

Standards Committee Meeting Minutes
154th Congress of Correction
Music City Center
Room 208 A/B
Nashville, Tennessee
August 15, 2024

Members Present

Blessinger, Christine, Indiana
Cadreche, Marina, Florida
Chambers-Smith, Annette, Chair, Ohio
Clarke, Harold, Virginia
Collier, Bryan, Vice-Chair, Texas
Deshotels, Alexander, Louisiana
Grande, Peter, Kansas
Janes, Linda, Ohio
LeBlanc, Christopher B., Louisiana
Linthicum, Lannette, Texas
McFadden, Garry, North Carolina
Moores, Carol, New York
Riggin, Viola, Kansas
Santa, Colette, Massachusetts
Sauls, Randy, Georgia
Stickrath, Thomas, Ohio
Stohr, Jennifer, Ohio
Sweney, Chris, Ohio

Members Absent

Koon, Ron, Georgia
Shinn, David, Arizona

Staff

Robert Green, Executive Director
Jeff Washington, Deputy Executive Director
David Haasenritter, Director of Standards and Accreditation

Opening Remarks

Annette Chambers-Smith, chairperson of the committee, welcomed the committee members and guests. Introductions were made by the committee. Ms. Chambers-Smith expressed her gratitude for the hours of exceptional work involved in developing new editions of the APA and ACRS Manuals, 2nd and 5th Edition respectively. This committee has been meeting for six weeks with the two committees tasked with the manual revisions. These meetings were at times four hours in length and even those on leave still participated in the review of proposed changes to these manuals in preparation for this meeting. This is the third revision of the APA Manual and the 4th Edition ACRS manual was published in 2001. These efforts were about modernizing and keeping up with the practices needed for the industry. There is nothing as important as the bedrock standards

worldwide to guide our profession in attaining the best outcomes and takes care of those human beings in our care.

ACA President, Denise Robinson welcomed the committee members and guests to Nashville, Tennessee. A special thank you to especially the new commissioners for accepting her new appointments and participation on the standards committee. She too expressed appreciation for the two committees' work in revising the APA and ACRS manuals as she experienced the diligent efforts through her office door – it has been amazing. Remarkable work was done.

ACA Executive Robert Green thanked everyone for their attendance and noted how greatly appreciated their presence and participation. Special appreciation for all the work that has been done as our president noted. We have some standards that have not been in some years, and we want to make sure everything we do is contemporary, up to date and completely applicable to what the field needs. It has been an incredible amount of time and work, thank you. As a matter of personal privilege, I would like to introduce a topic for which the President will momentarily make a Blue-Ribbon committee designation. It has been my interest, the interest of many in this room and this body to really take a strong look at standards as they apply to the transportation of individuals beyond our walls, hospitals, doctors' offices, medical appointments, mass transit, large buses, small vans. Think about all the times when staff go beyond the walls, especially into harm's way not protected by our fences, our walls and the response of our brethren around the facility. I have long visioned a set of contemporary standards from how we put individuals into vehicles, how we utilize safety and security devices, how we look at hospital duty and other activities outside the walls. I am pleased to present President Robinson.

President Denise Robinson announced the establishment of a Blue-Ribbon Committee to immediately develop transportation standards for the field of corrections. This committee will play a pivotal role in enhancing the safety and efficiency of our transportation protocols. This committee will be tasked with reviewing current policies and practices, identifying core actions, equipment and developing comprehensive guidelines. It is expected the proposed standards be ready for review and possible adoption by this body at the Winter Conference in Orlando January 2025. There is no such thing as "routine transport".

David Haasenritter, Director of the Standards and Accreditation Department briefed the accreditation training at the conference to include all day Accreditation Manager Training on August 15, 2024 with break-out sessions specific to prisons, jails, community corrections and juveniles. All day auditor and new auditor training on August 18, 2024. He concluded by thanking the standards committee for all their continued hard work.

Ms. Chambers-Smith discussed the meeting agenda. A motion was made and was seconded to approve the August 2024 Standards Committee Meeting Minutes. The motion was approved unanimously.

A motion was made and seconded for discussion of Old Business, Committee Reports/Proposals and the proposed expected practices additions/deletions/revisions

The meeting was adjourned.

Section 2

Old Business

American Correctional Association
Committee on Performance-Based Standards

January 2024 Training Proposals Referred to a Subcommittee Organized
by David Haasenritter

ACA File No. 2024-010 (Revision 5-ACI-1D-11)

ACA File No. 2024-011(Glossary)

Training Committee File No 2024-001

Manual: ACI
Edition: 5th
Expected Practice Number: 5-ACI-1D-03
Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

The training plan is developed, evaluated, and updated based on an annual assessment that identifies current job-related training needs.

Proposed Language:

The training plan is developed, evaluated, and updated based on an annual assessment that identifies current job-related training needs. The training plan includes the agency's methods for calculating hours earned.

- If assigning credit other than hour-for-hour, credit must be calculated using a training or education industry recognized method.
- In lieu of completing a training session, full training credit can be awarded through demonstrated knowledge and understanding of the subject matter. Demonstration of competency requires a score of 80% or higher on knowledge verification assessment.
- Unless approved by a certifying body, trainings excluded from knowledge testing as an alternative for classroom instruction or e-learning include:
 - Pre-service training and orientation (OJT, etc.)
 - Mandatory courses required by contract, partner, and or governing body.
 - Recently updated or newly created courses.
 - Courses that are defined or identified as high liability.
 - Courses that requires a defined re-certification requirement, e.g.,
 - CPR
 - Chemical Agents
 - Firearms
- Use of Force regulations and tactics to include defensive tactics.

FOR ACA STAFF USE ONLY- Training Committee File No 2024-001

The above proposed revision, addition, or deletion would also affect the following manuals:

All manuals

Action taken by the standards committee:

Approved as amended in last bullet (see below) Denied Tabled Referred to:

Training Committee File No 2024-001 Cont.

The training plan is developed, evaluated, and updated based on an annual assessment that identifies current job-related training needs. The training plan includes the agency's methods for calculating hours earned.

- If assigning credit other than hour-for-hour, credit must be calculated using a training or education industry recognized method.
- In lieu of completing a training session, full training credit can be awarded through demonstrated knowledge and understanding of the subject matter. Demonstration of competency requires a score of 80% or higher on knowledge verification assessment.
- Unless approved by a certifying body, trainings excluded from knowledge testing as an alternative for classroom instruction or e-learning include:
 - Pre-service training and orientation (OJT, etc.)
 - Mandatory courses required by contract, partner, and or governing body.
 - Recently updated or newly created courses.
 - Courses that are defined or identified as high liability.
 - Courses that requires a defined re-certification requirement, e.g.,
 - CPR
 - Chemical Agents
 - Firearms
- ***Use of Force*** Regulations and tactics to include defensive tactics.

Section 3

Reports from ACA Committees

Healthcare Committee

Health Care Committee File No 2024-001

Manual: ALDF

Edition: 5th

Expected Practice Number: 4-ALDF-4C-20

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language from 4th Edition:

Routine and emergency dental care is provided to each inmate under the direction and supervision of a licensed dentist. There is a defined scope of available dental services, including emergency dental care, which includes the following:

- a dental screening conducted within 14 days of admission, unless completed within the last six months, conducted on initial intake with instructions on dental hygiene
- a dental examination by a dentist within 12 months of admission, supported by diagnostic x-rays, if necessary
- treatment of dental pain; sedative fillings, extractions of non-restorable teeth, gross debridement of symptomatic areas, and repair of partials and dentures for those inmates with less than 12 months detention
- a treatment plan with x-rays for those inmates who request care with more than 12 months detention
- a defined charting system that identifies the oral health condition and specifies the priorities for treatment by category
- development of an individualized treatment plan for each inmate receiving dental care
- consultation and referral to dental specialists, including oral surgery, when necessary

Existing Expected Practice Language from 5th Edition:

Expected Practice Number: 5-ALDF-4C-20

(Effective NLT January 1, 2024) There is a defined scope of available dental services upon admission, which includes the following:

- Dental Screening upon initial admission into the System by a qualified health care professional or health trained professional.
- Oral hygiene, oral disease education and self-care instruction that are provided by qualified health care personnel within 30 days of initial admission into the System.

- Dental Intake Assessment by a dentist within **30 days** of initial admission into the System to assess dental pain, infection, disease, or impairment of function and establish the overall dental/oral condition. Consultation and referral to appropriate specialists are provided when medically necessary.

Proposed Language:

There is a defined scoped of available dental services upon admission, which includes the following:

- Dental Screening upon initial admission into the System by a qualified health care professional or health trained professional.
- Oral hygiene, oral disease education and self-care instruction that are provided by qualified health care personnel within 30 days of initial admission into the System.
- Dental Intake Assessment by a dentist within 6 months of initial admission into the System to assess dental pain, infection, disease, or impairment of function and establish the overall dental/oral condition. Consultation and referral to appropriate specialists are provided when medically necessary.

FOR ACA STAFF USE ONLY- Health Care Committee File No. 2024-001

The above proposed revision, addition, or deletion would also affect the following manuals:

None

Action taken by the standards committee:

Approved as amended (see below) Denied Tabled Referred to:

There is written policy, procedure and practice created under the direction of a licensed dentist which includes ~~is~~ a defined scoped of available dental services upon admission, which includes the following:

- Dental Screening upon initial admission into the System by a qualified health care professional or health trained professional.
- Oral hygiene, oral disease education and self-care instruction ~~that~~ are provided verbally or in writing by qualified health care personnel within 30 days of initial admission into the System.

- Dental *Intake* Assessment by a dentist within **6 12 months** of **the most recent** *initial* admission into the System to assess dental pain, infection, disease, or impairment of function and establishment of *the* overall dental/oral condition.
- **Development of an individualized treatment plan with x-rays for each inmate receiving dental care with more than 12 months detention.**
- Consultation and referral to appropriate specialists are provided when medically necessary.
- **Emergent treatment of dental pain, sedative fillings, extractions of non-restorable teeth, gross debridement of symptomatic areas and repair of partials and dentures when necessary for mastication are provided when medically necessary.**

Section 4

Proposals for Standards Revision

Submissions for Expected Practice Revisions
154th Congress of Correction
Nashville, Tennessee
August 15, 2024

KEY

ACA File Number (*Order in which the submissions were received*)

Manual: *Manual in which the change is being proposed*

Expected Practice No: *Expected Practice to which the change is being proposed*

Agency /Facility: *Agency or facility submitting the proposed change*

Facility Size: *Size of the agency/facility proposing the change*

Accredited: *Whether or not the submitting agency/facility is accredited*

Proposal Type: *Type of proposal (addition of a new expected practice, deletion of the current expected practice, revision of the current expected practice, or clarification of the existing expected practice or comment)*

Existing Expected Practice: *The expected practice printed in the manual or Supplement as it currently stands. For example:*

Blacked-out text *indicates text in the existing expected practice that has been removed in the proposal.*

Proposal: *The proposed change to the existing expected practice. For example:*

Highlighted Text *indicated new or revised wording to the existing expected practice in the proposal.*

Comments: *Comments from the field regarding the proposed revision. These comments generally indicate whether the commenting entity agrees or disagrees with the revision.*

Name: *Name of person submitting the revision*

Title: *Title of person submitting the revision*

Email: *email address of person submitting the revision*

Contents:

ACA File Number	Expected Practice	Type	Page
ACA File No. 2024-015	5-ACI-4A-23	Revision	50
ACA File No. 2024-016	5-ACI-4B-23	Revision	51
ACA File No. 2024-017	5-ACI-4B-26	Revision	52
ACA File No. 2024-018	5-ACI-7E-01	Revision	54

Manual: ACI
Edition: 5th
Expected Practice Number: 5-ACI-4A-23
Agency/Facility: North Carolina Department of Adult Correction
Facility Size: N/A
Accredited (yes or no): Yes
Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

Written policy, procedure, and practice provide that inmates in special management **housing** have access to reading materials.

Proposed Language:

Written policy, procedure, and practice provide that inmates in special management have access to reading materials **from the facility library and/or offender tablet.**

Comments (Justification):

Offenders in general population have access to the physical library as well as the offender tablet. The same options should be granted to offenders in restrictive housing, special management and extended restrictive housing. The offender tablet offers a wide variety of options, including law library materials.

Name: Paula Page
Title: Director of Accreditation and Compliance
Email: paula.page@dac.nc.gov

COMMENTS: None

FOR ACA STAFF USE ONLY- ACA File No. 2024-015

The above proposed revision, addition, or deletion would also affect the following manuals:

4-ALDF-2A-63; 5-ALDF-2E-21

Action taken by the standards committee:

Approved – **ACA to develop Process Indicators** Denied Tabled Referred to:

Manual: ACI
Edition: 5th
Expected Practice Number: 5-ACI-4B-23
Agency/Facility: North Carolina Department of Adult Correction
Facility Size: N/A
Accredited (yes or no): Yes
Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

Written policy, procedure, and practice provide that inmates in Restrictive Housing have access to reading materials.

Proposed Language:

Written policy, procedure, and practice provide that inmates in Restrictive Housing have access to reading materials from the facility library and/or offender tablet.

Comments (Justification):

Offenders in general population have access to the physical library as well as the offender tablet. The same options should be granted to offenders in restrictive housing, special management and extended restrictive housing. The offender tablet offers a wide variety of options, including law library materials.

Name: Paula Page
Title: Director of Accreditation and Compliance
Email: paula.page@dac.nc.gov

COMMENTS: None

FOR ACA STAFF USE ONLY- ACA File No. 2024-016

The above proposed revision, addition, or deletion would also affect the following manuals:

4-ALDF-2A-84; 5-ALDF-2F-18

Action taken by the standards committee:

Approved – ACA to develop Process Indicators Denied Tabled Referred to:

Manual: ACI

Edition: 5th

Expected Practice Number: 5-ACI-4B-26

Agency/Facility: North Carolina Department of Adult Correction

Facility Size: N/A

Accredited (yes or no): Yes

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

Written policy, procedure, and practice provide that inmates in Extended Restrictive Housing have access to programs and services that include, but are not limited to the following: educational services, commissary services, library services, social services, behavioral health and treatment services, religious guidance, and recreational programs.

Proposed Language:

Written policy, procedure, and practice provide that inmates in Restrictive Housing and Special Management have access to reading materials from the facility library and/or offender tablet.

Comments (Justification):

Offenders in general population have access to the physical library as well as the offender tablet. The same options should be granted to offenders in restrictive housing, special management and extended restrictive housing. The offender tablet offers a wide variety of options, including law library materials.

Name: Paula Page

Title: Director of Accreditation and Compliance

Email: paula.page@dac.nc.gov

COMMENTS:

The proposed language change does not include the full list of services in the existing expected practice. Access to educational services, commissary services, social services, behavioral health and treatment services, religious guidance and recreational programs should not be removed from the expected practice. As proposed, this would be the same expected practice as the proposed 5-ACI-5A-23 revised expected practice.

Would suggest that revision includes offender tablet access to the materials at no cost to the offender. If there is not a cost for access to the print materials and print materials are being replaced by tablet reading and reference materials, the same free access should be provided via tablets.

Jennifer Stohr

Director of Quality Assurance & Accreditation

FOR ACA STAFF USE ONLY- ACA File No. 2024-017

The above proposed revision, addition, or deletion would also affect the following manuals:

None

Action taken by the standards committee:

Approved **Denied** Tabled Referred to:

Manual: ACI
Edition: 5th
Expected Practice Number: 5-ACI-7E-01
Agency/Facility: North Carolina Department of Adult Correction
Facility Size: N/A
Accredited (yes or no): Yes
Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

The institution maintains and/or provides access to comprehensive library services that include, but are not limited to, a reference collection containing general and specialized materials, and planned and continuous acquisition of materials to meet the needs of the institutional staff and inmates.

Proposed Language:

The institution maintains and/or provides access to comprehensive library services that include, but are not limited to, a reference collection containing general and specialized materials, and planned and continuous acquisition of materials to meet the needs of institutional staff and inmates. Access includes offender tablet content such as E-books, religious materials, educational materials and law library.

Comments (Justification):

Offenders have access to the aforementioned content on the offender tablets, which can be used along with, in place of, or in addition to the physical library.

Name: Paula Page
Title: Director of Accreditation and Compliance
Email: paula.page@dac.nc.gov

COMMENTS: None

FOR ACA STAFF USE ONLY- ACA File No. 2024-018

The above proposed revision, addition, or deletion would also affect the following manuals:

1-ABC-5E-01; 4-JCF-5E-02; JBC 5E-01

Action taken by the standards committee:

Approved **Denied** Tabled Referred to:

Proposals for ACRS 5th Edition Manual Revision

109 Proposals for additions, revisions, combining some standards, glossary revisions/additions, universally replacing the word “offender” with “resident”

The manual revision was approved prior to the committee meeting with no reviews necessary during this committee meeting.

Proposals for APA 3rd Edition Manual Revision

The manual revision was approved in majoring prior to the committee meeting with eight proposals requiring further review during this committee meeting. This revision has been beta testing.

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1050

Proposal Type (addition, revision or deletion):

Existing Expected Practice Language:

2-1050 Revised January 1988. Written policy and procedure provide that the agency can document when deficiencies are noted in the implementation of its affirmative action program. The program is approved by the appropriate government agency, and is reviewed annually.

Comment: An affirmative action program should contain necessary guidelines to accomplish the public policy goal of equal employment opportunity. All persons should be able to compete equally for entry into and promotion within the organization. The program also should be designed to seek out qualified minority groups and women.

Proposed Language:

3-APA-3C-16 (MANDATORY) Written policy and procedure provide that the release authority or parent agency is committed to diversity, equity and inclusion can document when deficiencies are noted in the implementation of the program.

Comment: A program based on diversity, equity and inclusion should contain necessary guidelines to accomplish the public policy goal of equal employment opportunity. All persons should be able to compete equally for entry into and promotion within the organization. The program also should be designed to seek out qualified minority groups and women.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Breakdown of staff by sex, race, and ethnicity. Interviews.

Revised:

3-APA-3C-16 (MANDATORY) Written policy and procedure provide that the release authority or parent agency prohibits discrimination against gender, religion, gender identity, sexual orientation, disability, race, political views, nationality, regarding personnel decisions and can document when deficiencies are noted in the implementation of the program.

Comment: A program based on gender, religion, gender identity, sexual orientation, disability, race, political views, nationality should contain necessary guidelines to accomplish the public policy goal of equal employment opportunity. All persons should be able to compete equally for entry into and promotion within the organization. The program also should be designed to seek out qualified minority groups and women.

APA 3rd Edition Workgroup File No 2024-049 Cont.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Breakdown of staff by sex, race, disability, and ethnicity. Interviews.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-049

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved as amended – see below Denied Tabled Referred to:

3-APA-3C-16 ~~(MANDATORY)~~ Written policy and procedure provide that the release authority or parent agency prohibits discrimination against gender, religion, gender identity, sexual orientation, disability, race, political views, nationality, regarding personnel decisions and can document when deficiencies are noted in the implementation of the program.

Comment: A program based on gender, religion, gender identity, sexual orientation, disability, race, political views, nationality should contain necessary guidelines to accomplish the public policy goal of equal employment opportunity. All persons should be able to compete equally for entry into and promotion within the organization. The program also should be designed to seek out qualified minority groups and women.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Breakdown of staff by sex, race, disability, and ethnicity. Interviews.

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1066

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

2-1066 The parole authority permits, encourages, and utilizes internal research as well as research conducted by outside professionals. (Important)

DISCUSSION: It is impractical for a parole agency to carry out internally all research needed. Responsible researchers are interested in carrying out research in the juvenile and criminal justice fields, and with encouragement by parole authorities, their efforts can be directed toward this specific area. Parole authorities should actively encourage the participation of responsible researchers in parole studies.

Revised Proposed Language:

3-APA-4A-03 The release authority permits, encourages, and utilizes internal research when available. When approving research the release authority ensures the privacy and interest of all parties for the case under study, as well as research conducted by outside professionals.

- Chairperson or designee participates in all research design.
- Chairperson or designee select to participate with researchers in deciding which questions to be addressed.
- Policy and procedures specify the methods of which the dissemination for all research findings

Comment: It is impractical for a release authority to carry out internally all research needed. Responsible researchers are interested in carrying out research in the juvenile and criminal justice fields, and with encouragement by release authorities, their efforts can be directed to a specific area of need. Release authorities should actively encourage the participation of responsible researchers in release studies.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of internal research. Documentation using outside research. Interviews.

Comments (Justification):

Similar to ACI EP 5-ACI-1F-14 and combines with 2024-069 (1068), 2024-068 (1067), 2024-070 (1069)

APA 3rd Edition Workgroup File No 2024-067 Cont.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-067

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1067

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

2-1067 Parole authority members and designated staff participate with researchers in deciding which questions should be addressed, which data should be gathered, and how that data should be presented. (Important)

DISCUSSION: (See related standard 2-1065)

Proposed Language:

3-APA-4A-04 The release authority chairperson or designee participates in the reviews of all research designs relative to authority functions. Prior to the start of research, the chairperson or designee selects staff to participate with researchers in deciding which questions should be addressed, which data should be gathered, and how that data should be presented.

Comment: Research should not be permitted to proceed until the research design and the impact on the workload of authority staff are fully understood.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of participation in research. Interviews.

Comments (Justification):

Deleted and added to 2024-067

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-068

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1068

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

2-1068 When approving projects by researchers, the parole authority, or the agency of which it is a part, ensures the privacy and interests of offenders and other parties for the cases under study. (Essential)

DISCUSSION: Although it is obviously important that parole authorities facilitate research, it is essential that they safeguard the privacy and interests of offenders, their families, and other persons. Thus, before any research is undertaken, the research protocols should be reviewed to make certain that appropriate safeguards exist to protect the privacy and interests of those individuals who are the subject of that research. Once these concerns are satisfied, the parole authority should agree to the publication of the results of any research; it may require that before such research is published the authority has the right of comment to the researcher concerned. (See related standard 2-1064)

Proposed Language:

3-APA-4A-05 When approving projects by researchers, the release authority, or the agency of which it is a part, ensures the privacy and interests of all parties for the cases under study.

Comment: While it is important that release authorities facilitate research, it is essential that they safeguard the privacy and interests of offenders, their families, and other persons. Before any research is undertaken, the research protocols should be reviewed by a human subjects review or similar committee. If approved by the committee, the release authority should agree to the publication of the results of any research. The release authority should invoke the right of comment to the researcher prior to the release of study results.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of research agreement. Documentation of minutes from research meetings. Interviews.

Comments (Justification):

Deleted and added to 2024-067

APA 3rd Edition Workgroup File No 2024-069 Cont.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-069

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1069

Proposal Type (addition, revision or deletion):

Existing Expected Practice Language:

2-1069 Written policy and procedure specify the method for dissemination of research findings.
(Important)

DISCUSSION: Written policies and guidelines will prevent misunderstandings about the publication and dissemination of research results. As a general rule, research findings should be published and distributed regardless of the nature of the findings. Their publication can avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the corrections field.

Proposed Language:

3-APA-4A-06 Written policy and procedure specify the method for dissemination of research findings.

Comment: Written policies and guidelines will prevent misunderstandings about the publication and dissemination of research results. As a general rule, research findings should be published and distributed regardless of the nature of the findings. Their publication can avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the corrections field.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of research published. Interviews.

Comments (Justification):

Deleted and added to 2024-067

APA 3rd Edition Workgroup File No 2024-070 Cont.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-070

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1086

Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

2-1086 At the first hearing* of offenders eligible for parole, the parole authority* sets a tentative release date. If circumstances prevent the setting of a tentative release date at the first hearing, a subsequent hearing is held within one year for the purpose of setting a tentative release date. In any event, the parole authority gives reasons in writing for any deferral of decision. (Essential)

DISCUSSION: Uncertainty surrounding the time an offender must serve in an institution should be eliminated as soon as possible after commitment. Inmates need to establish goals based on tentative release dates, and make plans for release. At the first parole hearing, a date of release may be considered but not fixed. Any date fixed at the first hearing or later hearings could be altered based on new information, institutional h-behavior, or the possibility of success based on the offender's ability to handle lesser levels of security. The reasons for deferral should be articulated and a definite review date established for a future hearing. (See related standards 2-1072 and 2-1123)

Proposed Language:

3-APA-1C-01 At the first hearing or any subsequent hearing of offenders eligible for release, the release authority may set a tentative release date or deny parole and in lieu of setting a tentative release date, establish a future hearing date in accordance with written agency policy establishing eligibility criteria. A future hearing date will not exceed timeframes established by statute. In any event, the release authority gives reasons in writing for its decision.

Comment: If the uncertainty surrounding the time an offender must serve in an institution can be eliminated by establishing a tentative release date at the first hearing, the authority should be authorized to set such date. offenders may then establish goals based on tentative release dates, and make plans for release. However, offenders who are convicted of very serious offenses and/or who pose a significant risk to the community if released may not be appropriate to receive a tentative release date. In those cases, the release authority should set a future hearing date without establishing an expectation that release is likely at that time. At the first parole hearing, a date of release may be considered but not fixed. Any date fixed at the first hearing or later hearings could be altered based on new information, institutional behavior, or the possibility of success based on the offender's ability to conform to lesser security levels. The reasons for deferral should be articulated and a definite review date established for a future hearing. Eligibility dates may be determined at the correctional facility and considered by the disposition board and forwarded to the release authority.

APA 3rd Edition Workgroup File No 2024-091 Cont.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of case files. Interviews.

Recommend keeping existing expected practice except change “parole” with “release” and added “or in accordance to statute”.

At the first hearing of offenders eligible for parole release, the parole release authority sets a tentative release date. If circumstances prevent the setting of a tentative release date at the first hearing, a subsequent hearing is held within one year for the purpose of setting a tentative release date or in accordance to statute. In any event, the parole authority gives reasons in writing for any deferral of decision.

Comments (Justification):

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-091

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority
Edition: 2nd
Expected Practice Number: 2-1096
Proposal Type (addition, revision or deletion): Revision

Existing Expected Practice Language:

2-1096 The reasons for a **parole** decision are written, signed by a person authorized by the authority, and made available to appropriate staff and to offender within **21** calendar days **of the offender's hearing.** **(Essential)**

DISCUSSION: The writing out of the reasons for the decision is a crucial part of the **parole** decision-making process. Having this written document is essential for a number of reasons: **it provides a basis of appeal;** it is important for institutional officials and offenders in shaping their future programs; it is helpful for research purposes; and it provides for the continued development of criteria. **(See related standards 2-1070 and 2-1074)**

Proposed Language:

3-APA-1C-11 The reasons for a **release** decision are written, signed by a person authorized by the **release** authority, **which may be accomplished by electronic means,** and made available to appropriate staff and to the offender within **30** calendar days **after the recommendation is finalized.**

Comment: The writing out of the reasons for the decision is a crucial part of the **release** decision making-process. Having this written document is essential for a number of reasons: **it establishes the official rationale for the decision;** it is important for institutional officials and offenders in shaping their future programs; it is helpful for research purposes; and it provides for the continued development of criteria. **In those cases where the recommendation cannot be finalized at the initial hearing, the written reasons will be provided after the decision is finalized.**

Protocol: **Written policy and procedure. Statute or regulation.**

Process Indicators: **Documentation of release decision and notification to offender. Interviews.**

Recommend proposed language to include the 30 calendar days. Research revealed some agencies had a hearing and then had have an executive session (full board) which is only scheduled every thirty days.

APA 3rd Edition Workgroup File No 2024-103 Cont.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-103

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to:

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: 2-1117

Proposal Type (addition, revision or deletion):

Existing Expected Practice Language:

2-1117 The revocation hearing* is conducted within 60 calendar days after the parolee's return to prison as a parole violator; a delay or postponement for good cause may be approved by the authority chairperson or designate (Essential)

Discussion: The *Morrissey* case requires that the revocation hearing, as well as the preliminary hearing, be timely. Subsequent cases have held that a revocation of parole will be invalidated if, without justifiable cause, a revocation hearing is not provided within a reasonable time after the return of the parolee to prison. Delays or postponements should be granted only sparingly.

Interpretation March 1983. If the parolee is in jail pending a trial on new charges, must the revocation hearing be conducted within 60 days? No, the revocation hearing must be conducted within 60 days of return to prison on a finding of probable cause for a parole violation at a preliminary hearing that may be conducted after the trial on new charges. This conclusion is supported by the Supreme Court decision in *Moody v. Daggett*, 429 US 78 (1976).

NOTE: In most cases, the issue of probation and parole violation is not addressed until new charges have been resolved.

Proposed Language:

3-APA-1E-10 (MANDATORY) In jurisdictions where the preliminary hearing and the final revocation hearing are combined, the revocation hearing should be conducted within 25 business days 60 calendar days of the supervised person's availability. When a preliminary hearing has been conducted, the revocation hearing is conducted within a reasonable time after the person's return to prison The purpose of the hearing is a final determination of any contested relevant facts and consideration of whether the facts as determined warrant revocation.

Comment: The *Morrissey* case requires that the revocation hearing, as well as the preliminary hearing, be timely. Subsequent cases have held that a revocation of release will be invalidated if, without justifiable cause, a revocation hearing is not provided within a reasonable time after the return of the person to prison.

Protocol: Written policy and procedure. Statute or regulation.

Process Indicators: Documentation of preliminary hearing and revocation hearing. Interviews.

APA 3rd Edition Workgroup File No 2024-125 Cont.

Recommend keeping the existing expected practice because it addresses parolee’s return to prison. Case law (Morrisey) does not have set date, has to be a reasonable time.

2-1117 The revocation hearing is conducted within 60 calendar days after the parolee’s return to prison as a parole violator; a delay or postponement for good cause may be approved by the authority chairperson or designate

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-125

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved with typo changes (25 business days to 60 calendar days)

Denied

Tabled

Referred to:

APA 3rd Edition Workgroup File No 2024-140

Manual: Adult Parole Authority

Edition: 2nd

Expected Practice Number: Definition

Proposal Type (addition, revision or deletion): New

Existing Expected Practice Language:

N/A

Proposed Language:

Mandatory Expected Practice for APA – An expected practice that has been determined by the American Correctional Association directly affects the liberty interest, conditions of liberty or loss of liberty for an individual.

Comments (Justification): In the Morrisey case, the conditional freedom of the parolee generated by statute is a liberty interest protected by the due process clause of the 14th amendment which may not be terminated absence appropriate due process safeguards.

FOR ACA STAFF USE ONLY- APA 3rd Edition Workgroup File No 2024-140

The above proposed revision, addition, or deletion would also affect the following manuals:

NONE

Action taken by the standards committee:

Approved Denied Tabled Referred to: