

Memorandum of Understanding for the concurrent supervision of offenders by the
U.S. Probation Office, District of Hawaii, and the State of Hawaii
November 1, 2017

**United States Probation, District of Hawaii
Adult Client Services Branch, Hawaii Judiciary
Hawaii Paroling Authority**

This Memorandum of Understanding (MOU) for the concurrent supervision of offenders on both federal and state supervision is entered into between the United States Probation Office for the District of Hawaii (USPO), the Adult Client Services Branch of the Hawaii Judiciary (ACSB), and the Hawaii Paroling Authority (HPA). This document supports maximum coordination and communication in the concurrent supervision of offenders, and formalizes a working arrangement between the USPO, ACSB, and HPA.

The USPO, ACSB, and HPA agree to the following:

Responsibilities of the USPO

- Upon notice that an offender is on concurrent supervision, the USPO will reach out to either ACSB or HPA to establish who will take the lead with the offender.
- To the extent possible, the USPO will assume the lead role in most dual supervision cases. Considerations for taking the lead include, but are not limited to, the length of the supervision term, risk level of the offender, if the offender is a special interest case (high profile), the types of conditions to be enforced (e.g. community confinement, location monitoring, substance abuse and/or mental health treatment), and available or unique support services or resources an agency has at their disposal.
- The USPO will provide a copy of the Criminal Judgment (outlining the federal supervision conditions) to either ACSB or HPA.
- When taking the lead, initial and subsequent supervision planning with specific goal-directed objectives will be identified by the USPO and shared with either ACSB or HPA. The USPO will undertake supervision strategies to monitor compliance, facilitate the accomplishment of identified objectives, and document progress within the community.
- As it relates to referrals for support services, the USPO will work with either ACSB or HPA to ensure services are not duplicated. This includes possible referrals for workforce development, housing, treatment, and/or substance abuse testing. The USPO will inform either ACSB or HPA of a referral, the offender's responsiveness to the referral, and the outcome of the referral.
- Any significant changes in an offender's circumstances and/or serious noncompliance will be reported timely to either ACSB or HPA. Any new criminal arrests and all positive alcohol/drug tests will also be shared timely.
- Should ACSB or HPA take the lead with an offender, the USPO would still be responsible for enforcing conditions that are unique to federal supervision. Additionally, the USPO would be available to assist either ACSB or HPA with supervision activities or referrals as requested.
- The USPO will advise either ACSB or HPA should federal revocation proceedings be initiated and the disposition outcome of the matter.
- The USPO will inform either ACSB or HPA when the federal term of supervision has expired.

Responsibilities of the ACSB and HPA

- The ACSB or HPA will provide a copy of their controlling document that outlines the conditions of supervision to the USPO.
- The ACSB or HPA would be responsible for the enforcement of conditions unique to their supervision requirements, and the ACSB or HPA will share any supervision strategies being undertaken outside of USPO objectives.
- The ACSB or HPA, when possible, will assist USPO with supervision activities or referrals, as needed.
- Should ACSB or HPA take the lead with treatment and/or drug testing, all noncompliance related to participating in treatment or positive drug tests will be timely reported to USPO.
- The ACSB or HPA will share with the USPO any information relevant to the compliance or stability of an offender.
- The ACSB or HPA will notify the USPO when there is a new criminal charge and/or conviction for a new offense.
- The ACSB or HPA will notify the USPO if there is a revocation of probation or parole violation and the disposition outcome of the matter.
- The ACSB or HPA will notify USPO when the state term of supervision has expired.

Joint Responsibilities of the USPO, ACSB, and HPA

- Each agency agrees to guard against the "over" supervision of an offender by requiring the participation in duplicate services (i.e. treatment, substance abuse testing), or placing unnecessary demands and/or restrictions upon the individual as to reporting requirements.
- Each agency agrees to openly share and communicate with each other their supervision activities with an offender.
- Agencies are not responsible for the enforcement of conditions unique to another's controlling document, but should report known violations to the partner agency.
- Each agency agrees to communicate through the lead supervising agency and not directly with a contract vendor for information about an offender.
- All file or case information shared between agencies will be considered confidential and not disclosed or re-distributed to third parties except for judicial or administrative proceedings.
- Case information deemed critical to a third party including but not limited to a treatment vendor may be disclosed by an officer with the verbal consent of the partner agency.

Distribution

- The USPO, ACSB, and HPA will make a copy of the MOU available to appropriate staff to ensure all parties are aware of this agreement.

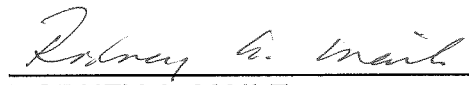
Administration

- This MOU may be amended by written agreement by the USPO, ACSB, and HPA.
- The USPO, ACSB, and HPA agree to attempt to meet as needed to discuss adherence to the MOU and/or the need for changes to the MOU.

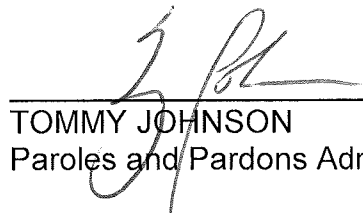
Authorizing Signatures



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