

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL</b>			
	<b>Chapter:</b>	(19) Case Management	<b>Effective Date:</b>	December 2020
	<b>Policy Title:</b>	Working with Individuals under the Supervision of the Department of Community Supervision (DCS)		
	<b>Policy Number:</b>	19.30	<b>Previous Policy #:</b>	N/A

## CODES/REFERENCES

O.C.G.A. §49-5-41(c)(13)

## REQUIREMENTS

The Division of Family and Children Services (DFCS) shall:

1. Form a collaborative relationship with the Georgia Department of Community Supervision (DCS) to efficiently share information and provide services to address each agency's concerns for caregivers and youth who are involved in juvenile court dependency proceedings and under DCS supervision.
2. In collaboration with DCS, identify caregivers or youth under DCS felony probation or parole supervision who are involved in a juvenile court dependency proceeding.
3. Review the conditions of DCS supervision to identify mutual concerns and identified service needs of each agency.
4. Subject to the family's right to privacy, facilitate the participation of DCS in Family Team Meetings (FTMs). (See policy **19.3 Case Management: Solution-Focused Family Team Meetings**)
5. Coordinate with DCS to provide services to individuals under DCS supervision who are involved in juvenile court dependency proceedings.
6. Accompany requests to DCS for a caregiver or youth's supervision related documents with a court order from the juvenile court.
7. Review information gathered from DCS.
8. Prior to releasing information that authorizes disclosure of information by DFCS for the intended purpose of service provision, case evaluation, juvenile court dependency proceedings, and DCS supervision or compliance, obtain a signed Authorization for Release of Information from any caregiver or youth under DCS felony probation or parole supervision (see policy **2.5 Information Management: Health Insurance Portability and Accountability Act (HIPAA)**).
9. Share information, including dependency court orders, details of service provision and progress on case plan outcomes with DCS in accordance with policies **2.5 Information Management: Health Insurance Portability and Accountability Act (HIPAA)** and **2.6 Information Management: Confidentiality/Safeguarding Information**.
10. Upon request, provide DCS with a letter detailing the cooperation of a caregiver or youth under DCS supervision with dependency court orders, DFCS case plan outcomes, or other provided services.
11. Use DCS as a collateral source for case planning and assessment when a caregiver or youth is under DCS supervision.
12. Maintain monthly communication with the DCS probation or parole officer.
13. Document any information obtained through DCS collaboration in Georgia SHINES

within 72 hours of receipt.

## PROCEDURES

The Social Services Case Manager (SSCM) will:

1. Upon case assignment, review the case record and any available external resources to determine if the caregiver or youth involved in a juvenile court dependency proceeding has a felony criminal history.
  2. If a felony criminal history is identified, ask the youth or caregiver if they are on felony probation or parole.
    - a. To confirm DCS supervision:
      - i. Ask for the name and contact information of their DCS probation/parole officer.
      - ii. Request a copy of the youth or caregiver's supervision conditions.
      - iii. Document the name and contact information of their assigned DCS probation/parole officer in Georgia SHINES within 72 hours.
- NOTE:** In rare cases, if a caregiver or youth does not know their probation status, but there is evidence of a criminal conviction and/or prior incarceration, status may be confirmed by email to DCS at [quintina.burroughs-lee@dcs.ga.gov](mailto:quintina.burroughs-lee@dcs.ga.gov).
3. Make contact with the assigned DCS probation officer:
    - i. Notify them of the DFCS involvement of a caregiver or youth and provide them with SSCM contact information.
    - ii. Review the conditions of probation
  4. Confirm parole status of a caregiver or youth by:
    - a. Making contact with the assigned DCS parole officer:
      - i. Notify them of the DFCS involvement of a caregiver or youth and provide them with SSCM contact information.
      - ii. Review the conditions of parole.
    - b. Obtaining a copy of their certificate of parole/parole conditions from the caregiver or youth.
    - c. Screening the Pardons and Paroles database (<https://pap.georgia.gov/>) for the youth or caregiver per policy **19.9 Case Management: Safety Screenings**.
  5. Obtain a signed authorization for Release of Information from the parent/caregiver or youth under DCS supervision prior to the release of any confidential or protected health information to DCS (see policy **2.5 Information Management: Health Insurance Portability and Accountability Act (HIPAA)**).
  6. Invite the DCS probation/parole officer to the Family Team Meeting (FTM) in accordance with policy **19.3 Case Management: Solution-Focused Family Team Meetings** to allow his/her participation in the preparatory interviews and the FTM if authorized by the family.
  7. Coordinate service provision based on the conditions of probation/parole and the DFCS case plan (i.e. drug and alcohol assessment and treatment or mental health medication management). (policy **19.17 Case Management: Service Provision**)
  8. Maintain monthly contact with DCS probation/parole officer in accordance with policy **19.16 Case Management: Collateral Contacts** in order to support case planning obtain:
    - a. Updates in case status and notice of probation/parole violations.
    - b. Letters of general compliance from DCS probation/parole officer to determine if an individual is in compliance with the conditions of probation/parole.
    - c. Copies of drug screen results from DCS probation/parole officer if drug screening is a part of DCS conditions of supervision.

9. Accompany written requests for supervision-related documents to DCS **with a juvenile court order** authorizing the request. Send request via email to [quintina.burroughs-lee@dcs.ga.gov](mailto:quintina.burroughs-lee@dcs.ga.gov) to obtain the following:
  - a. Sentencing orders or certificates of parole,
  - b. Reasons for non-compliance,
  - c. Violations of parole or probation,
  - d. Drug screen results when a part of DCS conditions of supervision.
10. Submit written requests for specific supervision-related documents **without a court order** to DCS at [quintina.burroughs-lee@dcs.ga.gov](mailto:quintina.burroughs-lee@dcs.ga.gov) when requesting the following:
  - a. General compliance letters for youth and caregivers under DCS supervision
  - b. Certificates of completion for anger management or parenting courses.
11. Document any information gathered and upload any documents received from DCS into Georgia SHINES within 72 hours of receipt.
12. Upon request, share the following information with DCS probation/parole officer in accordance with policies **2.5 Information Management: Health Insurance Portability and Accountability Act (HIPAA)** and **2.6 Information Management: Confidentiality/Safeguarding Information**:
  - a. Copies of court orders related to a youth or caregiver's dependency case.
  - b. Letters indicating the general cooperation of a youth or caregiver under DCS supervision with dependency court orders, DFCS case plan outcomes or other provided services.
  - c. Case plans and information on services provided to youth or caregivers
13. Document in contact narrative and upload to external documents in Georgia SHINES any information exchanged with DCS including:
  - a. Dependency court orders
  - b. Letters of cooperation with DFCS
  - c. Case status updates
  - d. Letters of probation/parole compliance
  - e. Copies of assessments, service provider notes, drug screens, etc.

**The Social Services Supervisor (SSS) will:**

1. Ensure SSCM inquires and confirms the probation/parole status of any caregiver or youth with felony criminal history.
2. Ensure there is coordinated service provision based on the conditions of probation/parole and the DFCS case plan.
3. Ensure SSCM collaborates with DCS probation/parole to share resources to address the mutual service needs.
4. Review and approve any response to a DCS request for information or documents sent to SSCM prior to transmission.

<b>PRACTICE GUIDANCE</b>
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**Interagency Collaboration between DFCS and DCS**

Intergovernmental collaboration is designed to address the mutual concerns for children and families with whom the agencies share involvement. At times, both DFCS and DCS will serve the same individuals and families. DFCS and DCS collaborate pursuant to a Memorandum of Understanding to efficiently share information and provide services to address each agency's concerns for caregivers and youth who are involved in both juvenile court dependency proceedings and under DCS supervision.

## **Department of Community Supervision**

DCS is the state agency responsible for the supervision of all defendants who receive (1) a Felony Sentence of probation (2) a Split Sentence (3) Supervision or Conditional Release from Imprisonment by the State Board of Pardons and Paroles and (4) Supervision of Juvenile Offenders released from restrictive custody due to an adjudication for a Class A or Class B designated felony act, as such terms are defined in O.C.G.A. 15-11-2, except as otherwise provided by the rules and regulations of the Board of Juvenile Justice governing such supervision.

### **Probation vs. Parole**

Probation is an act of the court, not of the State Board of Pardons and Paroles. Probation instead of imprisonment may be ordered by a court for all or part of a person's sentence. Probation is not parole. Parole is the discretionary decision of the State Board of Pardons and Paroles to release a certain offender from confinement after he or she has served an appropriate portion of a prison sentence. Parole allows for an offender to serve a portion of the term of imprisonment under supervision in the community, rather than in prison. Persons on parole remain under state supervision and control according to conditions which, if violated, allow for re-imprisonment. Parole may be granted only by the Parole Board after a person has served part of his sentence in prison.

### **DCS Felony Probation**

DCS provides three types of felony probation supervision. All offenders are supervised by their risk level as assessed by a standardize tool. Generally, there are two levels of supervision standard and high. Every offender is assigned one of these two levels. There are two additional categories of supervision: Specialized Probation Supervision and Mental Health Supervision. In Specialized Probation Supervision, all offenders convicted of a sex crime are supervised with specific rules and regulations. Probation officers visit the homes, jobs, and treatment facilities of these individuals who are also required to attend sex offender treatment. In Mental Health Supervision, all offenders identified with a current, history, or chronic mental health illness are supervised in order to provide assistance with their transition back in the community. Their home environment, attendance in treatment, and compliance with medication are monitored. Both categories of specialized supervision received specialized training and manage reduced case loads.

**NOTE: DCS Felony Probation for Juvenile Offenders:** Youth who have been adjudicated for a Class A or Class B designated felony act are subject to supervision by the Department of Community Supervision.

### **Standard Conditions of Probation**

All offenders must abide by standard conditions of supervision. These include:

1. Offenders must abide by all local, state and federal laws
2. Offenders must avoid injurious and vicious habits and avoid persons or places of disreputable or harmful character.
3. Offenders must report regularly and allow their officers to visit them at their homes, place of employment and/or treatment offices.
4. Offenders may be required to undergo rehabilitative services and/or drug testing as directed by their community supervision officer.
5. Offenders must work faithfully at suitable employment insofar as may be possible.

6. Offenders may be ordered to pay restitution, fines and/or fees.
7. Offenders may also be required to perform community service.

### **Special Conditions of Probation**

Some offenders, according to the severity of their crime and their risk to public safety, may be ordered to abide certain special conditions of supervision. Examples of special conditions include the following:

1. Offenders must abide by an established curfew.
2. Offenders must undergo alcohol and drug treatment.
3. Offenders must obtain a GED or a high school diploma.
4. Offenders may have no contact with a specified individual.
5. In some cases, the court may subject the offender or his/her property to random searches and seizures.

### **Sex Offenders Special Conditions**

Sex offender special conditions of supervision may include:

1. Offenders shall have no contact, whatsoever directly in person or indirectly through any means of communication or through employment, volunteer activity or otherwise with any child under the age of 18, including your own children, nor with any person unable to give consent because of mental or emotional limitations. If the offender has incidental contact with children, the offender will be civil and courteous to the child and immediately remove himself or herself from the situation. The offender shall discuss the contact at his or her next meeting with their community supervision officer.
2. The offender shall not reside with any child under the age of 18, including his or her own children, unless approved in advance and in writing by the Court.
3. Any change of residence must receive prior approval by a community supervision officer.
4. The offender shall have no contact with the victim, including correspondence, telephone contact, any form of electronic communication or communication through a third party except under circumstances approved in advance and in writing by the Court.
5. Offender employment must be approved by a community supervision officer.
6. Except as authorized by the Court or community supervision officer, the offender shall not create, possess, access or control any type of photograph, video, rendering or digital imagery of any minor.
7. Offenders shall not date or marry anyone who has children under the age of 18, unless approved in advance and in writing by the community supervision officer in consultation with the treatment provider or the sentencing court. Offenders are required to notify any such person of his or her criminal history.
8. Offenders shall not possess or subscribe to any sexually oriented or sexually stimulating material to include mail, computer or television nor patronize any place where such material or entertainment is available.
9. Offenders shall not utilize "900" telephone numbers neither shall they rent a post office box without permission from a community supervision officer.
10. Offenders shall abide by any curfew imposed by a community supervision officer.
11. Offenders shall attend and actively participate in sex offender evaluation and treatment at a program approved by a community supervision officer. Offenders will abide by the rules of the treatment program and successfully complete the program to the



satisfaction of the community supervision officer and the treatment provider. Offenders are responsible for all fees associated with the evaluation and treatment.

12. Offenders shall submit, at your expense, to any psychological or physiological assessment at the direction of a community supervision officer or treatment provider. This includes a polygraph or plethysmograph.
13. Offenders shall sign a release of information to allow a community supervision officer or designee to communicate with other professionals involved in their treatment program. This will include a release of information to the therapist of the victim.
14. Offenders shall submit to a search of their person, property, residence or vehicle any time of the day or night with or without consent or a search warrant whenever requested by a community supervision officer or any other peace officer.
15. Offenders shall not purchase, possess, or consume any alcoholic beverages, controlled substances or mind altering drugs except pursuant to a legal doctor's prescription.
16. Offenders shall submit to, and if necessary, pay for breath, urine, blood or saliva test for analysis for the possible presence of prohibited drugs or alcohol.
17. Offenders will keep a driving log and make it available to his or her community supervision officer as requested.
18. Offenders will never drive alone, especially through parks, playgrounds, school zones or other areas where children are commonly known to be present.
19. Offenders will not hitchhike or pick up hitchhikers.

### **DCS Parole**

Parole is the conditional release of an offender from prison prior to their maximum release date. Most inmates become eligible for parole consideration after having served one-third of their prison sentence. DCS provides two types of parole supervision.

### **Standard Conditions of Parole**

Standard conditions of parole supervision include:

1. Offenders will participate in the development and implementation of a reentry plan designed by their community supervision officer. This plan may require the offender to obtain employment, complete routine drug screenings, attend and pay minimal fees for counseling or other classes.
2. Offenders will not violate the law of any governmental unit and will immediately notify their community supervision officer if they are arrested for any offense, including traffic offenses.
3. Offenders shall not receive, possess, transport, have under their control, attempt to purchase, or obtain the transfer of any firearm, ammunition, explosives or other deadly weapons.
4. Offenders will not leave their state of residence, even briefly, or change their residence without first obtaining permission from my community supervision officer. Offenders will not abscond from community supervision.
5. Offenders will support their children as required by Georgia law, make payments on my restitution, pay a monthly supervision fee and pay a reasonable fee for electronic monitoring.
6. If offenders do not have a high school diploma or its equivalent and are unable to maintain consistent employment, they will attend school to pursue a general education diploma, a high school diploma or, trade at a vocational/technical school.

## **Special Conditions of Parole**

Additional special conditions of parole may be imposed. They may include:

1. Banishment - Depending upon the nature and circumstances of the crime, some offenders may be banished or prohibited from traveling to, visiting or frequenting certain geographic areas, judicial circuits, business locations, or private residences.
2. No Contact - The special condition of "no contact" may include, but is not limited to: victims, victims' family members, co-defendants, etc. If this special condition is imposed on an offender, they shall have absolutely no contact of any kind with the person or persons specified in the condition.
3. Substance Abuse Treatment - Offenders who have a documented history of drug abuse or whose present offense involved the use and/or sell of illegal drugs or alcohol may be required to attend substance abuse treatment as a special condition of their release.
4. Mental Health Counseling - Offenders who have a history of mental illness or who receive such a diagnosis while under community supervision may be required to attend mental health counseling as a special condition of their release.
5. Voice Recognition/GPS Monitoring - Voice recognition technology and GPS monitoring are tools primarily used to monitor offenders serving convictions for violent crimes and/or crimes of a sexual nature. However, it should be noted that these resources may be utilized to supervise any offender, regardless of their crime, to further protect the public and enhance community supervision efforts.

## **Sex Offenders Special Condition of Parole**

And as with felony probation, sex offenders on parole may have special conditions imposed which may include any of the following:

1. The offender shall not purchase or possess any pornographic or sexually explicit materials.
2. The offender shall not frequent or be employed by any business exhibiting pornographic materials or activities.
3. The offender shall have no physical, written, visual or telephone contact with the victim(s) in his or her case.
4. The offender shall receive and pay for a sex offender assessment by an agency approved treatment provider and participate and pay for any counseling deemed necessary.
5. I will not visit/access pornography sites or chat rooms on the Internet; I will not use the Internet to view or distribute lewd photos of anyone under 18 years of age; nor will I, without prior permission from my Community Supervision Officer, befriend, monitor, communicate with, or gather information about anyone under 18 years of age through use of the Internet. I will consent to and permit periodic inspections by my Community Supervision Officer of my computer or any other device possessed by me that has Internet capabilities to determine if I have used the internet in any manner proscribed.
6. The offender shall not use or consume any controlled substance or mind altering drug including alcohol, except pursuant to a legal doctor's prescription.
7. The offender shall submit to and, if necessary, pay for breath, urine, blood or saliva testing to check for the presence of any prohibited drug and/or alcohol in his or her body.
8. The offender shall submit to and truthfully answer all questions asked during a polygraph assessment and evaluation regarding his or her behavior as instructed by his or her community supervision officer. The offender will also pay a reasonable fee for this examination.

9. The offender shall not engage in any form of sexual contact, or abusive activity with anyone under 18 years of age (yoa); or with anyone who is unable to give consent due to mental or emotional limitations.
10. The offender shall live only in a residence approved by his or her community supervision officer and agree not to live or share a residence with any other person with a history of sexual offense conviction(s). The location of the offender's residence shall comply with Ga Law and/or any other condition imposed by the Board. The offender may not be employed at a location within 1000 ft of, or be employed by a child day care facility, school or church.
11. The offender shall attend, participate in and pay for mental health, anger and/or violence prevention counseling if instructed by his or her community supervision officer.
12. The offender shall not associate with prostitutes and will avoid areas known to have prostitution activity.
13. The offender shall work only at places pre-approved by his/her community supervision officer.
14. The offender shall not be with any child under 18 yoa unless an adult is present who has knowledge of his or her history of criminal sexual behavior and who has been approved in writing as a chaperon by his or her community supervision officer.
15. The offender shall not reside in any residence, either temporarily or permanently, with persons under 18 yoa unless the child is his or her biological or adopted child and the offender has lawful custody or court approved visitation rights for said child. The offender will not work and/or volunteer for any business or organization which provides services or care for/to children under 18 yoa or to persons over 18 yoa who are unable to give consent due to mental, emotional or physical limitations.
16. The offender shall not have any contact with anyone under 18 yoa whether in person or through any means of communication nor shall the offender attend any place, business, amusement, social event or gathering of any type for the purpose of coming into contact with minors.
17. The offender shall submit his or her schedule of weekly activities to his or her community supervision officer. If instructed, the offender shall abide by any curfew placed on him or her by his or her community supervision officer.
18. The offender shall remain fully and appropriately clothed and will not engage in lewd behavior when in public or when potential for public view exists.
19. The offender shall be placed on electronic monitoring and may be required to pay a fee for this service.
20. If an offender has been classified as a sexually dangerous predator, he or she can not reside within 1000 ft of any school bus stop, public and private park and recreation facilities, playgrounds, skating rinks, neighborhood centers, gymnasiums, and public/community swimming pools. He or she must wear an electronic monitoring system for the remainder of their life and shall pay for such system.
21. The offender must also register each year 72 hours prior to their birthday. They must also update and/or verify registration information with the sheriff's office in their county of residence again six months after their birthday.

### **State Board of Pardons and Paroles: Parolee Database**

The State Board of Pardons and Paroles maintains a parolee database on which any parolee subject to DCS supervision can be searched. As a part of its intake process, DFCS screens state agency databases to gather information about case participants. This information is then



documented in Georgia SHINES. Social Service Case Managers can confirm DCS supervision of a parolee by reviewing documentation in Georgia SHINES or by searching the State Board of Pardons and Paroles parolee database found at <https://pap.georgia.gov/>.

## FORMS AND TOOLS

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