



NEW MEXICO CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-050800 PPD Intensive Supervision Programs	Issued: 02/21/94 Effective: 02/21/94	Reviewed: 6/29/23 Revised: 6/29/23
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

AUTHORITY:

NMSA Section 31-20-03, 31-20-05, 31-20-5.2, and 31-21-13.1 and 33-9-5 and 33-9-7, 1978, as amended

REFERENCE:

ACA Standards 4-APPFS-2A-03, *Standards for Adult Probation and Parole Field Services*, 4th Edition.

PURPOSE:

To establish the purpose and definitions of intensive supervision units implemented and operated by the Probation and Parole Division of the Corrections Department.

APPLICABILITY:

All intensive supervision programs operated by the Corrections Department.

FORMS:

Intensive Supervision form (*CD-050801.1*) (3 Pages)

ATTACHMENTS:

None

DEFINITIONS:

- A. Criteria: The standards by which a potential offender, i.e., probationer and/or parolee is determined to be acceptable for participation in an intensive supervision program.
- B. Intensive Supervision Program (ISP): A highly structured, concentrated form of probation and parole supervision with stringent reporting requirements and an increased emphasis on offender monitoring, including after hours field/home visits by Probation and Parole Officers.
- C. Length of Supervision: The period of time each intensive supervision offender is supervised under ISP.
- D. Meaningful Rehabilitation Activities and Reasonable Alternatives: Activities the offender

should participate in such as the development of employment, vocational and educational opportunities; behavioral and substance abuse counseling/treatment; restitution to the victim; and adjustment to/in the community, including community service.

- E. Minimum Standards: The requirements outlined in the procedure, imposed on every intensive supervision offender, which define the supervision measures to be taken.
- F. Offender Contacts: Face-to-face and collateral contacts made between offender and Probation and Parole Officer to meet program standards. Collateral contacts are secondary contacts by telephone, letter, etc.
- G. Risk of Recidivist Crime: The tendency to relapse into the offender's previous criminal behavior and lifestyle returning to a condition in which an arrest would/could result.
- H. Stringent Reporting Requirements: Reporting to the supervising officer on a regularly scheduled basis under strict standards of compliance.
- I. Supervision Standards: The minimum/optimum requirements incumbent of all intensive supervision offenders to successfully complete the three (3) phases of intensive supervision successfully.

POLICY:

- A. Offenders should be placed in the appropriate supervision category within five (5) days of the offender being placed on supervision. Offenders are reassessed as needed and reassessment reviews are documented in chronological order. Adjustments to the individual plan are made based on reassessment, and are made in accordance with the offender's performance in the community. **[4-APPFS-2A-03]**
- B. Every intensive supervision unit shall implement an intensive supervision plan, as outlined in the procedures, which includes highly structured intensive supervision, stringent reporting requirements, meaningful rehabilitative activities with reasonable alternatives and restitution to victim(s).
- C. The Probation and Parole Division shall recommend and accept for participation in Intensive Supervision Programs only those offenders who meet the requirements of NMSA 1978, Sections 31-21-13.1, 33-9-5 and 33-9-7; 1978 comp. and other requirements as established by the Department, which are contained in the procedures of this policy.
- D. Each intensive supervision unit shall maintain minimum standards for offender supervision including measures of offender success and termination, length of supervision and offender contacts.
- E. Each intensive supervision unit shall require participation by an ordered offender for no less than one (1) year and no more than the period of probation or parole, unless parole expiration date does not permit completion of one (1) year.
- F. A review will be completed by the Region Manager for offenders who have exceeded eighteen (18) months in the program. This review shall be documented in the offender management

system.



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AUTHORITY:

Policy *CD-050800*

PROCEDURES: [4-APPFS-2A-03]

A. Probationers:

Probation and Parole Officers shall recommend an Intensive Supervision Program for those individuals who would have otherwise been recommended for incarceration in a correctional facility. This recommendation will be made in the Pre-Sentence Report or Violation Report to the sentencing authority. Offenders who are deemed to be unable to function safely in the community even under intensive supervision shall not be recommended for the program.

B. Parolees:

Probation and Parole Officers may recommend those inmates who are considered high-risk which may include gang membership, habitual offender, violent tendencies, and/or any other history that may pose a potential risk to the community even if in the intensive supervision program. The Intensive Supervision Program is not always a feasible alternative for a hard-to-place inmate or an inmate who lacks placement for parole purposes. However, the program may be an option for parolees whose parole the Adult Parole Board would otherwise revoke and the Probation/Parole Officer believes the parolees can function safely in the community under intensive supervision.

C. When evaluating an offender's suitability for intensive supervision, the Probation and Parole Officer should consider factors that might affect the offender's ability to comply with the supervision requirements of intensive supervision.

Such factors include but are not limited to the offender's residential status with offenders living in isolated rural areas presenting real problems for the enhanced fieldwork and surveillance that is a part of intensive supervision. As well, offenders who are in need of electronic monitoring may have to have a telephone in their residence based on the type of monitoring equipment available or be able to initiate a telephone installation. Unusual employment schedules or locations may also be factors that can negatively affect an offender's ability to successfully complete such a program.

- D. Meetings/interviews between Probation and Parole Officers and offenders will concentrate on case plan compliance, public safety, accountability of time and behavior, the employment and vocational/education needs of the offender and successful completion of the intensive supervision program.
- E. Probation and Parole Officers assigned to intensive supervision programs will have a maximum reporting caseload of thirty-five (35) offenders.
 - 1. In order to assure that intensive supervision programs provide the most effective supervision, and provide equitable case assignment and caseload balance, a non-reporting category shall be used.
 - 2. The criteria for using the inactive status are:
 - a. Offenders who are in-patient and whose in-patient status is expected to exceed sixty (60) days.
 - b. Offenders living in another state.
 - c. Offenders who are in custody pending final disposition of probation violations.
 - d. Other cases as deemed appropriate by the Probation and Parole Officer and supervisor, i.e., some discharges whose paperwork is taking too long to arrive.
- F. A review of the case plan should be completed monthly. A written summary of the case and any revision to the case plan should be made in Offender Management System at this time. Relevant phase changes shall be made in supervision status.
- G. The District Supervisor will review and approve the assessment and reassessment for accuracy, appropriateness and compliance with Division policy and procedure.
- H. Probation/Parole Officers will enter offender contacts into the offender management system, according to Division policy and procedures, which shall be reviewed and audited by the intensive supervision supervisor on a regular basis.

Intensive supervision offender case records will be maintained according to Policy (CD-050900) **PPD Offender Case Records**.

- I. Every intensive supervision offender will be informed orally and in writing that the minimum length of intensive supervision is one (1) year and the maximum is the full duration of probation or parole. (In exceptional cases the Probation/Parole Officer with supervisory approval may accelerate an offender through the program). Standard participation in intensive supervision shall be no less than one year and the offender will sign conditions of probation and/or parole and phase conditions (Attachment A) with this clearly understood.
- J. Refusal by an offender to comply with intensive supervision standards before the one (1) year minimum is met will be grounds for Probation and/or Parole revocation proceedings. Less than successful completion is grounds for revocation.
- K. Electronic and/or alcohol monitoring equipment (if available) will be used to enhance any imposed curfews and/or to monitor compliance with supervision conditions and/or the treatment/supervision plan during ISP.

- L.** Intensive supervision participation will be a “phase” process consisting of three (3) phases. Successful completion of one phase determines movement to the next phase.
- 1. Phase I** – A minimum of four (4) months dependent upon the adjustment of the offender. Advancement to Phase II must include obtaining their identification card, obtaining their social security card, looking for employment and enrolling in counseling.
 - 2. Phase II** – A minimum of four (4) months dependent upon the adjustment of the offender. Advancement to Phase III must include looking for/obtaining employment and participating in counseling.
 - 3. Phase III** – A minimum of four (4) months dependent upon the adjustment of the offender. Completion of Phase III will require the offender to have a stable residence (out of halfway house), have steady employment or income source (school, social security), have completed 30 hours of community service, be making regular liabilities payments, and have completed counseling or be in maintenance phase of counseling.

Individual adjustment may vary, and Probation/Parole Officers may recommend movement within the phase structure or out of the Intensive Supervision Program.

Movement backward within the phases can be used as an intermediate sanction for minor violations and, in exceptional cases, accelerated movement forward through the phases may be used to reward offenders who are doing extraordinarily well for justified and documented reasons. If the early transfer of an offender is contemplated, the Probation and Parole Officer must first obtain the approval of the District Supervisor and then secure permission of the Court and/or Parole Board. The District Supervisor must approve any variation of the above outlined phases.

- M.** Each intensive supervision unit should supervise and monitor intensive supervision probation and parole offenders according to the following standards.

Phase I:

- 1.** A minimum of four (4) face to face contacts with the offender, one of which must be in the office with the second having the option of being in the field, plus two (2) additional successful field calls (1 in the residence) and three (3) collaterals per month. This reporting schedule will last a minimum of four (4) months.

Probation/Parole Officer. The community service requirement can only be waived with the approval of the Region Manager.

- 2.** A curfew of no later than 6:00 p.m. until 6:00 a.m. will be imposed on all Phase I offenders, unless permission is granted by the supervising Probation and Parole Officer. The supervising Probation and Parole Officer may modify the curfew as individual treatment and supervision plans require.
- 3.** All offenders will be required to obtain full-time employment within a thirty (30) day period, unless full-time vocational or educational training is undertaken. Offenders will

provide verification of employment through paycheck stubs and/or telephone calls to the employer a minimum of once a month. If the offender is self-employed, the offender will be required to provide a business license initially, along with quarterly tax filing forms.

4. All offenders will submit their person, residence and personal belongings, including automobiles, to search by Probation/Parole Officers upon request.
5. All offenders will submit to drug screens at the request of the supervising Probation and Parole Officers, and samples will be collected a minimum of once a month. If an offender tests positive on the drug screen, the offender will be required to submit to additional drug testing.
6. All offenders will refrain from the use of, sale, or distribution of any drugs in any form. Exceptions are drugs prescribed by a physician. Offenders are not to buy, possess or consume intoxicating beverages at any time and will not, at any time, enter a bar or lounge where alcoholic beverages are served or sold for consumption or other establishments whose primary business is the sale of liquor (i.e., a liquor store).
7. All offenders will attend and successfully complete counseling as ordered by the Court, Parole Board or as recommended by their supervising Probation/Parole Officer. The Probation/Parole Officers will collect proof of participation in counseling a minimum of once a month until the officer receives proof of a satisfactory completion. The information will be documented and updated in programming in the offender management system.
8. Any restitution to the victim ordered by the Court or mandated by the Adult Parole Board will be paid on a schedule to be determined by the Probation/Parole Officer. A restitution plan will be established and submitted to the Court or Adult Parole Board and documented in the Offender Management System.
9. All offenders will obey the lawful and reasonable demands of the supervising Probation and Parole Officer.
10. All offenders will immediately report any contacts with local, state or federal law enforcement authorities, including traffic citations and/or arrest.
11. All offenders shall pay supervision fees as determined by their Probation and Parole Officer in accordance with NMSA 1978, Section 31-21-10.
12. All offenders will complete ten (10) hours of community service for each phase of ISP. Offenders will not be moved to a subsequent phase prior to receiving written verification of completed community service hours.

Phase II:

1. A minimum of three (3) face to face contacts with the offender, one of which must be in the office with the second having the option of being in the field, plus one (1) additional successful field call in the residence and two (2) collaterals per month. This reporting schedule will last a minimum of four (4) months.

2. A minimum of ten (10) hours of community service must be completed in Phase II.
3. A curfew of no later than 8:00 p.m. until 6:00 a.m. will be imposed on all Phase II offenders unless written permission is otherwise granted by the supervising Probation/Parole Officer. The curfew may be modified by the supervising Probation/Parole Officer as individual treatment and supervision plans require, and
4. All other standards as outlined in Phase I will apply to offenders in Phase II.

Phase III:

1. A minimum of two (2) face to face contacts which includes one (1) office visit plus one (1) additional successful field call in the residence and one (1) collateral per month. This reporting schedule will last a minimum of four (4) months.
2. A minimum of ten (10) hours of community service must be completed in Phase III.
3. A curfew of no later than 9:00 p.m. until 6:00 a.m. will be imposed on all Phase III offenders unless written permission is otherwise granted by the supervising Probation/Parole Officer. The curfew may be modified by the supervising Probation/Parole Officer as individual treatment and supervision plans require, and
4. All other standards as outlined in Phase I and Phase II will apply to offenders in Phase III.

Upon successful completion of Phase III, the offenders will be transferred to a standard probation and/or parole supervision caseload.

NEW MEXICO CORRECTIONS DEPARTMENT
PROBATION AND PAROLE DIVISION
Intensive Supervision

RE: _____

You have been ordered to participate in the Probation Parole Division's Intensive Supervision Program (ISP). You are required to satisfactorily complete three (3) phases of Intensive Supervision for a minimum of one (1) year before being released to regular Probation/Parole Supervision. You are required to comply with your general and special conditions of Probation/Parole in addition to the following standards of the Intensive Supervision Program.

I must have a cellular phone or phone line in working condition within two (2) weeks of being placed on Intensive Supervision, unless waived by my Intensive Supervision Officer. I will maintain a clean, safe and suitable residence. I will not have anonymous call rejection, voice messaging or any other phone service that interferes with my supervision.

I understand that if I am not employed full-time I will complete additional community service hours as directed by my Officer. I will provide verification that I am actively seeking employment. Upon obtaining full-time employment I will provide verification of all my income and its source each and every month.

I will perform a total of thirty (30) community service hours while I am under Intensive Supervision. A minimum of ten (10) hours will be completed during each phase.

I can only travel outside of the county in which I reside for work and medical purposes and only with a valid travel permit. No overnight travel is permitted while under Intensive Supervision unless as permitted, in the event of an emergency, as recommended by the Supervising Officer and as approved by the Supervisor and/or Region Manager.

I will immediately report any drugs prescribed for my use by a physician to my Intensive Supervision Officer. I will also report any over-the-counter medications that I may be taking. I will inform my physician of any history of drug use prior to being prescribed medication and will bring verification to my Intensive Supervision Officer.

I will not buy, possess or consume intoxicating beverages at any time and will not enter a bar or lounge or liquor establishment where alcoholic beverages are served or sold for consumption on the premises. There will be no alcohol at my residence.

I will submit a valid urine, saliva, or breath specimen for analysis upon request. I will be prepared to submit such specimen each time that I report. I will also submit to any other required tests, such as Breathalyzer and DNA testing, upon request. Failure to submit a valid specimen may result in my arrest.

I will submit to a search of my person, residence and personal possessions, including the automobile I am driving, by the Intensive Supervision Officer upon request.

I will not associate with any person whom my Intensive Supervision Officer has barred.

Any contact with local, state or federal authorities, including traffic citations and/or arrests, must be immediately reported to the Intensive Supervision Officer.

I will attend and complete any counseling required by the Court, Adult Parole Board, and the Intensive Supervision Officer. I will notify my supervising officer prior to any missed sessions.

I will obey all lawful and reasonable demands of the Intensive Supervision Officer or Probation/Parole Officer.

(The local District Supervisor and/or other Probation/Parole Officers will be available for your questions, especially during times of absence by your supervising Intensive Supervision Officer.)

At any time during the period of your Intensive Supervision, the Intensive Supervision Officer can issue an **Arrest Order** for a violation of any conditions of supervision. As a result of the violation or non-compliance, you may be required to appear before the Court, Adult Parole Board or a Hearing Officer for revocation proceedings.

Phase I _____ Minimum length of Phase: 4 Months

Beginning Date _____ Minimum Expiration Date: _____

I will report to the Intensive Supervision Officer at the Probation Parole Division office as ordered.

I will be at my residence from 6 pm to 6 am unless I have authorization from my Intensive Supervision Officer to be away from my residence during these hours. I understand that this condition may be enforced through the use of electronic monitoring equipment. I agree to use diligence in the care of this equipment and understand that any tampering with any part of the equipment can result in my immediate arrest. I also agree to immediately contact my supervising officer if any questions or problems arise about the equipment.

Phase II _____ Minimum length of Phase: 4 Months

Beginning Date _____ Minimum Expiration Date: _____

I will report to the Intensive Supervision Officer at the Probation Parole Division office as ordered.

I will be at my residence from 8 pm to 6 am unless I have authorization from my Intensive Supervision Officer to be away from my residence during these hours. I understand that this condition may be enforced through the use of electronic monitoring equipment. I agree to use diligence in the care of this equipment and understand that any tampering with any part of the equipment can result in my immediate arrest. I also agree to immediately contact my supervising officer if any questions or problems arise about the equipment.

Phase III Minimum length of Phase: 4 Months

Beginning Date _____ Minimum Expiration Date: _____

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I will report to the Intensive Supervision Officer at the Probation Parole Division office as **ordered**.

I will be at my residence from 9 pm to 6 am unless I have authorization from my Intensive Supervision Officer to be away from my residence during these hours. I understand that this condition may be enforced through the use of electronic monitoring equipment. I agree to use diligence in the care of this equipment and understand that any tampering with any part of the equipment can result in my immediate arrest. I also agree to immediately contact my supervising officer if any questions or problems arise about the equipment.

I have read and understand the standards of the Intensive Supervision Program and agree to abide by its terms.

Offender

Intensive Supervision Officer

Date _____
