
 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE		NO. 9750
	<b>Noteworthy Cases – Community Supervision</b>		DATE 05/01/2024
SUPERSEDES	DISTRIBUTION A	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directives #8700, #9025	APPROVING AUTHORITY 		

- I. PURPOSE:** To instruct Community Supervision staff on the identification of incarcerated individuals and releasees who are considered noteworthy due to their past criminal history and/or violent behavior while supervised in the community; to provide direction to Parole Violation Unit (PVU) staff regarding the prosecution of high-profile individuals who are subject to the parole revocation process.
- II. POLICY:** In order to enhance public safety, it is the policy of the Department of Corrections and Community Supervision (DOCCS) to identify incarcerated individuals pre-release, as well as releasees who may already be supervised in the community, whose past criminal behavior is of a particularly heinous or serious nature. By identifying these individuals, staff will be able to develop appropriate supervision plans to ensure their greater likelihood of success, as well as helping to ensure desired outcomes during the prosecution of cases in the parole revocation process.
- III. DEFINITIONS**
- A. Noteworthy Case: Any individual released, or to be released, from custody by the Board of Parole, or by function of law, whose past criminal offenses involve the following:
1. Murder or manslaughter involving a particularly vulnerable victim (i.e., a child), police officer, or public figure
  2. Sex offense involving a minor or multiple victims, especially by those in a position of authority (i.e., a police officer, scout leader, teacher, or elected official)
  3. High-profile media cases of notoriety
  4. Cases involving hate crimes
  5. Terrorist crimes/activities – where the record substantiates that an individual participated in the planning and/or carrying out acts of terrorism or retaliation while in the community or confined
  6. Crimes in which the victim or perpetrator were well known or were unusual by virtue of their position, age, or other factors
  7. Crimes in which victims or their families have publicly advocated against the individual’s release and supervision in the community
  8. Crimes that were particularly heinous (multiple deaths, unusual brutality, victims were minors, vulnerable, or impaired/disabled)
  9. Serious serial crimes

10. Serious crimes involving organized crime, cults, or notorious gangs
  11. Crimes and convictions that attracted extensive media coverage or which have been the subject of media inquiries
  12. Threats to harm others
  13. Records that contain Department Public Information inquiries, reports, or memoranda
  14. Records that include a separate confidential file or confidential materials
  15. Any other case deemed to be noteworthy by the Bureau Chief (BC) or Chain of Command
- B. Supervision Plan: A course of action initiated during the Community Preparation phase detailing how the incarcerated individual's criminogenic and stabilization needs will be addressed upon release from custody in order to promote positive re-integration back into society and to enhance public safety.

#### IV. IDENTIFICATION OF NOTEWORTHY CASES

##### A. Bureau Chief (BC) Responsibility

1. The BC will establish internal controls to ensure the appropriate identification of noteworthy cases assigned to the Bureau, both pre-release and post-release.
2. In accordance with Directive #8700, "Community Preparation – Case Assignment and Release Investigation Process," the BC will obtain the daily No Parole Officer Assigned (NOPO) Report through ON-LINE PRINTING from the DOCCS Mainframe. Incarcerated individuals whose crimes appear to meet the definition of a Noteworthy Case will be identified and reviewed further in both FPMS and the Case Management System (CMS) to ensure they meet the criteria.
3. Once a Noteworthy Case has been identified, the BC will create a Noteworthy Alert in CMS by going to the Miscellaneous screen located on the F6/Parolee Detail Menu and clicking on the "Create Record" function. Then, Miscellaneous Code "DF" ("Noteworthy Date") will be entered in the "Type" field, and the actual date of the Alert creation will be entered in the "Detail" field, using a two-digit day, two-digit month, and four-digit month format (i.e., XX-XX-XXXX). Once the information is saved using the F1 key, this will create a "Noteworthy Alert!" in red font located at the top/center of the CMS screen.
4. The BC will then provide specific information as to why the individual is a Noteworthy Case in the Narrative Screen located on the F6/Parolee Detail/Menu in CMS.
5. The BC will provide a monthly spreadsheet listing all of the Noteworthy Cases assigned to the Bureau to the respective Regional Director/Assistant Regional Director (RD/ARD) on the first of each month. The spreadsheet must contain the following information:
  - a. Name of the incarcerated individual/releasee
  - b. NYSID number
  - c. Instant Offense
  - d. Assigned Area Office

- e. Release Date
  - f. Brief narrative describing reason for Noteworthy Alert
6. The BC will be responsible for alerting the RD/ARD whenever a Noteworthy Case is subject to any of the following:
- a. Parole revocation process
  - b. Media attention (or potential media attention)
  - c. Early Discharge eligibility (3YD, Merit Termination)
  - d. Consideration for use as a Credible Messenger
  - e. Public speaking notices
  - f. Any other factor that may rise to the level of public scrutiny
- B. Senior Parole Officer (SPO)/Parole Officer (PO) Responsibility
1. When reviewing information pertaining to potential Noteworthy Cases (i.e., Community Preparation Reports (CPs), gray case file/folder, CMS, etc.), if the SPO or PO discovers a case that appears to be noteworthy eligible who was not previously identified by the BC, notification will immediately be made to the BC via email, specifying the information listed in subsection IV-A-5. The BC will then make a final determination as to whether the individual should be designated a Noteworthy Case.
  2. During monthly supervision case conferences, the SPO and PO will carefully review the supervision plan of cases containing any Noteworthy Alert to ensure that special conditions are being enforced, appropriate referrals have been made, and that the criminogenic and stabilization needs are being addressed.
- C. Regional Director (RD) /Assistant Regional (ARD) Responsibility
1. The RD/ARD will ensure the Bureaus under their supervision are submitting a monthly Noteworthy Case spreadsheet.
  2. The spreadsheets from the Bureaus will be incorporated into one Regional Noteworthy Case spreadsheet maintained by the Regional Office, which will be made available to administration upon request.
  3. The RD/ARD will notify the respective Assistant Commissioner whenever a Noteworthy Case has been subject to one of the events outlined in subsection IV-A-6.

## V. SUPERVISION PLAN

- A. Parole Officer (PO) Responsibility
1. In accordance with Directive #8700, POs are responsible for developing a supervision plan that is consistent with both public safety and positive re-integration into the community that effectively supports completion of the sentence or period of post-release supervision.
  2. During the Community Preparation phase on any Noteworthy Case, before a proposed residence can be approved, a supervision plan must be prepared and submitted up the chain of command to the RD/ARD, and contain the following information:

- a. Name/NYSID/DIN of the individual
  - b. Description of the Instant Offense
  - c. Specific details describing why case is considered noteworthy
  - d. Proposed residence being considered (to include: address, composition, any concerns, etc.)
  - e. Location of victim/victim's family, if known
  - f. Program referrals (mental health/sex offender/substance abuse counseling, etc.)
  - g. EM/GPS placement (if planned)
  - h. Special conditions to be imposed
  - i. Any other significant concerns or issues requiring notification to the chain of command
- B. Bureau Chief (BC) Responsibility
1. The BC will ensure a detailed supervision plan for any Noteworthy Case is forwarded to the Regional Office for review and final approval in advance of the CP due date.
  2. Upon receiving approval of the supervision plan from the RD/ARD, the BC will ensure the residence approval is entered into CMS in accordance with Directive #8700.
- C. Regional Director (RD)/Assistant Regional Director Responsibility
1. The RD/ARD will ensure the Bureaus are submitting appropriate supervision plans for review by the Regional Office that contain the required information outlined in subsection V-A-2.
  2. Upon confirmation that all of the required information is contained in the document, the supervision plan will be forwarded by way of email to the respective Assistant Commissioner for awareness and any necessary direction.
  3. The RD/ARD will advise the BC when the residence approval may be entered into CMS.

## VI. PAROLE VIOLATION PROCESS

- A. BC Responsibility: In the event a noteworthy case has been alleged to have committed a new crime or violated the conditions of release in an important respect, the supervising Bureau is expected to presumptively issue a parole violation warrant in lieu of using community-based alternative sanctions.
- B. Parole Violation Unit (PVU) Responsibility: Upon assignment of a noteworthy case, the PVU is expected to prosecute the parole violation to the fullest extent permissible by law. Furthermore, it is expected that any violation will proceed in a contested manner, unless otherwise approved by the Director of Internal Operations after consultation with Central Office.