

Sixth District Department of Correctional Services POLICY	Issue Date 04/17/15	Effective Date 11/15/21	Policy Number 703-21
Subject	<b>PAROLE ORDER AND AGREEMENT/ SPECIAL CONDITIONS</b>		Review Month March
Rescinds 703-19	References Admin. Code 201-45 and 205; Iowa Code 906; DOC Policy IS-RL-01, ICON Business Rules		
		Author 0600 (DKO)	

**POLICY:**

All offenders granted a parole sign a Parole Order and Agreement. Parole is effective only upon the acceptance of the terms of parole as evidenced by the offender’s signature on the Parole Agreement. The agent explains the Parole Agreement to the offender and supervises, assists, and counsels the offender during the term of parole.

**PURPOSE/PHILOSOPHY:**

Individuals granted parole by the Board of Parole are supervised according to the risk, needs and responsivity of the parolee and special conditions as ordered. The agency is committed to creating and implementing a framework for gender-responsive, culturally sensitive and trauma-informed services in program delivery and staff development, policies and procedures, administrative practices, and organizational infrastructure. Services and supports that are trauma-informed build on the best evidence available with offender and family engagement, empowerment, and collaboration. Agents work collaboratively with other criminal justice organizations, community agencies, the offender and support system to address offender needs and to promote public safety and successful outcomes. Agents report violations of parole to the Board of Parole as required and utilize intermediate sanctions when considering appropriate treatment and custodial options.

**DEFINITION:**

1. Parole Agreement - Written statement of the conditions of supervision as established by Administrative Code, signed by an offender.
2. Special Conditions - Any condition established by the Board of Parole, Department of Corrections, or the Judicial District that has been deemed appropriate for a particular offender, but not one of the standard conditions.
3. Offender - Anyone under legal supervision by employees of the Department.
4. Gender-responsiveness - Approaches guided by research that are relational, strengths-based, trauma-informed, culturally competent, and holistic; and account the different internal, emotional, social and biological experiences of women and men, and responds to their unique needs, strengths, and challenges.
5. Trauma - Refers to experiences that cause intense physical and psychological stress reactions. It can refer to “a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual’s physical, social, emotional, or spiritual wellbeing.”

**POLICY NUMBER 703-21**  
**PAGE 2 OF 3**

**DEFINITION:** (continued)

6. Trauma Informed: "A program, organization or system that is trauma-informed: realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff and others involved with the system; responds by full integrating knowledge about trauma into policies, procedures and practices; and seeks to actively resist re-traumatization."

**PROCEDURE:**

1. The agent uses the Parole Order and Agreement (703A) to facilitate the actual sign-up. At the first meeting, the agent reads and fully explains the Parole Order and Agreement to the offender and answers all questions. This review occurs even if the agreement was previously signed. The agent signs the agreement and witnesses the offender's signature. The original is retained in the District's file. A copy is given to the offender. The signed agreement is scanned into ICON under Board of Parole Summary-Board of Parole Decisions Attachments.

The ICON Transfer Instance is updated by entering the status of Complete in the Destination Transfer Status section. For offenders paroling from a work release facility, the agent notifies the facility by phone that the offender reported as scheduled and signed the Parole Agreement

2. In the event a work release offender refuses to sign the conditions, the offender is immediately returned to the residential facility. If an offender paroling from an institution has not already been signed to the parole conditions and then refuses to sign at the first meeting with the agent, the offender is taken into custody. Arrangements are made to return the offender to prison by initiating revocation proceedings.
3. Prior to meeting with the offender, the agent reviews the Parole Order and Agreement that has been scanned and entered in ICON by institutional staff to determine the necessity for deleting Board of Parole (BOP) special conditions (703B) and/or adding community-based corrections (CBC) special conditions (703C).
4. Community-based corrections (CBC) special conditions are imposed in accordance with the needs of the case. In setting special conditions which are not part of the original Parole Order and Agreement, the agent considers the rehabilitation of the offender and protection of the community. Special conditions must be reasonably related to the offense or the offender's circumstances. The agent may select only from the CBC conditions outlined in 703C, as available in ICON. The signed agreement is scanned into ICON under Board of Parole Summary-Board of Parole Decisions Attachments. Updated agreements are scanned into ICON.

**POLICY NUMBER 703-21**  
**PAGE 3 OF 3**

**PROCEDURE:** (continued)

5. Removal of BOP special conditions 10d (Parole to Detainer-Begin at Residential Facility), 10e (Parole to Detainer-One Year at Residential Facility), 20c (no early discharge), 30b (no contact with victim or victim's family), and 30c (no contact with minors) and 30f (limited no contact with victim or victim's family) requires approval from the Board of Parole. This is done by submitting a Board of Parole Release Plan-Special Review with a DOC recommendation of Change Special Condition. Notarized statements from the victim accompany the Board of Parole Release Plan-Special Review to request a modification or removal of conditions 30b or 30c. If the agent is unable to obtain a notarized letter, the BOP requires the agent to provide all attempts to contact the victim. If there is no notarized letter or no information regarding the agent's attempts to contact the victim, the request is returned. If the victim is a minor, the notarized statement is from a parent or legal guardian. The agent receives email notification of the Board's decision. If approved by the Board, a new Parole Order and Agreement is generated from ICON then signed by the offender and agent.

NOTE: Phone calls and emails to the Board of Parole are not acceptable except under special circumstances. Changes regarding BOP conditions are done through a Board of Parole Release Plan-Special Review.

6. All other BOP and CBC special conditions may be modified at the discretion of the agent and upon supervisory approval. It is appropriate to delete a condition when deletion supports goal attainment of the parole plan, when circumstances render the condition moot, or when removal may aid the living or working situation of the offender.
7. If the agent decides to add or delete conditions (other than 20c, 30b or 30c), the agent generates a new Parole Order and Agreement from the ICON Board of Parole Case Manager Conditions screen. (Offender-Board of Parole-Board of Parole Summary, then click the plus (+) sign on the applicable decision to view Board of Parole Case Manager Conditions). The offender and agent sign the new Parole Order and Agreement. The signed agreement is scanned into ICON under Board of Parole Summary-Board of Parole Decisions Attachments.
8. In the event the parolee argues for a modification of parole conditions, there are appropriate avenues to seek such remedies. The parolee is encouraged to seek legal counsel regarding the filing of a petition for waiver or variance with the Board of Parole (refer to Iowa Administrative Code, Board of Parole, Chapter 16, Waiver and Variance Rules).

BY ORDER OF:

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Bruce Vander Sanden, District Director