITTING A FELONY WHILE ARMED -2 <sup>ND</sup> OFFENSE	1V	22-14-12
CPED	CRIMINAL PEDOPHILE	1V (AFTER 7/1/06 RESCIND)	22-22-30.1
SHMV	DISCH FIREARM AT OCCUPIED STRUCTURE (WITH BODILY INJURY)	4V (BEFORE 7/1/06)	22-14-20
SHMV	DISCH FIREARM AT OCCUPIED STRUCTURE (WITH BODILY INJURY)	3V (AFTER 7/1/06)	22-14-20
SHMV	DISCH FIREARM AT OCCUPIED STRUCTURE OR MOTOR VEHICLE	5V (BEFORE 7/1/06)	22-14-20
SHMV	DISCH FIREARM AT OCCUPIED STRUCTURE OR MOTOR VEHICLE	3V (AFTER 7/1/06)	22-14-20
DMMV	DISCH FIREARM FROM MOVING VEHICLE	6V (AFTER 7/1/01)	22-14-21
INCS	INCEST	4V (BEFORE 7/1/01)	22-22-19.1 Repealed 07/01/06
INCT	INCEST	5V (AFTER 7/1/06)	22-22-19.1 Repealed 07/01/06
KDNP	KIDNAPPING	1V (BEFORE 7/1/06)	22-19-1 (1)
KDN1	KIDNAPPING	CV (AFTER 7/1/06)	22-19-1 (1)
KDN2	KIDNAPPING 2ND	3V (AFTER 7/1/2006)	22-19-1.1
KDNA	KIDNAPPING-WITH GROSS PHYSICAL INJURY	AV (BEFORE 7/1/01)	22-19-1 (2)
AKDN	KIDNAPPING-WITH GROSS PHYSICAL INJURY	BV(AFTER 7/1/01)	22-19-1 (3)
MAN1	MANSLAUGHTER 1 <sup>ST</sup>	1V (BEFORE 7/1/06)	22-16-15
MNAS	MANSLAUGHTER 1 <sup>ST</sup>	CV (AFTER 7/1/06)	22-16-15
MAN2	MANSLAUGHTER 2 <sup>ND</sup>	4V	22-16-20
MURD	MURDER 1 <sup>ST</sup>	AV	22-16-4
MUR2	MURDER 2 <sup>ND</sup>	BV	22-16-7
MURF	MURDER 2 <sup>nd</sup>	BV	22-16-9 REPEALED (7/1/06)

M2ST	MURDER 2 <sup>nd</sup>	CV	22-16-7
PGMR	PHOTOGRAPHING A CHILD IN OBSCENE ACT	4V (AFTER 7/1/01)	22-22-23
RAP1	RAPE 1 <sup>ST</sup>	1V (BEFORE 7/1/06)	22-22-1(1)
RPF1	RAPE 1 <sup>ST</sup>	CV (AFTER 7/1/06)	22-22-1(1)
RPE1	RAPE 2 <sup>ND</sup>	2V (BEFORE 7/1/06)	22-22-1(2)
RPF2	RAPE 2 <sup>ND</sup>	1V (AFTER 7/1/06)	22-22-1(2)
RPE5	RAPE 3 <sup>RD</sup>	3V (BEFORE 7/1/06)	22-22-1(5)
RAP6	RAPE 3 <sup>RD</sup>	3V (BEFORE 7/1/06)	22-22-1(6)
RPIC	RAPE 3 <sup>RD</sup>	2V(AFTER 7/1/06)	22-22-1(3)
RPDI	RAPE 3 <sup>RD</sup>	2V (AFTER 7/1/06)	22-22-1(4)
RPF4	RAPE 4 <sup>TH</sup>	3V	22-22-1(5)
RIOT	RIOT	4V	22-10-1
AGGR	RIOT- AGGRAVATED	3V	22-10-5
RBR1	ROBBERY 1 <sup>ST</sup>	2V	22-30-7
RBR2	ROBBERY 2 <sup>ND</sup>	4V	22-30-7
MLC1	SEX. CONT W/ CHILD < 16	3V	22-22-7
ADCS	SEX. CONT W/ CHILD < 16 (SUBSEQUENT OFFENDER)	2V	22-22-7
SXCN	SEXUAL CONTACT W/ PERSON INCAPABLE OF CONSENTING	4V	22-22-7.2
ASLF	SIMPLE ASSAULT 3 <sup>RD</sup>	6V (AFTER 7/1/01)	22-18-1
ASIN	SLIMING/ ASSAULT BY INMATE	6V (AFTER 7/1/01)	22-18-26
STSC	STALKING-SUBSEQUENT OFFENSES	5V	22-19A-3
AGCS	SUBSEQUENT AGGRAVATED ASSAULT- BABY	1V	22-18-1.1(7)
	THREATENING TO COMMIT A SEXUAL OFFENSE	4V	22-22-45
VROR	VIOLATION OF RESTRAINING ORDER/ STALKING	6V	22-19A-2