

CLARKE COUNTY FAUQUIER COUNTY FREDERICK COUNTY CITY OF WINCHESTER	NORTHWESTERN REGIONAL ADULT DETENTION CENTER STANDARD OPERATING PROCEDURE		Bruce R. Conover SUPERINTENDENT
SOP NUMBER 12.01 Work Release	SOP TITLE: WORK RELEASE INTAKE SCREENING	EFFECTIVE DATE: 12/01/91	AMENDS (X) CANCELS () NEW ()

PURPOSE:

The purpose of this Standard Operating Procedure is to establish policy and procedure for screening and processing of inmates for Work Release at the Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center.

This Standard Operating Procedure consists of the following numbered sections:

- I.** Policy
- II.** Procedures
- III.** Cross Reference
- IV.** Forms
- V.** Responsible Division
- VI.** Revised 12/19/07
- VII.** Signatures

NRADC Regional Jail Standard Operating Procedures # 12.01

Subject: Work Release Intake Screening

I.

POLICY: It is the policy of the Regional Jail Authority that all sentenced inmates be screened and evaluated for assignment to the NRADC Community Corrections Work Release Program during the intake classification process or within 10 working days of formal sentencing.

II.

PROCEDURES:

1. Inmates Ordered Into Work Release By the Courts

- a.** The records of all inmates court-ordered into the work release program in accordance with VA Code Section 53.1-131 will be reviewed to ensure that the inmate has no record of escape or a Class I Misdemeanor conviction for leaving a designated work release site or other approved location without authority during the current term of incarceration. The Superintendent will be notified of any inmate statutorily ineligible for either reason and will then notify the appropriate court.
- b.** The records of court-ordered work release inmates will also be reviewed to determine if the inmate is pending other criminal charges in another jurisdiction. When a court-ordered inmate is pending charges in another jurisdiction, the Superintendent will be notified and he or his designee will notify the court where charges are pending that the inmate has been ordered into Work Release by another jurisdiction.
- c.** Inmates ordered into work release by the courts, other than those ineligible in accordance with 1a above, will be assigned to Work Release immediately following the formal review process.

2. All Other Sentenced Inmates: VA Code Section 53.1-131 provides that Sheriffs may authorize regional jail Superintendents to assign inmates to work release programs. When the Superintendent is delegated that authority, the following procedure applies:

- a.** All sentenced inmates who have not been court-ordered into work release (to include those designated as “work release eligible” by the court(s), will be screened for assignment to the program(Work Release and Community Inmate Workforce) within three (3) working days following sentencing and /or 60 days prior to their release date, for Work Release.

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- b. The Director of Work Release will review each such inmate's records and make a recommendation through the chain of command to the Superintendent regarding the inmate's disposition using a formal review process. The Superintendent is the approval authority inmate assignments to outside work programs.

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- Classified Maximum or Special Custody
 - An Escape or Attempt During the Current Incarceration
 - Un-sentenced or Pending Felony Charges
 - Being Held on an Active Detainer (Other Than a Federal Detainer w/Special Program Situations)
 - Sentenced to More than Two (2) years
 - History of Sex Offense(s)
 - Incarcerated for Violation(s) of Parole
 - Record of Escape, Felony Assault, or other Violent Crimes Within the Last Five (5) Years
 - Current Protective Order
 - History of Failure to Appear or Contempt Convictions in the Last Five (5) Years
 - Local Residence History of Less Than Five (5) Years
 - More Than One (1) Major Violation of Detention Center Rules During Current Incarceration
 - Medically Unfit as Dictated by the Jail's Physician
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- Any Pattern of Assaultive Behavior Over the Last Five (5) Years
 - Any Recent Pattern of Unemployment or Frequent Job Changes
 - Sentencing Court's Recommendation Regarding Work Release
 - Removal from a Community Corrections Program During Current Incarceration.

- c. In evaluating and recommending an inmate for Work release age, creed, gender, national origin, and /or race of the inmate are not considerations. The following factors however will be considered:

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- Any Pattern of Assaultive Behavior Over the Last Five (5) Years
 - Any Recent Pattern of Unemployment or Frequent Job Changes
 - Sentencing Court's Recommendation regarding Work Release
 - Removal from a Community Corrections Program during Current Incarceration.
 - Any pattern of failing to comply with court orders and/or instructions
- d. If the Superintendent approves an inmate's assignment to an outside program, the inmate will be reassigned to the Community Corrections Center.
- e. If approved for outside work or educational activities by the Superintendent, the Commander, community Corrections will assign the inmate to the Community Inmate Workforce or Work release Program as appropriate.
- f. The Superintendent or his designee will notify the sentencing court of all decisions to assign an inmate to outside details using the letter format at Tab A.
- g. Inmates ordered or approved for Work Release without jobs will have 15 days to find suitable employment. If not employed after 15 days and not assigned to the Community Inmate Workforce, the inmate will be returned to the general population. During the 15 days, they may be permitted to leave the grounds for job interviews when specifically approved by the Superintendent.

3. State Inmates

- a. Virginia Department of Corrections inmates are eligible for participation Work Release Program in accordance with Virginia Code Sections §53.1-131, and §53.1-60, as amended. These individuals must meet all work release criteria and will be governed by all regulations applying to local work release inmates.
- b. Department of Corrections inmates, who are declared eligible for Work Release by the state, may request to be transferred to participate in the Work Release Program. The Superintendent serves as the approval authority for such transfers.

4. **Federal Inmates.** Federal inmates are eligible to participate in the Work Release Program. These inmates are referred to the program from federal institutions by the U.S. Department of Justice Bureau of Prisons. The Superintendent has final authority in determining the acceptability of federal inmates. These inmates will be governed by all regulations applying to local work release inmates and will be governed in accordance with the Bureau of Prisons Statement of Work for Community Corrections Centers.

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5. **Work Release Processing.** Inmates directed into the outside work programs,, will receive a complete orientation within the first two (2) days of program participation. Work Release inmates without employment will be advised of the 15-day employment window described above. The following procedures will be followed:
- a. Obtain all the following information regarding the prospective inmate:
 - (1) initial intake information form
 - (2) case information from referral source (if available)
 - (3) case history/social history
 - (4) medical record (only on Federal inmates)
 - (5) individual plan or program
 - (6) signed release of information
 - (7) evaluation and progress reports (only on Federal inmates)
 - (8) current employment data
 - (9) signed acknowledgment of receipt of program rules and disciplinary policy
 - (10) documented legal authority to accept resident
 - (11) grievance and disciplinary record
 - (12) final discharge report (only on Federal inmates)
 - b. This information on the Inmate Information Data Form (attached). For local inmates, this information can be obtained from the inmate interview, the Detention Center Records Unit and the Medical Unit. For those inmates referred from other institutions or agencies, most of the necessary information will be forwarded from the referring entity. Criminal history information and driving record transcripts can be obtained from the Records Division. It should be noted that criminal history and driving record transcripts may not be removed from the facility. Use of this information is limited in accordance with VCIN/NCIC policies and rules.
 - c. Inmate provided information will be confirmed through investigation either by outside interview or telephone inquiry.
 - d. Classification and health screening must be complete prior to an inmate's Ensure that the classification and medical screening processes are complete.
 - e. If the Superintendent directs the transfer of an inmate to Work Release, the sentencing Judge must be notified in writing of the decision and must be provided with the inmate's place of employment (example attached). The Work Release Supervisor will forward the notification to the Superintendent for signature. The sentencing Judge may thereafter revoke the authority for the inmate to participate in the Work Release Program.

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- f. The employer will review and sign the Employer's Community Work Agreement (attached).
- g. If it is a local or state inmate, the Director, Work Release will send a memorandum to the Clerk of the sentencing Court requesting the outstanding balance of any Court costs, fines or restitution which may have been ordered in the case (example attached).
- h. All appropriate information will be entered into OMS.
- i. Each inmate approved for outside work will be subjected to urinalysis prior to permanent program assignment.
- j. A copy of admission criteria and pre-take procedure will be distributed to all referring agencies.
- k. All of the foregoing procedures will be completed before the inmate is released from the facility for the purpose of employment, education or rehabilitative programs.
- l. When receiving referrals from other institutions, the referring agency shall be notified in writing of the acceptance or denial. Additionally, inmates confined in other institutions shall, if accepted, be advised by mail of our rules and regulations. The notification of our rules and regulations shall be documented and contain the signature of the inmate.

IV.

CROSS REFERENCE:

S.O.P.: 12.02 - Orientation of Pre-Release Residents

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V.

FORMS:

Pre-Release Division - Participant Date (DC/WR01)
Employer's Community Work Agreement (DC/WR07)
SAMPLE COURT/Commonwealth Attorney Work Release Notification Letter

VI.

RESPONSIBLE DIVISION:

The Captain of Community Corrections is responsible for annual review and periodic revision of this policy.

VII.

REVISED:

December 19, 2007

VIII.

SIGNATURES:

ISSUED BY: Signature on File
Bruce R. Conover, Superintendent

05/11/10
Date

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**SAMPLE
COURT
WORK RELEASE
NOTIFICATION LETTER**

Date

The Honorable XXXXX
Sentencing Court

Dear Judge XXXXXX:

In accordance with Virginia Code Section '53.1-131, I have directed that Mr./Ms. XXXX X. XXXXX, now incarcerated at Northwestern Regional Adult Detention Center, be transferred into our Work Release Program effective (Month/Day/Year). Mr/Ms. XXXXX has obtained employment at XXXXXX.

Respectfully,

Bruce R. Conover