

**STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

Policy: 395

Subject: Work Release

Effective Date: 3/8/76

Review and Re-Issue Date:

Supersedes: NEW

APA Rule Number:

Recommended for approval by:		Authorized By:	
Signature	Date	Signature	Date

1. Authority:

- 1.1. Work release, as a major part of the Department furlough process, enables a resident of a correctional facility to be gainfully employed in the community as a part of his overall program, when it is determined to be in the best interests of the offender and the community.
- 1.2. The Department views the work release program as serving two primary purposes. First, participation in the Work Release program assists placing responsibility for productive change on the resident. Secondly, deductions from the resident's work release income can help defray the cost to the State of his incarceration. Work release earnings may also allow the resident to provide financial support for any dependents, savings for use on release, as well as income for the state.
- 1.3. The work release program has proved effective in meeting the needs of offenders, the Department and the state. As such, it is a major program focus of the correctional centers.

2. Purpose:

- 2.1. To provide guidelines within which operating units can utilize work release to achieve program objectives.

3. Applicability/Accessibility

- 3.1. Residents, employees, and Department staff involved in work release decision making or program implementation.

4. Policy:

- 4.1. Residents are placed on work release through the furlough process. Responsibility, planning and decision making are the same as described in Policy 601- Furloughs.

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- 4.1.1 Work release is defined as the gainful employment of a resident outside the facility. Work release placements may be in public or private employment but must be under pay and working conditions which are comparable to those prevailing in the area for like employment. In no case is a resident to participate in a work release placement for pay that is less than the state minimum wage for such employment unless prior approval is granted by the Commissioner.
- 4.1.2 Planning for work release placements will be done by the resident and the classification team as part of the resident's total program development, Policy 121, Coordination of Services, clearly outlines this planning process. Investigations of proposed work release placements will be made as described in Policy 601 - Furlough.
- 4.1.3 Prior to placing a resident on work release, the Superintendent or his designee will explain the general conditions of furlough, as authorized on the Furlough Authorization, to the resident as well as any additional regulations or special conditions under which work release will be granted. The resident will sign and agree to abide by a Furlough Authorization that clearly states the general and specific conditions of his work release. Procedures for the signing and distribution of such a furlough agreement are described in Policy 601 - Furlough.

4.2 Record Keeping and Reporting

- 4.2.1 The Superintendent will be responsible for assuring that a complete and up-to-date accounting system has been established at his unit so as to clearly account for the resident's total wages and for any disbursements that have been made from his account.
- 4.2.2 An amount based on a schedule published by the Commissioner will be deducted from the resident's weekly net earnings to help defray the cost of providing food care and housing. Once each month the total of these deductions will be forwarded to the Department of Corrections central office to be deposited in the State General Fund.
- 4.2.3 From the resident's net pay the Superintendent will schedule deductions to pay any costs, fines, or restitution imposed by the sentencing court.
- 4.2.4 The Superintendent will notify the Commissioner of Social Welfare in writing when any resident is placed on or terminates a work release program of regular employment.
- 4.2.5 The Superintendent will deduct from the resident's pay any amount necessary to repay loans issued to the resident by the Department.
- 4.2.6 As part of their monthly progress report, each facility Superintendent will summarize work release placements, earnings, and payments made to the Department, the resident's family, or the court.

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4.2.7 Any work release placement which involves working for a Department staff member will be in accordance with Policy 979, Residents Working for Staff, as well as the requirements of this policy.

5. Training Method

5.1.

6. Quality Assurance Processes

6.1.

7. Financial Impact:

8. References

28 V.S.A., Sec. 1, Sec. 102 (c) (3, 8)

Sec. 758, Sec. 755, Sec. 757

Sec. 759, Sec. 808

Sec. 754 (5)

9. Responsible Director and Draft Participants

Kent Stoneman, Commissioner