

- b. Be held at minimum custody, or overridden down to minimum custody, as approved by the Director of Classification and Facility Designation (hereinafter, Director of Classification);
- c. Have none of the following:
 - i. "Hold" from another jurisdiction;
 - ii. Current conviction of a listed and/or sex-related offense;
 - iii. Previous escape from a facility, secure transport, or facility work crew. This criterion may be waived, on a case-by-case basis, by the Director of Classification or designee;
 - iv. Disciplinary report (DR) conviction in the last **12 months** for:
 - a) Assaulting or physically attacking another person with or without an object or substance;
 - b) Assaulting a DOC employee, contractor, or volunteer. Intentionally striking or attacking a DOC employee, contractor, or volunteer with or without an object or substance, or behaving in such a reckless manner that one's actions cause harm to a DOC employee, contractor or volunteer;
 - c) Engaging in sexual assault (sexual abuse);
 - d) Fighting where bodily injury is attempted or completed;
 - e) Killing any person;
 - f) Escaping from an institution, armed escort;
 - g) Possessing, manufacturing, or introducing any item that constitutes a danger to facility order including, but not limited to, weapons, dangerous instruments, escape tools, or communication devices (e.g., cell phones). This also includes possession of any unauthorized weapon while in the custody of the Commissioner of Corrections outside a correctional facility (e.g., at court or a hospital);
 - h) Engaging in arson. Incarcerated individuals are prohibited from setting a fire or causing an explosion;
 - i) Affiliating with a security-threat group. Incarcerated individuals are prohibited from possessing or displaying any materials, symbols, colors, or pictures of any identified security-threat group or engaging in membership in or in behaviors uniquely or clearly associated with a security-threat group; or
 - j) Engaging in sexual acts or activity with or without use or threat of force including but not limited to: kissing, fondling of self or another person in a manner that produces or is intended to produce sexual stimulation or gratification even without the appearance of threat or harm on the part of both persons;
 - v. DR conviction in the last **six months** for:
 - a) Assaulting or fighting where serious bodily injury did not result including sexually abusive contact between incarcerated persons;
 - b) Proposing sex to another person including, but not limited to, repeated sexual advances, requests for sexual favors, verbal comments, or

- gestures or actions of a derogatory or offensive sexual nature between incarcerated individuals or by an incarcerated individual directed at a staff member; or
- c) Indecently exposing oneself or another.
- vi. DR conviction in the last **three months** for:
- a) Possessing, introducing, or using substances including, but not limited to, any alcohol, narcotics, depressants, stimulants, hallucinogenic substances or marijuana (e.g., any plant material, extract or cannabis resin) or related paraphernalia not prescribed for the individual by the medical providers, except tobacco;
 - b) Refusing to submit to a breathalyzer, alco-sensor or any method of testing for drugs, alcohol, or other intoxicant;
 - c) Tampering with fire alarms, fire safety apparatus (e.g., extinguishers, iEvac hoods, sprinkler heads, hoses, fire blankets) or other safety equipment;
 - d) Counterfeiting, forging, altering, or reproducing any document, article of identification, money, security, or official paper without authorization; or
 - e) Adulterating any food or drink with the intent that, when consumed, it will cause harm.
2. DOC staff shall also consider the following convictions before placing an incarcerated individual in a DOC work camp:
- a. Conviction of a violent, non-listed offense: the Director of Classification or designee shall review and approve the placement.
 - b. Conviction of a non-violent, non-listed offense with death or serious bodily injury resulting: the Director of Classification or designee shall hold a case staffing with facility, field, and victim services staff to determine if the placement is appropriate. The Director of Classification or designee shall consider prosecutor and judge comments.
 - c. Past conviction of a violent offense, or any sex offense requiring registration: the Director of Classification or designee shall review and approve the placement.
3. DOC staff shall **not** place an incarcerated individual in a work camp if the individual's work camp placement was reviewed through a case staffing, or by the Director of Classification or designee, and the placement was either not approved or otherwise deemed inappropriate.
4. Any incarcerated individual who meets the work camp eligibility criteria will be eligible for placement in the work camp and Work Camp Good Time (WCGT, a day-for-day credit program). A facility Superintendent or designee who deems a placement in the workcamp inappropriate may request a review of a work camp placement with the Director of Classification or designee for a final decision on the placement.
5. An incarcerated individual who is determined eligible for a work camp placement, and therefore eligible for WCGT, will begin earning WCGT the date they are determined eligible. Facility staff shall find appropriate work for them pending their transfer to the work camp.

B. Removal from Work Camp Placement

The below guidelines provide for the removal of incarcerated individuals from work camp placements.

1. **Illegal Substances.** In cases where an incarcerated individual placed in a work camp uses, possesses, or introduces illegal substances to a work camp (not including tobacco):
 - a. The Superintendent or designee shall remove the individual from their work camp placement;
 - b. DOC staff shall follow the disciplinary process as outlined in the DOC disciplinary directive; and
 - c. The individual is ineligible for work camp placement for three months (or more, depending on the individual's custody level), if there is a Major DR and it is upheld.
2. **Disruptive Behavior.** In cases where a Superintendent or designee believes that an individual's behavior could cause a significant disruption to operations they shall require immediate removal of the individual from the work camp placement. DOC staff shall follow the disciplinary process outlined in the discipline directive. If the incarcerated individual is convicted of a disciplinary infraction, staff shall complete a reclassification for the individual, and their eligibility for a work camp placement shall be determined based on the criteria listed above in section A.
3. **Placement Concerns.** A superintendent who oversees a particular work camp who has concerns about an individual's work camp placement (either before or after placement) shall draft a report to the Director of Classification requesting a determination of the individual's placement eligibility.
4. **WCGT Determinations.** Pursuant to the DOC directive on the discipline of incarcerated individuals, all forfeiture, denial, and inability to continue to earn WCGT for incarcerated individuals already deemed eligible for work camp placement will be the result of a disciplinary hearing, unless a legal circumstance arises deeming the person ineligible (i.e., out of state hold or filing of new criminal charges). Any denial or forfeiture of WCGT due to removal from a crew or a work camp shall be accounted for in the "sanctions imposed" following a disciplinary hearing. In cases where a DR is not upheld, or is reversed, all missed WCGT will be credited to the incarcerated individual.

C. Accommodations

In cases where an incarcerated individual is unable to obtain a medical or mental health clearance to be placed in a work camp:

1. The individual shall still receive day-for-day WCGT;
2. The proper medical or mental health staff shall identify any restrictions for the individual and types of duties of which they are capable; and
3. The facility in which the individual resides shall make every effort to arrange appropriate work for the individual without interfering with the safety and security of the facility.

D. Modifications

Medical staff shall maintain a system to manage information on the medical limitations of incarcerated individuals. Medical staff shall include:

1. information that verifies the limitation; and
2. recommended work duty modifications. The modifications shall be coordinated with the Work Crew Supervisor (WCS).

E. Work Contracting

1. Superintendents or designees who oversee work camps shall establish and maintain relationships with municipalities, Federal and State agencies, and non-profit organizations, to identify work projects commensurate with the capabilities of their CSCs.
2. Typically, work is conducted within 50 miles of the facility. The Director of Facilities or designee shall review for approval all contracts for work to be conducted outside of a 50-mile radius of the relevant facility.
3. Superintendents or designees shall price contracts in accordance with the DOC Business Office's fee schedule and review the fee schedule annually.
4. Work crew supervisors shall draft a contract using a format provided by the DOC Business Office prior to beginning any work.
 - a. Superintendents or designees shall send all contracts for Work Crews to the Financial Manager or designee *prior to signature*.
 - b. The Financial Manager or designee shall forward contracts to the Financial Director or designee who shall advise the Financial Manager when contracts (including zero-dollar contracts) are approved for signature and who should sign them.
5. The Superintendent or designee shall resolve any billing disputes.

F. Documentation and Account for Days Served

1. DOC staff shall document all days worked by incarcerated individuals on work crew.
2. DOC staff shall enter community work service hours into DOC's work crew tracking database.

G. Training for Incarcerated Individuals

1. DOC staff shall provide incarcerated individuals with an orientation that identifies basic expectations prior to going out on community work crews.
2. Before assigning incarcerated individuals to work service, the Work Crew Leader (WCL) or WCS shall assess the individual's ability to perform tasks and use any required equipment.
3. The WCL or WCS shall be responsible for identifying the equipment required for each job and ensuring that each participating incarcerated individual has received appropriate safety training.

H. Work Site Safety

1. The WCL or WCS shall take responsibility for ensuring that incarcerated individuals are provided with the appropriate safety equipment for the required type of work and equipment.
2. The WCL shall take responsibility for examining the work site prior to beginning an assignment to identify potential safety risks and develop a plan to address any that are discovered.
3. The WCS shall assess weather conditions to ensure that staff and incarcerated individuals are not exposed to extreme temperatures for prolonged periods of time. When appropriate, the WCS may provide for additional equipment, reduced work schedules, or alternative schedules (up to, and including, cancellation of work for the day).
4. The WCS or WCL shall plan for roadway work bearing in mind visibility and the potential need for signs and high visibility safety vests. The WCS or WCL shall assess road and visibility conditions every workday. They shall also postpone work if conditions do not allow it to be performed safely.
5. The WCL shall ensure that, when transporting incarcerated individuals in a DOC vehicle, the number of passengers does not exceed the vehicle rating or the number of seat belts available for use. WCLs shall require incarcerated individuals to wear seatbelts.

I. Work Site Security

1. Prior to beginning any site work the WCS shall examine it for specific security hazards.
2. The WCS shall check that incarcerated individuals assigned to a crew will not be working at a site near where a victim of record, or close family member, resides.
3. The WCS shall pay specific attention to potential opportunities for contraband introduction.
4. The WCS shall, in advance of any work, notify:
 - a. law enforcement – local police department if applicable, otherwise nearest Vermont State Police
 - b. communities – town clerk (or equivalent)
5. Staff shall respond to any escape, or attempted escape, by an incarcerated individual in accordance with the DOC's facility escape directive.
6. The Superintendent or designee shall establish local procedures or post orders at each facility where incarcerated individuals participate in a CSC directing staff to record information required for reporting an escape and preventing the introduction of contraband to the site.
 - a. The WCS shall request that these local procedures and post orders include, a requirement that staff complete, for any incarcerated individual participating in a CSC outside of a facility, a daily:
 - i. description of the incarcerated individual's clothing for that day;
 - ii. picture of the incarcerated individual before they depart the facility; and
 - iii. a strip search upon the incarcerated individual's return to the facility.

J. Work Site Supervision

1. The WCL shall pay close attention to potential safety hazards while intermittently supervising CSCs.
2. WCSs and other supervisory or management staff may conduct spot checks of work sites.
3. WCLs shall conduct at least two formal headcounts per shift and then report the formal headcount to the WCS.

K. Injuries

1. WCLs shall keep a cell phone on their person and a first aid kit in the DOC vehicle.
2. WCLs shall participate in, and pass, annual training in first aid and CPR.
3. WCLs shall follow these steps if an incarcerated individual has a medical incident while working on a CSC:
 - a. If the incident constitutes a medical emergency:
 - i. The WCL shall immediately call 911 to request an ambulance and apply first aid to the best of their ability, if appropriate.
 - ii. When calling 911, the WCL shall request that a member of law enforcement be dispatched as well.
 - iii. The WCL shall then notify the WCS or on-duty Correctional Facility Shift Supervisor (CFSS).
 - iv. The WCL shall remain with the uninjured individuals. If the ambulance arrives before facility assistance arrives, the WCL shall request that law enforcement accompany the injured individual until a DOC staff member can take over supervision.
 - v. In the event that first responders indicate that a delay in transporting the injured incarcerated individual would be harmful, and there is no DOC or law enforcement available to accompany the transport, DOC staff shall call the nearest DOC probation and parole office, indicate the emergency, and request any available field staff for support to either meet on scene to escort or rendezvous with the ambulance at the hospital.
 - b. If the injury is minor, the WCL shall evaluate the injured individual and determine if they should continue working that day. The WCL shall also notify the WCS or on-duty CFSS.
 - c. The WCL shall document any injury in an incident report by the end of the next business day. The report shall include:
 - i. a description of what the injured individual was doing at the time of the incident and
 - ii. a description of the injury.