Louisiana Department of Public Safety & Corrections

Corrections Services

Standard Operating Procedures for Transitional Work Programs

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Table of Contents

		Page Number
Chapter One	Mission Statement	1
Chapter Two	Basic Jail Guidelines/ACA Standards	2
Chapter Three	Recommendation/Eligibility for Transitional Work Programs	4
Chapter Four	Reporting	6
Chapter Five	Staff	10
Chapter Six	Food Services	12
Chapter Seven	Security	13
Chapter Eight	Personal Property	16
Chapter Nine	Alcohol and Drug Testing	19
Chapter Ten	Visitation	21
Chapter Eleven	Escorted Absences	22
Chapter Twelve	Employment	24
Chapter Thirteen	Transportation	29
Chapter Fourteen	Community Involvement	30
Chapter Fifteen	Recording Offender Activities	31
Chapter Sixteen	Conduct and Disciplinary Procedures	33
Chapter Seventeen	Offender Personal Funds	35
Chapter Eighteen	Health Care	44
Chapter Nineteen	Record Keeping	46
Chapter Twenty	DPS&C Monitoring Team	47
Chapter Twenty-One	Escapes and Apprehensions	50
Chapter Twenty-Two	Sexual Assault and Sexual Misconduct	51
Chapter Twenty-Three	Reentry	52
Chapter Twenty-Four	Workforce Development Transitional Work Programs	54
Appendix I	DPS&C/DSS Agreement Regarding Child Support	56
Appendix II	DPS&C/LSA Agreement	57

SOP Forms

Form B-02-001-SOP-3-1	"Offender Transitional Work Program Recommendation(s)"
Form C-01-022-E	"Standardized Case Report Format"
Form C-05-001-SOP-4-5	"Monthly Activity Report"
Form C-05-001-SOP-4-6	"Urine Screen for Substance Abuse"
Form C-05-001-SOP-4-7	"Security Search and Seizure Summary"
Form C-05-001-SOP-4-8	"Employer Summary"
Form C-05-001-SOP-4-9	"Offender Discharge Information"
Form C-05-001-SOP-4-10	"Program Activity Summary"
Form C-05-001-SOP-4-11	"Major Problems, Changes/Developments Offender Morale and Staff Morale"
Form C-05-001-SOP -4-12	"Facility Staffing"
Form C-05-001-SOP-4-13	"Offender Unemployment"
Form C-02-007-A	"Request for Alcohol/Drug Test"
Form A-04-002-SOP-12-1	"Offender Transitional Work Program Agreement Form"
Form A-04-002-SOP-12-2	"Employer's Transitional Work Program Agreement Form"
Form A-04-002-SOP-12-3	"Waiver of Extradition"
Form A-04-002-SOP-17-1	"Monthly Transitional Work Program Fiscal Reporting"

Referenced Department Regulations:

A-01-008	"Incident Management Center"
A-02-001	"Employee Manual"
A-02-008	"Drug Free Workplace"
B-02-001	"Assignment and Transfer of Offenders"
B-02-015	"Rehabilitative & Workforce Development Program"
B-03-004	"Access to and Release of Active and Inactive Offender Records"
B-08-004	"Volunteer Services Programs"
B-08-012	"Access to Computers and Certain Office Equipment by Offenders"
B-08-013	"Offender Reentry Program"
C-01-022	"Prison Rape Elimination Act"
C-02-003	"Searches of Offenders"

C-02-008	"Offender Visitation"
C-03-003	"Escorted Absences"
C-05-001	"Activity Reports/Unusual Occurrence Reports Operational Units"
C-05-003	"Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Jail Facilities"
C-07-001	"Probation and Parole Officers Manual"

INTRODUCTION

People are spending years, sometimes decades, cycling in and out of Louisiana probation and parole offices and prisons, seemingly unable to disengage from the criminal justice system. In Louisiana, the recidivism (return to prison) rate is approximately fifty percent after five years. Reducing the return-to-prison rate by even five percent, would result in significant dollar savings for the state and its citizens and, hopefully, an enhanced quality of life in communities across the state. The question of what happens to men and women when they leave prison has never been as urgent as it is today.

As the Louisiana Department of Public Safety & Corrections recognizes the effects of an offender's successful reentry on public safety and community well-being, reentry strategies have become essential to our mission. We are committed to working in partnership with the Louisiana Sheriffs' Association and local jail administrators to facilitate reentry preparation and transition. Individual successes become program successes. As a result, we are optimistic that recidivism will be reduced through our joint efforts.

Transitional Work Programs (also known as "Work Release") serve as a bridge between life in prison and life in the community, offenders in these transitional work programs focus on transition, re-connecting with family members and becoming productive members of the community. They learn and refine social and living skills, jobs skills – all while under supervision. The Transitional Work Program provides an opportunity for self-improvement, while assisting offenders in creating a safe and productive lifestyle that can be sustained upon release.

These Standard Operating Procedures for Transitional Offender Work Programs (SOP) is an extension of that resolve to better prepare offenders for the gradual reduction of supervision and increased responsibilities.

The Department is committed to the process of providing offenders the tools needed to succeed in transitional work programs and return to society. The positive support received from your agency to this process is fundamentally necessary, desirable and appreciated.

s/James M. Le Blanc
Secretary

The mission of Corrections Services is to enhance public safety through the safe and secure incarceration of offenders, effective probation/parole supervision and proven rehabilitative strategies that successfully reintegrate offenders into society, as well as to assist individuals and communities victimized by crime.

Goals and priorities are built around the Department's commitment to public safety and rehabilitation and serve to guide our performance in carrying out our mission. These goals and priorities include:

Staff and Offender Safety

We provide for the safety of staff and offenders by maintaining an organized and disciplined system of operations which enhance the stability of all programs. All employees are provided training on the principles of the Code of Ethics of the American Correctional Association to demonstrate our commitment to professional and compassionate service.

Provision of Basic Services

We provide basic services relating to adequate food, clothing and shelter. We are further committed to delivering cost effective, quality health care services that maintain basic health and quality mental health services to contribute to the offender's satisfactory prison adjustment, and to diminish public risk presented by offenders upon release.

Opportunity for Change

We promote moral rehabilitation through program participation and will provide an environment for offenders which enable positive behavior change. This will be accomplished by making or identifying educational and rehabilitative opportunities available within the institution, or in the community for offenders under supervision, who demonstrate motivation for change and the desire to participate in such programs.

Opportunity for Making Amends

Through the availability of opportunities for making restitution and participating in community restorative initiatives, offenders will be provided a mechanism to compensate individuals and communities harmed by crime.

Reentry

We are committed to developing partnerships throughout our communities to include victims, relevant groups, and public and private agencies. We recognize the importance of the role of the community, the victim and the offender in a successful criminal justice system. By using evidence-based practices, we will increase compliance with conditions of parole supervision and the ability of the offenders to reintegrate, which will result in safely reducing recidivism among Louisiana parolees and probationers.

Sheriff's transitional work programs that operate in accordance with La. R.S. 15:1111 shall comply with the Basic Jail Guidelines (BJG) established by the Louisiana Department of Public Safety and Corrections (DPS&C) in partnership with the Louisiana Sheriffs' Association (LSA).

Compliance with the BJG must be demonstrated in the operation of the facility. A file shall be maintained on each BJG which contains appropriate documentation to support that operations are in compliance with each of the BJG and applicable DPS&C Department Regulations as referenced throughout the Standard Operating Procedures for Offender Transitional Work Programs (SOP). Failure to demonstrate compliance may result in more frequent monitoring visits as stipulated in the Partnership Agreement of the BJG. For those transitional work programs operated within the local jail facility, maintaining a separate set of BJG files for the transitional work program shall be at the Sheriff's discretion. However, for those Sheriffs who contract with a third party for the management of the transitional work program, a separate set of files must be maintained.

Any privately managed transitional work program that operates under contract with the DPS&C shall maintain accreditation by the American Correctional Association (Standards for Adult Community Residential Services) with 100% compliance on all ACA mandatory standards, and at least 90% compliance with non-mandatory ACA standards. Should a facility fail to maintain ACA accreditation, the DPS&C contract may be amended until such time reaccreditation is achieved or the contract may be terminated according to the agreement of the contract. The contractor is responsible for maintenance of ACA files, and ensuring the files are updated with the appropriate documentation to support that operations are in compliance with the standards and applicable DPS&C Department Regulations as referenced throughout the SOP.

Any sheriff interested in contracting with a separate private management source for operation of a transitional work program must obtain prior approval from the Chief of Operations. Such a request must be made by the sheriff (not the proposed private management contractor). Act No. 151 of the 2009 Regular Legislative Session prohibits any facility that provides housing or temporary residence for offenders participating in transitional work programs from being located within one thousand feet of any school or child day care center. Planned or proposed expansions for Transitional Work Programs or jail facilities that house DPS&C offenders shall be submitted to the Secretary of DPS&C and the Executive Director of the LSA for consideration and approval by the Prison and Jails Committee.

Written policies and procedures that reflect compliance with the SOP as well as facility rules for offender behavior must be submitted to and approved by the Chief of Operations <u>prior to beginning operation or implementation</u>. Any proposed revisions to policies, procedures or facility rules must be submitted to the Chief of Operations for approval prior to implementation.

<u>Chapter 2 references</u>:

BJG V-B-006: Transitional Work Program/Standard Operating Procedures
BJG V-B-009: Approval for Transitional Work Programs
BJG V-B-010: Proposed Expansions
BJG VII-B-006: Organization
Department Regulation No. B-02-001, "Assignment and Transfers of Offenders"

<u>Chapter 2 ACA references:</u>

La. R.S. 15:1111
Department Regulation No. B-02-001, "Assignment and Transfer of Offenders"

1. When state offenders housed in local jail facilities are recommended for transitional work program, it shall be the responsibility of the local jail to ascertain suitability for the program based on the offenders disciplinary, medical and mental health history. Once recommended the Office of Adult Services shall be responsible to ascertain statutory and technical eligibility and suitability based upon the offender's criminal history and statutory and regulatory criteria. The offender must be eligible as outlined below. In addition, certification is required by the Sheriff or local jail administrator that all statutory requirements as outlined in La. R.S. 15:1111 will be adhered to. All recommendations for transitional work program shall be submitted to the Office of Adult Services on the standard Transitional Work Program Recommendation Form (Form 3-1).

2. A thorough review of an offender's record to determine his suitability for transitional work program participation is mandatory, regardless of the offender's sentence length. In addition, the following guidelines shall be adhered to during the screening process.

   a. Unless precluded by law or Department Regulation, an offender within three (3) years of his discharge date may be recommended for transitional work program. Those offenders who are within four (4) years of their discharge date and meet criteria established in Department Regulation may be recommended for the Southwest Transitional Work Program.

   b. Pursuant to the provisions of La. R.S. 15:1111 and/or Department Regulation No. B-02-001, Appendix III, unless eligible at an earlier date, an offender sentenced for any of the following crimes is eligible for transitional work program participation only during the last 6 months of his incarceration, except and unless the offender has served a minimum of 15 years in the custody of the Department; in which case the offender is eligible for transitional work program participation during the last 12 months of his period of incarceration:

      - aggravated arson (14:51)
      - armed robbery (14:64)
      - attempted murder (14:27 & 29)
      - attempted armed robbery (14:27 and 64)
      - Persons sentenced as habitual offenders under La R.S. 15:529.1

   c. Pursuant to Department Regulation No. B-02-001, Assignment and Transfer of Offenders, an offender convicted of a sex offense as defined in La. R.S. 15:541 is not suitable for participation in transitional work programs.

   d. Offenders with arrests or institutional records which reveal habitual or compulsive use of violence against persons should be considered as not suitable.

e. Offenders with illnesses must be stabilized on all prescribed medications to be eligible/suitable.

f. Offenders with a mental health disorder, but who are stable will be reviewed by the treating physician or designee to determine suitability for transitional work program placement.

g. Offenders found guilty by a court or institutional disciplinary board of escape or attempted escape within the last seven years are not eligible.

3. Offenders who have demonstrated an overt-aggressive pattern of homosexual behavior to the extent that it would disrupt the smooth daily operation of the program are not suitable;

4. Offenders whose institutional records reflect consistent signs of bad work habits, lack of cooperation or good faith, or other undesirable behavior are not eligible;

5. Any offender that has pending felony charges or felony detainers that may result in confinement upon release is not suitable.

6. Offenders who have refused to participate in reentry and/or pre-release preparation are not suitable.

Chapter 3 references:

BJG V-B-007: Participation in Transitional Work Programs
La. R.S. 15:1111, 15:529.1
Act No. 31 of the 2008 Regular Legislative Session
Department Regulation No. B-02-001, "Assignment and Transfer of Offenders"
Act No. 266 of the 2009 Regular Legislative Session

Chapter 3 ACA references:

Act No. 31 of the 2008 Regular Legislative Session
La. R.S. 15:1111, 15:529.1
Department Regulation No. B-02-001, "Assignment and Transfer of Offenders"
Act No. 266 of the 2009 Regular Legislative Session

1. Monthly Report
All transitional work program facilities shall complete a monthly report by the 10th day of each month pursuant to the provisions of Department Regulation No. C-05-001, "Activity Reports/Unusual Occurrence Reports Operational Units." The information required for the monthly report must be entered in the DPS&C electronic database located at the following web address: ***http://webmail.corrections.state.la.us/sopwrk.nsf***.

SOP Form	**Information Required**
4-5	Category A Incidents: • Escapes • Offender deaths (accidental or as a result of violence) • Staff deaths (while on duty) • Assaults (offender on offender, offender on staff) that result in life threatening injury • Other Category A incidents as described in Department Regulation C-05-001, Section 7.A.5. Category B Incidents: • Unauthorized offender absences • Offender deaths by natural causes • Assaults (offender on offender, offender on staff) with significant injury (A significant injury is any injury that requires urgent and immediate treatment and restricts the offender's usual activities for an extended period of six weeks or more under the care of a physician.) • Other Category B incidents as described in Department Regulation C-05-001, Section 8.A.8. Category C Incidents: • Sex offenses (offender on offender, offender on staff) • Assaults (offender on offender, offender on staff) with minor or no significant injury Disciplinary Summary Health Care Summary (number of emergency room visits, number of prescriptions issued during reporting month, TB test information).

4-6	Urine Screen for Substance Abuse
4-7	Security Search and Seizure Summary (Shakedown Report)
4-8	Employer Summary: • Each offender name, the offender's employer, occupation and hourly wages
4-9	Offender Discharge Information
4-10	Program Activity Summary: • Number of Offenders Admitted/Transferred to the program (from DOC and from the local jail) • Number of discharge packets received from DOC • Number of offenders returned to DOC/Reason for return • Number of transitional work program vacancies on the last day of the reporting month • Number of transitional work program participants on the last day of the reporting month • Number of visits to offender worksites, by transitional work program facility staff during the reporting month
4-11	Major Problems, Changes/Developments in Operations, Offender and Staff Morale
4-12	Facility Staffing
4-13	Offender Unemployment

2. Annual Reporting

Facilities are required to submit annual reports (by July 31 of each year) via U.S. Mail to the Chief of Operations and shall include the following information:

- Total number of offenders received and date employed
- Number of releases to parole supervision
- Number of full term releases
- Number of offenders returned to DPS&C and reason for returns
- Most recent copies of Fire Marshal and Health Department reports along with appropriate corrective measures taken concerning citations
- Any proposed new construction or anticipated proposal for an increase in transitional work program bed capacity
- Information particular to services and programs available to participants
- A narrative analysis of progress, goals, accomplishments or achievements by the facility, staff, or volunteers

3. Monthly Fiscal Reporting to the Chief of Operations (via U.S. Mail due by 25th of the following month)

   a. The end of month account balance in the Transitional Work Program Offender Trust Account after bank reconciliation;
   b. A copy of the end of month bank reconciliation, including a copy of the bank statement and copies of supporting documentation of the reconciliation to the end of month Offender Funds Account balance;
   c. A listing of each offender's end of month account balance, including both negative and positive account balances. The total of all positive offender accounts should agree with the account balance in item a above, less any other cash in the account such as interest earnings or funds due to the Sheriff/Contractor for approved deductions remaining in the account (such as interest earnings or funds due to the Sheriff/Contractor for approved deductions). Any difference shall be explained in detail on SOP Form 17-1, and may include, but is not limited to:
   - Negative DPS&C Offender balances (to be re-paid from the operating account)
   - Participation fees (to be transferred to the operating account)
   - Amounts owed to vendors
   - Outstanding deposits (monies posted to offender accounts but not yet deposited in bank);
   d. A completed and signed "Monthly Fiscal Reporting Form", (Form 17-1).

4. Incident Reporting

   a. Activities as outlined in Department Regulation No. C-05-001, "Activity Reports, Unusual Occurrence Reports", Category A, B and C.
   b. Escapes and apprehensions are to be reported in accordance with Chapter 21, "Escapes and Apprehensions".

5. Emergencies

   Corrections Services conducts its incident management operations (emergency operations) from the Incident Management Center (IMC) which is located at Corrections Headquarters, 504 Mayflower St. Baton Rouge, LA 70802. Provided below is the contact information for the IMC during periods of activation as well as for the Incident Management Director for those inactive periods.

   INCIDENT MANAGEMENT CENTER (IMC) – contact information
   - Primary 800-317-3117
   - Secondary 225-219-0355, 219-0356, 219-0357
   - Fax Primary 225-219-0359
   - Secondary FAX 225-219-0493
   - E-Mail: Primary: hq_command@corrections.state.la.us (hq "underscore" command@)
   - Back-up: hq_command@brcoxmail.com (hq "underscore" command@)
   - 700 Radio Call IMC for channel coordination

INCIDENT MANAGEMENT CENTER CONTACTS

Eric Sivula, Director
Office: 225-342-1178
Cell: 225-933-0313
Fax: 225-219-0493
E-mail: esivula@corrections.state.la.us

Ronald Moore, Assistant Director
Office: 225-342-4399
Cell: 985-514-0618
Fax: 225-219-0493
ronaldmoore@corrections.state.la.us

6. Transfers

Prior notice shall be made to the Office of Adult Services when transferring any transitional work program offenders to another local jail facility.

Chapter 4 references:

BJG I-C-001: Emergency Plan
BJG II-A-009: Reception – Legal Commitment and Medical Service
BJG IV-C-015: Offender Deaths
Department Regulation No. A-01-008, "Incident Management Center"
Department Regulation No. C-05-001, "Activity Reports/Unusual Occurrence Reports"

Chapter 4 ACA references:

ACRS 7D-01: Established measurable goals and objectives
Department Regulation No. A-01-008, "Incident Management Center"
Department Regulation No. C-05-001 "Activity Reports/Unusual Occurrence Reports"

Standard of Conduct for Employees of Transitional Work Programs:

1. Employees are expected to conduct themselves in a manner that will not bring discredit upon their facility or the DPS&C;

2. Each employee is to be furnished with written notice of facility rules, policies and procedures. The facility may use the DPS&C manual or an acceptable alternative that has been approved by the Chief of Operations.

3. The facility will provide adequate security staff 24 hours a day to control the movement and location, at all times, of all offenders assigned to the facility, in accordance with BJG II-A-003 (or ACA standards for ACA accredited facilities).

4. There shall be a method of staff identification to be readily identified by DPS&C personnel or visitors through utilization of name tags, identification cards, etc.

5. There should be written job descriptions and job qualifications for all positions in the facility. Qualifications should reflect the level of responsibility of the position.

6. Facility policies and procedures shall establish guidelines for employee drug/alcohol testing which includes at a minimum pre-employment testing; post-accident, reasonable suspicion/probable cause, and a random sample completed quarterly of at least 5% of the facility's employees who have direct responsibility for the supervision of TWP offenders.

7. All full-time employees shall receive initial orientation training during the first week of employment and must participate in training and educational activities on an annual basis in accordance with BJG (or ACA standards for ACA accredited facilities). Training documentation must be maintained for each employee.

8. Felons or ex-felons shall not be employed by a Transitional Work Program without express written consent from the Chief of Operations.

Chapter 5 references:

BJG II-A-001: Control
BJG II-A-002: Secure Perimeter
BJG II-A-003: Sufficient Staff
BJG II-A -017: Drug Free Workplace
BJG VII-A-001: Training and Staff Development

Chapter 5 ACA references:

ACRS 2A-03: Staffing requirements
ACRS 7C-01: Staff acknowledges that they have reviewed facility work rules, ethics, regulations, conditions of employment and related documents.
ACRS 7B-02: All professional staff complies with applicable state and federal

licensure, certification, or registration requirements. Verification of current credentials and job descriptions are on file in the facility.
ACRS 7B-05: Criminal record check conducted on all new employees and volunteers in accordance with state and federal statutes.
ACRS 7B-10 to 7B-19: Staff training
Department Regulation No. A-02-001 "Employee Manual"

1. Meals

Food Service shall be addressed in accordance with applicable BJG or ACA standards. The facility shall provide sanitary facilities for the storage of all foods that comply with applicable state and/or federal guidelines. Toilet and hand basin facilities should also be made readily available to food service personnel.

The facility's dietary allowances are reviewed at least annually by a qualified nutritionist or dietician to ensure national recommended dietary allowances for basic nutrition are met. These menus are also evaluated at least quarterly by food service supervisory staff to verify adherence to the established basic daily servings. Food service staff shall be required to maintain accurate records of all meals served.

The facility is required to serve three meals (including 2 hot meals) per 24 hour period at regular meal times, with no more than 14 hours between the evening and breakfast meals. When an offender's work keeps him away from the facility at mealtime, bag lunches shall be available upon request by the offender. This meal is to be prepared on the date it is to be eaten. Additionally, in the event an offender is held over on his or her job, a meal should be made available upon the offender's return to the facility. The denial of food as a disciplinary measure is strictly prohibited.

2. Therapeutic / Special Diets

The facility will provide therapeutic and/or special diets based on medical reasons as prescribed by appropriate medical or dental personnel. Additionally, reasonable diets will be provided based on religious reasons; i.e. Muslim diets are characterized by having no pork or pork products.

Chapter 6 references:

BJG IV-A-001: Food Storage Facilities
BJG IV-A-002: Food Service Facilities
BJG IV-A-003: Food/Dietary Allowances
BJG IV-A-004: Records of Meals Served
BJG IV-A-005: Denial of Food as Discipline Prohibited
BJG IV-A-006: Food Service Management
BJG IV-A-007: Therapeutic/Special Diets

Chapter 6 ACA references:

ACRS 4A-01 to 4A-07: Food
ACRS: Special diets
ACRS 4A-03: Religious

1. A current master list shall be maintained at all times of all offenders assigned to the facility. This list is to be updated immediately whenever the facility receives, releases, or removes an offender from the facility.

2. There are levels of security at the facility that must be adhered to and include, but are not limited to:

   - Physical security of the offenders assures that all offenders are accounted for at all times.
   - The facility itself shall remain secured 24 hours a day in such a manner that no person can enter or exit the facility without the knowledge of the on duty staff.
   - When a count is conducted and it is found that an offender who is not physically present in the facility, has not signed out on the offender log in accordance with the appropriate procedure or has signed out but has failed to return to the facility on time in accordance with appropriate procedures, the facility shall take immediate action to locate the offender.
   - If the offender cannot be located <u>within 30 minutes</u>, the facility shall notify DPS&C personnel at Hunt Correctional Center (1-800-842-4399) which has 24 hour on-call staffing (see Chapter 21, "Escapes and Apprehensions").
   - For ACA accredited facilities, if the offender cannot be located <u>within 30 minutes</u>, Probation and Parole District personnel must be advised immediately and an escape report must be filed with the appropriate law enforcement agency and a warrant requested. The facility shall also notify DPS&C personnel at Hunt Correctional Center (1-800-842-4399) which has 24 hour on-call staffing (see Chapter 21, "Escapes and Apprehensions").

3. A log book shall be maintained to monitor all offender movements to include:

   - Offender's name
   - Destination
   - Phone number at destination
   - Address of destination
   - Time out, anticipated time of return, actual time of return
   - Initials of the appropriate staff member charged with monitoring the log book

   See also Chapter 15, "Recording Offender Activities"

4. Facility staff shall ensure that offender work schedules are verified prior to the offender signing out for work. Any variances to the work schedule (i.e. working overtime, change in hours) must be reported to the facility by the employer.

5. All log books and other documentation required by the SOP shall be monitored by the BJG team leader assigned responsibility for monitoring the transitional work program facility.

6. A thorough search (shakedown) should be conducted a minimum of once a

month. The results will be summarized in the daily log by the facility and included on Form 4-7 on the monthly C-05-001 report. At unannounced intervals, the DPS&C Chief of Operations may coordinate with staff at state prisons/facilities and/or Probation and Parole to conduct shakedowns. For ACA accredited facilities, local Probation and Parole personnel may conduct a shakedown at any time.

7. The sheriff may request assistance with conducting a shakedown of the facility through the Chief of Operations. Such searches/shakedowns conducted by DPS&C staff will be conducted in accordance with Department Regulation No. C-02-003, "Searches of Offenders."

8 With the understanding that security and safety are the responsibility of both the DPS&C staff and facility staff, shakedowns of the facility will be conducted within the following general guidelines:

   a. Upon arrival, DPS&C staff will promptly identify themselves and take control of the offenders present at the facility. Normally, all offenders will be moved to a central location and secured until individual searches are conducted.
   b. All searches will be conducted within the provisions of DPS&C Department Regulation No. C-02-003, "Searches of Offenders."
   c. Facility staff will be expected to have keys or access to combination for all locks to provide ready access to any enclosure on the premises.
   d. It shall be the responsibility of the leader of the search team to ensure that property loss or damage is kept to a minimum. An exit interview will be conducted, if feasible, with the senior facility staff to discuss finding and recommendations.
   e. When the search of the offenders and facility is complete, control of the offenders will be returned to the facility staff.
   f. It is the expectation that the DPS&C and facility staff will work in a cooperative manner to accomplish the intended public safety and security goals.
   g. The facility shall maintain an adequate supply of flex cuffs on site to accommodate the total population should the need arise.

9. If contraband is discovered, facility staff shall take immediate steps to secure the evidence. If possession of the contraband involves illegal activity, such as the possession of controlled dangerous substances, staff shall contact the appropriate officials for consideration of prosecution and advise the Chief of Operations of this action.

10. Random pat searches shall be conducted in such a manner so as to discourage the introduction of contraband into the facility. All such searches shall be entered on the daily log.

11. Random alcohol tests shall be administered, by a trained staff member, daily as each offender returns to the transitional work program facility. All alcohol tests shall be entered on the daily log. (see Chapter 9, "Alcohol and Drug Testing").

12. Upon an offender's entering or returning to the facility, a staff member will inspect all packages that the offender has in his possession, including laundry bags, lunch boxes, ice chests, etc.

Chapter 7 references:

BJG I-C-001: Emergency Plan
BJG II-A-003: Sufficient Staff
BJG II-A-007: Counts
BJG II-C-001: Procedures for Searches
Department Regulation No. C-02-003, "Searches of Offenders"

Chapter 7 ACA references:

ACRS 2A-04: Staff
ACRS 2A-11: System of accountability of offenders, three counts daily
ACRS 2C-04 to 2C-06: Searches of offenders when reason to do so, in private by health care personnel, and of the same sex in strip searches.
Department Regulation No. C-02-003, "Searches of Offenders"
Department Regulation No. C-03-007, "Disposal of Property/Contraband"
Conditions of Work Release, P&P's Agent Manual, Chapter 3

Upon transfer from a DPS&C facility to a transitional work program, offenders are provided (by DPS&C) with a release package of information which contains at least two forms of identification. (Should an offender arrive at the transitional work program facility without this release packet, the Chief of Operations shall be notified.) These documents should be placed in a secure area in an envelope marked "IDENTIFICATION INFORMATION – DO NOT DESTROY". This release packet, including identification, shall be updated as necessary and provided to the offender upon release (see also Chapter 23, Reentry).

If an offender is removed from the transitional work program and transferred to a DPS&C or local jail facility, the release packet shall be included with the offender's personal property.

1. Personal items in the offender's possession while assigned to a transitional work program should only be those determined by the facility similar to DPS&C Department Regulation No. C-03-007 "Offender Personal Property Lists, State Issued Items, Procedures for the Reception, Transfer and Disposal of Offender Personal Belongings" in addition to the following:

    - Suitable "street clothing" sufficient to fulfill work obligations.
    - Cash money not to exceed $50.00 may be allowed.
    - If offenders are prohibited from possessing cash, the facility shall ensure that the offender is provided with a means to obtain adequate nourishment (food, water) while on the job.

2. Offenders shall not possess any items which could be determined to be detrimental to the security of the facility. Offenders found to be in possession of unauthorized items are subject to disciplinary action and confiscation of the item. Items prohibited include, but are not limited to:

    - MP3 player
    - Portable DVD player
    - Camera
    - Flammable, toxic, or caustic items
    - Tools (work tools are allowed, but must be properly stored and secured by the facility when not in use)
    - Razor/razor blades or straight razor (disposal razors may be allowed)
    - Knives
    - Glass or ceramic containers
    - Sexually explicit/illicit material – Any book, pamphlet, magazine, or printed matter however reproduced, which contains any picture, photograph, drawing or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, sadomasochistic abuse, bestiality or homosexuality. Explicit sexual material also includes that which contains detailed verbal descriptions or narrative accounts of deviant sexual behavior. (A publication should not be prohibited solely because it contains pictorial nudity that has a medical, educational or anthropological

purpose.) Any publication that contains depictions of nudity or sexually explicit conduct on a routine or regular basis or promotes itself based on such depictions in the case of individual one-time issues. A publication should not be prohibited solely because it contains pictorial nudity that has a medical, educational, or anthropological purpose.

3. No electronic communications devices (including, but not limited to cellphones, smartphones/blackberries, etc.) are permitted. Extraordinary circumstances requiring use of a cell phone in the course of employment must be approved by the Chief of Operations on a case by case basis. Requests for such approval must be submitted to the Chief of Operations in writing with detailed justification of the need.

4. All personal items should fit into assigned storage locker(s).

5. Hobby craft items are limited to only those items approved by the facility director. The facility must ensure that tools are secured and inventoried in accordance with appropriate BJG (or ACA Standards for ACA accredited facilities).

6. No personal computer equipment (includes, but is not limited to desktop/notebook/laptop computers, data communications equipment, personal digital assistants, removable media storage devices [thumb/flash drives], and other devices by which electronic data can be stored and/or removed from computer equipment or information systems) shall be permitted by an offender while in the facility. This includes employer owned computer equipment.

    a. Prior approval must be obtained from the Chief of Operations, on a case by case basis, for access to a computer or computer equipment for offenders whose employer may require the use of such personally owned equipment in the scope and course of the offender's job as a condition of employment.

    b. Such need must be verified as a legitimate business need by the employer, citing specific and detailed justification to support the need. The employer must indicate if other non-offender employees in similar jobs in the employer's employ are required to provide their own computer/computer equipment as a condition of employment.

    c. In such cases that may be approved by the Chief of Operations, the computer/computer equipment must be secured by the facility during the offender's off-duty hours so that no offender may have access. The facility shall maintain detailed information on the equipment (i.e., serial number operating system, software installed, etc.).

    d. The offender shall be required to check the computer/computer equipment out immediately prior to departing the facility for work detail, and shall be required to check the computer in immediately upon returning to the transitional work facility at the end of the work day.

7. Any request received from offenders prior to release for major purchases, i.e. vehicles, etc. should be reviewed by the facility Warden and given a disposition. If approved, the initial request along with the Warden's disposition shall then be submitted to the Chief of Operations for final approval. Support documentation of the offender's account balance, verification of major purchase cost and projected release date should be included with the request to the Chief of Operations.

Chapter 8 references:

Department Regulation No. C-03-007, "Offender Personal Property Lists, State Issued Items, Procedures for the Reception, Transfer and Disposal of Offender Personal Belongings"

Department Regulation No. B-08-012, "Access to Computers and Certain Office Equipment by Offenders"

Chapter 8 ACA references:

ACRS 2C-01 to 2C-03: Contraband

Department Regulation No. C-03-007, "Offender Personal Property List, State Issued Items, Procedures for the Reception, Transfer, and Disposal of Offender Personal Belongings"

1. Alcohol/drug testing shall be conducted daily, randomly, and for probable cause in accordance with facility policy.

2. Costs associated with testing shall be the responsibility of the facility. However, restitution in the amount of the actual cost of the drug testing may be obtained from the offender when the test results are positive and after a finding of guilt by a Disciplinary Board following a full (due process) hearing.

3. Urinalysis and breathalyzer of offenders shall be conducted in such a manner so as to ensure that:

    a. Each offender is to be tested for the presence of illicit substances in their system within 72 hours of their arrival at the facility/program and tested at least once every 90 days thereafter.

    b. In addition, random drug testing will be conducted monthly on a minimum of 5% of the transitional work program offender population. To keep costs down, the 5% may include those offenders who are being tested within the month to meet the 90 day requirement as stipulated in 3.a. above.

    c. When a facility staff member or any DPS&C representative has a reasonable suspicion or indication that an offender is intoxicated or under the influence of drugs or alcohol; when an offender is found to be in possession of suspected illicit drugs or alcohol, or when suspected illicit drugs or alcohol are detected or found in the offender's area of immediate control; when an offender is observed to be in possession of, or using what appears to be illicit drugs or alcohol, but staff are unable to obtain a sample; or when medical staff feel that the offender may be under the influence of drugs or alcohol or otherwise feel a drug/alcohol testing is medically appropriate a test shall be conducted.

    d. All testing shall be documented in the daily log; however, in the case of confidential information, the names of the informer(s) shall not be committed to writing. The documentation should only indicate the staff member who received the information, the nature of the information, the offender on whom the information was received, and the specifics of the testing (date, time, place, results, etc.)

    e. Positive drug/alcohol screens are written up under Rule #1, Contraband, as outlined in the Disciplinary Rules and Procedures for Adult Offenders and the offender will be immediately transferred out of transitional work program to the secure custody of the local jail facility until such time as arrangements can be made to transfer the offender to DPS&C custody. If an offender refuses to be tested, he/she is to be informed that such refusal will be deemed a positive reading and will result in a charge of Contraband being lodged against the offender with appropriate disciplinary sanctions.

If an offender is unable to provide a urine specimen, he/she shall be detained until he/she is able to provide a urine specimen. (An offender unable to provide a urine specimen within three hours of being ordered to do so may be considered to be refusing to submit a specimen. Such refusal will be deemed a positive reading and the offender will be charged with Contraband).

f. Facility policy must require that a corroborative test be completed by a different trained staff member utilizing an alternative test, (i.e. offender tests positive for marijuana using a test cup drug screen, then the confirmatory test should be done using another approved test such as THC test stick, etc.) and the original urine sample must be used. The "Request for Alcohol/Drug Test", (Form C-02-007 A) must be submitted to DPS&C with any subsequent Disciplinary Report outlining a violation of drugs and/or alcohol usage.

g. When an offender is tested for drugs or alcohol, whether the offender's test results are positive or negative for illicit drugs or alcohol, the facility should make certain the staff complete the form entitled "Request for Alcohol/Drug Test".

h. A copy of the test results shall be maintained in the offender's file. (This documentation should be signed by the staff member conducting the test). Once the copy is made and filed, the used instrument may be discarded.

i. The staff member(s) conducting the test shall be trained in the proper procedure for conducting the test, and shall follow that procedure in every instance.

j. The results of drug and alcohol testing will be reported monthly in the C-05-001 report. (Form 4-6)

Chapter 9 references:

BJG II-A-018: Offender Drug Testing
Department Regulation No. B-05-001, "Disciplinary Rules and Procedures for Adult Offenders"
Department Regulation No. C-02-007, "Offender Drug and Alcohol Testing Program"
Department Regulation No. C-5-001, "Activity Reports/Unusual Occurrence Reports"

Chapter 9 ACA references:

ACRS 5A-09: Urine Surveillance Program
Department Regulation No. B-05-001, "Disciplinary Rules and Procedures for Adult Offenders"
Department Regulation No. C-02-007, "Offender Drug and Alcohol Testing Program"
Department Regulation No. C-5-001, "Activity Reports/Unusual Occurrence Reports"

1. Any approved visitor list previously approved while an offender was housed at a DPS&C facility shall be forwarded to the transitional work program facility when the offender is transferred and such lists should be utilized by the transitional work program facility to allow for visitation.

2. Each facility shall establish a policy on admission and control of visitors and shall develop guidelines concerning visiting hours and disposition of unauthorized visitors. This policy shall be in accordance with BJG V-B-002 governing visitation. (For ACA facilities, this policy shall be consistent with the provisions of Department of Public Safety & Corrections Regulation No. C-02-008 "Offender Visitation"). Copies of the approved visitor's list are subject to approval by DPS&C staff.

3. Visitation should not be allowed while on the job except by DPS&C staff or transitional work program facility staff while at work.

4. Loss of visiting privileges cannot be used as a disciplinary penalty unless the rule violation is directly related to visiting.

Chapter 10 references:

BJG V-B-002: Visiting
Department Regulation No. C-02-008, "Offender Visitation"

Chapter 10 ACA references:

ACRS 5A-16: Visitation
Department Regulation No. C-02-008, "Offender Visitation"

1. The term "escorted absence" applies to occasions when offenders may be taken off of the facility grounds under conditions where continuous supervision is maintained at all times. This includes, but is not limited to funerals of immediate family members, hospital visits with dying family members (Immediate family members only, as specified in #3 below), special events, field trips, religious services and musical group performances.

2. All escorted absences must be approved by the transitional work program administrator in accordance with Department Regulation No. C-03-003, "Escorted Absences". Offenders approved for an escorted absence must be supervised at all times by an employee of the facility who assumes full responsibility for the offender during the absence. The facility administrator is responsible for the supervised transportation of the offender to and from escorted absences, and for supervising their presence at the activity.

3. The facility may transport offenders to visit dying family members (verified spouse, children, mother, father, or siblings). The offender may choose to visit prior to the family member's demise or attend the funeral. It is up to the facility to verify, through the attending physician, that death is imminent. ~~(~~If an offender has adequate funds available in his account the offender may be assessed a fee of $25.00 to defray the cost of the funeral trip or bedside visit with dying family members~~.)~~

4. Absences which are necessary to provide proper health care, such as doctor's appointments, or that have specific value in the re-socialization and/or rehabilitation of the offender, such as substance abuse treatment or educational programs shall be under supervised escort. *(Note: college class attendance on any school campus must be in accordance with Department Regulation and state statutes and approved by the Chief of Operations.)*

5. Security and transportation for such activities will be provided by the facility in compliance with these Standard Operating Procedures.

6. Transportation may be provided by the sponsor for such activities as AA/NA meetings, church, and etc. Sponsors must be approved by the transitional work program administrator and the Chief of Operations. The facility is responsible for making periodic checks on offenders attending such programs.

7. The above described procedures must be strictly adhered to. The only instance an offender is approved to leave the facility is for legitimate employment purposes or approved escorted absence. Other than for employment, unless the offender is discharging by parole or full-term release, under no circumstances should an offender be allowed for any purpose to leave the facility unescorted.

Chapter 11 references:

BJG I-B-001: Offender Transport
BJG II-A-007: Counts
Department Regulation No. C-03-003, "Escorted Absences"

Chapter 11 ACA references:

ACRS 5A-13: Transition to the community
Department Regulation No. C-03-003, "Escorted Absences"

1. There need be no general restriction on the types of transitional work program jobs for which offenders may be considered, except as noted in 2.a. below. Each job offer must be investigated by facility staff to determine if it is bona fide and consistent with program policies. The expectation is that the job selected will be that which best fulfills the purpose of transitional work program. Employment placement shall be matched to jobs that are related to the offender's prior training and/or work experience and that are suitable for continued transitional work program employment. Every effort should be made to provide offenders jobs that correlate to the offender's long term career objectives. The facility shall ensure that offenders are receiving comparable wages as those non-offender co-workers who are performing the same or similar "duties". In no case shall an offender participating in a transitional work program be authorized or permitted to work or to continue to work on a project or job involved in a labor dispute.

2. All employment plans must be consistent with state statutes and only at legitimate businesses which provide a W-2 Form for all wages earned and income taxes withheld from gross wages. Therefore, job placement would exclude employment for which income tax is not withheld (i.e. housekeeping for private individuals, certain contract jobs) or working for immediate family members of facility staff or offenders. Concern for public safety shall guide employment decisions at all times.

   a. Specific restrictions for job placement: No offender is to work for or on the premises of a school, day care facility, or other business or agency whose primary objective is in the service of juveniles, or who provide housing, care and/or treatment of juveniles. Offenders should not be employed in a bar/lounge/tavern as a bartender, waiter or janitor.

3. Every reasonable effort will be made by the facility to provide offenders with the highest paying job possible. ***Offenders must be placed in a job with an hourly rate of not less than .50 cents per hour above the federal minimum wage***. (The Chief of Operations may approve an exception to this wage earnings requirement on a case by case basis.) Within reason, convenience of job location, as it pertains to the facility providing transportation, should not be a deciding factor as to where offenders are employed. Offenders must be placed in jobs for which they are skilled or certified. Full-time employment is considered to be 32 hours per week and employed by a single employer. In addition to full-time employment, an offender may have part-time employment by a separate employer provided such part-time employment meets standards set forth in this chapter.

4. Department Regulation No. B-08-013, "Offender Reentry Program", requires DPS&C to furnish offenders with a "Release Packet" which includes, at a minimum, the following:

   - All available forms of identification
   - Job skills resume or standard employment application which includes at a

minimum:

1. Offender's name
2. Date of birth
3. Program completion(s)
4. Work experience while incarcerated

- Copies of educational and/or vocational program certificates earned while incarcerated
- Community resource materials, and
- Relevant community referrals
- Medical Record Transfer summary (which will include TB test results)

The information contained in the "Release Packet" should be utilized by the facility's job coordinator as a resource for appropriate job placement based on level of experience and training. The information shall be maintained in the offender's file and returned to the offender upon discharge. The facility will be responsible for maintaining liaison with sources of information on available jobs and with potential employers, and will provide transportation for job interviews.

Note: If the facility does not receive a release packet as referenced herein, the facility must notify the Transition Specialist at the DPS&C institution at which the offender was last housed within (3) days of the offender's arrival at the transitional work program facility. Tracking of these release packets is included in the monthly activity data report (see Chapter 4, "Reporting.")

5. All offenders are required to sign the standard "Transitional Work Program Agreement Form" (Form 12-1). The original signed form shall be kept in the offender's file for the duration of the offender's stay in the transitional work program.

6. All employers must sign an "Employer's Transitional Work Program Agreement Form" (Form 12-2) which indicates the terms and rules of an offender's employment, prior to any offender reporting to work for the employer. The facility must explain the requirement contained in the "Employers Transitional Work Program Agreement Form" to all approved employers. A copy of the employer's signed form shall be maintained in each offender's file for the duration of the offender's stay in the transitional work program and updated as needed. The original should be maintained in a separate file by the facility's job coordinator. The employer agrees to report any attendance irregularities to the facility immediately and record same.

7. The employer must agree to provide a work situation where he or one of his non-offender employees, preferably a supervisor, will be present with the offender or at the work site at all times. However, there may be a reasonable time defined as 45 minutes allowed before work (when the offender is dropped off) and after work (when the offender is picked up) that he may be unsupervised (see also Chapter 13, "Transportation").

8. Employment that does not provide for proper supervision of the offender and/or is deemed unsuitable by DPS&C personnel will be terminated and must be reported in Monthly Summary of Changes/Developments in Operations (Form 4-

11).

9. The employer's responsibility to provide proper supervision for the offender extends from the time the employer receives the offender from facility personnel, either by picking him up at the facility or by having facility personnel transport the offender to the employer, and terminates when he releases the offender back into the custody of facility personnel. The ideal situation is for no offender to be unsupervised during the transportation process to or from an employment location, with the exception of public transportation as noted in Chapter 13, "Transportation".

10. Should the occasion arise and an offender is not picked up in a reasonable period of time, it must be noted on the transportation log with the reason why the situation occurred. The transportation log will be monitored by the BJG Team Leader assigned responsibility for monitoring the transitional work program facility (see also Chapter 13, "Transportation").

11. The facility is required to keep a list, which is updated weekly, of every employer who provides work for offenders assigned to that facility. This list shall include but not be limited to the name and address of the employer, a brief description of the nature of the business, relevant telephone number(s), and whether or not work is performed at a stationary location or if the offender will be required to move during the course of the day.

12. If the offender's estimated time of return changes for any reason, this change must be verified by facility staff with the employer and noted in the daily log. Offenders should not be allowed to remain at job sites during their time off (i.e. offshore workers remaining on the boats).

13. For ACA accredited facilities, any exception to the employment of offenders that is justifiable, legitimate must be approved in writing by Probation & Parole personnel.

14. Offenders should not be employed in a bar, lounge or tavern as a bartender, waiter or janitor. Offenders should not be placed in management or supervisory positions. However, if a legitimate need exists, the facility must obtain approval for such placement from the Chief of Operations. Employment in a hotel, motel or restaurant where a lounge is a part of the establishment may be acceptable if the employment is considered appropriate by the facility. However, common sense and logic must prevail. At all times, concern for public safety shall guide the decision. See also Nos. 2 and 2.a. of this chapter for more information on job placement restrictions.

15. Offenders assigned to offshore jobs must return to the transitional work program facility on their days off.

16. Prior approval shall be obtained from the Chief of Operations for job placement for offenders whose employment requires that the offender reside off premises of the transitional work program facility during the offender's tour of duty. In all such cases that may be approved, transitional work program facility staff shall

visit the work site to visualize the offender at least one time each week.

17. No offender in the transitional work program will be employed in a position which would necessitate his/her departure from the state of Louisiana, except for those offenders who are employed in industries off the coast of Louisiana (i.e. offshore jobs).

18. Upon arrival at the facility, the facility shall explain to the offender that for the privilege of being in transitional work program, should the offender escape that the offender waives extradition to the state of Louisiana from any jurisdiction in or outside the United States where the offender may be located and agree that he will not contest any effort by any jurisdiction to return him to the state of Louisiana. The offender shall sign the "Waiver of Extradition" form (SOP Form 12-3). The signed waiver shall be placed in the offender's file. If the offender refuses to sign, he should immediately be confined to the secure custody of a local jail facility until such arrangements can be made to return the offender to DPS&C custody.

19. Any questions concerning any employer and/or employment related questions should be directed to your respective DPS&C Monitor for guidance.

20. All offenders may be assigned reasonable housekeeping and maintenance details to provide for a safe and healthy environment at the facility. These duties shall be assigned in a manner so as not to interfere with the offender's normal employment. Offenders shall not be assigned to a major construction project at the facility.

21. Offenders may be assigned extra duty as the result of disciplinary action. When an offender is assigned extra duty as a disciplinary sanction, the extra duty must be performed at the facility (not with an outside employer).

22. Prior approval must be obtained from the Chief of Operations for any and all electronic communications devices required by the employer in the course and scope of the offender's job. This includes, but is not limited to, desktop/notebook/laptop computers, data communications equipment, personal digital assistants, removable media storage devices (thumb/flash drives), and other devices by which electronic data can be stored and/or removed from computer equipment or information systems (this also includes digital camera equipment). Requests for such approval from the employer shall be in writing and shall state the legitimate business reason for such access/use by the offender. If approved by the Chief of Operations, all such electronic communications devices are subject to audit, examination and review at any time by the DPS&C. It shall be the employer's responsibility to supervise use of such property and to safeguard it. See also Chapter 8, Personal Property.

Chapter 12 references:

Department Regulation No. B-03-013, "Offender Reentry"
Act No. 266 of the 2009 Regular Legislative Session

Chapter 12 ACA references:

Department Regulation No. B-03-013, "Offender Reentry"
Act No. 266 of the 2009 Regular Legislative Session

1. General

It is the position of DPS&C that transportation provided by the facility is the most suitable and preferred form of transportation for the offenders participating in the transitional work program. When the facility provides transportation, the facility is responsible for the safety of the offenders and will carry such insurance as required by Louisiana law. Transportation provided to the offender by an employer to and from the work site is also acceptable so long as the employer maintains responsibility for the offender and provides the facility with a copy of current vehicle insurance coverage as required by LA law. In such cases the employer's responsibility for the offender begins upon the employer picking up the offender from the transitional work program facility and ends when the offender is returned to the facility by the employer.

2. Supervision of Offenders During Transportation

   a. No offender is to be unsupervised during the transportation process to or from an employment location. However, there may be a reasonable time (defined as 45 minutes) allowed before work (when an offender is dropped off), and after work (when the offender is picked up) that he or she is unsupervised. Should the occasion arise and an offender is not picked up within this time frame, it must be noted on the transportation log with the reason why the situation occurred.

3. Offender Drivers

Under no circumstances may the facility use an offender as a driver for the transportation of other offenders. Offenders can drive/operate equipment on the job site. Under no circumstances shall they be allowed to operate the equipment on the roadway.

1. Community involvement and volunteers can be an important contribution to a transitional work program by providing a number of cost-effective and dependable services to offenders that supplement community based services. Volunteers can improve public awareness and serve as a bridge between the facility and the community. Facilities are encouraged to pursue and utilize faith based organizations and volunteers for the provision of services (substance, worship, etc.) All policy and procedures regarding citizen involvement shall be consistent with BJG.

2. For ACA accredited facilities, volunteers may be subject to approval by Probation and Parole.

    a. The Probation and Parole Volunteer Service Coordinator in the respective region where the transitional work program facility is located will work with the transitional work program facility administrator in coordinating the implementation of a Volunteer Services Program.

Chapter 14 references:

BJG V-A-001: Volunteers / Registration
BJG V-A-002: Volunteer Services
BJG V-A-003: Programs and Services
Department Regulation No. B-08-004, "Volunteer Services Program Manual"

Chapter 14 ACA references:

ACRS 7B-08: Criminal History Checks
ACRS 7F-08 to 7F-10: Volunteer Services

1. Daily Activity Log

A daily log shall be maintained and will begin at 12:00 midnight and cover a 24 hour period. The log should include but is not limited to:

- all searches/shakedowns, with results noted
- breath tests administered, with results noted
- drug tests administered, with results noted
- any unusual incident
- special events, emergency messages/telephone calls, etc.
- counts
- meals served

Note: Daily logs will be maintained on file for a minimum of three years.

2. Offender Log

A daily offender log shall be maintained which will indicate when offenders leave and return to the facility for any reason. The offender will sign in/out in the facility log book. Each entry will include:

- Offenders' name
- Destination
- Phone number at destination
- Address at destination
- Time out; anticipated time of return; actual time of return
- Offender's signature upon return.

The employee on duty will initial each entry when the offender leaves the facility and when he/she returns. A clock with the correct time will be visible to both the offender and the employee and will serve as the official timepiece. This daily offender log will begin at 12:00 midnight and cover a 24 hour period. If an offender has more than one job in any given day, he must first return to the facility after completing the workday at the first job, sign the offender log book, then sign out to the second job before departing the facility.

Note: Offender logs shall be maintained on file for a minimum of three years.

3. Transportation Log

A daily transportation log shall be maintained on the activities of each transportation vehicle. Daily entries will include:

- Vehicle driver
- Time and number of offender entering the vehicle
- Time and location where the offender(s) is dropped off

- Time and location offender(s) is picked up
- Time offender(s) is returned to the facility.

The ideal situation is for no offender to be unsupervised during the transportation process to or from an employment location. However, there may be a reasonable time (defined as less than 45 minutes) allowed before work (when an offender is dropped off) and after work (when the offender is picked up) that he may be unsupervised. Should the occasion arise and an offender is not picked up in a reasonable period of time, it must be noted on the transportation log with the reason why the situation occurred (see also Chapter 13, "Transportation").

This daily transportation log will begin at 12:00 midnight and cover a 24 hour period. Daily transportation logs will be kept on file for at least three years.

DPS&C personnel shall have complete access to all logs at all times.

Chapter 15 references:

BJG II-A-006: Staff Logs

Chapter 15 ACA references:

ACRS 2A-11: Counts and movements

1. General

Offenders assigned to a transitional work program shall comply with applicable rules set forth in DPS&C Department Regulation No. B-05-001, "Disciplinary Rules and Procedures for Adult Offenders", and any subsequent amendment(s) published by the DPS&C.

Within 48 hours of their arrival at the facility each offender shall be provided with:

- Disciplinary Rules and Procedures for Adult Offenders
- Facility Handbook and all other rules/regulations/polices of the transitional work program (which have been pre-approved by the DPS&C)

The offender must sign and date a statement acknowledging receipt of this information.

2. Facility Policies

Prior to implementation or operation of a transitional work program facility, all facility policies and procedures that reflect compliance with the SOP, as well as facility rules for offenders which specify expected behavior must be submitted to and approved by the Chief of Operations. Any proposed revisions to facility policies, procedures or facility rules must be submitted to and approved by the Chief of Operations prior to implementation of the revision.

Once approved by the Chief of Operations, all program rules and regulations pertaining to offenders will be conspicuously posted in the facility. Copies of all program rules and posted policies will be furnished to the supervising Probation and Parole District Administrator, if applicable.

3. Disciplinary Reports

The Transitional Work Program facility is responsible for ensuring that disciplinary reports are completed accurately and staff completing reports shall receive training on report writing. A supervisor shall review disciplinary reports prior to submission making certain essential elements (who, what, when, where, etc.) are covered with clarity. It is essential that reports be accurate as residents are subject to forfeiture of good-time for serious Schedule B violations.

4. Schedule A

Violations of Schedule A offenses will be heard by the facility's designated disciplinary officer and upon a finding of guilt, penalties will be assessed in accordance with the Disciplinary Rules and Procedures for Adult Offenders. Copies of all completed rule violation reports shall be maintained in the offender record.

5. Schedule B

In the event of a Schedule B rule violation which constitutes removal from the transitional work program, the respective DPS&C Monitor within the Office of Adult Services, shall be notified via email or fax.

6. Restriction of Privileges

When offenders are found guilty of a rule violation and are assessed penalties which restrict their privileges, the privileges which are restricted and the length of time the restriction is imposed should be posted in a conspicuous place so that all staff members are aware of the restrictions. Under no circumstances will privileges be restricted without a proper disciplinary report, a due process hearing, and a finding of guilty. The denial of food will not be used as a disciplinary measure.

7. Administrative Transfers

Transitional Work Program is a privilege and offenders may be transferred without having to be found guilty of a rule violation. The facility, BJG Team Leader, or Probation and Parole can make a recommendation for administrative transfer. The offender must be notified, in writing, of the reason(s) for the transfer.

Chapter 16 references:

BJG III-A-001: Rules & Discipline
Department Regulation No. B-05-001, "Disciplinary Rules and Procedures for Adult Offenders"
Department Regulation No. C-05-001, "Activity Reports/Unusual Occurrence Reports"

Chapter 16 ACA references:

ACRS 2A-12: Timely notification of absconders is made to facility with jurisdiction over DPSC&C.
Department Regulation No. B-05-001, "Disciplinary Rules and Procedures for Adult Offenders"
Department Regulation No. C-05-001, "Activity Reports/Unusual Occurrence Reports"

1. General:

In keeping with the goals and objectives of the transitional work program, the facility should ensure the offender's earned net wages are maintained and available to the offender immediately upon release.

Funds held on behalf of the offender must be properly accounted for. The collection and disbursement of the offender's wages will be in accordance with the provisions of La. R.S. 15:1111. The methods used for the receipt, safeguarding, disbursement and recording of funds shall comply with generally accepted accounting principles.

A ledger will be maintained reflecting the financial status of each offender and there shall be adequate documentation to support the receipt/expenditure of offender funds in each offender's official file.

Refer to Chapter 4, "Reporting" for specific reporting requirements on offender funds.

Annual Reporting & Independent Audit Requirements for all TWP facilities:

Each TWP facility will be categorized as one of the following:

Category A: *Sheriffs & quasi-public agencies that directly run the Transitional Work Programs*

Category B: *Sheriff's contractors & private firms contracted with DPS&C to run the Transitional Work Programs*

If the TWP facility is in **Category A**, no additional annual reporting is required as long as the entity has complied with R. S. 24:513, as required by the Office of the Louisiana Legislative Auditor.

If the TWP facility is in **Category B**, the following must be done by the contractor annually within 90 days after the close of the facility's fiscal year end:

1) The TWP Offender Trust Account manager will file an appropriate report with DPS&C as detailed in the chart below on the TWP Offender Trust Account. The type of annual report will depend on the gross cash inflow of funds (total deposits) into the Offender Trust Account during the fiscal year. As such, an entity's annual reporting requirement may vary from year to year because of fluctuations in gross cash inflow. Any costs incurred with the annual reporting shall be considered an operational cost by the entity and NOT charged to any offender trust or welfare accounts.

2) Each entity will ensure the TWP Offender Trust Account manager's name, title, and contact information is included in each annual filing.

3) Reports should be forwarded to:

Department of Public Safety and Corrections
Office of Adult Services
P. O. Box 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304

Total Deposits in Fiscal Year	Annual Reporting Requirement On the Offender Trust Account
$50,000 or less	The entity must submit an original signed certificate with DPS&C indicating $50,000 or less of offender funds were deposited into the Offender Trust Fund Account.
>$50,000 and <$200,000	The entity must submit an independent Annual Compilation of the Offender Trust Fund Account's financial statement in accordance with the Louisiana Governmental Audit Guide & submitted to DPS&C.
≥$200,000 and <$500,000	The entity must submit an independent Annual Review of the Offender Trust Fund Account's financial statement, to be accompanied by an attestation report in accordance with the Louisiana Governmental Audit Guide.
≥$500,000 or more	The entity must have an independent audit conducted by a licensed Certified Public Accountant (CPA) on the Offender Trust Fund Account's financial statement prepared in accordance with the Louisiana Governmental Audit Guide. An original signed audit report must be submitted to DPS&C.

In addition to the above annual reporting requirements, **ALL TWP facilities** (in both Category A & Category B) **must** have an independent financial audit of the TWP Offender Trust Account done at least every three (3) years. All audits must be performed by a licensed CPA and in accordance with the Louisiana Governmental Audit Guide. An original, signed audit report should be forwarded to

Department of Public Safety and Corrections
Office of Adult Services
P. O. Box 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304

The DPS&C monitoring team visits or audits conducted by the DPS&C Internal Audit Division shall not be considered an independent audit for this purpose. The cost of the independent financial audit shall be considered an operational cost by the facility and NOT charged to any offender trust or welfare accounts.

The Transitional Work Program Offender Trust Account is subject to review or audit by the DPS&C and/or the Office of the Governor, Division of Administration Auditor at any time.

2. Management of Offender Funds

a. Bonding

The facility will provide the Department with certificates of bonding documenting coverage sufficient to safeguard the maximum amount of offender funds staff may be responsible for handling.

b. Transitional Work Program Trust Fund Account Management

1. The balance in the Transitional Work Program Offender Trust Account should represent only the funds owed to the offenders. Offender funds should not be used for other purposes (i.e., pay operational expenses) or be commingled with other bank accounts. Likewise, the trust account should not be used to maintain other monies, such as for offender organizations, seized contraband, investments, or a “slush” fund.

2. Start up costs for each new offender shall not be paid from the Transitional Work Program Offender Trust Account. These costs shall be paid from the facility’s operating fund account, to be reimbursed by the offender once the offender begins receiving wages.

3. The Transitional Work Program Offender Trust Account cash balance shall be maintained at the appropriate balance to cover each offender’s account balance.

4. Signers on the Transitional Work Program Offender Trust Account shall be an employee or other legal stakeholders of the transitional work program facility. The number of signers on the account shall not exceed three (3) people.

5. The Transitional Work Program Offender Trust Account shall not be a "sweep account" or used in conjunction with "sweep accounts".

6. On a monthly basis the following actions must occur:

a. **Transfer out** any interest earned on the Trust account. The interest earnings are property of the transitional work

program facility. Such interest earnings may be used to help defray administrative costs and to provide for other expenditures which will benefit the offender population.

b. **Transfer out** amounts owed by offenders for incidental expenses, room & board, and transportation.

c. **Transfer out** amounts owed by offenders to vendors to be paid from the operating account or pay the offender's expenses directly from the trust account.

d. **Reimburse** Trust account for expenses for bank service charges/fees (including fees for check orders) from the facility's operating fund account.

e. **Reimburse** Trust account from the facility's operating fund account for any negative offender balances being paid with Trust fund money. Offenders who are allowed to spend more money than their current balance cannot use Trust account funds to pay their debts; therefore, it becomes an operational expense.

f. **Provide** a <u>detailed</u> statement of account balance to the offender in a confidential manner.

g. **Reconcile** the Trust account after receipt of the monthly bank statement:
   i. Add all deposits and deduct all withdrawals to each individual ledger to determine each offender's current balance;
   ii. Total current month's positive balances for all offender ledgers, including balances carried forward from previous months which have had no transactions in the current month;
   iii. Compare this total to the reconciled bank balance;
   iv. Investigate and resolve any discrepancies between the bank and the offender ledger.

c. Income & Wages Received

1. The transitional work program facility shall insure employers adhere to the signed Employer Agreement by verifying rates of pay, hours worked, and pay received by the offender for each pay period worked.

2. The facility shall insure that the offender is paid by the employer by either a manual check sent directly to the transitional work program facility; or direct deposit to the offender trust account at the facility. In no instance shall an offender have possession of his/her payroll check.

3. Offenders shall not be allowed to receive payment from the employer via a pay card (pre-paid credit and/or ATM card) issued to the offender.

4. The facility will process all personal funds received on behalf of the offender, issue pre-numbered receipts for funds and post receipts to the offender's account indicating receipt number.

5. Funds received will be deposited daily (within 24 hours of receipt of funds with the exception of weekends and holidays) into a fiduciary account held in trust for the offenders and designated specifically as "Transitional Work Program Offender Trust Account". Credits will be posted to the offender ledger within two (2) business days.

6. Sensitive banking transactions involving the transitional work program facility banking information and offender shall be handled directly between the transitional work program facility and the employer, not between the offender and the employer.

d. Expenses & Withdrawals

1. All withdrawals or expenditures by an offender will be documented by a withdrawal request form, signed & dated by the offender, and document approval or denial of request by transitional work program facility personnel. Withdrawals/expenditures will be posted to the offender ledgers at least weekly with an adequate description relating to all transactions.

2. As one of the goals of a transitional work program is to provide offenders with the opportunity to accumulate savings as they prepare for reentry, transitional work program facility managers have a fiduciary responsibility to set limitations on spending to maximize the potential savings of an offender.

3. Transitional Work Program facilities shall develop procedures that set limitations and/or spending limits on offender purchases from canteen/commissary operations that encourage the offender to maximize on the opportunity to accumulate savings prior to release from the transitional work program (see also section 4 below, "Other Deductions Allowed").

3. Deductions from Wages – Room and Board – Traditional Programs (see also Section 5 for Deductions from Wages for Workforce Development Transitional Work Program)

a. Room, Board and Other Incidental Expenses: La. R.S. 15:1111.H authorizes the Secretary of the DPS&C to establish the rate to be deducted from an offender's wages for room, board, and other incidental expenses resulting from the offender's participation in a transitional work program.

b. These deductions from wages shall be from the offender's gross wages for hours worked and are to be used by the facility to defray the cost of the offender's participation in the transitional work program (i.e. incidental expenses, room and board, and transportation).

c. Deductions from gross wages received by the offender for hours worked have been established by the Secretary of the DPS&C in accordance with La. R.S. 15:1111. Deductions shall not exceed 62% of gross wages, or $63.50 per day, whichever is less. Deductions are not authorized from wages earned by the offender for a second job.

d. Deductions authorized above are the maximum amount which may be deducted from an offender's gross wages for incidental expenses, room and board, and transportation. However, the facility may choose to deduct a lesser amount.

e. The offender must acknowledge his understanding of deductions from wages on Form 12-1, Transitional Work Program Agreement Form (See Chapter 12, Employment).

4. Other Deductions Allowed

In addition to deductions from wages authorized in section 3 above, the wages of an offender may be disbursed as follows, but must be disbursed in the order stated:

a. Clothing: Any offender participating in a transitional work program will be responsible for his/her routine clothing, which is defined as clothing that is essential for work. The facility will provide resources necessary for the offender to purchase his/her own clothing. The facility will verify clothing expense as actual cost and will not access the offender any additional fees (markup). Offenders shall not be required to purchase and/or rent uniforms from a service unless required by employer as a condition of employment.

b. Allowance: The facility will develop procedures to also determine the weekly allowance needed for incidental personal expenses in accordance with provisions in this Chapter. Offenders should be encouraged to refrain from unnecessary purchases in order that they may be able to accrue savings to be available to them upon release.

c. Support of the offender's dependents: The offender and facility will mutually agree upon the amount to be sent to the offender's dependents with considerations given to any possible outstanding debts at time of discharge. This agreement and authorization should be in writing.

d. Legal Judgments: If there is a legal judgment of support, that judgment will suffice as written authorization to disburse the money. This will be facilitated as agreed upon by the Department of Social Services and the

DPS&C. See Appendix 1 concerning the DPS&C's agreement with the Division of Social Services and appropriate method for managing child support.

e. Payment of the offender's obligations: Debts acknowledged by the offender shall be in writing, or reduced to judgment (including victim restitution), and should reflect the schedule by which the debt will be paid. The facility will ensure that payment of this type of debt is legitimate.

5. WORKFORCE DEVELOPMENT – TRANSITIONAL WORK PROGRAMS (See also Chapter 24)

Wages of each offender participating in the Workforce Development Transitional Work Program as described in Chapter 24 in accordance with La. R.S. 15:1199.1 through 1199.6 shall be disbursed for the purposes outlined in a. through h. below, and in the order stated. Such deductions resulting from participation in the workforce development program shall not exceed up to 70% of gross wages received by the offender.

a. Expenses for room and board, including clothing;
b. Necessary travel expenses to and from work and other incidental expenses of the offender;
c. Any tuition, books or other costs associated with the program which are required to be paid by participants in the program;
d. Any necessary fees for the examination for certification or licensing in a craft;
e. Any certification or licensing fees required to become a skilled craftsman;
f. Any court-ordered restitution, or restitution owed to the DPS&C, or any other obligations acknowledged by the offender in writing, or which have been reduced to judgment. The obligations may be paid in installments approved by the DPS&C;
g. Any drug testing as required by the provisions of the Standard Operating Procedures;
h. The balance, if any, to the offender upon his discharge.

6. Items the Facility will provide at NO COST to offenders:

- toothpaste
- toothbrush
- deodorant
- razor
- shaving cream
- feminine hygiene items for female offenders
- toilet paper
- soap
- linens
- locks/lockers*
- duffle or laundry bags*
- identification cards*
- basic laundry services (free access to an adequate number of washers/dryers and laundry detergent
- drug screens (except as outlined in Chapter 9)

* Offenders may be charged for replacement of lost ID cards, laundry bags and locks at actual replacement costs if it is deemed that the loss is due to the offender's negligence.

6. Disposition of Offender's Account upon Discharge

a. Immediately upon discharge from the transitional work program, the balance of the offender's account (less documented obligations) shall be given to the offender. Funds received by the facility on the offender's behalf after discharge will be mailed to the offender within 30 days of receipt of funds, after which the offender's account balance is depleted (zero balance). When an offender cannot be located after release and all means of locating the offender are exhausted, those funds held on his behalf are considered by the Department to be abandoned after 90 days and such funds are to be remitted to:

Department of Public Safety & Corrections
Centralized Offender Banking
P. O. 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304.

The check must indicate the name and number of the offender who cannot be located. The Chief of Operations will make every effort to locate the offender.

b. If an offender is returned to the custody of DPS&C by the facility, the offender's funds shall be returned to DPS&C within seven (7) days of the date the offender is returned to DPS&C custody. A copy of the offender's ledger listing the transactions for the current month and the ending balance should be sent with the funds being remitted to the Department to support the balance due to the offender.

c. If an offender is transferred to a different transitional work program or local jail, the offender's funds shall be submitted to the receiving facility within 14 days. The sending facility must ensure all documented obligations have been posted prior to closing the offenders account.

d. Transitional Work Program facilities shall monitor uncashed checks so they are not carried on the books for more than 90 days. After 90 days, a stop payment should be issued and funds should be remitted as described above.

e. Any dispute concerning a question of offender wages and disbursements shall be referred or directed to the Chief of Operations.

Chapter 17 references:

BJG IV-B-005: Personal Hygiene
BJG VII-B-003: Independent Financial Audit
BJG VII-B-004: Facility Insurance
BJG VII-B-005: Offender Funds
R. S. 24:513

Chapter 17 ACA references:

ACRS 7A-02: Sole proprietor operating a facility shows legal measures taken in event of bankruptcy, etc
ACRS 7D-21: Monies collected at facility are placed in officially designated secure location.
ACRS 7D-22: Methods used for receipt, safe guarding, disbursing recording funds comply with acceptable accounting procedures.
ACRS 7D-24: Independent financial audit of facility
ACRS 7D-28: Insurance coverage, general and employee liability
ACRS 7D-29: Canteen operated for offenders
ACRS 7D-33: Fees received including amount paid and payer

1. General

Routine health services for offenders will be coordinated by the facility. Facilities are encouraged to secure health care services at the nearest hospital which has an agreement with DOC or public clinic (see #3 below). Please contact the Office of Medical / Mental Health Director for the list of the hospitals. However, the facility may determine that private consultation is more efficient. Offenders will be responsible for the cost of their routine minor medical expenses including prescriptions, if applicable. However, the facility shall make all efforts to provide cost conscious health care to offenders. If routine health care services are required and are not provided in the vicinity of the facility, the facility should consult with the DPS&C Medical Director (225.342.1320 or via email at *rsingh@corrections.state.la.us*). The DPS&C will not be responsible for routine medical or dental examination or treatment costs incurred by the facility.

2. Medical Co-Pay

Transitional Work Program facilities that are staffed with qualified medical personnel may charge an offender a co-pay fee for services rendered. In accordance with R.S. 15:831, state offenders may be assessed a co-payment for receiving medical or dental treatment, including prescription or nonprescription drugs. The co-payment fee schedule shall be approved by the DPS&C. Such fee schedule for DPS&C offenders housed in local jail facilities and transitional work programs shall not exceed that which is assessed for non-state offenders also housed in the facility.

Transitional Work Program offenders may be required to file a claim with his/her private medical or health care insurer, or any public medical assistance program, under which he/she is covered and from which the offender may make a claim for payment or reimbursement of the cost of any such medical treatment.

Indigent offenders shall be treated even if they do not have the required co-pay available in their account. Indigent offenders may be assessed the co-pay fee and the fee may be collected when funds are available in his/her account. If the offender receives health care services from an offsite health care professional, the facility may not access a co-pay fee.

3. Public Medical Establishments

Transitional Work Program residents seeking or obtaining medical treatment at any public medical establishment must declare their income to the public medical establishment where treatment is being sought or obtained.

4. Emergencies

In emergencies where transport to a hospital with an agreement with DOC would compromise the life or health of an offender, emergency medical services may be

obtained at the nearest medical facility capable of serving the offender's needs. The DPS&C must be notified immediately of such medical emergencies by contacting the Office of Medical / Mental Health Director (225.342.1320 or via email at *rsingh@corrections.state.la.us*). Offenders who require extensive medical or mental health treatment will be returned to DPS&C custody. Costs incurred as a result of such emergencies must be fully justified through appropriate documentation. All such documentation must be sent to the Office of Medical / Mental Health Director.

5. Medications

All prescription medications shall be administered or distributed to the offender for self administration utilizing the following procedures:

a. Within time guidelines set forth by the responsible Health Authority;
b. By properly trained staff members or licensed health care personnel;
c. According to orders or authorization by the licensed prescriber;
d. No offender is authorized to handle any medication, other than his own at any time;
e. Those medications approved by facility policy for offenders as KOP (keep on person);
f. Those medications which have potential for abuse, misuse, or those which may be caustic or require close monitoring shall be restricted according to facility policy from a KOP program and shall be administered by licensed health care personnel or distributed by persons properly trained. Such medication administration shall be documented with the date, time, description, and amount of medication and a signature or initial of the person administering or distributing the medication.

6. Communicable Disease and Infection Control Program

The facility shall provide TB testing within 14 days of arrival; unless there is documented evidence testing has occurred within the last 12 months. The facility shall also conduct annual testing or a medical evaluation for signs and symptoms of tuberculosis on all offenders. Annual TB testing will be provided at no cost to the offender.

Communicable diseases are managed in accordance with a written plan approved by the health authority in consultation with local public health officials. The plan should include screening, surveillance, treatment, containment and reporting of infectious diseases.

Chapter 18 references:

BJG IV-C-001 through BJG IV-C-015

Chapter 18 ACA references:

ACRS IV-C: Health Care
Department Regulation No. B-06-003, "Medical Reimbursement Plan"
La. R.S. 15:705C: If the facility has a medical reimbursement plan for non-state offenders approved as stipulated under R.S. 15:705C, reimbursements should be identical for state and non-state offenders at the facility

1. Offender Records

The facility shall maintain a file for each offender which contains copies of all reports submitted to DPS&C and other agencies, agreements, support and debt agreements and verification of those debts, etc.

All information regarding the offender shall be kept confidential as provided in La. R.S. 15:574.12 and Department Regulation No. B-03-004, "Access to and Release of Active and Inactive Offender Records."

Any extracts from the Department's official record on the offender shall be maintained in the facility file. Any and all records maintained at the facility shall become the property of the Department and shall be made available to the DPS&C upon request. These records shall be maintained for a period of three years after the offender is removed or released from the transitional work program.

2. Operational Records

The facility shall retain records and other documents relative to the transitional work program. These include, but are not limited to, payment records, offender logs, transportation logs, disbursement of offender wages, licenses, inspections, insurance, and other compliance with BJG and/or SOP requirements. These records are kept by the facility for audits and tax purposes for a period of three (3) years after the offender is removed or discharges from the transitional work program.

Chapter 19 references:

La. R.S. 15:574.12
Department Regulation No. B-03-004, "Access to and Release of Active and Inactive Offender Records"

Chapter 19 ACA references:

ACRS: 7D-07 to 7D-09
La. R.S. 15:574.12
Department Regulation No. B-03-004, "Access to and Release of Active and Inactive Offender Records"

1. General

The DPS&C shall conduct monitoring visits of all transitional work program facilities on an annual basis to ensure compliance with Standard Operating Procedures, Basic Jail Guidelines or ACA standards as applicable. Monitoring will be conducted by the facility's respective DPS&C Monitor, BJG Team Leader and/or Probation and Parole staff. Any difficulties or failures of a transitional work program facility to comply with Standard Operating Procedures for Offender Transitional Work Programs and/or contract provisions are to be immediately reported to the Chief of Operations and may require that the program be monitored on a more frequent basis. All exceptions to provisions of the Standard Operating Procedures Manual must be requested in writing to the Chief of Operations. All replies to such requests shall be in writing, with a copy to the facility's respective DPS&C monitor. Duties and responsibilities of the monitors will include but are not limited to the following:

a. Ensure that DPS&C facilities are sending appropriate discharge packets with offenders to transitional work program facilities

b. Conduct routine checks of logs on offender's activities noting any discrepancies and performing any necessary follow-up inquiries relative to same. Each facility is required to maintain a daily log, offender log, and transportation log (see also Chapter 15, "Recording Offender Activities").

c. Monitor the offender's employment status to determine that the offender is suitably employed in a job consistent with program policies (see also Chapter 12, "Employment").

- ACA accredited facilities under contract with the DPS&C shall provide Probation and Parole District personnel current employment information on a weekly basis, which includes name of offender, name address, and phone number of employer; type of employment by trade and skill and actual job site or location.

d. Assist the facility in determining suitability of employment (see also Chapter 12, "Employment"). The employment situation must be such that a non-offender employee, preferably a supervisor, will be present with the offender or at the work site at all times. The offender is not to be left alone or unsupervised.

e. Ensure that offenders are receiving comparable wages as those non-offenders co-workers who are performing the same or similar "duties" (see Chapter 12, "Employment").

f. Conduct random periodic spot checks of facility operations and management as often as needed.

- Local Probation and Parole personnel assigned monitoring responsibilities

may conduct a thorough search (shakedown) at any time at ACA accredited facilities under contract with the DPS&C. A summary written report regarding any shakedown by Probation and Parole staff shall be forwarded to the Chief of Operations no later than 15 days after such shakedown has been conducted.

g. Conduct Quality of Life surveys with offenders on a regular basis and any problem areas should be reported to the Chief of Operations.

h. Monitor and/or conduct drug screens on a random basis and for probable cause at privately managed facilities under contract with the DPS&C.

i. Verify that appropriate notifications have been made in the event of an escape in accordance with Chapter 21, "Escapes and Apprehensions". It will be the responsibility of the DPS&C Headquarters Duty Officer to ensure that local law enforcement officials are notified and that an escape flash can be posted.

   If it is determined that the offender is in the transitional work program in lieu of parole revocation, Probation and Parole personnel at the District level will immediately request via activity report to the Parole Board that a parole violation warrant be issued. Once the warrant is received and the offender remains at large, the warrant will be entered into NCIC by Probation and Parole personnel. **Note:** See also Chapter 21, "Escapes and Apprehensions"

j. Report irregularities or unusual occurrences immediately to the Chief of Operations.

k. Ensure that the transitional work program facility provides the offender with an updated discharge packet (as outlined in Chapter 23 "Reentry") upon release from the facility.

l. Participate in compliance performance reviews pursuant to Department Regulation No. C-05-003, "Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Work Release Programs and Work Release Programs Operated in Local Jail Facilities." Monitoring Team member's participation in the reviews will include:

   1. Physical inspection of the entire facility (which includes each major area within the facility) shall be based on an objective compliance review instrument approved by the Chief of Operations.
   2. Report on current level of compliance relative to previous partial or non-compliant levels.
   3. Review of compliance with Department Regulation No. A-04-002 "Standard Operating Procedures for Offender Transitional Work Programs."
   4. Review of policy, procedure and relevant documentation and inspection/verification as may be needed to determine compliance status with BJG or ACA standards.
   5. Review of BJG or ACA standards files which have been identified

for monitoring purposes by the Chief of Operations. A random review of non-identified guidelines may also be conducted.

6. Compliance review of offender funds and facility accounting practices as determined by the DPS&C Chief Fiscal Officer.
7. Additional reviews may be conducted at the Secretary's request or as determined by the Chief of Operations.

Chapter 20 references:

Department Regulation No. C-05-003, "Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Facilities"
Department Regulation No. C-07-001, "Probation and Parole Officers Manual"
Department Regulation No. B-08-013, "Offender Reentry Program"

Chapter 20 ACA references:

Department Regulation No. C-05-003, "Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Facilities"
Department Regulation No. C-07-001, "Probation and Parole Officers Manual"
Department Regulation No. B-08-013, "Offender Reentry Program"

1. Escapes (See pages 58 and 59 for definitions of "Escape" and "Unauthorized Area")

   In the event an offender fails to return from work or any authorized absence, without proper notification to the facility staff by authorized personnel explaining the delay, or is not present at the facility during bed check, headcount, or cannot be accounted for at any time, the offender will be considered to have escaped. The facility will take immediate action to locate the offender (see also Chapter 7, Security). If the offender cannot be located within 30 minutes, Elayn Hunt Correctional Center Control Center (EHCC) at phone number **(800) 842-4399** shall be notified. The facility shall file an escape report and notification should be made with the appropriate law enforcement agency in the parish or city police department where the escape occurred and a warrant requested.

2. Apprehensions

   In the event the offender escapes and is apprehended or the offender returns to the facility within one hour of discovering the offender is absent from work or an approved location, ~~and~~ EHCC Control Center personnel must be notified. Even though apprehended, the offender may be subject to disciplinary action. All escapes and apprehensions must be reported as previously outlined above and pursuant to Department Regulation No. C-05-001, "Activity Reports, Unusual Occurrence Reports".

Chapter 21 references:

BJG I-C-001: Emergency Procedures
Department Regulation No. C-05-001, "Activity Reports, Unusual Occurrence Reports"

Chapter 21 ACA references:

Department Regulation No. C-05-001, "Activity Reports, Unusual Occurrence Reports"

1. Prohibited Conduct: Sexual Contact between Staff, Civilians and Offenders

   There is no consensual sex in a custodial or supervisory relationship. Any sexual assault, sexual misconduct or sexual coercion between staff, civilians and offenders is inconsistent with professional, ethical principles and Department Regulations. Acts of sexual assault, sexual misconduct or sexual coercion by staff or civilians against offenders under their supervision, who is confined to a transitional work program, is a violation of LA R.S. 14:134 et. seq., subject to criminal prosecution. Retaliation against individuals because of their involvement in reporting or investigation of sexual assault, sexual misconduct or sexual coercion is strictly prohibited.

2. Facility Policy

   In addition to Chapter 4 Section 4, "Incident Reporting", the facility shall have written policies and procedures for the prevention, detection, response, reporting, and investigating of alleged and substantiated sexual assaults. Facility investigative reports of such allegations shall be submitted to the respective BJG Monitor and DPS&C Monitor on Form C-01-022-E. The Department will provide Department Regulation C-01-022, "Prison Rape Elimination Act" and any technical assistance necessary in the development of these policies/procedures.

Chapter 22 references:

BJG IV-E-001, Alleged & Substantiated Sexual Assaults
Department Regulation No. C-01-022, "Prison Rape Elimination Act"
Prison Rape Elimination Act of 2003 (PREA)

Chapter 22 ACA references:

Department Regulation No. C-01-022, "Prison Rape Elimination Act"

1. Identification

   a. When an offender is approaching his/her release date, the facility will identify which forms of identification the offender has in his/her possession and those contained in his discharge packet received from the DPS&C facility at which the offender was most recently housed. The Transitional Work Program facility will ensure that the offender has at least two forms of valid identification prior to release (i.e. social security card, birth certificate or birth card, state identification card, etc.)

   b. Facility staff shall make it a priority to obtain a valid driver's license prior to the offender's release. This includes paying off any outstanding fees/fines associated with obtaining the offender's driver's license (including establishing child support payments).

2. Discharges

   The transitional work program facility will ensure that the offender's discharge packet includes an updated resume which includes, at a minimum:

   - Name;
   - Date of birth;
   - Program completion;
   - Most recent employment/job while participating in the transitional work program.

   The Transitional Work Program facility will at the time of release (prior to departure from the facility) issue the offender a check in accordance with Chapter 17, "Offender Personal Funds".

3. The Transitional Work Program facility shall communicate with Probation and Parole Community Service Coordinators to develop a residence plan for the offender prior to release on parole or goodtime/parole supervision (see also Chapter 21).

4. Probation & Parole staff will complete and forward compact documents to DPS&C Headquarters a minimum of 120 days prior to the offender's release date on any offender desiring to reside out of the State of Louisiana.

5. The Transitional Work Program facility staff shall provide assistance to offenders in submitting applications to prospective employers, but should encourage the offender to maintain employment with the employer with whom the offender was employed through the transitional work program.

   a. For those releasing offenders who do not intend to reside in the geographical area of the transitional work program employer, the facility will work with the community resource coordinator in the Probation and Parole District in which the offender plans to reside upon release. Every effort will be made to

secure job placement for the offender in a job similar to that which he/she held while in the transitional work program and for which the offender has been trained.

6. The Transitional Work Program facility will provide the offender with the opportunity to meet with Probation and Parole staff to establish the expectations of supervision, explain the offender's responsibilities while under supervision and the role and responsibilities of Probation and Parole in supporting the offender's successful reentry.

7. The transitional work program facility staff will consult with other P&P districts on the availability of community resources in the area where an offender plans to reside upon release or discharge from the transitional work program facility.

8. DPS&C staff assigned responsibility for the transitional work program facility will assist with reentry of offenders as outlined in Department Regulation No. B-08-013, "Offender Reentry Program".

9. If an offender is a full term release, he will be provided information regarding restoration of voting rights pursuant to La. R.S. 18:177. The information will include, at a minimum, the address and phone number of the Registrar of Voters in each parish in Louisiana.

Chapter 23 references:

BJG V-C-002: Reentry Programs
Department Regulation No. B-08-013, "Offender Reentry Program"

Louisiana Revised Statutes 15:1199.1 through 1199.16 establishes a program for on-the-job training of offenders who are participating in or have completed the offender rehabilitation and workforce development program, the "Workforce Development Transitional Work Program."

Eligibility Criteria

1. An offender may be eligible for participation in the Workforce Development Transitional Work Program if he/she meets the requirements for transitional work program participation as provided in R.S. 15:1111.

2. Ineligible for participation in the Program:

    a. A sex offense as defined in La. R.S. 15:541(24);
    b. A crime of violence as defined in La. R.S. 14:2(B);
    c. A habitual offender in accordance with La. R.S. 15:529.1

3. Workforce Development Transitional Work Program shall be for offenders who are eligible for transitional work program as provided for in La. R.S. 15:1199.7.

    a. Eligible participants shall produce documentation to support having certification or licensure as a skilled craftsman, or who have graduated from the workforce development training program and have been certified or licensed as skilled craftsmen, or who are participating in workforce development training program and are working toward licensing or certification as a skilled craftsman pursuant to La. R.S. 15;1199.12

4. Every offender with Workforce Development Transitional Work Program privileges shall be liable for the cost of his room, board, clothing and other necessary expenses of his employment or placement unless other means of payment are approved by the Department. (Refer to Chapter 17 "Offender Personal Funds, Section 5)

5. Offenders participating in Workforce Development Transitional Work Program shall be evaluated by transitional work program staff on a continuous basis. This evaluation shall be reported monthly to the Department. The evaluation shall include:

    a. The performance of the offender while participating in the program;

    b. The likelihood of successful completion of the program;

    c. The likelihood of successful employment following completion of

the program;

d. Any other factors deemed relevant by the Secretary, the Council or transitional work program staff.

6. An offender may be removed from Workforce Development Transitional Work Program for any of the following:

a. Willful failure to comply with the rules of the program.

b. Willful failure to participate in any educational or skills development component of the workforce development program.

c. Any action which results in disciplinary proceedings by the Department.

d. Failure to take examinations necessary to receive certification or licensing as a skilled craftsman.

e. Failure to submit to random drug testing.

f. Testing positive for any controlled dangerous substance.

g. Any other reason deemed by the Department to render the offender ineligible to complete the program.

7. Removal from the program shall be at the discretion of the Department.

8. Offenders removed from the program shall be returned to an appropriate custody status as determined by the Department and may be subject to the forfeiture of any diminution of sentence or good time earned after due process proceedings.

Chapter 24 references:

Department Regulation No. B-02-015, "Rehabilitation and Workforce Development Program"
La. R.S. 15:1199.1 through 1199.16

BOBBY JINDAL
GOVERNOR

KRISTY H. NICHOLS
SECRETARY

State of Louisiana
Department of Social Services
Office of the Secretary

October 5, 2009

Mr. James LeBlanc
Secretary, Department of Public Safety and Corrections
P O Box 94304
Baton Rouge, LA 70804-9304

RE: Income Assignment Orders for Work Release Inmates

Dear Secretary LeBlanc:

In 1998, an agreement was reached between the Department of Public Safety and Corrections and the Department of Social Services regarding the appropriate method for managing child support income assignments on cases where the employee/child support payor is enrolled in a Work Release Center (WRC). I am pleased to confirm that this agreement remains in tact and that Support Enforcement Services (SES) has included the agreement in the employee policy manual to ensure that all employees are informed.

The agreement states that the employer who receives an income assignment order on a work release enrollee will continue to submit 100% of the employee's earnings to the WRC. The employer should forward the income assignment notice to the WRC. The WRC representative will then contact SES to arrange for withholding an appropriate amount of support from the wages remaining after payment of room and board and other costs to the WRC.

If you have any concerns about the correct implementation of this policy by any of our staff, please let me know. We will be happy to review the situation and will work quickly to resolve any problems. We look forward to a continued partnership in working with Work Release Centers.

Sincerely,

Kristy Nichols
Secretary

627 North Fourth Street, 8th Floor • Post Office Box 3776 • Baton Rouge, Louisiana 70821 • (225) 342-0286 • Fax (225) 342-8636
An Equal Opportunity Employer

AGREEMENT

WHEREAS, the Louisiana Department of Public Safety and Corrections (hereinafter referred to as "DPS&C") and the Louisiana Sheriffs' Association (hereinafter referred to as "LSA") mutually agree that to effectively prepare offenders to transition from jail to the community is in the best interest of the citizens of Louisiana; and

WHEREAS, the DPS&C and the LSA agree to work through a collaborative partnership to develop reentry strategies that address public safety risks and benefit offenders and their families, victims, and the entire community; and

WHEREAS, the LSA has determined that it is desirable to develop and maintain certain Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs and transition initiatives for use by its membership; and

WHEREAS, the DPS&C has a continuing interest in and relationship with parish and local jail facilities and the housing of DPS&C offenders therein; and

WHEREAS, the DPS&C finds that it is in the best interest of the State to assist and cooperate with the LSA in efforts to develop certain Basic Jail Guidelines and Standard Operating Procedures for Offender Work Release Programs and for Transition/Reentry facilities, for use by its member Sheriffs and other local jail administrators.

NOW, THEREFORE, it is agreed that the DPS&C and the LSA and its member Sheriffs, as well as other local jail administrators, will work in partnership to develop transition strategies as well as Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs and a certification process to certify compliance. The DPS&C will provide technical assistance upon request and subject to availability of appropriate resources.

The Louisiana Sheriffs and local jail administrators (hereinafter referred to as "Participants") agree to participate in the development and maintenance of the Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs, and Transition/Reentry facilities, which are applicable to DPS&C offenders as a condition of being allowed to house DPS&C offenders on a continuing basis, subject to normal weekly DPS&C intake quotas. Those participants who demonstrate sustained compliance shall be granted certification by the DPS&C.

CERTIFICATION OF COMPLIANCE

Basic Jail Guidelines

Compliance with the **Basic Jail Guidelines (BJG)** will be monitored by the appropriate Regional Team Leader and monitoring team that is staffed by employees of the DPS&C. Review of the monitoring process and resolution of monitoring issues will be the responsibility of a Jail Operations Committee (hereinafter referred to as "Committee"), composed of an equal number of representatives from the DPS&C and the LSA. The Secretary of DPS&C shall serve as Chairman of the Committee. Committee members shall not receive compensation or a per diem for their service on the Committee.

Once a monitoring inspection of the facility has been conducted by the Monitoring Team, the Regional Team Leader shall submit, within fifteen (15) days, a written report to the BJG Administrator. The BJG Administrator shall provide a copy of the report to the Participant and the Committee. The Participant shall submit a written response to the BJG Administrator on any finding in the report within fifteen (15) days of receipt of the inspection report. The BJG Administrator will provide a copy of the response to the Committee.

Compliance with any federal or state decree regulating conditions of confinement shall be deemed compliance as to any guideline or procedure covered by the decree even if the decree calls for a different standard.

If non-compliance is determined with one or more of the Basic Jail Guidelines, the Participant must, within 30 days of notification of such non-compliance, submit to the Basic Jail Guidelines Administrator a plan of action to correct the deficiency. Such corrective action must be completed no later than 90 days after the submission of the plan of action. In the event of an emergency, intake may be suspended and state offenders may be removed from the facility.

In the event the participant fails to develop a plan of action, or once developed, fails to implement the plan, the Committee shall determine whether such non-compliance constitutes "substantial non-compliance" with the Basic Jail Guidelines. If it is determined that "substantial non-compliance" exists, the DPS&C may then, at its option, remove state offenders from the Participant's custody. New commitments will also be removed from the Participant's custody within 30 days of the date of sentencing to the DPS&C.

After the initial inspection/monitoring visit of the facility by the DPS&C, subsequent compliance inspections will be conducted every three years. More frequent inspections may be required by the DPS&C as deemed appropriate by the Secretary. The determination for more frequent inspections will be based on significant monitoring issues of concern or non-compliance with one or more Basic Jail Guidelines during the most recent inspection. Between compliance inspections, the participant shall submit an annual statement to the appropriate Regional Team Leader confirming continued compliance with the Basic Jail Guidelines. The annual statement shall also include a current fire marshal and health inspection report, any proposed or projected expansions, and any programs that are available to the state offender population.

Standard Operating Procedures for Offender Work Release Programs

Compliance with the **Standard Operating Procedures for Offender Work Release Programs (SOP)** will be monitored on an annual basis by the appropriate Regional Team Leader and monitoring team that is staffed by employees of the DPS&C. Review of the monitoring process and resolution of monitoring issues will be the responsibility of Committee.

Once a monitoring inspection of the facility has been conducted by the monitoring team, the Monitoring Team Leader shall, within fifteen (15) days, submit a written report detailing the results of the inspection to the Chief of Operations. The Chief of Operations shall provide within thirty (30) days of the monitoring inspection a copy of the report to the Participant and the Committee. The Participant shall submit a written response on any finding noted in the inspection report to the Chief of Operations within fifteen (15) days of receipt of the inspection report. The Chief of Operations will provide a copy of the response to the Committee.

Compliance with any federal or state decree regulating conditions of confinement shall be deemed compliance as to any guideline or procedure covered by the decree even if the decree calls for a different standard.

If non-compliance is determined with one or more of the requirements of the SOP, the Participant must, within 30 days of notification of such non-compliance, submit to the Chief of

Operations a plan of action to correct the deficiency. Such corrective action must be completed not later than 90 days after the submission of the plan of action. In the event of an emergency, intake may be suspended and state offenders may be removed from the facility.

In the event the Participant fails to develop a plan of action, or once developed, fails to implement the plan, the Committee shall determine whether such non-compliance constitutes substantial non-compliance with the SOP. If it is determined that substantial non-compliance exists, the DPS&C may then, at its option, remove state offenders from the Participant's custody.

After the initial inspection/monitoring visit of the facility by the DPS&C, subsequent compliance inspections will be conducted on an annual basis. More frequent inspections may be required by the DPS&C as deemed appropriate. Work Release facilities are required to submit monthly and annual reports to the Chief of Operations as required in Chapter 4 of the Standard Operations Procedures for Offender Work Release Programs.

PER DIEM

For, and in consideration of, Participant's participation in this Agreement, the State of Louisiana agrees to pay Participant the sums as set forth by Louisiana Revised Statutes 15:824, 15:1111, 15:1135 and/or the DPS&C Standard Operating Procedures for Work Release Offenders for each DPS&C offender housed by Participant. This payment shall not affect, modify or abrogate any other obligations of the State of Louisiana contained in any other agreements, statutes or court decrees, whether state or federal.

This Agreement, the Basic Jail Guidelines, and the Standard Operating Procedures for Offender Work Release Programs are not intended to nor do they create in any convicted offender, pre-trial detainee, arrestee, employee, visitor or any other person of any class or category whatsoever, any liberty interests, right or privileges under federal or state constitutions, laws, rules, regulations or ordinances, or any local or municipal, or other, constitutions, laws, ordinances, codes, or charters irrespective of the use of mandatory language herein or any other provisions hereof. If any person of any class or category whatsoever has any liberty interest, rights or privileges, they must exist completely apart from and independent of this Agreement.

STATE OF LOUISIANA

By: _____
Bobby Jindal, Governor

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

By: _____
James M. Le Blanc, Secretary

LOUISIANA SHERIFFS' ASSOCIATION and ITS MEMBER SHERIFFS

By: _____
Larry Cox, President

By: _____
Hal Turner, Executive Director