



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: E
Section: .1700
Title: **Mutual Agreement Parole Program (MAPP)**
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POLICY AND PROCEDURE

.1701 GENERAL

- (a) The Mutual Agreement Parole Program (MAPP) is designed to prepare selected **offenders** for release through structured activities; scheduled progression in custody, participation in community-based programs and established parole. It is not a legally enforceable contract, but is an **Agreement** which is established jointly by **Prisons and the NC Post-Release Supervision and Parole Commission**.
- (b) Objectives
- (1) Prepare the **offender** for parole and expedite readiness for parole by specifying criteria and standards to be met by the **offender**.
 - (2) Provide the **NC Post-Release Supervision and Parole Commission** with objective criteria for assessing **offender** readiness for parole, and allow the Parole Commission immediate input regarding an offender's program while incarcerated.
 - (3) Permit the **offender** an opportunity to take responsibility for his or her future by engaging in the process of long-range planning to develop and fulfill individualized goals for self-improvement.
 - (4) Reduce **offender** management problems for the prison facility by providing the **offender** the incentive of a fixed parole date and/or work release date for appropriate behavior and the satisfaction of working towards defined goals.
 - (5) Improve communications and coordination and establish linkage with relevant community resources.
 - (6) Provide incentives for participation in specific programs such as academic and vocational training.
 - (7) Enable long-range program planning with regard to the type, location and scale of programs by keeping better account of the programs and options available to **offenders** both inside and outside of the prison facilities and to eventually provide data on the impact of various programs.

.1702 PROCEDURES

- (a) Eligibility Requirements: Offenders are reviewed for the MAPP during their first parole review date and each year afterwards that they are eligible for parole. If they have a favorable parole review they may be considered for MAPP participation provided the following criteria are met:
- (1) The offender is in either medium or minimum custody;
 - (2) The offender is not subject to a detainer or pending court action which may result in further confinement;
 - (3) The offender has not had an infraction within 90 days;
- (b) Administrative Requirements
- (1) There should be a recognizable need on the part of the offender for involvement in the MAPP Program and the offender should express an interest in one or more of the following: learning a skill, improving educational achievements, modifying specific behaviors, engaging in personal growth programs and participating in Community Based Programs to aid in their transition from Prison.
 - (2) Offenders not currently in minimum custody will be given a Community Risk Assessment if they meet the established criteria usually applied to offenders convicted of sexual or assaultive crimes.
 - (3) A MAPP Agreement should have duration of not less than twelve (12) months and not more than 36 months.
- (c) Referrals. Any offender who meets the eligibility requirements can be identified for MAPP by either the NC Post-Release Supervision and Parole Commission or Prisons.
- (1) Referrals initiated by the NC Post-Release Supervision and Parole Commission - Referrals are made to Prisons through the MAPP Director, a designated staff person from Rehabilitative Programs and Services.
 - (A) Referrals will be made in OPUS and will normally include recommended parameters requested by the NC Post-Release Supervision and Parole Commission.
 - (B) The MAPP Director will review the referral for technical correctness as well as program suitability and merit.
 - (C) If the MAPP Director approves the referral request, the appropriate Facility will be notified of the Parole Commission request for MAPP consideration via OPUS.

- (D) The MAPP Director should be notified of a MAPP decision by Prisons within thirty (30) days from the date of receipt of a Parole Commission referral.
 - (E) If the MAPP Director disapproves the referral request, the Parole Commission will be notified at which point MAPP development will be terminated.
 - (F) If the NC Post-Release Supervision and Parole Commission choose to appeal a referral for MAPP participation denied by Prisons or the MAPP Director, the final approving authority will be the Director of Prisons.
- (2) Referrals initiated by Prisons: Referrals are made to the NC Post-Release Supervision and Parole Commission through the MAPP Director.
- (A) Referrals will be made in OPUS by the Facility to the MAPP Director following approval by the Facility originating the request for MAPP consideration. Referrals should be submitted for offenders who are within a parole review date and who have not been recently denied parole.
 - (B) The MAPP Director will review the referral for technical correctness as well as program suitability and merit.
 - (C) If the MAPP Director approves the referral request, it will be routed to the Director of Prisons or their designee if needed or requested by the referring authority.
 - (D) The MAPP Director will forward all approved referrals from Prisons to the NC Post-Release Supervision and Parole Commission for consideration.
 - (E) The MAPP Director will notify the referring authority of final decisions including negative findings by the NC Post-Release Supervision and Parole Commission.
 - (F) If the MAPP Director disapproves the referral request, the originating Facility will be notified and further MAPP development will be terminated. There will be no appeals of referrals disapproved by the MAPP Director.
 - (G) The MAPP Director should be notified of a MAPP decision by the NC Post-Release Supervision and Parole Commission within forty-five days upon receipt of a Prisons MAPP referral.

- (d) Design of the MAPP Proposal and Program Agreement (i.e., Terms of Agreement.)
- (1) After it is determined that the offender is a potential candidate, the offender's Case Manager, with the offender's input, will formulate a worksheet in OPUS on the IP82 screen.
 - (2) In developing a proposed agreement, both the offender and the Case Manager should plan a full-time program of activities with emphasis on areas seen as the most beneficial to the offender in preparing for his or her return to the community. Objectives set through MAPP should be realistic and should reflect both the needs and the desires of the offender and of Prisons. When known, MAPP proposal content will give consideration to program structure suggested by the NC Post-Release Supervision and Parole Commission. MAPP proposals can include any available program for which the offender is eligible. Appropriate emphasis should be given to academic and vocational training, counseling programs, self-improvement programs, work opportunities, opportunities for involvement with other agencies, and community based programs. Proposed dates for program participation and progression in custody classification should be included in the MAPP proposal.
 - (3) The referral is then forwarded to the Facility Head for approval. The proposal will then be routed to the Region Director and then to the MAPP Director.
 - (4) Final MAPP negotiations should occur as soon after the MAPP selection and referral as feasible.
- (e) Negotiation and Approval of the MAPP Agreement.
- (1) Final negotiation of the MAPP Agreement occurs in a meeting of the MAPP Negotiation Committee. The MAPP Negotiation Committee will include the MAPP Director (Chairperson), representatives of the NC Post-Release Supervision and Parole Commission, Facility MAPP Coordinator or Designee and the offender. Inclusion of other members will be at the discretion of the committee. It will be the function of the MAPP Negotiation Committee to formulate the final MAPP Agreement. It should be understood by all parties that department rules, policies, and procedures are non-negotiable.
 - (2) At this meeting, the MAPP Agreement will be defined and agreed upon by all parties after open negotiation. Offenders should be allowed to speak freely and be able to participate in the design of a realistic and constructive program of their own choice. The components of the MAPP Agreement should be measurable objectives that are clearly stated. It is essential that all parties, and specifically the offender, fully understand the various components of the agreement.
 - (3) When all parties have agreed to the components of the proposal, the DC-401 form will be completed at the negotiation, signed by the offender, MAPP Director, NC

Post-Release Supervision and Parole Commissioner and by the approving authority for the Prisons' Facility Head or designee.

- (4) Upon receipt of the DC-401 from the NC Post-Release Supervision and Parole Commission, the MAPP Director will forward a copy of the DC-401 to the offender and the Facility MAPP Coordinator.
- (5) If the parties in negotiation are unable to reach an agreement, the offender can return to the general prison population without prejudice.
- (6) Once all signatures are completed on the DC-401 MAPP Agreement, the information will be entered in OPUS.

.1703 IMPLEMENTATION AND RESPONSIBILITIES

- (a) Implementation. Upon receipt of a signed MAPP Agreement, it is the responsibility of Prisons to provide the promotions and programs as scheduled in the Agreement. Unless a violation of the MAPP Agreement has occurred or is being pursued, promotion and program participation should proceed as outlined in the Agreement.
 - (1) Work Release - For those MAPP inmates with non-Fair sentences, the signed MAPP serves as the NC Post-Release Supervision and Parole Commission approval for work release placement. Additional approval from the NC Post-Release Supervision and Parole Commission is not required
- (b) Program Monitoring. The inmate's Case Manager will be responsible for obtaining the necessary progress reports from those persons providing the program activities specified in the MAPP Agreement.
 - (1) On a quarterly basis, the offender's Case Manager will indicate the offender's progress on the MAPP Program in OPUS on the significant issue / case management note screen using the MAPP Progress Note comment type 63.
 - (2) The last quarterly report prior to completion of the MAPP Agreement must be in OPUS on the significant issue / case management note screen and must show a detailed description of program compliance as well as the offender's release plans for parole.
- (c) Facility MAPP Coordinator. A Program Director or Program Supervisor will be designated at the Facility level as the coordinator of the MAPP Program. The Facility MAPP Coordinator will have the following responsibilities in monitoring the MAPP Program at the local level.
 - (1) Represent Facility Head at final negotiation committees.

- (2) Maintain a record of MAPP referrals sent to the classification or program committee.
 - (3) Ensure that the Facility Head responds to the proposal as soon after committee approval as possible.
 - (4) Coordinate MAPP Negotiation Committee meeting with the MAPP Director.
 - (5) Maintain a record of MAPP Negotiation Committee actions on all proposals.
 - (6) Ensure that a copy of the MAPP Agreement is placed in the offender's Facility field jacket and issue a copy to the offender.
 - (7) Monitor both the negotiation process and implementation of the program so that those processes are operating properly and as expeditiously as possible at the offender's housing facility.
 - (8) Ensure Prisons staff complies with the terms of the MAPP Agreement.
 - (9) Ensure the quarterly MAPP Progress Notes are entered in OPUS either by the MAPP Coordinator or by an offender's Case Manager.
 - (10) Make certain that the MAPP Director is informed of possible violations of the MAPP Agreement when:
 - (A) The offender has been convicted of any rule violations and such convictions have been upheld through the review process.
 - (B) There is non-compliance with the terms of the MAPP Agreement by the offender.
 - (C) The offender decides to terminate the MAPP Agreement.
 - (D) There is non-compliance with the terms of the MAPP Agreement by Prisons.
 - (11) Ensure the job and home plans are updated in OPUS on IP55, 90 days prior to the offender's parole date.
 - (12) Ensure that a final report on the appropriate classification action form certifying that the terms of the MAPP Agreement are being fulfilled accompanies the job and home plan to the MAPP Director.
- (d) MAPP Director: A Program Director located in Rehabilitative Programs and Services will be designated to coordinate the MAPP Program with the Prisons Section. The MAPP Director will have the following responsibilities in administering the MAPP Program:

- (1) Monitor the operation of all phases of the MAPP Program at all the various locations within Prisons by working closely with field staff and Prisons Administration.
 - (2) Act as the liaison between Prisons and the NC Post-Release Supervision and Parole Commission for the MAPP Program.
 - (3) Act as Chairperson of the MAPP Negotiation Committee.
 - (4) Act as Chairperson of the MAPP Review Hearing Committee.
 - (5) Coordinate and schedule all negotiation hearings.
 - (6) Review all referrals to MAPP for technical correctness as well as program suitability and merit.
 - (7) Review all alleged MAPP Agreement violations and determine appropriate actions.
 - (8) Develop, coordinate and implement MAPP training programs for Prisons and NC Post-Release Supervision and Parole Commission staff.
 - (9) Assist Prisons and NC Post-Release Supervision and Parole Commission staff on interpretation and implementation of MAPP policy and procedures.
 - (10) Maintain pertinent data on all referrals and MAPP participants for the purpose of reporting program evaluation.
 - (11) Inform the NC Post-Release Supervision and Parole Commission whenever an offender has completed or violated the MAPP Agreement.
 - (12) Provide the general public with an understanding of the MAPP Program.
 - (13) Work with field staff and other agencies to develop programs that are consistent with MAPP objectives.
 - (14) Work with NC Post-Release Supervision and Parole Commission and Prisons to develop policy to ensure the most effective processing of MAPP.
 - (15) Compile evaluations on the status of MAPP as needed.
- (e) Completion of the MAPP Negotiation
- (1) Upon the completion of negotiations and the signing of the MAPP Agreement, it will be made clear to the offender that it is his or her responsibility to take

advantage of the various resources and services made available in order to comply with the Agreement. The offender should report any difficulties to his/her Case Manager. Offenders should also be informed that the Mutual Agreement Parole Program is not a legal contract and can be terminated at any time by either party for any reason.

- (2) Ninety (90) days prior to the offender's completion of the MAPP Agreement, the offender's Case Manager will inform the MAPP Coordinator that the offender is about to fulfill the terms of his/her Agreement. This information will be entered in OPUS on the significant issue/case management note screen using the MAPP Progress Note, comment type 63. It is important to the credibility of the Mutual Agreement Parole Program that the offender be released on or about the date specified on the MAPP Agreement.

(f) Program Evaluation.

- (1) The MAPP Director will be responsible for compiling and reporting a summary of the MAPP Program showing the number of active participants and candidates under development by type. This summary will also show the number of offenders who were referred for consideration, withdrawn from consideration, terminated from the program and who have completed the MAPP during a specified period preceding the date of the report. An annual summary will be compiled and reported during the first quarter of each fiscal year. Distribution of these reports will be made to Prisons Administrative staff, Facility Heads, and the NC Post-Release Supervision and Parole Commission.

.1704 VIOLATION OF THE MAPP AGREEMENT

- (a) The Facility MAPP Coordinator will notify the MAPP Director of an alleged violation of the Terms of Agreement. Notification will be made on the DC-400 worksheet summarizing the alleged violation and showing the recommendation of the Facility Head as to MAPP Agreement termination, renegotiation or modification.
- (b) A violation of the terms of Agreement occur if:
 - (1) The participant is found guilty of any rule violations; or
 - (2) The participant fails to complete the Terms of Agreement as stated in the Agreement, or
 - (3) The participants has a detainer placed on file against his/her record; or
 - (4) The participant incurs additional criminal charges.
- (c) Action Following Violation

- (1) A violation resulting from infractions can result in the immediate termination of the Agreement if recommended by either Prisons or the NC Post-Release Supervision and Parole Commission. The MAPP Director will document the recommendations regarding termination and notify each party to the agreement. A hearing will be held only in those cases recommended for renegotiation. In cases where the NC Post-Release Supervision and Parole Commission disagree with the recommendation of the Facility Head, the Director of Prisons or the designated reviewing authority will make the final decision for Prisons.
 - (2) A violation resulting from failure to complete the Terms of Agreement as stated should be addressed through a modification following the process in Section (d) below.
 - (3) A violation resulting from an active detainer being placed on file can be grounds for immediate MAPP termination in that the basic eligibility requirements (Section .1702 (a)) disqualifies an offender with a detainer. Documentation of the detainer will be sent to the MAPP Director who will gather information regarding the nature of the detainer and solicit the recommendations of both Prisons and the NC Post-Release Supervision and Parole Commission as to the MAPP disposition.
 - (4) Following violation of the Agreement the participant can be removed from any program participation granted through the MAPP if deemed ineligible as the result of disciplinary action or if approved by the Facility Head.
- (d) Renegotiation or modification of the Terms of Agreement.
- (1) A renegotiation of the Terms of Agreement may be considered for any of the following reasons:
 - (A) If the offender participant requests a renegotiation for good cause.
 - (B) If renegotiation is recommended by either Prisons or the NC Post-Release Supervision and Parole Commission following disciplinary action resulting in violation of the Agreement.
 - (C) If the offender participant fails to complete the Terms of Agreement.
 - (D) If a resource that is an element of the Agreement becomes unavailable or undergoes substantial change in content.
 - (E) If important information, formerly unknown, is brought to the attention of Prisons and the NC Post-Release Supervision and Parole Commission.

- (2) A request for renegotiation on any of the above grounds must be forwarded to the MAPP Director. The MAPP Director will then ensure that the appropriate parties or persons are notified to give the request proper consideration.
- (3) In some instances, the MAPP Director may be able to resolve proposed changes in the Agreement in order to avoid violation or renegotiation with a modification of the terms. Any changes that alter in any substantial manner the context of the terms of Agreement will require renegotiation or modification involving both the NC Post-Release Supervision and Parole Commission and Prisons.
- (4) Those cases that are continued on the MAPP following renegotiation or modifications will be documented on an amended MAPP Agreement form and signed by the offender and Prison staff. If the offender agrees to the modification(s), documentation of the modification(s) will be entered in OPUS. If the offender does not agree to the modification(s), the Form is forwarded to the NC Post-Release Supervision and Parole Commission for final review and the status of the offender's participation on the MAPP will be determined.

.1705 TERMINATION OF THE MAPP AGREEMENT

- (a) A participant in the MAPP Program has the option of terminating his or her participation on the MAPP at any time without prejudice and can do so by signing a statement to that effect. The statement must be witnessed and signed by the Facility MAPP Coordinator and a copy forwarded to the MAPP Director who will notify all parties to the Agreement.
- (b) The NC Post-Release Supervision and Parole Commission or Prisons has the option of terminating the MAPP at any time. The MAPP Director will notify all parties to the Agreement of the termination, as well as the reasons for such action.



Commissioner of Prisons

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