

	State of Alaska Department of Corrections Policies and Procedures	Index #: 818.09	Page 1 of 3	
		Effective:		Reviewed: 10/2011
		Distribution: Public		Due for Rev: 10/2015
	Chapter:	Release, Preparation, and Temporary Release		
	Subject:	Parole		

I. Authority

In accordance with AS 44.28.030, AS 33.30.030, and 22 AAC 05.155, the Department of Corrections shall develop and adopt policies and procedures that are consistent with laws for the guidance, government and administration of correctional facilities, programs and field services.

II. References

Statute:

AS 33:30.011

AS 33:16.110

AS 33.20.010

III. Purpose

To establish procedures for the processing and release of eligible prisoners to Parole from Department institutions and contract facilities.

IV. Application

To all staff.

V. Definitions

As used in this document, the following definition shall apply:

A. Parole Authority

The decision making body which has the responsibility to grant, deny and revoke parole; the Alaska Board of Parole and published Parole Regulations.

VI. Policy

The Department will process, facilitate application and supervise prisoners eligible for or granted parole in accordance with Parole Regulations published by the Board of Parole.

VII. Procedures

A. The Parole Regulations, as published by the Board of Parole are attached here-to as Policy and Procedures of the Department for procedural application by all employees, prisoners and parolees. (Attachment – Parole Regulations, 1986).

B. Prisoners who are being considered for discretionary parole, mandatory parole conditions of conduct, or the good time credit adjustment in accordance with AS 33.20.010 will be processed by institutional staff as required by this policy and P&P 818.01 (Prisoner Pre-Release Programming) and will include a completed form 818.09A (Assessment for Good Time Credit and/or Request For Supplemental Mandatory Parole Conditions).

C. Pre-Release Assistance: The institutional Probation Officer shall help prisoners contact state agencies, businesses and community organizations that may meet their post-release needs. The Probation Officer shall develop a formal release plan for a prisoner before the prisoner appears before the Board of Parole for consideration of discretionary parole.

D. The Probation Officer shall develop a parole plan before the prisoner appears before the parole board as part of the Pre-Parole Report under A.S. 33.16.110. The plan must include:

1. the prisoner's Application for Parole form (818.09D);
 2. the Presentence Report; NOTE: if there is no Presentence Report, Police Reports and Criminal History;
 3. the Sentencing Judgment and Order;
 4. recommendations regarding parole made by the court, attorneys, the victim, the prisoner, or other persons having knowledge of the prisoner or the crime;
 5. any Request for Supplemental Mandatory Parole Conditions form (818.09A);
 6. reports of the prisoner's prior crimes, juvenile history, and previous experiences on parole or probation not included in the Presentence Report;
 7. physical, mental, and psychiatric examinations of the prisoner not included in the Presentence Report;
 8. Risk/Need Assessment form and interpretation for the supervision level for each prisoner whose parole plan calls for living in a community without a Probation field office;
 9. Time Accounting Record form (602.06A) and related documents; and
 10. Staff recommendations, including a summary and evaluation of all information available as it relates to discretionary parole.
- E. Updated Parole Packet: If the parole board grants the prisoner parole, the Probation Officer shall send an updated parole packet, including the documents listed under section D 1 above, and the release plan supervision form (818.01A) to the appropriate Probation District Supervisor. The Supervisor should be provided the packet at least 30 days before the prisoner's anticipated parole date. The Probation Officer shall call the District Supervisor at the same time or before he or she sends the parole packet to alert community corrections to a new case assignment.
1. The assigned Probation Officer shall verify the prisoner's release plan and notify the parole board of its approval or of an alternate plan.
 2. The parole board shall send the signed Parole Orders to the holding institution when the verifying Probation Officer approves the plan.
 3. The prisoner must sign the parole documents before his or her release to parole supervision. The institutional Probation Officer shall give the parolee a copy of the Conditions of Parole and instructions to report to the assigned Parole Officer on the next business day following release.
- F. Probation Supervision: The Probation Officer shall notify by telephone and hard copy the appropriate District Supervisor at least 30 days before the prisoner's release with the following information:
1. A brief evaluation of the prisoner and institutional record;
 2. Description of release plan and Notice of Release to Supervision (818.01A)
- G. Mandatory Parole (MR) Supervision: The institutional Probation Officer shall notify the parole board in writing 120 days before the prisoner's release to recommended supplemental parole conditions under AS 33.16.180(5). The Probation Officer shall also telephone the appropriate District Supervisor at least 30 days before the prisoner's release to alert the Supervisor of the new case assignment and the packet of materials described below.
1. The Parole Officer's notification to the parole board and the District Supervisor must include:

- a. Presentence Report; NOTE: if there is no Presentence Report, Police Reports;
- b. Sentencing Judgment and Order;
- c. Request for Supplemental Mandatory Parole Conditions form (818.09A);
- d. Description of release plan and Notice of Release to Supervision (818.01A);
- e. Physical, mental health, and psychiatric reports completed since the presentence report;
- f. Time Accounting Record form (602.06A) and related documents;
- g. Prisoner's instructions to report to the Parole Officer; and
- h. Copy of MR conditions and supplemental conditions established by the parole board.

Note: The institutional Probation Officer shall keep the documentation above in a file folder with the prisoner's name, date of birth, and institution on the index tab. The officer shall send the folder to a parole board member specified by the parole board's executive director.

2. A prisoner for whom the board is considering imposing a supplemental or special condition of parole under 22 AAC 20.205 will be provided a reasonable opportunity to comment on the proposed condition before its imposition, absent exigent circumstances. If exigent circumstances preclude the opportunity for the prisoner to comment before the imposition of the supplemental condition, the prisoner may comment on the condition and seek its modification or deletion upon notice of the condition. 22 AAC 20.270(c)
3. A prisoner released on mandatory parole is subject to mandatory parole conditions and the prisoner will be required to follow all mandatory parole conditions imposed. Refusal to sign the conditions does not negate the parolee's responsibility to adhere to the conditions. 22 AAC 20.270(c)
4. Victim Notification: See policy #818.03, Victim Notification.

VIII. Implementation

This policy and procedure is effective as of the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure within 14 days. All local policies and procedures must conform to the contents of this document and any deviation from the contents of this document must be approved in writing by the Commissioner or designee.

12/28/11



Date

Joseph D. Schmidt, Commissioner
Department of Corrections

Forms Applicable to this Policy:

818.09A	Institutional Conduct History & Assessment for Good Time Credit		
602.06A	Time Accounting Record Form	818.01A	Notice of Release to Supervision
818.09D	Application for Parole	808.01A	Release Plan Supervision Form