



Agenda Item Number: 9-5-13.6

**SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS**

Date of Commission

Meeting: September 5, 2013

Division / Elected

Office: Community Services

Staff Contact:

Peggy Folk Cote, Director, Community Services

Title of Item:

Resolution Establishing the Sandoval County DWI and Prevention Program's Safety Plan for Home Visits

Action Requested:

Motion to Adopt Resolution No. 9-5-13.6 Establishing the Sandoval County DWI and Prevention Program's Safety Plan for Home Visits.

Summary:

These home visits will provide information to the Court in determining sanctions/incentives for misdemeanor cases, protect the community through appropriate surveillance efforts, assist offenders through the changes that occur during their participation in the DWI Program and identify additional community resources they may need, and establish effective partnerships with community groups and agencies to promote public safety and offender change.

Attachments:

- Resolution No. 9-5-13.6
- DWI and Prevention Program's Safety Plan

FISCAL IMPACT

These services are included in the FY 2013/14 Budget.



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STAFF ANALYSIS SUMMARY

County Manager:	Recommend Board of County Commission approval. PPR 08/28/2013
Initiating Elected Official / Division Director:	Peggy Folk Cote, Director of Community Services
Legal:	Approved as to Form. PFT 8/26/13
Finance:	N/A



SANDOVAL COUNTY
RESOLUTION NO. 9-5-13.6

**A RESOLUTION ESTABLISHING THE SANDOVAL COUNTY DWI AND
PREVENTION PROGRAM'S SAFETY PLAN FOR HOME VISITS**

WHEREAS, Sandoval County DWI and Prevention Program Court Compliance Officers ("CCOs") are authorized to conduct home visits with their clients to assist the courts in determining appropriate sanctions/incentives for offenders in misdemeanor cases; and

WHEREAS, home visits will assist staff in making referrals to appropriate agencies that can provide needed resources to offenders; and

WHEREAS, Section 31-20-5.1 NMSA 1978 authorizes the County Commission to develop guidelines for home visits by Sandoval County CCOs.

NOW THEREFORE BE IT RESOLVED THAT, the Sandoval County Board of County Commissioners hereby adopts the attached Safety Plan for Home Visits, to be utilized by Sandoval County Court Compliance Officers when conducting home visits in Sandoval County.

APPROVED AND ADOPTED by the governing body of Sandoval County at its meeting on the 5th day of September 2013.

**BOARD OF COUNTY COMMISSIONERS
OF SANDOVAL COUNTY**

ATTEST:

Eileen Garbagni, County Clerk

APPROVED AS TO FORM:

Patrick F. Trujillo, County Attorney

Darryl F. Madalena, Chair

Nora Scherzinger, Vice Chair

Orlando J. Lucero, Member

Don Chapman, Member

Glenn Walters, Member



Sandoval County
DWI and Prevention Program
Safety Plan for Home Visits

Approved By:
Board of County
Commissioners

Approved On:

Revised:
August 13, 2013

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I. Objectives of Program:

1. Provide information to assist the court in determining sanctions/incentives for misdemeanor cases.
2. Protect the community through appropriate surveillance efforts. Home visits provide better protection to the community by identifying and reporting continued behaviors by offenders. Through increased supervision home visits reinforce law-abiding behaviors by holding offenders accountable for their behavior. Home visits also foster a positive relationship with Court Compliance Officers (CCO's) and law enforcement agencies.
3. Assist offenders through the changes that occur as they participate in the Sandoval County DWI Program (SCDWI) and provide additional resources as needed by referring offenders to the DWI Case Manager located at the SCDWI office who will conduct interviews and make referrals to resources.
4. Establish effective partnerships with and/or assist other organizations, groups and agencies to promote public safety, community corrections and offender change.

II. Safety Policy:

- A. In Cooperation with the Sandoval County DWI Task Force law enforcement agencies (to include but not limited to the Rio Rancho Police Department, Bernalillo Police Department, Sandoval County Sheriff's Office, New Mexico State Police, Cuba Police Department, Corrales Police Department, Jemez Pueblo Police Department, Jemez Springs Police Department, Santa Ana Pueblo Police Department, Bureau of Indian Affairs, Tribal Officers, Adult Probation and Parole, and other law enforcement agencies), Court Compliance Officers (CCO) will conduct home visits in accordance with the Misdemeanor Compliance Program Guidelines issued pursuant to the Administrative Office of the Courts (AOC), Statutory Authority: Section 31-20-5.1 NMSA 1978. The

purpose of home visits is to ensure regular face-to-face contacts with a client in his/her home environment. This information is often available only in the field and can support, enhance and promote compliance with requirements of the courts within Sandoval County.

B. Court Compliance Officers may conduct home visits if:

- (1) the CCO has satisfactorily completed a curriculum including field work safety training (Compliance Officer Basic Training) that has been pre-approved by the New Mexico Administrative Office of the Courts, and other trainings as indicated in the AOC guidelines such as defensive tactics, active shooter, legal updates, and de-escalation techniques, or
- (2) the Corrections Department affirms in writing that the CCO was formerly a certified probation and parole officer and left the employment of the Corrections Department in good standing, or
- (3) the CCO was formerly a law enforcement officer and the agency for whom the CCO worked affirms in writing that the CCO left its employment as an officer in good standing, and
- (4) the County has adopted a safety policy governing home visits including the above requirements and stipulating the conditions upon which home visits may be executed.

C. The CCO will obtain a signed consent from the offender for home visits and information about a client's home address, and place of employment from the client and will obtain necessary maps and, if any, alerts of any kind.

D. The CCO will consult with law enforcement agencies prior to an initial home visit with any client in order to evaluate risk. Based upon this consultation, the law enforcement officer and CCO will determine if it is appropriate to conduct the home visits. If the law enforcement officer and CCO have any safety concerns regarding a client they will not conduct a home visit.

E. Prior to conducting a field visit, the CCO will prepare a schedule for the DWI Coordinator with such information as date/time, client name and address. Deviation from the schedule may occur periodically and the CCO is to advise the DWI Coordinator immediately of those changes.

- F. The safety of the CCO is paramount and of significant concern to the Sandoval County DWI and Prevention Program. To ensure safety of the CCO, CCO's will go in pairs or with a law enforcement officer who will accompany the CCO on home visits. As per AOC guidelines the CCO will wear body armor, and the CCO will establish radio contact with Sandoval County Dispatch Center. Cell phones may also be utilized. Audio and visual equipment maybe utilized by the CCO. The CCO will ensure that all equipment is fully charged and in good repair.
- G. The CCO will be alert to sounds of disturbance or anything unusual inside or around the home and will not enter the home if the environment does not feel safe.
- H. The CCO will stand back and to the side from the door, giving the person inside space, and will not stand directly in front of a door or window. The CCO will identify him/herself immediately and will have his/her county employee identification card displayed on his/her person at all times during the home visit. The CCO will be responsible for conducting the home visit, while the law enforcement officer stands back at a reasonable distance.
- I. The CCO will request entry in a non-confrontational manner.
- J. If the CCO is denied access to a residence, he/she will leave the residence immediately, and once he or she returns to the office will document this in writing and file a violation with the court.
- K. If a client is not home during an attempted home visit, the CCO will write a case note reflecting that information. Any reason for the absence must be noted within this case note. If the information is obtained from another individual, the CCO may ask that person's name for the case note. If the person declines to give that information, it will be noted in the CCO's case note.
- L. The CCO may take necessary precautions to ensure the environment is as safe as possible.
- M. The CCO may conduct home visits during traditional office hours, after hours, weekends or holidays.
- N. At no time during a home visit should a client be left unattended/unobserved by the CCO.

- O. During a home visit a Portable Breath Test (PBT) and urinalysis will be conducted. If a client tests positive for any non-prescribed drugs, illegal drugs, and/or alcohol the CCO will secure the urine sample according to Redwood Toxicology Laboratory procedures and the sample will be mailed out for confirmation testing. The CCO will leave the residence and advise the client that a violation will be forwarded to the judge for review and further action. (A written violation must be completed and submitted to the court within 24 business hours).

- P. The CCO shall treat each client (client's family, significant other, etc.) with respect at all times.

- Q. The CCO will indicate in his/her case note any unusual behaviors or events, including, but not limited to, client conduct and other information that may be considered useful by the court and/or treatment provider. Case notes will also include additional needs of the client (food, clothing, etc.) and a referral will be made to the DWI case Manager for additional resources.