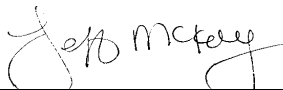

 <p>Department of Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE COMPAS Assessments/Case Plan		NO. 8500
			DATE 10/11/2023
SUPERSEDES DIR #8500 Dtd. 08/14/19	DISTRIBUTION A B	PAGES PAGE 1 OF 9	DATE LAST REVISED
REFERENCES (Include but are not limited to) Executive Law Section 259-c(4), Correction Law Section 71-A; ACA Expected Practices 4-APPFS-2A-02, 4-APPFS-2A-03, 4-APPFS-2A-08, 4- APPFS-2A-09, 4-APPFS-2A-11, 2-1063, 5-ACI-5B-10, Directives #8700, #9010, #9025, #9030, #9050, #9051, and #9210	APPROVING AUTHORITY  		

- I. **PURPOSE:** To provide Department of Corrections and Community Supervision (DOCCS) staff with operating procedures for the application of the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) Risk and Need Assessment for incarcerated individuals.
- II. **POLICY:** Offender Rehabilitation Coordinators (ORC) at Reception Centers will complete the NY Reception COMPAS Assessment for all new commitments arriving in DOCCS. Upon the incarcerated individual's transfer to a general confinement facility, the ORC will utilize the NY Reception COMPAS Assessment to develop the individual's Case Plan. ORCs will complete the COMPAS Re-Entry Assessment instrument at the time of the pre-Parole Board interview, or when an incarcerated individual is interviewed for a release investigation. All eligible individuals will have the assessment instrument completed and entered in the eJustice NY Integrated Justice Portal (IJ Portal). The field Parole Officer (PO) is required to supervise releasees according to Supervision Status and criminogenic needs identified by the instrument. The assigned PO will do a reassessment of the risk level using the COMPAS Supervision Review instrument after the releasee has served 12 months of unrevoked parole and every 12 months of unrevoked parole thereafter.
- III. **DEFINITIONS:** As used in or in connection with this directive, the following terms are defined as indicated below:
 - A. NY Reception COMPAS (Correctional Offender Management Profiling for Alternative Sanctions): A research-based clinical assessment instrument which is used to assist staff in assessing an incarcerated individual's risks and needs by gathering quality and consistent information to support decisions about supervision, treatment, and other interventions. The instrument compiles the criminogenic need scales for criminal associates/peers, criminal opportunity, social isolation, criminal personality, criminal thinking self-report, anger, financial, and vocation/education, (Custom Fields can also be created on the Case Plan for additional needs assessed for the incarcerated individual).
 - B. Re-Entry COMPAS: A research-based clinical assessment instrument which is used to assist staff in assessing a releasee's risk and needs in order to most effectively supervise the releasee. The instrument compiles criminogenic need scales inclusive of risk of felony violence, arrest risk, and risk of absconding, criminal involvement, history of violence, prison misconduct, re-entry substance abuse, negative social cognitions, low self-efficacy/optimism, low family support, re-entry financial, and re-entry employment expectations.

It also summarizes the releasee's criminogenic profile and delineates their strengths and weaknesses to be used together with professional judgment to reach supervision classification decisions and guide supervision activities.

- C. Transitional Accountability Plan (TAP): Per Correction Law Section 71-A, upon admission to the Department, a comprehensive, dynamic, and individualized case management plan is required based on the programming and treatment needs of the incarcerated individual. The COMPAS Assessments (Reception and Re-Entry) identify the risks and needs that drive the Case Plan. The Case Plan, to include the Custom Fields, satisfies the requirements of the TAP.
- D. Supervision Status Level: Supervision Status is the outcome of the assessment tool which assists in determining the intensity of supervision and management of the criminogenic and stabilization needs. There are four Supervision Status levels; Status 1 is the most intensive and Status 4 is the least intensive.
- E. Reclassification: Reclassification is intended to assist in guiding the necessary adjustment in the releasee's current supervision assignment level. These adjustments are based on changes in a releasee's criminogenic needs during the time period under supervision. A brief case review reassessment instrument will be used as a decision-making tool for releasee's reclassification and/or readjustment of supervision plan.
- F. Override: The override process is intended to assist with placement of releasees in supervision levels and allow for adjustments to the assessment instrument's recommended Supervision Status. The PO must seek approval from the Senior Parole Officer (SPO) and the final decision will be made by the Bureau Chief (BC). Any changes in Supervision Status must be accompanied by a rationale and a recommended level. Overrides can increase or decrease the level of supervision.
Registered Sex Offenders, Discretionary Sex Offenders, Domestic Violence Alert cases, and Office of Mental Health (OMH) designated Level 1, 1S, 1SY, 2, 2S, and SMI-V cases must be submitted by the SPO to the BC for an override.
- G. eJustice NY Integrated Justice Portal (IJ Portal): The IJ Portal provides a highly secure, single point of entry for authorized users to access a variety of NYS Criminal Justice data systems, including the assessment instrument, New York Statewide Police Information Network (NYSPIN), the Pre-Sentence Investigation Repository, and numerous other public safety related applications.
- H. Criminogenic Needs: Criminogenic needs are attributes of incarcerated individuals that are directly linked to criminal behavior. These needs are dynamic factors which have been shown to be associated with recidivism and are subject to change over time. Briefly stated, research has shown the following types of needs to be criminogenic:
 - 1. Substance Abuse and Re-Entry Substance Abuse: This criminogenic need is concerned with an incarcerated individual's problems, if any, with alcohol abuse, drug abuse, and with any prior treatment programs. It includes details concerning the substance abuse, the extent to which alcohol or other drugs interfered with the person's pro-social experiences, and information about prior substance abuse treatment programming.

- Programming in this domain should focus on actual treatment services designed to educate incarcerated individuals about the effects of alcohol and other drug abuse, methods for abstaining from substance abuse, and learning tools that will assist them with recognizing and preventing relapse into substance abusing behavior.
2. **Negative Social Cognitions:** This criminogenic need considers the characteristics and extent of the incarcerated individual's pro-social and anti-social attitudes. This identifies attitudes predisposed towards crime and violence and minimizes the impact of their criminal behavior. This is a general indicator of an entrenched criminal personality and a person who will be highly resistant to supervision. This criminogenic need covers a multi-faceted and wide range of personal and emotional need factors that have been shown to be predictive of criminal and recidivistic behavior. This dimension includes needs that fall into three major categories:
 - a. Cognitive defects, which include problem-solving, inter-personal relationship skills, inability to understand the feelings of others, and narrow, rigid thinking.
 - b. Behavioral problems, including behaviors likely to result in negative consequences, such as impulsivity, risk-taking, aggression, anger, frustration, intolerance, and gambling.
 - c. Personal characteristics, which may increase the likelihood that the incarcerated individual will be involved in criminal behavior (e.g., personality dispositions, behavioral preferences including inappropriate sexual attitudes or preferences, and mental status characteristics).

OMH may be involved in diagnosing and treating this need. Programming for incarcerated individuals will focus on addressing cognitive and behavioral needs in the areas of problem solving, coping with stress, management of anger, cognitive restructuring, and impulsive decision making or risk-taking behavior. Programming may also focus on developing and fostering non-criminal thinking, emphasize victim awareness and empathy, and the development of pro-social values.
 3. **Low Self-Efficacy/Optimism:** This criminogenic need is identified in a person who lacks optimism and as a result may experience more challenges with re-entry. This need considers the incarcerated individual's capability for functioning adequately in the community and covers a wide range of community living skills, well-maintained place of residence, health, hygiene, nutrition, financial management skills, appropriate leisure time activities, and awareness of available social assistance programs.

Programming for this criminogenic need area should focus on knowledge and skill acquisition specific to the areas of deficiency. Additionally, general "life skills" programs and release preparation programs will contribute to addressing needs in this area.
 4. **Financial:** This criminogenic need is identified in someone who may have experienced poverty and financial problems and worries about financial survival resulting in conflicts with friends and/or family about money.

- Programming should include a focus on financial management, finding and maintaining employment, negotiating social assistance counseling on money management, and stabilizing the person's income.
5. **Vocational/Educational:** This criminogenic need describes the role of employment in the incarcerated individual's life. Need indicators include employment history, positive and negative aspects of work history (such as job performance, absenteeism, unstable work record, prior termination, inability to earn sufficient salary to live on, having difficulty with co-workers and/or superiors), and educational deficiencies (including intelligence, learning disabilities, and vocational skills). Programming should focus on achievement in academic or vocational education programs, completion of an apprenticeship, career training in a field suitable for post-release employment, and other programs designed to assist incarcerated individuals in looking for, applying for, and retaining employment.
 6. **Low Family Support:** This criminogenic need is concerned with an incarcerated individual's family relationships. Need indicators include relationships with parents and siblings, lack of parental presence or involvement, history of family abuse and/or criminality, marital history, dependents, parenting skills, and incidents of child abuse. Programming should focus on building support from the incarcerated individual's family members, teaching parenting skills, building non-traditional support systems such as church and/or mentoring relationships, and reinforcing individuals' responsibility for dependent children.
- I. **Stabilization Needs:** Stabilization needs are the fundamental survival needs necessary for an incarcerated individual to successfully transition from the institution to the community, such as housing, medical, and mental health needs. Meeting those needs creates more positive conditions to effectively address an individual's criminogenic needs.
 - J. **Verification:** Any positive contact or communication with trusted sources that establish the compliance or non-compliance of the releasee with the conditions of release.
 - K. **Criminal Involvement:** This scale on the assessment instrument indicates if a person has had multiple arrests, convictions, and/or prior incarcerations. This scale is critical in determining a releasee's Supervision Status.
 - L. **Criminal Opportunity:** This higher order scale assesses criminal opportunity by using items that represent a combination of the following: time in high crime situations, affiliation with high-risk persons who often engage in illegal activities, a lack of pro-social or constructive activities, an absence of social ties, high boredom, high restlessness, and being in a highrisk age group.
 - M. **Criminal Personality:** The items in this scale cover the main dimensions identified as components of the criminal personality (e.g., impulsivity, no guilt, selfishness/narcissism, a tendency to dominate others, risk-taking, and a violent temper or aggressiveness).
 - N. **Criminal Thinking Self-Report:** This scale brings together several cognitions that serve to justify, support, or provide rationalizations for the person's criminal behavior.

These dimensions include moral justification, refusal to accept responsibility, blaming the victim, and excuses that minimize the seriousness and consequences of their criminal activity.

- O. History of Violence: This scale on the assessment instrument reflects the seriousness of an incarcerated individual's criminal history. It focuses on the frequency with which violent offenses have occurred, the use of weapons, and the frequency of injuries to victims.
- P. Prison Misconduct: This scale on the assessment instrument focuses on the misconduct that an incarcerated individual has committed while in prison. The scale measures the number and seriousness of the infractions and may indicate a person's likelihood of non-compliance while under supervision.

IV. PROCEDURE FOR NY RECEPTION COMPAS AND CASE PLAN

A. Offender Rehabilitation Coordinators (ORC)

1. The 63-question NY Reception COMPAS Assessment will be completed for every new commitment arriving at a DOCCS Reception Center. Individuals at Bedford Hills Reception Center will have the 105-question Gender Specific COMPAS Assessment completed. A Reception COMPAS Assessment will not be completed on Returned Parole Violators or incarcerated individuals already in custody prior to the implementation of the COMPAS.
2. Upon transfer to a general confinement facility, the assigned ORC will review the Reception COMPAS Assessment, Bar Chart, and Narrative during the initial interview within five business days of arrival. The ORC, in conjunction with the incarcerated individual, will create a Case Plan based on the person's needs at their first scheduled quarterly review. Individuals already in custody without a Reception COMPAS Assessment will have a Case Plan created based on the ORC's current assessment of the incarcerated individual's needs.
3. Case Plans will prioritize the individual's needs, establish goals to address these needs by developing tasks and activities to achieve each goal. Strengths should be discussed and utilized as positive reinforcement and barriers to success noted with plans to address them in order to reach goals. The Case Plan will document the individual's progress in working toward established treatment needs and goals. The Case Plan satisfies the TAP requirements as defined in Correction Law Section 71-A for individuals during the term of incarceration.
4. Case Plans will be reviewed with the incarcerated individual quarterly, unless they are more than four years to their earliest release date, whereby ORCs are only required to have a face-to-face interview every other quarter.
5. Caseloads will still be distributed and printed utilizing the KGNC systems. Individuals scheduled for a Transfer Review will still require transfer information to be entered into KGNC Function 40. Sections from the regular Quarterly Review will automatically populate with the information entered through the IJ Portal.
6. ORCs at Work Release and Lakeview Shock Incarceration Correctional Facility (SICF) will create a Case Plan when completing the Re-Entry COMPAS Assessment.

7. A copy of the most recent COMPAS Case Plan, including Custom Fields, is required for any incarcerated individual appearing before the Board of Parole for discretionary release consideration. The Case Plan will be filed in Section 3-A of the Community Supervision folder, directly under the COMPAS Re-entry Assessment with the Case Plan goals section on top. A Case Plan is completed as scheduled in the quarterly review process and should not be created solely for the purpose of the Parole Board appearance if one did not previously exist.

B. Supervising Offender Rehabilitation Coordinators (SORC)

1. Ensure the ORCs and support staff are aware of and have access to all written policies, procedures, and guidelines pertaining to COMPAS Assessments and Case Plans.
2. Ensure newly-hired ORCs and support staff are provided with on-the-job training and development.
3. Ensure that Guidance staff adheres to the programs and policies of the Department consistent with ethical standards that are appropriate in a professional relationship between an incarcerated individual and an ORC.
4. Ensure that all incarcerated individuals have a Case Plan that identifies their criminogenic and stabilization needs and that their Case Plan goals are well developed and individualized.
5. Reinforce the Department's mission and goals to staff.

V. PROCEDURE FOR RE-ENTRY COMPAS

A. Offender Rehabilitation Coordinators (ORC)

1. The assessment instrument will be completed on all incarcerated individuals including parole/post release supervision violators at the time of the pre-Board interview. The assessment instrument will be completed on all cases with the exception of the following:
 - a. Strict and Intensive Supervision and Treatment (SIST) only cases.
 - b. Cases that are prepared for Early Conditional Parole for Deportation Only (ECPDO) and there is no other release decision by the Board except for deportation.
 - c. Cases in the custody of the Office of Children and Family Services (OCFS) and the Office for Persons with Developmental Disabilities (OPWDD) who are under the age of 18 years.
 - d. Incarcerated individuals who are immediately release eligible and are processed as an emergency release.
 - e. Adult cases in the custody of OPWDD.
 - f. In cases where the incarcerated individual has a severe medical or psychiatric condition which compromises their ability to engage in the assessment process.

2. The assessment instrument will be completed by assigned facility staff in the following circumstances:
 - a. Cases sentenced pursuant to Criminal Procedure Law Section 410.90 (Judicially Sanctioned) will have the assessment instrument tool completed by staff at the assigned facility (Lakeview Drug Treatment Program (DTP) or an alternative drug treatment program site).
 - b. If an incarcerated individual is transferred as a result of disciplinary confinement, the assigned facility will be responsible for updating the assessment.
3. The assessment instrument will be completed by ORCs for parole violators when no assessment history exists or the assessment was completed more than one year prior. This includes cases revoked and restored to Lakeview DTP and cases returned to DOCCS serving time assessments (emergency releases are excluded).
4. The Re-entry COMPAS assessment instrument is to be completed once in a 12-month period for individuals scheduled to appear or be reviewed by the Board of Parole or prior to release to supervision.
 - a. Incarcerated individuals being released from a Work Release facility or Re-entry Unit (Queensboro and Taconic Correctional Facilities) must have been assessed within the last 12 months including, but not limited to, updates for misbehavior reports.
 - b. If a Merit Time Certificate is revoked for any reason other than a misbehavior report subsequent to the Parole Board appearance, a new assessment does not need to be completed if the incarcerated individual reappears before the Board within that 12-month period.
 - c. If the last assessment was completed more than a year prior to Conditional Release (CR) or Maximum Expiration (ME) with Post Release Supervision (PRS), a new assessment must be completed before release.
5. After the ORC completes the interview portion of the assessment instrument, they will manually enter the data into the IJ Portal within three business days of the interview. Upon completion of the assessment in the IJ Portal, an automatic chronological entry will be made in the Case Management System (CMS) using the contact code "CAC" (COMPAS Assessment Completed). A copy of the completed sections of the assessment instrument must be printed and filed in Section IIIA of the Community Supervision case folder in the following order: Bar Chart, Assessment, Supervision Recommendation, and Narrative. The incarcerated individual will sign the Self-Report section of the assessment. The assessment instrument will be copied and given to the incarcerated individual at least two business days prior to the Parole Board appearance. Questions 24, 29, 30 and the corresponding sections to these questions in the Narrative, must be redacted prior to giving a copy to the incarcerated individual.
6. In the event of a significant incident, such as Tier 3 misbehavior report, which occurs after the assessment has been completed but prior to release, the assessment instrument must be updated to reflect the incident.

The updated assessment must be printed and placed in the Community Supervision case folder; the previous assessment will be removed and discarded, unless the assessment was part of the record at the time of a Parole Board decision.

7. Discharge planning done in a facility must take into consideration risk designation, criminogenic and stabilization needs. Primary consideration must be given to residency, followed by the prioritizing of criminogenic needs as identified by the assessment tool.
8. An incarcerated individual should contact the SORC with disputes as to the accuracy of the assessment.

B. Field Parole Officer (PO)

1. The field PO will access the completed assessment instrument information as presented on the Detail Screen of CMS (F6) at the time the Community Preparation investigation is assigned.
2. In the event that an assessment instrument has not been completed prior to release, the assigned PO will complete the assessment as soon as practical but within 14 days after release. The releasee will then be assigned to the appropriate caseload based on the assessed Supervision Status. Upon completion of the assessment in the IJ Portal, an automatic chronological entry will be made in CMS using the contact code "CAC" (COMPAS Assessment Completed) and a copy must be placed in Section IA of the Community Supervision case folder.
3. The assigned PO will complete an assessment instrument in the following circumstances:
 - a. Emergency release from any facility;
 - b. Revoke and restore from a local facility or New York State DOCCS; or
 - c. Interstate cooperative supervision cases.
4. Supervision plans and program referrals must target the high to medium criminogenic needs as noted on the "Detail" screen of CMS. Details of the supervision plan must be articulated with the CMS activity codes and narrative.
5. The PO will forward all override requests to the SPO detailing a specified reason for the override and a suggested supervision level, in accordance with Directive #9210, "Supervision Standards for Community Supervision." All requests will be entered into the IJ Portal and detailed in CMS.
6. The PO will complete the first Case Supervision Review Instrument located in the IJ Portal reclassification consideration to a different Supervision Status, 12 months from release. Additional reassessments will occur 12 months from each prior assessment until the releasee is discharged from supervision. If the PO believes the results do not reflect the appropriate level of supervision, they must follow the override process as delineated in Directive #9210.
7. Parole violators who remain in local custody, including Declared Delinquent Other Institution (DDOI) cases at Rikers Island, will be assessed by the assigned field PO within 14 days after arrival report.

C. Senior Parole Officer (SPO)

1. If the assessment instrument was completed by facility staff prior to release, the SPO will review the assessment within five days from release. If the assessment instrument is completed by the assigned field PO, the SPO must review the assessment within 14 days.
2. The SPO will review the PO's request for an override and, if in agreement, must forward the request via e-mail with justification to the Bureau Chief (BC) within five business days after arrival or upon completion of the assessment tool. All information must be entered into CMS. Override requests on releasees can occur any time during supervision.
3. The SPO will ensure timely submission, review, and approval of the Supervision Plan and documentation in CMS.

D. Bureau Chief (BC)

1. The BC will ensure that all POs and SPOs are in compliance with the responsibilities outlined in this directive. They are responsible for ensuring that all tasks are completed in a timely manner.
2. The BC is responsible for final decision making in the case of override requests, including entry of approval into the IJ Portal.

E. Re-Entry Staff (RESU)

1. Upon receiving a request from field staff, RESU will participate in case conferencing, pre-release and post-release, to assist staff with incorporating the identified Supervision Status, criminogenic and stabilization needs into the Supervision Plan.
2. RESU will identify community services specific to the criminogenic/stabilizations needs of releasees and act as a resource for the ORCs and POs.