

PROBATION

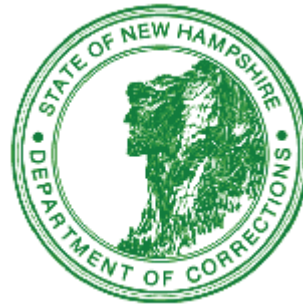
&

PAROLE

COMMUNITY SAFETY

VICTIM RESPECT

OFFENDER ACCOUNTABILITY



OUR MISSION

The mission of the New Hampshire Department of Corrections is to provide a safe, secure, and humane correctional system through effective supervision and appropriate treatment of offenders, and a continuum of services that promote successful re-entry into society for the safety of our citizens and in support of crime victims. As an integral part of the criminal justice system, our vision is to strengthen public safety by achieving excellence in correctional practices.

With the core values noted below, we are committed to providing quality investigations, reports and community-based supervision of offenders referred by New Hampshire's courts and the Adult Parole Board. The interests of crime victims, survivors, the public, offenders and families are important considerations in providing effective probation and parole services.

Integrity
Respect
Professionalism
Collaboration
Accountability

This pamphlet provides a brief description of adult probation and parole in New Hampshire. It is intended to offer general information for people who are victims or survivors of crime. Specific questions may be asked by contacting any of the NHDOC offices listed.

INVESTIGATIONS

NHDOC Probation-Parole Officers (PPO) investigate a variety of matters referred by New Hampshire courts, the NH Adult Parole Board and corrections agencies from other states. For example:

Pre-sentence: Provides information to the Superior or District Court judge before Sentencing. The PPO contacts police, crime victims, the offender, and others in the community. A report is provided to the court with a victim impact statement, a summary of defendant's family, education, employment, and prior record with police and courts. A sentencing recommendation is included.

Pre-Parole: After the Parole Board determines an inmate is appropriate for prison release, the PPO verifies the proposed residence, employment & participation with counseling or other agencies. The PPO determines whether there is opportunity for positive community adjustment and recommends the Parole Board accept or reject the parole plan.

Annulment: Persons may petition courts to annul certain criminal records. Records of violent crime (and other exceptions) cannot be annulled. The PPO reports to the court arrests or convictions of the defendant, and any information which may aid the judge in determining if annulment "will assist in the defendant's rehabilitation & will be consistent with public welfare."

Out-of-State: Offenders may propose to live and work in another State while under probation or parole supervision. PPO's can provide investigations or supervision through the Interstate Compact laws.

OFFENDER SUPERVISION

Most offenders sentenced by the Court or released from prison by the Adult Parole Board are permitted to live and work (or attend school) in the community subject to conditions set by the Court or Board. Activities of these individuals are monitored by the Probation-Parole Officer. Protecting people in the community and reducing the likelihood of another crime are chief reasons for offender supervision.

Probation is a sentence ordered by the court which allows an offender to remain in the community with supervision and guidance of a PPO, under such conditions as the court may impose. For each offense, the period of probation cannot exceed 5 years for a felony and 2 years for a Class A misdemeanor.

Parole is a conditional release from state prison which allows an inmate to serve the remainder of the sentence outside the prison. To be eligible for parole, inmates must complete the minimum sentence ordered by the Court and must show increasingly responsible behavior while in prison. Usually, inmates must succeed in minimum custody & work release (community settings) before parole release. The Board generally schedules hearings for eligible inmates 60 days prior to their minimum parole date.



CONDITIONS OF PROBATION-PAROLE

For individuals to remain on probation or parole in the community, they must comply with the following conditions established by the Court or Adult Parole Board:

Report to the Probation/Parole Office at such times & places as directed; comply with PPO instructions & respond truthfully to all inquiries from the PPO;

Comply with all orders of the Court, Parole Board or PPO, including any order for payment of money;

Obtain the PPO's permission before changing residence or employment or traveling out of state;

Notify the PPO immediately of any arrest, summons or questioning by a law enforcement officer;

Diligently seek & maintain lawful employment notify employer of legal status, & support dependents to the best of ability;

Not receive, possess, control or transport any weapon explosive, or firearm or simulated weapon, explosive or firearm;

Be of good conduct, obey all laws and remain arrest free;

Submit to reasonable searches of person, property & possessions as requested by the PPO & permit the PPO to visit residence at reasonable times for the purpose of examination & inspection in the enforcement of the conditions of probation and parole;

Not associate with persons having a criminal record or other individuals as directed by the PPO unless specifically authorized to do so by the PPO;

Not indulge in the illegal use, sale, possession distribution, transportation, or be in the presence of controlled drugs, or use alcoholic beverages to excess;

Waive extradition to the State of New Hampshire from any state in the United States or any other place & agree to return to New Hampshire if directed by the PPO;

The following Special Conditions may also be imposed by the Court, Adult Parole Board, or the Probation/Parole Officer:

- ❑ Participate regularly in Alcoholics Anonymous or other self-help group to the satisfaction of the PPO;
- ❑ Secure written permission from PPO prior to purchasing &/or operating a motor vehicle;
- ❑ Participate & satisfactorily complete other programs as required;
- ❑ Enroll & participate in mental health counseling on a regular basis to the satisfaction of the PPO;
- ❑ Not be in the unsupervised company of (female/male) minors at any time;
- ❑ Not leave the county without permission of the PPO;
- ❑ Refrain totally from the use of alcoholic beverages;
- ❑ Submit to breath, blood or urinalysis testing for abuse substances at the direction of the PPO;
- ❑ Comply with the provisions of house arrest;
- ❑ Other (e.g. no contact with the victim)

VIOLATIONS OF PROBATION & PAROLE

By law, NHDOC attempts to “assist offenders in establishing law-abiding lives while monitoring their behavior through office, home, work, and other contacts.” When an offender does not follow the rules, a determination is made by the PPO about the best way to improve compliance. With attention to public protection and victim sensitivity, as well as progress achieved by the offender, the PPO may issue verbal or written warnings, or may report the violation to the sentencing Court or NH Adult Parole Board. When immediate action is required, the PPO or

police may arrest the offender, or may request an arrest warrant or *capias* to issue by the Court or Parole Board.

At a violation (or revocation) hearing before the Court or Parole Board, the PPO must present evidence to prove the offender violated the required conditions. Due process rights apply and the offender (or attorney) may dispute the evidence.

COMMUNITY-BASED CONSEQUENCES

People who violate the conditions of probation or parole may be incarcerated in prison or county houses of correction. Intermediate sanctions are also available to promote public safety & control offenders.

Home confinement (electronic monitoring) allows the offender to live at home, work in the community and participate in community programs with supervision by a PPO. An electronic bracelet alerts DOC if an offender is not home as required.

Transitional Housing includes DOC facilities where offenders live while working in the community. Residents must show increased responsibility & problem-solving skills to succeed on work release.

The Academy is an intensive year-long corrections program for non-violent offenders while living at home. Employment, enhanced living skills, and substance abuse programming are required.

Intensive Supervision provides more frequent PPO contacts with offenders to enhance public protection and enforcement of orders. Random home visits occur during day and evening hours.

RESPECT FOR VICTIMS

NH Department of Corrections recognizes and respects the impact of crime upon victims and their families. We acknowledge and support the rights of crime victims, remaining mindful of our role in their process of recovery. Honoring victims' rights and effectively addressing related needs are essential for justice to be served.

VICTIM IMPACT STATEMENTS

Along with information about the offender, the pre-sentence investigation provides crime victims/survivors an opportunity to inform the Court about the crime's personal impact upon them and their family. The PPO asks victims for statements about the physical, emotional and financial impacts of the crime. People may also offer an opinion about an appropriate sentence for the offender, including restitution (see below). At times, these impact statements may be coordinated with the Victim/Witness Advocate who supported the victim during the criminal prosecution.

Upon request, the NH Adult Parole Board provides an opportunity for victims and survivors to address the Board prior to its decision about an inmate's prison release. Interested victims may choose to personally appear before the Parole Board or may submit a written statement. Victims may choose to be accompanied to the parole hearing by a Victim/Witness Advocate, NHDOC Victim Services, or other supportive persons.

VICTIM NOTIFICATION

We are committed to keeping interested crime victims informed, involved & safe during the corrections phase of the justice system.

Upon request, crime victims/survivors are notified when prison inmates are transferred, released, escaped, and when they return to prison for violating conditions of parole. Victim requests for notification are confidential and cannot be accessed by offenders. People are also informed when inmates are eligible for parole. The NH Adult Parole Board provides victims an opportunity to address the Board prior to a decision about an inmate's parole release.

For more information, please contact the NHDOC Victim Services Office toll-free at 1-888-NH-NOTICE (888-646-6842).

RESTITUTION

Recognizing the serious impact of crime upon citizens, New Hampshire law emphasizes restitution by offenders to help ease the burden of victims. There is a legal presumption that the victim will be compensated by the offender. The Court may order reimbursement for economic losses suffered. Orders for restitution remain in effect until paid in full. The NHDOC and courts have authority over offenders for purposes of enforcing restitution until the restitution order is satisfied. By law, an administrative fee is added to each offender's restitution account. Payments are prorated to victims' accounts chronologically, in the order of court sentence dates.

DOMESTIC VIOLENCE & STALKING

When offenders are known to physically or emotionally abuse household members or intimate partners, our Probation-Parole Officers collaborate with other community agencies to enhance victim safety. Such offenders are frequently considered high risk for violence. Supervision by the PPO, offender attendance at batterer intervention programs, and victim assistance through domestic and sexual violence service centers can all help reduce the risk of further abuse.

Although the NHDOC's supervision of an offender may be legally unrelated to domestic violence, victims of domestic violence or stalking are urged to inform the PPO and police when they feel at risk or when a batterer has breached a court's order of protection.

INFORMATION & SUPPORT

Respect for the dignity of crime victims and survivors is fundamental to the work of NHDOC employees. Together with Victim/Witness Advocates, crisis centers and law enforcement agencies throughout New Hampshire, our staff is available to help address safety and other concerns of the citizens most directly affected by crime. People who are victimized by crime are encouraged to contact NHDOC and other agencies for appropriate support.

Probation-Parole Office locations and telephone numbers are included on the back panel. The NHDOC Victim Services Coordinator is also available at 1-888-NH-NOTICE (888-646-6842).

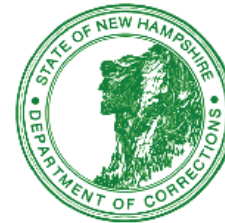
NH DEPARTMENT OF CORRECTIONS

DISTRICT OFFICES

BERLIN	(603) 752-1123
CLAREMONT	542-2470
CONCORD	271-2268
DOVER	742-6621
EXETER	772-4730
KEENE	352-4139
LACONIA	528-9240
MANCHESTER	668-0432
NASHUA	886-3444
NO. HAVERHILL	787-6900
OSSIPEE	539-4137

HEADQUARTERS	271-5652
PAROLE BOARD	271-2569
VICTIM SERVICES	271-7351

1-888-NH-NOTICE (888-646-6842)



*Additional information about the
State of New Hampshire
Department of Corrections is available
on the World Wide Web:*

www.nh.gov/nhdoc

GLOSSARY

Academy - A year long intensive, community program of both punishment & rehabilitation. Available in each county, it includes: (1) a core curriculum of living skills courses such as parenting, stress management, budgeting, and nutrition; (2) employment or active job search; (3) alcohol/drug screens; (4) counseling, educational and vocational courses; (5) close supervision by PPO. Offenders who do not comply are promptly incarcerated;

Adult Parole Board - Members are appointed by the Governor, with Executive Council consent; responsible for paroling inmates from prison and legal custody of persons on parole;

Annul - When a Court issues order of annulment, the person is treated in all respects as if never arrested, convicted or sentenced; however, annulled records may be considered in determining a sentence for any new conviction after the annulment was granted;

Capias - Orders any sheriff or law enforcement agency to detain a defendant and cause the subject to appear before the Court;

Conditions - Restrictions and limitations established by the court for the conduct and behavior of persons sentenced to probation, or by the adult parole board for parolees released from prison;

Due Process - Individual rights to: (1) receive written notice of alleged violations; (2) personally appear at any hearing; (3) cross-examine witnesses; (4) present witnesses, testimony and documentary evidence; (5) legal counsel; (6) hearing and written decision by an impartial body;

Economic Loss - Out-of-pocket losses or other expenses incurred as a direct result of a criminal offense, including: (1) reasonable charges incurred for reasonably needed products, services and accommodations; (2) loss of income by the victim or the victim's dependents; (3) the value of damaged, destroyed, or lost property; (4) expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured or deceased victim would have performed; (5) reasonable expenses related to funeral and burial or crematory services for the decedent victim;

Electronic Monitoring - An administrative tool which enhances supervision of offenders by the PPO to enforce home confinement; a tamper-proof electronic bracelet is worn by the offender to verify presence in the home at required times; the offender must pay for use of this device;

Inmate - Any adult committed by law to the custody of the Commissioner of the Department of Corrections;

Interstate Compact - Agreement between States and Territories which permits corrections agencies to send and receive offenders between jurisdictions;

Offender - Any adult person convicted of a crime or offense under the laws of this State;

Parole - Conditional release from state prison which allows a prisoner to serve the remainder of the sentence outside the prison, contingent upon compliance with terms and conditions established by the parole board;

Probation - Sentence ordered by the court allowing an offender to remain in the community with supervision and guidance of a PPO, under such conditions as the court may impose;

Probation-Parole Officer (PPO) - (1) officer of the court, investigates & makes recommendations as requested by the court, the parole board, or the commissioner; (2) provides supervision to persons on probation or parole; (3) reports to the court or parole board violations of probation or parole conditions; (4) enforces criminal laws and arrests or causes the arrest of any probationer or parolee as required; (5) collects and disburses fees, fines, or restitution payments as ordered;

Reentry - As inmates transition from prison to community, individualized support helps rectify common post-release problems with services; Reentry case management addresses key issues such as employment, housing, substance abuse treatment, mental health treatment, and education; Victim safety and restitution are key components for many successful ex-offenders returning to the community;

Restitution - Money or service provided by the offender to compensate a victim for economic loss, or to compensate any collateral source subrogated to the rights of the victim;

Revocation - After hearing, the Court or Adult Parole Board may find the offender violated the conditions of probation or parole, violated the law, or associated with criminal companions; the approved term of probation or parole may be voided and the offender may be incarcerated;

Victim/Witness Advocate - Provides information & support services to crime victims or witnesses during the investigation, prosecution, sentencing and corrections phases of the justice system;

Work Release - Release from prison for the purpose of obtaining and working at gainful employment; during this status inmates usually reside at a DOC Transitional Housing Unit or County correctional facility with restrictions on activity beyond that location;