



*State of North Carolina*  
*Department of Correction*  
*Division of Prisons*

**POLICY & PROCEDURES**

Chapter: E  
Section: .1700  
Title: **Mutual Agreement Parole Program (MAPP)**  
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**.1701 GENERAL**

- (a) The Mutual Agreement Parole Program (MAPP) is designed to prepare selected inmates 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 the Division of Prisons, Post-Release Supervision and Parole Commission.
- (b) Objectives
- (1) Prepare the inmate for parole and expedite readiness for parole by specifying criteria and standards to be met by the inmate.
  - (2) Provide the Parole Commission with objective criteria for assessing inmate readiness for parole, and allow the Parole Commission immediate input regarding an offender's program while incarcerated.
  - (3) Permit the inmate 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 inmate management problems for the prison facility by providing the inmate 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 throughout the Corrections System and establish linkage with relevant community resources.
  - (6) Provide incentives for participation in specific programs such as academic and vocational training.
  - (7) Enable the Division of Prisons to begin 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 inmates both inside and outside of the prison facilities and to eventually provide data on the impact of various programs.

**.1702 PROCEDURES**

- (a) Eligibility Requirements: Any inmate who is within three years of parole eligibility can be considered for MAPP participation provided the following criteria are met:
- (1) The inmate is in either medium or minimum custody;
  - (2) The inmate is not subject to a detainer or pending court action which may result in further confinement;
  - (3) The inmate has not had an infraction within 90 days;
  - (4) The inmate, if sentenced under the Fair Sentencing Act, is otherwise eligible for Community Service Parole under G.S. 15A-1380.2(h) or Emergency Powers Act Parole (270 Day Parole) under G.S.148-4.1
- (b) Administrative Requirements
- (1) There should be a recognizable need on the part of the inmate for involvement in the MAPP Program and the inmate should express an interest in one of more of the following: learning a skill, improving educational achievements, modifying specific behaviors or engaging in personal growth programs.
  - (2) Inmates not currently in minimum custody will be given a Community Risk Assessment if they meet the established criteria usually applied to inmates convicted of sexual or assaultive crimes.
  - (3) A MAPP Agreement should have a duration of not less than twelve (12) months and not more than 36 months.
- (c) Referrals. Any inmate who meets the eligibility requirements can be identified for MAPP by either the Parole Commission or the Division of Prisons.
- (1) Referrals initiated by the Parole Commission - Referrals are made to the Division of Prisons through the Division MAPP Director.
    - (A) Referrals will be made in OPUS and will normally include recommended parameters requested by the Parole Commission.
    - (B) The Division MAPP Director will review the referral for technical correctness as well as program suitability and merit.
    - (C) If the Division MAPP Director approves the referral request, the appropriate Facility will be notified of the Parole Commission request for MAPP consideration via OPUS.

- (D) The Division MAPP Director should be notified of a MAPP decision by the Division of Prisons within thirty days from the date of receipt of a Parole Commission referral.
  - (E) If the Division MAPP Director disapproves the referral request, the Parole Commission will be notified at which point MAPP development will be terminated.
  - (F) If the Parole Commission chooses to appeal a referral for MAPP participation denied by the Division MAPP Director or the Director's reviewing committee, the final approving authority will be the Director of Prisons.
- (2) Referrals initiated by the Division of Prisons - Referrals are made to the Parole Commission through the Division MAPP Director.
- (A) Referrals will be made in OPUS to the Division MAPP Director following approval by the Facility originating the request for MAPP consideration. The DC-400 worksheet is to be used to document a request for MAPP consideration.
  - (B) The Division MAPP Director will review the referral for technical correctness as well as program suitability and merit.
  - (C) If the Division MAPP Director approves the referral request, it will be routed to the Director's designated reviewing committee if needed or requested by the referring authority.
  - (D) The Division MAPP Director will forward all approved referrals from the Division of Prisons to the Parole Commission for consideration.
  - (E) The Division MAPP Director will notify the referring authority of final decisions including negative findings by the Director's reviewing committee and the Parole Commission.
  - (F) If the Division MAPP Director disapproves the referral request, the originating Facility or Institution will be notified and further MAPP development will be terminated. There will be no appeals of referrals disapproved by the Division MAPP Director or the Director's Review Committee.
  - (G) The Division MAPP Director should be notified of a MAPP decision by the Parole Commission within forty-five days upon receipt of a Division of Prisons MAPP referral.

- (d) Design of the MAPP Proposal and Program Agreement (i.e., Terms of Agreement.)
- (1) After it is determined that the inmate is a potential candidate, the inmate's Case Manager and the inmate will formulate a MAPP proposal using the DC-400 worksheet.
  - (2) In developing a proposed agreement, both the inmate and the Case Manager should plan a full-time program of activities with emphasis on areas seen as the most beneficial to the inmate 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 inmate and of the Division of Prisons. When known, MAPP proposal content will give consideration to program structure suggested by the Parole Commission. MAPP proposals can include any available program for which the inmate 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 proposed referral will be submitted to the appropriate classification or program committee for review and modification.
  - (4) The classification or program committee will forward the referral to the Facility Head for approval. The proposal will then be routed to the Region Director and then to the Division MAPP Director.
  - (5) Final MAPP negotiations should occur as soon after MAPP selection and referral as feasible.
- (e) Negotiation and Approval of Program Agreement.
- (1) Final negotiation of the Program Agreement occurs in a meeting of the MAPP Negotiation Committee. The MAPP Negotiation Committee will include the Division MAPP Director (Chairperson), representatives of the Parole Commission, Facility MAPP Coordinator and the inmate. 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 Program Agreement. It should be understood by all parties that department rules, policies, and procedures are non-negotiable.
  - (2) At this meeting the Program Agreement will be defined and agreed upon by all parties after open negotiation. Inmates 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 Program Agreement should be measurable objectives that are clearly stated. It is essential that all parties, and specifically the inmate, 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 inmate, Division MAPP Director, and Parole Commissioner, and by the approving authority for the Division of Prisons' Facility Head.
- (4) The Division MAPP Director will forward the DC-401 to the Parole Commission for final approval and return the appropriate copies to the affected Facility.
- (5) If the parties in negotiation are unable to reach an agreement, the inmate 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 the Division of Prisons to provide the promotions and programs as scheduled in the Agreement. Unless a violation of the 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 Parole Commission approval for work release placement. Additional approval from the 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 Program Agreement.
  - (1) On a quarterly basis, the inmate's Case Manager will indicate the inmate's progress in the MAPP Program in OPUS on the significant issue / case management note screen using the MAPP progress note comment type.
  - (2) The last quarterly report prior to completion of the Program 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 inmate's release plans for parole.
- (c) Facility MAPP Coordinator. A Programs Director 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) Forward all MAPP proposals approved by both the classification or program committee and the Facility Head to the Region Director.
- (5) Coordinate MAPP Negotiation Committee meeting with the Division MAPP Director.
- (6) Maintain a record of MAPP Negotiation Committee actions on all proposals.
- (7) Ensure that a copy of the MAPP Program Agreement is placed in the inmate's Facility jackets and that the inmate receives a copy.
- (8) Monitor both the negotiation process and the implementing of the program so that those processes are operating properly and as expeditiously as possible at the inmate's housing facility.
- (9) Ensure that the Division of Prisons complies with the terms of the Program Agreement.
- (10) Ensure the quarterly reports are entered in OPUS either by the MAPP Coordinator or by an inmate's Case Manager.
- (11) Make certain that the Division MAPP Director is informed of possible violations of the Program Agreement when:
  - (A) The inmate has been convicted any rule violations and such convictions have been upheld through the review process.
  - (B) There is non-compliance with the terms of the Program Agreement by the inmate.
  - (C) The inmate decides to terminate the Program Agreement.
  - (D) There is non-compliance with the terms of the Program Agreement by the Division of Prisons.
- (12) Ensure the job and home plans are update in OPUS on IP55, 90 days prior to the inmate's parole date.
- (13) Ensure that a final report on the appropriate classification action form certifying that the terms of the Program Agreement are being fulfilled accompanies the job and home plan to the Division MAPP Director.

- (d) Division of Prisons MAPP Director. A Program Director located in the central office for the Division of Prisons will be designated to coordinate the MAPP Program at the Division level. The Division 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 the Division of Prisons by working closely with field staff.
  - (2) Act as the liaison between the Division of Prisons and the 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 Agreement violations and determine appropriate actions.
  - (8) Develop, coordinate and implement MAPP training programs for Division of Prisons and Parole Commission staff.
  - (9) Assist Division of Prisons 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 Parole Commission whenever an inmate has completed or violated the Program 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 Parole Commission and Division of 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 Program Agreement.

- (1) Upon the completion of negotiations and the signing of the Agreement, it will be made clear to the inmate that it is his or her responsibility to take advantage of the various resources and services made available in order to comply with the Program Agreement. The inmate should report any difficulties to his/her Case Manager.
  - (2) Ninety days prior to the inmate's completion of the Program Agreement, the inmate's Case Manager will inform the MAPP Coordinator that the inmate 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 not comment type. It is important to the credibility of the Mutual Agreement Parole Program that the inmate be released on the date specified in the Program Agreement.
- (f) Program Evaluation.
- (1) The Division 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 and location. This summary will also show the number of inmates who were referred for consideration, withdrawn from consideration, terminated from MAPP and who have completed 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 Division of Prisons Administrative staff, Facility Heads, and the Parole Commission.
  - (2) Periodic program evaluations of the MAPP Program will be conducted in conjunction with the office of Research and Planning. For this purpose, it will be the responsibility of the Division MAPP Director to record necessary program data in the computer management information system to be used in future evaluations. Evaluations of the MAPP Program will focus on determining the success of the MAPP Program in reaching the objectives stated in .1301(b). Evaluation design might include a comparison of the characteristics of successful MAPP inmates with non-MAPP inmates and those who fail to succeed on MAPP, a study of the type and frequency of program participation and program success under MAPP, and a study of recidivism compared with parole success. Results of the evaluation will be reported to those persons designated above and will be utilized by the Division MAPP Director and others to improve and guide the operation of the Mutual Agreement Parole Program.

#### **.1704 VIOLATION OF THE PROGRAM AGREEMENT**

- (a) The Facility MAPP Coordinator will notify the Division 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 the Division of Prisons or the Parole Commission. The Division 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 Parole Commission disagrees with the recommendation of the Facility Head, the Director's reviewing authority will make the final decision for the Division of 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 .1302(a)) disqualifies an inmate with a detainer. Documentation of the detainer will be sent to the Division MAPP Director who will gather information regarding the nature of the detainer and solicit the recommendations of both the Division of Prisons and the Parole Commission as to MAPP disposition.
  - (4) Following violation of the Agreement the participant can be removed from any program participation granted through 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 inmate participant requests a renegotiation for good cause.

- (B) If renegotiation is recommended by either the Division of Prisons or the Parole Commission following disciplinary action resulting in violation of the Agreement.
  - (C) If the inmate 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 the Division of Prisons and the Parole Commission.
- (2) A request for renegotiation on any of the above grounds must be forwarded to the Division MAPP Director. The Division MAPP Director will then ensure that the appropriate parties or persons are notified to give the request proper consideration.
  - (3) In some instances, the Division 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 Parole Commission and the Division of Prisons.
  - (4) Those cases that are continued on MAPP following renegotiation or modifications will be documented by an amended MAPP Agreement form and entered in OPUS.

#### **.1705 TERMINATION OF THE PROGRAM AGREEMENT**

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

  
Director of Prisons      Date

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