

Idaho Department of Correction  	<b>Standard Operating Procedure</b>	Title: <b>Termination of Probation or Parole Supervision</b>		Page: 1 of 6
		Control Number: <b>701.04.02.017</b>	Version: <b>3.0</b>	Adopted: 10-09-2001

**Terry Kirkham, chief of the division of Probation and Parole, approved this document on 09/04/2015.**

Open to the public:  Yes  No

Redacted version available:  Yes  No

### SCOPE

This standard operating procedure (SOP) applies to all division of Probation and Parole staff members involved in the supervision and management of offenders who are under the jurisdiction of the Idaho Department of Correction (IDOC), Division of Probation and Parole.

### Revision Summary

Revision date (09/04/2015) version 3.0: Update to current format, update titles and division names, clarify and update content throughout.

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### BOARD OF CORRECTION IDAPA RULE NUMBER 701

Probation and Parole Supervision.

### POLICY CONTROL NUMBER 701

Probation and Parole Services

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## PURPOSE

The purpose of this standard operating procedure (SOP) is to provide guidelines and procedures for the consideration and application for the termination of a probation or parole period of supervision.

## RESPONSIBILITY

### ***Chief of the Division of Probation and Parole***

The chief of the Division of Probation and Parole (or designee) is responsible for overseeing probation and parole services and for ensuring district managers and supervisors comply with this SOP.

### ***District Managers and Supervisors***

District managers and supervisors are responsible for implementing this SOP and for ensuring probation and parole officers (PPOs) are following the guidelines and procedures provided herein. In addition, all managers and supervisors will be required to read this SOP annually.

### ***Probation and Parole Officers***

PPOs are responsible for practicing the guidelines and procedures provided herein. In addition, all PPOs will be required to read this SOP annually)

## GENERAL REQUIREMENTS

Probationers and parolees shall be considered for early termination once they are in compliance with the terms of their supervision **and** all conditions are satisfied. (See [section 2](#) and [section 3](#), as applicable, for more details.)

Low-risk classification cases must be reviewed by the assigned officer every six (6) months for early termination.

PPOs shall submit at least two (2) termination requests per month; the exception being when the PPO does not have two (2) offenders who meet the requirements for early termination

### **1. Closing Reports**

The PPO shall prepare Appendix A, *Discharge Summary* on all probationers and parolees determined to have satisfied the terms and conditions of supervision.

The report should provide information on the following:

- Housing history while under supervision.
- Employment history while under supervision.
- Criminal record check.
- Community treatment goals and response to case planning.
- Substance abuse testing: report each testing date and results of each test. For those tests initiated by treatment providers and not entered in CIS, the PPO shall provide a general overview of substance abuse testing.
- LSI Assessment Information.
- Compliance with court ordered conditions.

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- Restitution, Fees and Fines.
- Narrative: the PPO shall provide a brief summary of the probationer/parolee's overall compliance and behavior adjustment under supervision. The PPO shall provide a recommendation for early discharge to the court or Parole Commission.

All Discharge Summary and Recommendation reports must be reviewed and signed by the district manager or section supervisor (or designees).

## 2. Termination of Probation

For termination of probation, use the following process steps.

Functional Roles and Responsibilities	Step	Tasks CIS steps are in bold
Probation and Parole Officer (PPO)	1	Ensure <u>all of the following</u> : <ul style="list-style-type: none"> <li>• That the offender has met all of his sentencing requirements. (This includes the minimum amount of time required by the court that the offender shall be under supervision.)</li> <li>• A criminal records check through NCIC/ILETS indicates no new criminal activity while under supervision.</li> <li>• That the offender has complied with the conditions of his supervision.</li> <li>• That the offender's adjustment under supervision has been satisfactory.</li> <li>• That no known circumstances precluding early termination consideration exist.</li> <li>• That all of the offender's financial obligations have been satisfied.</li> </ul>
		Note: If any of the above criteria disqualifies the offender, the process ends here.
PPO	2	Prepare and submit Appendix A- <i>Discharge Summary Report</i> (and attachments if required) to the district manager or section supervisor (or designees).
District Manager or Section Supervisor	3	Review the report for completeness and accuracy. <ul style="list-style-type: none"> <li>• <u>If report is complete and accurate</u> – Sign the report and return it to PPO.</li> <li>• <u>If report is not complete and accurate</u> – Do not sign the report. Return it to the PPO for revision <u>or</u> reject the request in full.</li> </ul>
PPO	4	<ul style="list-style-type: none"> <li>• <u>If approved</u> – Submit the report to the court, prosecuting attorney, and the probationer's attorney of record. If there is no attorney on record, a copy shall be given to the probationer.</li> <li>• <u>If not approved</u> – Return to step 1 or 2 (as applicable) <u>or</u> proceed to step 5.</li> </ul>

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b> <b>CIS steps are in bold</b>
<b>District Manager or Section Supervisor</b>	<b>5</b>	<b>Document in the Corrections Integrated System (CIS) as a <i>case update</i> the following:</b> <ul style="list-style-type: none"> <li>• <b>The submission of Appendix A, or</b></li> <li>• <b>The reason for the rejection.</b></li> </ul>

For further assistance with CIS, see your designated CIS super user.

**Note:** If the court denies the request for discharge, the PPO shall notify the probationer and consider the probationer for transfer to the Limited Supervision Unit.

### 3. Offender Initiated Request for Termination:

When a probationer submits a request for termination to the court, the assigned PPO shall comply with the criteria in sections 1, and 2. The assigned PPO will include a recommendation as to whether or not the probationer should be discharged from supervision.

### 4. Termination of Parolee

The Idaho Commission of Pardons and Parole's rules for time served on parole are as follows:

- **Nonviolent Crimes** — Offenders convicted of a nonviolent crime must serve at least one (1) year on parole.
- **Sex/Violent Offenses** — Offenders convicted of a sex offense **or** a violent offense must serve at least one-third (1/3) of their remaining sentence on parole.
- **Life Terms** — Offenders sentenced to a life term must serve at least five (5) years on parole.

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For the termination of supervision of a parolee, use the following process steps.

<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b> <b>CIS steps are in bold</b>
<b>Probation and Parole Officer (PPO)</b>	<b>1</b>	Ensure <u>all of the following</u> : <ul style="list-style-type: none"> <li>• That the Idaho Commission of Pardons and Parole's rules for time served has been met.</li> <li>• A criminal records check through NCIC/ILETS indicates no new criminal activity while under supervision.</li> <li>• That the offender has complied with the conditions of his supervision.</li> <li>• That the offender's adjustment under supervision has been satisfactory.</li> <li>• That no known circumstances precluding early termination consideration exist.</li> </ul>
PPO	<b>2</b>	Prepare and submit Appendix A, <i>Discharge Summary Report</i> , to the district manager or section supervisor (or designees).
<b>District Manager or Section Supervisor</b>	<b>3</b>	Review the report for completeness and accuracy. <ul style="list-style-type: none"> <li>• <u>If report is complete and accurate</u> – Sign the report and return it to PPO.</li> <li>• <u>If report is not complete and accurate</u> – Do not sign the report. Return it to the PPO for revision <u>or</u> reject the request in full.</li> </ul>
PPO	<b>4</b>	<ul style="list-style-type: none"> <li>• <u>If approved</u> – Submit the report to Idaho Commission of Pardons and Parole for consideration.</li> <li>• <u>If not approved</u> – Return to step 1 or 2 (as applicable) <u>or</u> proceed to step 5.</li> </ul>
<b>District Manager</b>	<b>5</b>	<b>Document in the Corrections Integrated System (CIS) as a <i>case update</i> the following:</b> <ul style="list-style-type: none"> <li>• <b>The submission of Appendix A, or</b></li> <li>• <b>The reason for the rejection.</b></li> </ul>
		Note: When received, the Idaho Commission of Pardons and Parole's decision must also be documented.

For further assistance with CIS, see your designated CIS super user.

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## 5. Intrastate Discharge Reports

- The PPO will complete all of the requirements listed in [section 1](#).
- The supervising district will to the district manager of the district of origin.
- The district manager or section supervisor in the district of origin will ensure the closing reports (see [section 1](#)) are properly completed and are forwarded to the appropriate authority)

## DEFINITIONS

**Community Supervision:** The regular, systematic control and guidance of offenders who are (1) placed on probation or parole or (2) under the jurisdiction of the courts and/or Commission of Pardons and Parole.

**Termination:** The discontinuance of probation or parole supervision prior to the scheduled release date because the offender's performance exceeds earlier expectations.

**Intrastate Transfer:** The transfer of a case from one district to another in the State of Idaho.

**Offender:** A person under the legal care, custody, supervision, or authority of the Board, including a person within or without the State pursuant to agreement with another state or contractor.

**Parolee:** An offender who (1) is released from a facility by the paroling authority prior to the completion of his sentence, (2) agrees to comply with certain conditions established by the paroling authority, and (3) remains under the control of a probation and parole officer (PPO) for the established period of supervision.

**Probationer:** An offender who the courts allow to continue to live and work in the community--instead of being sent to prison--while being supervised by a probation and parole officer (PPO) for an established period of time.

## REFERENCES

Appendix A, *Discharge Summary Report*

Department Policy [701](#), *Probation and Parole Services*

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# Idaho Department of Correction

## Discharge Summary Report

Choose an item.

Offender Name: Offender IDOC Offender IDOC Number: Offender IDOC  Supervision Level: Limited Supervision  Jurisdictional Authority: Jurisdictional Authority	P&P Officer: PO Name.  <b>Condition Compliant:</b> <input checked="" type="radio"/> Yes <input type="radio"/> No  <b>Meets IDOC Requirements for Early Discharge:</b> <input checked="" type="radio"/> Yes <input type="radio"/> No
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Sentencing Information:			
Crime: <a href="#">Click here to enter text.</a>	Judge: Judge	Case Number: Case #.	Sentence Date: Sentence Date.
	County: County	Sentence: Min/Max	Full Term Release Date: FTRD

Pending Crime Information:	
Charge(s):	County: Choose an item.

Housing History:			
Address:	Start:	End: Current	Exit Reason
Address:	Start:	End:	
Employment			
Employer:	Start Date	End Date:	Exit Reason

Community Treatment Goals:			
Start Date:	End Date:	Functional Domain:	Treatment Provider:
Response to Case Planning:			

Substance Abuse Testing: <i>(please note that the information contained therein is only the information that has been made to the Department of Correction by staff and service provider report. This list may not be exhaustive)</i>		
Date of Test:	Result:	If positive, which substances

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## Discharge Summary Report

Assessment Information (LSI-R):				
Functional Area	Initial Score	Test Date	Current Score	Test Date
Total	Score	Date.		Date.
Criminal History	Score		Score	
Education/Employment	Score		Score	
Financial	Score		Score	
Accommodations	Score		Score	
Leisure/Recreation	Score		Score	
Companions	Score		Score	
Alcohol/Drug	Score		Score	
Family/Marital	Score		Score	
Attitudes/Orientation	Score		Score	
Emotional Personal	Score		Score	

Restitution, Fees & Fines			
	Amount Ordered	Date of Last Payment	Balance Owed
Restitution			
Fees and Fines			

Request Narrative:

# Idaho Department of Correction

## Discharge Summary Report

I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date

\_\_\_\_\_  
Name

Review and Approved By:

Date

\_\_\_\_\_  
Name

**Filed with the Court and Copies Provided to:**

**Defendant/Defense Counsel:** Defense Counselor Name

**Prosecutor:** Prosecutor Name

**Judge (Courtesy Copy):** Judge

**On** Date Filed with Courts, and copies provided