

Idaho Department of Correction  	<b>Standard Operating Procedure</b>	Title: <b>Sex Offender Supervision and Classification</b>		Page: 1 of 13
		Control Number: <b>701.04.02.006</b>	Version: <b>6.0</b>	Adopted: 10/09/2001

**Brian Underwood, chief of the Division of Probation and Parole, approved this document on 09/15/2020.**

Open to the public:  Yes

### SCOPE

This standard operating procedure applies to probation and parole staff members with sex offender supervision caseloads and those individuals who are under their supervision.

<b>Revision Summary</b>
Revision date (09/15/2020) version 6.0: Aligned LSI scoring and updated supervision level naming structure to high, moderate, and low.

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**BOARD OF CORRECTION IDAPA RULE NUMBER 06.02.01**

Supervision of Offenders on Probation or Parole

**POLICY CONTROL NUMBER 701**

Probation and Parole Services

**PURPOSE**

The purpose of this standard operating procedure (SOP) is to provide procedures, expectations, and standards for the supervision of sex offenders. For the purpose of this SOP, the term “sex offender” will be used to identify both individuals who have been convicted of a sex offense and individuals who have been deemed appropriate for sex offender supervision as set forth in this SOP.

**RESPONSIBILITY**

***Deputy Chief of Probation and Parole***

The deputy chief of probation and parole or designee is responsible for:

- Overseeing probation and parole services.
- Ensuring adherence to the guidelines and procedures in this SOP.
- Ensuring each probation and parole district reviews this SOP annually.

***District Managers and Section Supervisors***

District managers or designees are responsible for ensuring that staff practice the guidelines, standards, and procedures described in this SOP.

District managers and section supervisors are responsible for conducting an annual review of this SOP in each of their probation and parole districts.

***Probation and Parole Officers (PPOs)***

PPOs are responsible for:

- Practicing the procedures described in this SOP.
- Reviewing this SOP annually.

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## STANDARD PROCEDURES

### 1. Staff Training

The district manager or designee is responsible for ensuring that PPOs receive training and mentoring specific to sex offender assessments and supervision. This training should include topics such as applying evidence-based principles and practices of sex offender management, scoring and interpreting sex offender risk assessments, use of polygraphs, family reunification, computer and phone searches, and self-care.

### 2. Sex Offender Supervision Intake

The district manager or designee is responsible for assigning cases to sex offender supervision as outlined in SOP [701.04.02.001](#), *Probation and Parole Supervision Strategies*. The district manager (DM) or designee must use discretion when deciding whether a case should be assigned for sex offender supervision, seeking clinical guidance as necessary, and taking into consideration the conviction, prior criminal history, and whether the circumstances of the offense were sexual in nature. The case review and determination of appropriate supervision must be documented in the Offender Management System (OMS).

### 3. Sex Offender Risk Assessment Instruments

In addition to the Level Service Inventory-Revised (LSI-R), the division of probation and parole uses two specific assessment tools, the Static 99-R and the Stable 2007, to determine the risk level and supervision needs of each individual under sex offender supervision.

#### ***Risk Assessment Timeframes***

PPOs must conduct the LSI-R, Static 99-R, and Stable 2007 during the following time frames using an interview process along with full case and central file review.

Risk Assessment	Frequency of Use Intervals		Supervision Level Changes and/or Probation or Parole Violations
<b>Static 99-R</b>	Initial intake for new cases. Reviewed for errors and reassessed as necessary for parolees	When additional sexual offenses have occurred	Only during probation or parole violations when a new sexual crime has occurred
<b>Stable 2007</b>	Initial intake within 45 days of assignment	Annually	During any probation or parole violations or significant supervision changes

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<b>Risk Assessment</b>	<b>Frequency of Use Intervals</b>		<b>Supervision Level Changes and/or Probation or Parole Violations</b>
<b>LSI-R</b>	Presentence investigation (PSI) level or intake. Within 45 days of release for parolees	Annually based on LSI-R scores of 21 or higher for males and 23 or higher for females	During any probation or parole violations or significant supervision changes

#### 4. Supervision Levels for Sex Offender Supervision

##### ***Sex Offender Supervision Matrix***

The sex offender supervision matrix combines the Stable 2007 and Static 99-R in a three-tier classification system used to determine an individual's risk level. Each risk level is assigned a minimum number of supervision contacts.

	<b>Stable 2007</b>			
		<b><i>Low Score: 1-3</i></b>	<b><i>Moderate Score: 4-11</i></b>	<b><i>High Score: 12+</i></b>
<b>Static 99-R</b>	<b><i>Low Score: 1 to - 3</i></b>	SO Low	SO Moderate	SO High
	<b><i>Moderate Score: 2 to 5</i></b>	SO Moderate	SO Moderate	SO High
	<b><i>High Score: 6+</i></b>	SO Moderate	SO High	SO High

##### ***Stable 2007 Classification Matrix***

The Static 99-R is not applicable for certain offenses. Examples include:

- Individuals whose only offenses are for possession of child pornography
- Crimes that involve sexual behavior that is illegal, but the parties are consenting
- Cases where the supervised individual failed to disclose HIV status.

Individuals who do not meet risk criteria for assessment with a Static 99-R will be assigned a supervision level using either the Stable 2007 Classification Matrix (below) or as determined by the LSI-R, whichever is higher.

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<b>Stable 2007</b>	
<b>Score</b>	<b>Classification</b>
<b>Low score: 1-3</b>	SO Low
<b>Moderate score: 4-11</b>	SO Moderate
<b>High Score: 12+</b>	SO High

Research indicates that individuals who have been supervised in the community for five or more years consecutively and have not had a documented violation of a new sexual based violation, drop their recidivism rates in half. Individuals who meet these criteria and who have completed specialized sex offender treatment, passed all their annual polygraphs without deception or significant disclosures, and demonstrated compliance with the conditions of their supervision will be supervised using the above Stable 2007 Classification Matrix.

#### **Assessment and Classification of Female and Juvenile Sex Offenders**

The result of the LSI-R will determine the supervision level for females under sex offender supervision and individuals whose index sexual offense was committed as a juvenile.

- An LSI-R score above 31 will be supervised at the SO High.
- An LSI-R score between 23 and 30 will be supervised at the SO Moderate.
- An LSI-R score between 0 and 22 will be supervised at the SO Low.
- For male juvenile sex offenders, refer to current LSI-R supervision levels.

#### **5. Supervision Standards**

The purpose of the supervision standards is to focus on the quality of the contact, not the quantity. The PPO should allow for an adequate amount of time to be spent with the supervised individual. This time should be focused on rapport building and mentoring, reviewing the progress made on case plan goals, and building on strengths and protective factors.

**Note:** When a PPO is unable to meet these minimum standards, they must inform their immediate supervisor and seek a time extension. The supervisor must then document the extension and include the new deadline, in the Offender Management System (OMS).

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The assigned PPO will use the following minimum supervision standards:

***SO High Supervision Standards***

The PPO must satisfy the following minimum standards:

- Two face to face contacts every 30 days. One of the face to face contacts may occur virtually.
- One residence verification every 30 days. Following a change of address, residence verification should be conducted within 14 days
- One employment verification every 30 days. Changes of employment should be verified within 30 days. (see section 13)
- If referred to treatment or programming, verify enrollment within 14 days, then complete one collateral contact every 30 days.
- Document substance abuse testing, if needed, based on PPO discretion
- Review the most current Court Order/Parole Agreement and Agreement of Supervision with the individual once every 180 days. This should be done to ensure the individual is in compliance with all terms and conditions. Each review should be documented in the OMS.
- Verify and document the completion of one polygraph every six months

***SO Moderate Supervision Standards***

The PPO must satisfy the following minimum standards:

- One face to face contact every 30 days
- One residence verification every 60 days. Following a change of address, residence verification should be conducted within 14 days
- One employment verification every 60 days. Changes of employment should be verified within 30 days (see section 13)
- If referred to treatment or programming, verify enrollment within 14 days, then conduct one collateral contact every 30 days
- Document substance abuse testing, if needed, based on PPO discretion
- Review the most current Court Order or Parole Agreement and [Sex Offender Supervision Agreement](#) with the individual once every 180 days. This should be done to ensure they are in compliance with all terms and conditions. Each review should be documented in the OMS.
- Verify and document the completion of one polygraph every 365 days

***SO Low Supervision Standards***

The PPO must satisfy the following minimum standards:

- One face to face contact every 90 days

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- One residence verification every 90 days. Following a change of address, residence verification should be conducted within 14 days
- One employment verification every 90 days. Changes of employment should be verified within 30 days
- Document substance abuse testing, if needed, based on PPO discretion
- If referred to treatment or programming, verify enrollment within 14 days, then conduct one collateral contact every 30 days
- Verify and document the completion of one polygraph every 365 days

Unless an extension is granted, the PPO must follow the standards identified.

The district manager or designee may waive the substance abuse testing standard for individuals with no documented substance abuse history. Such a waiver shall be documented in the OMS.

The PPO may require the individual to submit the [Sex Offender Supervision Supplemental Monthly Report](#), on a schedule determined by the PPO. The PPO is required to make supervision contact note entries in the OMS if the supervised individual lists any changes on the [Sex Offender Supervision Supplemental Monthly Report](#).

## 6. Sex Offender Management Board, Sex Offender Treatment Providers

Sex Offender Management Board (SOMB) is responsible for the endorsement process of approving providers for each probation and parole district. An approved sex offender treatment provider list will be maintained on the SOMB website.

## 7. PSI Reports and Other Sharing of Information

PSI reports must not be copied and given to the sex offender treatment provider. However, the PPO should summarize details of the case for the sex offender treatment provider to use during the treatment.

## 8. Polygraph Testing

### ***Polygraphs***

The division of probation and parole will only use polygraph examiners that are approved by the SOMB.

### ***PPOs Use of the Polygraph Report***

After the polygraph report is received from the polygraph examiner, the PPO will review the polygraph report and document the information in the OMS.

The PPO will discuss cases with deceptive or inconclusive polygraph reports with the district manager or designee and follow sanctioning procedures in accordance with SOP [701.04.02.020](#), *Use of the Idaho Response Matrix*.

- A single inconclusive or deceptive polygraph report may not be used as a basis to impose a sanction or intervention but may be the basis for further investigation such as a specific issue polygraph.

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- Admissions by the supervised individual during the exam process that suggest involvement in additional law violations and/or victims shall be immediately referred to law enforcement authorities for investigation.

## 9. Violations and the Idaho Response Matrix

Sex offender supervision includes the use of the Idaho Response Matrix (SOP 701.04.01.020, *Use of the Idaho Response Matrix*), the writing of both probation and parole violation reports (SOP 701.04.02.001, *Probation and Parole Supervision Strategies*) and appropriate use of agent's warrants (SOP 701.04.02.018, *Warrants: The Use of Agent's, Bench, and Parole Commission*).

## 10. Transfer of Sex Offender Supervision Cases to a General Caseload

Individuals on a sex offender supervision caseload may be eligible for transfer to a designated general caseload when:

- There has been a reduction in risk factors as identified on the Stable 2007 (LSI-R for females and juveniles).
- The individual has achieved a supervision level of SO Low.
- The individual has demonstrated ongoing compliance with the conditions of his supervision for a period of 12 or more months.
- The individual has completed a specialized sex offender treatment program.
- A safety plan has been developed and is in effect.

The [Sex Offender Supervision to General Caseload Transfer Matrix](#) will help the district manager or designee determine whether an individual meets the criteria for transfer to a general caseload. The district manager or designee and supervising PPO should also consider the following when making the transfer decision:

- All individuals transferred to general supervision caseload will be assessed using the LSI-R and supervised according to general supervision standards.
- Individuals must sign and adhere to the special conditions listed on the [Sex Offender Modified Agreement of Supervision](#).
- The *Sex Offender Modified Agreement of Supervision* will not supersede any existing parole or court-ordered conditions.
- Individuals must continue to submit to annual maintenance polygraph exams.

### **Violations While on General Supervision Caseload**

Individuals who violate supervision while on a general supervision caseload may be returned to supervision under the [Sex Offender Supervision Agreement](#). In cases where an offender fails a polygraph examination regarding sexual issues, the PPO will notify a supervisor so the individual can be reassigned to sex offender supervision.

## 11. Sex Offender Registration

Idaho Code provides a list of offenses that require individuals to register as a sex offenders. PPOs will ensure these individuals have completed sex offender registration within the time



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frames specified by Idaho Code. Verification will be completed by a review of a registration receipt or online government registry website. Verification must occur within one week of receipt of a new case or notification of an individual's change of residence.

The PPO must document the supervised individual's compliance with sex offender registration laws in the OMS.

## 12. Approval of Sex Offender Supervision Activity Requests and Travel Permits

### ***Sex Offender Supervision Activity Requests***

The *Sex Offender Supervision Activity Request*, and the *Sex Offender Supervision Activity Request Safety Plan*, should be submitted two weeks prior to any activity or travel by all individuals currently attending sex offender treatment. The *Sex Offender Supervision Activity Request* and the *Sex Offender Supervision Activity Request Safety Plan* must be submitted by all individuals prior to traveling out-of-state for purposes other than ongoing employment, treatment, healthcare appointments, or polygraph testing and before a travel permit is issued.

### ***Travel Permits: Intrastate and Interstate***

Travel for individuals under sex offender supervision is approved on a case-by-case basis with consideration given to the individual's compliance to the conditions of supervision, travel locations, and accompanying individuals.

Registered sex offenders will be required to report to the local jurisdiction of the travel destination to determine sex offender registration laws during extended interstate travel. PPOs will fax or email all interstate travel permits to the Interstate Compact Unit prior to travel. The Interstate Compact Unit will notify the receiving state of the sex offender's travel in accordance with SOP [704.04.02.001](#), *Interstate Compact Agreement*, and SOP [704.04.02.002](#), *Intrastate Transfers*, as applicable.

**Note:** State guidelines for sex offender registration during travel can be found on the Interstate Commission for Adult Offender Supervision's website.

## 13. Employment and Education

Individuals under sex offender supervision must not be allowed to be employed in positions that will bring them into close contact with potential victims or vulnerable populations. Exceptions must be discussed with the district manager or designee. As promptly as possible, PPOs will make every effort to investigate employment offers and approve those that are suitable, so the individual does not lose the employment offer. Verifications must be documented in the OMS. Entries will include the name and title of the person contacted and that they were informed of the individual's offense, criminal history, and restrictions.

Individuals under sex offender supervision, when approved and not specifically prohibited by court order or parole agreement, may participate in educational or vocational classes either online or on campus and may use a computer to conduct course-related activities and complete assignments. These individuals will need prior approval from the PPO and district manager or designee to use a computer that has internet access. The PPO must document the approval in the OMS and title it "Computer Use/Internet Approved."

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#### 14. Geographical Boundaries and Housing Guidelines

Idaho Code, section 18-8329, mandates that registered sex offenders not reside within 500 feet of the property on which a school is located. City ordinances may be imposed that further limit geographical boundaries within the city where registered sex offenders reside. PPOs will conduct daylight verification of distance from a restricted area to the proposed residence. Housing approval for proximity to other high-risk areas will be determined on a case-by-case basis at the discretion of the district manager or designee.

#### 15. Chaperones

Chaperones must:

- Be 21 years of age or older.
- Meet with the supervising officer.
- Be willing to hold the individual accountable to the conditions of treatment and supervision.
- Complete training for chaperones conducted by an approved sex offender treatment provider.
- Submit the following completed forms to the supervision officer:
  - [Sex Offender Supervision Chaperone Background Investigation Questionnaire](#)
  - [Sex Offender Supervision Chaperone Agreement](#)
  - [Sex Offender Supervision Chaperone Authorization to Release Information](#)

If the prospective chaperone successfully completes all requirements and is approved, the supervising officer will document it in the OMS and title it "Chaperone Approved."

If issues arise and chaperone status is revoked, the supervising officer documents it in the OMS and titles it "Chaperone Revocation."

#### 16. Relationships

PPOs may approve an individual under sex offender supervision to have an age-appropriate relationship with a person who has a minor child/children who are not the supervised individual's children. The PPO must review any court-ordered or parole conditions to ensure the individual's contact with the person's minor child/children will not violate their terms of supervision. Before the supervised individual is allowed to have an age-appropriate relationship with a person who has a minor child/children, the PPO must inform all persons who have legal parental rights to the minor child/children of the supervised individual's conviction history and those persons having legal parental rights must provide written consent allowing the supervised individual to have contact with their minor child/children. If written consent is not obtained, the PPO may permit the relationship, but the supervised individual will not be permitted to have contact with the minor child/children. If the relationship is approved, it must be documented in the OMS.

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***Precedence: Civil Court Orders vs. Written Consent***

Any civil court order that dictates when and what kind of contact can be made with a minor child/children will take precedence over any other written consent provided for interfamilial situations involving the minor child/children.

**17. Electronic Monitoring of Violent Sexual Predators (VSPs)**

Idaho Code, Section 20-219, defines the VSP classification and mandates that all VSPs be placed on electronic monitoring for the duration of their supervision.

**18. Section Supervisor Case Reviews**

Refer to SOP 701.04.02.010, *Case Reviews*, for guidance.

**DEFINITIONS**

***Offender Management System (OMS):*** An IDOC computer system where data on its offender population is maintained.

***Chaperone:*** An IDOC-approved person who is trained to escort or accompany an individual under sex offender supervision to an approved event or location where contact with minor children or other vulnerable populations is probable.

***Employment verification:*** Initial verification of employment must be done in person or by telephone by a probation and parole staff member. Ongoing verification of employment may occur in person, by telephone, or by paycheck stub.

***Face to face contact:*** Any interaction in which the probation and parole staff member visually observes the supervised individual.

***Residence Verification:*** A probation and parole staff member must conduct an on-site visit to the residence in which they enter that residence and are able to establish the living situation and conditions of the offender. Home contact includes visual inspection inside the residence either with the supervised individual or an adult resident of the home.

***Level of Service Inventory-Revised (LSI-R):*** An instrument used to sample a supervised individual's risk factors in order to provide a comprehensive risk and needs assessment, which is necessary in identifying treatment planning and supervision and screens for crime-producing attributes based on a total score with results presented in 10 subscale domains. (All references to LSI-R include all subsequent revisions.)

***Polygraph Report:*** A report generated by an SOMB approved polygraph examiner. This report is completed following a biophysical instrument test used to detect deception or verify the truth of statements.

***Sex Offender:*** An individual who has been convicted of a sex offense and individuals who have been deemed appropriate for sex offender supervision as set forth in this SOP.

***Sex Offender Treatment:*** Programming provided by a clinical professional approved by the SOMB that consists of a regimen of educational and therapeutic meetings.

***Sex Offense:*** Unlawful sexual behavior or criminal sexual intent, which may result in a criminal justice intervention or official sanction.

***Stable 2007:*** A specific sex offender risk assessment instrument that measures factors that are potentially changeable but endure for months or years.

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**Static 99-R:** A specific sex offender risk assessment instrument that contains the four Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR) items and six additional items, which yields separate long-term probabilities for sexual and/or violent re-offense risks. (All references to Static 99-R include all subsequent revisions.)

**Treatment collateral:** Contact with the treatment provider that is either in person, in writing, or telephone contact.

**Violent Sexual Predator (VSP):** A person who was designated as a violent sexual predator by the Sex Offender Classification Board where such designation has not been removed by judicial action or otherwise.

## REFERENCES

American Polygraph Association ([www.polygraph.org](http://www.polygraph.org))

*Sex Offender Supervision Agreement*

*Sex Offender Supervision Supplemental Monthly Report*

*Sex Offender Supervision to General Caseload Transfer Matrix*

*Sex Offender Modified Agreement of Supervision*

*Sex Offender Supervision Activity Request*

*Sex Offender Activity Request Safety Plan*

*Sex Offender Supervision Chaperone Background Investigation Questionnaire*

*Sex Offender Supervision Chaperone Agreement*

*Sex Offender Supervision Chaperone Authorization to Release Information*

*Sex Offender Informed Consent for Visitation with Minors*

*Sex Offender Case Audit Form (Fill-in version)*

*Sex Offender 30-Day Review Form (Fill-in version)*

Association for the Treatment of Sexual Abusers (ATSA) ([www.atsa.com](http://www.atsa.com))

Idaho Code, Title 18, Chapter 83, Section 18-8314, *Powers and Duties of the Sex Offender Management Board*

Idaho Code, Title 18, Chapter 83, Section 18-8329, *Adult Criminal Sex Offenders – Prohibited Access to School Children – Exceptions*

Interstate Commission for Adult Offender Supervision ([www.interstatecompact.org](http://www.interstatecompact.org))

Standard Operating Procedure [326.04.01.001](#), *DNA Collection Procedures*

Standard Operating Procedure [607.26.01.014](#), *Program Management for Inmates*

Standard Operating Procedure [701.04.02.001](#), *Probation and Parole Supervision Strategies*

Standard Operating Procedure [701.04.02.005](#), *Electronic Monitoring Program: Offender*

Standard Operating Procedure [701.04.02.017](#), *Termination of Probation or Parole Supervision*

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Standard Operating Procedure [701.04.02.018](#), *Warrants: The Use of Agent's, Bench, and Parole Commission*

Standard Operating Procedure [701.04.02.020](#), *Use of the Idaho Response Matrix*

Standard Operating Procedure [704.04.02.001](#), *Interstate Compact Agreement*

Standard Operating Procedure [704.04.02.002](#), *Intrastate Transfers*

State of Idaho, Idaho State Police ([www.isp.idaho.gov](http://www.isp.idaho.gov))

Static 99 Clearinghouse ([www.static99.org](http://www.static99.org))

Stable 2007

SOMB website: <https://somb.idaho.gov/>

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