

SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER 1400-04	PAGE NUMBER 1 OF 8
		DISTRIBUTION: Public	
		SUBJECT: Parole - Community Risk Assessment and Supervision of Offenders	
RELATED STANDARDS: None		EFFECTIVE DATE: November 15, 2024	
		SUPERSESSION: 09/01/2024	
DESCRIPTION: Parole Services	REVIEW MONTH: August	 <b>KELLIE WASKO</b> <b>SECRETARY OF CORRECTIONS</b>	

## I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to base an offender's supervision requirements for parole, suspended sentence, or interstate compact under the jurisdiction of Parole Services 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.

## II. PURPOSE

The purpose of this policy is to identify the appropriate supervision level and contact standards for offenders on parole supervision.

## III. DEFINITIONS

### **Administrative Contact:**

Parole agent contact with or about an offender and/or others that deal with administrative duties. An example includes when an offender stops at the office but does not speak with an agent (picking up a travel permit, dropping off monthly report with the secretary, etc.).

### **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 – Parole:**

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

### **Collateral Contact:**

Parole agent 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.

### **Criminogenic Risks/Needs:**

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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.

**Override Result:**

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

**Parole Agent:**

A parole agent is an employee of the Department of Corrections responsible for the direct supervision of parolees.

**Parolee:**

An offender who has been conditionally released by the South Dakota Board of Pardons and Paroles to parole or suspended sentence from a South Dakota Department of Corrections (DOC) facility prior to the expiration of the offender’s sentence under the supervision of the DOC. Parolee includes an offender received from another state under interstate compact supervision.

**Personal Contact:**

Parole agent 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 that occurs outside of regular business hours, unless otherwise approved by the regional supervisor.

**Sex Offender Residence Verification:**

In-person contact at a sex offender’s residence that verifies the validity of the offender’s listed address and ensures parole compliance.

**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 establish 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.

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## 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.
- 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 on 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 a Policy Driven Response (PDR)) has occurred, 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 or when a warrant has been issued for their arrest by the Board of Pardons and Paroles.
  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. Offender's behavior violates the supervision agreement.
    - 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., an offender from another state paroling to South Dakota), will be supervised at a maximum supervision level until the appropriate information is gathered and an initial CRA is completed.

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

- A. The Initial Community Risk/Needs Assessment scoring will be applied as follows:
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:
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.

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- 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 with this policy.
1. The parole agent will generate the CRA/CRR on the assessment screen in the comprehensive offender management system (COMS). After the agent verifies the questionnaire is answered correctly, the agent will save the assessment and the score will be automatically calculated.
    - a. For female offenders admitted to SDDOC after July 1, 2021, staff completing the CRA/CRR will need to manually select the appropriate score in the LSI-R question based on the offender's WRNA assessment.
  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 COMS system will automatically apply sexual behavior overrides).
- 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 (2) or more levels, the parole agent must obtain approval from both the regional supervisor and the director of Parole Services or associate director of field 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.
- B. Maximum Supervision: A minimum of two (2) personal contacts and one (1) collateral contact each thirty (30) day period.
- C. Medium Supervision: A minimum of one (1) personal contact and one (1) collateral contact each thirty (30) day period.
- D. Minimum Supervision: A minimum of one (1) personal contact and one (1) collateral contact each sixty (60) day period.
- 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.
- 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 to complete a specific task.
    - b. The parole agent will not change the supervision level, but rather will continue to see the offender as deemed necessary.

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4. Collateral contacts are limited to correspondence with a person through email, phone, or in-person communication regarding the parolee. Administrative contacts such as reviewing e-courts, jail rosters, active warrant databases, etc. are encouraged but do not count as collateral contacts.
- 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.
- H. Case Planning:**
- A. Institutional case managers will provide offenders who have an approved release plan an *Initial Case Planning Worksheet* (attachment #1). The institutional case manager will upload the completed worksheet into COMS so the assigned agent has access to it.
1. The Initial Case Planning Worksheet includes information necessary to develop an individualized supervision plan for each offender, such as education background, employment background, offender goals.
- B. Parole agents will continue the individual case plan from the institutional case manager for each parolee (attachment #2 – *Supplemental Case Planning Worksheet*). 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.
- C. Parole agents will continue to update case plans in response to the parolee's behavior on supervision.
- I. Drug Testing Requirements:**
- A. Parolees releasing at intensive or maximum supervision level who are serving time for a drug conviction on the active booking will be drug tested monthly for at least the first three (3) months of supervision.
- J. Random Visits:**
- A. Parole agents are encouraged to obtain assistance from another parole agent or law enforcement if the agent identifies high risk indicators, i.e., offender behavior, situational risk, etc.
- B. Random contacts are required with intensive supervision level offenders, including those offenders currently in a placement facility.
- C. Additional random contacts will be completed on Maximum level offenders. These checks are to ensure compliance with the supervision agreement.
- K. Sex Offender Required Contacts:**
- A. Residence verifications via a home visit are required for all sex offenders.
1. Sex Offenders assessed as Intensives will have a home visit at least once monthly.
  2. Sex Offenders assessed as Maximum or Medium will have a home visit at least once quarterly.
  3. Sex Offenders assessed as Minimum will have a home visit at least once every six months.
  4. A residence verification is only considered as such if contact is made with the sex offender at their listed address.
  5. Residence verifications can be scheduled or unannounced.

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- B. Agents will review the sex offender’s progress in sex offender treatment at least once per month with the offender’s treatment provider while the offender is involved in programming.

**10. Caseload Supervision Audits:**

- A. Designated senior agents will conduct random monthly audits of parole agent’s caseload management.
- B. These audits will ensure that contact standards and policies are being adhered to. This includes a COMS review of select cases and monthly parole metrics.
- C. Completed audits will be regional supervisor assigned to the agent.
  - 1. Any noted deficiencies will be addressed with the agent by the supervisor.

**11. Overview - Community Risk/Needs Assessment:**

- A. 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 considered 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.
- B. 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.
- C. INITIAL COMMUNITY RISK - 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.

**12. Scoring the Community Risk Re-Assessment (CRR):**

- A. 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.

**13. Administrative Risk Factors – Mandatory:**

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- A. Sex Offender Behavior Risk Factor - Offenders assessed as having a sexual behavior problem but determined as not in need of STOP 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.

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

#### 14. Administrative Risk Factors – Discretionary:

- A. 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 Calculated 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.

- B. 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.

#### 15. Approval:

- A. Parole agent – If no discretionary administrative risk is applied or removed.
- B. Regional supervisor – regional supervisor must approve lowering or raising the Approved Result one (1) level above or below the Calculated Result or Override Result.
- C. The parole agent will seek SOMP approval with the regional supervisor’s approval to move any sex offender to Minimum supervision upon completion of group.
- D. The director of Parole Services or designee 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).

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## V. RESPONSIBILITY

The director of Parole is responsible for the annual review and maintenance of this policy.

## VI. AUTHORITY

- A. SDCL § [22-24B-1](#) Sex crimes determined.
- B. SDCL § [24-15-14](#) Supervision of parolees--Employment of personnel.
- C. ARSD [17:60:01:00 \(6\)](#). Definitions.
- D. ARSD [17:61:02:08](#) Maximum Supervision.
- E. ARSD [17:61:02:09](#) Medium Supervision.
- F. ARSD [17:61:02:10](#) Minimum Supervision.
- G. ARSD [17:61:02:18](#) Intensive Supervision.
- H. ARSD [17:61:02:19](#) Indirect Supervision.

## VII. HISTORY

November 2024  
September 2024  
August 2023  
July 2019  
June 2018  
March 2017  
March 2016  
February 2014  
May 2012  
April 2010  
March 2009  
August 2008  
November 2006  
March 2006 – New policy

## ATTACHMENTS

- 1. Initial Case Planning Worksheet
- 2. Supplemental Case Planning Worksheet (*Generated in COMS*)
- 3. DOC Policy Implementation / Adjustments



**INITIAL CASE PLANNING WORKSHEET****Parolee:** **Offender ID:** **Agent:** **Date:****Release date:** **Original TED:** **TED with EDCS:****1. Charges/Conviction(s):**

What are you on parole for?

What happened that led to you receiving your charge?

Have you been on probation or parole before?

If so, how many times/how did parole go (i.e., absconding history/violation, etc.)?

**2. Basic Needs:**

Do you have:

Birth Certificate: Yes \_\_\_\_\_ No \_\_\_\_\_ State of Birth: \_\_\_\_\_

SSC: Yes \_\_\_\_\_ No \_\_\_\_\_ How many times have you applied for a card?

Driver License Yes \_\_\_\_\_ No \_\_\_\_\_ What do you need to get your license back?

Finances: What are your immediate concerns? What debts do you have (fines/restitution/child support/car/house/loans/personal)? Do you have anything saved at this point?

Where are you living? Who are you living with? Do you have any concerns about these living arrangements? Immediate needs?

Do you have any major concerns with clothing/food needs as you transition to parole? Immediate needs?

What options do you have for transportation?

**3. Education/Employment:**

What is your highest level of education?

What are your plans to find employment? Do you have any leads? Where have you worked previously? Did you enjoy it?

Have you completed any specialty classes/workshops or have any advanced certification (i.e., flagging, welding)?

**4. Health:**

Do you have any immediate health concerns for yourself/others? If so, what? Do you receive disability benefits?

Are you currently on any medications? If so, what? Do you plan to change your medication routine in the immediate future?

If you are on medications, what is your plan for payment and ongoing appointments?

Do you have any mental health history (diagnosed/undiagnosed disorders)?

Do you have or plan to have a counselor, if so, who?

Do you see or have plans to see a psychiatrist, if so, who?

**5. Substance/Addiction Issues:**

What is the longest length of time you have been sober?

When was this?

Do you have any immediate concerns with substance abuse? What substance/drug do you struggle with most frequently?

Have you completed any type of programming (MRT, T4C, CBISA, IOP)?

At this time, on a scale of 1-10 (with one being bad and 10 being good), how confident do you feel in your sobriety?

Are you currently scheduled/required to attend treatment/MRT? If so, discuss appt. date(s) / time(s).

**6. Relationships:**

At this moment who do you count on to be your closest support person(s)? Discuss spouse/children, immediate/extended family, friend, other possible support:

List three Emergency contacts:

Name/Relation:

Phone Number:

Address:

Name/Relation:

Phone Number:

Address:

Name/Relation:

Phone Number:

Address:

**7. Sex Offender Information:**

Do you have a requirement to register? If so, what are your registry months?

Do you have a requirement to attend sex offender therapy?

Discuss victim(s), victim(s) location and your contact restrictions with victim(s):

**8. Motivation/Attitude: (1 = bad, 10 = good)**

\_\_\_\_\_ On a scale of one to ten how motivated do you currently feel?

\_\_\_\_\_ On a scale of one to ten how stressed/anxious do you feel?

\_\_\_\_\_ On a scale of one to ten how successful do you feel you will be on parole?

\_\_\_\_\_ On a scale of one to ten how responsible do you feel for your crime?

What do you like to do in your spare time? What hobbies do you enjoy?

**9. Going Forward:**

What, currently, is your biggest stressor/worry?

What would you like to see change (end goal)?

What can you do between now and when I see you again to help with this issue?

## Supplemental Case Planning Worksheet

Parolee: \_\_\_\_\_ Offender ID: \_\_\_\_\_ Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Release date: \_\_\_\_\_ Original TED: \_\_\_\_\_ TED with EDCS: \_\_\_\_\_

### 1. Charges/Conviction(s):

Have you received any new charges since your release to parole? If so what/where/status of charges:

### 2. Basic Needs:

Finances: What are your immediate concerns? What debts do you have (fines / restitution / child support / car / house / loans / personal)? Do you have anything saved at this point?

Any updates with housing/clothing/transportation? Issues/concerns?

### 3. Education/Employment:

What is your current employment status? Do you have any concerns/immediate needs?

Do you have any interest in pursuing additional education or specialty classes? If so, discuss:

### 4. Health:

Do you have any immediate health concerns or updates? Any ongoing health issues with self/family?

Are you currently on any medications? If so, what?

Do you have any foreseeable changes to med management?

Do you have or plan to have a counselor, if so, who?

Do you see or have plans to see a psychiatrist, if so, who?

### 5. Substance/Addiction Issues:

Any immediate concerns/issues with substance abuse? Any relapses since last visit? If so, what?

At this time, on a scale of 1-10 (with one being bad and 10 being good), how confident do you feel in your sobriety?

What are your past/current triggers?

Are you currently in treatment? If so, what? Progress / regression in treatment? Attitude on treatment?

### 6. Relationships:

At this moment who do you count on to be your closest support person(s)? Discuss spouse/children, immediate/extended family, friend, other possible support:

Who in your life do you feel is a negative influence? Who in your life do you feel would like to see you fail?

Would you like to make any changes to your list of emergency contacts? If so list name/address/phone number:

**7. Sex Offender Information:**

Are you up to date on your registry?

When did you last register?

When are you required to register again?

Status on sex offender therapy:      needed attending      completed

Have you had any contact with past victims?

**8. Compliance/Motivation/Attitude: (1 = bad, 10 = good)**

\_\_\_\_\_ On a scale of one to ten how motivated do you currently feel?

\_\_\_\_\_ On a scale of one to ten how stressed/anxious do you feel?

\_\_\_\_\_ On a scale of one to ten how in control do you feel of your current situation/status?

Discuss current noncompliance areas (treatment, housing, employment, contact with agent, payment of fines, drinking/drug use, failure to follow directives, etc.)

What do you like to do in your spare time?

What hobbies do you enjoy?

**9. Going Forward:**

What, currently, is your biggest stressor (i.e., problem)?

What would you like to see change (i.e., end goal)?

What can you do between now and when I see you again to help with this issue?

- 1.
- 2.
- 3.

\*Assign one of the listed above as homework and follow up at a designated time.