

CLARKE COUNTY FAUQUIER COUNTY FREDERICK COUNTY CITY OF WINCHESTER	NORTHWESTERN REGIONAL ADULT DETENTION CENTER STANDARD OPERATING PROCEDURE		James F. Whitley 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 Programs at the Northwestern 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 02/09/11
- VII.** Signatures

NRADC Regional Jail Standard Operating Procedures # 12.01
Subject: Work Release Intake Screening

I.

POLICY: It is Regional Jail policy that all sentenced inmates be screened and evaluated for assignment to the NRADC Community Corrections Work Release Program during the intake classification process and/or within 3 working days of formal sentencing.

II.

DEFINITION: For the purposes of this Standard Operating Procedure, the Work release Program consists traditional work release activity, the Detention Center's Community Inmate Workforce, and Educational Release.

PROCEDURES:

- a. The Records Section will immediately notify the Captain of Community Corrections and the Director of Work Release of all inmates court-ordered into the Work Release Program in accordance with VA Code Section 53.1-131.
- b. The Director of Work Release will immediately conduct a review of the inmate's criminal history and pending charges to ensure his/her eligibility IAW VA Code Section 53.1-131. The Superintendent will be immediately notified of any inmate who is statutorily ineligible or who is pending criminal charges in another jurisdiction.
- c. When a court-ordered inmate is statutorily ineligible or has pending charges in another jurisdiction, the Superintendent or designee will direct notification of the courts involved. In the absence of extraordinary circumstances, the Superintendent will direct that the ordering court be notified of the pending charges and that the individual will be reconsidered for work release upon resolution of the pending charges.
- d. Inmates court-ordered into work release other than those ineligible or pending other criminal charges will be assigned to Work Release immediately.

2. **All Other Sentenced Inmates.** IAW VA Code Section 53.1-131 the Sheriffs of the Jail Authority have delegated their authority to assign inmates to Work Release to the Jail Superintendent. In exercising that authority, the following procedures apply:

NRADC Regional Jail Standard Operating Procedures # 12.01
Subject: Work Release Intake Screening

- a. All inmates who have not been court-ordered into the Work Release Program, to include those designated as “Work Release Eligible” by the court(s), will be screened for assignment to the Work Release Program (Work Release and Community Inmate Workforce) within three (3) working days following sentencing and/or 60 days prior to their release date.
- b. The Director of Work Release will review each 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.
- c. The Superintendent is the approval authority for inmate assignments to outside work programs. Except as otherwise directed by the Superintendent under unusual circumstances, inmates serving under the following conditions will not be approved for Work Release:
 - Classified as Maximum or Special Custody
 - Un-sentenced or Pending Felony Charges
 - Being Held on an Active Detainer
 - Sentenced to More than Two (2) years
 - History of Sex Offense(s)
 - Incarcerated for Violation(s) of Parole
 - Record of Escape, Work Release Walk-Off, 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 the Current Incarceration
 - Medically Unfit as Dictated by the Jail’s Physician
 - Any pattern of failing to comply with court orders and/or instructions
 - Any Pattern of Assultive Behavior Over the Last Five (5) Years
 - Any Recent Pattern of Unemployment or Frequent Job Changes
 - Removal from a Community Corrections Program during the Current Incarceration.
- d. In evaluating and recommending an inmate for Work Release, age, creed, gender, national origin, and /or race of the inmate are not considerations.
- e. If the Superintendent approves an inmate’s assignment to a Work Release Program, the inmate will be reassigned to the Community Corrections Center.

NRADC Regional Jail Standard Operating Procedures # 12.01
Subject: Work Release Intake Screening

- f. The Superintendent will notify the sentencing court of all decisions to assign an inmate to the Work Release Program using a formatted letter.
- g. Inmates ordered or approved for Work Release without jobs will have 30 days to find suitable employment. If not employed after 30 days and not assigned to the Community Inmate Workforce, the inmate will be returned to the general population. An extension may be granted by the Commander of the Community Corrections Center for extenuating circumstances.
- h. Inmates may be permitted to leave the grounds to submit employment applications and for job interviews when specifically approved by the Commander of Community Corrections or the Director of Work Release.

3. **State Inmates.** Virginia Department of Corrections (VDOC) inmates are eligible for participation in the Work Release Program in accordance with Virginia Code Sections §53.1-131, and §53.1-60, as amended. These individuals must meet all local Work Release criteria and be approved for participation by the VDOC.

4. **Work Release Processing.** Inmates directed into Work Release will receive a complete orientation within the first two (2) days of their assignment. Staff performing the orientation will comply with the following procedures:

- a. Obtain and/or complete the following information and/or forms:
 - (1) initial intake information form
 - (2) case information from referral source (if available)
 - (3) case history/social history
 - (4) individual plan or program
 - (5) signed release of information
 - (6) current employment data
 - (7) signed acknowledgment of receipt of program rules and disciplinary policy
 - (8) documented legal authority to accept resident
 - (9) disciplinary record
- b. Pertinent information will be gathered on each inmate being accepted into the Work Release Program. Inmate provided information will be confirmed through investigation either by outside interview or telephone inquiry.
- c. Classification and health screening must be complete prior to an inmate's assignment to outside work activities.

NRADC Regional Jail Standard Operating Procedures # 12.01
Subject: Work Release Intake Screening

- d. 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 or his designee for signature. The sentencing Judge may thereafter revoke the authority for the inmate to participate in the Work Release Program.
- e. The employer will review and sign the Employer's Community Work Agreement.
- f. If a local or state inmate, the Detention Centers Records Section will determine from the sentencing Court the outstanding balance of any Court costs, fines or restitution which may have been ordered in the case and provide this information to the Director, Work Release. All appropriate information will be entered into OMS.
- g. If the inmate owes child support, a letter will be sent to the Division of Child Support Services advising them the individual is incarcerated and of his/her place of employment. The advisement will include a request for the Division to provide the amount owed for arrearages. Child Support will be deducted from the participant's non-garnished pay received by the inmate and forwarded to the Department of Child Enforcement until formal garnishment is ordered.
- h. Each inmate approved for Work Release will be subjected to urinalysis prior to permanent program assignment.
- i. 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.
- j. 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.

III.

CROSS REFERENCE:

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

NRADC Regional Jail Standard Operating Procedures # 12.01
Subject: Work Release Intake Screening

IV.

FORMS:

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

V.

RESPONSIBLE DIVISION:

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

VI.

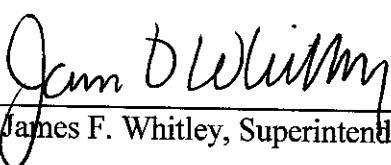
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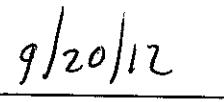
February 09, 2011

VII.

SIGNATURES:

ISSUED BY:


James F. Whitley, Superintendent


Date