



Virginia Department of Corrections

Offender Supervision and Management in the Community

Operating Procedure 940.4

Community Corrections Alternative Program

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§115.272, §115.278

**Content
Owner/
Reviewer:** Jermiah Fitz Jr.
Corrections Operations Administrator

Signature Copy on File 3/25/21

Signature Date

Signatory: A. David Robinson
Chief of Corrections Operations

Signature Copy on File 3/26/21

Signature Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

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DEFINITIONS

Case File - A confidential computer record maintained in VACORIS, ICOTS, and/or written record material maintained in a P&P Office or Community Corrections Facility regarding the probationer/parolee that includes documentation of all actions that have occurred in the case

Case Plan - A dynamic document that outlines treatment needs and program duration based on assessments of the probationer's/parolee's criminogenic factors; it guides a probationer/parolee through completion of the Community Corrections Alternative Program.

Community Corrections Alternative Program (CCAP) - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

Community Corrections Alternative Program Referral Unit - An element of Central Classification Services within Offender Management Services designed to serve as the interface between P&P Offices and a Community Corrections Alternative Program (CCAP) to evaluate a probationer/parolee for participation in CCAP and develop CCAP Programming Requirements to guide the probationer's/parolee's placement in the appropriate CCAP facility to address the probationer's/parolee's programmatic needs

Community Corrections Facility - A residential facility operated by the Department of Corrections to provide Community Corrections Alternative Programs

Community Service Work Assignment - A work assignment that allows a probationer/parolee to discharge all or part of their court ordered fines and costs by performing community service work as ordered by the court

Facility Review Committee (FRC) - A treatment team of at least three facility staff members; as designated by the Facility Unit Head to review and evaluate the overall progress of a probationer/parolee in the Community Corrections Alternative Program

Facility Unit Head - The person occupying the highest position in a DOC residential facility, such as an institution, field unit, or community corrections facility

High Risk Sexual Aggressor (HRSA) - As identified by the *Classification Assessment* and Psychology Associate assessment, any incarcerated probationer/parolee at high risk of being sexually abusive

High Risk Sexual Victim (HRSV) - As identified by the *Classification Assessment* and Psychology Associate assessment, any incarcerated probationer/parolee confirmed as a sexual victim or identified as being at high risk of being sexually victimized

Intractable Behavior - Behavior which, in the determination of the Department of Corrections, (i) indicates a probationer's/parolee's unwillingness or inability to conform their behavior to that which is necessary to their successful completion of the program or (ii) is so disruptive as to threaten the successful completion of the program by other probationers/parolees.

Probation Officer's Arrest Authority (PB 15) - A document issued by a P&P Officer for the arrest and detention of a delinquent parolee, and in some cases, a delinquent probationer

Probationer/Parolee - A person who is on community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs (CCAPs).

Referral Agency - The Probation and Parole District or the Parole Board referring the probationer/parolee for participation in a Community Corrections Alternative Program

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (§115.5)

Working Day - Weekdays, Monday through Friday, except official state holidays



PURPOSE

This operating procedure provides guidelines for the admission, programming, removal, successful completion, and follow-up supervision of probationers/parolees assigned to a Community Corrections Alternative Program (CCAP) operated by the Department of Corrections (DOC).

PROCEDURE

- I. Authorization, Mission, and Administration
 - A. The DOC operates facilities that provide Community Corrections Alternative Programs (CCAP) under the authority of COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion.* (4-ACRS-7A-01)
 - B. The CCAP utilizes elements of the previous Detention Center and Diversion Center programs with an increased emphasis on evidence based programming individually tailored to each probationer's/parolee's assessed needs.
 - C. The Mission of CCAP is to facilitate probationer/parolee social behavioral change within an Evidenced Based Practices (EBP) environment to support personal growth and prepare the probationer/parolee to return to the community.
 1. The program is designed to serve probationers/parolees who require more security, structure, and supervision than is available from other community-based programs.
 2. Persons, who are being initially sentenced, as well as probationers/parolees who have failed at other less restrictive community programs, should be considered for participation in a CCAP.
 - D. Each CCAP is headed by a Superintendent with the following preferred qualifications: (4-ACRS-7B-01)
 1. A bachelor's degree in an appropriate discipline; the degree qualification may be satisfied by completion of a career development program that includes work-related experience, training, or college credits at a level of achievement equivalent to the bachelor's degree.
 2. Significant, at least five years, related administrative experience
 3. Demonstrated administrative ability and leadership
 - E. All CCAP professional staff must comply with applicable state and federal licensure, certification, or registration requirements for their position. Verification of current credentials will be maintained on file in the facility. (4-ACRS-7B-02)
 - F. Each facilities administrative and support staff follows fiscal policies and procedures adopted by the DOC, including, but not limited to, the following: 210.1, *Internal Fiscal Controls*, 210.2, *Cash Management*, 210.3, *Accounts Receivable*, 210.4, *Accounts Payable Administration and Management*, and 240.1, *Travel.* (4-ACRS-7D-17)
 1. All monies collected at the facility are placed daily in an officially designated, secure location. (4-ACRS-7D-21)
 2. The methods used for the receipt, safeguarding, disbursing, and recording of funds comply with accepted accounting procedures. (4-ACRS-7D-22)
 - G. Staff model desired behaviors in accordance with a facility code of ethics. Staff reinforce proper probationer/parolee behavior and correct probationer/parolee misbehavior. (4-ACRS-3A-07)
 - H. Community Corrections facilities provide for a system of communication between all levels of staff and probationers/parolees through a high degree of interaction facilitating verbal communication, as well as provision for written communications. (4-ACRS-7D-36)
 - I. Probationers/parolees are not subjected to discrimination based on a probationer's/parolee's race, religion, national origin, gender, disability, or political views. (4-ACRS-6B-01)



- J. Probationers/parolees with disabilities, if found eligible and suitable for the program, are housed in a manner that provides for their safety and security.
 - 1. Housing used by probationers/parolees with disabilities is designed for their use and provides for integration with other probationers/parolees.
 - 2. Programs and services are accessible to probationers/parolees with disabilities who reside in the facility. (4-ACRS-6A-04)

II. Community Corrections Alternative Program

- A. The Community Corrections Alternative Programs (CCAP) utilize a structured residential environment to provide all probationers/parolees with evidence based core programming in treatment motivation, cognitive restructuring, and substance abuse.
- B. In addition to core programs, each CCAP facility specializes in a programming area such as academic and vocational training, intensive substance abuse programming, and community service and employment.
- C. CCAP facilities provide the opportunity for physical labor in organized community service work projects. (4-ACRS-5A-14, 4-ACRS-5A-16)
- D. CCAP staff will actively identify and implement activities that contribute to the community through public works and public service projects. (4-ACRS-7F-07)
- E. The facility provides programs, services, and opportunities that encourage probationers/parolees to take responsibility for their actions and make restitution to the victims of their crime(s) and/or to the community. Opportunities are based upon victim and community input and are fashioned in a way that seeks to ameliorate the harm done. (4-ACRS-6D-01, 4-ACRS-6D-02)
- F. Recreation and leisure time activities are available to meet the needs of probationers/parolees. (4-ACRS-5A-21)
- G. Participation in CCAP will generally last from 22 to 48 weeks based on needed programming dosages and the progress and adjustment of the probationer/parolee.
- H. Probationers/parolees participating in community employment are expected to pay restitution, court costs and fines and will be expected to defray the cost of their stay in the facility by paying transportation fees when applicable and room and board charges once they start employment. (4-ACRS-6D-02)

III. Community Corrections Alternative Program (CCAP) Referral Unit

- A. The CCAP Referral Unit serves as the interface between P&P Offices and CCAP to evaluate probationers/parolees for participation in CCAP, to jointly develop CCAP Programming Requirements with the supervising P&P Officer, and to guide the probationer's/parolee's placement in the appropriate CCAP facility to address the probationer's/parolee's programming needs, see Operating Procedure 930.2, *Community Corrections Alternative Program Referral Unit*.
- B. The CCAP Referral Unit staff and facility staff will coordinate intake schedules and transportation plans for bringing probationers/parolees into the CCAP.
- C. Prior to intake, at least one week preferred, CCAP Referral Unit staff should provide each facility with a list of probationers/parolees planned for intake.
- D. Prior to a probationer's/parolee's arrival at the facility, program staff should review the case file and CCAP Programming Requirements to verify the probationer's/parolee's suitability for program participation and to ensure there have been no changes since the referral/acceptance.
- E. The CCAP facility's medical staff should contact the medical staff of the sending facility, jail or P&P Office to verify the participant's current medical status and all currently prescribed medications. If a change has occurred that makes the probationer/parolee unsuitable for CCAP, facility program staff will



contact the referring District for case handling instructions.

- F. CCAP Referral Unit staff and receiving facility staff will coordinate the probationer's/parolee's date for admission with the referral agency and jail or other facility housing the probationer/parolee, if applicable.
- G. In accordance with its population and mission, each facility provides for staff and probationer/parolee access to Psychology Associates and other appropriately trained and qualified individuals who are educated in the problems and challenges faced by probationers/parolees with physical and/or mental impairments. Certain facilities are designated to meet legal requirements for access and protection of probationers/parolees with disabilities and to provide programs designed to educate and assist disabled probationers/parolees. (4-ACRS-6A-01-1)

IV. Intake and Reception into the CCAP facility

- A. Facility staff should notify the referring P&P Officer upon the probationer's/parolee's actual arrival at the facility.
- B. On the day of arrival the probationer/parolee will receive an initial intake PREA training, utilizing the *Preventing Sexual Abuse & Sexual Assault - Trainer Outline (Intake)* and will sign the [Acknowledgement of Preventing Sexual Abuse and Sexual Assault Training](#) 038_F4; see Operating Procedure 038.3, *Prison Rape Elimination Act (PREA)*. (§115.233 [a, d])
- C. At the time of intake, staff and the probationer/parolee will complete all intake forms for admission into the program, including completion of [Emergency Notification Information](#) 050_F11. Any information not already collected will be entered into VACORIS to include but not limited to the following probationer/parolee information: (4-ACRS-7D-07)
 - Name
 - Address
 - Social security number
 - Date of birth
 - Gender
 - Race or ethnic origin
 - Reason for referral
 - Whom to notify in case of emergency
 - Date information gathered
 - Name of referring agency or committing authority
 - Social history, where available
 - Special medical, dental and mental health problems or needs
 - Personal physician, if applicable
 - Legal status, including jurisdiction, length and conditions of placement
 - Identification of staff member gathering information
- D. The P&P Officer must provide each probationer/parolee with a copy of their [Conditions of Community Corrections Alternative Program](#) 940_F14.
 1. The *Conditions of Community Corrections Alternative Program* must be read, explained, and signed by the probationer/parolee during initial orientation.
 2. Each probationer/parolee is required to sign their *Conditions* indicating their understanding and willingness to comply with them.
 3. If a communication problem, such as illiteracy or foreign language, prevents a probationer/parolee from understanding the *Conditions*, staff assists in explaining the conditions.
 4. If the special conditions or treatment programming needs section of the *Conditions* are revised after the probationer/parolee enters the CCAP, the probationer/parolee will be required to sign a new [Conditions of Community Corrections Alternative Program](#) 940_F14.



- E. Facility medical staff will review any previous medical evaluation and examine each probationer/parolee upon arrival at the facility or no later than one working day thereafter; see Operating Procedure 720.1, *Access to Health Services*.
1. If a probationer/parolee is determined to be unsuitable, Medical or Mental Health staff will document their findings on the [Unsuitability - Community Corrections Facilities](#) 940_F10.
 2. Before the probationer/parolee participates in further program activities, the Facility Unit Head, or designee in the Facility Unit Head's absence, must determine whether the probationer/parolee will be removed or retained in the program and list any precautions or accommodations that will be provided to the probationer/parolee if retained.
 3. A probationer/parolee currently prescribed psychotropic medication by a medical provider may be considered for participation in the CCAP if the criteria as established in Attachment 3, *CCAP Limited Psychotropic Keep on Person Program* are met.
 - a. Probationers/parolees that have been admitted to the facility under the *CCAP Limited Psychotropic Keep on Person Program* should be scheduled to see the medical practitioner as soon as practicable in order for psychotropic medication(s) to be continued.
 - b. The *CCAP Limited Psychotropic Self-Medication Program* will guide the management of probationers/parolees prescribed psychotropic medications while in a CCAP facility.
 4. Community Mental Health Clinicians will review cases in which assessments indicate there may be mental health concerns.
- F. Any funds in probationer/parolee possession will be receipted and turned over to the Business Office to be credited to the probationer's/parolee's account; see Operating Procedure 802.2, *Offender Finances*.
- G. Security staff must inventory and search each probationer's/parolee's property and process for removal any personal property not authorized; see Operating Procedure 802.1, *Offender Property*.
- H. Each probationer/parolee should receive the initial issue of state property; see Operating Procedure 802.1, *Offender Property* and bed assignment.
1. Facilities must provide for the issue of clean, suitable clothing as needed. Protective clothing and safety equipment must be provided when appropriate.
 2. Facilities must provide clean bedding, towels, washcloths, and blankets.
 3. Facilities must provide for weekly laundering of bed linens and clothing.
- I. If not completed prior to admission, a COMPAS risk assessment or Woman's Risk Needs Assessment (WRNA) must be conducted for each probationer/parolee within 48 hours of admission. (4-ACRS-2A-07)
- J. Within 14 days of intake the CCAP Probation Officer will review the current COMPAS, for males, or WRNA, for females, with the probationer/parolee and create a CCAP Case Plan which reflects the programming they will receive to meet their identified criminogenic needs.
1. If the current EBP COMPAS or WRNA is more than three years old, a new EBP COMPAS/WRNA should be completed within one week of entrance into CCAP.
 2. If a probationer/parolee transitions to a moderate site, a new EBP COMPAS is not needed.
- K. Facility staff will review the *Social History/Family Environmental Information* module in VACORIS and update the information as needed.
1. If the *Family Environmental Information* was not completed, facility staff must enter the required information on the *Family Members* tab located in the *Environmental Summary* section under *Offender Pages* in VACORIS.
 2. Family members that must be entered include biological, adoptive, or step mother, father, sister,

brother, daughter, son or the probationer's/parolee's spouse or any other relative, where a significant association between that relative and the probationer/parolee can be documented.

3. At a minimum the following information if known and as reported by the probationer/parolee is required:
 - a. First, Middle, Last, and Maiden name
 - b. Address and phone number
 - c. Family member history of supervision or incarceration, when applicable
 - d. Date of birth
 - e. Highest educational level
 - f. Substance abuse history
 - g. Family member criminal history, when applicable

L. Designated facility staff will collect a Deoxyribonucleic Acid (DNA) sample if required; see the *DNA Sampling of Offenders* attachment to Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.

M. The facility drug testing coordinator will conduct an initial/full drug test in accordance with Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*.

N. A SP-236 *Sex Offender and Crimes against Minors Registration* will be completed as necessary and as prescribed in the *Sex Offender and Crimes against Minors Registration* section of this operating procedure.

V. Orientation and PREA Assessments

A. At the time of admission, but not later than one working day after arrival, facility staff will discuss program goals, service(s) available, rules governing conduct, access to health care, and program rules with the probationer/parolee. (4-ACRS-3A-04)

B. Facility staff should ensure each probationer/parolee receives written orientation materials. Staff assistance and or translations are provided when the probationer/parolee does not understand English or there is a literacy or communication problem. (4-ACRS-3A-04, 4-ACRS-3A-05)

C. Each probationer/parolee will receive a complete orientation. The orientation must be completed within five working days of the probationer's/parolee's arrival. At the time of the orientation, the staff member providing orientation and the probationer/parolee must sign and date a written statement acknowledging receipt of the orientation. At a minimum the following topics must be covered: (4-ACRS-3A-04)

1. [Conditions of Community Corrections Alternative Program](#) 940_F14; see the *Probationer/Parolee Discipline* section of this operating procedure.
2. Facility Rules and Regulations, as posted in facility
3. Grooming Standards
4. Hygiene Standards
5. Visitation Requirements; see Operating Procedure 851.1, *Visiting Privileges*
6. Mail Requirements; each probationer/parolee will sign the [General and Special Purpose Correspondence Notification](#) 803_F1 as a condition of receiving such correspondence in accordance with Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*.
7. Phone Privileges; each probationer/parolee will be provided a copy of Attachment 4, *ICM Offender Dialing Instructions* to Operating Procedure 803.3, *Offender Telephone Service* during their initial intake orientation.
8. Allowable Personal Property and Zero Tolerance for Gangs, each probationer/parolee will sign a

[Notification to Offender of Release of Liability](#) 802_F3; see Operating Procedure 802.1, *Offender Property*, Attachment 4, [Community Corrections Alternative Programs Property Matrix - Males](#) and Attachment 5, [Community Corrections Alternative Programs Property Matrix - Females](#)

9. Mental Health and Medical Services available
 10. Daily Routine and Schedule
 11. Fees to be collected to include court restitution, court costs and fines, fees associated with community employment such as room and board and transportation fees, etc. (4-ACRS-3A-06)
 12. PREA probationer/parolee education must be presented and documented in accordance with Operating Procedure 038.3, *Prison Rape Elimination Act (PREA)*.
 - a. Within 10 days of arrival, the probationer/parolee must receive the comprehensive PREA training using the *Preventing Sexual Abuse & Sexual Assault Trainer Outline (Comprehensive)*, and will sign the [Acknowledgement of Preventing Sexual Abuse and Sexual Assault Training](#) 038_F4; see Operating Procedure 038.3, *Prison Rape Elimination Act (PREA)* (§115.233[a, d])
 - b. In addition to providing such education, the facility will ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats. (§115.233[b, e])
 13. Other information as required by the facility.
- D. Probationers/parolees received from another DOC facility via transfer will be provided a copy of the *Zero Tolerance for Sexual Abuse and Sexual Harassment* brochure that includes the Sexual Assault Hotline number; see Operating Procedure 038.3, *Prison Rape Elimination Act (PREA)*, Attachment 1E, Attachment 1S for Spanish version, or Attachment 1H for hearing impaired. (§115.233[b])
- E. A P&P Officer or other facility staff must assess all probationers/parolees during reception for their risk of being sexually abused by other probationers/parolees or sexually abusive toward other probationers/parolees. (§115.241[a])
1. The assessment will be completed and approved within 72 hours of arrival at the facility. (§115.241[b])
 2. Facility staff will interview and evaluate all incoming probationers/parolees for High Risk Sexual Aggressor (HRSA) and/or High Risk Sexual Victim (HRSV) tendencies utilizing the results of the *Classification Assessment* in VACORIS and available probationer/parolee records. (§115.241[c, d, e])
 3. For any probationer/parolee scoring as a HRSA or a HRSV, the staff member completing the *Classification Assessment* will immediately notify a Psychology Associate for follow-up in accordance with Operating Procedure 730.2, *Mental Health Services: Screening, Assessment, and Classification*.
 - a. For any probationer/parolee that does not have an *Assaultive Alert* in VACORIS and scores as a HRSV, the person completing the *Classification Assessment* will immediately notify the Shift Commander to review for appropriate bed assignment.
 - b. For any probationer/parolee that does not have an *Assaultive Alert* in VACORIS and scores as a HRSA, the person completing the *Classification Assessment* will immediately notify the Facility Unit Head or designee to review for possible removal from the program.
 - c. For any probationer/parolee that does not have an *Assaultive Alert* in VACORIS and scores as a HRSV and/or HRSA, the person completing the *Classification Assessment* will immediately enter an Alert, type *Assaultive*, with the comment PREA HRSV or PREA HRSA.
 - d. Probationers/Parolees identified as HRSA, in a CCAP, who do not comply with therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for their sexually abusive behavior with offense code 233, *Failure to be on time for all scheduled activities (work, treatment programs, P&P Officer/Counselor appointments, and medical) or failure to participate in an assigned treatment program*; see Attachment 4, *General Rules of Behavior and Disciplinary Infractions*)

4. Probationers/parolees who are subject to a substantial risk of imminent sexual abuse, or are considered to be at risk for additional sexual victimization must be referred to the Psychology Associate who will immediately consult with the Facility Unit Head or designee and recommend housing interventions or other immediate action to protect the probationer/parolee. (§115.262)
5. Probationers/parolees may not be disciplined for refusing to answer or for not disclosing complete information in response to questions asked in the *Classification Assessment* interview. (§115.241[h])
6. Responses to questions asked related to the *Classification Assessment* will remain confidential in order to ensure that sensitive information is not exploited to the probationer's/parolee's detriment by staff or other probationers/parolees. (§115.241[i])
7. Facility staff will use information from the *Classification Assessment* to make informed individualized determinations about how to ensure the safety of each probationer/parolee in order in regards to housing, bed, work, education, and program assignments, with the goal of keeping separate those probationers/parolees at high risk of being sexually victimized from those at high risk of being sexually abusive. (§115.242[a, b])
8. Housing and programming assignments for transgender or intersex probationers/parolees will be made on a case-by-case basis and will take into consideration whether a placement would ensure the probationer's/parolee's health and safety and whether the placement would present management or security problems. (§115.242[c])
 - a. A transgender or intersex probationer's/parolee's own views with respect to their own safety will be given serious consideration. (§115.242[d])
 - b. Lesbian, gay, bisexual, or intersex probationers/parolees will not be placed in a dedicated housing unit or wing solely on the basis of such identification or status. (§115.242[f])
 - c. Transgender and intersex probationers/parolees will be given the opportunity to shower separately from other probationers/parolees. (§115.242[e])
9. Probationers/parolees who indicate they are transgender or intersex during intake are required to express their preference regarding the gender of correctional staff conducting a strip search and complete the *Strip Search Deviation Request* 810_F2 associated with Operating Procedure 810.1, *Offender Reception and Classification*, and Operating Procedure 810.2, *Transferred Offender Receiving and Orientation*.
 - a. Probationers/parolees will be informed they may revise the *Request* at six-month intervals throughout their stay in the CCAP during any personal contact with their supervising P&P Officer or by making a written or verbal request to the Facility or Assistant Facility Head.
 - b. Upon notification that a probationer/parolee has been granted a deviation to the same gender strip search procedures, the probationer/parolee will be strip searched in accordance with the provisions of the probationer's/parolee's approved *Strip Search Deviation Request* and of 445.1, *Employee, Visitor, and Offender Searches*.
10. Probationers/parolees under community supervision, who report that they are transgender or intersex during the case opening or at any time while under supervision, will be observed during urine screens by staff of the same gender as the probationer's/parolee's self-identified gender indicated on the approved *P&P Urine Test Observation Accommodation Request* 841_F21.
11. Within 21 days from the probationer's/parolee's arrival at the facility, the facility will reassess the probationer's/parolee's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening. (§115.241[f])
 - a. The *PREA Reassessment* 810_F1 must be completed no sooner than 14 days and no later than 21 days after the probationer's/parolee's arrival at the facility.
 - b. Completion of the *Reassessment* must be documented as a *Special Entry* in the *Supervision Notes* section of VACORIS.
 - c. The *PREA Reassessment* will be scanned and uploaded as an external document to the

corresponding *Special Entry* note.

12. A probationer's/parolee's risk level will be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness. (§115.241[g])

F. Probationers/parolees will not be allowed to possess cash, credit/debit cards, checks, or other negotiable financial instruments while in the CCAP. Any funds received by a probationer/parolee while in the program i.e., tips received in community employment, refunds from businesses, etc., must be turned over to facility staff for deposit into probationer's/parolee's trust account; see Operating Procedure 802.2, *Offender Finances*, for additional information.

G. All goods purchased by the probationer/parolee should be obtained through the facility commissary.

1. Each probationer/parolee should be allowed to spend up to \$125 in commissary every two weeks if they have the funds available in their trust account.
2. All probationer/parolee property must fit neatly within the storage lockers, cabinets, or boxes provided at the facility and may not exceed the authorized personal property allowances in accordance with Operating Procedure 802.1, *Offender Property*.
3. Quantity limits may be imposed on commissary purchases to control stockpiling of consumable items.

VI. CCAP Case Plans

A. Upon arrival at a CCAP facility, each probationer/parolee is assigned to a supervising P&P Officer to ensure appropriate supervision and personal contact. (4-ACRS-5A-07)

1. The supervising P&P Officer meets with and counsels the probationer/parolee as necessary, consistent with the probationer's/parolee's individual *CCAP Case Plan*. The supervising P&P Officer may be part of a treatment or a unit management team that performs this function.
2. The supervising P&P Officer is responsible to document in VACORIS *Case Notes* a minimum of two face-to-face contacts per month during the probationer's/parolee's program stay. These *Case Notes* entries may include; office visits, group contacts, work site/employment checks, treatment team contacts or Facility Review Committee (FRC) contacts.

B. CCAP Case Plan

1. Program staff, in conjunction with the probationer/parolee, should make an objective assessment of each probationer's/parolee's risks and needs in order to assess the probationer's/parolee's criminogenic needs and design a *Case Plan* in VACORIS within 14 days of the probationer's/parolee's admission into the program. (4-ACRS-5A-01, 4-ACRS-5A-03).
2. Staff will review and discuss any changes to the probationer's/parolee's *Case Plan* with the probationer/parolee; staff and the probationer/parolee must sign and date documentation of this review. (4-ACRS-5A-04)
3. Each CCAP probationer/parolee is required to successfully complete evidence based core programming such as; enhancing treatment motivation, cognitive restructuring, and substance abuse disorder treatment.
4. In addition to the required evidence based core programs, each probationer/parolee will be assigned to specialized programming and required treatment based on the COMPAS/WRNA risk needs assessment.
 - a. All specialized programming and required treatment will be included in the probationer's/parolee's *CCAP Case Plan* and updated as additional assessments and information becomes available.
 - b. Programming areas include but are not limited to academic and vocational training, intensive substance abuse programming, and community employment.

C. As needed, probationers/parolees will be assigned facility work tasks supporting the on-going



maintenance, food service, and housekeeping efforts of the facility and may be assigned to participate in organized community service works projects. Community Corrections Facility probationers/parolees are not eligible to receive pay for facility work tasks or community service work projects. (4-ACRS-5A-14, 4-ACRS-5A-16)

- D. All probationers/parolees will be randomly drug tested each month until their termination from the program in accordance with Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*.

VII. Programming in CCAP's

- A. Facility staff should consult with the Statewide Program Managers when developing a new or modifying and existing facility program.
- B. The review and approval process for programs at a CCAP facility will follow the process established in this operating procedure for counseling services programs.
1. Programming for CCAPs will include the following core program elements:
 - a. Transition/Life Skills
 - b. Cognitive Restructuring
 - c. Substance Use Disorder Treatment
 - d. Community Work Placement/Community Service
 2. Programming for CCAPs will include, but is not limited to, the following secondary program elements:
 - a. Educational Development (GED) or Literacy
 - b. Substance Use Disorder Education Treatment
 - c. Anger Management
 3. Probationers/Parolees must successfully meet the expectations for each of the core program elements, identified for their needs in order for facility staff to consider the probationers/parolees for program completion.
 - a. Due to dual sentencing, facility staff should avoid duplicate core program completion, whenever possible, by substituting secondary program elements when in the best treatment interests of the probationer/parolee.
 - b. Secondary program elements may be included in the probationers/parolees *Case Plan*, based on the individual needs of the probationer/parolee.
 - c. Failure to meet the expectations for each of the assigned secondary program elements may result in the probationers/parolees failing to complete the program.

VIII. Community Service Work Assignments

- A. Each CCAP must develop an Implementation Memorandum to provide facility specific information on the provision of Community Service Work Assignments; see COV §19.2-354, *Authority of court to order payment of fine, costs, forfeitures, penalties or restitution in installments or upon other terms and conditions; community work in lieu of payment*.
- B. The Implementation Memorandum must include at a minimum the following information:
1. The facility position designated to oversee, coordinate, and manage community service assignments and hours for the facility.
 2. The authorized locations or organizations where community service hours can be performed, and the duties and responsibilities of the position to include the type of labor authorized.
 3. The established days and hours for the work assignment and any supervision requirements.
- C. In order for a probationer/parolee to be eligible to earn credit for the performance of community service



work, the probationer/parolee must have been sentenced by the Court to perform community service hours after July 1, 2020.

1. The rate at which credits are earned and the manner for applying earned credits against the probationer's/parolee's fines and/or costs is determined by the court.
2. Facility staff will be responsible for recording the community service hours for each probationer/parolee in VACORIS and reporting the hours to the court at a frequency determined by the court.
3. Probationer/parolee facility work assignments and community work assignments for which the probationer/parolee is paid wages are separate from community service work assignments and must not be reported as community service hours.

IX. Community Employment Program

- A. As a part of the probationer's/parolee's *CCAP Case Plan* and community re-entry plan, all probationers/parolees assigned to a CCAP program that offers outside community employment, will be reviewed by the Facility Review Committee (FRC) for possible placement in community employment.
 1. The FRC will review the probationers/parolees program adjustment, risk needs assessment, progress towards meeting their *CCAP Case Plan* and community re-entry plan to determine a probationer's/parolees' eligibility and suitability during the community employment review.
 2. As determined by the FRC, eligible and suitable probationers/parolees assigned to community employment will be expected to obtain and maintain employment in the community. (4-ACRS-5A-14, 4-ACRS-5A-16)
 3. Facility resources are available to assist probationers/parolees in locating jobs. Within resources available in the community, the facility will attempt to match probationers/parolees having marketable job skills with appropriate employment to utilize and develop those skills. (4-ACRS-5A-20)
- B. The requirements and expectations for the community employer and the participating probationer/parolee during the community employment phase of CCAP are provided on Attachment 1, *Employer's Community Work Agreement - Sample*, and Attachment 2, *Community Employment Agreement - Sample*. By signing the *Community Employment Agreement*, the probationer/parolee acknowledges their ineligibility for unemployment compensation.
- C. All probationer/parolee paychecks, tips, and other funds received for employment must be turned over to the CCAP facility.
 1. The facility will deduct funds to pay the following expenses:
 - a. Facility room and board
 - b. Facility transportation, if provided
 - c. Court ordered restitution, costs, and fines
 - d. Facility loans and disciplinary fines
 - e. Other facility authorized expenditures, such as DMV reinstatement fees, employer required work apparel/equipment, driver improvement and fork lift courses, the CVC Campaign and, copies of personal probationer/parolee records, e.g., driver's license and birth certificate.
 2. Once a probationer/parolee begins community employment, the probationer/parolee will be required to pay room and board charges in accordance with COV §19.2-316.4, *Eligibility for participation in community corrections alternative program; evaluation; sentencing; withdrawal or removal from program; payment of costs* and transportation charges if applicable.
 - a. Probationers/parolees hired by the facility to work at community wages are considered to be in community employment.
 - b. Calculation of room and board charges:



- i. The probationer/parolee workweek will generally be Monday through Sunday; adjustments may be made for employers with different work schedules.
 - ii. Any probationer/parolee, who worked 35 hours or more in the week, as documented on the probationer's/parolee's schedule or pay stub, will be charged \$12 for each of the seven week days within the probationer/parolee workweek, i.e., \$84 per week.
 - iii. Any probationer/parolee not scheduled for 35 hours per week or who is held out from work by the facility will be charged \$12 for each day they worked and given an administrative exemption from room and board charges for each day the probationer/parolee did not work.
 - c. Each probationer/parolee that the facility transports to and/or from the work site will be charged \$1 per day transportation cost.
 3. Room and board charges and transportation costs will be documented on a [Cost of Probationer/Parolee Keep](#) 940_F19 or similar form.
 4. Once signed as approved by the Facility Unit Head, the original *General Ledger Detail Sheet* with the check for room and board and transportation charges will be sent within five business days of the end of month process to the General Accounting Unit at Headquarters.
 5. Outside of their community employment, probationers/parolees are not authorized to possess U.S. Currency.
- D. Probationers/parolees are allowed to place a limited amount of funds on their commissary accounts for authorized purchases and personal.
- E. Probationers/parolees will not be allowed to transfer funds from their facility account to any outside checking, savings or other bank account.
1. Probationers/parolees may send to individuals and entities designated by the probationer/parolee and authorized by the Facility Unit Head or designee funds for the payment of verified household expenses related to family reunification and continuing family support, see Operating Procedure 802.2, *Offender Finances*.
 2. Funds may be sent to verified immediate family members celebrating birthdays and recognized holidays.
 3. Accumulated funds remaining after approved deductions will be paid to the probationer/parolee on successful completion or removal from the CCAP.
- F. In addition to random testing, at least 10% of all participants assigned to community employment will have an additional drug test monthly.
- X. Facility Review Committee
- A. The FRC is a multi-disciplinary treatment team that monitors and benchmarks the probationer's/parolee's progress through the CCAP.
 - B. Normally, the FRC includes the probationer's/parolee's facility P&P Officer; Assistant Facility Unit Head or a Security Supervisor; and one of the following: Senior P&P Officer or other P&P Officer, Educational Instructor, or treatment program provider. Other staff i.e., medical/mental health, may be present as needed to provide information relevant to the FRC proceeding.
 - C. In addition to documenting positive progress, the FRC may be called upon to address a probationer's/parolee's negative behaviors. All FRC findings must be documented in *Case Notes*.
 1. The FRC will meet with the probationer/parolee and review the probationer's/parolee's overall behavior record while assigned to the CCAP.
 2. The FRC may recommend multiple progressive sanctions, including those listed in the *Authorized Disciplinary Penalties* section of Attachment 4 and by making any necessary treatment revisions to the probationers/parolees *CCAP Case Plan* to motivate and/or to correct cognitive or behavioral

deficiencies in order to allow the probationer/parolee an opportunity to complete the CCAP.

- D. The FRC may recommend the probationer/parolee be moved to another CCAP facility as needed to address previously unknown treatment needs related to the current violation.
- E. The FRC will forward its recommendation to the Facility Unit Head using the [Facility Review Committee Report](#) 940_F18.
- F. Once the Facility Unit Head acts on the recommendation of the FRC the completed [Facility Review Committee Report](#) will be uploaded to VACORIS.

XI. Facility Review Committee for CCAPs with Spectrum Health Services

- A. At CCAPs, with Spectrum Health Services, FRC's will serve a dual purpose. Along with the normal operational task of reviewing and evaluating the general overall progress of a probationer/parolee at CCAPs, with Spectrum Health Services the FRC is to review program progression of CCAP participants with a holistic approach to support the client in developing recovery skills, intrinsic motivation, adaption of prosocial skills and self-efficacy.
- B. FRC Meetings are required bi-monthly unless a more frequent basis is needed to complete all client review periods to include Intake, Phase Progression, and Release. Spectrum Health Services are responsible for scheduling the bi-monthly meetings.
- C. These FRC's will be composed of the Senior Probation Officer, the probationer's/parolee's Probation Officer, the Spectrum Treatment Director, Spectrum Counselors, and Security, Education, Medical, Mental Health if and as needed.
- D. The recommendations of these FRC's require the approval of the Facility Unit Head, or in their absence the Assistant Facility Unit Head.
- E. Upon approval, the CCAP probationer/parolee participant will receive a summary document from the chair of the FRC that explains the results of the review and identifies any target areas the probationer/parolee may need to address before their next review. The FRC Report will minimally contain:
 - 1. Probationer/parolee Progress (progress - affirm; feedback - areas to grow)
 - 2. Probationer/parolee Goals (recovery steps, behavioral action steps, thinking challenges)
 - 3. Staff Support Actions (incentives, new assignments/responsibilities, etc.)
 - 4. Tentative Next Review Date
 - 5. Probationer/parolee Response
- F. Intake into Intensive CCAP Treatment Units
 - 1. The FRC will review information from the following sources to ensure smooth transition to the Intensive Site: Program Eligibility Brief Screening For CCAP, to include previous substance use history to including recent drug screens, overdose history, previous treatment experience, as well as mental health medications, etc., COMPAS, ASI, Texas Christian University Drug Screen 5 (TCUDS5), Individual Assessment Note (Spectrum), mental health screener, medical review, and education and vocation history. The [Intake Review for Placement at Intensive CCAP Sites](#) 940_F23 should be utilized to document this review.
 - 2. Staff from both the initial Intake site and the receiving Intensive site should conduct the review virtually in Week 4, so all can participate.
- G. The FRC will review the case in the following areas to ensure Phase Up is appropriate:
 - 1. Phase 1
 - a. Program participation and group absences



- b. Completion of homework assignment and timeliness for groups/activities
 - c. Acknowledgment of addiction and recovery needs
 - d. Ability to complete thorough thinking reports
 - e. Engagement with staff
 - f. Utilization of tools with community and staff
 - g. Demonstration of leadership skills in the Community
 - h. Disciplinary Infractions
2. Phase 2 - the FRC will review the case in the same areas as Phase 1 to ensure Phase Up is appropriate.
 3. Phase 3 - the FRC will review the case in the following areas as well as the areas in Phase 1 to ensure discharge planning is appropriate:
 - a. Establishment of release/home plans
 - b. Necessary documents obtained
 - c. Workforce preparation to include Resume, Bonding Letter, etc.
 4. Interim Participant Review - the FRC will review the case in the following circumstances to ensure effective intervention:
 - a. Institutional Infraction 100 Series
 - b. Potential Probation Violation
 - c. Mental Health or Medical need review to include infractions involving misuse of medication
 - d. Life change, i.e., family death, change in probation status, etc.

XII. Facility Operational Review Multi-Disciplinary Team Meetings at CCAP

- A. The Facility Unit Head, or in their absence the Assistant Facility Unit Head, will ensure that bi-monthly Facility Operational Review Multi-disciplinary Team Meetings are scheduled and held.
- B. The purpose of these meetings are to bring the various elements of the Unit staff together to review operational challenges, successes and upcoming events. This may include program/education space allocations, ceremonies and speakers, Food Service, maintenance and sanitation needs, staffing changes, review of departmental and Unit operating procedures, memos, etc.
- C. The Facility Unit Head, or in their absence the Assistant Facility Unit Head, will chair the Facility Operational meetings.
- D. Minimally attending these Facility Operational review meetings will be the Facility Unit Head, Assistant Facility Unit Head, Senior Probation and Parole Officer, Spectrum Director, Education and Medical staff, Food Service and Buildings and Grounds staff, and other specific disciplines or individuals who may be asked to join on an as needed basis.
- E. The Chair will ensure that meeting minutes are taken and maintained.

XIII. Probationer/Parolee Discipline

- A. This section provides guidance on the Community Corrections Alternative Program disciplinary process and appropriate procedural safeguards, to include: **(4-ACRS-6C-03)**
 1. Report of incident and alleged violation
 2. Notice
 3. Time to prepare for hearing
 4. Assistance as needed
 5. Timely hearing
 6. Opportunity to present evidence



7. Fair decision
 8. Written notice of decision
 9. Opportunity to appeal
- B. Major and Minor disciplinary infractions are listed on Attachment 4, *General Rules of Behavior and Disciplinary Infractions*. (4-ACRS-3A-01)
1. Each facility will ensure that all program rules and regulations pertaining to probationers/parolees are conspicuously posted or included in a handbook that is accessible to all probationers/parolees and staff. (4-ACRS-3A-03)
 2. Facility rules and regulations are reviewed at least annually and updated, if necessary. (4-ACRS-3A-02)
- C. Probationer/Parolee Conduct Reports: (4-ACRS-6C-01)
1. Any facility staff member may utilize a [Probationer Parolee Conduct Report](#) 940_F15 to document and address probationer/parolee behavior outside the formal disciplinary process.
 2. The *Conduct Report* provides an informal process where minor violations are addressed with “on the spot corrections”. These minor violations must be documented so that staff can detect patterns of repeated violations.
 3. Staff must submit completed *Conduct Reports* to the Officer-in-Charge (OIC) before the end of the shift in which the violation was discovered.
 4. The OIC must log the *Conduct Report* in a manner and location as determined by each Facility Unit Head; have the original placed in the probationer’s/parolee’s *Case File* and have copies provided to the Assistant Facility Unit Head and to the probationer/parolee.
- D. Filing of CCAP Violation Report:
1. If a staff member (Reporting Officer) believes an violation cannot properly be handled by an *Conduct Report*, they should file a [CCAP Violation Report](#) 940_F16 with the Officer-in-Charge (OIC), providing the following information:
 - a. The provision of Attachment 4, *General Rules of Behavior and Disciplinary Infractions* or the specific condition of [Conditions of Community Corrections Alternative Program](#) 940_F14 that was violated (4-ACRS-6C-02)
 - b. Date and time violation occurred
 - c. Name and number of probationer/parolee charged
 - d. Facility where violation occurred
 - e. Accused probationer’s/parolee’s living area assignment
 - f. Location within or without the facility where the violation occurred
 - g. Description of the violation - use the formula of: who, what, when, where, and how to provide summary of pertinent details, to include disposition of any evidence involved (4-ACRS-6C-02)
 - h. Names of witnesses (staff or probationers/parolees) to the incident, if any
 - i. Signature of the Reporting Officer
 - j. Date and time report is made
 2. The Reporting Officer should file the *CCAP Violation Report* during the shift when the evidence supporting the alleged violation is discovered or investigation on the matter is concluded.
- E. Review and Investigation by the Shift Commander - Upon receipt of a *CCAP Violation Report*, the OIC will:
1. Review the *CCAP Violation Report* for completeness and accuracy of information provided

2. Ensure that the condition cited or offense listed corresponds to the description of the alleged violation
3. Request additional information, if necessary
4. Determine if sufficient information exists to notify the probationer/parolee of the alleged violation
5. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred must not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. (§115.278[f])
6. The facility may discipline a probationer/parolee for filing a grievance related to alleged sexual abuse only where the facility demonstrates that the probationer/parolee filed the grievance in bad faith. (§115.252[g])
7. The facility may discipline a probationer/parolee for sexual contact with staff only upon a finding that the staff member did not consent to such contact. (§115.278[e])

F. Decision by Officer-in-Charge

1. After reviewing the *CCAP Violation Report*, the OIC may:
 - a. Choose not to process the *CCAP Violation Report* due to lack of evidence or other irregularities (probationer/parolee to be informed)
 - b. Dispose of the *CCAP Violation Report* informally by discussing it with the probationer/parolee (4-ACRS-6C-01)
 - c. Refer the *Report* to the Hearings Officer for a hearing.
2. The OIC must have the *CCAP Violation Report* served on the probationer/parolee as soon as practicable. The probationer/parolee will be advised of the following rights in the disciplinary process:
 - a. The right to be present at the hearing
 - b. The right to present written or oral testimony from witnesses
 - c. The right to a 24 hour minimum preparation time (may be waived)
 - d. The right to a [Community Reporting Officer Response Form](#) 940_F17 to submit questions to the Reporting Officer if the Reporting Officer will not be present at the hearing
 - e. Probationers/parolees will not be afforded an attorney to represent them in disciplinary hearings.
3. The probationer/parolee should sign to acknowledge that the *CCAP Violation Report* was served and the probationer/parolee was given the advisement of rights. If the probationer/parolee refuses to sign, the serving officer must sign the *Report* to document that the *CCAP Violation Report* was served on the probationer/parolee.
4. The probationer/parolee will receive a copy of the *CCAP Violation Report*. (4-ACRS-6C-02)

G. Hearing Officers

1. Each Facility Unit Head will designate one or more senior staff to serve as Hearings Officers.
2. Hearings Officers will conduct each disciplinary hearing and will have the following qualifications:
 - a. Documented appointment by the Facility Unit Head
 - b. Successfully complete any training requirements
 - c. Possess a thorough understanding of the disciplinary process
 - d. Be an objective and impartial decision-maker
3. Hearings Officers will model the guiding principles of the *DOC Code of Ethics*

H. Disciplinary Hearing for Violations

1. Hearings should be held as soon as practicable after the service of the *CCAP Violation Report* while allowing the probationer/parolee 24 hours to prepare (unless waived by the probationer/parolee). If



- the hearing must be delayed because the Reporting Officer is off duty, the *CCAP Violation Report* should be heard within two working days of the staff members return to duty.
2. The Hearings Officer will conduct a private, informal hearing in the presence of the accused probationer/parolee, and any staff or probationer/parolee witnesses (except confidential witnesses).
 - a. If the Reporting Officer will not be present at the hearing, the written *CCAP Violation Report* and responses on any *Community Reporting Officer Response Form* will stand as the testimony of the Reporting Officer. The Hearings Officer will determine if the Reporting Officer will be present at the hearing.
 - b. The hearing need not be recorded.
 - c. The Hearings Officer may call witnesses into the hearing to provide their testimony and then excuse them from the hearing.
 - d. The probationer's/parolee's P&P Officer or other staff member may be present during the hearing to assist the probationer/parolee.
 - e. All confidential information presented to the Hearings Officer will be in writing, stating the facts and manner in which the individual came to know these facts.
 - i. The statement will be signed by the witness or the staff member who took the statement.
 - ii. At the Hearing, the Hearings Officer is to present the information in such a manner that will not disclose the identity of the confidential witness.
 - iii. The probationer/parolee will be given the opportunity to challenge the content; but will not have the opportunity to confront or know the identity of the confidential witness.
 - f. The Reporting Officer and any witnesses should be excused from the hearing before the Hearings Officer renders a decision.
 3. The Hearings Officer should consider the testimony of the Reporting Officer, the accused probationer/parolee, and any witnesses.
 - a. Based only upon facts presented concerning the alleged violation, the Hearings Officer will make a fair decision of innocence or guilt using no standard higher than a preponderance of the evidence. (§115.272)
 - b. The Hearings Officer will document the reason for the decision on Page 2 of the *CCAP Violation Report*.
 4. Offense Code 105, a., b., c., d., e., and f.
 - a. Any probationer/parolee found to have violated any infraction under Offense Code 105 will be referred to their facility P&P Officer for reassessment of the probationer's/parolee's risk of sexual victimization or abusiveness. At the discretion of the Hearings Officer, making sexual advances and engaging in consensual sexual activity may also warrant referral. (§115.241[g], 115.278 [g])
 - b. A probationer/parolee found to have violated Offense Code 105 by commission of sexual act must be referred to the FRC for review and consideration of removal from the program. At the discretion of the Hearings Officer, making sexual advances may also warrant referral.
- I. The sanction(s) assessed should be noted on the *CCAP Violation Report*; see Attachment 4, *General Rules of Behavior and Disciplinary Infractions*. (§115.278 [a])
1. In determining the appropriate sanction, consideration must be given to the nature and circumstances of the violation committed, the probationer's/parolee's disciplinary history, and the sanction imposed for comparable violations committed by other probationers/parolees with similar histories. (4-ACRS-6C-04; §115.278[b])
 - a. Consideration must be given to whether a mental disability or mental illness contributed to the probationer's/parolee's behavior when determining what type of sanction, if any, should be imposed. (§115.278[c])
 - b. Probationers/parolees are not subjected to corporal or unusual punishment, humiliation, mental

abuse, or punitive interference with the daily functions of living, such as eating or sleeping. (4-ACRS-6A-03)

2. Authorized sanctions for violating program rules are listed on Attachment 4, *General Rules of Behavior and Disciplinary Infractions* (4-ACRS-3A-01)

J. Review of *CCAP Violation Reports* - Upon a finding of guilt, the *Report* should be reviewed by the Facility Unit Head or Assistant Unit Head within three working days following disposition by the Hearings Officer for appropriateness of sanction assessed and adherence to specified procedures.

K. Appeals of Disciplinary Hearing Decisions

1. The probationer/parolee, if found guilty, may appeal the decision of the Hearings Officer.
2. The probationer/parolee must submit their appeal by completing the appeal section of the *CCAP Violation Report* and submitting it to the Facility Unit Head, or the Assistant Facility Unit Head in the absence of the Facility Unit Head, within two working days after the Hearing.
3. The Facility Unit Head should respond in writing to the probationer's/parolee's appeal within five working days of receipt of the probationer's/parolee's appeal.
4. The Facility Unit Head may approve the action of the Hearings Officer, reduce or suspend the sanction(s) imposed, or refer the *CCAP Violation Report* back to the OIC and/or Hearings Officer for reconsideration or correction of procedural errors.
5. The decision of the Facility Unit Head is final and no further appeals are available.

L. The original copies of all *Conduct Reports* and *CCAP Violation Reports* where the probationer/parolee is found guilty should be maintained in the probationer/parolee *Case File*. If the probationer/parolee is found not guilty, the Hearings Officer may retain the *CCAP Violation Report* in a secure file, but the report will not be placed in the probationer/parolee *Case File*.

M. When a probationer's/parolee's pattern of behavior reflects the need for additional review, the Hearings Officer, after a finding of guilt, may refer the disposition of any Violation of *CCAP Conditions* or *General Rules of Behavior* to the Facility Review Committee.

XIV. Detention of Probationers/Parolees

A. The Facility Unit Head will delegate in writing those facility staff members who may authorize the detention of a probationer/parolee in mechanical restraints or by placement in a secured holding cell.

1. This authorization will be posted or maintained in a procedure manual easily accessible to all facility staff.
2. Any time a probationer/parolee is detained, the facility Administrative Duty Officer must be notified immediately, and permission secured to continue the use of mechanical restraints and/or placement in a holding cell.
3. Detentions will not be used for disciplinary or punishment sanctions.

B. A probationer/parolee may be detained in approved restraints in accordance with Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior* (Restricted),

1. A probationer/parolee should not be detained in restraints for a period greater than four hours.
2. If it becomes necessary to maintain the restraints for a period of more than four hours due to the probationer's/parolee's behavior, the probationer/parolee will be given the opportunity to use the restroom.

C. Use of Holding Cells

1. The Assistant Facility Unit Head must review any detention of a probationer/parolee in a secured holding cell within 72 hours or less and recommend to the Facility Unit Head; release of the



probationer/parolee, referral to the Hearings Officer, or referral to the FRC for formal review of program continuation or removal.

2. Detention, not to exceed 72 hours, may be utilized during an investigation while facts and information are gathered prior to the filing of a *Disciplinary Report*.
3. A holding cell used for overnight housing must be equipped with a bed above floor level, a working toilet, hand basin, appropriate lighting, and ventilation.
4. Any probationer/parolee detained in a holding cell through a meal will be fed the same meal on the same schedule as the rest of the population.
5. Any probationer/parolee detained in a holding cell must be given prescribed medication as scheduled.
6. Any probationer/parolee detained in a holding cell overnight should be provided with the same bed linens and mattress and pillow as permitted the general population, probationer/parolee behavior permitting.
7. Any probationer/parolee detained in a holding cell will be permitted to shower and shave at least every third day.
8. Probationers/parolees that are detained in a holding cell should forfeit all personal property privileges.
 - a. Probationers/parolees should be provided appropriate clothing and may be permitted to have one religious book.
 - b. All personal property must be secured and inventoried at the time the probationer/parolee is placed in the holding cell.
9. Each probationer/parolee detained in a holding cell should be checked by a Corrections Officer at least every 60 minutes on an irregular schedule, with each check recorded on the [Individual Offender Log 425_F4](#).
 - a. Each probationer/parolee that is believed to be under the influence of drugs or intoxicants should be checked by a Corrections Officer at least every 15 minutes, with each check recorded on the [Special Watch Log 425_F5](#).
 - b. Each probationer/parolee who is believed to be a threat to themselves should be checked by a Corrections Officer at least every 15 minutes, with each check recorded on the [Special Watch Log 425_F5](#).
 - c. With approval of the Facility Unit Head, an offender who is at a CCAP and who is considered at imminent risk, threatening or exhibiting self-injurious, suicidal, or dangerous behavior will be transferred as soon as possible to a hospital, see Operating Procedure 720.7, *Emergency Medical Equipment and Care* or jail.
 - i. A Community Corrections Psychology Associate assigned to the CAAP or District Mental Health Clinician (DMHC) should be advised and consulted as conditions permit.
 - ii. See Operating Procedure 730.2, *MHS: Screening, Assessment, and Classification*, Attachment 1 *Guidelines to Access Emergency Mental Health Services* for additional guidance.

XV. Documentation

- A. All actions related to detention of a CCAP probationer/parolee should be recorded in the probationer/parolee *Case Notes*.
- B. Copies (or originals if available) of all documents related to detention of a CCAP probationer/parolee should be placed in the probationer/parolee *Case File*.

XVI. Violation/Removal Process

- A. When sanctions at the facility level are not appropriate; the P&P Officer must obtain a supervisor's approval and seek case handling instructions from the referring district to issue a PB 15 and document in the Case Notes. CCAP facility staff is directed to refer to Operating Procedure 920.6, *Violation of*



Supervision Conditions for specific guidance.

- B. A probationer/parolee otherwise eligible and suitable for a CCAP may have the intake deferred or may be temporarily removed from the program to receive medical treatment or other services necessary to allow successful completion of the program. The probationer's/parolee's legal status (incarceration, supervision, etc.) during the deferral or temporary removal will be determined by the referring agency (court or Parole Board).
- C. A probationer/parolee can be removed from CCAP for the following reasons:
1. General disciplinary reasons
 2. Violation of the Conditions of Probation/Parole
 3. Voluntary withdrawal
 4. Inability to physically or mentally comply with the program
 5. New criminal charge
 6. Intractable behavior
- D. A probationer/parolee who is removed or voluntarily withdraws from a CCAP is subject to the court or Parole Board evoking a show cause to show why the probationer's/parolee's probation, parole, or post release supervision and suspension of sentence should not be revoked.
- E. Voluntary Withdrawal
1. A probationer/parolee may make a request for voluntary program removal at any time during their tenure in the program.
 2. A program staff member, generally a P&P Officer, should meet with the probationer/parolee and review the probationer's/parolee's decision with them to assure that the probationer/parolee is aware of all possible consequences of their decision.
 3. Results of this meeting should be reported to the Facility Unit Head to aid in decisions concerning the probationer's/parolee's status and appropriate handling of the case.
- F. Involuntary Removal
1. Recommendations for program removal may be made as the result of Disciplinary Hearings, actions by the FRC, or by recommendations from facility staff.
 2. The Facility Unit Head, or designee after consultation with the Facility Unit Head, may administratively remove a probationer/parolee from the program immediately upon the issuance of a *Probation Officer's Arrest Authority* PB-15 Warrant, when the probationer's/parolee's behavior possess a significant risk to themselves or others to include substantiated PREA complaints of sexual harassment or abuse. The Facility Unit Head or designee completes and signs the [Facility Review Committee Report](#) 940_F18 authorizing immediate removal of the probationer/parolee. (4-ACRS-5A-06)
 3. Disciplinary hearing documents or FRC documentation resulting in the recommendation for removal should be reviewed and signed by the Facility Unit Head or, in their absence, the Assistant Facility Unit Head. (4-ACRS-5A-06)
- G. Involuntary Medical Removal
1. In accordance with Operating Procedure 720.1, *Access to Health Services*, a probationer/parolee may be medically removed from the program if a medical condition prevents the probationer/parolee from participating in the program.
 2. A probationer/parolee who is determined by the facility Health Authority to have a medical condition that necessitates program removal will notify the Facility Unit Head or designee to initiate the probationer's/parolee's removal.

3. The probationer's/parolee's facility P&P Officer or a higher authority will contact the sentencing Judge, through the local P&P Officer and request authorization to allow the probationer/parolee to return to their established re-entry location and to remain at liberty pending a resentencing hearing.
 - a. If the judge approves the request, transportation will be arranged and the probationer/parolee will be under the supervision of the original P&P Office pending the resentencing hearing.
 - b. If the judge denies the request, detain the probationer/parolee on a PB-15 arrest warrant and transport to the local jail to await the resentencing hearing.

H. Documentation

1. All actions related to removal of a CCAP probationer/parolee should be recorded in the probationer/parolee *Supervision Notes* in VACORIS.
2. Copies or originals if available, of all documents related to removal of a CCAP probationer/parolee should be placed in the probationer's/parolee's Case File.

I. Notification of Facility Removals

1. Authorization will be secured from the Facility Unit Head, or the Assistant Facility Unit Head in the absence of the Facility Unit Head, prior to a probationer/parolee being removed from the Facility. (4-ACRS-5A-06)
2. A facility representative should notify the referring P&P Office or Parole Release Unit immediately upon determination that a probationer/parolee will be removed from the Program.
3. When a probationer/parolee is removed, the following staff should be notified immediately:
 - a. Assistant Facility Unit Head/Chief of Security
 - b. Senior P&P Officer
 - c. Probationer's/parolee's assigned P&P Officer - for issuance of PB-15
 - d. Shift Commander or Officer-in-Charge
 - e. Property Officer
 - f. Medical staff - to ensure that all necessary medications and medical information accompany the probationer/parolee
 - g. Fiscal Technician/Office Services Specialist (notify the next working day if removal is not during working hours)

J. Probationers/Parolees under the Jurisdiction of the Court

1. A PB-15 will be issued and the probationer/parolee will be returned to the originating jurisdiction.
2. The referring P&P Office will be notified of the removal and the local jurisdiction should be contacted for case handling instructions.
3. Facility staff will promptly prepare a *Major Violation Report*; see Operating Procedure 920.6, *Violation of Supervision Conditions*.

K. Probationers/Parolees under the Jurisdiction of the Parole Board

1. A PB-15 will be issued and the probationer/parolee will be held in custody.
2. Program staff in conjunction with the referring P&P District Office will ensure that a Preliminary Parole Violation Hearing is held.
3. If probable cause is found, program staff will prepare a *Major Violation Report* and submit it to the Post Release Unit.
4. A courtesy copy of the report will be provided to the originating unit. If circumstances warrant, the Post Release Unit will be contacted for case handling instructions.

L. Completion of the Community Corrections Alternative Program



1. Successful completion of CCAP is based on the probationer/parolee completing all goals established in their individualized *CCAP Case Plan*, which was reviewed and updated throughout program participation to address the probationer's/parolee's identified needs.
2. There is no specific time-period in which a probationer/parolee completes the CCAP but targeted completion ranges from 22 to 48 weeks.
3. A facility P&P Officer or other assigned staff will monitor the probationer's/parolee's progress throughout CCAP providing periodic updates to the probationer/parolee, evaluating their progress and citing any areas of concern.
4. When the probationer/parolee is deemed to be nearing completion, the FRC will interview the probationer/parolee and review their progress to either approve completion or recommend additional treatment goals.
5. At least ten days preceding a probationer's/parolee's graduation from a CCAP, the probationer/parolee will be drug tested in accordance with Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*.

XVII. Transition/Discharge Issues

1. Facility staff are responsible for submitting an *Interstate Compact Transfer* request in ICOTS for eligible probationers/parolees whose home plan is out-of-state in accordance with Operating Procedure 920.4, *Interstate Transfer of Supervision*. If the Interstate transfer is accepted prior to the probationer's/parolee's release from the CCAP, facility staff will submit an ICOTS *Notice of Departure* and then transfer the ICOTS case to the sentencing P&P District. The Interstate Compact Unit can assist facility staff in transferring ICOTS cases.
2. If needed, probationers/parolees are aided with their transition to the community, including referrals to assist probationers/parolees in locating suitable housing. (4-ACRS-5A-13)
3. Facility and P&P District resources are available to assist probationers/parolees in locating jobs. (4-ACRS-5A-20)
4. CCAP staff anticipating that upon discharge the probationer/parolee may experience problems associated with housing, who may be medically or mentally disabled, has no viable home plan or other such problematic issues upon release should complete a [Request for Assistance - Problematic Release](#) 940_F25 and submit the *Request for Assistance* to the Community Release Unit (CRU).
5. Staff will review the probationer's/parolee's performance periodically to ensure that the probationer/parolee is making acceptable progress towards completion of the program and will document the outcome of each review. (4-ACRS-5A-01, 4-ACRS-5A-05)
 - a. 60 days after arrival at the intensive site and prior to discharge, staff should review as needed, a home plan, an employment plan, and follow-up treatment service.
 - b. Prior to discharge CCAP Staff will utilize Attachment 5, *Home Plan Confirmation - Sample Letter* to contact the probationers/parolees expected community placement to confirm the Home Plan.
 - c. Before graduation, staff will conduct a final review to ensure the probationer/parolee has successfully completed the required program elements.
6. Additional information related to probationer/parolee discharge/transition may be found in Operating Procedure 820.2, *Inmate Re-entry Planning* along with the following documents, which are associated as attachments to *Inmate Re-entry Planning*:
 - a. Attachment 3, *Community Re-entry Specialists Area Assignments*
 - b. Attachment 4, *Obtaining Healthcare after CCAP*
 - c. Attachment 5, *Restoration of Civil Rights Information*
 - d. Attachment 6, *Work Opportunity Tax Credit*
7. After the probationer's/parolee's discharge from the CCAP program, the facility P&P Officer should



create a *Discharge Report* in VACORIS *Case Notes* for use by the supervising P&P Officer or the next facility P&P Officer for dually sentenced probationers/parolees. (4-ACRS-5A-15) The elements of a *Discharge Report* are:

- a. Evaluation of probationer/parolee conduct including interaction with others and disciplinary record
 - b. Documentation of probationer/parolee progress and performance in work, education, and programming
 - c. Comments regarding program participation, follow-up needs, and potential issues for community supervision
 - d. Community resource references that affected the outcome of supervision
 - e. Any unusual occurrences
 - f. General Comments
8. In accordance with COV §19.2-316.4, *Eligibility for participation in community corrections alternative program; evaluation; sentencing; withdrawal or removal from program; payment of costs*, probationers will be placed on supervision, for a period of not less than one year, following successful completion of the CCAP.
9. Parolees will continue on supervision subject to such terms and conditions as are imposed by the Parole Board.
10. Identity and Employment Documents - Probationers/parolees assigned to a CCAP, taking into account the probationers's/parolee's personal financial situation, should be encouraged to obtain their official birth certificate.

XVIII. Sex Offender Supervision in CCAP

- A. Those probationers/parolees who have been convicted of a sex offense who meet the criteria referenced in Operating Procedure 930.2, *Community Corrections Alternative Program Referral Unit* may, on a case-by-case basis, be evaluated and considered for commitment to a CCAP.
- B. All probationers/parolees, to include those probationers/parolees admitted into the CCAP who have been convicted of a sex offense, will be assigned to facility resources and programs based on an individual risk/needs assessment and a face-to-face analysis of the probationer's/parolee's needs established during the development of the *CCAP Case Plan*.
- C. The Facility Unit Head will ensure that each sex offender admitted to the program receives the same housing, treatment, medical, mental health, educational, and vocational opportunities as every other offender in the program.
- D. Sex Offender Employment
 1. Those probationers/parolees admitted who have been convicted of a sexually related criminal offense will not be automatically denied the opportunity to secure community employment if community employment is available as part of the program for the general program population and is deemed in the best interest of the Commonwealth and the probationer/parolee.
 2. The FRC in conjunction with the probationer's/parolee's P&P Officer will review and make a recommendation to approve or disapprove community placement for employment.
 - a. The Facility Unit Head or Assistant Facility Unit Head will review and approve or disapprove all FRC recommendations.
 - b. All FRC actions will be documented on the [Facility Review Committee Report](#) 940_F18 and the original signed copy will be maintained in the probationer's/parolee's *Case File* during the probationers/parolees stay in the program.
 3. Employment for sex offenders should not include jobs that would place them in high-risk situations according to their offense pattern.



4. The P&P Officer will verify the employment and ensure that the employment is not in violation of any section of the Code of Virginia.
 5. The P&P Officer will communicate with the employer to minimize the potential of working in high-risk situations.
 6. Sex offenders must be checked at their place of employment consistent with current facility practice for other probationers/parolees.
 7. Community employment site visits by the probationer's/parolee's P&P Officer or other facility staff will be minimally documented with a VACORIS log note.
- E. Sex Offender and Crimes against Minors Registration (*SP-236 Form*)
1. Virginia law requires all individuals convicted of certain sex offense(s) or murder of a minor to register with the Virginia State Police; see Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*.
 2. The Facility Unit Head will ensure that the facility Senior P&P Officer and a designated alternate have successfully completed *Sex Offender Registry* training offered by the Virginia State Police in order to ensure that sex offenders are properly documented within the *Sex Offender and Crimes Against Minors Registry*.
 - a. Sex offenders that are required to register must re-register when entering a CCAP using the *Virginia State Police Registration Form (SP-236)* form.
 - b. Facilities should contact the Virginia State Police (VSP) to obtain the most current version of the *SP-236*.
 3. The supervising P&P Officer will complete the [Change of Address by Registered Sex Offender \(SP-237\)](#) 735_F11 upon becoming aware of any change of home, job, or school address and will send the *SP-237* to the Virginia State Police.
 - a. While assigned to the CCAP facility, the probationer's/parolee's address for registration will be "Department of Corrections, 6900 Atmore Drive, Richmond, VA 23225".
 - b. A copy of the *SP-237* should be retained in the probationer's/parolee's *Case File*.
 - c. The probationer/parolee is to be provided a copy; see Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.
 4. Prior to discharge from the CCAP, the supervising P&P Officer will provide the probationer with a copy of Attachment 3, [Sex Offender and Crimes Against Minors Registry Guidelines](#) from Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.

REFERENCES

COV §19.2-316.4, *Eligibility for participation in community corrections alternative program; evaluation; sentencing; withdrawal or removal from program; payment of costs*

COV §19.2-354, *Authority of court to order payment of fine, costs, forfeitures, penalties or restitution in installments or upon other terms and conditions; community work in lieu of payment*

COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

Operating Procedure 038.3, *Prison Rape Elimination Act (PREA)*

Operating Procedure 210.1, *Internal Fiscal Controls*

Operating Procedure 210.2, *Cash Management*

Operating Procedure 210.3, *Accounts Receivable*

Operating Procedure 210.4, *Accounts Payable Administration and Management*

Operating Procedure 240.1, *Travel*

Operating Procedure 420.2, *Use of Restraints and Management of Offender Behavior (Restricted)*



Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*
Operating Procedure 720.1, *Access to Health Services*
Operating Procedure 720.7, *Emergency Medical Equipment and Care*
Operating Procedure 730.2, *Mental Health Services: Screening, Assessment, and Classification*
Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*
Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*
Operating Procedure 802.1, *Offender Property*
Operating Procedure 802.2, *Offender Finances*
Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*
Operating Procedure 810.1, *Offender Reception and Classification*
Operating Procedure 810.2, *Transferred Offender Receiving and Orientation*
Operating Procedure 820.2, *Inmate Re-entry Planning*
Operating Procedure 841.5, *Offender Alcohol and Other Drug Testing and Treatment Services*
Operating Procedure 864.1, *Offender Grooming and Hygiene*
Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*
Operating Procedure 920.4, *Interstate Transfer of Supervision.*
Operating Procedure 920.6, *Violation of Supervision Conditions*
Operating Procedure 930.2, *Community Corrections Alternative Program Referral Unit*

ATTACHMENTS

Attachment 1, *Employer's Community Work Agreement*
Attachment 2, *Community Employment Agreement*
Attachment 3, *CCAP Limited Psychotropic Keep on Person Program*
Attachment 4, *General Rules of Behavior and Disciplinary Infractions*
Attachment 5, *Home Plan Confirmation - Sample Letter*

FORM CITATIONS

[Acknowledgement of Preventing Sexual Abuse and Sexual Assault Training](#) 038_F4
[Emergency Notification Information](#) 050_F11
[Individual Offender Log](#) 425_F4
[Special Watch Log](#) 425_F5
[Change of Address by Registered Sex Offender \(SP-237\)](#) 735_F11
[Notification to Offender of Release of Liability](#) 802_F3
[General and Special Purpose Correspondence Notification](#) 803_F1
[PREA Reassessment](#) 810_F1
[Unsuitability - Community Corrections Facilities](#) 940_F10
[Conditions of Community Corrections Alternative Program](#) 940_F14
[Probationer Parolee Conduct Report](#) 940_F15
[CCAP Violation Report](#) 940_F16
[Community Reporting Officer Response Form](#) 940_F17
[Facility Review Committee Report](#) 940_F18



[Cost of Probationer/Parolee Keep](#) 940_F19

[Intake Review for Placement at Intensive CCAP Sites](#) 940_F23

[Interstate Compact Pre-Release Checklist](#) 940_F24

[Request for Assistance - Problematic Release](#) 940_F25

Sex Offender and Crimes Against Minors Registration Form (SP-236)

