I. PURPOSE

This operating procedure provides for the planning and provision of transitional and re-entry services for offenders housed in Department of Corrections facilities. These services provide a system for offenders to successfully transition into their communities upon release from incarceration and for improving opportunities for treatment, employment, and housing while on community supervision.

II. COMPLIANCE

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws, Board of Corrections policies and regulations, ACA standards, and DOC directives and operating procedures.

III. DEFINITIONS

Annual Review - A uniform yearly review of an offender's classification, needs, and objectives which utilizes the Date Received into Corrections (DRC) or the Initial Classification Date (ICD) for offenders received on or after February 1, 2006 to establish the review month (Institutions only)

Community Release Unit (CRU) - A section of Offender Management Services whose function is to release all eligible offenders in a timely and legal manner; the CRU coordinates and facilitates release planning between DOC facilities, Probation and Parole Offices, and service providers. Community Re-entry Specialists in the CRU are assigned difficult cases to assist in developing release plans (see Community Re-entry Specialists Assignments, Attachment 1). Communication with the CRU should be by email through the Community Release Mailbox.

Employment Plan - The physical address and contact information for the job the offender intends to secure upon release.

High Risk Sexual Aggressor (HRSA) - As identified by the PREA Screening Checklist 810 F1 Classification Assessment and QMHP assessment, any incarcerated offender at high risk of being sexually abusive (added 9/13/13, revised 4/22/14)

High Risk Sexual Victim (HRSV) - As identified by the PREA Screening Checklist 810 F1 Classification Assessment and QMHP assessment, any incarcerated offender confirmed as a sexual victim or identified as
being at high risk of being sexually victimized (added 9/13/13, revised 4/22/14)

Home Plan - The physical address at which the offender will reside upon release, including residential programs or private residences

Imminent Death - In the independent judgment of the a DOC treating physician and a second licensed physician, one of which must be a DOC physician, the terminally ill offender, has an estimated three months or less to live. (added 2/21/14)

Offender Re-entry Timeline - A plan developed for each offender at their first permanent assignment and updated at annual review to ensure that the appropriate EBP programs and skill based courses are provided so that the treatment needs of the offender are addressed in chronological order and completed prior to release. (added 2/21/14)

Petitioner - An individual, such as a relative or close family friend, who requests Executive Medical Clemency on behalf of a terminally ill offender. (added 2/21/14)

Qualified Mental Health Professional (QMHP) - An individual employed in a designated mental health services position as a Psychologist or Psychology Associate, Psychiatrist, Social Worker (Masters level) or Registered Nurse or an individual with at least a Masters degree in psychology, social work or relevant human services field with knowledge, training, and skills in the diagnosis and treatment of mental disorders.

Re-entry Counselor - The institutional counselor with responsibility for assisting the offender to prepare for re-entry into the community; may be either a general counselor dealing with offenders on an assigned caseload or a specialist counselor dealing primarily with re-entry issues

Re-entry Case Plan - A report that includes each offender’s Home Plan, Employment Plan, and outlines short term and long term treatment needs based on an assessment of the offender’s criminogenic factors. Facility staff conducts periodic evaluations of each offender’s progress toward objectives for successful re-entry into the community on release from incarceration. DOC institutional staff evaluates each offender based on their Annual Goals. The Annual Goals should be tailored to available resources at the offender's assigned facility.

Terminal Illness - For the purposes of this operating procedure, the independent opinion of at least two physicians that an offender’s illness is expected to result in death within ten to twelve months of the date of the medical clemency physicians’ report. (added 2/21/14)

Transition Team - An interdisciplinary team which may consist of Counselors, Clinical Social Workers/Supervisors, Offender Workforce Development Specialists, Mental Health Services staff, Medical staff, Re-entry P&P Officers, and other staff who assist offenders by providing re-entry planning services. The counselor is designated as the primary coordinator for re-entry planning.

IV. RE-ENTRY PLANNING

A. General

1. Timely and thorough re-entry planning that supports an offender’s successful transition from prison to the community is critical for public safety. Facility services aimed at preventing future criminal behavior are most effective when combined with proper release preparation.

2. Re-entry planning begins with COMPAS needs assessments conducted at the offender’s reception into the DOC, occurs regularly during incarceration with treatment planning and program referrals designed to address the offender’s identified criminogenic needs, and progresses to the development and documentation of home and employment plans as well as addressing post-incarceration needs prior to release. Formal and informal information sharing between facility staff and community corrections staff is critical for successful transition of offenders. (2-CO-4G-01)

3. Qualified offenders may receive graduated release from incarceration by participation in offender re-entry or work release programs. (4-4444)
4. This operating procedure describes re-entry planning that should occur between facility and community corrections staff to effectively transition offenders from incarceration to the community in a manner that supports law abiding behavior. (4-APPFS-2C-04)

5. This operating procedure provides guidance to provide funds, transportation, and clothing to offenders upon their parole or discharge from custody of the DOC. (see also Operating Procedure 050.3, Facility Release of Offenders)

B. Assess Treatment Program Needs - Individual offender

1. Individual offender treatment program needs should be based on an assessment of the criminogenic factors that apply to that offender. The offender’s treatment program should provide evidence based interventions targeted to factors that relate to the individual’s criminal behavior. (4-ACRS-5A-02; 2-CO-4B-01)

2. Special Needs (2-CO-4B-01)
   a. Offenders identified as high risk of re-offending (HRSA) with a history of sexually assaultive behavior are assessed by a mental health or other qualified professional.
      i. Offenders with a history of sexually assaultive behavior are identified, monitored, and counseled. (4-4281-4)
      ii. Facilities that offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for sexually abusive behavior shall determine if offenders who are found guilty of a disciplinary or criminal offense for sexual abuse are required to participate in such interventions as a condition of access to programming or other benefits. (§115.78[d], (§115.278[d])
      iii. Offenders that do not comply with therapy, counseling, or other interventions should be charged with offense code 200 in accordance with Operating Procedure 861.1, Offender Discipline, Institutions or offense code 217 in accordance with Operating Procedure 861.2 Offender Discipline, Community Corrections Facilities (§115.78[d], (§115.278[d])
   b. Offenders identified as at risk for sexual victimization (HRSV) are assessed by a mental health or other qualified professional. Offenders at risk for sexual victimization are identified, monitored, and counseled. (4-4281-5)
   c. Offenders with alcohol and drug abuse problems should be identified early through a standardized battery assessment and treatment services provided. This battery shall be documented and include, at a minimum, the following: (4-4363-1, 4-ACRS-5A-08)
      i. Screening and sorting
      ii. Clinical assessment and reassessment
      iii. Medical assessment for appropriate drug and alcohol program assignment to the needs of the individual offenders
      iv. Referrals
   d. Offenders who were receiving or may be eligible to receive government or other benefits before conviction should be identified and documented.

3. Institutions
   a. The Counselor/Treatment Team in the Reception and Classification Center shall be responsible for identifying the treatment needs of each offender prior to the initial assignment utilizing:
      i. All available assessments and reports including the psychological assessment or evaluation, vocational/ educational tests, medical evaluation, pre/post-sentence report, FBI report, employment record, and all other appropriate information. (4-4298)
      ii. Input from the offender, offender's Counselor, Security Personnel, Housing Officer, and all other staff knowledgeable of the offender. (4-4297)
   b. The Counselor/ Treatment Team shall develop an Offender Re-entry Timeline for each offender at their first permanent institutional assignment and update at each annual review. (added 2/21/14)
      i. The Re-entry Timeline will be based on the results of the COMPAS and designed specifically
to address the individual criminal risks and identified treatment needs specific to each offender to ensure that appropriate programs and skill based courses are completed in chronological order to include which release track is forecasted for that offender. It shall be entered into VACORIS as a special entry in the Facility Notes.

ii. Counselors shall work with the offender to determine the amount of time necessary to complete the appropriate programming and record this as a special entry in the Facility Notes on VACORIS using the heading of Timeline.

iii. Offenders shall be recommended for transfer to the appropriate facility as needed to advance to the next step in their Re-entry Timeline.

iv. The Re-entry Timeline will be updated at each annual review or as events warrant.

c. The Counselor/Treatment Team should develop a Re-entry Case Plan in VACORIS within 30-90 days of the offender’s arrival at the first permanent facility assignment. The Re-entry Case Plan should include:

i. A Home Plan must be developed and entered into VACORIS as a proposed home plan address including the full address, the telephone number, and the releasing jurisdiction. The USPS button on the address page should be used to determine the proper jurisdiction of the home plan address and confirm that it is a proper postal address. VACORIS will determine the appropriate P&P District.

ii. A statement of the long term and annual needs and objectives of the offender as determined by the staff with input from the offender.

iii. Identification of the initial treatment needs of the offender in the areas of personal conduct, work/vocational or educational program assignment, and self-improvement.

iv. Program assignments must be documented on the Re-entry Case Plan. The preferred language should require the offender to “successfully participate in and complete” the program. The Re-entry Case Plan may be updated at any time but no less than at the annual review.

d. The Re-entry Case Plan should be revised within 30 days of permanent transfer to another facility, if needs or availability of programs are affected by the transfer.

e. The Counselor should utilize the Re-entry Case Plan to continually monitor and evaluate the offender's treatment needs and to establish objectives for addressing these needs.

f. The Counselor and the Institutional Classification Authority (ICA) should review and utilize the Re-entry Case Plan during the annual review to evaluate whether the offender is progressing towards attaining treatment objectives and to identify the ongoing needs of the offender.

i. The offender's progress is the major factor used to render the following annual review decisions in accordance with Operating Procedure 830.1, Facility Classification Management:
   (a) Security level
   (b) Transfer status
   (c) Special program participation
   (d) Good time award class level
   (e) Other decisions affecting the offender

ii. The revised Re-entry Case Plan primary and secondary Annual Goals will be documented in VACORIS and reported on the Annual Review Summary DOC 12 (see Operating Procedure 830.1, Facility Classification Management).

iii. The Home Plan must be reviewed with the offender and updated as needed in VACORIS at each annual review and within six months of the offender’s expected release date.

iv. The Emergency Notification Information 050_F11 contained in VACORIS and the offenders record should be reviewed and updated, if necessary, at each annual review or sooner if a change is reported.

v. The Family Environmental Information available in VACORIS shall be reviewed and updated at each annual review. (added 12/9/13)

g. Staff should make every effort to encourage and help motivate an offender to attend programs.
identified on the Re-entry Case Plan.

i. Staff should counsel the offender to help him or her understand how the program will be beneficial.

ii. If the offender refuses to either enroll in or attend the program or the offender attends the program but is disruptive, non-participatory, or non-compliant, the offender should be charged in accordance with Operating Procedure 861.1, Offender Discipline, Institutions.
   (a) The Disciplinary Offense Report should cite offense code 200, “Refusing to work or refusing to attend school or other program assignments mandated by procedure or by law, or failure to perform work or program assignment as instructed.”
   (b) If an offender is removed from a program based on an infraction related to the program, e.g. fighting in class, an additional offense code 200 charge is not needed.
   (c) If the offender is not found guilty of the charge, the offender should be placed in the next available program slot to re-enroll in the program. If the offender again refuses or is non-compliant, another charge should be written.
   (d) If the offender is found guilty of the charge, the staff program Facilitator shall refer the offender to the ICA to be placed in Class Level IV effective the date the charge was written (see Operating Procedure 830.3, Good Time Awards). A #7 override should be used regardless of the offenders’ Class Level score. This override will flag the offenders’ file so that he or she is not allowed to earn good time until completing the specified program.

h. Once an offender is assigned to Class Level IV based on conviction of a 200 charge, the offender’s class level may not be restored until he or she successfully participates in the same program.

i. The offender should be required to reenter the exact same program whenever practical.
   (a) The offender will be required to enter an equivalent program if the same program is not available.
   (b) The ICA will determine if a program is equivalent for Class Level purposes. Note: No other type of program is equivalent to a Therapeutic Community.

ii. Once the staff Facilitator considers the offender to be actively participating in the program, the Facilitator may bring the offender’s case before the ICA for review of Good Time Award Class Level.

iii. Any change in Good Time Award Class Level should be retroactive to the date the offender reentered the program. Time spent on a waiting list shall not count towards good time earnings.

4. Detention and Diversion Centers

a. Program staff, in conjunction with the offender, should assess the offender need for program elements, and design a Re-entry Case Plan in VACORIS which includes expected behavior and accomplishments. (4-ACRS-3A-04, 4-ACRS-5A-01, 4-ACRS-5A-03)

b. Staff and offender signatures should document that the offender needs to comply with the Re-entry Case Plan to successfully complete the program.

c. Any change in a personalized Re-entry Case Plan is reviewed and discussed with the offender. This review is dated and documented by staff and offender signatures. (4-ACRS-5A-04)

d. Offender performance will be monitored periodically to ensure that the offender is making acceptable progress toward completion of the program. The outcome of each review is documented. (4-ACRS-5A-05)

e. The community re-entry plan should be submitted in writing to the appropriate P&P Office prior to discharge. It should address, at a minimum, a home plan, employment plan, and follow-up treatment services.

f. Before graduation, a final review should be conducted to ensure the offender has successfully completed required program elements.

g. After the offender’s discharge from the program, the facility P&P Officer should create a
Discharge Report in VACORIS Case Notes for use by the supervising P&P Office or the next facility for dually sentenced offenders. Elements of the Discharge Report are: (4-ACRS-5A-15)

i. Personal Conduct

ii. Accomplishments in education, work, and treatment programming

iii. General Comments

C. Home and Employment Plans

1. The Re-entry Counselor and the Transition Team should guide offenders in developing home and employment plans that support law abiding behavior and should refer offenders to community resources, such as residential programs, and provide follow-up contacts if needed. (4-ACRS-5A-13)

   a. It is the offender’s responsibility to explore home and employment plans through contact with relatives and community resources.

   b. The DOC utilizes 2-1-1 Virginia as a directory of functioning community agencies. (4-ACRS-5A-12, 4-APPFS-2D-01)

2. Within 15 days of an offender’s arrival at a Reception Center, the offender’s home plan should be entered in VACORIS. (changed 4/8/14)

3. The Counselor should discuss the home plan with each offender at each Annual Review and document changes in VACORIS.

4. Counselors should update the offender’s employment plan on each Annual Review.

5. Six months prior to the expected release date, the offender’s counselor shall attempt to verify that the offender’s home plan is current and viable.

V. RE-ENTRY PROGRAMS AND RESOURCES

A. Access to Re-entry Programming: Institutions (4-4442) (changed 4/8/14)

1. Re-entry programming services for female offenders will be provided at Brunswick Pre-Release Center, Central Virginia Correctional Unit, Virginia Correctional Center for Women and Fluvanna Correctional Center for Women. Staff must ensure that all releasing offenders are enrolled in re-entry programming prior to their release.

2. Re-entry programming services for male offenders assigned to work centers and correctional field units will be provided at those facilities.

3. All other offenders will be screened at least 24-36 months prior to release for assignment to the re-entry site which covers their home plan location. (changed 2/21/14)

   a. Offenders who do not qualify for one of the Intensive Security Level 2 re-entry sites should be scheduled for re-entry programming at an appropriate higher security level facility. Greensville Correctional Center or Powhatan Correctional Center, if appropriate. (changed 2/21/14)

   b. Offenders with serious medical and mental health needs will receive re-entry services at the appropriate facilities.

   c. Offenders with detainers will receive re-entry services at their current facility.

      i. If the facility does not offer re-entry services the offender should be transferred to an appropriate facility.

      ii. Offenders scheduled to be deported upon completion of their state sentence or have a Immigration and Customs Enforcement (ICE) detainer are not eligible for re-entry services.

   d. Offenders with out-of-state home plans should be transferred to the facility closest to their sentencing jurisdiction.

   e. Offenders with less than 9 months to release will receive re-entry services at their current facility when available.

   f. Offenders who are unsuitable for any of these sites will receive re-entry programming at a higher security level assignment.
4. Offenders who refuse to participate in residential cognitive community re-entry programming or are removed due to disruptive, non-participatory, or non-compliant behavior shall be charged with Offense Code 119e, Refusal to participate in or removal from a residential cognitive community program.
   
a. Offenders who refuse to participate in non-residential re-entry programming or are removed due to disruptive, non-participatory, or non-compliant behavior shall be charged with Offense Code 200, Refusing to work or refusing to attend school or other program assignments mandated by procedure or by law, or failure to perform work or program assignment as instructed.

b. Offenders found guilty of Offense Code 119e shall have a Mandatory penalty of 90 Days Loss of Accumulated Good Time.

c. Offenders found guilty of Offense Code 119e or 200 shall receive a formal hearing by the ICA to be reduced to good time Class Level IV effective the date the charge was written (see Operating Procedure 830.3, Good Time Awards). A #7 override should be used regardless of the offenders’ Class Level score. This override will flag the offenders’ file so that he or she is not allowed to earn good time until completing the specified program.

B. DOC-contracted Community Residential Programs (CRP)

1. DOC-contracted Community Residential Programs (CRP) are utilized to assist offenders without viable home plans to transition into the community.

2. Counselors should contact the P&P Office in the sentencing jurisdiction for assistance in finding placement at one of the Community Residential Programs.
   
a. The request for assistance should be made 4 - 6 months prior to the offender’s release.

b. The Counselor should submit the CRP application with assistance from the P&P Office to provide criminal history and other relevant information.

3. The P&P Office will provide criminal history information as needed including a copy of the PSI (Pre or Post Sentence Investigation Report) to criminal justice agencies or agencies where the offender is referred for treatment.

4. Facility staff will need to provide medical, mental health, and facility adjustment information to the CRP. See Re-entry Preparation section of this operating procedure for consent for release of information requirements for release of substance abuse records and HIV test results.

C. Federal and State Benefits - Please refer to the Pre-Release Benefits Application Guide on the Virtual Library for more detailed directions.

1. Transition and medical/mental health staff shall complete applications for federal and state benefits including veterans, Medicaid, and Supplemental Security Income (SSI) to aid potentially eligible offenders. If an offender is 65 years or older or blind and/or disabled with limited income he/she could be eligible for state and federal benefits. The DOC has a Memorandum of Agreement with Social Security Administration and Disability Determination Services covering pre-release SSI application procedures.

2. For potentially eligible offenders within 180 days of release who are identified by healthcare staff as meeting the requirements for disability benefits, healthcare staff shall begin the benefit application process by completing all medical and mental health information in the benefit application packet (Medical Information section of the Disability Report form). Healthcare staff shall begin gathering data, medical/mental health documentation, and completion of forms at least 6 months prior to release.

3. Healthcare staff shall then forward the packet to the Re-entry Counselor at least 120 days prior to release. The Counselor and the offender would complete the remainder of the application packet and document the application in a VACORIS Facility Note. All supporting medical and mental health disability documentation must be submitted with the initial referral packet.

4. Applications for Supplemental Security Income (SSI) disability based claims may not be submitted
more than 120 days prior to release. SSI applications for age based claims may not be submitted more than 30 days prior to release. SSI applications are submitted to the Social Security Administration office aligned with the correctional facility in the Memorandum of Agreement.

5. Applications for Medicaid may not be submitted more than 90 days prior to release for a disability claim nor more than 45 days prior to release for an age based claim. Medicaid applications are submitted to the Department of Social Services in the locality where the offender resided prior to incarceration. The counselor will document a facility note in VACORIS as to the status of the application. (added 9/20/12)

6. Incarcerated veterans may apply for veteran’s benefits at any time. Offenders may be referred to the Veteran’s Administration Reentry Specialist for assistance within 120 days of release.

7. Benefits are not available to offenders while incarcerated, with the exception of Veteran’s benefits. If an offender is deemed eligible for benefits, coverage will begin after he/she is released from the correctional facility.

D. Public Housing

1. Offenders who are discharging from DOC facilities should be aware of restrictions regarding residency in Public Housing. The McKinney-Vento Homeless Assistance Act sets the mandatory restrictions on criminal histories and residency in public housing.

2. Federal laws require public housing agencies (PHA) and providers of Section 8 and other federally assisted housing to deny housing to two categories of applicants with past criminal records:
   a. Any household with a member who has been convicted of methamphetamine production on the premises of federally funded housing
   b. Any household with a member who is subject to a lifetime registration requirement under a state sex offender registration program

3. The public housing laws permit but do not require public housing agencies to deny admission to the following applicants:
   a. Any household member who has been evicted from public, federally assisted, or Section 8 housing because of drug-related criminal activity may be deemed ineligible for three years from date of eviction. The three year stipulation can be shortened at the discretion of the PHA if the person completes a rehabilitation program approved by the housing provider.
   b. Any household with a member who is abusing alcohol or using another drug illegally if the household member’s illegal use or pattern of alcohol abuse or illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. The provider may permit admittance or allow them to remain if the person demonstrates they are not currently abusing alcohol or drugs and either are participating in a supervised substance abuse program, completed a substance abuse program or another form of successful rehabilitation.
   c. Individuals who have engaged in any drug-related criminal activity, any violent criminal activity or any other criminal activity that would adversely affect the health, safety or right to peaceful enjoyment of the premises if the criminal activity occurred a “reasonable” time before the person seeks admission. The statute does not say how recent a conviction must be to qualify as a “reasonable” basis for denying housing.

VI. GERIATRIC/TERMINALLY ILL OFFENDERS

A. Per COV §53.1-40.01, the Virginia Parole Board has the authority to grant conditional release of geriatric offenders under a parole process in accordance with Parole Board Administrative Procedure 1.226. (added 2/21/14)

1. An offender is eligible for review if he or she is serving a sentence imposed for a conviction of a felony offense, other than a Class 1 felony, and;
   a. Has reached the age of 65 or older and served at least five years of the sentence imposed or,
b. Has reached the age of 60 or older and served at least ten years of the sentence imposed

2. To be considered for conditional release an offender within 90 days of the minimum requirement of age and time served must submit the Petition for Conditional Release of Geriatric Offender 820_F1 to the Parole Board.

3. An offender who is qualified to submit a Petition for Conditional Release of Geriatric Offender but is denied conditional release may resubmit a petition annually.

B. Per COV §53.1-229, only the Governor of Virginia has the power to grant clemency to terminally ill offenders.

1. An offender is eligible for review if he or she is diagnosed as terminally ill, with death imminent as defined in this operating procedure, and;
   a. The offender is not eligible for parole.
   b. The offender must have family or other persons willing and able to assume responsibility for the offender’s care.

2. The petitioner may submit a request for consideration by letter to the Pardons Department, Office of the Secretary of the Commonwealth, P.O. Box 2454, Richmond, VA 23218-2454.

3. The letter must contain all of the following required information:
   a. The offender’s name and any aliases, offender’s number, and facility location with mailing address, social security number, date of birth, dates, Courts, sentences or other dispositions of all misdemeanor and felony convictions, a complete statement of details for each conviction, date of parole eligibility (if applicable), date of mandatory release, and an explanation of why the Governor should grant a pardon.
   b. A general description of the offender’s medical condition and prognosis
   c. The name, address, telephone, e-mail if applicable, and relationship to the offender of the person willing to assume responsibility for the offender’s care and a statement of their ability to provide that care

4. Family members may file a request with written consent from the offender.

5. If the request is denied, the petitioner cannot appeal the decision but the petitioner may file a new request two years after the date of the denial letter.

6. As condition of being released on Medical Clemency, the offender must agree in writing to have their physician provide information on the offender’s current medical condition to the Virginia Department of Corrections whenever requested. If the request is not honored, the Medical Clemency Release may be terminated immediately. (see Operating Procedure 050.3, Facility Release of Offenders) (added 5/7/14)

C. All DOC Organizational Units shall provide information in a timely manner as requested by the Secretary of Commonwealth and the Parole Board.

Offenders who qualify in accordance with Operating Procedure 820.1, Petitions for Release of Geriatric or Terminally Ill Offenders may petition for early release from incarceration.

VII. RE-ENTRY PREPARATION

A. Virginia Home Plan

1. At 6 months before the offender’s anticipated release date, the Re-entry Counselor shall telephone or, if necessary, send a Home Plan Confirmation letter (see Attachment 2) to the proposed home plan address to determine if the address and phone number are valid and if the resident will provide a home for the offender on release.
   a. The Re-entry Counselor should ask questions to attempt to determine suitability of the home and if there are provisions for special needs of disabled or chronically ill offenders. Appropriate
questions include “Is the residence in Section 8 or public housing?” “Are there any lease restrictions regarding the offender living in the residence?” For Sex offenders – “Are there minor children living in the home?” “How close is the nearest school or day care?”

b. If the Re-entry Counselor is unable to verify the proposed home plan address, they should request additional information from the offender or a new proposed home plan address including out-of-state or any other possible plan.

c. Entries should be made in VACORIS as follows:
   i. **Reported Date** is the date that the facility staff calls or sends a letter in an attempt to validate the proposed address.
   ii. **Verified Date** is the date that facility staff receives a reply validating the proposed address.
      The Verified date must be within 6 months of the offender’s anticipated release date.

d. Once the Re-entry Counselor has verified the proposed home plan address or determined that there is not a viable home plan available, they shall enter the **Release Plan Type** on VACORIS and request a **Home Plan Investigation** by the appropriate P&P District (no more than 6 months before the offender’s anticipated release date). (4-APPFS-2C-01) (changed 8/5/14)

2. A **Regular Release Plan Type** is one that has an actual home plan address with no issues such as medical/mental health needs or offense history to complicate the release. (revised 8/5/14)
   a. The Regular Release Plan Type requires the counselor to request a **Home Plan Investigation** by the P&P District of the home plan address no earlier than 6 months before the offender’s anticipated release date.
   b. The P&P District has 90 days to complete the **Investigation** on all offenders with probation, parole, or post-release supervision including review and approval by a supervisor unless the release date requires the facility staff to request an earlier response. (4-APPFS-2C-02)
   c. The Community Release Unit will accept the home plan for all offenders without probation, parole, or post-release supervision, an **Investigation** is not required.

3. A **Problematic Release Plan Type** is for release plans that require extra coordination to facilitate the release of an offender with or without a supervision obligation, such as if the offender is homeless or has current or ongoing medical or mental health issues. It is important that the Problematic Release Plan Type in VACORIS is utilized properly as it is a tool for resource assignment for release planning. (revised 8/5/14)
   a. Facility staff should is encouraged to contact the Community Release Unit regarding known problematic cases up to 12 months before the offender’s anticipated release date by completing and submitting For a problematic release, facility staff are required to complete a **Request for Assistance - Problematic Release** 820_F9 and submit it to the Community Release Unit.
      i. This form shall be completed in Word and sent by email through the Community Release Mailbox.
      ii. Also any medical or mental health documents required for re-entry planning must be completed in Word and sent by email through the Community Release Mailbox.
   b. If the offender has supervision upon release, the Problematic Release Plan Type requires the Counselor to request a **Home Plan Investigation** by the P&P District of the home plan address. If homeless, the Counselor requests a Home Plan Investigation by the sentencing jurisdiction. **Home Plan Investigation** requests shall not be made to a P&P District more than 6 months before the offender’s anticipated release date.
      c. Facility staff is encouraged to contact the Community Release Unit regarding known problematic cases up to 12 months before the offender’s anticipated release date, but **Home Plan Investigation** requests shall not be made to a P&P District more than 6 months before the offender’s anticipated release date.

4. The Re-entry Counselor shall obtain a signed **Consent for Release of Information** (see Operating Procedure 050.1, Incarcerated Offender Records Management) from the offender prior to contacting
agencies outside of DOC.

a. The release should specify the information that might be necessary to initiate a referral e.g. criminal history, substance abuse history, educational, vocational and treatment programs attended, facility adjustment, etc. This consent form does not cover medical and/or mental health information.

b. COV §53.1-40.10 governs the release of medical and mental health information. In most cases, information may be released to the Transition Team, Probation/Parole and Community Services Boards without a Release of Information from the offender.

c. NOTE: The following exceptions are listed in this Code section. (1) Substance abuse records may only be released upon receipt of a signed Consent for Release of Alcohol and Drug Abuse Record Information (see Operating Procedure 050.1, Incarcerated Offender Records Management). (2) Per COV §32.1-36.1, disclosure of HIV test results without a release of information can only occur as follows (partial listing): Department of Health, health care providers for purposes of consultation or providing care and treatment to the subject of the test, and to the spouse of the subject of the test.

d. If a consent for release of information is needed, the Counselor, Medical, or Mental Health staff should request the offender to sign a Consent to Release of Confidential Health Information (see Operating Procedure 701.3, Health Records). If a release is then obtained, records may be forwarded to the designated entities.

B. Out-of-State Home Plan

1. The offender’s out of state proposed home plan address must be entered in VACORIS on the Address / Phone page. In the state field, select the appropriate state. The jurisdiction field will be disabled and blank when you select a state other than Virginia. The out of state city will be a required field.

2. Offenders attempting to transfer under Interstate Compact should always have a back-up Virginia plan in case their Interstate Compact is denied or is not finalized prior to their release.

3. The Counselor and offender shall complete the Offender Application for Interstate Compact Transfer 920_F17 and the Interstate Compact Pre-Release Checklist 820_F8. (added 8/15/13)

4. Upon completion of the Offender’s Application for Interstate Compact Transfer and the Interstate Compact Pre-Release Checklist, the Counselor shall upload the documents into VACORIS separately - the signed application must be scanned but the completed checklist can be uploaded directly from Word.

a. Facility Treatment staff are required to create a Facility Note in VACORIS with contact type “Interstate Compact” and “Release Plan.”

b. The note should indicate that Interstate documents have been completed and are attached.

c. Each scanned document must then be uploaded separately to one note in VACORIS. The title of each document should begin with the word “Interstate” and include the name of the document attached. For example: Interstate Application.

5. Facility Treatment Staff will create an Interstate Pre-Release Forms investigation. Interstate Compact - Community Supervision shall be entered as the receiving location.

a. The request notes must reference the facility note, providing the date of the note and indicate that the Interstate Application and Interstate Checklist are attached on the note.

b. The investigation will be assigned to an Interstate Compact - Community Supervision staff member who is responsible to review the documents attached to the Facility Note for completeness.

c. If the information attached to the note is complete, staff will reflect a completion date on the Interstate Pre-Release investigation and add response notes to indicate their finding of this investigation action.
d. If a new *Interstate Application* and *Interstate Checklist* or revision of the original application is needed, the Counselor shall scan and attach the documentation to the original Facility Note adding the word “Revised” to the title.
   
i. Once this is completed, an e-mail should be sent to the Interstate Compact - Community Supervision staff person assigned to the Interstate Pre-Release investigation.
   
ii. The Interstate Compact - Community Supervision staff will delete the incorrect version of the form previously uploaded into VACORIS.
   
iii. The Interstate Compact - Community Supervision staff member will continue to work with Facility Treatment staff until the documentation is completed properly or it is determined that the offender’s release plan is no longer an Interstate plan.
   
iv. Prior to completion by Interstate Compact - Community Supervision, the Interstate Pre-Release Forms Investigation can be cancelled by the requesting Counselor if it is determined that the offender no longer desires an interstate release plan or there is no viable interstate release plan pursuant to the Interstate regulations.
   
e. The completion of the Interstate Pre-Release Forms investigation does not indicate that the plan has been accepted by the other state. The Completion of the Interstate Pre-Release Forms investigation means the documentation is completed properly, and Interstate Compact - Community Supervision has acknowledged receipt of the information from the Facility Treatment Staff. The Response Notes provide the reason for completion.

6. Interstate Home Plan Investigation Process; Interstate Compact - Community Supervision Staff to District P&P Officer - When the Interstate Compact - Community Supervision Staff member completes the Interstate Pre-Release Forms investigation determining the documentation attached to the designated Facility Note is completed accurately, they will create a new investigation with type “Interstate ICOTS Entry”.
   
a. This investigation will reflect the P&P District as the receiving location. If there are multiple P&P sentencing districts, a separate Interstate ICOTS Entry investigation will be assigned to each P&P District.
   
b. The Interstate Compact - Community Supervision staff should reference the Facility Note where the interstate application and checklist are located, and provide interstate instructions in the request note field.
   
c. The P&P Office will assign the investigation to a P&P Officer to research and data enter the case into Interstate Compact Offender Tracking System (ICOTS). The P&P Officer will generate District-specific Conditions in VACORIS and send them to the assigned facility counselor for offender signature.
   
d. Upon successfully updating ICOTS, the P&P Officer will reflect the Interstate ICOTS Entry investigation as completed. It should be noted that cases cannot be entered into ICOTS until the offender is within 120 days of the release date.
   
e. The completion of the Interstate ICOTS Entry investigation does not indicate that the plan has been accepted by the other state. The Completion of the Interstate ICOTS Entry investigation means the Transfer Request from Virginia to the other state was completed in ICOTS.

7. Communication of the Response from the Other State in ICOTS - When the State receiving the request to transfer the offender for supervision in ICOTS accepts or denies the request, the P&P Officer who entered the case into ICOTS receives a notification in ICOTS.
   
a. Since facility staff do not have access to ICOTS, it is important that the P&P Officer enter a supervision note in VACORIS indicating the results of the request to transfer and send an email to the offender’s assigned counselor regarding the outcome of the request to transfer.
   
b. The offender’s assigned primary and secondary counselors can be identified on the VACORIS Home Page, Custody Section, right side.

8. Processing the Offender’s Release Relative to the Response Received from the Other State in ICOTS:
a. If the request to transfer is **accepted** by the receiving state, the out of state home plan is approved and the release should be processed as a regular release. The Community Release Unit will prepare the release authorization instructing the offender to report as instructed by the other state.

b. If the request to transfer is **denied** by the receiving state, the out of state home plan is not acceptable and the Counselor will need to discuss an alternative home plan with the offender.
   i. The Counselor will need to enter the new home plan on the address page in VACORIS and create a new Home Plan investigation.
   ii. It is important that the Counselor, the P&P Officer, and the Community Release Officer work together to quickly process an effective release plan as the release date will be very near when the request is denied.

c. If the request to transfer is **still pending** 2 weeks prior to the offender’s release date and emergency permission to proceed while the ICOTS Transfer investigation is pending has not been received from the other state, the Counselor will need to discuss with the offender alternate home plan options that are in within the State of Virginia.
   i. The Counselor will need to enter the new home plan on the address page in VACORIS and create a new home plan investigation.
   ii. If the offender’s request to transfer to another state is still pending at the time of release, they will be released to the supervision of a Virginia P&P Office. The offender must remain in Virginia to await the outcome of the ICOTS transfer request.

C. Release Authorization and Proper Transfer Transaction - The Community Release Unit will create the release authorization and detail the appropriate reporting instructions for the offender’s release status.

1. The Records Staff at the releasing DOC facility will enter the proper transfer information into VACORIS based on the release authorization.
   a. If the offender’s reporting instructions are for an out of state location the transfer must be entered as a transfer type: **DOC Facility to DOC Community**. The transfer reason shall be either release to supervision or one of the parole options. The Community location shall be **Interstate Compact-Community Supervision**.

   b. If the offender’s reporting instructions are for a Virginia P&P Office, the transfer should be entered as a transfer type: **DOC Facility to DOC Community**. The transfer reason shall be either release to supervision or one of the parole options. The Community location shall be the designated Virginia P&P Office.

2. The Community Release Unit may request the Court and Legal section to remove adjusted discharge days for a reasonable delay in an offender’s release to accommodate entry into a Community Residential Program or other approved home plan. *(4-APPFS-2C-03)*

D. Identity and Employment Documents

1. To assist offenders in getting proper identity documents upon release, an effort will be made to obtain a valid original birth certificate and social security card for each offender during their incarceration. Staff is to provide veteran offenders an opportunity to apply for their DD214 at the time of initial contact with the DOC if they do not have a copy. While there should be no sanction for refusal to do so, staff should document in VACORIS that the offender refused to apply. *(changed 9/20/12)*

2. Birth Certificates
   a. A newly classified offender will be given 30 days after arrival at the initial institutional assignment or 90 days if not transferred from reception site to get an official birth certificate from home. *(changed 9/20/12, revised 1/23/14, changed 4/8/14)*
      i. Offenders assigned to Detention and Diversion Centers are not required to obtain an official birth certificate. *(added 4/8/14)*
      ii. Offenders assigned to Diversion Centers should be encouraged to obtain an official birth certificate, taking into account the offender’s personal financial situation. *(added 4/8/14)*
b. If no copy of a the original birth certificate is not received within 30 days the required time frame, an application shall be submitted to the appropriate state to obtain an official copy. (changed 9/20/12, revised 1/23/14)
   i. The name on the Birth Certificate application must be the offender’s name at birth, must be legible and must be spelled correctly. No aliases or nicknames should be used.
   ii. Offenders will be charged a fee as designated by the state Office of Vital Records to which the request is being made for the Birth Certificate.
   iii. For offenders who have insufficient funds to cover the cost of the Application for Certification of a Vital Record, a loan will be given by the DOC to cover the cost as required by the applicable state.

c. For foreign born offenders, reasonable effort should be made to obtain official copies of birth certificates and any relevant citizenship or residency documents. (changed 9/20/12)

d. Offenders who are required to obtain a copy of their official birth certificate but refuse to make a reasonable effort shall be charged with Offense Code 119c, Refusal to participate in re-entry planning or preparation. (changed 9/20/12)
   i. Offenders found guilty of Offense Code 119c shall have a Mandatory penalty of 90 Days Loss of Accumulated Good Time.
   ii. Offenders found guilty of Offense Code 119c shall receive a formal hearing by the ICA to be reduced to good time Class Level IV until they comply with requirements for Birth Certificates.

e. Within 30 days of a legal name change, offenders will be required to submit an application and a copy of the Court Order to obtain a birth certificate in the new name.

3. Social Security Cards - To facilitate employment on release, each offender should obtain a copy of their Social Security card. Applications may be submitted to the Social Security Administration within 120 days of release.
   a. There is no cost for an offender to apply for a replacement Social Security Card.
   b. If an offender’s name has changed, the Social Security Administration will require that a person prove the name was legally changed since the last Social Security Card was issued. Staff should contact the local Social Security office on a case-by-case basis as the offender may be required to appear in person to receive a Social Security Card in the new name. Note: the offender may not be able to access SSI or other Social Security benefits if the name is not corrected.
   c. Most Court Clerks charge a fee for certified copies of marriage, divorce or other court-issued name-change documents.
      i. The offender should request a money order through normal procedures to pay this fee.
      ii. When an offender needs to prove name change but is indigent, after verification by the counselor, the facility will send a check to the Court and charge the offender’s account as a loan.

4. DMV Identification Cards - All offenders except those being released to a detainer will be required to obtain a DMV Identification Card.
   a. Offenders who can prove that they have a Virginia Driver’s License or Virginia DMV Identification Card that will be valid on their release are exempt from this requirement.
   b. Prior to the offender applying for a DMV Identification Card, staff should review loss of civil rights due to felony convictions, the requirements for restoration of civil rights and provide a copy of Restoration of Civil Rights Information (see Attachment 3).
   c. The DMV Connect program provides for Division of Motor Vehicles (DMV) staff to visit DOC facilities to process offender applications for DMV Identification Cards.
   d. Based on the DMV Connect schedule, offenders shall apply for the DMV Identification Cards about 30-45 days prior to discharge from the facility.
   e. DMV Identification Cards for offenders who do not have an approved Virginia Home Plan
(including out of state plans) will use the facility address. Offenders will be responsible for submitting a change of address to DMV when they establish a Virginia home.

deleted 10/10/13

f. Offenders are responsible to pay the DMV fee (currently $10) for issue of an identification card. Indigent offenders will have the fee charged as a loan to their Inmate Trust Account.

Indigent offenders will have the fee charged as a loan to their Inmate Trust Account. (added 10/10/13)

g. Offenders who are required to obtain a DMV Identification Card but refuse shall be charged with Offense Code 119c, Refusal to participate in re-entry planning or preparation. (added 1/23/14)

i. Offenders found guilty of Offense Code 119c shall have a Mandatory penalty of 90 Days Loss of Accumulated Good Time.

ii. Offenders found guilty of Offense Code 119c shall receive a formal hearing by the ICA to be reduced to good time Class Level IV until they comply with requirements for DMV Identification Cards.

5. Once the Birth Certificate, Social Security Card, DD214, DMV Identification Card, or other such identification document is received by the facility, it shall be placed in the offender’s Institutional Criminal record (Section VI, brown Personal Property Envelope) maintained at the facility. The offender will be given the identification documents Birth Certificate and/or Social Security Card at the time of release, and should sign a receipt that will be placed in the Institutional Criminal offender’s record. If the documents are received after the offender is released, they may be forwarded by certified mail or staff courier within 30 days of receipt to any DOC unit or staff responsible for the offender’s supervision. (changed 2/20/13, changed 10/10/13)

6. Offenders will be informed of the tax credit available to employers who hire ex-felons under the Small Business Protection Act of 1996.

a. The offender must work full-time and be employed for a designated amount of time for a company to receive the tax credit.

b. A copy of Internal Revenue Services Form 8850, “Pre-Screening Notice and Certification Request for the Work Opportunity Credit” shall be given to the offender upon release.

c. The offender should submit a copy of Form 8850 along with a copy of their DMV Identification Card or Offender Discharge Form, if applicable to the prospective employer to show that the offender is pre-approved for the tax incentive.

d. The employer will be responsible for submitting the forms to the Virginia Employment Commission for processing.

e. Additional forms may be obtained from the Internal Revenue Services web site (www.IRS.gov). (added 10/10/13)

7. Without a photo ID, which can only be obtained with an original copy of a Birth Certificate and Social Security Card, offenders will NOT be able to:

a. Stay in a homeless shelter

b. Enter federal agencies (including the Social Security Administration to apply for SSI, SSDI and other benefits)

c. Receive services from a Community Service Board (for mental health and substance abuse services)

d. Travel on a bus, plane, or train

e. Get a job

f. Cash a check (deleted 10/10/13)

8. The offender discharge identification process is provided for offenders who do not obtain a DMV Identification Card prior to release.

a. Facilities shall issue the Offender Discharge Form to all offenders on release. This form may help the offender cash checks, obtain housing, and access transportation; however, it will not be accepted by the DMV as proof of identity for an ID.
b. Discharged offenders should take the Offender Discharge Form to the Local P&P Office to be issued the Offender Information Form.
   i. Community Corrections staff must verify the residence information, regardless of whether the offender is under supervision, before the Offender Information Form can be issued.
   ii. The Offender Information Form will be accepted by the DMV as a primary proof of residency and as a secondary proof of identity.
   iii. The Offender Information Form will also be used by facilities in lieu of the Offender Discharge Form for offenders who are transferred to local jails for Work Release or Pre-Release programs.
   iv. Probation and Parole can also provide the Offender Information Form to any former offender, even if they are not currently under supervision.

E. Child Support Obligations
1. COV §53.1-31.2 provides for the Virginia Division of Child Support Enforcement (DCSE) to provide information on child support obligations to be available in VACORIS.
2. Child support obligation information should be provided to the offender to aid in release planning.

F. Restitution, Fines, and Court Cost - Offender may obtain information on balances owed for Restitution, Fines and Court Cost obligations by sending a written request directly to the Clerk of the sentencing Court.

G. Medical Release Preparation
1. Medical staff shall monitor the facility population through VACORIS to identify offenders who are within 180 days of release so that pre-release preparation can begin.
   a. Detention and Diversion Center Medical staff should forward a copy of the Medical Discharge Summary: Community Corrections 720_F7 to the offender’s release P&P Office at least 60 days prior to the anticipated release date. See following sections related to release of medical, mental health, and substance abuse information.
   b. Institutional medical staff should complete the Medical Discharge Summary, 720_F5 and forward to the Re-entry Counselor at least 180 days prior to the offender’s anticipated release date. See following sections related to release of medical, mental health, and substance abuse information.
   c. The Counselor should review the Medical Discharge Summary to determine the offender’s special needs to allow planning for release including application for benefits, special housing needs, and if special equipment may be needed.
2. COV §53.1-40.10 governs the release of medical and mental health information. In most cases, information may be released to the Transition Team, Probation/Parole and Community Services Boards without a Release of Information from the offender.
3. NOTE: The following exceptions are listed in this Code section. (1) Substance abuse records may only be released upon receipt of a signed Consent for Release of Alcohol and Drug Abuse Record Information (see Operating Procedure 050.1, Incarcerated Offender Records Management). (2) Per COV §32.1-36.1, disclosure of HIV test results without a release of information can only occur as follows (partial listing): Department of Health, health care providers for purposes of consultation or providing care and treatment to the subject of the test, and to the spouse of the subject of the test.
4. If a consent for release of information is needed, the Counselor, Medical, or Mental Health staff should request the offender to sign a Consent to Release of Confidential Health Information (see Operating Procedure 701.3, Health Records). If a release is then obtained, records may be forwarded to the designated entities.
5. After an offender is identified as meeting the requirements for disability benefits upon release, healthcare staff shall begin the benefit application process with the offender by completing all medically related information in the benefit application packet (Medical Information section in the
Disability Report form).

a. Healthcare staff shall begin gathering of data, medical/mental health documentation, and completion of forms at least 6 months prior to release.

b. Medical staff shall then forward the packet to the Re-entry Counselor at least 120 days prior to release.

c. The offender and the Re-entry Counselor will complete the remainder of the application packet and document the application in a VACORIS Facility Note.

6. If indicated, Healthcare staff should assist offenders diagnosed with infectious diseases and other serious, chronic health conditions with referrals or appointments to community service providers such as local health departments or clinics.

a. Once appointments are made by medical staff for follow-up care, they should notify the offender’s assigned Counselor who will enter a note in VACORIS for the supervising P&P Office.

b. Healthcare staff shall also fax necessary medical information to the local health department.

c. At a minimum, offenders should be provided the address and instructed to report to a local clinic or physician to get follow-up medical treatment as soon as possible and to avoid interruption in medication therapy.

7. Healthcare staff shall also obtain a supply of current medications not to exceed a 30-day supply for offenders who are pending release. If indicated, Health Services staff shall also obtain necessary supplies such as blood glucose monitoring machines, testing supplies, wound care supplies, etc. All necessary actions completed as a part of the discharge planning schedule above shall be documented in the offender’s Health Record.

8. Healthcare staff should ensure that offenders who need mobility equipment such as wheelchairs, walkers, canes, crutches, etc. have access to such equipment at their release.

a. Offenders with long term need for mobility equipment should be provided with and required to purchase this equipment in accordance with Operating Procedure 750.3, Prostheses and Operating Procedure 720.4, Co-Payment for Health Care Services.

b. DOC owned equipment should be provided for temporary use only during a short term condition.

i. Health care staff should assess the offender’s condition 3 months after being provided DOC owned mobility equipment to determine continued need for the equipment. If continuance of the mobility equipment is necessary, the offender should be required to purchase his/her own equipment and be charged co-pay.

ii. If the offender will need mobility equipment on release, the counselor should check with the family and/or release plan to see if the same or equivalent equipment will be available to the offender upon release.

iii. If such equipment is not owned, purchased, or available through the family, the Community Release Unit should be notified 60-90 days prior to release.

c. If the offender will have state or federal benefits upon release, equipment can often be secured through those channels.

9. Per COV §53.1-28, any offender may obtain a copy of his/her medical records within 30 days of release so long as the offender requests a copy of the records at least 60 days prior to his/her release date.

H. Mental Health Services Release Preparation: Offenders’ Eligibility for Benefits

1. In designated mental health units, the Unit Director (or other Qualified Mental Health Professional responsible for discharge planning) will identify and document offenders who are within 180 days of release and are potentially eligible for benefits.

2. Other than in designated mental health units, the Senior Qualified Mental Health Professional (QMHP) or designee will identify offenders who are within 180 days of their anticipated release.
3. The QMHP will compare the list to the mental health services database to ensure that the two sets of information are consistent with one another. If there is a discrepancy in the mental health services database, the QMHP will rectify it.

4. Within 45 days of identifying the offenders, the QMHP will conduct a preliminary screening of each offender scheduled for release within the next 180 days. At a minimum, the screening will consist of a review of the offender’s assigned Mental Health Classification Code (‘Code’) and mental health record. The QMHP will determine if the offender’s Code is current and accurate. If it is not, the QMHP will complete a Mental Health Coding Classification Review/Update Form DOC MH-18 730_F18 (see Operating Procedure 730.2, MHS: Screening, Assessment, and Classification). The QMHP may decide to conduct a face-to-face interview with the offender to obtain additional information. (changed 8/5/14)

5. Offenders coded MH-0 or MH-1: offenders whose Code is MH-0 or MH-1 are typically not eligible for mental health services or related benefits upon release except when previously received disability benefits or in cases of possible developmental disability. Within 120 days of the offender’s expected release, the QMHP will notify the offender’s Counselor via e-mail that the offender’s Code is MH-0 or MH-1 and indicate if the offender may be eligible for disability benefits and will forward a copy of the most current Mental Health Coding Classification Review/Update Form DOC MH-18 to the Counselor.

6. Offenders with a Code of MH-2 will need to be screened to determine if they are potentially eligible for SSI benefits.
   a. The screening should be completed within 180 days of release, with the QMHP or MHU Director reviewing available mental health information.
   b. Issues for consideration in the screening may include determining if the offender has a diagnosis identified by the Social Security Administration on its Listing of Impairments (as identified in the Disability Evaluation Under Social Security manual, also known as the ‘Blue Book’), noting the severity of the illness as well as how the disorder impacts the ability of the offender to engage in gainful activity.
   c. For those offenders who may be eligible for benefits and services, the QMHP will complete a Mental Health Appraisal DOC MH-17 730_F17 (see Operating Procedure 730.2, MHS: Screening, Assessment, and Classification).
   d. The QMHP will confer with medical staff at the facility to ensure that the offender’s medical problems or physical limitations are documented on the MH-17.
   e. If the QMHP is not a licensed clinical psychologist or psychiatrist, the Mental Health Appraisal (MH-17) must be signed (or e-mailed) by a licensed clinical psychologist or psychiatrist. Within 120 days of the offender’s expected release, the designated QMHP or MHU Director will e-mail the completed MH-17 to offender’s assigned Counselor. For offenders assigned to designated mental health units, the QMHP may provide the counselor with information in addition to the MH-17. (changed 8/5/14)

7. Offenders with a Code of MH-3 or MH-4 may be eligible for benefits and services upon release.
   a. For each of these offenders who are within 180 days of release, the QMHP will complete a Mental Health Appraisal DOC MH-17 730_F17 (see Operating Procedure 730.2, MHS: Screening, Assessment, and Classification).
   b. The QMHP will confer with medical staff at the facility to ensure that any medical problems or physical limitations that the offender has is documented on the MH-17.
   c. If the QMHP is not a licensed clinical psychologist or psychiatrist, the Mental Health Appraisal DOC MH-17 730_F17 must be signed (or e-mailed) by a licensed clinical psychologist or psychiatrist. Within 120 days of the offender’s expected release, the designated QMHP or MHU Director will e-mail the completed MH-17 to offender’s assigned Counselor. For offenders assigned to designated mental health units, the QMHP may provide the counselor with information in addition to the MH-17. (changed 8/5/14)
8. An outside entity (e.g., Disability Determination Services) may request verification that an offender is not considered disabled in term of his/her mental status and services needs. In such cases, a licensed clinical psychologist or psychiatrist will forward such verification to the requesting entity. The message will state, e.g.,

“Offender ____________ (name/DOC #) has reportedly applied for disability benefits pending his/her release from the Department of Corrections. Mr./Ms. ______’s mental health record was reviewed on ______. According to available information, he/she is not currently receiving mental health services and has not received mental health services since __________. The offender reported previously having been prescribed ____ for _______ from _____ (date) to ____ (date). No other mental health treatment history is indicated.”

9. See Operating Procedure 730.5, MHS: Levels of Service, for additional mental health services release planning requirements.

I. Offender Work History

1. The offender shall complete the Discharge Offender Work History Report 820_F10 at least 90 days before their expected release date.

2. The offender shall mark with an “X” any Work Assignments that the offender has held during their current incarceration.

3. The offender shall write in the institution(s) where they held this job, a brief job description, and the dates that they held this job.

4. The offender shall submit the Report to the assigned Counselor.

5. The Counselor will verify this information, where verification information is available, and denote any discrepancies in the Counselor Notes section.

6. The completed Report will be given to the offender on release from custody.

7. Offenders who have worked at least 3 months in a Maintenance, Food Service, Agribusiness, Environmental Services, Corrections Construction, or Correctional Enterprises position are eligible to be issued a Job Proficiency Exit Report 820_F11 to document the skills learned and/or employed in the facility.

J. Offender Program History

1. The offender shall complete the Offender Program History 820_F12 at least 90 days before their expected release date.

2. The offender shall mark with an “X” any Programs that the offender has successfully completed during their current incarceration.

3. The offender shall write in the institution and the year that they completed the program.

4. The offender shall submit the Report and any completion certificates to the assigned Counselor.

5. The Counselor will verify this information, where verification information is available, and denote any discrepancies in the Counselor Notes section.

6. The completed Report will be given to the offender on release from custody.

VIII. RELEASE PROCESSING

A. The facility Records Office or other authority designated by the Facility Unit Head should ensure that each relevant step of Release Processing is covered for each offender being released.

B. Monetary Allowance/Hold Account

1. An offender released from confinement by action other than to meet a detainer, will be provided all funds credited to that offender’s account. For Institutions offenders, if the funds do not total $25.00, sufficient money will be added to reach that amount. This includes offenders who are being released
from incarceration but who are not going directly into the community including e.g. committed to a mental health hospital or the Virginia Center for Behavioral Rehabilitation.

2. An offender who is discharged or paroled to another criminal justice agency to meet a detainer will be provided all funds accumulated in that offender’s account.

3. An offender who is being released to a jail work release program will be provided all funds credited to the offender’s account. Since the offenders are not being released from incarceration, facilities DO NOT need to supplement offender funds to meet the $25.00 Discharge Allowance. A check, in the amount of funds currently available, will be made out to the receiving jail and be included in the offender’s “dummy” file sent with the transporting officer. One check may be written when more than one offender is being released to the same jail.

4. Any offender pay, or other funds, not posted to the offender's account at the time of the offender’s release, will be forwarded to that offender within five working days of the posting in accordance with Offender Trust Fund procedures.

5. An offender transferred for court proceedings will receive no funds, because this is not a release action and the offender will return to the custody of the DOC.

C. Transportation Allowance

1. Upon being notified of an offender's release date, the Facility Unit Head or designee will determine the offender's need for transportation. If the offender does not make outside arrangements for transportation, the Facility Unit Head will determine the most economical mode of travel.

2. Only within the Commonwealth of Virginia, an offender released to Probation or Parole Supervision may be issued authorization for a public transportation ticket to the place of the offender’s approved home plan. If the approved home plan is out-of-state, authorization for a public transportation ticket will be to a locality on the transportation route closest to the out-of-state location, but within Virginia’s border. Sex Offenders under probation or parole supervision will not be allowed to utilize public transportation and will be transported to the P&P Office by DOC personnel unless the Chief P&P Officer allows family members to provide transportation.

3. An offender released with no probation, parole, or post-release supervision (direct discharge) may request transportation to any locality within the Commonwealth of Virginia.

4. When an offender is being released to an area not covered by public transportation, facility staff will determine if the offender has a ride to the designated release location.
   a. If the offender does not have a ride, Central Transportation will be notified by facility Records staff to arrange a transfer to a facility nearer to the release location. Arrangements must be made ten days in advance to ensure transfer.
   b. On the day of release, staff from the releasing facility will drive the offender to the P&P Office in the offender’s release plan. This will apply to all offenders being released to the affected area regardless of whether they have supervision to follow incarceration.
   c. On the day of the release, a courtesy call to the P&P Office shall be made to advise them of the trip.

5. An offender who has had a transportation request approved will not be given any state money to pay for the direct purchase of a ticket.
   a. The Facility Unit Head will issue transportation authorization to cover the purchase of the ticket.
   b. The offender will be given this authorization for delivery to the ticket agent in exchange for a ticket.
   c. A copy of the authorization will be returned to the facility by the ticket agency with their invoice for payment.

D. Release Clothing

1. At least two weeks before discharge, facility property staff should determine the need for and, if
necessary, obtain discharge clothing

2. No offender will be discharged in state-issued offender clothing, except for approved discharge clothing.

3. Offenders may be discharged wearing personal clothing acquired while incarcerated.

4. Offenders may make arrangements, with the approval of the Facility Unit Head, to have one set of appropriate civilian clothing delivered or mailed to the facility up to one month prior to the offender’s scheduled discharge date. This clothing will be provided to the offender only on the day of discharge.

5. Female offenders may order discharge clothing through the commissary or approved vendor no sooner than one month prior to discharge. The facility shall store the discharge clothing to be issued only on the day of discharge.

6. If the offender does not have personal clothing to wear on discharge, the facility may provide clothing at facility expense.

E. Personal Property

Personal property of offenders who are being released will be handled according to procedures in Operating Procedure 802.1, Offender Property. Any property left by the offender will be considered unclaimed property and handled in accordance with Operating Procedure 802.1, Offender Property.

F. Mail

Mail addressed to released offenders will be forwarded in accordance with Operating Procedure 803.1, Offender Correspondence.

G. Conditions of Release and Sex Offender Registration

1. At the time of release, the offender will read, or have read to them by facility staff, the Order of Release, Conditions of Probation, or Conditions of Parole, as applicable.
   a. The offender shall then sign their name, as typed on all documents and date the forms.
   b. The staff representative shall also sign and date all release documents, in the space provided, as witness to the offender’s signatures.
   c. If an offender refuses to sign the Conditions of Parole for a Discretionary Parole Release, he shall be placed back into the facility. The offender shall be maintained in the facility until the Offender Release Unit advises when the offender is to be released.

2. The registration of sex offenders will be handled in accordance with Operating Procedure 735.1, Sex Offender and Crimes against Minors Registration.

3. The records staff, in the presence of the offender, shall open the Personal Documents Envelope at the time of release and give the contents to the offender. The offender shall sign name, number, and date on the space provided, and the Records Office representative shall sign as a witness to the offender’s receipt of personal documents and signature.

4. Each offender leaving on parole or discharge shall be released by 11:59 PM on the date of release.
   a. During hazardous weather conditions, if the local conditions are such that the Facility Unit Head deems that transportation of the offender to a public transportation location could be dangerous to staff or offenders, or if there is a lack of public transportation, the offender’s release may be reasonably delayed past the scheduled release date. The offender shall be notified about the delay and allowed to notify those persons in the community involved in their release plans. If the offender is able to make their own arrangements for transportation from the facility, the release may proceed as scheduled.
   b. When an offender’s release is delayed, the records staff is to notify both the Offender Release Unit and the Court and Legal Section so that the offender’s release date can be adjusted and a new date scheduled. The offender is not to be released without a new date being set by Offender
H. The facility should provide Restoration of Civil Rights Information (see Attachment 3) to each offender on release.

1. Convicted felons lose some civil rights including:
   a. The right to vote
   b. The right to hold public office
   c. The right to serve on a jury
   d. The right to serve as a notary public
   e. The right to possess a firearm

2. The restoration of rights does not restore the right to possess a firearm.

3. The restoration of rights does not expunge a criminal conviction.

4. The restoration of rights is not a pardon. A person who has been convicted of a felony must first have their rights restored in order to be considered for a pardon.

5. Only the Governor can restore lost civil rights. There is no appeal of the Governor’s decision. A person who has been denied may not reapply for one year.

6. Offenders convicted of non-violent offenses are eligible for automatic restoration of rights on release from incarceration and DOC supervision if they have paid all court costs, fines to the Commonwealth, and restitution to the victims; satisfied other court-ordered conditions; and have no pending felony charges. See the Secretary of the Commonwealth website for current non-violent/violent felony listings. (added 9/13/13)

7. General eligibility Offenders with violent, drug, or election law convictions must meet the following requirements for restoration of rights: (changed 9/13/13)
   a. Completed all prison or jail terms
   b. Not under probation or parole supervision
   c. No pending charges in any locality
   d. Paid all fines, restitution, and/or court costs for any convictions
   e. Complete a two year (five three year for violent, drug, or election law convictions) waiting period after all court obligations have been fulfilled (changed 5/16/14)
   f. Not had a conviction of DWI within the past five three years (changed 5/16/14)
   g. Submit an Application for Restoration of Rights may be obtained from and processed through the Office of the Secretary of the Commonwealth.

8. COV §53.1-231.2 has made it possible for eligible non-violent convicted felons, to have the right to vote reinstated.
   a. The offender must be free from any active or suspended sentence, supervised or unsupervised probation, parole, post release supervision, or good behavior for a period of five years.
   b. The offender may petition the Circuit Court of conviction or the Circuit Court where they currently reside in Virginia, to approve a petition for voting rights only.
   c. If approved by the Circuit Court, the petition is then forwarded to the Secretary of the Commonwealth to transmit the matter to the Governor for review and final approval.
   d. Only the Governor can restore this civil right. There is no appeal of the Governor’s decision.

I. Gang Monitoring

1. Just before the offender is to be released, the Gang Specialist shall conduct a follow-up interview and examination to detect additional display of gang affiliation, ensure that the GangBusters database entry is complete, and ensure a gang alert appears in VACORIS if applicable.
2. The facility Gang Specialist is responsible to notify the receiving P&P Office gang specialist or other authority of any gang related information on the offender in accordance with Operating Procedure 427.1, *Offender Gang Identification and Tracking*.

IX. REFERENCES

*Offender Trust System Policies and Procedures Manual*
Operating Procedure 050.1, *Incarcerated Offender Records Management*
Operating Procedure 050.3, *Facility Release of Offenders*
Operating Procedure 427.1, *Offender Gang Identification and Tracking*
Operating Procedure 701.3, *Health Records*
Operating Procedure 720.4, *Co-Payment for Health Care Services*
Operating Procedure 730.2, *MHS: Screening, Assessment, and Classification*
Operating Procedure 730.5, *MHS: Levels of Service*
Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*
Operating Procedure 750.3, *Prostheses*
Operating Procedure 802.1, *Offender Property*
Operating Procedure 803.1, *Offender Correspondence*
Operating Procedure 820.1, *Petitions for Release of Geriatric or Terminally Ill Offenders* (deleted 2/21/14)
Operating Procedure 830.1, *Facility Classification Management*
Operating Procedure 830.3, *Good Time Awards*
Operating Procedure 861.1, *Offender Discipline*

X. FORM CITATIONS

*Medical Discharge Summary*, 720_F5
*Medical Discharge Summary: Community Corrections* 720_F7
*Mental Health Appraisal DOC MH-17* 730_F17
*Mental Health Coding Classification Review/Update Form DOC MH-18* 730_F18
*Petition for Conditional Release of Geriatric Offender* 820_F1 (added 2/21/14)
*Interstate Compact Pre-Release Checklist* 820_F8
*Request for Assistance - Problematic Release* 820_F9 (revised 8/5/14)
*Discharge Offender Work History Report* 820_F10
*Job Proficiency Exit Report* 820_F11
*Offender Program History* 820_F12
*Offender Application for Interstate Compact Transfer* 920_F17 (added 8/15/13)

XI. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than August 1, 2015.

*The office of primary responsibility reviewed this operating procedure in August 2013 and necessary changes have been made.*
Signature Copy on File

7/2/12

A. David Robinson, Chief of Corrections Operations  
Date