



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

CD-050900 Probation and Parole Offender Case Records	Issued: 02/21/94 Effective: 02/21/94	Reviewed: 11/21/23 Revised: 06/29/23
Alisha Tafoya Lucero, Cabinet Secretary		<i>Original Signed and Kept on File</i>

## AUTHORITY:

NMSA 1978 Section 31-21-6, 31-21-7 (F), as amended.

## REFERENCE:

- A. ACA Standards 5-3D-4281-8, *Performance Based Expected Practices for Adult Correctional Institutions*, 5<sup>th</sup> Edition.
- B. ACA Standards 4-APPFS-3D-28, 4-APPFS-3D-29, 4-APPFS-3D-30, *Standards for Adult Probation and Parole Field Services*, 4<sup>th</sup> Edition.

## PURPOSE:

To ensure that information pertaining to Probation and Parole Division (PPD) offenders is properly recorded, managed, preserved, and safeguarded in an orderly and systematic manner.

## APPLICABILITY:

All Probation and Parole Division (PPD) staff.

## FORMS:

None

## ATTACHMENTS:

Case Closure Checklist Attachment (CD 050901.A)

## DEFINITIONS:

- A. Offender Management System: New Mexico Corrections Department (NMCD) case management database.
- B. Case Record: A file that is maintained on offenders supervised by the PPD.
- C. Chronological Case Notes: Written or typed entries in the offender management system relating to the offender.
- D. Offender: An adult placed under, or made subject to, supervision, probation and/or parole, as the result of the commission of a criminal offense and released to the community under

the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

**POLICY:**

- A. PPD shall assure permanent records are created, maintained, and safeguarded in an orderly and systematic manner.
- B. PPD case record management includes, but is not limited to, the establishment, use, content, privacy, security, preservation, and retention of case records. **[4- APPFS-3D-28]**
- C. The agency shall maintain written and/or electronic records of case plan decisions and events regarding offenders. **[4-APPFS-3D-29]**
- D. The contents of case records shall be separated and identified according to an established format. **[4-APPFS-3D-30]**
- E. All case records, including those with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling shall be retained in accordance with an established Records Retention and Disposition Schedule 1.21.2 NMAC. **[5-3D-4281-8]**



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## AUTHORITY:

Policy *CD-050900*

## PROCEDURES: [5-3D-4281-8] [4-APPFS-3D-28]

### A. Case Folders Contents:

Case physical folders or electronic folders will be letter size and at a minimum the following will be included in each offender's folder:

1. Parolee:

- a. Physical folder: NCIC, intake packet, fingerprint card, and Order of Parole.
- b. Electronic folder: Parole certificate, Institution Progress Report, Admission Summary, Parole Plan Investigations, flash, rap sheet, case plan, police reports, J&S, P&D, and Grand Jury Indictment.

2. Probationer:

- a. Physical folder: NCIC, intake packet, fingerprint card, and Order of Probation
- b. Electronic folder: Pre –Sentence Reports, Judgment and Sentence Order, Conditions of Probation, flash, Rap Sheet, fingerprint card, , police reports, P&D, Grand Jury Indictment, and case plan.

### B. Labeling Case Folders:

1. All case folders will be labeled with the offender's last name in capital letters, followed by the first name. The name should be indicated as it is in the Judgment and Sentence or Parole Certificate regardless of whether or not it is the offender's true name.
2. The case folder will also include the Offender Management number and the expiration date.
3. If the offender is on dual supervision or separate parole and probation supervision at

the same time, separate case files will be prepared.

4. The discharge date from probation or parole should also be included on the label.

**Example:**

PAROLE:  
DOE, John # 12345  
Expires: 1/1/2001

PROBATION:  
DOE, John D-202-CR-2000-00001  
#12345 Expires: 1/1/2001

5. If a case is a compact supervision case, the offender's name on the label will be followed by the abbreviated name of the originating state with its assigned number as indicated in compact correspondence.

**Example:**

PAROLE:  
DOE, John TX TDC-123  
#12345 Expires: 1/1/2001

PROBATION:  
DOE, John TX CR-12345  
#12345 Expires: 1/1/2001

**C. Dividing Case Materials Contained in File Folders: [4-APPFS-3D-29] [4-APPFS-3D-30]**

1. The left side of the file folder should contain the following items in chronological order:
  - a. FBI Flash Sheet;
  - b. Judgment and Sentence;
  - c. Review of Judgment and Sentence
  - d. Probation Conditions or Parole Certificate;
  - e. Arrest Order(s) and Cancellation(s) thereof;
  - f. Probation or Parole Violations Reports (preliminary and full);
  - g. Motion to Revoke;
  - h. Arrest Warrants;
  - i. Sex Offender Registration form;
  - j. Fingerprint card;
  - k. Notice of Arrest;
  - l. Remands/ Retakes;
  - m. Court motions;
  - n. Phase Conditions and Contracts for Special Programs

2. All other materials will be filed on the right side of the file folder in chronological order.

**D. Separation and Filing Folders: [4-APPFS-3D-30]**

File folders shall be filed in alphabetical order and separated into the following categories:

1. Reporting Cases - All probationers and parolees that are currently being supervised within the district office.
2. Semi-Active Cases – Probationers or Parolees being supervised by another district or state.
  - a. Probation to Follow cases shall be assigned to a Probation Officer in the offender management system and an electronic file created in the sentencing district for the documents.
3. Non-Reporting Cases- Probationers or Parolees who have been committed to an institution or treatment program, are in jail, have absconded or, who have supervision to begin upon completion of a sentence of incarceration.
4. Closed Cases- All cases that have been discharged or revoked will be kept in a separate at the District Office level until they are archived.

**E. Opening and Retirement of Case Folders:**

1. New Mexico Probationers:
  - a. The jurisdiction over a probationer remains with the sentencing court, case folders will be maintained by the district office where the offender is being supervised.
  - b. If a New Mexico probationer has his or her probation revoked, one copy of the pre -sentence report, the judgment and sentence, police reports and/or the FBI rap sheet, the probation violation report, and the order revoking probation will be forwarded to the Reception and Diagnostic Records Center and the Institutional Probation and Parole Officer.
  - c. Immediately upon discharge from all NMCD obligations, termination of the case will be done in the offender management system through the PPD-Case Closure workflow.
  - d. Upon a New Mexico probationer transferring to another district in the state, upon acceptance of the transfer, the electronic file will be available to the receiving district. The original folder will be sent to the supervising district.
  - e. When discharging a case, the supervising district will close and archive the case

file.

2. New Mexico Parolees:

- a. Case folders for New Mexico parolees will be maintained by the district office where the parolee is being supervised.
- b. Upon a New Mexico parolee's transfer to another district, the entire case folder is forwarded to the receiving district.
- c. The supervising district will obtain pertinent documents from the sentencing district and open the probation case accordingly. During the course of supervision, the supervising PPO will advise the sentencing district of any probation violations, or other significant developments in the case that might merit notification of the sentencing judge.
- d. Upon receipt of notification of the issuance of a Board Warrant for a parolee, the district office shall ensure that any Officer Warrants issued have been cancelled, move the case to a semi-active status, track the case monthly and make notes in the offender management system.
- e. When discharging a case, the receiving district will close out the parole file.
- f. Immediately upon discharge from all NMCD obligations, termination of the case will be done in the offender management system through the PPD-Case Closure workflow.

3. Case folders of Out-of-State Probationers and Parolees:

Case folders in this category will be initiated by the district office upon notification in the Interstate Compact Offender Tracking System (ICOTS) of the need for investigation. If a case is accepted for supervision, the district will forward response to the Interstate Compact Office via ICOTS.

4. Terminating Case Files:

Prior to terminating a case, the PPO shall ensure the case is closed appropriately by using the PPD-Case Closure workflow in the Offender Management System. A copy of the Case Closure Checklist Attachment (CD 050901.A) will be included in the file.

a. New Mexico Cases:

- 1) All documentation generated during or as the result of the oversight of an offender is part of the record and shall not be removed; purging or removal of documents is prohibited.
- 2) After one year the case folders will be alphabetized and delivered per State Records retention schedules. As space necessitates, delivery can be made prior to one (1) year.

- 3) District Office will box the files in accordance with State Records Center and Archives (SRCA) storage and retrieval procedures and prepare each file for archival storage. Each district office will be responsible for delivery of the boxed files to archival storage.
  - 4) Each District Office will be responsible for maintaining documentation of stored file inventory for retrieval as needed.
  - 5) The Records Liaison Officers (RLO) are responsible for ensuring that the documentation is in compliance with State Records and Archives. The RLO is responsible for retrieving the files from State Records and Archives when requested.
- b. Out-of-State Cases:
- 1) The Interstate Compact Office is responsible for existing Central Office files and abiding by SRCA storage and retrieval procedures.
  - 2) All field files on out-of-state cases will be held until archived.

**F. Maintenance and Security of Offender Files:**

Offender records shall be kept in a secure location, safeguarded from unauthorized and improper disclosure. Every effort shall be made to preserve all offender records in a safe and protected manner.

**NEW MEXICO CORRECTIONS DEPARTMENT**  
**CASE CLOSURE CHECK LIST**  
*(Probation/Parole/ISC/Magistrate)*

Attachment CD-050901.A  
 Reviewed 06/29/23

**Offender Name:** \_\_\_\_\_ **#** \_\_\_\_\_ **Close Date:** \_\_\_\_\_

**Case** \_\_\_\_\_ **PPO:** \_\_\_\_\_ **PPOS:** \_\_\_\_\_

Check	PROBATION PAROLE OFFICER DUTIES	Probation	Parole	Interstate Compact	Magistrate
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Generate "Discharge Order" *Exception – J&S Revoking Prob or Parole Revoke/Retake Notice Send Discharge Order to Judge/Parole Board for approval/signature	•	•		•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	ISC Case Closure Notice (Out of State case to NM) Close out ICOTS case. *If NM to other State-use this form; request case closure from receiving state, attach Discharge Order;			•	
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Copy of Discharge Order to Offender	•	•		
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Discharge all libabilities to include a reason	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	NCIC Closure (to designated NCIC Authority; case file)	•	•		•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Final Case Closure Note in the offender management system	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Review programming tab and close out any open programs				
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Review case plan: -Close out activities, goals, review schedule and plan. -Close out activities, goals, review schedule leaving plan open if revoked to DOC.	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	CORDANT - close out testing schedule and archive offender	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Respond to open allegations in the offender management system	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Cancel all officer warrants in the log and place documented proof in the case file	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Upon Completion or Revoked and sent to county jail: * Terminate case in offender management system:	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<b>**DO NOT USE close case in the Offender Management System If REVOKED and sent to NMDOC</b> -Change Court Case/Legal Status (if there is more than one case from other districts– this can be different) to Probation Violator/ Probation Revoked (DOC will add status' of INMATE). -Add END DATE to: Prob/Parole Agreement;	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Give entire case file to PPS  <b>Secretarial Duties</b>	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Write Discharge Date on outside of file folder	•	•	•	•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Cancel Flash (Pink to DPS; copy in case file)	•	•		•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Cancel NCIC if NIC # is on paperwork	•	•		•
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Add to archive list	•	•	•	•



