


<p>Fifth Judicial District</p> <p>Department of Correctional Services</p> <p><b>Policy and Procedural Manual</b></p>		<p>Approval Date: 4-2-15</p> <p>Approved By:</p> <p>  Sally Kreemer, Director  Fifth Judicial District  Department of Correctional Services</p>
<p><b>Division:</b> Field Services</p> <p><b>Unit(s):</b> Probation and Parole Supervision Units</p>	<p><b>Subject: Absconded Cases</b></p>	<p><b>Effective Date:</b> 5-2-15</p> <p>Review Dates: 04/10  Revision Date: 1/15/15  Origination Date: 9-2-2005</p>

## POLICY

An offender is an absconder when their whereabouts are unknown and the offender has been unavailable for contact for 30 days without explanation or permission, and/or reliable information has been received indicating that the offender is taking flight or absconding. The supervising officer shall make efforts to reestablish contact with the offender and if those efforts fail, a warrant of arrest is secured.

## PROCEDURE

- A. An offender shall be considered an absconder when:
  1. The offender's whereabouts are unknown for 30 days without explanation or permission.
  2. The offender has missed two consecutive appointments without explanation or permission within 30 days.
  3. The supervising officer is unable to contact the offender via phone and/or US mail.
  4. The supervising officer has good reason to believe that the offender is no longer in the area by information received.
  5. In no case shall an offender be out of contact for more than 90 days with his/her supervising officer under standard supervision or greater.
- B. The supervising officer shall make reasonable efforts to reestablish contact with the offender, which may include, but is not limited to:
  1. Preparing a surveillance/warrant check for the Fugitive Unit to check the offender's last known address. Surveillance/warrant checks require supervisory approval.
    - a. The Fugitive unit will leave a message with the offender's cohabitants for the offender to contact his/her supervising officer within 24 hours.
    - b. The Fugitive Unit will attempt to obtain as much information as possible in regard to the offender's whereabouts from the offender's cohabitants.
    - c. If the offender is present, the Fugitive Unit will instruct the offender to contact the supervising officer within 24 hours
  2. Contact the offender's family, friends and any other contacts listed on the Statement of Probation.
  3. Contact the offender's defense attorney.
  4. Contact the offender's landlord, neighbors, and employer.

5. Check county jails to see if the offender is in custody.
  6. Mail the offender a letter to the last known address requesting an immediate face-to-face contact.
  7. Make welfare and service checks by local law enforcement officials.
  8. Document all attempts in Generic Notes.
- C. If an offender cannot be located after reasonable efforts have been attempted, the supervising officer shall secure a warrant:
1. Parole:
    - a. The supervising officer will complete a PPVI, Parole Violation Review and Arrest Warrant. The PPVI and arrest warrant are filed with the Clerk of Court in the county of authority (See Parole Violation policy).
    - b. Once the PPVI and Arrest Warrant are approved by the supervisor and Court. The supervising officer will forward the PPVI and warrant to the Iowa Department of Corrections Deputy Compact Administrator to place a wanted notice in NCIC.
  2. Probation:
    - a. The supervising officer will complete a Report of Violation and Arrest Warrant and file them with the Clerk of Court within the county of authority. (See Probation Violation policy).
    - b. The Sheriff's department will place a wanted notice in NCIC.
- D. The supervising officer will forward the warrant information packet to the Fugitive Unit. The warrant information packet shall include a completed absconder referral form.
- E. The Fugitive Unit will work with local law enforcement agencies in locating the absconded offender.
- F. If an offender surrenders and/or appears, with no new charges, after the warrant is issued, an evaluation should be made of his/her activities while absconded. If public safety is not at risk and if no criminal behavior is present, other than absconded, offenders may be restored to active supervision, with supervisory approval, by withdrawing the warrant. A probable cause hearing may be set, if deemed necessary, to address the violation through the Court/Iowa Board of Parole. If supervision is restored, the supervising officer must withdrawal the warrant by:
1. For parole offenders, the supervising officer, with supervisory approval, will complete a PPVI withdrawal form:
    - a. A Judge must sign the PPVI withdrawal.
    - b. The supervising officer will file the original signed PPVI withdrawal form with the Clerk of Court in the county of authority.
    - c. The supervising officer will forward a copy of the PPVI withdrawal form to the Iowa Department of Corrections Deputy Compact Administrator in order to remove the warrant from NCIC.
    - d. The supervising officer will forward a copy to the Fugitive Unit informing them of the PPVI/warrant withdrawal.
  2. For probation offenders, the supervising officer, with supervisory approval, will complete a warrant recall form:
    - a. A Judge must sign the warrant recall.
    - b. The supervising officer will file the original signed warrant recall form with the Clerk of Court in the county of authority.
    - c. The Sheriff's Department will remove the warrant from NCIC.

- d. The supervising officer will forward a copy of the Report of Violations/warrant withdrawal form to the Fugitive Unit.