



Commonwealth of Virginia

Department of Criminal Justice Services

September 4, 2012

IMPLEMENTATION MEMORANDUM

TO: Community Corrections Evidence-Based Practices Pilot Site Agency Directors

FROM: Laurel Marks, Manager, Juvenile and Adult Services

SUBJECT: Implementation Guidance for Case Supervision Planning for Local Community-Based Probation in the Evidence-Based Practices Pilot Sites

This implementation memorandum provides local community-based probation agencies applying Evidence-Based Practices (EBP) with consistent and uniform guidance for the application of case supervision planning. This implementation memorandum is being issued to provide guidance during the pilot period of September 1, 2012 through November 30, 2012 and pending issuance of a formal risk assessment and case supervision guideline by DCJS.

Currently, the following agencies should all be applying formal case supervision planning to target criminogenic needs: Blue Ridge Community Court Services, Chesterfield Community Corrections, Colonial Community Corrections, Hampton/Newport News Criminal Justice Agency, Henrico Community Corrections, Jefferson Area O.A.R., Lynchburg Community Corrections, Old Dominion Community Corrections, Piedmont Community Corrections—Mecklenburg, Rappahannock Community Corrections, Halifax/Pittsylvania Court Services, Virginia Beach Office of Community Corrections, New River Community Corrections, Prince William Office of Criminal Justice Services, Northern Neck Community Corrections, Culpeper County Criminal Justice Services, Riverside Criminal Justice Agency, Fairfax Court Services Division and J&DR Court Services (adult placements only), Portsmouth Community Corrections, and Piedmont Court Service-Farmville.

Case Planning and supervision techniques for those offenders screened utilizing the Offender Screening Tool (OST) will be purpose-driven by the risk/needs of the offender.

Purpose

Case supervision planning serves as the basis for directing efforts toward positive offender behavioral changes for those offenders that have been assessed and indicate that targeting criminogenic risk and needs factors would be beneficial in reducing risk for reoffending.

Application

Case Supervision Plans and planning applies to all medium and high risk offenders and will include ways to address the criminogenic needs during the period of supervision. The case plan will not include sentenced conditions unless they directly address an identified criminogenic need.

Definitions

Case Supervision Plan means the individualized plan developed by the local probation officer and the offender to address criminogenic needs and determine goals for supervision.

Criminogenic Needs means those factors that research has identified, and that when targeted with appropriate intervention(s), are associated with an offender's likelihood for future criminal behavior.

Criminogenic Risk Factors means those static and dynamic factors that research has identified and are measured to assess an offender's risk for future criminal behavior.

Date First Active means the date the offender is placed on active supervision in PTCC.

Dynamic Risk Factors means those actuarial risk factors that are changeable through correctional interventions that impact predictive risk for misconduct or recidivism.

OST see Virginia OST.

Office Contact/Office Visit means any face-to-face meeting with designated agency staff occurring in a space designated as an agency work space.

Responsivity Factors means those individual factors that influence an offender's responsiveness to different types of treatment, programming, and interventions.

Stabilization Factors means those factors present in an offender's life that have the potential to interfere with the ability to be successful while being supervised or not, while in the community.

Static Risk Factors means those actuarial risk factors that are unchangeable through correctional interventions that impact predictive risk for misconduct or recidivism.

Virginia OST means the Offender Screening Tool, which is a standardized objective assessment instrument developed to assist in evaluating and predicting risk, identifying criminogenic needs to be addressed in the case plan and assigning the level of supervision to offenders placed on probation.

I. Case Supervision Planning

Case Supervision Planning is a probation strategy for addressing criminogenic needs identified in the risk/needs assessment which includes the offender's participation and engagement.

A. Completion of the Case Supervision Plan

1. The case supervision plan (*Attachment #1*) shall be completed no later than thirty (30) calendar days after completion of the OST.
2. The completion of the case plan shall be recorded in the case notes section in PTCC.
3. No case supervision plan is required for Medium and High Risk offenders that score only in the OST domains Physical Health/Medical, Residence and Neighborhood, Mental Health and Criminal Behavior as these domains reflect responsivity and stabilization factors that may impact an offender's ability to successfully complete the requirements of local probation supervision.
4. If no case supervision plan is completed or the case plan is not completed within thirty (30) days of OST administration, the reason for not completing must be documented.
5. Upon completion of the case supervision plan, the officer shall have the offender sign the plan acknowledging his/her participation and agreement with the content.
6. A copy of the case supervision plan shall be placed in the case management file (pending creation of a case planning module in PTCC) and a copy provided to the offender.

B. The Supervision Period

1. The case supervision plan is considered a living document, and it shall be continuously updated as needed during supervision contacts, as the offender achieves goals, or as circumstances change during supervision that indicate the current plan is ineffective in meeting established goals.
2. Officers should record specific strategies and techniques reflecting the nature of supervision contacts and the primary focus on criminogenic needs in their case file notes and through the use of Case Notes in PTCC. Strategies such as the use of motivational interviewing techniques, homework assignments, thinking reports, or role plays are examples of strategies to be included in the case notes.

3. Failure to meet the case plan goals by an offender shall not to be interpreted as noncompliance or sanctioned through show-cause or violation reports to the court unless the case plan goal consists of a court ordered condition.

C. Release from Supervision

1. For those offenders that have complied with all sentenced conditions and for which a case supervision plan was completed, unless otherwise directed or defined by the courts, officers should request that an offender be released from active probation supervision no later than 12 months from the date first active.
2. Active supervision periods for medium and high risk offenders beyond 12 months must be documented in PTCC.
3. Prior to supervision termination, it is recommended that the officer work with the offender to update the case plan to reflect progress toward established goals and those criminogenic need areas that have not been targeted during supervision and provide the offender with a copy.

II. Case Supervision Planning Guidance and Considerations

Because of the dynamic and individualized nature of case supervision planning and criminogenic risk and needs, the following sections are intended to provide officers with additional guidance to apply professional judgment when working with offenders to address criminogenic needs in ways that are effective and appropriate to reduce offender risk for reoffending.

Officers must work collaboratively with offenders to determine supervision strategies based on the individual offender's assessment results. The following provides officers with a framework that will assist in analysis of the offender's assessment results and a structure for decision-making that considers dynamic and individualized risk, need, and responsivity factors.

A. Addressing Criminogenic Risk and Needs Areas

1. The case supervision plan shall be completed for all Medium and High Risk offenders who score within any of the OST risk/need domains of Vocational/Financial, Education, Family and Social Relationships, Alcohol, Drug Abuse, Attitude.
2. When assessing to determine priority and significance of offender criminogenic needs, officers should consider that the greater the domain score, the greater the risk/need level.
3. During the development of the initial case supervision plan when there are multiple dynamic criminogenic needs identified, to the extent possible, the

officer and offender should work to address those priority criminogenic needs (drivers) or those that the offender is willing to address. Officers shall utilize the following guidance to assist in determining priority and significance of criminogenic needs:

- a. The most significant criminogenic needs (drivers) are those that have the greatest influence on future reoffending, to include antisocial cognition/attitudes, antisocial personality/temperament, antisocial peer associations, and family/marital instability.
 - b. If the presence of other criminogenic needs interferes with the offender's ability to successfully participate in or manage their supervision, those needs may be addressed prior to targeting drivers.
 - c. Emphasis should be placed on those criminogenic needs when 60% or more of the items within any particular OST risk/need area are scored.
 - d. From those needs with higher scores, the driver should be identified for case planning priority.
4. The supervising officer must complete the case plan in collaboration with the offender so that he/she can give input and encourage active engagement in the case supervision planning and the setting of reasonable, attainable goals.
 5. The case supervision plan must include offender strengths, triggers, relapse plans, and goals that address an identified criminogenic need based on the individual offender's needs assessment.
 6. Case supervision plan goals/activities must meet the SMART (Specific, Measurable, Attainable, Realistic, and Timely) criteria.
 7. To the extent possible, any standard, special, or sentenced conditions should be matched appropriately to case planning goals if the condition is one that adequately addresses an identified criminogenic need.
 8. When no standard, special, or sentenced conditions can be matched appropriately to a case planning goal, officers shall follow the standard operating procedure for the locality in the development and monitoring of compliance with standard and court-imposed conditions of local probation supervision.

B. Responsivity and Stabilization Factors Impacting Case Supervision Planning

1. Officers must consider responsivity, individual, and community resource factors when working with an offender to craft case supervision plan goals

to include offender motivation toward addressing needs and types of resources available in the community that are feasible for the offender to obtain.

2. Responsivity and stabilization factors are scored in the OST domains of Physical Health/Medical, Residence and Neighborhood, and Mental Health.
3. The responsivity factors known to impact an offender's ability to successfully participate in case planning activity are motivation, mental health, intellectual functioning (IQ), gender, developmental age, culture (to include language barrier), learning style, and/or learning disability.
4. When working with the offender to identify appropriate activities to meet established goals, officers must consider the impact of responsivity and stabilization factors on an offender's ability to participate in and successfully meet supervision goals.

C. Determining Supervision Strategies

1. The case supervision plan is intended to be the tool that guides the nature and content of supervision contacts and must be the focus of each office contact and interaction with the officer and offender to regularly assess offender progress toward meeting the case plan goals.
2. Office contacts and interactions with offenders should be purpose-driven, focusing primarily on the criminogenic needs.
3. It is recommended that office contacts with Medium and High risk offenders be between twenty (20) to forty (40) minutes.
4. Case supervision plan interventions and supervision strategies should reflect appropriate dosage targets, intensity, and frequency based on offender risk for reoffending.
5. Absent appropriate outside resources, interventions, and programming to adequately meet case supervision plan goals, the quality and duration of the office contact is significant. Officers should identify and utilize in-house resources and cognitive-behavioral techniques such as one-on-one sessions, role plays, or available publications to assist the offender with skills practice.

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cc: Bruce Crusier, Director, Division of Programs and Services