

Discharge Planning Process Analysis  
New Mexico Corrections Department  
Probation and Parole Division

July 2003

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## **Introduction**

The purpose of this report is to examine the overall pre-parole discharge planning process of the various bureaus within the New Mexico Corrections Department (NMCD) as it relates to sharing of information and inmate preparedness. The Institute for Social Research was contracted by the New Mexico Department of Health and the New Mexico Corrections Department to conduct research building on previous work completed by Susan Brumbaugh, Ph.D. and Melodie LaFriniere, Ph.D. in 2002. In that initial work, the researchers conducted interviews with NMCD Bureau Chiefs in an attempt to broadly understand the complexities of discharge planning. The resulting report, released in May 2002, established a foundation for the research undertaken for this report.

ISR staff collected data at the following New Mexico prison facilities: Central New Mexico Correctional Facility in Los Lunas; NM Women's Correctional Facility in Grants; Western New Mexico Correctional Facility in Grants; Penitentiary of New Mexico in Santa Fe; Southern New Mexico Correctional Facility in Las Cruces; Roswell Correctional Center in Hagerman; Lea County Correctional Center in Hobbs; and, Guadalupe County Correctional Facility in Santa Rosa. Data collection consisted of two primary activities. First, interviews were conducted with Department Heads, or their designees, from Education, Classification/RDC/Records, Mental Health, and Addictions Services, at each facility. In many cases, two or three individuals were interviewed from related Departments simultaneously as deemed necessary by the Department Head. Other prison staff such as institutional parole officers, case managers, wardens and associate wardens, and medical staff were also interviewed. Second, on the final day of data collection, ISR staff conducted a focus group with heads of departments and their designees, other prison administrative staff, and Probation/Parole Division staff with the goal of further exploring information identified during the primary interviews, synthesizing cross-departmental information, and reviewing recommendations to improve the discharge planning process.

The goal for each interview was to review the assessment process used by each bureau, identify any significant issues hindering the transition process, and gather suggestions or recommendations for improving communication and effectiveness of the discharge planning process. This summary report considers all of the interview and focus group data collected from all the facilities and the conclusions drawn are based on input from all the respondents. This report closes with some general conclusions and recommendations about how to proceed with any future efforts to unify and improve the discharge planning process.

### **Education Department:**

#### *Overview*

Educational services are available to all inmates in the Adult Prison Division (APD). Certain inmates are required to participate in educational programming. These include: offenders who do not have a GED and have at least 18 months remaining on their sentence and inmates under 21 who do not yet have a GED.

Education Directors report that typically sex offenders, older inmates and those with

previous commitments, “lifers” and murderers seem to do best in the education program. The most difficult inmates to serve are those who are mandated, have gang involvement, and younger inmates.

Using the Test of Adult Basic Education (TABE) scores, inmates served in the education department are placed in the most appropriate education track. New TABE scores are obtained every twelve months. Low performance on the TABE does not cause an inmate to be ineligible for educational services. Offenders begin education at whatever level they are on.

Regarding information sharing, education directors report that they receive very few requests for educational records for those inmates soon to be released into the community. There are some confidentiality restrictions regarding education information. For example specific performance levels are not usually available to be shared. When asked what information that they felt would be important to their counterparts in the community, educational directors suggested that TABE scores, completed programs, certificates current placement levels and a general overview of any outstanding issues would be very helpful. Among outstanding issues, educational directors specifically mentioned learning disabilities and special education needs. There are no obstacles to sharing this information if a signed consent form from the inmate is on file.

In general, education directors reported that the education department, except for SOAR participants, is rarely included in the discharge planning process. They felt that this is an oversight and that their involvement could be helpful. For example, suppose an inmate writes in their parole plan that they aspire to attend Albuquerque-TVI upon their release but they have only a 5<sup>th</sup> grade reading level according to their TABE scores. The probation/parole officer would not be aware of such unrealistic goals based on the information received in the discharge packet. Finally, several respondents emphasized the need for additional vocational training and services for inmates.

Furthermore, education directors suggest that better notification regarding inmates with scheduled discharges would be helpful. Some education departments ordinarily receive notice that an inmate is on the “short list.” Such notification allows education staff to begin transitioning the inmate for release and, importantly, ensures that the inmate will not use classroom space for a course that they will not complete.

In some facilities, Stress and Anger Management Education are provided in the education department. Some mental health staff has asked questions regarding the qualifications of education staff to provide this service. Mental health staff argues that these services are therapy and should be provided in a therapeutic setting.

Finally, each time an inmate is released from prison, their accumulated hard copy record from the education department is archived. This means that any subsequent incarcerations require that a new education file to be established. It seems likely that education plans could be improved by making all previous information available with each incarceration.

### *Recommendations*

- IQ Testing is done at RDC upon intake. Some education staff feels that these tests should be given later or retesting should be allowed at a later time.
- Consistent and appropriate notification should be given to the education director at all facilities for inmates who have scheduled discharges.
- Inmates may have issues with learning disabilities that need to be addressed when they are released. PO's providing supervision could perhaps benefit from knowing the level of intellectual functioning of offenders on their caseload.
- Standardize the involvement of the education department by creating a discharge summary form. The short form should include a record of the latest TABE scores, any evaluation summaries, a listing of all certificates and diplomas obtained, and a short narrative regarding the inmate's motivation, aptitude, attitude, and any special skills. Additional information that may be helpful would include grade levels, the number of program joined and dropped, a clear statement on any learning disabilities and/or special education issues, and the results of any other assessments given.
- Consolidate previous educational records into one master education file and make all materials available to the education department for subsequent incarcerations.

### **Mental Health:**

#### *Overview*

According to one respondent, American Corrections Academy accreditation standards require one psychologist per 100 inmates. Some facilities have experienced difficulties in attracting and retaining mental health staff due to relatively low pay compared to private sector opportunities. Some facilities, such as Western New Mexico Correctional Facility in Grants, have had difficulty attracting potential employees to rural sites.

According to NMCD policy, incoming inmates must be screened by the Mental Health Department within two days of their arrival. If an inmate is coming directly from RDC, there are separate criteria determining whether or not a face-to-face contact is required. All inmates receiving psychiatric medications must be seen face-to-face within the first day to determine whether the inmate is stable.

The level of involvement from mental health staff in the discharge planning process varies considerably. In some cases, mental health staff begins four or five months prior to discharge. Some prison staff complete a one-page discharge summary for inclusion in the discharge plan. Usually, mental health staff is involved in making referrals to treatment.

Issues of confidentiality are a constant concern for mental health professionals. There are concerns that the information will be misused, misinterpreted, and/or misplaced. Nearly all staff interviewed recognized the importance of providing information to their counterparts in the community regarding the mental health status of inmates. Most agree that at a minimum, mental health professionals should be able to share the results of recent assessments or screenings, prior and current diagnoses, any medication prescriptions, and a general summary of progress to date. Confidentiality issues have

blurred the ability of the mental health departments to share this information. However, all agree that if a qualified community mental health provider submitted an approved, signed consent form from the inmate, this information could be shared.

We asked mental health staff to identify the critical pieces of information necessary to their counterparts in the community. The minimum information set should include: a diagnosis Axis 1 and 2 and a list of any psychiatric medications, a treatment history summary, and a “Baseline Pre-Parole Mental Health Report.” There is no problem with sharing this information with a qualified mental health profession as long as the proper consent forms are in place.

On a final note, representatives from several facilities lacking a sex offender treatment program suggested that these services should be expanded. Many offenders, whose current offenses may not necessarily be sex related or who may not have legally substantiated sex offenses, are in need of sex offender treatment. While there are treatment needs for victims of sexual violence, the greatest lacks of services are for perpetrators. Additional resources are needed to effectively screen and treat this population.

*Recommendations:*

- Due to confidentiality concerns, the Corrections Department needs to develop a standardized consent form that meets legal requirements. Furthermore, the Department should consider making this consent form a normal part of the discharge process. In other words, the consent form allowing mental health information to be released should be offered to the inmate at the time of discharge. It is important that both the APD and Probation/Parole Division (PPD) adopt the same consent form.
- There is a need to address the confidentiality issue that prevents mental health and medical information from being provided in the discharge parole plan packet.
- Confidentiality form should be available on line.
- A standardized mental health summary form should be created and added to the Parole Plans for all inmates who have received any mental health services while in the APD.
- The mental health file should include a copy of the current J&S.

**Medical:**

At some facilities, the medical department plays an exceeding limited role in discharge planning. However, medical administrators are often responsible for setting up follow-up appointments and other procedures for inmates being released. There is a need to verify if potentially life-threatening appointments are being kept and that probation/parole officers are aware of any needed interventions. We asked Medical Department staff to identify the critical pieces of information necessary to their counterparts in the community. The minimum information set should include: the results of the most recent lab screens, prescription history, any scheduled appointments, and a general narrative summary.

*Recommendations:*

- A standardized medical summary form should be created and added to the Parole Plans for all inmates who have received any medical services while in the APD.

### **Addiction Services:**

#### *Overview*

Addictions services provide groups and monitors AA/NA meetings. In some facilities, addictions services facilitate meditation pods. Other programming offered includes substance abuse interventions in the therapeutic community (TC) setting, sex offender programming, and life skills training.

The Addictions Services Department does not routinely participate in the discharge planning process. We asked addictions service staff to identify the critical pieces of information necessary to their counterparts in the community. The minimum information set should include: conduct reports, a statement on gang issues, a programming summary, and notification of any psychiatric medications.

#### *Recommendations:*

- Consider strategies that will specifically address “turf battles” between mental health departments and addictions services staff.
- A standardized addictions service summary form should be created and added to the Parole Plans for all inmates who have received any addictions services while in the APD.

### **On Multi-Disciplinary Teams:**

Most facilities report the use of Multi-Disciplinary Teams to determine appropriate placements, treatment needs, and other service provisions. One of the primary responsibilities of these teams is to address the issues of those inmates having difficulty or who are otherwise not functioning well in the general population. An effective MDT eliminates issues of manipulation by inmates.

At Western New Mexico Correctional Facility in Grants the MDT is integrated with the rest of the facility through monthly Warden meetings with department heads. This strategy reportedly works very well and is manageable because of the relatively small size of the facility.

### **RDC/Classification/Records**

#### *Overview*

Some mental health staff have complained that RDC often sends files that are incomplete. Inmates are routinely reclassified every six months although it can occur sooner.

According to classification staff, police and pre-sentence reports are sometimes missing information. While violation reports are typically available, many classification officers are concerned about the lack of sufficient detail. Missing information in the master file typically results in placing the inmate into a higher level of custody. Classification officers make attempts to complete missing information but often are unable to complete the file. There are differences in the completeness of the files received from the counties.

Several classification officers report that inmate's files coming from Santa Fe County are the most incomplete.

Most information in the classification file can be shared with other departments. However, for security reasons, certain information is restricted to officers with the rank of Lieutenant or higher.

#### *Recommendations*

- It is not uncommon for the Judgment and Sentence (J&S), to require interventions that may not be available. Consider an example from the Western Correctional Facility in Grants. Suppose an inmate is ordered by a judge to complete the programming tract in the Therapeutic Community (TC). Level three beds are already scarce and there is a waiting list for admission into most TC units. Moreover, the Grants facility does not have a TC unit. An inmate may lose several months awaiting a space in the TC. In such cases, the inmate often ends up completing the TC requirement while on parole at Fort Stanton Men's Residential Program. Judges need to be made aware of the unreasonable requirements sometimes listed in the J&S given the limited resources of the Corrections Department.
- In order to ensure that RDC files are complete prior to transfer to another facility, an intake summary and checklist would be useful.

#### **Discharge Planning:**

##### *Overview*

Typically, the discharge planning process begins four months prior to the inmate's scheduled release date. Usually, the first step is to secure a letter from a family member willing to allow the inmate to parole out to their address. Approximately 90 days prior to release, the Parole Board Review date is set. Before an inmate can go before the Parole Board there must be either an approval or a denial of the Parole Plan from the Probation/Parole Division (PPD). If no action has been taken regarding the Parole Plan, the review is rescheduled for the 30 days later. This ties into 30 days notification of victim statute. Of major concern is the frequent failure of Probation/Parole Officers to complete the review of the Parole Plan within two weeks. Again, classification officers report inconsistencies between certain units and officers.

There is some skepticism about the objectivity of the PPD reviews of the Parole Plan. There is a feeling that some PO's deny without specific objective factors regarding the reasons for denial. Finally, there is a lack of communication regarding available treatment options and dissatisfaction with certain providers. Without clear documentation detailing the reasons for denial, classification officers sometimes are unable to appropriately develop a satisfactory revision to the Parole Plan. These delays result in offenders doing in-house parole, which may be an avoidable drain on resources.

#### *Recommendations*

- Several obstacles to effective offender management and programming were identified and should be addressed. These include: inmate transfers; inmate sentenced for short period of time (so offender comes out on parole); staffing difficulties due to low

pay/remote prison locations; and, mixing custody levels which may affect the ability to provide certain programming.

- Several respondents recommended the idea of a more centralized discharge process whereas a social worker-like individual would gather discharge information and coordinate the return to the community. A social work professional should be considered to head or at least coordinate the discharge planning process.
- Some respondents are in favor of expanding the functions of the MDT to include a staffing for all inmates prior to release in order to develop a more appropriate discharge plan. At other facilities, concerns were raised about the feasibility of such a plan.
- Discharge planning should begin at RDC. An initial discharge plan that includes inmate input should be created at RDC. The plan should be flexible enough to allow modifications throughout their sentence.
- Perhaps discharge-planning processes should begin prior to the current 120 days out from release. Information from focus groups reveals that most respondents are in favor of at a five or six month target date. Of course, there will be occasions when discharge planning will not be possible so early, especially if the inmate arrives with less than five months to go on their sentence.
- Create and enforce specific criteria for PPOs regarding Parole Plan denials. The Department should consider periodic reviews of the denials and the reasons listed for denials. PPD supervisors should be advised of the impact on the system when an offender does in-house parole and strongly encouraged to avoid such instances. The Department should begin to track Parole Plan Denials by unit and officer.
- Pre-parole offenders who are subject to the rules of the Interstate Compact routinely end up doing in-house parole. The Department should consider specific strategies to curb this situation.
- PPD enhancement training should include specific training related to realistic expectations for offenders being released on parole. Similarly, APD Case Manager should be given additional training to improve Parole Plan content and should be provided with specific strategies for developing satisfactory plans.
- Transfers within the last six months of a sentence affect effective discharge planning. Such moves are disruptive to programming and affect both the facility that the inmate is being transferred from and to. However, transfers often occur as a result of an updated classification level. There are liability issues involved with leaving an inmate in a level three facility when they are eligible for a level two. We recommend that the Classification Bureau review the transfer policies for inmates with less than six months time on their sentence. Are the current criteria regarding transfers appropriate? Can a time limit on transfers be set?
- At every facility, respondent complained that, “programs come and go” and that there is a lack of centralized communication regarding community resources. The Department should consider creating an Internet based resource directory that shows available programs by location. This database should include program eligibility and contact information. The NM Department of Health and the NM Sentencing Commission maintain such websites that could potentially be shared.
- In addition to a “Resource Directory” the Department should consider functionality that would allow both probation/parole officers and facility case managers to evaluate program services and communicate any concerns or issues. This type of database system

would also facilitate communication between both agencies by allowing them to provide feedback on the resources that exist.

- The issue of inter-divisional communication was mentioned during every focus group meeting. The Department should consider specific strategies to improve communication and promote division buy-in into information sharing.
- A summary checklist for all the recommended components in the discharge plan needs to be created and implemented. Such a checklist would be a final opportunity that all of the pertinent information has been collected and included in the parole planning process. According to PPD staff, a parole checklist form approved by Deputy Secretary Sedillo is not being utilized. Respondents mention this as an example of a proposed solution to improve the process that has not been implemented effectively.

### **Issues of Process:**

- Standardize the parole plan process. At this time it appears that everyone is initiating the process at different times.
- The risk assessment tool should be done at classification for the parolees. The idea is that the case manager has the best information regarding risk (of revocation) and would be most suitable to complete the forms.
- A management challenge that needs to be addressed is the issue of not allowing custody levels to mix. This prevents the facility from providing certain programming.
- Once the inmate is released, there is a lack of follow-up to ensure the timely access to services. There needs to be some mechanism for assuring that follow up appointments are made prior to release and that these appointments are kept.
- Lack of bed spaces for level three and level two inmates has been an issue. Some overcrowding occurs as a result. Several respondents feel that the classification levels are determined based on the available bed space.

### **CMIS:**

The Client Management Information System (CMIS) in use by the Corrections Department is not being used to the greatest advantage and this has an impact on discharge planning. Mental health staff and addictions services staff enter chronological accounts of program participation. Addictions services staff also inputs a disposition comment. The education department inputs GED verification only. Medical staff is slated to begin adding some information soon. Although these data are entered into the system, most information is not used to manage offenders more effectively. For example, the unit managers at one facility were not aware that addictions services entered information into CMIS. Most respondents feel that CMIS is a departmental tool and really does not help address system issues. Most APD staff was not aware that the majority of prison information is not accessible by PPD staff. There is also a lack of training regarding the uses of CMIS, especially outside of classification and records.

### *Recommendations*

- Collect specific recommendations from Corrections staff on what case management functions would be most useful and implement these into CMIS.
- Add additional functionality to CMIS to facilitate discharge planning processes. Automate summary discharge reports for all Departments.

- Add additional functionality to CMIS to allow for improved sharing of violation reports.
- Add additional functionality to CMIS to facilitate parole plan processing and the tracking of disposition reasons.
- Provide additional training to APD staff as needed.
- Allow for additional automatic data sharing.
- Changes to CMIS system should also be considered so that more information can be shared between departments and divisions.

**Recommendations to improve sharing of information between APD/PPD:**

- Consider cross or joint training between Probation and Parole office and the Adult Prison division to overcome territorial issues increase communication and comfort levels. Quarterly meetings were also suggested to encourage ongoing dialogue and long-term commitments between both agencies. Regular meetings would allow the networking and information sharing to continue.
- Forum should be established where both APD and PPD can discuss program and resources in the community. The point was made that probation is the only true connection to this type information on the outside. Due to lack of communication important information never makes it back to the caseworkers and as a result useless recommendations are made by caseworkers to facilities that may have waiting lists or have closed down.
- Probation/Parole officers should visit correctional facilities to familiarize themselves and better understand the prison process, as should case managers visit the probation and parole offices. This would also allow the individuals to meet their counterparts.
- Contact lists of all APD and PPD staff and administration should be distributed.
- Central office should consider setting up a “Complaints office” that is responsible for addressing problems or issues between APD and PPD. This office should also be responsible for continuous internal audits and monitoring of both agencies and their collaboration efforts.
- A distribution list that includes contact phone numbers and addresses is available on the common drive. The list is regularly updated for all PPD staff. We strongly recommend that this list be made available to APD.

**Other players in the system and their impact on discharge planning:**

- The parole board also needs to become more involved as they are the ultimate authority over the parolees. The parole board needs to have a better understanding of administrative issues with the APD and PPD.
- Judges need to be made more aware of the services that exist in New Mexico especially the long-term facilities. Due to their lack of knowledge, they make “unreasonable” and “unrealistic” recommendations.
- Family members should somehow be included in the pre-release programs. At the very least they should receive some basic information on what to expect once the inmate (family member) arrives.
- The issue of Veteran’s Administration (VA) eligibility should be considered. It is believed that inmates should take more advantage of VA opportunities especially as related to discharge planning.

- Information from the interviews and focus groups reveals that Parole Board members may lack sufficient training. Additional training and site visits to both prisons and local PPD offices should be encouraged.

### **Specific Programming Issues**

- More aftercare programs are needed within the state. Specific mention of the need for more halfway houses with real resources.
- Correctional facilities should offer inmates more pre-release type programs like the SOAR program. Programs as such should be made mandatory for those inmates who soon to be released.
- Several respondents mentioned the need to begin a Pre-release Program similar to the one previously implemented at Central. SOAR participants receive some of these services, but these are not available to all inmates. Respondents mention that there is a need to ensure that persons being released from the facility have obtained a copy of their social security card and a state-issued identification card. Additionally, job placement training including interviewing skills, time management, and personal finance budgeting is recommended for all employable inmates.
- Representatives from several departments and facilities said there is a need to expand available parenting skills courses.