

PROCEDURE:

A. NEW CASE SET UP – DISTRICT OFFICE COLLECTIONS:

1. Each district office will use the following procedures for new case set up:
 - a. Upon receipt of an order from the court or parole board for payment of a fee, fine or restitution as a condition of the sentence, the assigned support staff shall enter the new case into the Correctional Information System (CORIS) consistent with the protocol established in CORIS training and as outlined in the intake process reference card (attachment 1). If an offender profile exists, updates will be made to the existing offender identification number/profile.
 - b. The case will be assigned by the office supervisor.
 - c. The assigned Probation/Parole Officer (PPO)/Case Technician shall determine the identification of the payee and complete an obligation profile. PPOs shall forward this information to support staff for data entry and/or submission to the Collections Unit.
 - d. A “Payment Plan Agreement” (attachment 2) shall be executed between the offender and the PPO/Case Technician with copies provided to the offender and the case file. When determining a payment plan, the following factors must be considered:
 - 1) Specific court or parole board orders establishing a time frame for completion of payment. If the court orders all monies to be paid within six (6) months, the payment plan must reflect a payment schedule sufficient to comply with the order.
 - 2) The payer’s ability to pay and the court order. In situations where an offender clearly poses no ability to pay the court-ordered monies within the dictated time frame, the defendant shall be directed to seek relief from the court.
 - e. The offender shall be advised that the preferred method of payment is check or money order and that all payments must be mailed to the Collections Unit. Any circumstances that require the acceptance of a cash payment must be approved by the Chief Probation/Parole Officer (CPPO)/designee and hand delivered no later than the next business day to the Collections Unit.
 - f. In cases where the offender is serving a prison sentence and has been ordered to pay fines or restitution through the department and the court order does not preclude this from occurring during incarceration, the PPO/Case Technician shall forward a letter to Inmate Accounts requesting that a minimum payment of \$10.00 per month be deducted from the offender’s account and forwarded to the Collections Unit. A copy of this letter will be sent to the offender and Offender Records.
 - g. Any changes in offender financial obligations shall be submitted to support staff for data entry and submission to the Collections Unit.

B. NEW CASE SET UP – SUPERVISION FEES:

1. After having been placed on probation or parole, offenders being assessed the supervision fee will sign the Supervision Fee Instruction contained on the standard Probation/Parole Conditions Form. At this time the supervising PPO will provide a detailed explanation of the supervision fee obligation to the offender (attachment 3). One copy of the form should go to the offender and one to the file. This should occur during the offender’s first visit. All probationers/parolees on active supervision, regardless of the supervision level, should be assessed a supervision fee if they have the ability to pay.
2. Supervision fees for offender who are determined NOT to have the “ability to pay” can be waived by one of the following processes:
 - a. PROBATIONERS: either the PPO or the offender may file a motion with the sentencing court.

- b. PAROLEES: a request may be filed with the parole board in memo form outlining the reasons for the request.
 - c. PROBATIONERS OR PAROLEES: a waiver request can be filed with the CPPO. The request is to be made in memo form by the supervising PPO stating the rationale for the request. A copy will be returned to the requesting PPO approved or disapproved. The rationale must be clear, accurate and appropriate, as the signed waiver then becomes part of the file for audit purposes. The request for a waiver and effective date of approval must be noted in the CORIS case notes.
3. Unless otherwise ordered by the court, parole board or Commissioner/designee, the supervision fee for all offenders placed on probation/parole will be \$40.00/month. In cases where offenders have the ability to pay the fee in an amount less than \$40.00, the offender or supervising PPO should request a reduction in the fee by utilizing one of the processes outlined in #2 above. All attempts should be made to collect a reduced supervision fee in cases where the offender cannot afford the full amount of \$40.00/month.
 4. AHC, collection only, administrative and bail supervision cases and cases transferred to other states through the Interstate Compact Agreement will not be charged a supervision fee. Officers must ensure supervision fees are adjusted in CORIS when an offender who has been under New Hampshire supervision for a period of time subsequently transfers to another state. This will prevent erroneous accrual of supervision fees in CORIS. Probationers/parolees who have absconded or are on fugitive status, will not accrue a supervision fee. The fee accrual will need to be reduced in CORIS for the applicable period of abscond/fugitive status.
 5. Cases involving offenders who are incarcerated or in residential treatment for thirty (30) days or more, will not be charged a supervision fee during the period of incarceration or treatment. The offender's status in CORIS must be changed to accurately reflect their location/status. Upon release, the supervision fee obligation will be reinstated for the balance of the supervision period effective immediately.
- C. PAYMENT PROCESSING – COLLECTIONS UNIT
1. Upon receipt of a payment, the payment will be entered into the CORIS system. CORIS will assign a receipt number. The receipt includes the following information:
 - a. Receipt number
 - b. Client name
 - c. Receipt date
 - d. Received from
 - e. Amount received
 - f. Check/money order number
 - g. Payment method
 - h. Staff member who posted the receipt
 2. In the event the Collections Unit receives a payment that has no corresponding collection case in CORIS, the payment shall be entered in CORIS as “unspecified.” The Collections Unit will attempt to locate the office/staff from which the payment originated and request the appropriate case information be entered into CORIS forthwith. The corresponding staff is expected to expedite this request.

The offices for which the Collections Unit is providing data input will forward the necessary information. Offices entering their own collection cases will need to enter the requested information.

3. In the event the offender or a third party on behalf of the offender submits a check that is returned by the bank for insufficient funds, the Collections Unit will process the bad checks in CORIS. The Collections Unit will forward the notice and the bad check to the

supervising district office. The district office staff shall forward a notice to the offender with the following directives:

- a. Make the check good, if applicable
 - b. The offender is responsible to pay a bad check fee of \$25.00 or 5% of the check, whichever is greater in addition to the fees or charges submitted by the bank (per RSA 6:11-a).
 - c. Future payments will be required to be made by certified bank check or money order. Failure to make good on the check after 14 days will result in a violation of order or probation/parole violation proceedings.
4. Sanctions for Non-Payment:
- While it is the offender's responsibility for payment, it is the responsibility of the PPO/Case Technician, in accordance with RSA 504-A:12, to encourage, motivate and monitor offenders to ensure payments are current.
- a. Payment of financial obligations are a condition of the sentence unless waived by the court or parole board and failure to meet this condition must be met with appropriate sanctions.
 - b. The supervising PPO/Case Technician shall routinely monitor offender compliance with court ordered financial obligations and encourage compliance through face to face contacts, telephone calls, arrearage notices, or, if necessary, violations.
 - c. If appropriate, a violation report or suitable motion will be filed with the appropriate court or parole board and the offender will be scheduled for a hearing. The PPO/Case Technician will make a specific recommendation for disposition, such as forthwith payment, community service, revocation, etc.
 - d. Should the court decide not to accept the recommendation of the PPO, the disposition shall be noted in the offender's file
 - e. Should the court waive supervision fees that are in the arrears, appropriate updates will be completed by the PPO and submitted to support staff for data entry. Orders waiving amounts due shall be filed in the offender's case file.
 - f. If the offender does not have the ability to pay due to loss of employment, injury or other legitimate reason, the supervising PPO/Case Technician should investigate the possibility of requesting the court to convert the financial sanction (fee or fine) to community service. If the offender has the ability to pay but has failed to respond to arrearage notices and other directives to pay, enforcement action should be taken to include:
 - 1) Written warning
 - 2) Violation filed with the court or parole board
 - g. Prior to closing any probation or parole supervision case, the supervising PPO/Case Technician will make every possible effort to ensure that the offender has paid the financial obligation in full. Cases will not be closed without appropriate orders from the court.
 - h. For out-of state cases where the offender is supervised in New Hampshire and the offender becomes unable to pay, the supervising PPO, after review and approval by the Chief Probation/Parole Officer (CPPO), should submit a written report to the Deputy Compact Administrator/designee to waive the supervision fee balance and any outstanding arrearage. If the offender has the ability to pay but is not paying as directed and is not responding to arrearage notices and other directives to pay, enforcement should be taken by requesting that the sending state:
 - 1) Issue a written letter of warning to the offender
 - 2) File a violation with the court or parole board
 - 3) Return the offender to the sending state

- i. If there is no response from the sending state within 60 days, the supervising PPO should request the Deputy Compact Administrator/designee to contact the sending state for follow up action. If this doesn't elicit a response from the sending state within 30 days, a decision may be made to terminate supervision and to order the offender to return to the sending state upon approval of the CPPO and the Deputy Compact Administrator/designee.
- j. Prior to closing any probation/parole supervision cases, the supervising PPO will make every possible effort to ensure that the offender has paid in supervision fee in full. Cases with outstanding supervision fee arrearage will not be closed without written approval by the CPPO. Supervision fees shall not be transferred to case technicians for collection.

REFERENCE:

Standards for the Administration of Correctional Agencies
Second Edition Standards

Standards for Adult Correctional Institutions
Fourth Edition Standards

Standards for Adult Community Residential Services
Fourth Edition Standards

Standards for Adult Probation and Parole Field Services
Third Edition Standards

3-3043

Other

McAlister/pf

Attachments



Initial Community New Client Intake Process Quick Reference Card

Step 1: Search

IMPORTANT: You must always search before adding a new Client in DRIS to avoid creating duplicate Clients.

Select **Community (Field Services)** -> **Search** -> **Client** from the Main Menu.

Enter basic search criteria (e.g. Last Name, First Name, DOB, etc.)

Click the **Include non-active** checkbox

Click the **Search** button

Click the **Matching Alias** tab to ensure that the search did not retrieve a Client with alias matching the search criteria.

If no Client or Alias is found, click the **Add New Client...** button to navigate to the **Client Demographics** page and begin creating a new Client.

Step 2: Client Demographics

From the **Initial Reporting Form**, document the following:

Required fields:

Last Name:*

First Name:*

Gender:*

Race:*

Religion:*

Other **relevant** fields may include:

Middle Name:

Date of Birth:

Step 3: Transfer Client into a DOC Location

NOTE: Review the **Client Transfer Types and Reasons** Quick Reference Card as you explore this step.

- Select **Community (Field Services)** -> **Client Pages** -> **Transfer** from the Main Menu.
- On the **Transfer Directions** tab:
 - Select an appropriate **Transfer Type**:
 - In from County Facility
 - In from Court
 - Interstate Compact In
 - Select an appropriate **Transfer Reason**
 - Select the Client's reporting office in the **DOC Location To** field
 - Select an appropriate **Jurisdiction From**: New Hampshire field
- On the **Transfer Dates** tab:
 - Enter the **Transfer Date/Time**:

(Hint: Since this field includes both Date and Time, it is easiest to select using the calendar button.)
- Click the **Save** button

Step 4: Physical Appearance

- Select **Community (Field Services)** -> **Client Pages** -> **Physical Appearance** from the Main Menu.
- From the **Initial Reporting Form**, document:

Eye Color Hair Color Height (Inches) Weight



Initial Community New Client Intake Process Quick Reference Card

Step 5: Client Addresses

1. Select **Community (Field Services) -> Client Pages -> Address/Phone** from the Main Menu.
 2. From the **Initial Reporting Form**, document **Street Address** on the **Address** tab:
 - a. Select **Address Type:** Street Address
Street Number: _____
Street Name: _____
 - b. Enter _____
 - c. Enter **Apartment #** if appropriate *if appropriate*
 - d. Select **City** *if appropriate*
 - e. **Zip Code**
 - i. Enter in the **Zip Code** field

OR

 - ii. Click the **USPS** button and select from the site
 - f. Enter the **Initial Reporting Date** in the **Start Date:** 11/25/2005 field
 - g. Check the **Notes Address** field to include this address on the Probation Officer Notes page
3. Click the **Save** button
4. To document **Mailing Address**:
 - a. Click the **Copy Address** button to copy the Street Address
 - b. Click the **Add** button to enable the Address page in "add mode"
 - c. Click the **Post Address** button

Step 6: Phone

1. From the **Initial Reporting Form**, document the following on the **Phone** tab of the **Address/Phone** page
 - a. Click the **Add** button
 - b. Enter **Phone Number**
 - c. Select **Phone Type:** Residential
 - d. Click the **Print** checkbox to indicate this is the Client's primary phone #
2. Click the to save

Step 7: Alias

NOTE: If the Client indicates a nickname or alias, you may document this in **CORIS**

1. Select **Community (Field Services) -> Client Pages -> Alias** from the Main Menu.
2. Enter:
First Name: _____
Middle Name: _____
Last Name: _____
3. Click the **Save** button

NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS

OFFICE

ADDRESS 1

ADDRESS 2

PAYMENT CONTRACT

I _____, fully understand that I owe:

A. Total Restitution owed	\$ _____
Restitution (Y our obligation)	\$ _____
Plus 17% Collection Fee	\$ _____

Sub Total A \$ _____

B. Fine \$ _____ +20% P.A.	\$ _____
Attorney Fees	\$ _____
Other	\$ _____
Plus 10% Collection Fee	\$ _____

Sub Total B \$ _____

Total Obligation \$ _____

I hereby agree to pay \$ _____ Y Weekly Y Bi-Weekly Y Monthly Y In Full

Commencing on _____ until my total obligation is paid in full by _____

Failure to make payments can result in this matter being brought back to Court. Checks and money orders are to be made payable to NHDOC and forwarded to the NHDOC – Division of Field Services, PO Box 280, Concord, NH 03302-0280.

It is your obligation to notify the New Hampshire Department of Corrections of any change in address, employment or other information that affects your ability to make payments.

JOINT AND SEVERAL ORDERS

By order of the Court, you are responsible for 100% of the restitution. You are currently being assessed _____ of the restitution. Should your co-defendant(s) fail to pay, you will be held responsible for 100%.

I hereby certify that I have read or had read to me, the foregoing contract and fully understand it. I acknowledge receipt of a copy of this payment schedule.

Date: _____ **Defendant:** _____

Probation/Parole Officer or Case Technician: _____

Co-defendant _____

RSA 159:3 CONVICTED FELONS NOTIFICATION

NO PERSON WHO HAS BEEN CONVICTED IN THIS OR ANY OTHER STATE OF A FELONY AGAINST THE PERSON OR PROPERTY OF ANOTHER, OR WHO HAS BEEN CONVICTED OF A FELONY UNDER RSA 318:B SHALL OWN OR HAVE IN HIS POSSESSION OR UNDER HIS CONTROL A PISTOL, REVOLVER, OR ANY OTHER FIREARM OR SLINGSHOT, METALLIC KNUCKLES, BILLIES, STILETTO, SWITCHBLADE KNIFE, SWORD CANE, PISTOL CANE, BLACKJACK, DAGGER, DIRK-KNIFE, OR ANY OTHER DANGEROUS WEAPON. WHOEVER VIOLATES THE PROVISION OF THIS SECTION SHALL BE GUILTY OF A CLASS B FELONY; AND UPON HIS CONVICTION, HIS WEAPON SHALL BE CONFISCATED TO THE USE OF THE STATE

As of 09/30/96 Title 18US Code, Sec 922 (g)(9) makes it illegal for anyone who has **EVER** been convicted of a "misdemeanor crime of domestic violence" to possess any firearm or possess any firearm or ammunition. A misdemeanor crime of domestic violence is defined as any offense – whether or not explicitly described in a statute as a crime of domestic violence – which has, as its factual basis, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by the victim's current or former domestic partner, parent or guardian. This includes convictions in any state or at the federal level. The term "convicted" excludes anyone whose conviction has been annulled or expunged or who has received a pardon.

This law applies to persons *convicted at any time prior to or after the passage of this act*. If you have been convicted of a misdemeanor crime of domestic violence within the meaning of this statute, continued retention of any firearm or ammunition may subject you to federal criminal penalties up to 10 years in prison and a \$250,000 fine.

If you are affected by this statute, you may not possess any firearm or ammunition. Any previously issued authorization for you to possess a firearm or ammunition, including a pistol permit is revoked.

SUPERVISION FEE INSTRUCTIONS

RSA 504-A:13 provides for the collection of supervision fees from parolees and probationers under the supervision of the NH Department of Corrections.

Failure to abide by these conditions may result in a violation being filed that could result in your incarceration or imposition of additional penalties.

1. Payments of \$40.00 each month under supervision commencing _____. And I realize payment is a condition of my probation/parole.
2. Payments are made payable to NHDOC.

Collections Unit
Division of Field Services
PO Box 280
Concord, NH 03302-0280

GRIEVANCE PROCEDURE

Probationers and parolees wishing to file a complaint may do so by obtaining from the District Office, a **Grievance Form**. All complaints must be in writing on this form to be considered.

Upon completion of the form, it shall be submitted to the Chief Probation/Parole Officer at the District Office.

I have had the above read to me and fully understand:

Signed: _____

Date: _____

