

<p style="text-align: center;">STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS</p>	<p style="text-align: center;"><u>INTERIM MEMO:</u> #410.02 Furlough Violations</p>	<p style="text-align: right;">Page 1 of 2</p>						
<p>Approved:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><u>SIGNED</u></td> <td style="width: 33%; border: none;"><u>12/30/2020</u></td> <td style="width: 33%; border: none;"><u>01/01/2021</u></td> </tr> <tr> <td style="border: none;">James W. Baker, Commissioner</td> <td style="border: none;">Date Signed</td> <td style="border: none;">Date Effective</td> </tr> </table>			<u>SIGNED</u>	<u>12/30/2020</u>	<u>01/01/2021</u>	James W. Baker, Commissioner	Date Signed	Date Effective
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This memo updates the Directive #410.02 by deleting the following:

1. The Directive name shall be changed to ***Furlough Violations*** and will also apply to the status of Community Supervision Furlough.
2. Section 11 shall be renamed *Case Staffing Determination Process*
3. Section 6 *Appeal Process* is deleted and replaced with the following:

6. Appeal Process

- a. If an inmate wishes to appeal the Hearing Officer’s decision, they must file a written appeal with the District Manager within seven (7) business days of receipt of the Hearing Officer’s decision. (See Inmate Appeal Form, Attachment 7.) If it is not filed within the seven (7) business days, it may be denied solely on the basis that it is out of time. Any inmate who needs assistance in completing the Appeal Form should contact their Caseworker and/or the Prisoners’ Rights Office.
- b. The staff person receiving the Appeal Form will fill in the appropriate signature, date, and time blocks on the form, forward it to the Shift Supervisor who will scan the Appeal Form to the District Manager, with a copy to the Director of Field Services. The staff person receiving the Appeal Form will give the inmate the receipt portion of the Form.
- c. The District Manager may, upon their review of the appeal, 1) deny the appeal as untimely; 2) support the Hearing Officer’s finding; 3) order a new hearing or further findings; or 4) reverse the decision.
 - i. In their response the District Manager will specifically address all appeal issues raised by the inmate in the appeal.
 - ii. The District Manager should respond to the appeal within seven (7) calendar days from the date the appeal was delivered by the inmate to a staff member at the facility.
 - iii. Failure to respond to the appeal within seven (7) calendar days will not result in the automatic reversal of the Hearing Officer’s decision.

- d. The case staffing determination decision for the instant issue will not be final until the appeal process is completed, or thirty (30) calendar days from the date of the Hearing Officer's decision, whichever is sooner.
- e. Appeal issues not responded to by the District Manager within the required thirty-(30) calendar days will be specifically addressed in the case staffing determination.
- f. Any appeal in process during a facility-to-facility in state transfer must be completed by the sending facility and the decision delivered to the inmate within the thirty (30) calendar day time frame.
- g. Section deleted