SUPERVISION MANUAL FOR PAROLEES

A Summary of Parole Supervision
Conditions and Responsibilities

Massachusetts
Parole Board

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INTRODUCTION

The Parole Board has created this Manual to ensure that you have a full understanding of the conditions that the Board has imposed on you. This manual also explains some of the things the Board expects of you so that your reintegration into the community is successful. You are expected to read this Manual before parole release and sign an Acknowledgement Form, a copy of which is found on Page 31.

As a parolee, you are no longer within an institutional setting. However, you do not have the unlimited freedom of other citizens. Parole is a form of custody; therefore, you are still serving your sentence while under parole supervision. Parole is intended to impose strict conditions on you to help you become a contributing member of society and avoid further criminal behavior. Although you will have more freedom and responsibility than while incarcerated, you must use this freedom responsibly and wisely or you will lose it.

The Provisions of this Manual apply to all individuals paroled by the Massachusetts Parole Board and those supervised by the Massachusetts Parole Board.

- If you are a parolee from another state supervised by Massachusetts, you must obey the general conditions of parole as explained in this Manuel and any conditions set by your state.
- If you are Massachusetts parolee being supervised by another state, you must abide by the parole conditions set by the Massachusetts Parole Board as well as the rules of the state that is supervising you.

The Parole Board imposes conditions to help you live a responsible life after release from prison. The Parole Board uses these conditions as a guide for what you must do and what you must not do to have a successful parole. It also uses these conditions and your everyday behavior to determine whether you are living responsibly and whether you are violating the terms of your parole. If you violate a condition of your parole, the Board may find it necessary to return you to prison.

This Manual explains each general condition of parole. Your Transitional Parole Officer will review these materials with you before you become a parolee. Your Field Parole Officer will review your specific (special) conditions for parole and the general conditions again after you are released. You are expected to review this Manual on your own and know what each condition of parole requires.

Your Transitional Parole Officer will speak to you during orientation about any language barriers you may have in developing an understanding of this document. Following this orientation, if you have difficulty reading this Manual or have any questions concerning the general parole conditions or your own special conditions you should speak with your Transitional or Field Parole Officer as soon as possible.

If you have difficulty adhering to your parole conditions, tell your Parole Officer. If you are unsure about anything involving parole, ask your Parole Officer. He or she will help you meet the obligations of your parole conditions.

The Massachusetts Parole Board and your Parole Officer want you to have a successful parole. You can best help yourself be a success as a parolee if you are truthful with your Parole Officer, trust your Parole Officer, and do your best to follow his or her advice.

Take care to completely understand your parole obligations and responsibility. Your continued freedom depends on this.

YOUR PAROLE OFFICER

DUTIES OF YOUR PAROLE OFFICER

1. INVESTIGATION OF YOUR PROPOSED HOME AND WORK PLANS BEFORE YOU ARE PAROLED

Upon granting you parole, the Board will usually set a reserve date. A parole reserve *date* is **not** the specific date you will be released. This date is the earliest date you may be released. Your release may occur on or after that date once all parole release requirements (as further discussed) are complete.

Upon receiving a parole reserve date, a parole officer will be assigned to you based on where you intend to live upon parole release. A parole officer will review and investigate your proposed home plan, and, if necessary, your work plans prior to your release. As part of this investigation, you must sign the *C.O.R.I. Waiver Form*, a copy of which is found on page 31 of this Manual.

Your *home sponsor* is required to sign an agreement stating that he or she is aware of your crime and the authority of the parole officer. Failure of the proposed home sponsor(s) to complete these forms will result in a parole officer not approving your plan. (See copy of Home Sponsor Agreement Form on page 32 of this Manual.) Your home sponsor is required to provide a parole officer with any information that will be helpful in your successful reintegration even if such information indicates a violation of a parole condition or you are engaging in dangerous behavior.

Your Transitional Parole Officer will be notified if a Field Parole Officer approved your home and work plans. If a parole officer does not approve your home plan, you will not be released and you will be asked to submit new plans. This process will repeat until the parole officer approves your home and/or work plan.

2. INTERVIEW WITH YOU UPON YOUR RELEASE ON PAROLE

Unless otherwise approved by your Field Parole Officer, you will be required to report to your Field Parole Officer on the day of your release. It is very important that you report as instructed by the Parole Board. Failure to do so may result in the revocation of your parole. If you are having any difficulty in reporting to your Field Parole Officer, you must call that office for assistance **before** the day and time you were told to report.

Adjusting to the community from a house of correction or prison will be difficult. You should not try to make up for lost time or try to do everything at once. Your Parole Officer is there to assist you while you are under parole supervision and this help begins at your first meeting.

Upon reporting to the Field Office, your Parole Officer will review with you the parole conditions and tell you what is expected of you. Your Parole Officer will tell you your

level of supervision and what that means. If you are having trouble meeting your parole conditions, finding a job, registering for schooling/ training, or counseling, your Parole Officer will try to help you. Your Parole Officer wants you to make it on the street and the goal is for you to be a self-supporting, responsible and contributing member of the community. However, you must take responsibility for helping yourself.

3. CONTACT AND MEETING S WITH YOU

You must always be available to meet with a parole officer or supervisor when notified that they require such a meeting. **Regular contact with your Parole Officer is one of your most important duties.** Your Parole Officer will arrange regular meetings with you. Your parole officer will also visit you at home, work, school or other place in the community with or without notifying you in advance.

It is essential that your Parole Officer be able to contact and meet with you quickly, particularly when you have missed regular meetings, when you are having serious problems or when you are in need of special assistance. To make this possible, you must arrange your daily life so that you can always report in person to your Field Parole Office when your Parole Officer leaves a message that you do so.

You cannot remain on parole without regular contact with your Parole Officer. If you fail to report to your Field Parole Office as ordered, a recommendation that the Board revoke your parole may immediately be sent to the Parole Board.

If more than 30 days pass without a meeting or contact with your Parole Officer, you must contact him/her at your Field Parole Office, unless the Parole Board has scheduled more time between meetings. If your Parole Officer is not available when you contact the Field Parole Office, you must speak with the parole supervisor or any available parole officer. When contacting the Field Office, you must report your name, your parole officer's name, and your current address.

AUTHORITY OF YOUR PAROLE OFFICER

1. ENFORCE ALL PAROLE CONDITIONS

Parole officers are the *agents of the Parole Board* assigned with the task of ensuring that you comply with the parole conditions set by the Parole Board. As agents of the Parole Board, parole officers have the authority to interpret these conditions and the discretion to make certain decisions regarding parole supervision.

Parole officers enforce all parole conditions. For example, parole officers can require you to go to detoxification and residential programs; they can take urine tests for drugs or alcohol use; tell you to go to counseling; check to make sure you are working; tell you not to associate with certain people; and tell you to change your home or job if necessary. Further, parole officers may not allow you to leave Massachusetts for any length of time. (See discussion under Parole Condition Number Five on page 19 of this Manual.)

If you are experiencing problems meeting the parole conditions, speak with your Parole Officer. Try to work things out before your problems become too big for you to handle. Failure to ask for help will cause further problems and possible re-incarceration.

You may not agree with your Parole Officer all the time, but he or she is acting in your best interest. If you have a strong disagreement with your parole officer, you may request a meeting with your Parole Officer and his/her supervisor. (See Grievance Procedures on page 37 of this Manual.)

2. SEARCH AND SEIZURE AUTHORITY

Parole officers *are special state police officers* with certain powers. Parole officers and superior officers may

- serve warrants;
- arrest parolees or anyone interfering with the arrest of a parolee;
- search a parolee's home and property and seize contraband;
- forcibly enter premises to arrest a parolee if necessary;
- visit a parolee's residence unannounced at reasonable hours including weekends or at any hour if there is an emergency situation involving a parolee;
- make decisions regarding a parolee that are necessary to ensure compliance with parole conditions.

In addition, parole officers may conduct a search when the parolee or other authorized person *consents* to the search, when the officer has a *warrant*, or when *exceptions to the search warrant rule* apply. A search and a seizure are defined as:

SEARCH - A *search* is an inspection or examination of persons or places closed from general public view, with some measure of intrusion, for the purpose of detecting. Visual observation of an open space is not a search.

SEIZURE - A *seizure* is the taking into possession or custody of a person or thing, or significantly limiting the freedom or movement of a person.

Accepting a parole permit means that you must allow a parole officer or supervisor to search your person, your home, or any property under your control, including a motor vehicle, for illegal or contraband items. You must sign the *Consent to Search Form* a copy of which is found on page 31 of this Manual.

A parole officer may insist upon a search only when that officer has reason to believe that you have contraband or illegal items in your possession or control, or that you have used these.

Any item becomes illegal and contraband when it is a violation of law or a violation of the conditions of your parole to possess this item. Some examples of illegal and contraband items are:

☑ Stolen Goods

☑ Weapons- You are not allowed to have in your possession or control firearms, knives, clubs, bow/arrows, crossbows or things described to cause injury except when allowed by law **and** approved by your Parole Officer.

☑ Drugs-Except those for which you have a valid prescription, the Board does not allow you to have drugs or other substances that can be abused—for which you have no valid medical purpose.

☑ Alcoholic Beverages-The Board does not allow you to have any liquor, wine, beer or raw alcohol if the Parole Board has ordered you not to drink any alcohol.

A parole officer will take any illegal or contraband items found during a search. These items can be used against you in a parole revocation proceeding and criminal prosecution.

3. RELEASE OF INFORMATION

You must sign a Release of Information Form giving the Parole Board access to information concerning any rehabilitative, medical, psychiatric, or counseling program in which you participate that may be associated with your conditions of parole.

The Parole Board may make it a condition of your parole that you participate in a program. If so, it is important that your Parole Officer verify that you are participating in such a program and that you are doing so in good faith. Most of these programs will not release information about their clients without the permission of these clients. In addition, your Parole Officer must be able to share information about you with the program. That is why it is necessary that you sign *Release of Information forms*. Copies of these forms are found on pages 36 of this Manual.

If the Parole Board makes participation in a program a condition of parole before you are released from custody, you must sign the Release of Information form **before** you become a parolee. Your Transitional Parole Officer will meet with you about this. If the Parole Board or Parole Officer makes participation in a program a condition of your parole after you are released from custody, then you must sign Release of Information forms when asked by your Parole Officer or a Parole Supervisor.

4. ENFORCE CONDITIONS OF PAROLE

If you are not complying with your parole conditions, your Parole Officer will take some type of action depending on the seriousness of the violation. This action can be anything from a warning ticket to returning you to prison for revocation hearings.

If the alleged violations of your parole are serious enough, you may be scheduled for preliminary parole revocation hearing. This hearing may be held while you are in the community under parole supervision or you may be returned to prison for your hearing.

Your Parole Officer can arrest you on a Warrant for Temporary Custody. If you are being supervised under the Interstate Compact, you may also be held on a detainer or warrant.

- If you are being held on a detainer, your preliminary parole hearing will be held during this time and the Board, after considering the recommendation of your hearing examiner, will vote whether to provisionally revoke your parole.
    - If the Board provisionally revokes your parole, you will remain in custody while the Board conducts a final revocation hearing and makes a decision in your case.
    - If the Board does not provisionally revoke your parole, you will be returned to the community under parole supervision.
- If the Massachusetts Parole Board is holding you in custody on an Interstate Compact detainer, the Board will conduct a preliminary parole hearing for your state. After the hearing the Board will make a recommendation to that state as to whether your parole should be revoked. Your state will make the final decision in your case.
    - If the decision is to provisionally revoke your parole, you will be returned to your state for a final parole revocation hearing.
    - If the decision is not to provisionally revoke your parole, your state will determine if you should remain in Massachusetts, and if so, under what conditions.

If you are arrested for new criminal charges and bail is set, a parole detainer will be lodged behind your bail. In such cases, the revocation process will begin and the Parole Board will give you a preliminary parole revocation hearing. If the Board revokes your parole provisionally, the Board will issue a parole warrant and lodge the warrant behind your bail. This warrant will be served if you are released on bail. **However, you cannot be bailed from a parole warrant.**

This Manual explains the parole revocation process in more detail beginning on page 23.

The most common reasons for revoking parole are the parolee's **failure to maintain contact with the parole officer, avoiding supervision, and going "whereabouts unknown."** It is extremely important for you to maintain contact with your Parole Officer. It is not sufficient for you to call and leave a message without further action. If you cannot reach your Parole Officer, talk to his/her Supervisor.

If you plan to move, notify your Parole Officer <u>before</u> moving. A parole officer must approve your new home plan. If the new home plan is disapproved, you will not be able to stay there. (See further explanation on pages 14 and 15 of this Manual.)

If you have any further questions regarding your parole officer's role while you are on parole, contact your Parole Officer or your Parole Officer's Supervisor.

INTERSTATE COMPACT

A parolee transferring from Massachusetts to another state for supervision and parolees from other states transferring to Massachusetts for supervision must do so through the Interstate Compact for Supervision of Probationers and Parolees. This transfer is a privilege not a right and all transfers must be approved and meet eligibility standards.

1. DEFINITIONS

   Sending State- The sending state is the state in which you were convicted, sentenced, and paroled. If you are currently a Massachusetts inmate or parolee seeking supervision by another state, Massachusetts is the sending state.

   Receiving State- The receiving state is the state to which you are requesting to be transferred. If you are currently a Massachusetts inmate or parolee seeking supervision by another state, that other state is the receiving state.

2. PROCEDURE FOR REQUESTING A TRANSFER

   You may request a transfer to another state through your Parole Officer or through your Transitional Parole Officer if you are currently in an institution. **You must complete certain forms.** The Parole Board will send these forms to the receiving state. The receiving state will investigate your request. Upon completion of the investigation, the receiving state will notify the Parole Board of the decision. This process takes a minimum of 45 days to complete. **You cannot go to another state without first being accepted by that state.**

3. QUALIFICATION NEEDED FOR POSSIBLE TRANSFER

   A. Transfers are allowed if you are a resident of the receiving state or have family within the receiving state and can obtain employment there. If you are not a resident of the receiving state, that state may consent to your transfer if the transfer plan has merit and will aid in your rehabilitation.

   ☑ A resident is an actual inhabitant in the receiving state for more than one year before coming to Massachusetts and has not resided in Massachusetts for more than six continuous months immediately preceding the commission of the offense.

   For example, if you lived in New York from January 1990 through February 1995 and lived in Massachusetts in March 1995 until the commission of the current crime in August 1995, then you may be considered a resident of New York.

   ☑ You must have an offer of employment or a visible means of support in the receiving state. "Under-the-table" employment is not acceptable.

B. If you are not a resident of the receiving state, that state may consent to the transfer when the transfer plan has merit and will serve to aid in your rehabilitation.

4. CONDITIONS OF PAROLE IF TRANSFERRED

Conditions of both states apply. However, the receiving state may add conditions after notifying the sending state. The sending state determines the duration of parole.

GENERAL PAROLE CONDITIONS

To ensure successful integration into the community and to protect public safety, the Board imposes the following general conditions of parole for each offender granted a parole release.

If Massachusetts is supervising you from another state, in addition to conditions imposed by the sending state, these general conditions of parole also apply.

CONDITION ONE:

(I) I WILL OBEY ALL LOCAL, STATE AND FEDERAL LAWS, AND CONDUCT MYSELF IN THE MANNER OF A RESPONSIBLE CITIZEN

- LIVING WITHIN THE LAW AND COMPLYING WITH ALL PAROLE CONDITIONS

  Accepting a parole release means that you agree to:
  ☑ Live and remain at liberty without violating the law,
  ☑ Be a responsible citizen,
  ☑ Obey and respect the law,
  ☑ Obey the conditions of your parole.

  The Parole Board, in granting you a release, trusts that you will act in this way and that will make for yourself a productive and successful life.

  You must comply with all laws-local, state or federal. If you are a sex offender, as defined by the Sex Offender Registry Statute, you must comply with all registration, classification and verification requirements. If you have committed an offense that requires you to submit a DNA sample, such sample must be submitted to the Massachusetts State Police immediately if not already done so. If you owe child support, you must be in compliance with such orders.

- COMPLYING WITH ALL LAWS: LOCAL, STATE, AND FEDERAL

  Accepting a parole release means that you must obey and comply with all laws. This means that you will comply with the laws of all cities and towns, the laws of the United States, and the laws of Massachusetts and other states.

  - A Federal law that applies to parolees is discussed below:

    - IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) REQUIREMENTS

      If you are not a citizen of the United States, the ICE may hold you in custody after your parole or they may require reporting to their office as instructed. Failure to respond as instructed by the ICE may result in revocation of your parole.

- Some of the Massachusetts laws that apply to parolees are listed below:

  - SEX OFFENDER REGISTRY

    You must register as sex offender with the Sex Offender Registry Board (S.O.R.B.) if you:
    - ☑ have been convicted of the crimes listed below on or after 1981,
    - ☑ were on parole or probation for any of these crimes (or attempt to commit a like crime) in 1981 or after (even if you were convicted of the crime prior to 1981),
    - ☑ were on parole or probation from another state for such like crime (or attempt to commit a like crime) in 1981 or after.

    - Indecent assault and battery on a child under 14 (G.L. c. 265 s. 13B)
    - Indecent assault and battery on a mentally retarded person (G.L. c. 265 s. 13F)
    - Indecent assault and battery on a person who has obtained age 14 (G.L. c. 265 s. 13H)
    - Rape (G.L. c. 265 s. 22)
    - Rape of a child under sixteen with force (G.L. c. 265, 22A)
    - Rape and abuse of a child (G.L. c. 265 s. 23)
    - Assault with intent to commit rape (G.L. c. 265 s. 24)
    - Assault of a child under 16 with intent to commit rape (G.L. c. 265 s. 24B)
    - Kidnapping of a child under 16 (G.L. c. 265 s. 26)
    - Enticing away a person for prostitution or sexual intercourse (G.L. c. 272, 2)
    - Drugging persons for sexual intercourse (G.L. c. 272, s. 3)
    - Inducing a minor into prostitution (G.L. c. 272, s. 4A)
    - Living off or sharing earnings of a minor prostitute (G.L. c. 272, s. 4B)
    - Second and subsequent adjudication/conviction for Open/Gross Lewdness/Lascivious (G.L. c. 272 s. 16)
    - Incestuous marriage or intercourse (G.L. c. 272, s. 17)
    - Dissemination of visual material of a child in a state of nudity or sexual conduct (G.L. c. 272, s. 29B)
    - Possession of child pornography (G.L. c. 272, s. 29C)
    - Unnatural and lascivious acts (G.L. c. 272, s. 35A).

After you register with the SORB, that Board will set your classification level, which you may challenge by asking for a hearing. **What the sex offender laws require you to do will depend on your classification level.** The S.O.R.B. will provide you with more information when you register.

You may be required to sign an acknowledgement form before you are paroled indicating that you know that you must register with the SORB. There are criminal penalties as well as possible parole violation for failure to comply with the SORB requirement. For knowingly failing to register, verify registration, provide notice of change of address or for giving false information:

- ☑ *First conviction*: up to 2 ½ years in house of correction or 5 years in state prison or fine up to $1,000 or both.
- ☑ *Second and subsequent convictions*: not less than 5 years in state prison with no eligibility for probation, parole, work release, furloughs, or good time deductions until after service of five years.

☐ DNA DATABASE REGISTRY

If you have been convicted of the Massachusetts crimes listed below, you must submit a DNA sample to the Massachusetts State Police and pay the required fee of $110. You must call 1-888-877-4DNA to make an appointment in order to give this sample.

▪ Murder ▪ Manslaughter ▪ Indecent Assault & Battery, child under 14 ▪ Indecent Assault & Battery, Mentally Retarded ▪ Indecent Assault & Battery, 14 and over ▪ Assault with intent to murder or maim ▪ Mayhem ▪ Attempt to murder ▪ Armed robbery, while masked or not, ▪ Armed assault w/ to rob or murder ▪ Armed assault in dwelling ▪ Enticing person for prostitution or intercourse ▪ Use of firearm during felony ▪ Engaging in sex for a fee ▪ Rape of child; use of force-all offenses ▪ Rape and abuse of child ▪ Assault with intent to rape ▪ Assault with intent to rape, under 16	▪ Rape ▪ Armed burglary / B&E ▪ Unarmed burglary / B&E ▪ Person drugged for unlawful intercourse ▪ Inducing a minor into prostitution ▪ Support from a minor prostitution ▪ Open and Gross lewdness ▪ Incest ▪ Disem. or poss. of obscene matter ▪ Posing child nude ▪ Dies. of visual material; child nudity ▪ Unnatural acts ▪ Unnatural acts with a child ▪ Kidnapping ▪ Attempts to commit a crime ▪ Conspiracy ▪ Home invasion

Once you have submitted a DNA sample and paid the fee, the State Police will give you a receipt to return to your parole officer

There are criminal penalties for failure to submit a DNA sample under Mass. General Laws and such failure may also result in revocation of your parole. The criminal penalty for refusing to comply is a fine of not more than $1,000 or imprisonment in a jail or house of correction for not more than six months or both.

☐ ENFORCEMENT OF CHILD SUPPORT ORDERS

If a court has ordered that you pay child support and you do not, this is a violation of your parole and, under Mass. General Laws, your parole. The Parole Board and the Department of Revenue's Child Support Enforcement Division review outstanding child support orders to determine if any parolee is not complying with an order. If you have difficulty paying the amount ordered by the court, you should contact the Department of

Revenue Child Support Enforcement Division or the court that ordered the payment. **The Parole Board cannot change the amount you have been ordered to pay nor excuse you from paying that amount.**

☐ RESTRAINING ORDERS

If you have an active restraining order against you or you have a restraining order taken out against you after you were paroled, you must notify your Parole Officer. **Failure to notify your parole officer of the restraining order or obey the terms of the order may result in revocation of your parole.**

STATE OF EMERGENCY

In the event of a state of emergency, parolees, unless otherwise approved by your Parole Officer, are to remain at their approved home location. Parolees are also required to telephone their Parole Officer at their assigned Regional Parole Office and report their current status, i.e., that you are safe and accounted for. Any changes in location during a state of emergency must be approved in advance by your assigned parole officer.

➢ LIVING AS A GOOD AND RESPONSIBLE CITIZEN

As a parolee, you must live peacefully and perform the duties of a good citizen. Some of these duties are:

- ☑ You must care for those who depend on you. This includes complying with child support orders.
- ☑ You must act respectfully to those who live with you and around you.
- ☑ You must support yourself legitimately.
- ☑ You must take care to keep regular hours.
- ☑ You must stay away from people who are likely to act illegally and from plans where illegal acts are allowed.
- ☑ You must be honest with your parole officer in describing your daily life and the way in which you support yourself.
- ☑ You must not do anything that would help others commit crimes or escape arrest.
- ☑ You must report to your Field Parole Office once each week with evidence of your efforts to find a job until you secure full time work.

These are only some of the duties of a good citizen. It is not possible to list all of those things you must do to live responsibly or if you are unsure of any of your activities, ask your Parole Officer.

➢ SPECIAL INSTRUCTIONS

It may be necessary for your parole officer or parole supervisor to give you special instructions to help you maintain a successful parole. The special instructions are designed to help you obey the conditions of parole set by the Parole Board and you must follow these instructions. Although it is not possible to cover all of the difficulties you may face, some examples of special instructions are:

- ☑ You must enter a "detox" program today (for parolees with serious drug and alcohol problems).
- ☑ You must not visit, hang around, go in or otherwise occupy any kind of bar or drinking establishment.
- ☑ You must report to the Career Center to look for work tomorrow.

You must think carefully about how you conduct yourself. A good rule to keep in mind is that you must never act in a way that hurts anyone, including yourself.

CONDITION TWO:

(II) I WILL NOTIFY MY PAROLE OFFICER BY PHONE WITHIN 24 HOURS OF ANY CHANGES IN MY EMPLOYMENT OR RESIDENCE.

I WILL INFORM MY PAROLE OFFICER WITHIN 24 HOURS IF ARRESTED.

➢ Home Address

Your parole officer must know where you live and where you work at all times and approve of your living and working conditions. **Before you may live in any home, a parole officer must approve your home plan.** Your home sponsor is required to complete the *home sponsor agreement* prior to your parole. If the home sponsor does not comply with the agreement, you may be required to find a new home plan. A copy of this agreement is found on page 31 of this Manual.

If you are living in a *housing authority or Section 8 housing unit*, you must take the appropriate steps to be put on the lease of this unit as a member of the household. You must verify that you are applying to live in this unit and provide evidence of a final approval to your parole officer within 90 days of staying in such home. If the landlord or housing authority denies your request to stay in such housing, you must submit a new home plan to your parole officer immediately. **Failure to comply with housing authority/Section 8 requirements may be grounds for the revocation of your parole.**

You must report any change in your home telephone number and /or cell phone immediately to your Parole Officer.

Except as noted below, if you move from the home your Parole Officer has approved for you for any reason and for any period of time, you must report this to your Field Parole Office, <u>before</u> moving.

You may report your new home after you move in only the following situations:

- In an *emergency* you may have to find a new home quickly. If you move from your home prior to notifying your Parole Officer due to an emergency situation, you must report the details of this emergency and your new home address (by city town, street, apartment number) and telephone number to your Field Parole Office on the next day that the office is open. You must appear at the office in person. Your Parole Officer must still approve this new home.
- If you live in a rooming or apartment house and *move to another room or apartment in the same building*, you must report this move and new telephone number (if any) within 24 hours or during the next business day after moving. (You must also report any telephone numbers).
- If you leave *your approval home temporarily*, you must report this to a parole officer or parole supervisor within 24 hours or on the next business day after you leave. This includes vacation trips, overnight travel connected to your job and temporary military duty. It also includes admission to hospitals and drug or alcohol treatment centers.

In the above situation **you must report (by telephone if necessary) changes in your approved home to your Field Parole Officer yourself, unless you are hospitalized and physically unable to act for yourself.** If this happens, you must ask a family member or friend to report for you. If someone makes a report for you, that person must tell your Field Parole Office where you are at the time and why you are unable to make the telephone call. As soon as you become able to report to the Field Parole Office, you must do so. You may give your report to a parole supervisor or to any parole officer if your Parole Officer is not available.

- **Work Plan**

If you leave the job your parole officer has approved for you for any reason and for any period of time, you must report this to your Field Parole Office within 24 hours of leaving. If this happens on a weekend or holiday, you must report this to your Field Parole Office on the next day that office is open. This report may be given to a parole supervisor or any parole officer if your parole officer is not available.

Leaving your job includes:

- ☑ Moving to a job with a different employer, or to a different place with the same employer.
- ☑ Being laid off, including temporary lay offs.
- ☑ Being fired.
- ☑ Quitting.
- ☑ Changing your regular hours of employment.
- ☑ Vacation.
- ☑ Military Duty.
- ☑ Extended Leave because of sickness or injury.

If you leave one job to take another, or if you are unemployed and find a job, you must report to your Field Parole Office:

- ☑ the name, address and telephone number of your new employer;

- ☑ the address at which you will be working;
- ☑ the wages or salary; and
- ☑ whether your new employer knows that you are a parolee.

You must also report to your Field Parole Office when you return from vacation, temporary military duty or from leave due to injury or sickness.

➢ CONTACT WITH POLICE AND/OR OTHER LAW ENFORCEMENT AGENCIES.

You must report all contacts with law enforcement agencies whether these happen in Massachusetts or anywhere else. **There are no exceptions to this rule**. Examples of law enforcement contacts you must report include anytime you are:

- ☑ Stopped for questioning;
- ☑ Picked up for questioning;
- ☑ Asked to report to a police station;
- ☑ Ordered to report to a Court for any reason, including probation violations and matters involving restraining orders;
- ☑ Ordered or asked to appear as a witness in a criminal proceeding;
- ☑ Ordered to report to the Registry of Motor Vehicles for suspected Vehicle violations;
- ☑ Informed of a child abuse complaint involving you; and/or
- ☑ Taken into protective custody for any reason.

If you are served with a *summons or subpoena* by any court (criminal or civil), you must report this to a parole officer or a parole supervisor even if you are not certain about the reason for the summons or subpoena.

If you are notified by anyone that a *warrant has been issued against you* or that any law enforcement agency intends to arrest you, you must report this to a parole officer or parole supervisor.

If any of these matters happen on a weekend or on a holiday, you must immediately report this information to parole staff immediately. You may do so by telephoning the Central Office at (508) 650-4500 and following the direction given relative to reporting emergencies. You may give this report to a parole supervisor or to any parole officer if your parole officer is not available.

You must make this report yourself (by telephone if necessary) UNLESS you are hospitalized <u>and</u> physically unable to act for yourself or you are being held in custody <u>and</u> will be allowed only one telephone call. If this happens, you must ask that your attorney, a family member or a friend to make this report for you. As soon as you become able to report (by phone if necessary) to a parole officer or parole supervisor yourself, you must do so.

CONDITION THREE:

(III) I WILL MAKE EARNEST EFFORTS TO FIND AND MAINTAIN LEGITIMATE EMPLOYMENT UNLESS ENGAGED IN SOME OTHER PROGRAM APPROVED BY MY PAROLE OFFICER.

The Board generally requires you to have an offer of employment before releasing you on parole. To have a successful parole, you must provide yourself and your family with shelter, food, clothing and a means to take care of other expenses. You can do this earning an income from work or through the help of your family while you are in school, training program, or a residential treatment program or approved community service.

Your Parole Officer will help you find employment, or a program that will help you find a job or provide other services. Your Parole Officer wants to give you the assistance you need to maintain successful parole. If you need help, ask for it. Program availability changes constantly. If you need assistance tell your Parole Officer who can then keep this need in mind when programs become available.

Your Parole Officer must know how you are supporting yourself. You must be ready to provide information about your income, such as pay check stubs or proof of disability or other insurance or government payments. This means the Board will not accept **"under the table" employment as an appropriate work plan. Further, you must provide a contact name (supervisor) and telephone number at your place of employment.**

If you are or become unemployed while on parole, you must immediately and seriously look for work. You must be able to show evidence that you are looking for work, such as appointment notices from the Career Center. Failure to make a serious effort to find work or to enter and complete, with your Parole Officer's permission, a training or treatment program can result in the revocation of your parole. Your Parole Officer may require you to perform *community service* in addition to seeking work while you are unemployed.

CONDITION FOUR:

(IV) I WILL NOT ASSOCIATE WITH PERSONS I KNOW TO HAVE A CRIMINAL RECORD, OR WHO ARE KNOWN TO BE ENGAGED IN A VIOLATION OF LAW. THIS PROHIBITION DOES NOT APPLY WHERE SUCH ASSOCIATION IS INCIDENTAL TO MY PLACE OF RESIDENCE OR EMPLOYMENT, OR CONNECTED WITH ACTIVITIES OF A BONAFIDE POLITICAL OR SOCIAL ORGANIZATION. HOWEVER, THE PAROLE BOARD RETAINS AUTHORITY TO IMPOSE LIMITS TO THESE LATTER ACTIVITIES AS A SPECIAL CONDITION OF PAROLE WHERE SUCH ASSOCIATION IS INCONSISTENT WITH MY APPROVED PAROLE PLAN.

You are more likely to be successful in obeying the law if you stay away from people who have criminal records or who may be currently committing crimes. You need to take care in choosing your friends. You must avoid people who might make it easy for you to break the law.

In special circumstances, your Parole Officer or Parole Supervisor can, give you permission to associate with a person who has a criminal record. These special circumstances must involve your home or family, your job or a legitimate social or political activity. This permission may include limits on the time, frequency and places where this association can take place.

Remember, if you are with another person while that person is involved in an illegal activity (gambling or drug use for example) you are violating this condition of parole, even if that person does not have a criminal record at that time. If you are arrested with a person who has a criminal record, you are violating this condition.

You must not visit any correctional institution without the express written permission from your Parole Officer and the superintendent of the institution.

CONDITION FIVE:

(V)I WILL NOT LEAVE THE STATE.

After six months of successful parole supervision, you may leave Massachusetts for more than 24 hours but only if you get a travel permit from the Parole Board before you travel and you are not in a special supervision program that prohibits all travel outside Massachusetts.

- Your must request a travel permit at least five (5) business days before the date you plan to leave Massachusetts if you travel is approved by a superior parole officer. If the full Board must authorize your travel permit, then you must submit your request at least 30 days before you plan to leave.
- Permission to travel cannot be given unless you complete the *Travel Permit Form*, which requires certain information including the destination of your trip, the reason for the trip, the dates of travel, method of traveling and names of companions. A copy of the form is found on page 35 of this Manual.
- A travel permit will not be issued for longer than fourteen (14) days, but may be extended up to 30 days for unforeseen circumstances.
- An emergency travel permit shall not exceed five days.

Unless an emergency exists, **no** travel permits shall be granted where the parolee:

- ☑ has a special condition of parole which prohibits out of state travel;
- ☑ has not completed six months of successful parole adjustment;
- ☑ has a pending Parole Board action for a major violation;
- ☑ has an active "Warning" or "Final Warning" vote from the Parole Board;
- ☑ is under investigation;
- ☑ is under intensive supervision.

A supervising parole officer may authorize a travel permit. However, a majority of the full Board must approve travel for the following categories of crimes or parolees:

- ☑ travel outside the United States;
- ☑ parolees serving a life sentences;
- ☑ parolees who have had their sentences commuted; and
- ☑ parolees who have been convicted of the following offenses:

- manslaughter (G.L. c. 265, s. 13);
- assault with intent to murder (G.L. c. 265, s. 15);
- rape (G.L. c. 265, s. 22);
- rape of a child by force (G.L. c. 265, s. 22A);
- rape and abuse of a child (G.L. c. 265, s. 23);
- assault with intent to rape (G.L. c. 265, s. 24);
- assault with intent to rape a child (G.L. c. 265, s. 24B);
- sex offense
- mayhem (G.L. c. 265, 14);
- kidnapping (G.L. c 265, 26).

In all circumstances, your Parole Officer and Parole Supervisor will make the decision or make recommendation to the Board about your request for permission to leave Massachusetts. If they decide that a trip is likely to create difficulties for you in meeting your obligations as a parolee, they will deny permission to travel.

Do not purchase airline or other tickets before the approval of <u>any</u> travel request.

CONDITION SIX:

(VI) CHILD SUPPORT

Massachusetts General Laws, Chapter 127, Section 130, requires that, for anyone who may have a child support obligation, the Parole Board must impose such terms and conditions that shall include payment of any child support due under a support order, as defined in section 1A of chapter 119A, including payment toward any arrearage of support that accrues or has accrued or compliance with any payment plan between the prisoner and the IV–D agency as set forth in chapter 119A.

Only those subject to a child support obligation are subject to this condition.

CONDITION SEVEN:

(VII) I WILL NOT SERVE AS AN INFORMANT OR SPECIAL AGENT FOR ANY LAW ENFORCEMENT AGENCY.

Without specific approval of the Parole Board, you cannot gather information regarding criminal activities at the request of any law enforcement agency if this would require that you:

- ☑ Engage in criminal acts;
- ☑ Associate with others who are or have been involved in, or who are planning criminal acts, or who are themselves associating with others who are or have been involved in such acts;
- ☑ Violate any of the conditions of your parole; or
- ☑ Jeopardize your or your family's life or safety.

Special, limited exceptions to this rule may be made only with the <u>specific written approval</u> of the Parole Board <u>and</u> or before you can start gathering information.

The purpose of this condition is to prevent you from becoming involved in difficulties that might put your freedom or safety in jeopardy. **This parole condition does not prevent you from giving any information already in your possession to a law enforcement agency about crimes that have occurred.**

No other law enforcement agency can waive this condition. You must first get written permission from the Parole Board before acting as an informant.

CONDITION EIGHT:

(VIII) SPECIAL CONDITIONS.

The Parole Board may decide that you will be more likely to have a successful parole if it sets special conditions in addition to your general parole conditions. A special condition is designed to help you deal with specific problems or issues that have been or may be a source of trouble for you. Special conditions can be used to assist parolees who have problems with alcohol or drug abuse or who can benefit from mental health counseling. The Board may add other special conditions if necessary during your parole term.

The special conditions that apply to you, if any, appear on your parole permit. Your Field Parole Officer will review these with you after you are released from custody during your first meeting.

You must obey these special conditions of parole just as you must obey the standard conditions of parole. Failure to obey a special condition of parole can result in the Board revoking your parole.

The following are two examples of special conditions imposed by the Board.

- Drug and Alcohol Testing**: Generally, all parolees are subject to random drug testing**. Your Parole Officer, unless otherwise mandated by the Board, determines the frequency of your testing.

- Polygraph Examinations: All parolees with a special condition of "must take a polygraph exam" and sex offender parolees on intensive supervision are subject to polygraph examinations at the direction of the parole officer case team. All other parolees may be required to submit to a polygraph examination upon direction of the parole officer in order to ensure that the parolee is in compliance with parole conditions. **Results of the polygraph examination shall not be the sole basis for the revocation of parole.**

THE REVOCATION PROCESS

☐ GROUNDS FOR REVOCATION

The Board may revoke your parole for various reasons. Revocation of parole status and further imprisonment occurs after consideration of less severe sanctions and alternatives to confinement.

Reasons for revoking parole include failure to comply with some of the previously discussed responsibilities. Grounds for revocation include:

☑ Criminal behavior;
☑ Failure to comply with conditions;
☑ Failure to comply with Parole Officer requests;
☑ Reasonable belief of the Parole Officer that the offender is about to lapse into criminal ways; and
☑ Determination that the parole permit was issued, in whole or in part, as the result of false or fraudulent information provided by or on behalf of the parolee.

During the process described below, the Board will determine whether there have been violations of parole and whether your parole permit should be revoked.

☐ REVOCATION PROCESS

1. PAROLE VIOLATION REPORT

Your Parole Officer and Parole Supervisor may submit a Parole Violation Report (PVR) to the Parole Board charging you with violating one or more parole conditions. The Members of the Board will use the PVR and any additional evidence to determine the appropriate sanctions in your case. Some of the actions the Board may take include increasing your level of supervision, issuing a warning, adding more conditions of parole, and whether revocation proceedings should begin.

2. PRELIMINARY REVOCATION HEARING

➢ SCHEDULING OF HEARING

If the Board decides that it wants to examine whether the charges of parole violations warrant the revocation of your parole, the first step is to schedule you for a preliminary revocation hearing.

- PLACE OF HEARING

The Board, Hearing Panel, or your Parole Officer may authorize a preliminary revocation hearing held in the community without the need to return you to custody. At this hearing, a determination will be made as to whether you have violated the conditions of parole as alleged in the PVR. You will receive notice of the date, time, place, and charges at least 48 hours before the hearing.
If the Parole Officer believes that you have lapsed or are about to lapse into criminal ways or violated the conditions of your parole and cannot remain in the community, he or she may, with the consent of a parole supervisor, issue a warrant for temporary custody. This detainer authorizes your detention during which the Board will give you a preliminary hearing. You will receive notice of the date, time, place, and charges at least 48 hours before hearing.

If you are *arrested on new charges*, a detainer will issue and the Board will proceed with the preliminary hearing process. During this time, but no later than 48hours before your hearing, you will be notified in writing of the alleged violations, the date and time of your hearing and your rights at this hearing.

- POSTPONEMENT, WAIVER, OR SUBSTITUTION OF PRELIMINARY HEARING

You may *postpone your preliminary parole revocation hearing* to obtain legal representation or the attendance of witnesses. **A second detainer may issue if the Board grants a postponement.**

You may waive your preliminary hearing. If you waive your hearing, the Board will vote to provisionally revoke your parole and will issue a parole violation warrant. **If you are being held in custody by bail or another warrant, the issuance of a parole violation warrant will stop the running of your sentence from which you were paroled**.

The Board may provisionally revoke your parole and issue a parole violation warrant without a hearing in the following situations, which substitute for your hearing:

☑ conviction for a criminal offense,
☑ guilty finding,
☑ probable cause finding,
☑ grand jury indictment,
☑ finding of preliminary or final probation violation, or
☑ Evidence that you have absconded from supervision.

➢ PROCEDURE AT PRELIMINARY PAROLE REVOCATION HEARING

A Hearings Examiner, an employee of the parole Board, will conduct your preliminary revocation hearing. The Hearing Examiner may consider any reliable or relevant evidence and this evidence must be disclosed to you in written or verbal form. At the end of your hearing, the Hearing Examiner will write a report to the Parole Board.

The Hearings Examiner's report, submitted to the Board, will evaluate whether there exists *reasonable grounds to believe* a violation of parole occurred and *whether there is probable cause to provisionally revoke parole* and hold you pending final revocation proceedings.

The hearing examiner's report to the Board is only a recommendation. The Board makes the final decision as to whether it should provisionally revoke your parole. If the Board votes to provisionally revoke your parole you will be brought back to prison if your preliminary hearing was in the community, or continue to be incarcerated if you are already in prison.

3. ISSUANCE OF A PAROLE VIOLATION WARRANT

The Board will issue a parole violation warrant ordering your incarceration if the Board votes to provisionally revoke your parole.

Service of your sentence stops upon the issuance of a parole violation warrant and does not resume again until it is served. It is served when you are physically detained under the Board's warrant. Upon the service of the parole violation warrant, a final revocation hearing will be scheduled within 60 days.

If you are being held on a bail warrant due to new criminal charges or serving a sentence for a crime committed on parole (intervening criminal sentence), the Parole Board warrant may remain lodged behind such sentence until you finish serving your new sentence, whether by discharge or parole. **From the time the Board issues the warrant until the service of the warrant you are not serving your sentence from which you were paroled.** If you are serving an intervening sentence, the final revocation hearing will be scheduled at the same time you are parole eligible on the intervening crime.

4. FINAL REVOCATION HEARING

- RIGHTS BEFORE THE FINAL REVOCATION HEARING

  - You may make a written request for disclosure of documents and attendance of witnesses before your final revocation hearing.
  - At least 72 hours before your scheduled final revocation hearing, you will receive written notice of the following:
    - ☑ Time and place of the hearing;
    - ☑ List of charges;
    - ☑ Procedural rights a the hearing;
    - ☑ Right to apply for provided counsel, postpone or waive your hearing; and
    - ☑ Possible actions that may be taken by the Board Members.

- POSTPONEMENT OR WAIVER OF HEARING

  You may *postpone* your final revocation at any time. You may not postpone for more than one year and you may only postpone to:

☑ obtain legal representation,
☑ prepare for the hearing,
☑ resolve pending criminal or disciplinary charges; or
☑ Secure the attendance of witnesses.

You may waive your final hearing. You may waive your hearing only when you have received written notice of the charges and your rights during this hearing. A waiver results in the Board finding that you are guilty of all the charges of parole violations and denying your re-parole on that sentence.

➢ RIGHTS DURING THE REVOCATION PROCESS

- You may come and speak for yourself or you may refuse to make any statement during your revocation hearings. If you choose to remain silent, a decision will be made on the available information.
- You may bring any documents or individuals that can give relevant information to the hearing panel. If people are unable to attend the hearing, they may forward a written statement to the hearing panel at the Agency's Central Office.
- The hearing panel must disclose the evidence against you.
- You may ask that individuals who have given information against you appear at the hearing so that you can question them. Such a request must be made before the hearing to a parole officer or immediately upon the commencement of the hearing to the hearing panel. If the request is denied, you will be given the reason(s) for the denial.
- You may have the assistance of an attorney at this hearing. If you cannot afford to hire an attorney, you may request the Board provide counsel and be evaluated to determine if you qualify for provided counsel.

  ☐ If you are indigent, you will be provided counsel if you are incapable of speaking effectively and if you have a timely and colorable claim that (a) you did not commit the alleged violation of the parole conditions; or (b) that, even if the violation is a matter of public record or is uncontested, there are substantial reasons which justified or mitigated the violation and make revocation inappropriate, and the reasons are complex or otherwise difficult to develop or present.

  ☐ If an attorney is not provided, you may still be represented but must obtain your own attorney.
- You, or your attorney, may request the re-scheduling of your hearing for just cause. For example, verified illness/hospitalization, failure to receive sufficient or timely notice, or attorney schedule conflict.

➢ DECISIONS MADE BY THE BOARD

- A panel of Board members will conduct your Final Revocation hearing and determine whether or not you violated your parole terms and whether you will be re-released on parole supervision.
- If the Board does not find by a preponderance of the evidence that you violated a condition of parole, your supervision will resume within 24 hours unless more time is necessary to notify victims or approve your home plan. The Board may modify your parole conditions at this time.

- Where the Board finds by a preponderance of the evidence that you did violate your parole condition(s), it will "affirm" your provisional parole revocation. The Board may either set a re-parole date pending the fulfillment of certain conditions or the Board may vote to deny re-parole.

➢ WRITTEN NOTICE OF DECISION AND SUMMARY OF REASONS

- Within 21 days after the decision to revoke parole status after the final revocation hearing, you will receive written notice of the decision and summary of the reasons.
- If parole release is granted, you will receive notice of the decision and any special conditions of release.

5. APPEAL AND RECONSIDERATION RIGHTS

➢ APPEAL RIGHTS

- You may appeal the decision of the Board within **30 days** of receiving written notice of the Board's decision. Your appeal must be in writing and delivered to your Institutional Parole Officer.
- You may base your appeals only on the following grounds:
  - ☑ The decision was not supported by the reasons or facts as stated.
  - ☑ The decision was based on erroneous information and actual facts justify a different decision.
  - ☑ The hearing panel did not follow correct procedures.
  - ☑ There was significant relevant information in existence but not known to the parole hearing panel.
  - ☑ The special conditions of parole are unfair, cannot be obeyed under the circumstances and should be amended.

- **You are allowed one appeal during a 12-month period**.

➢ RECONSIDERATION RIGHTS

- You may petition for reconsideration in writing no **sooner than 90 days** after receiving notification of the Board's decision. Your petition for reconsideration must be in writing and delivered to your Institutional Parole Officer.
- You may base your reconsideration petition only on the following grounds:
  - ☑ There is a material change in personal or other circumstances, which requires a different decision.
  - ☑ The tasks mandated by the parole hearing panel have been accomplished.
  - ☑ There are compelling reasons why a more lenient decision should be rendered.

- **You are allowed one petition for reconsideration during a 12-month period.**

THE PAROLEE GRIEVANCE PROCESS

If you are dissatisfied with the manner in which you are treated by your Parole Officer or any other Parole Board staff member, you may file a complaint through the Parole Grievance Procedure. **You must follow the procedures described here.** Telephone calls to the Central Office will be immediately referred to your Field Parole Office. **The Board does not allow repetitive grievances based on the same circumstances.**

☐ DEFINITION OF GRIEVANCE

A grievance is a claim or charge of unfairness or oppression made by a parolee against an individual or group resulting from an act, occurrence, or condition pertaining to parole that is presented for resolution.

☐ POLICY

The Board shall provide a mechanism designed to resolve parolee grievances in an orderly and expedient manner. Neither the Board personnel nor parolees shall be subject to retaliation for their use of these grievance procedures. The grievance procedure involves an informal and, if necessary, a formal written grievance. Records of the formal grievance process are maintained by the Parole Board in a file separate from other parolee records (case files, case notes).

☐ INFORMAL GRIEVANCE PROCEDURE

Prior to submitting a written grievance, you must attempt to resolve your grievance informally with the individual primarily responsible for the act or action causing the grievance including discussing the issue with your Parole Officer. If the Parole Officer is involved in the problem, you must contact the Parole Officer's immediate supervisor.

☐ FORMAL WRITTEN GRIEVANCE PROCEDURE

1. GRIEVANCE FORM

   If the informal grievance procedure does not resolve the issue, you should obtain and complete a Grievance Form from your Field Parole Office, complete it in full, retain a copy and submit it to the supervisor of the Parole Office. (A copy of this grievance form is found on page 37 of this Manual.)

2. PAROLE OFFICER'S WRITTEN SUPPLEMENT

   Your Parole Officer may submit a written supplement to your grievance form. If the written supplement is a basis for the decision, this supplement report shall be disclosed to you.

3. LEVEL I REVIEW

The supervisor shall investigate and attempt to resolve your grievance within 10 workdays of receiving the completed grievance form.

4. LEVEL II REVIEW

- If you are dissatisfied with the decision in Level I, you may appeal the decision by forwarding a copy of the Level I Form and a completed Level II form to the Chief or Deputy Chief of Field Services.

- Level II Form to the Chief or Deputy Chief of Field Services. You may send these documents to the Chief or Deputy Chief of Field Services at the Board's Central Office by mail or facsimile (fax).

- Your Level II appeal must be postmarked or faxed within **five (5) days** from the date the Level I decision was returned to you.

- The Chief or Deputy Chief of Field Services may investigate and shall reach a decision and return notification to you within 10 days of receiving the written appeal form (Level II Form).

5. LEVEL III REVIEW

If you are dissatisfied with the decision in Level II, you may appeal the decision to the Chair of the Parole Board who may personally investigate the issue or assign a Board Member or staff member to do this function. The appeal to the Chair at the Central Office **must**:

☑ Be postmarked or faxed within **five (5) days** from the date that the Level II decision was returned to you; and

☑ Contain a copy of all records from the previous grievance levels.

PRISON RAPE ELIMINATION ACT (PREA)

The Prison Rape Elimination Act otherwise known as PREA is a Federal statute which was passed unanimously by the United States Congress and signed into law in 2003 by President George W. Bush. The Act supports the elimination, reduction, and prevention of sexual assault and rape in correctional systems across the country. This includes federal, state, county facilities and all other law enforcement detention facilities.

The Massachusetts Parole Board is committed to enforcement of the PREA law. We have a zero tolerance policy for any incidents of sexually abusive behavior by a staff member, vendor, volunteer or parole detainee in any facility and we afford a number of internal and external methods for victims and third parties to report abuse or suspicion of abuse. All reports/allegations of sexual abuse or sexual threats are taken seriously and investigated in a thorough and objective manner. The Agency will aggressively pursue the discipline and prosecution of any perpetrator of sexual abuse. Victims and reporters of sexual assault will be afforded ongoing medical, mental health and victim services and will be protected from retaliation.

Parolees/Detainees may report any incident of sexual abuse to the following: his/her assigned Parole Officer; the Parole Supervisor of the Regional Office where the incident took place; the Agency PREA Coordinator; the local police department or state police barracks having jurisdiction of the location where the incident took place.

The Agency PREA coordinator is the Chief of Field services, who can be contacted at 508-650-4500. In the case of an emergency or after hours, the Parole Supervisor and/or PREA coordinator may be reached via the State Police Emergency line, 508-820-2121, as detailed below.

IMPORTANT NUMBERS

☐ YOUR PAROLE OFFICER INFORMATION

(Please complete prior to leaving the institution.)

PAROLE OFFICER NAME: _____

REGION: _____

FIELD OFFICE ADDRESS: _____

_____

FIELD OFFICE TELEPHONE: _____

PAROLE OFFICER SUPERVISOR'S NAME: _____

☐ EMERGENCY CONTACT WITH PAROLE

IF YOU HAVE AN URGENT NEED TO SPEAK TO YOUR PAROLE OFFICER, TELEPHONE YOUR FIELD PAROLE OFFICE. THE TELEPHONE NUMBER IS NOTED IN THIS BOOKLET AND ON YOUR PAROLE PERMIT. IF YOU CALL WHEN THE OFFICE IS OPEN, A STAFF MEMBER WILL HELP YOU. IF YOU CALL WHEN THE OFFICE IS CLOSED, A TELEPHONE-RECORDING MACHINE WILL RECORD YOUR MESSAGE. THESE MESSAGES ARE CHECKED REGULARLY BY PAROLE STAFF. YOU WILL RECEIVE AN APPROPRIATE ANSWER TO YOUR MESSAGE AS SOON AS POSSIBLE. IF THE SITUATION IS OF AN EMERGENCY, YOU CAN ALL 508-820-2121. THIS IS THE STATE POLICE AND THEY WILL CONTACT A PAROLE DUTY OFFICER FOR YOU.

☐ OTHER IMPORTANT NUMBERS

PAROLE BOARD CENTRAL OFFICE 12 MERCER ROAD NATICK, MA 01760	MAIN#: (508) 650-4500 FAX: (508) 650-4598
STATE POLICE DNA DATABASE	(888) 477-4DNA
SEX OFFENDER REGISTRY	(800) 936-3426
DEPARTMENT OF REVENUE CHILD SUPPORT ENFORCEMENT DIVISION	(800) 332-2733

FORMS

ACKNOWLEDGEMENT

I, _____, have read the parolee manual and attended the Parole Supervision
(Name of offender)

Orientation in which the material discussed in the manual was reviewed. I understand the responsibilities expected of me while I am on parole and understand the conditions associated with my release.

_____ _____
(Signature of offender) (Date)

_____ _____ _____
(Print name of witness) (Signature of witness) (Date)

CONSENT TO SEARCH

In consideration of my parole release, I agree to consent to the search of my person, premises and property owned by me and/or under my care, custody and control, without a search warrant. My parole officers have my permission to take from my person, premises and property any letters, papers, material or any other things as evidence for criminal prosecution and/or parole violations in the case or cases under investigation.

_____ _____
(Signature of offender) (Date)

_____ _____ _____
(Print name of witness) (Signature of witness) (Date)

HOME PLAN C.O.R.I. WAIVER

I agree to waive my confidential offender record information (C.O.R.I.) rights in connection with my proposed home plan and approved home plan. My parole officer has my permission to discuss my case with any persons connected with the home plan that I submit. Such information may include but is not limited to the sentence I am now serving, crimes in my criminal history, conditions of my parole, anticipated release dates and any other information that may be relevant to the persons with whom I am requesting to live.

_____ _____
(Signature of offender) (Date)

_____ _____ _____
(Print name of witness) (Signature of witness) (Date)

HOME SPONSOR AGREEMENT

I, _____, AGREE TO ALLOW _____
(PRINT NAME OF HOME SPONSOR) (PRINT NAME OF PAROLEE)

TO RESIDE IN MY HOME DURING HIS/HER PAROLE SUPERVISION BY THE MASSACHUSETTS PAROLE BOARD.

A. I HAVE BEEN INFORMED OF THE CONDITIONS THAT ARE ASSOCIATED WITH THE PAROLEE'S PAROLE SUPERVISION. I UNDERSTAND THE FOLLOWING:

1. PAROLE OFFICERS WILL SUPERVISE THIS PAROLEE ACCORDING TO THE CONDITIONS IMPOSED BY THE PAROLE BOARD AND THAT THE PAROLE OFFICERS ARE TO ASSIST THIS PAROLEE IN REINTEGRATING INTO THE COMMUNITY AS A RESPONSIBLE CITIZEN.

2. ANY INFORMATION THAT I PROVIDE TO PAROLE OFFICERS WILL BE HELPFUL IN THE SUCCESSFUL REINTEGRATION OF THE PAROLEE. HOWEVER, I ALSO UNDERSTAND THAT THE PAROLE OFFICER MUST TAKE SOME TYPE OF ACTION IF THIS INFORMATION INDICATES THAT THE PAROLEE IS (A) VIOLATING CONDITIONS OF HIS/HER PAROLE OR (B) THAT THE PAROLEE IS A DANGER TO HIM/HERSELF OR OTHERS.

3. PAROLE OFFICERS ARE SPECIAL STATE POLICE OFFICERS. THEY MAY SERVE WARRANTS; MAY ARREST PAROLEES OR ANYONE INTERFERING WITH THE ARREST OF A PAROLEE; MAY SEARCH MY HOME AND PROPERTY AND SEIZE CONTRABAND; MAY FORCIBLY ENTER MY PREMISES TO ARREST THE PAROLEE IF NECESSARY; MAY VISIT MY RESIDENCE UNANNOUNCED AT REASONABLE HOURS INCLUDING WEEKENDS OR AT ANY HOUR IF THERE IS AN EMERGENCY SITUATION INVOLVING THE PAROLEE; AND MAY MAKE DECISIONS REGARDING PAROLEES THAT ARE NECESSARY TO INSURE COMPLIANCE WITH PAROLE CONDITIONS.

   a. **SEARCH** - A SEARCH IS AN INSPECTION OR EXAMINATION OF PERSONS OR PLACES CLOSED FROM GENERAL PUBLIC VIEW, WITH SOME MEASURE OF INTRUSION, FOR THE PURPOSE OF DETECTING. VISUAL OBSERVATION OF AN OPEN SPACE IS NOT A SEARCH.

   b. **SEIZURE** - A SEIZURE IS THE TAKING INTO POSSESSION OR CUSTODY OF A PERSON OR THING, OR SIGNIFICANTLY LIMITING THE FREEDOM OF MOVEMENT OF A PERSON.

B. ANSWERS TO THE FOLLOWING WILL BE USED IN MAKING A DETERMINATION WHETHER THIS HOME PLAN WILL BE APPROVED FOR THE ABOVE NAMED PAROLEE.

INDICATE "YES" OR "NO" TO THE FOLLOWING:	PLEASE CHECK ONE.
1. IS THERE DEPARTMENT OF SOCIAL SERVICE INVOLVEMENT IN THIS HOUSEHOLD.	☐ Y ☐ N
2. IF THERE IS, THE PAROLEE IS NOT THE SUBJECT OF ANY ORDER REGARDING CHILDREN IN THE HOME. PLEASE DESCRIBE ANY INVOLVEMENT HERE:_____	☐ Y ☐ N
3. IF THIS RESIDENCE IS PUBLIC HOUSING OR SECTION 8 HOUSING, I HAVE ARRANGED TO INCLUDE THE PAROLEE ON THE LEASE AS REQUIRED BY THE PUBLIC HOUSING AUTHORITY. I SHALL PROVIDE VERIFIICATION TO THE PAROLE OFFICER THAT THE PAROLEE HAS BEEN MADE A "MEMBER OF THE HOUSEHOLD" AND HAS BEEN ADDED TO THE LEASE AS SOON AS THIS PROCESS IS COMPLETE.	☐ Y ☐ N

4. I AM AWARE OF THE OFFENSES FOR WHICH THE PAROLEE IS SERVING HIS/HER SENTENCE.	☐ ☐ Y N
5. TO THE BEST OF MY KNOWLEDGE, NO PERSON WHO CURRENTLY RESIDES WITH ME IS A CONVICTED FELON AND/OR ON PROBATION OR PAROLE.	☐ ☐ Y N
6. NO FIREARMS ARE KEPT OR MAINTAINED ON THE PREMISES OR IN ANY OTHER AREA UNDER MY CONTROL THAT THE PAROLEE MAY HAVE ACCESS TO.	☐ ☐ Y N
7. I SHALL COOPERATE WITH THE PAROLE OFFICER'S SUPERVISION EFFORTS AND REPORT ANY IRREGULARITIES THAT MAY COME TO MY ATTENTION.	☐ ☐ Y N
8. I UNDERSTAND THAT I CAN DECIDE AT ANYTIME NOT TO BE THE HOME SPONSOR FOR THE PAROLEE, AND I WILL IMMEDIATELY INFORM THE PAROLE OFFICER OF THAT DECISION.	☐ ☐ Y N
9. I WILL ALLOW MY PHONE LINE TO BE USED FOR ELECTRONIC MONITORING PURPOSES.	☐ ☐ Y N

IF THERE IS A CHANGE IN ANY OF THE ABOVE CIRCUMSTANCES, I WILL NOTIFY THE SUPERVISING PAROLE OFFICER IMMEDIATELY.

SIGNATURE OF HOME SPONSOR DATE

SIGNATURE OF THE PAROLE OFFICER DATE

AGREEMENT TO EXTRADITION

(To be signed only when paroling to a warrant of another state)

I understand that by signing my Massachusetts Parole Permit I am agreeing to be extradited to the requesting state of _____, which seeks my return by way of a warrant lodged at the correctional institution in which I am incarcerated.

I further understand that I may refuse parole and can challenge my extradition when I am discharged from my Massachusetts sentence of imprisonment.

Signed_____

Witness_____

Date:_____

EXTRADITION WAIVER

Inmate's rights under Article IV of the Agreement on Detainer: 1. I have the right to be taken before a court to be arraigned. 2. I have the right to the appointment of counsel by the court. 3. I have the right to file a petition for writ of habeas corpus in which I may allege: a. that I am not the same person whose custody has been demanded by the prosecutor. b. that there is no outstanding indictment, information or complaint pending against me in the other state; c. that the demand for my custody is not in the proper form.

By accepting parole supervision, I agree to waive these rights if I abscond to another state without the permission of the Massachusetts Parole Board. I agree to waive extradition to Massachusetts from any state of the United States. This means that if I am found in another state while under Massachusetts parole supervision, I agree to be returned to Massachusetts and will not contest any effort by any state to return me to Massachusetts.

I am aware that if I do challenge my return to Massachusetts to complete serving my sentence, the time challenging this return will not be credited against my Massachusetts sentence.

_____ _____

(Signature of offender) (Date)

_____ _____ _____

(Print name of witness) (Signature of witness) (Date)

COMMONWEALTH OF MASSACHUSETTS
PAROLE BOARD

TRAVEL PERMIT	*Date*	

Name (First, Middle, Last, Suffix)	**Commitment Number**	**State ID Number**

	Race	**D.O.B.**	**SSN**

DESTINATIONS

*** If visiting more than one destination, use back of form.**

VISITING	**Name (First, Middle, Last)** **Address (Street, Apt, Floor)**		
	City **State**	**Relationship:**	**Telephone Number:**
REASON FOR TRIP	**Specify**	**For relocation? (Please check one box)**	
		☐ **Yes**	☐ **No**

DATES OF TRAVEL

	STARTING DATE	**RETURN DATE (not to exceed)**

METHOD OF TRAVEL	**Specify (If by vehicle, list make, model, license number, and owner.)**
COMPANIONS	**List names and relationship (use back of form if necessary)**
REPORTING	**Name and address of officer or out-of-state parole office (Must complete for relocation.)**
INSTRUCTIONS	

SPECIAL INSTRUCTIONS

In consideration of being granted permission to visit the above state while under parole supervision, I hereby agree that:

1. I shall limit my visit to the indicated dates.
2. I shall continue to abide by the prescribed rules and regulations of my parole, including any special reporting instructions while out of state.
3. I do hereby waive extradition to Massachusetts from any state of the United States, and also agree that I shall not contest any effort by any state to return me to Massachusetts.
4. I agree to reimburse the Parole Board for any expenses incurred in returning me to Massachusetts in the event I violate the terms of parole.
5. I shall contact my Massachusetts Parole Officer within 48 hours of my return. In the event of an emergency that prevents my return on the date indicated, I shall immediately telephone my Massachusetts Parole Officer.

	Name **Address** **Telephone No.**	**Reg/Dist**
Supervising Officer		

Issuing Officer's Signature	**Date**
Name of Superior Officer Approving Permit	**Date**
Parolee's Signature	**Date**

CONSENT FOR THE RELEASE
OF CONFIDENTIAL INFORMATION
MASSACHUSETTS PAROLE BOARD REFERRAL

I, _____ authorize (initial whichever parties apply):
(Name of Parolee)

☐ Parole Board

☐ Parole Supervisor ☐ Parole Officer

☐ _____
Program

☐ _____
Therapist

☐ _____
Other

☐ _____
Other

☐ _____
Other

to communicate with and disclose to one another the following information (nature and amount of the information as limited as possible):

☐ My diagnosis, urinalysis results, information about my attendance or lack of attendance at treatment sessions, my cooperation with the treatment program, prognosis, and

☐ My parole officer, or other agent of the Massachusetts Parole Board, has my permission to discuss my case with any person(s) connected with any program involved with my supervision. Such information may include but is not limited to the sentence I am now serving, crimes in my criminal history, conditions of my parole, anticipated release dates and any other information that may be relevant to the participation in the above referenced program.

The purpose of the disclosure is to inform the person(s) listed above of my attendance and progress in treatment.

I understand that my alcohol and/or drug treatment records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996 ("HIPAA), 45 C.F.R. Pts. 160 & 164. I also understand that I may revoke this consent at any time except to the extent that action has been taken in reliance on it, and that in any event this consent expires automatically as follows:

[Specify the date, event or condition upon which this consent expires. This could be one of the following:]

☐ There has been a formal and effective termination or revocation of my release from parole, or other proceeding under which I was mandated into treatment; or

☐ _____
(Specify other time when consent can be revoked and/or expires)

I understand that I might be denied services if I refuse to consent to a disclosure for purposes of treatment, payment or health care operations, if permitted by state law. I will not be denied services if I refuse to consent to a disclosure for other purposes.

I have been provided a copy of this form.

Dated: _____ _____
Signature of Parolee

_____
Signature of person signing form if not the parolee

Describe authority to sign in behalf of the parolee: _____

PAROLEE GRIEVANCE FORM—ALL LEVELS

NAME OF PAROLEE: _____

NAME OF PERSON GRIEVED: _____

FORMAL LEVEL 1 - PAROLE SUPERVISOR/DEPUTY CHIEF PAROLE SUPERVISOR

STATE THE NATURE OF YOUR GRIEVANCE, INCLUDE SPECIFIC DETAILS, PARTIES INVOLVED, DATES, TIMES, PLACES, BEHAVIORS, AND ATTEMPTS MADE TO RESOLVE THE GRIEVANCE AND THE OUTCOME OF THE ATTEMPTS (ATTACH ADDITIONAL PAGES IF NECESSARY).

REMEDY BEING SOUGHT:

SIGNATURE OF PAROLEE: _____ DATE _____

DATE RECEIVED BY PAROLE SUPERVISOR: _____

COMPLETED YES_____ NO _____ DATE RETURNED FOR MORE INFORMATION _____

DECISION OF PAROLE SUPERVISOR:

_____

P.S. SIGNATURE DATE

DATE PAROLEE NOTIFIED OF DECISION: _____

FORMAL LEVEL II – DEPUTY PAROLE SUPERVISOR AND/OR CHIEF PAROLE SUPERVISOR

DATE LEVEL – II RECEIVED BY CHIEF OR DEPUTY CHIEF PAROLE SUPERVISOR _____

DECISION OF CPS / DCPS:

_____

P.S. SIGNATURE DATE

DATE PAROLEE NOTIFIED OF DECISION: _____

FORMAL LEVEL III – CHAIR, MASSACHUSETTS PAROLE BOARD

DATE LEVEL – III RECEIVED BY CHAIR: _____

DECISION OF CHAIR:

_____

CHAIR SIGNATURE DATE

DATE PAROLEE NOTIFIED OF DECISION: _____