

# **ORDERING TIME TO SERVE PRISONERS**

## **A Manual for the Planning and Administering of Work Release**

By

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This project was supported by Contract No. J-LEAA-012-71 awarded by the Law Enforcement Assistance Administration under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Points of view or opinions stated in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

**JUNE 1973**

**U.S. DEPARTMENT OF JUSTICE  
Law Enforcement Assistance Administration  
Technical Assistance Division**

In our response to crime

It is beyond my ken

Why we make men serve time

But don't make time serve men.

--Anonymous

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Washington, D.C. 20402. Price: \$2.60, domestic postpaid; \$2.25, GPO Bookstore  
Stock No. 2700-00205

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## FOREWORD

The President's Commission on Law Enforcement and the Administration of Justice noted the expanding usage of work release as a correctional strategy and advanced the opinion that it held promise of improving correctional efforts at all levels of government. With the passage of the Omnibus Crime Control and Safe Streets Act of 1968, the federal government placed its resources and prestige behind state and local efforts to broaden the application of work release. In administering the provisions of this legislation, the rapidly evolving Law Enforcement Assistance Administration (LEAA) became aware of two facts: (1) many state and local correctional planners and administrators were anxious to incorporate work release into their developing rehabilitation programs, and (2) there was a dearth of readily accessible information and expertise available to these planners and administrators.

LEAA, therefore, commissioned the American Justice Institute (AJI) to search out the existing, but not always apparent, resources and make them available to interested persons and agencies. AJI set up the National Work Release Study to prepare a Work Release Manual, assemble a bibliography of pertinent literature, prepare a directory of existing work release programs and their key personnel, and compile all state and local statutes and enabling ordinances upon which existing or planned work release activities were based or developed. The information base was generated from a review of work release literature, on-site visits to 55 programs in 20 states, replies received from questionnaires, and technical assistance obtained from paid consultants. The Manual is a distillation of the information and opinions accumulated in the course of the study.

The first and most striking observation made by the project staff concerned the differences in work release programming between state and local agencies. The states had moved much more strongly into work release programming than had their political subdivisions. State correctional agencies were in a much stronger position organizationally and financially to plan and implement work release, and most states were already deeply involved in some programming. At the same time, work release was having a difficult time becoming established at the local level. A few of the factors retarding growth were smaller target populations, dispersed authority, the absence of technical assistance in program planning, poor facilities from which to stage programs, and the scarcity of dollars with which to acquire staff.

During the last two decades, much has been written about work release as a concept. However, the literature is largely concerned with state and federal applications; little has appeared to date which could be of assistance to local criminal justice planners or administrators intent upon initiating a formal work release effort.

On the basis of these findings, and with the consent of LEAA, the Project narrowed its focus to local work release. Accordingly, the Manual is geared primarily to the needs of local programs in hopes that it will fill the void, at least in part.

Three other resource documents have been produced by the Project. They are: (1) "Work Release: A Bibliography," (2) "Work Release: A Directory of Programs and Personnel," and (3) "Work Release: A Compilation of Enabling Legislation." All are available through LEAA's Criminal Justice Reference Service.

## ACKNOWLEDGMENTS

Because this publication is based upon fact and opinion supplied by hundreds of contributors to the literature of work release, respondents to questionnaires used by the National Work Release Study, and program staff and administrators interviewed on-site, it is impractical for the author to here name each person. He can only express to them collectively his profound appreciation for their interest, support, information, hospitality, and forbearance without which this publication could not have been prepared.

The author does wish to acknowledge, however, the special assistance received from Stanley E. Grupp, Professor of Sociology at Illinois State University who provided much strategic information relative to the philosophical content of work release; and Larry E. Morris, Director of Work Release, Multnomah County (Portland, Oregon), Department of Public Safety, with whom the author consulted concerning operational problems. Timothy L. Fitzharris, General Manager of the California Probation, Parole and Correctional Association, generously provided historical and other information developed in the course of his research for his doctoral thesis, while Frank C. Woodson and Lee F. Bennett, Work Furlough Administrator and Deputy Administrator, respectively, for San Diego County (California), and Lt. Fred T. Hooever, San Mateo County (California) Sheriff's Department, provided extensive data concerning procedural matters.

Finally, the author is indebted to George Saleebey, Deputy Director of the California Youth Authority, for extensively editing and revising the publication draft; Evalyn Kistle for typing the original manuscript; and Mary Babayco for developing the format and preparing the publication in the form in which it appears.

The participation of all of the abovenamed and unnamed persons converted what originally promised to be a routine, mechanical study into a provocative and exciting experience for the author. It is his hope that this publication will serve as an adequate conduit for their contributions and for the spirit with which they were offered.

## PREFACE

The suspicion that unrelieved confinement cannot adequately prepare prisoners to function as responsible citizens after their release has been nagging serious men for at least 100 years. Yet, those whose business it is to confine society's offenders seldom seem able to acquire the strength of conviction, muster the courage, or mobilize the public support required to abandon or modify what they widely suspect to be sterile practice and, instead of pursuing courses of action more in keeping with their suppositions, these administrators tend to complacently repeat the errors of the past. At the base of this lies the average man's deep-seated and largely unresolved conflict concerning the proper means and ends of criminal justice.

The mind accepts and calls for a policy which repairs the offender and reintegrates him into the community from which he came and ultimately must return. But the emotions of man steadfastly condition the implementation of policy born in the mind with the requirement that the offender be made to suffer for his errors. The expectation is that a little pain will inspire the birth of resolution to reform. Whether or not the punished are reformed, the punisher feels reassured of his own virtue and takes quiet comfort in knowing society's laws have been vindicated. Thus, society is inclined to accept a policy of aiding an offender as a matter of principle while demanding punishment as a means of allaying hidden fears. The resulting impasse - where action is promoted on the basis of principle and simultaneously braked on the basis of anxiety - accounts for much of the sluggishness, inertia, lack of convincing results, and apathy which characterize the operation of all phases of our criminal justice system.

One of the intrinsic values of work release is that it tends to ease the impasse between the desire to help and the need to punish. By converting confinement - society's conventional method of exercising punishment - into an opportunity for the disciplined practice of community living, work release simultaneously serves both goals. Properly executed, work release can exploit the positive features of confinement while it is mitigating the destructive ones. However, experience reveals that work release is not immune from the same hobbling which afflicts other criminal justice programs which fail to articulate a philosophy and operate in terms of a set of principles keyed to it.

Given the slow pace at which social institutions evolve, work release is still in its childhood. Born in Vermont in 1906, work release was practiced only sparingly and intermittently at the local level in two or three states, most notably Wisconsin. Only since

about 1955 has the concept of work release penetrated the awareness of most local criminal justice officials and been accepted. The slow and hesitant way in which the concept has been implemented is indicative of the formidable nature of obstacles which must be overcome in order to convert the concept into practice.

Anyone who views the existing state-of-the-art of local work release cannot but note a certain amount of confusion of purpose and method, its lack of integration with other criminal justice activities, and results less than gratifying to its sponsors. Yet, one would also observe that growth is occurring and progress is being made. Case-by-case and step-by-step, in a growing number and variety of local criminal justice settings throughout the country, operational experience is slowly being acquired and expertise being created. Unfortunately, there has been a minimum of interaction among individual work release operations and little sharing of the expertise which has been generated. Local work release programs, and the local criminal justice operations of which they are a part, are the poorer because of their isolation from one another and their failure to contribute to and drink from a common reservoir of knowledge.

In the course of its activities, the National Work Release Study became aware of why the work release concept has come to be expressed in so many forms and why no single operational model could be designed which would have general application and acceptance.

Population differences are the most obvious factors contributing to the variation in implementation. The volume of criminal justice activity in between two-thirds and three-fourths of the nation's counties is not large enough to generate sufficient prisoners suitable for work release to justify any full-scale formalization of work release programming at the local level. On the other hand, in the larger counties, there is the potential for use of work release at a level justifying its elaboration as a separate program entity with its own staffing, housing, and administration. Work release requires a very different form of implementation in a Nebraska county of 2500 residents from that required in a Pennsylvania or California county with a population in excess of a half million.

Differences in enabling legislation are a strong force for dissimilar implementation of work release. State-administered programs for misdemeanants create both opportunities and problems which are not present at the local government level. States with statutes empowering only judges to grant work release status must approach program operations quite differently than those states in which administrative officials are authorized to make this decision. Some statutes define work release eligibility very loosely, while others are quite restrictive both as to eligibility and method of administration.

The physical facilities upon which work release programs are based are an important determinant of program. The scope of privileges available to a work release prisoner held in a 60-year-old multipurpose jail would be much smaller than is available to a prisoner from a separate and specially designed work release facility. Procedures and activities which are regarded as essential to programs operated in small, minimum security buildings located in residential areas of suburban counties are likely to be impractical for use in a large, multipurpose jail located in the downtown section of a large city.

It is impossible to define or describe work release except in the most superficial terms without becoming involved with nearly every element and process of criminal justice. For example, there is a relationship between how a community formally responds to suspected offenders at the point of arrest and the size and characteristics of its work release prisoners. Similarly, no community can hope to define the dimensions of a work release program unless and until it determines to what extent it is willing to equip itself with and use a comprehensive program of adult probation services.

Any indepth treatment of work release, either as a strategy or as a program to be administered, is also complicated by the fact that it reflects and, to some extent, bridges all of the dichotomies of contemporary criminal justice. Work release is at the same time rehabilitative treatment and traditional punishment. It involves both custodial and noncustodial status. It is in part an institution program and in part a community program. It simultaneously involves both law enforcement and correctional personnel and activities. Programming is in part individualized and in part carried out through group processes. It makes use of both paid professional staff and unpaid volunteers in the form of employers, ex-offenders, student-interns, and others. Both state and local areas of responsibility for corrections are joined when the work releasees of one level of government are serviced by the institutions and staff of the other.

Given the diversity of environments to which the work release concept must adjust and the extent of its dependence upon and importance to other elements and processes of criminal justice, the only practical way to present the available planning and operational expertise is in terms of broad principles and their rationales and potential application. There are problems in this approach, however. Some of the principles established cannot be honored in some settings because of the provisions of prevailing statutes, the nature of the physical housing of the program, the number of participants, or the existing relationships among operating criminal justice agencies. In such situations, the principles expressed can be regarded as guidelines for planning legislative, administrative, and/or organizational change.

It is crucial that the concepts, methodology, and relationships of local work release be studied, defined, and practiced carefully now, for all indications point to the probability that the use of work release is expanding rapidly. Trends are already apparent which suggest that work release will have an even more strategic role to play tomorrow. Diversion of alcoholics, addicts, vagrants, marijuana users, prostitutes, and homosexuals - to name only the larger categories - away from the processes of criminal justice; the elaboration of such practices as police citations, release on recognizance, reasonable bail schedules and plea bargaining; and the strengthening of adult probation services can be expected to result in tomorrow's jail populations being smaller but more sophisticated. Superficial rehabilitation programs will no longer be acceptable and will have to be replaced by far more intensive ones if the individual prisoner is to be reinstated in the community with the risk to the public safety being maintained within tolerable limits.

In this context, work release cannot be just an attractive, experimental innovation. It will have to be a strong, disciplined, and effective core program. To stand any chance of achieving this status, work release programs will require, as a minimum, a philosophical base justifying objectives and procedures, careful planning, central administration, appropriate housing, competent staffing, and ongoing evaluation.

Finally, throughout the preparation of this publication, it has been necessary to wrestle with several very disturbing questions. The small amount of competent research and evaluation which has been completed and reported has provided little convincing evidence that work release, as presently practiced, can guarantee the achievement of the purported objective. Where, then, is the justification for preparing a manual? In the absence of successful practitioners, can there be any expertise worth consulting and compiling? Why is there a mounting demand on the part of criminal justice program planners and administrators for assistance in staging work release programs when existing programs appear to be producing so few documented results?

The answers seem to lie in response to alternatives. Officials responsible for providing for the needs of confined men have three options open to them: (1) do nothing, (2) continue repeating present practice, and (3) innovate. The first alternative is acceptable only to those officials who feel they can afford to wait until someone else discovers the route to success and sends them a map. The second alternative, which involves traveling routes known to terminate in turn-arounds and deadends, is acceptable to those officials who need only establish that they are active, not necessarily productive. The third option involves pioneering, is fraught with danger, and poses a substantial risk of failure. However, it is the only alternative which holds any possibility for achieving success.

The National Work Release Study sought to find out from some of the nation's most perceptive and forward-looking work release program administrators what they had learned in their experience that they considered worth preserving and building upon. This publication has attempted to synthesize those findings into a body of usable principles and practices. As a repository, this publication cannot reveal to criminal justice planners and administrators what lies beyond the frontiers. It seeks only to serve as a provisioning point for those who plan to find out.

PART I

ESTABLISHING A WORK RELEASE PROGRAM



## CHAPTER I

### HISTORICAL DEVELOPMENT AND EXTENT OF CURRENT USAGE

Anyone who undertakes today the pioneering task of planning, administering, and gaining public understanding for work release will find it profitable to review its developmental history and the extent of its current usage. It can be reassuring to know that work release, both in theory and practice, is being fashioned on the anvil of time. Similarly, the advocate of work release can gain confidence from the knowledge that in the tempering process both theory and practice have become more attractive and respected. As a consequence, during the past decade, work release is now becoming regarded not as a program novelty but as a necessary weapon which should be found in the arsenals of criminal justice agencies across the nation.

### LANDMARKS IN THE EVOLUTION OF WORK RELEASE

Work release, in common with most penological innovations, grew out of the distress of both professional and lay persons with the destructive influences of idleness inherent in prison life. The following events are among the most significant in the evolution of work release:

- 1786-1790 Extramural Employment of Pennsylvania Prisoners  
In Pennsylvania, the Act of September 15, 1786 ordered the punishment of prisoners by "continued hard labor, publically and disgracefully imposed." The failure of this "outside work" led to the employment of prisoners in prison workshops and to the Act of April 5, 1790. This latter Act required that separate accounts be opened for prisoners; that they be charged with the cost of their clothes, maintenance, and raw material used in their labor; and that they be credited with the proceeds of the sale of their manufactured products. If there was any profit after deducting costs, it was ordered, prisoners should receive one-half of this "to be laid out in decent raiment for such convicts at their discharge or otherwise applied to their use and benefit." Earnings were, in fact, used for reimbursement of the county and toward the support of their families.
- 1824 New York House of Refuge  
The charter of the New York House of Refuge authorized managers of the institution to place inmates at extramural employment during their minority for purposes of training and to bind them out, with their consent, as apprentices or servants.

- 1850 (approx.) Indenture in England  
Around the middle of the nineteenth century, English courts initiated a practice of allowing convicted offenders to be housed, boarded, and supervised by private employers in return for their labor.
- 1854 The "Irish System" of Indenture  
As an intermediate step between full-time confinement and full indenture, Sir Walter Crofton allowed prisoners to work away from the prison during the day, provided they returned to their quarters at night. Prisoners approved for this phase of confinement worked at farm and factory labor, were unsupervised by prison personnel, were trusted to move about the city where they could spend part of their earnings, and were allowed to retain the unspent portion of their earnings for use upon release as a fully indentured prisoners.
- 1883 Sing Sing Prison  
The warden permitted prisoners to "do extra work" in order to "have something to live on after he went out."
- 1906 Vermont - The First Program of Record  
In 1906, Vermont enacted a law providing for extramural civilian employment and authorizing sheriffs to set their prisoners at work either inside or outside the jail. Sheriff Frank H. Tracy of Montpelier, rebuffed in his efforts to find other employers, hired some of his prisoners to work on his own farm at prevailing wage rates for laborers. Part of the prisoners' earnings were paid to the State, and the remainder retained by the sheriff and given to them when they left jail.  
  
As operated, Sheriff Tracy's "honor plan" contained most, if not all, of the basic elements found in today's work release programs. The philosophy underlying the plan and the benefits claimed from it are no different from those associated with current programs.
- 1913 Wisconsin Enacts Huber Law  
Against a backdrop of developing progressive penal techniques for felons in Wisconsin, Senator Henry A. Huber sponsored legislation providing for employment of county jail inmates with permission of the court and under the supervision of the sheriff.
- 1918 Massachusetts Expands Use to Women  
Dating back to the mid-nineteenth century, Massachusetts had an indenture law which was not used widely. In October 1918, in response to an emergency created by a

flu epidemic, Superintendent Jessie O. Hodder used the law to permit women prisoners to be employed by a local hospital. Between the two world wars, women prisoners were employed primarily as domestics. During World War II, employment of prisoners in factories increased.

- 1937-1959 European Nations Adopt Work Release  
Following experimentation, the following countries formally authorized work release: Sweden (1945), Scotland (1947), Norway (1952), Great Britain (1953), and France (1959).
- 1956 Post Article Stirs Nationwide Interest  
A Saturday Evening Post article entitled "Wisconsin Throws Them Out of Jail," by Robert M. Yoder, in the February 4, 1956 issue, set off a flood of inquiries, causing Wisconsin authorities to survey their own programs in order to provide answers.
- 1957 North Carolina Enacts Work Release Law  
The statute extended work release to offenders in state institutions, but only certain misdemeanor offenders recommended for work release by sentencing judge were eligible.

#### Work Release in California Counties

Counties, by a formal resolution passed by the Board of Supervisors, could undertake work release programming, as a result of enabling legislation passed by the California Legislature. Law provided that the Board could designate either the sheriff or county probation officer as work release administrator. The Legislature acted at the request of Santa Clara County authorities who had initiated a work release program under questionable legal authority.

- 1959 North Carolina Extends Law  
New provisions extended eligibility to more misdemeanor and some felony offenders. The State Board of Paroles was authorized to approve work release for eligible felons.
- 1963 Action by Pennsylvania Legislature  
Legislation, providing for work release in county jails, was inspired in part by programs carried out successfully in Lancaster County.  
  
Bucks County initiated work release program based in county prison, but later moved to newly constructed county rehabilitation center.

- 1964 San Diego Ushers in New Era  
Using Crofton House, a remodeled residence structure situated in a densely populated area, San Diego County (California) Department of Camps and Honor Farms initiated what is probably the first work release program in the United States to be staged completely away from a jail facility.
- 1965 Prisoner Rehabilitation Act of 1965  
Act by Congress authorized the U.S. Bureau of Prisons to use work release.  
  
American Correctional Association  
Special section on work release scheduled at annual conference, and Ad Hoc Committee on Work Release established.
- 1967 Saskatchewan (Canada) Passes Corrections Act of 1967  
Law provided that work release eligibility shall be strictly an administrative decision and one not to be linked to the sentencing process.

#### EXTENT OF AUTHORIZATION AND IMPLEMENTATION

After several decades of slow development, work release is now expanding rapidly at all levels of government. Programs are multiplying in number and becoming more formalized. They are beginning to move out of prisons and jails into community settings. Meaningful research and program evaluation, minimal to date, is now being undertaken. As the public becomes better acquainted with the work release concept, a broader range of prisoners is being served, and operating practices are becoming less rigid.

The following is a summary of the extent to which work release programs had been adopted at each level of government in the United States by mid-1972:

#### FEDERAL

1. U.S. Bureau of Prisons--After the Prisoner Rehabilitation Act of 1965 became law, the Bureau of Prisons began granting work release to selected inmates in some of its prisons, most of its community treatment centers, and in county, state, and private institutions with which the federal government had contracts to provide care and custody. In March 1972, the Bureau of Prisons had a total inmate population of 21,527. Of this number, approximately 266 (1.5%) were held in work release status.
2. U.S. Courts--U.S. District Courts are permitted to sentence convicted offenders to the correctional institutions of counties and states with whom the federal government has contracts for this purpose. If their facilities have work release programs, and if

the sentencing judge has not expressly prohibited the granting of work release, federal prisoners may be granted work release privileges, but usually only at the option of the host facility's Work Release Administrator.

3. District of Columbia--Following the passage of the Prison Rehabilitation Act of 1965, the District of Columbia's Department of Corrections inaugurated a work release program for felony offenders convicted in the District Court. In March 1967, a program for misdemeanor offenders was begun. Both programs employ work release as a sentencing option as well as a prerelease procedure.

#### STATES

As of April 1, 1972, every state except Mississippi and Nevada were either operating or on the verge of operating work release programs for persons under commitment to their correctional organizations. Five of the work release states had no statutes specifically authorizing the use of work release and had proceeded to operate on the basis that the practice was not expressly prohibited by law.

State laws providing for the employment of work release by state corrections departments vary widely in form and content. In a few states, authorizing sections are very brief and general. In several other states, the statutes incorporate detailed program rules and procedures.

The extent to which the states use their work release laws also varies greatly. The average number of felony prisoners who were in work release status on a given day in 1971 ranged from less than a dozen in one state to in excess of five hundred in another. The extent of use does not always correspond to the size of a state's total prison population. During 1971, the 50 state departments of corrections were caring for an average of about 200,000 men on any given day. There is evidence that about 5,000 of this number were held in work release status. However, approximately one-half of the total of all work releasees were to be found in just four states.

#### COUNTIES

As of April 1, 1972, the laws of 40 states provided authorization for the use of work release for misdemeanants. In seven of these states, work release programs for persons convicted of misdemeanors were state-administered. In thirty-three, programs were based upon local facilities administered by local officials. Some statutes require individual counties to pass implementation ordinances.

At the county level of government, work release is utilized both as a sentencing disposition and as a prerelease procedure. When used as the latter, the approval of the sentencing court is required in most states.

The statutes of at least one state authorized one of its courts to grant work release prior to plea and trial as an alternate to releasing on recognizance or jail or bond. The practice appears to be limited to one county and is used sparingly. It is estimated that during 1971:

- ... only 552 (17.6% of the nation's total) counties used work release.
- ... 22,515 persons were granted work release during the 12-month period.
- ... 4,600 persons were on work release status on any given day.
- ... California counties accounted for about one-fifth of all misdemeanor work releases in the United States.
- ... Florida, Massachusetts, North Carolina, and Wisconsin<sup>1</sup> accounted for about one-third of all misdemeanor work releases in the United States.
- ... California, Florida, Massachusetts, North Carolina, and Wisconsin together (5 states) accounted for over one-half (53%) of all misdemeanor work releases in the United States.

#### CITIES

An unknown number of municipalities are authorized by state law and/or local ordinance to provide work release status to inmates of their jails, houses of corrections, workhouses, and prisons. The cities of Detroit, Minneapolis<sup>1</sup>, St. Louis, Cincinnati, Cleveland, and Dayton are examples.

#### CURRENT TRENDS IN USAGE

To the extent that one can identify and project from present trends, it seems likely that work release will have a lively adolescence. The movement towards community-based correction is building in force. In some states, there is a pronounced shift in responsibility

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<sup>1</sup> The Minneapolis City Workhouse, although technically a city facility, serves Hennepin County prisoners primarily.

from state government to local government for the care of sentenced defendants. In other states where most if not all correctional activity has shifted from local government to state government, the actual sites of activity are increasingly found in local communities rather than in a few isolated sites in the form of large prisons. It seems likely that in the future whether corrections is basically a state responsibility or a county responsibility, or a shared one, that increasing emphasis will be placed on alternatives to incarceration and, when incarceration is necessary, upon smaller facilities extensively interrelated with the communities in which they are located.

These broad trends favor the expansion of work release. There is already some sentiment among institutional administrators that every prisoner who is to be released be granted work release at some point prior to the termination of his commitment. On the other hand, there can be little question that unless more effective probation services are developed to serve the local courts there will continue to be some overuse of work release by many communities.

When one studies the practices being employed in existing work release programs and examines the planning which is preceding impending ones, it is apparent that the following trends are developing relative to local program administration:

1. The removal of work release populations and programs from maximum security jails and establishing them in community correctional centers in the form of minimum security facilities and halfway houses.
2. A greater involvement of administrative authority in decision-making processes relative to the selection and approval of program participants accompanied by a diminishing of judicial involvement.
3. The granting of a greater degree of responsibility to participants for the handling of their earnings, arranging transportation, and finding employment.
4. Increasing use of existing community programs for self-improvement activities and a decreasing dependence upon activities staged in the work release institution itself.
5. Assignment of specialized staff to plan, program, coordinate, and supervise case service activities involved in work release programming.
6. The selection and assignment of custodial personnel to work release facilities on the basis of temperament and knowledge and skills relative to human relationships.

7. Increased participation of citizen leaders, employers, educators, volunteers, and other groups in program planning and execution.
8. Increasing disinclination to place a higher priority upon the recovery of program costs from participants' earnings and an increasing willingness to allow part of the participants' earnings to be used for post-release needs.
9. An increasing tendency to place responsibility for work release administration with correctional rather than law enforcement officials.
10. A growing practice for the process of selecting applicants for work release by representatives of all agencies with responsibility for applicant, rather than by single official or staff of one agency.

It appears, then, that future work release programming will be more and more community-based, administratively rather than judicially controlled, professionally administered, participant-centered, and better integrated into and articulated with other elements of the criminal justice machinery of the community.

## CHAPTER II

### PROGRAM CONCEPTS AND COST/BENEFITS

Since the time of the Quakers and the development of the prison as a place of confinement (as opposed to detention), correctional philosophy in the United States has been and continues to be a mosaic of contradictions. In dealing with the criminal in its midst, the American society has tended to respond to the fashions of the moment, to be satisfied with the search for innovative measures and short-run palliatives rather than applying strategies developed within the context of a guiding philosophy of punishment. It is not surprising, then, that the early outcroppings of work release in the United States do not appear to have been molded by any particular correctional philosophy. Attempts to articulate a rationale for work release have been largely post hoc. Work release programs are developed first. Only afterwards is the attempt made to decide upon a body of thought with which to justify their existence. It is not surprising, then, that work release programming suffers from the same confusion and conflicts which characterize the total administration of justice - particularly the sentencing and correctional phases - in the United States.

In the absence of any philosophical base to support them, few concepts have been articulated and formalized which can serve as guidelines for planning and operating work release programs. As a consequence, existing work release programs have taken on many shapes and pursue different objectives, some of which are contradictory.

There can be little question that any activity which is unplanned and which is undertaken without clearly defined objectives and operating concepts is destined to exist in a state of confusion, drift at the mercy of external forces, and remain in constant danger of meeting with disaster. It is crucial, then, that every person who accepts responsibility for any or all activities incorporated in a work release program seek to establish a philosophical context within which to function and to define and set down formally program goals and operating principles.

#### THE MATTER OF CUSTODY

Historically, jails have been the primary locus of custody at the local level for both sentenced and unsentenced prisoners, although some of the nation's more populous areas provide special institutions for sentenced prisoners. For the most part, local institutions have been and continue to be the administrative responsibility of elected sheriffs and appointed chiefs of police whose major interests, qualifications, and preoccupation relate to the control of crime and the apprehension of criminals, not with operating institutions. In fact, sheriffs and chiefs of police have tended traditionally to regard jails as unwanted step-children. The absence of program innovation which

characterizes most jails is proof enough of that fact.

Because they are responsible for operating jails, sheriffs perform the custody function involved in work release programming. In counties with small populations and a single institution, work releasees are confined with other prisoners, sometimes in separate quarters. In larger counties which have more than one institution, work releasees are more likely to be segregated from unsentenced prisoners and sentenced prisoners requiring close custody. In some urban and suburban counties, institutions for some or all sentenced prisoners are administered by officials other than the county sheriff who are appointed by county governing bodies and are required to have some qualifications for correctional administration.

There are three trends developing in the country which promise to exert a significant influence not only on how the custody function of work release is performed but how work release programs as specific entities are administered.

Historically, in large parts of the United States, the principal function of the county sheriff has been to police unincorporated areas. Jails were provided and administered by sheriffs to support his police function. Sheriffs' office personnel were generally selected by their interest in and qualifications for police work. Sheriffs were preoccupied with their police activities; the jail was a nuisance to be tolerated.

During the past three decades through incorporation and annexations, many sheriffs have lost large segments of the populations and territory they once were responsible for policing. Simultaneously, other factors were at work which increased the number of persons sheriffs had to hold in their jails. As the institutional workload grew, sheriffs were forced to give more attention to it. Many found it necessary to develop and administer large institutions and to devise programs for occupying inmates. As the scope of their policing function shrunk and their preoccupation with their institutional responsibilities grew, many sheriffs became responsible for most if not all of the county's correctional services for adult misdemeanants.

A similar although less fully developed trend involves the scope of responsibility exercised by probation officers. Although relatively new as an instrument of criminal justice compared with the office of sheriff, probation services for misdemeanants are beginning to develop in some parts of the nation. At least one state has authorized county probation officers to administer institutions when designated as Work Release Administrators. Thus, these probation officers are in a position to develop programs in which institution and field work services can operate in mutual support of one another.

A third trend is developing in some parts of the country where local criminal justice planners are studying the feasibility of establishing county correction departments. Such departments would not be elaborations of existing departments but would subsume all custodial and correctional activities performed by existing departments. Included within the area of responsibility of such departments would be such programs and activities as probation and parole supervision, release on recognizance, all institutions serving sentenced prisoners, and work release. County departments of correction, as conceived, would blur the traditional line between custody and treatment and tend to encourage the integration of the custody and case service functions of work release.

#### PROGRAM CONCEPTS

Those who have yet to undergo the difficult but profitable process of formulating the major purpose and role of a work release program may find assistance in the wisdom and experience of the already initiated. Following are 11 guidelines for program planning and operation. These guidelines or concepts are based upon the written and oral expressions of criminal justice administrators with experience in mounting work release programs.

The concepts are not limited to those which can be implemented within the provisions of the enabling statutes of all states which have authorized work release. Nor are they framed to incorporate what may be prevailing practice in existing programs. None of the guidelines are without actual application in some local program in the United States.

The fact that most, if not all, existing work release programs contain some elements which fall outside the guidelines below should not be interpreted to mean that existing programs are necessarily defective. The fact should suggest only that consideration be given to the possibility that practice more in harmony with the guidelines may yield a stronger program.

#### GUIDELINE #1

Work release is primarily a vehicle for offender rehabilitation.

Society through its courts and administrative agencies confines convicted offenders for one or more of the following general reasons:

1. To take revenge in the name of society against the individual who has violated its laws, thereby vindicating its laws.
2. To inflict sufficient discomfort upon the offender that he will be deterred through fear of further confinement from future illegal conduct.
3. To demonstrate to anyone who might be tempted to imitate an offender's misconduct that similar conduct on his part will result in confinement with the attendant discomfort.
4. To prevent (for the period of confinement ordered) further misconduct in the community by denying access to it.
5. To provide the opportunity for the offender to attain the capability to live acceptably in the community as a free citizen.

Under normal circumstances, the first four objectives may be attained in any institution of confinement characterized by an environment which provides neither cruel and unusual punishment at one extreme nor obvious physical, mental, or emotional pleasure at the other.

To fulfill the fifth objective of confinement, incarceration must be attended by circumstances and efforts which cause the offender to approach and/or achieve what society regards as a state of normalcy - namely, life without confinement.

Work release - because it seeks to accomplish the individual's return to a state of nonconfinement which is defined as the standard of performance to be achieved - can only be considered reformatory, rehabilitative, restorative, and reintegrative in purpose.

Because individuals are often confined for more than one purpose and because criminal justice agencies usually find it impractical, if not impossible, to compartmentalize the resources of confinement (buildings, staff, procedures, etc.) according to the various objectives being sought, efforts to achieve one goal are unfortunately fouled by the resources present to serve others. For example, the austerity of physical surroundings required to provide a deterrent force are incompatible with the furnishings needed to facilitate treatment; the freedom of movement desirable for work releasees can compromise the quality of incarceration required for prisoners who possess little self-control. Yet, these anomalies are a fact of life. It is highly unlikely that a work release program could realistically be staged in a manner which would yield only rehabilitative benefits, but the primacy of this objective must remain uppermost in the minds of the planner and administrator.

#### GUIDELINE #2

Rehabilitative ends of work release need not defeat other reasons for confinement.

Irrespective of the reasons why work release prisoners are ordered confined, the objective of granting work release status should be the protection of the community by means of the rehabilitation of the offenders, and all activities should be geared to that end. However, the granting of work release status to any prisoner need not weaken or cancel out (and may actually enhance) any disciplinary deterrent or effect intended by the sentencing court when ordering the defendant to be confined.

If participating in work release activities has the effect of reducing the amount of punishment intended by the sentencing court, this loss is likely to be more than compensated for by the embarrassment, discomfort, and inconvenience inflicted upon the prisoner by the necessity each day to give up the freedom associated with his work situation and to wilfully submit to custody. Inherent in the housing, schedule, and rules of work release programs are enough deterrence, intimidation, incapacitation, and self-denial to offset any privileges gained when work release status replaces conventional confinement. In a real sense, work release results in "paying one's debt to society on the installment plan."

Work release time is "hard time" to serve. It is far more difficult to be faced with decisions to be made and seduction to be resisted while serving time than to serve it under conditions where temptations do not arise and decisions are made by others.

Especially for the immature and impulsive prisoner, the obligations imposed by work release status are far more burdensome (and growth-producing) than are those associated with conventional confinement. Work release programs, properly administered, tend to block prisoners' tendencies to flee from responsibility and, to the contrary, encourage the acceptance of greater amounts of it.

#### GUIDELINE #3

The community's requirements for justice are assessed and satisfied by courts at the time of sentencing.

When a member of the community has been convicted of breaking its laws, he is for the moment in the position of a prodigal seeking readmittance. The court is the community's instrument for determining whether or not, when, and under what conditions the offender shall be readmitted to the community as a member in good standing. Judges, with the guidance of any of the community's officials and citizens which they may seek, are delegated the responsibility for assessing the requirements of "the people" on the one hand and the rights and needs of the offender on the other, balancing them with each other and synthesizing from whatever resources are available a disposition which, when implemented, constitutes the exercise of justice.

During the course of the assessment which it engages in prior to pronouncing sentence, courts consider to what extent deterrent and rehabilitative measures should be taken to satisfy the expectations of the community. It must be assumed that courts, in the course of weighing all of the ingredients from which they will create their recipes for justice in each instance, will be fully aware of the deterrent and rehabilitative potential of each resource available and that the courts' dispositions will reflect such knowledge. When one of the available resources is a work release capability, courts will have some understanding of its capability to rehabilitate as well as its potential for deterrence. With this knowledge, the courts can decide whether or not and to what extent the existing work release capability will satisfy the community's terms for a particular offender's readmission to the community.

#### GUIDELINE #4

Effective implementation requires community's willingness to forego immediate satisfaction in order to achieve greater long-range benefits.

The ultimate goal of work release (and all other criminal justice programs) is the permanent restoration of society's offenders to the status of free, law-abiding, and contributing citizens. This requires taking a series of steps, each with its own limited objective and method. The maintenance of program integrity requires that short-range goals not be substituted for long-range ones.

For example, in order for a community to benefit substantially from the rehabilitation of an offender through the use of work release, it may be necessary to permit the releasee to retain a portion of his earnings for use in insuring a stable living situation upon discharge from custody. In order to acquire the funds, it may be necessary to allow the releasee to reimburse less than the full amount of his share of program costs. If the long-range objective is thwarted by the public's insistence that full reimbursement of costs be required as a priority claim on the releasee's earnings, the public has jeopardized its opportunity to gain substantially greater benefits in the long run from only a modest additional investment of unreimbursed public monies.

Similarly, any compliance with public insistence that work releasees be denied any privilege to move about in the community in connection with self-improvement activities will, in the short run, reduce the community's exposure to further criminal activity at the hands of the releasees. But the immediate gain may place in jeopardy the achievement of the long-range objective of the program. If denied the opportunities to use the resources of the work release program to establish a community base from which to function upon release, work releasees may be discharged from custody into a community with which they are ill-prepared to cope. The community is then exposed to a threat to its safety posed by the presence of these demoralized, unassimilated men which may exceed the threat against which the community initially sought to protect itself.

#### GUIDELINE #5

The nature of work release programs and populations are influenced by the nature of other criminal justice programs.

There are three points in the criminal justice process where work release can be employed by local officials:

1. As an alternative to release on bail or personal recognizance subsequent to arrest and prior to sentencing.<sup>1</sup>
2. As an element of the sentence imposed by the court following conviction,
  - ... in which work release is authorized to begin immediately following sentence, or
  - ... in which work release is provided as an option which may be exercised at the discretion of the Work Release Administrator subsequent to sentencing with or without the court's approval, depending upon the requirements of enabling legislation.
3. As a prerelease measure
  - ... recommended by the Work Release Administrator or other official and approved by the court, or
  - ... authorized by the Work Release Administrator or other official within the area of discretion conferred by state enabling legislation.

The extent to which work release can be considered for use at any or all of these three junctures will be determined in part by what dispositional options are available and used at earlier steps in the criminal justice process, as well as by what options appear to be open at later stages.

<sup>1</sup> To date, there is no indication that work release has been used for this purpose outside of Wisconsin.



Communities which provide for and use a system of summons in lieu of arrest may detain fewer alleged offenders. This, in turn, will reduce the number of prisoners seeking a means of release prior to trial.

When reasonable bail and recognizance procedures are available and result in the release of some persons detained at the point of arrest, the possibility that the released persons, if subsequently convicted, will receive sentences involving confinement is substantially reduced. Studies have indicated that pretrial release creates a bias against confinement and in favor of disposition involving probation. The operation of this bias further reduces the number of potential work release applicants.

When courts exercising jurisdiction in criminal matters are equipped with strong investigative resources in the form of probation or other personnel and can require and obtain comprehensive presentence investigations and formal reports containing information, data evaluation, and dispositional recommendations, the sentencing process can and tends to be focused upon the offender rather than the offense. As a result, courts so equipped are more likely to consider a broader range of sentencing alternatives, including those involving shorter or intermittent periods of confinement or no confinement at all.

This tendency is all the stronger when courts, in addition to having the benefit of presentence investigation studies, also can turn to a strong probation supervision capability. When judges are confident that they can receive intensive supervision of probationers in the community from competent correctional or social work staff, they are far more likely to use this option than one involving conventional confinement. When this happens, another segment of the clientele of the criminal justice system ceases to be potential candidates for work release.

When the local criminal justice machinery possesses both the capability and will to substitute a course of action which reduces the use of confinement for one which maximizes it, it can be expected to produce a smaller number of sentenced prisoners but one containing a higher percentage of individuals presenting significant problems to themselves and the community. Such a population also poses a substantial challenge to everyone concerned with executing a work release program.

GUIDELINE #6

How much a program is used depends upon how adequately it is staffed and implemented.

The percentage of defendants eligible for work release status that can be found to be suitable for and actually granted work release status will bear a direct relationship to the level of staffing and programming which is available.

Work release programs which are not supported by sufficient staff to do more than a superficial job of screening of applicants, supervising and counseling program participants, and facilitating prisoner movement between the institution and the community can only afford to grant work release status to casual offenders, posing little or no risk to the community. Generally, these are the inmates who least need the assistance of work release program activities and staff to achieve a satisfactory adjustment in the community upon release. In order to justify "wringing the sponge harder" and placing poorer risk prisoners in work release status, work release programs must be prepared in terms of staff and treatment activities to counteract the risk factor.

Because the strength of work release programs lies in such factors as in the competence of staff, the degree to which program activities are elaborated, the amount of public support and tolerance which has been created, and the extent to which peer group values and traditions have been established, no new work release program can be expected to accept as participants at first certain medium and high risk prisoners that it would expect to accept and serve after the program has become well-established.

GUIDELINE #7

In order to function well, programs require strong administrative commitment.

Work release programs require both public understanding and administrative commitment. They cannot be expected to do well in communities which are uninformed about or hostile to the basic concept nor can they be expected to be effectively administered

and/or supported by criminal justice officials who lack enthusiasm for the underlying concept and the will to undertake the effort required to implement it.

Any community which forces a criminal justice administrator to assume responsibility for developing and operating a work release program which he opposes on philosophical, emotional, or any other grounds is certain to be disappointed. By their very nature, work release programs are extremely vulnerable to open or subtle sabotage at all levels of their administration. Those officials who for any reason wish to predict and promote the failure of a program have many ways of assuring the accuracy of their prophesy and the effectiveness of their efforts to undermine.

On the other hand, the work release concept possesses elements which are easily accepted by persons becoming acquainted with them. There is, therefore, the opportunity for criminal justice professional or lay leadership to quickly build a base of public understanding, acceptance, and support for a level of work release programming that will be acceptable to professional program planners and administrators.

#### GUIDELINE #8

Work release programs require aggressive implementation.

Most defendants committed to local institutions are actually in custody less than six months. Those granted work release status are in that status for even a shorter period of time, on the average. Given the scope and depth of adjustment problems many prisoners face upon discharge from custody, work release strategy, to have any chance at all of being of significant assistance to them, needs to be:

- ... Initiated as soon after confinement begins as possible.
- ... Supported by an array of helpful activities and resources.
- ... Executed with the assistance of staff adequate in numbers, training, and experience to permit intensive application of program activities on a prisoner-by-prisoner basis.

... Articulated with co-existing criminal justice programs which also serve participants while they are on work release or will continue to serve them afterwards.

#### GUIDELINE #9

Flexibility is needed in application of program to individual participants.

To the greatest extent possible, the rules and procedures should be flexible enough to accommodate the unique requirements and capabilities of each individual participant. All prisoners are not identical in terms of the amount of control and restrictions they require, the kinds and intensity of activities they can benefit from, and the types of privileges they can handle. In addition, no individual program participant's requirements and capabilities remain constant. The establishment of a single program format requiring all participants to adjust to it usually results in holding all participants to the level of performance of the least adept. For example, all participants should not be denied the privilege of receiving their own paychecks because the program at times will serve a few participants who at some point during their commitment demonstrate no evidence that they can be trusted with that privilege. To adopt such a policy can only result in denying to the capable a psychological, morale-building, self-respect generating opportunity which they need in order to prepare for being a responsible free citizen upon release.

#### GUIDELINE #10

Work release programs should include activities that are designed to foster progressively greater interaction of participants with community life.

The future of the work releasee lies in his community, not in his place of confinement. The resumption of employment is of crucial importance to a participant in getting reestablished as a free man. However, to be fully rewarding, community life needs to offer more

than a job. Work release status should be used to widen and deepen the participant's penetration of the community to which he will return to reside. Opportunities should be created for work release prisoners to use at least part of their free time in establishing contact with and/or becoming engaged in community-based educational, recreational, counseling, health, vocational, and religious activities in which they can begin or continue to participate in following their discharge from custody.

Whenever possible, work release participants should be encouraged to engage in such activities as they exist in the community. When programs are imported into the work release institution from the community, they often must be so modified as to render them artificial, unattractive, and not worthwhile in the eyes of the work release participants. Program activities staged in-house generally cannot offer the participants the same opportunity to exercise discretion, practice self-discipline, and establish satisfying and enduring relationships.

#### GUIDELINE #11

The development of a work release program capability should not serve as an excuse for not developing or strengthening misdemeanor probation services.

Local officials and bodies responsible for the overall planning, operation, and financing of their county's criminal justice machinery should be alert to the probability that placing a priority on the development of a work release capability at a time when their county lacks adequate misdemeanor probation services will invite an overuse of institutional care. It has been well established that the existence of a carefully planned and adequately staffed program of probation services which permits the proper selection and intensive supervision of persons not deeply committed to criminal careers will result in less dependence upon confinement for purposes of control and rehabilitation. Confinement always involves risks of harming rather than helping unsophisticated prisoners and is considerably more expensive than probation supervision. The substitution of confinement with or without work release privileges for some prisoners is, therefore, unsound correctional practice and economically wasteful.

#### PROGRAM BENEFITS

Criminal justice practitioners who have employed work release assert that it is capable of providing many benefits. It is claimed that the recipients of benefits extend well beyond the program participant himself. They include members of the participant's family and other dependents, the participant's debtors and employer, fellow taxpayers, and community residents, individually and collectively. Experience has revealed that it is impossible for work release to provide all possible benefits to all participants. What benefits one man may be a penalty to another. What advantages a participant may disadvantage a dependent. What is helpful in the short view may be harmful in the long run. What is an asset under one set of circumstances can prove to be a liability under another set.

Among the benefits for the work releasee are the obvious ones of remaining on his job, caring for his family, and remaining a taxpaying, constructive member of the community. Among the less obvious are the retention of his personal dignity and work skills, as well as his chance of job promotion. The releasee's family will have their embarrassment minimized, with the concomitant preservation of respect for the prisoner. Moreover, they will not have to go on public assistance. Crime victims and debtors will similarly benefit through payment of restitution and debts incurred prior to the arrest. Employers are spared the inconvenience and cost of hiring and training a replacement employee.

Each of the potential benefits which work release programs offer can be incorporated as specific objectives in treatment plans prepared for individual participants. It is possible that for any given participant certain benefits cannot be expected without reducing the likelihood of achieving others. An individual treatment plan which proposes to use work release to achieve the objective of using the participant's earnings to support his dependents may deny the releasee any opportunity to build up a financial reserve for independent living upon his discharge from custody. Similarly, when the objective to reduce the cost to the taxpayers of confining a prisoner is given too high a priority, it contradicts or compromises the possibility that debtors will receive restitution, installment payments, and dues.

Because what should be done in the interest of meeting the needs of one party can run contrary to the best interests of other parties, it is highly desirable that the crucial needs of all parties be identified, weighed against each other, and assigned priorities for their satisfaction. Once this is done, it becomes possible to map out a plan of action or strategy which will offer on balance the fullest benefits and the least injury to all parties concerned.

Such a strategy or treatment plan should be more than a vague impression in the minds of one or two persons. It should be stated

in terms of objectives to be sought, time schedules, and responsibilities to be exercised. It should be formalized in writing, offered to, considered, and approved by the appropriate adjudicatory official. It should be subject to modification with cause. Most important of all, it should be executed as formulated.

Formal treatment plans become the baseline against which progress and failure are noted. Collectively, treatment plans form the basis for program evaluation.

Without a carefully considered and stated treatment plan for personnel and the participant to use as a point of reference for decision-making, the work release experience will run a serious risk of ending up as a maze of conflicting activities and decisions which produce little of value to anyone.

#### PROGRAM COSTS

There can be little doubt that a major reason for work release's attractiveness is the financial benefits which it promises to planners, administrators, politicians, and the public, as well as to prisoners. The benefits, which can be considerable, are often overestimated and overstated. This is particularly true when work release advocates seek to justify the establishment of a program and secure the staff facilities necessary to support it.

If the benefits of work release are identified and reported with enthusiasm, the same cannot be said for the costs. Because so many of the costs are indirect, they are difficult to isolate and describe. For this reason, they are often ignored or underreported in any accounting which is made. This is more likely to occur when work release activities are absorbed by staff members already employed in existing criminal justice agencies rather than staffed by newly added or especially assigned personnel.

Tax-supported programs have little right to exist unless their administrators can demonstrate to the satisfaction of program auditors and funding bodies that their benefits at least justify their costs. Where a program's potential benefits are overplayed and costs understated, whether out of naivete or overzealousness, the danger always exists that resentment and disillusionment will result when truth catches up with fantasy.

As is the case with most governmental activity concerned with the delivery of services to people in crisis, it is impossible to determine all cost or benefit factors associated with work release programming. Nevertheless, enough can be done with data available for any competent program analyst to arrive at sound conclusions upon which to plan, promote, and act.

Any attempt to arrive at the gross cost of operating a work release program must be concerned with the costs of providing confinement at the conventional level of service and the costs of providing services associated with work release.

Cost of Conventional Confinement. The daily per capita cost of confining an adult in local facilities varies widely. Factors affecting the cost include the level of staffing employed and salaries paid, the amount of overcrowding required, the kind of facility used, and the method used in calculation. Local adult institution administrators report daily per capita costs ranging from less than \$5.00 to more than \$15.00, depending largely on the kind of facility operated and level of staffing employed. A daily cost of about \$7.00 is the most commonly reported figure. If one accepts for the purpose of further analysis a more conservative estimate of \$6.00 a day, the average cost of maintaining a prisoner in a typical local adult correctional institution for one month would approximate \$180.00.

Added Direct Costs of Providing Work Release Services. A work release program can be introduced into a correctional institution in two principal ways. In some instances, all additional functions associated with providing work release service are assigned to and absorbed by existing institutional staff. In other circumstances, the introduction and administration of work release is attended by the immediate or early addition of positions to be filled by persons assigned specifically to work release and related duties.

#### 1. Work Release Activity Absorbed by Existing Staff

In the first format, it is extremely unlikely that the absence of work releasees during a portion of each work day will permit any reduction in the institution's staff and, therefore, of its operating budget. To the contrary, it is usually agreed that a substantial number of work releasees may require some supplementation of the existing level of staffing at critical periods of the day to assist with the volume of checking-out and checking-in activity. Unless a significant percentage of the work release program participants purchase one or more of their meals away from the institution, have their laundry done elsewhere, see their own doctor and purchase their own drugs, etc., the institution's services and supplies costs will not be reduced significantly, if at all.

In situations where the volume of work release activity is so small that no additional personnel is required to service it, it is still possible to arrive at some estimate of the cost of staging it. The amount of time criminal justice personnel in all agencies (court, probation, law enforcement agency) spend on considering

and processing an application of a prisoner for work release and facilitating his participation can be recorded and computed. Regardless of how the criminal justice personnel's time would have been otherwise spent (including incomplete inactivity), a price tag can be arrived at for the time involved. When added to any nonsalary costs, the resultant sum can be considered as the actual cost of staging work release.

It is not uncommon for prisoners granted work release who progress well to have part of their sentence remitted. This may result from the earning of "work time" credits or a recognition that further confinement is either not necessary and/or may prove to be counterproductive. Prisoners without work release status generally do not experience the same opportunity to gain early release. Thus, work release can offer the possibility of reducing jail costs, primarily services and supply costs, through shorter periods of confinement. Unfortunately, it is possible this may be canceled out by added prosecution costs and additional jail sentences resulting from rearrests of releasees. All factors considered, it is not likely that the average work releasee in a program absorbed by an institution's existing staff will cost any less to confine than a prisoner in the same institution who has not been granted work release privileges.

2. Work Release Staffed by Personnel Added to Regular Staff  
When ten or more prisoners at any given time are on work release, the basic custodial staff of the confinement facility should be augmented. Not only will the institution's custodial staff lack the time and attention required to attend to the unique needs of the work release prisoners; it may also lack the enthusiasm and qualifications required to perform the noncustodial work involved in staging work release activities. Given such circumstances, justification exists for (1) specialist personnel to perform essentially noncustodial functions, (2) a supplementation of custodial staff coverage at hours of peak work release activity, and (3) sufficient resources to support program planning, execution, and review.

Appendix A contains a typical work release staff and budget module designed to meet the operational requirements of a work release population averaging 15 persons. The cost of such a module is computed to be \$6.80/participant work-day. Because it is based upon

conservative estimates of budget requirements, the \$6.80/participant work-day figure is itself a conservative one. The staffing included in the module does not replace and therefore reduce any of the institution's costs of providing basic confinement; to the contrary, it represents an added cost.

Adding the average cost/participant work-day to the equally conservative figure for the average daily cost of providing basic custody yields a total average daily cost of caring for a work releasee:

Cost of basic confinement	\$ 6.00
Cost of work release services	6.80
Total cost of prisoner care	<u>\$12.80</u>

Using these figures, it is possible to compute the average total weekly and monthly cost of providing both conventional and work release confinement:

Conventional Confinement

$$7 \text{ days/week} \times \$6.00/\text{day} = \$42.00/\text{week}$$

$$\$42.00/\text{week} \times 4.3 \text{ wks./mo.} = \$180.60/\text{mo.}$$

Confinement with Work Release Status

$$5 \text{ work days/week} \times \$12.80/\text{day} = \$64.00$$

$$2 \text{ nonwork days/week} \times \$6.00 \text{ day} = \underline{12.00}$$

$$\text{Total/week} \quad \$76.00 \text{ or } \$326.80/\text{mo.}$$

Prisoners undergoing conventional confinement generally have no way of offsetting the cost of their confinement other than to perform work while in custody which otherwise would have to be performed by free men and paid for by the local taxpayer. While most jails use prisoners to assist in the preparation and service of meals and to help maintain the physical features of the counties' institutions, relatively few men are involved and the savings to the taxpayer are not particularly significant. The use of sentenced prisoners on road construction and maintenance projects - a practice once widespread but currently losing favor everywhere - might produce more significant savings for the taxpayer. However, because the most typical pattern of conventional confinement does not allow opportunities for prisoners to offset any significant

portion of their confinement costs, it is assumed for the sake of this analysis that the net cost of conventional confinement remains at \$6.00/day/prisoner.

Work release prisoners, on the other hand, do produce earnings, some portion of which can be applied to offset costs of their confinement. Just how any given prisoner's earnings should be allocated to produce the maximum benefit for the local taxpayer can only be determined through careful analysis of all alternatives and does not necessarily result from using all earnings in an effort to recoup the direct costs related to confinement.

It can be and should be argued that a work release prisoner should have no obligation to reimburse the cost of his basic care and custody which he would have incurred regardless of being granted work release status. To confine two men under identical circumstances except that one is permitted to acquire earnings and for that reason only must reimburse some or all of his confinement costs is discriminatory. On the other hand, there can be little dispute with the principle that the prisoner with work release privileges should pay all or as much as he can of the costs of providing and administering those privileges.

Given the actual cost today of mounting a formal, well-staffed and programmed work release operation and the high priority which can justifiably be assigned to deploying part of a releasee's earnings to family support and other purposes capable of producing long-run tax savings, it becomes largely academic whether or not basic confinement costs should be reimbursed. Most work releasees will do well to reimburse fully their share of the cost of program administration.

There is, however, one kind of situation where the argument is not academic. In counties whose programs accept few prisoners and provide few services, the amount of staff effort exercised is such that it can be provided by existing personnel, and the per capita cost of providing work release is very low. Being so low, the cost is well within the capacity of most releasees to reimburse. Because there remains on the part of many releasees additional reimbursement capability, the question becomes quite relevant, "Should this additional capability be used to reimburse part of the basic care of confinement? If the question is answered affirmatively, the issue of discriminatory treatment arises.

For this and other reasons, it is important the Work Release Administrators develop a means to arrive at an estimate which can be defended of the actual cost of providing work release services over and above the cost of regular confinement.

## CHAPTER III

### PLANNING A WORK RELEASE PROGRAM

To date, few work release programs have been created pursuant to a deliberate plan. Most formal programs either grew over a period of time like Topsy or were born overnight in response to some crisis. Lacking is evidence of any process of defining objectives, examining of alternative courses of action, and formulating operational procedures. Hastily thrown together work release programs almost always build in problems which prove difficult to handle and expensive to eliminate.

This haphazard development may have been largely unavoidable at a time when there were no operational guidelines and the work release concept was applied sparingly. However, no such unstructured development can be justified today in the face of accumulated experience. This experience strongly suggests the wisdom of applying work release to a much greater proportion of a county's institutionalized population than is normally authorized. It also bears witness to the folly of acting in the absence of planning based upon documented need.

This chapter sets forth some principles and practices which should be recognized and acted upon by those with responsibility to plan and introduce a work release program.

#### WHO SHOULD BE INVOLVED

A small Planning Committee should be organized, consisting of not more than seven criminal justice agency officials or their designates. This committee should be assigned the responsibility for fact-finding, analysis, and ultimately preparing a formal program proposal. However, from the very beginning of the planning process, representatives from all agencies and community groups whose support will be required and who will be affected by the operation of a work release program should be involved from time to time. These representatives should be seen individually if possible, but at least collectively. Their advice, assistance, understanding, and cooperation should be solicited. In turn, they should be kept informed by the Planning Committee of progress being made.

Agencies which should be involved include, but are not limited to:

Sentencing courts.

Adult institution administration.

Sheriff's department and other key law enforcement agencies.

Probation and parole department(s).

County executive officer and/or the county's governing body.

Regional criminal justice planning agency.

Local bar association.

Prosecuting attorney and public defender departments.

State and federal correctional agencies possibly interested in using the program for their prisoners.

Citizen organization representatives.

Labor councils.

Employer groups.

Organizations composed of present and/or former criminal justice clientele.

Work release is only one of a number of strategies which a local criminal justice system should have available at its command. How often any one strategy will be deemed appropriate at any point at any time will depend in part upon what other strategies and options are available. For example, there can be a relationship between the extent of usage made of the practice of Release on Recognizance on the one hand and the need for work release on the other. Also, the quality and quantity of staffing in a probation department has a direct bearing upon how many persons are confined and become potential applicants for work release.

Given the subtle and extensive interrelationships which exist between all the agencies and programs of any criminal justice operation, any addition, subtraction, or alteration of one agency will require adjustments of some degree by all the others in the network. On this basis, no person or group who for any reason proposes to introduce a work release program into a county where none exists should undertake to do so unless and until there has been thorough consultation with all officials in the local criminal justice community. Such consultation should involve an assessment of the need for and the implications of the introduction of work release programming to all other agencies, individually and collectively.

## VERIFICATION OF NEED

The need for a work release program should be verified and its establishment justified. A competent study should be made of the current flow of persons through the local criminal justice system to determine:

1. Whether available alternatives to confinement are being used to their capacity.
2. The creation, augmentation, or modification of alternatives to custody could be expected to produce better results at less cost than confinement with or without work release.
3. If existing or new alternatives to confinement were used fully, what the actual volume of work release activity would be.

The impact of the following new or expanded programs should be assessed and allowed for in arriving at estimates of the probable work release workload:

Diversion.

Citation.

Release on Recognizance.

Bail.

Presentence investigation.

Institutional counseling.

Intensive community supervision.

When, after analysis, the expected volume of work release activity is determined, consideration should be given to any possibilities which would allow for:

1. Contracting work release service from one or more neighboring counties with established and acceptable programs,
2. Servicing the work release needs of one or more surrounding counties on contract, and

3. Joining with one or more adjacent counties to plan a single program based upon a regional facility.

## EMPLOYMENT OF TECHNICAL ASSISTANCE

Work release involves specialized programming. Local criminal justice planners and agency administrators may be lacking in information and experience which will be needed in the planning and organizational processes. Consultants can bring to the planning process specialized information concerning work release theory and practice in different settings. If such information is sought, considered, and used, the planners can be expected to make decisions based upon a deeper understanding of the issues involved.

When requested, regional offices of LEAA and state criminal justice planning agencies will supply sources and procedures for obtaining technical assistance.

## FORMULATION OF PROGRAM OBJECTIVES

Primary and secondary objectives for establishing a work release program should be formulated and agreed upon. A work release program should mesh with other programs constituting the criminal justice process. Work release objectives should be examined in the context of the objectives of other programs to assure their compatibility. In addition, because work release programs are susceptible to contradicting objectives and political manipulation, it is important that objectives agreed upon be expressed clearly for the benefit of the public and the political leadership. When more than one objective is stated, priorities should be assigned to them.

It is particularly important that interested parties outside the criminal justice establishment not be allowed to set their own objectives and then seek to hold the program to them in the future. Members of county governing bodies are inclined to convert information that work releasees will pay part of the cost of their care into an objective which dictates that the program raise revenue. County administrative officers may translate the possibility that work release prisoners will serve shorter sentences into an objective that the program will delay capital improvement expenditures. Segments of the public may misinterpret rehabilitation objectives by expecting an immediate reduction in crime and taxes.

## ORGANIZATIONAL PLACEMENT

A decision should be made regarding the distribution of responsibility for the program's administration. When the Planning Committee



has concluded from its studies that the need for a work release program can be established and that the benefits it will yield will justify the cost, a decision should be reached as to the kind of organization structure the program requires, who should perform and administer various functions, which official should have overall responsibility for integrating operating segments, and how the program elements should be staffed. Most state statutes specify which official shall serve as Work Release Administrator, while others allow for local governing bodies to exercise a choice.

In arriving at recommendations, the work release Planning Committee should consider the following factors among others:

- The objectives decided upon for the program.
- The desirability of avoiding duplication of effort and function.
- The requirement for public support.
- The need for protection from political influence and manipulation.
- The physical location of the program.
- Access to project funding.
- Qualifications of personnel assigned to program.
- Underlying objectives and philosophy of other programs administered by potential Work Release Administrator.
- Availability of staff supervision.
- The area of responsibility and amount of authority to be exercised by each agency scheduled to participate in the program's operation.

#### HOUSING OF PARTICIPANTS AND STAFF

The place(s) where the program's participants and staff will be housed should be decided upon at an early stage. The physical quarters in which work release participants are housed are crucial determinants of the kind of program which can be operated. Therefore, the choice of program housing requires careful consideration. While most local work release programs are based upon existing custodial facilities, it should not be assumed that other options do not exist. All possibilities should be identified and thoroughly considered.

#### DETERMINATION OF BUDGET IMPACT

The Planning Committee should anticipate that when it presents its recommendations to the county's governing body for action that it will be asked for both cost and revenue estimates for the program as a whole as well as for its constituent parts. The actual cost of any additional staff coverage, services and supplies, and capital outlay should be computed along with the expected amount of fines, court costs, and program reimbursement payments which participants will pay to the county from their earnings. Estimates should also be made as to the financial effect the program will have on the county's welfare budget.

Cost and reimbursement data, both direct and indirect, when related to the estimated volume of program use, can also prove useful in efforts to educate the public and gain its support for initiating the program.

#### PUBLIC EDUCATION AND POLITICAL ACTION

A plan for public education and political action should be prepared. It should be assumed that neither the public nor its elective representative will be prepared to support the creation of a work release program until and unless they come to understand its purposes and become convinced that it will provide results which justify the cost. The following steps should be considered:

- ... Development of information sheets for distribution.
- ... Speeches before community organizations.
- ... Involvement of news media.
- ... Individual lobbying of political decision-makers and community leadership.

#### PRESENTING THE PLAN

A formal presentation of recommendation and supporting data to the political body with authority to act ultimately will have to be made. The Planning Committee, in preparation for this, should develop a written document setting forth the principle findings of its study, the recommendations based upon the findings, and a cover letter setting forth a specific course of action.

Subsequently, at the appropriate time and place, the Planning Committee should be prepared to argue its case before county executive and legislative decision-makers. The strategy for this

occasion should be carefully planned in advance and should include:

- a. The designation of spokesmen for the Planning Committee.
- b. The preparation of appropriate visual aids.
- c. Concrete evidence of the existence of public support for the recommendation.

#### STEPS IN IMPLEMENTING THE PLAN

As soon as the county's governing body has voted its authorization for the establishment or formalization of a work release program, the implementation process should begin.

No prisoners should be granted participant status until program staff are selected and assigned, tentative policies and procedural rules are worked out, and liaison is established with agencies which will be directly involved with the program and its participants.

Program implementation can involve many, if not most, of the following steps:

1. At the direction of the county's governing body, its legal staff prepares any enabling ordinances and/or resolutions for formal passage.
2. The legislative body formally passes the required ordinances and/or resolutions, thereby providing the Work Release Administrator with authority to act.
3. The Work Release Administrator prepares and submits to the county's executive officer or legislative body any supplementary budget requiring immediate funding to pay for staff, services and supplies, or capital improvements required to initiate a program.
4. Operating funds are transferred or appropriated to the Work Release Administrator's budget, thereby enabling him to make necessary expenditures.

The official designated as Work Release Administrator:

- Orients all persons on his staff concerning the organization's responsibility for operating the work release program; their relationship to the

program, its staff, and participants; and the extent to which they are to participate in and support the operation of the program.

- Inventories all duties required to operate the program, defines job classes, assigns appropriate duties to each, establishes lines of authority.
- Establishes liaison with sentencing judges, officials of cooperating agencies, and state supervising or reporting officer.
- Develops policies, procedures, rules.
- Designs statistical data reporting system and forms.
- Designs procedures for receiving, depositing, and disbursing participants' funds.
- Convenes Screening Committee and establishes criteria for determining eligibility and suitability.
- Modifies and equips facility housing participants.

Not until all these matters have been arranged is the county ready to operate a work release program.

PART II

OPERATING A WORK RELEASE PROGRAM

## CHAPTER IV

### ORGANIZATION AND STAFFING

Once the decision is made to establish a work release program, it becomes imperative to make some basic decisions regarding the organizational structure and how it will fit into the governmental hierarchy. A decision to employ work release extensively creates neither the necessity nor desirability of creating a new department of county government. Most, if not all, processes required by programming will fall within already defined areas of responsibility of existing or state-authorized law enforcement, correctional, and correctional officials.

Implementing work release may require some augmentation of the staffs of existing agencies. It may also add to the justification for initiating some desired but as yet unauthorized criminal justice service (e.g., a minimum security institution, probation department, jail rehabilitation officer). But short of a massive restructuring of the entire local criminal justice apparatus, the responsibility for a work release program should rest with the officials of existing units of local government.

Yet, because work release programs are usually an amalgam of functions performed by different segments of the local justice machinery, there is a clear need to assign to one official the responsibility for making the work release program operate in an efficient manner.

Operating programs need their parts coordinated. Statistical and case operating data needs to be recorded and reported by each contributing agency in accordance with some meaningful plan, and the data needs to be analyzed, evaluated, reported, and fed back into further program planning.

#### DESIGNATING THE WORK RELEASE ADMINISTRATOR

Some state legislatures have already recognized the desirability, if not the necessity, of investing one official with the overall responsibility for the administration of work release programs. Accordingly, they have included in their work release enabling statutes provisions for a Work Release Administrator. Most legislatures which have taken this step have designated a specific official

- usually the sheriff - to fill this role. A few have left the designation of the official to the governing body of each county.

The exception is better than the rule. In nearly every state in which counties are responsible for the administration of correctional programs, counties vary widely in their population size, geography, and in the complexity and format of their criminal justice operations. State laws which permit local governing bodies to designate which official shall serve as Work Release Administrator permit much greater adaptation to local realities than do statutes which ignore them.

When county governing bodies are granted the discretion to designate their Work Release Administrator, they should not do so until they have carefully considered all available alternatives. Their ultimate decision should be made not on the basis of the personalities of incumbents but on the basis of the authority the office can command in interagency planning and coordination.

Aside from the decision-making function, work release programs are composed basically of:

- a. Case service functions, and
- b. Custody functions.

A Work Release Administrator may have authority and staff to provide either or both of these functions. If an official who is authorized and equipped only to provide work releases with case service activities is designated Work Release Administrator, the official must be prepared to obtain and maintain a comfortable and productive relationship with whatever organization is performing the custody function.

If, for example, a county probation officer is designated Work Release Administrator, his personnel will of necessity be intimately involved with a sheriff's jail staff or with the personnel of an institution's superintendent or warden responsible for the custody of sentenced prisoners. Such an arrangement may be welcomed by institutional administrators who lack rehabilitative programs and personnel. It may also be resented when the institutions have or desire to develop their own rehabilitation program arm.

On the other hand, when the Work Release Administrator is authorized and equipped only to perform the custodial aspects of work release, he is in the position of having to import case service personnel from another agency to service prisoners committed to his custody. In such situations, the Work Release Administrator is not directly involved in the development of individual treatment plans and may find some of them unacceptable on the grounds they conflict with his concerns as an institution administrator. This, then, is

not a viable alternative. Too little authority rests with the Work Release Administrator. It could only prove workable if exceptional working relationships existed between the Work Release Administrator and the head of the agency providing case service functions. Because this kind of relationship would rest on the personalities of incumbents and not be inherent in functional relationships, it is likely to be only temporary.

The third alternative involves designating as Work Release Administrator an official who heads an organization with the authority and resources to perform and coordinate all custodial and case service activities required by work release programming. This alternative is exemplified by a sheriff whose responsibility includes the operation of one or more institutions and who has developed a capability for correctional programming in the form of specially selected rehabilitation staff. Another manifestation of this alternative involves a county probation officer who has augmented his field correctional casework services with one or more group homes or other kind of residential facility suitable for use by work releasees. A third and more common example of this alternative is the superintendent of a correctional institution not responsible to a sheriff but to the county's governing body whose facility is staffed to provide both custody and correctional treatment.

Although having one official responsible for both custody and case service functions provides no guarantee that they will be integrated and coordinated, the obstacles in the way are usually less numerous than those in the path of bringing about interagency cooperation.

#### ORGANIZING FOR COORDINATION AND INTEGRATION

There are two principal organizational patterns which can be employed to relate case service and custodial functions to one another at the operational level. One involves the coordination of the work performed by two sets of personnel. The other involves the integration of functions in the workload of a single set of personnel.

Historically, the primary function of institutions has been custody. All personnel are employed to that end. As the concept that institutions had a role to play in rehabilitation took root and was implemented, special personnel were employed to undertake rehabilitation activities. Only indirectly did these personnel have custodial responsibilities. In large institutions, as the number of treatment personnel grew, they were organized into rehabilitation units. Rehabilitation units and units containing line custody personnel usually reported through separate chains of command to a single person at the administrative level of responsibility in the organization.

This form of organization nearly always leads to a "we/they" situation where rivalries and competition develop as each class of employees focuses on unit rather than departmental goals. Much administrative effort is required to "bridge the gap" between the organization's custody and treatment segments.

Less common, but increasingly seen, are organizations which are creating "correctional counselor" type positions which seek to combine in a single position major elements of custody and case service functions. Each staff member spends some of his time exercising responsibility for the care and custody of the entire group and the remainder of his time exercising responsibility for serving the case service requirements of a segment of the total group. This concept is seen in its most advanced form in small, halfway house types of residential facilities serving work releasees or other special cases of prisoners. However, in institutions serving larger numbers of prisoners, it is unlikely that the case service function can be totally divided up, shared with, and performed by the same personnel who provide custodial services.

Because of the wide range of possible operating environments present in correctional agencies, it is impossible to describe any single model for the institutionalizing of the case service function which could apply everywhere. In general, existing experience tends to suggest that all case service tasks which are not integrated into the workload of personnel performing the custody function should be concentrated in the workloads of as few persons as possible. Better communication and liaison can be established and maintained with custodial personnel, particularly with respect to the movement of participants out of and into the work release facility. The fewer different individuals judges must deal with, the better the judges can be expected to know them and trust their recommendations. The fewer employees involved in case service activities, the less chance there is for rules and procedures to be interpreted in different ways or for participants to manipulate them to their immediate ends. In general, program discipline, operational consistency, and staff commitment are fostered by concentrating case service function activities in as few people as possible.

#### WORK RELEASE COORDINATOR - THE BASIC POSITION

In counties with a small volume of criminal justice activity producing very few work releasees, it may be possible for the official who is designated as Work Release Administrator to perform most, if not all, of the case service activities required by the releasees. In larger counties, the Work Release Administrator will not have time to handle work releasees himself and will distribute the workload to one or more of his employees to perform. In still larger counties where the workload is large enough to

require a constant investment of considerable staff time, it may be assigned to one employee whose other responsibilities are lessened in order to accept it. When the volume of work release screening and case service activities reaches the point that it occupies the amount of time equivalent to that worked by a full-time employee, a full-time position of Work Release Coordinator can be justified.

Figure 1 illustrates the strategic position occupied by the Work Release Coordinator position with respect to the flow of information concerning releases. Coordinators must exchange information concerning releases. Coordinators must exchange information with a wide range of sources relative to screening and care service activities. They must also receive information from and give instructions to custodial function personnel manning the control desk. (See Chapter IX). They must pass information and instructions to accounting personnel. They must maintain liaison with probation and/or parole personnel who may share or subsequently assume responsibility for releases. Finally, they must supply the Work Release Administrator with all case and administrative information he may require.

#### PROGRAM STAFFING

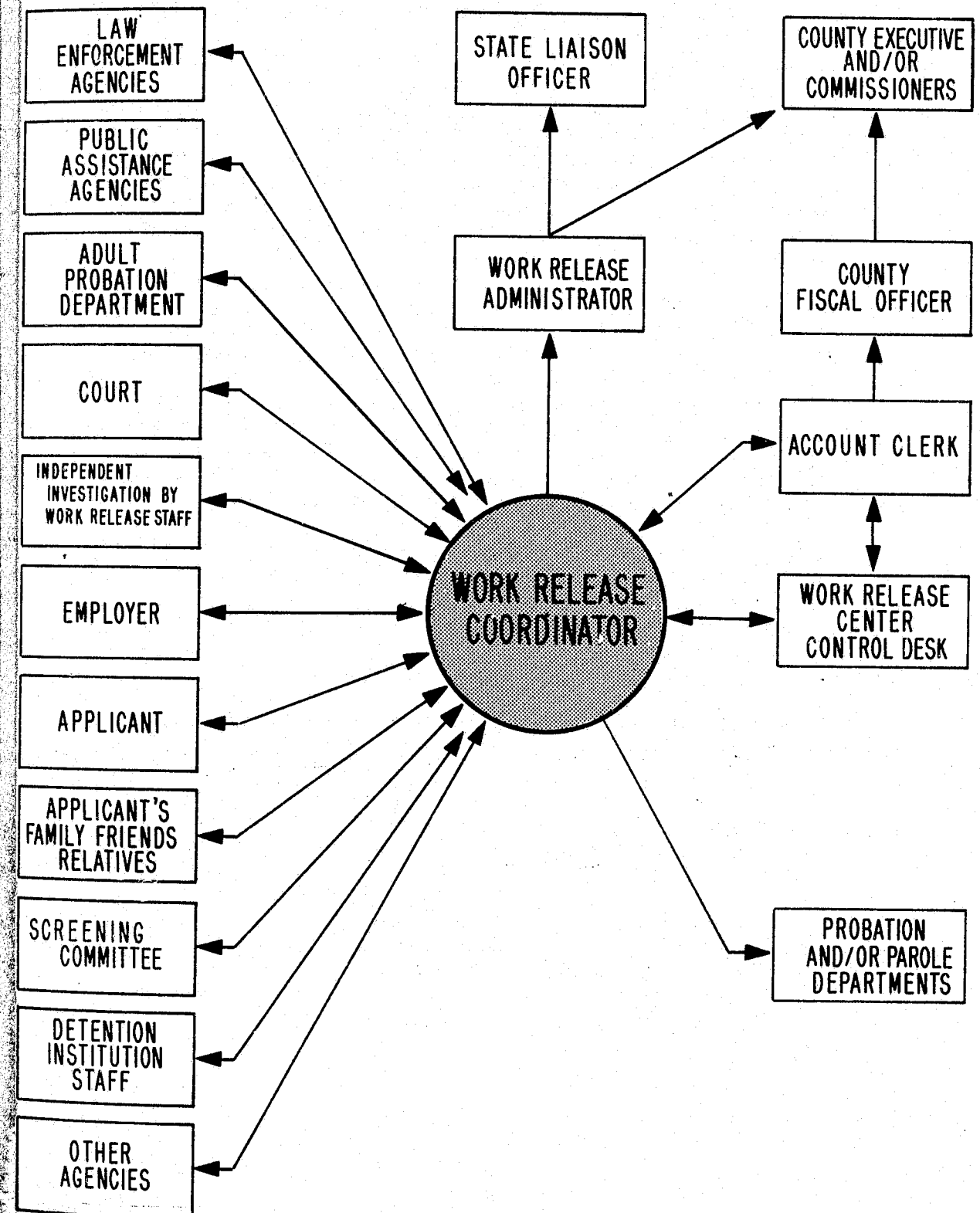
Personnel selected for and assigned to staff positions serving work releases determine to a large extent how useful work release status will be for participants. Personnel can create a warm and helpful climate only when they are fully committed to their program's objectives and operating philosophy. In order to enter into productive relationships with participants, employees need to possess a level of emotional maturity which permits their giving assistance without demanding satisfaction in return. To be able to fulfill special needs of individual participants, personnel must possess appropriate knowledge and skills obtained through education, training, and experience. To be trusted, respected, and convincing, employees need to be honest. If they are to add to rather than subtract from the efforts of other employees, staff members must be capable of respecting and complementing the work of their fellow workers in their own and cooperating agencies.

Work release is a strategy intended to heal and restore, not to aggravate and weaken. The thrust of the strategy can only be blunted, if not totally thwarted, if work release prisoners are subjected to the custody and care of personnel who are philosophically out of tune with the purpose and methods of work release and incapable of providing a constructive climate for prisoners to live in.

Under the best of circumstances, confinement is a humiliating experience for prisoners. In order to overcome their sense of humiliation, prisoners must be afforded the opportunities to earn

FIGURE 1

### DIRECTION OF FLOW OF INFORMATION REQUIRED FOR WORK RELEASE PROGRAM OPERATION



and be accorded respect. Only if this happens can confinement become a constructive experience which benefits prisoners and, ultimately, the community. Personnel can be constructive only if they possess the capacity to deal intelligently with hostility, efforts to manipulate, and outright violation of rules. They can only help prisoners restore faith and confidence in themselves if treated with sensitivity, warmth, and fairness.

Work release administrators or other officials responsible for selecting, appointing, and assigning personnel to perform the case service function should choose mature, temperamentally suited persons who are academically well-grounded in the social and behavioral sciences, acquainted with community resources, skilled in community organizational activities and experienced in correctional and law enforcement work.

#### HOW MUCH STAFF IS NEEDED?

Expressed in simple terms, staffing a work release program is a matter of combining positions and personnel. Positions lend themselves to mathematical definition, while personnel do not. It is relatively easy to identify what tasks need to be performed and how much time it takes to complete them individually and in the aggregate. It is not simple to measure a person's knowledge, skill, character, and personality and state them in numerical terms.

Because work release programs are usually a composite of functions performed by several different agencies, it is appropriate to discuss program staffing in terms of these functions and the activities which comprise them. When the manpower requirements for each activity or function is determined, they can be combined to provide an overall figure for the program as a whole.

To determine the manpower needed to perform a function, the following facts must be known:

The specific activities included in the function.

The average time needed to perform each activity during a given time span.

The average number of times each activity is performed during the same time span.

The average number of working hours one employee works during the same time span.

#### Activities Performed in Decision-Making

The decision-making function consists of two categories of activities: screening and adjudication.

Screening. Screening activities normally begin when a staff member receives an application for work release status from a prisoner or when a court orders a presentence investigation in behalf of a convicted but unsentenced offender. All screening activities are usually, although not necessarily, performed by the same person or agency. They consist of acquiring from available sources, including the applicant, all relevant information concerning an applicant's personal and environment circumstances, assembling and analyzing the data collected, and formulating and presenting a recommendation to the adjudicator. Whether performed by a probation officer as part of a presentence investigation assignment or by a sheriff's rehabilitation officer in behalf of a prisoner already sentenced, screening activities are essentially the same.

Screening activities are case-related and diagnostic and, as such, bear a relationship to treatment. For this reason, they are most appropriately performed by the same agency and personnel that are assigned the responsibility for providing the case service function of work release.

Adjudication. Adjudication consists of those processes employed by a judge, administrative official, or board or commission authorized to grant or deny work release status to applicants. Requesting, receiving, reading, and considering a written application, investigation report, and recommendation, listening to oral arguments and presentations, and stating a decision orally and in writing are all parts of the adjudicatory activity.

#### Activities Performed in Maintaining Custody

The custody function consists essentially of three groups of activities:

- a. Basic care in confinement--meals, medical care, recreation, etc.
- b. Maintaining custody and control while off-grounds.
- c. Facilitating participant movement (into and out of institution).

## Activities Performed in Case Service

Case service function activities include all formal efforts that are undertaken to strengthen a releasee's capacity to benefit from the privileges conferred by work release status. Case service activities are of two kinds: (1) those performed for the direct benefit of a specific individual, and (2) those performed for the work release group as a whole which indirectly aid individual releasees.

### 1. Direct, Case-Related Activities

- ... Orientation of successful applicants.
- ... Maintenance of Liaison with Custodial Personnel
- ... Maintenance of Liaison with Employers
- ... Maintenance of Liaison with Cooperating Agencies
- ... Individual Counseling
- ... Case-Related Office Work--records, court papers, etc.

### 2. Indirect, Program-Related Activities

- ... Resources Development--jobs, recreational outlets, funds, etc.
- ... Public Education and Support
- ... Group Programming and Special Events
- ... Administrative Activities--conferences, training, reports, etc.

## TIME REQUIRED TO PERFORM INDIVIDUAL ACTIVITIES

Screening. For any given purpose, the average amount of time which should be allocated to screening each application will be determined to a large extent by the amount and quality of information which has been compiled earlier in moving the applicant through the criminal justice process. For example, if a comprehensive presentence investigation was completed and a written report prepared which is available to the staff member responsible for screening the application of a sentenced prisoner, less time should be needed than if no such previous investigation had been completed.

Standards used by some probation departments call for allowing at least 10 hours/presentence investigation. This figure is cited only as a reference point. For the sake of demonstrating the methodology used in this chapter, it is assumed that most information required for analysis and recommendation is readily available in usable form and an average of 1 hour/application is required for the entire screening process.

Adjudication. Assuming the judge or other official authorized to act on an application has received a formal report, either in written or oral form, and a recommendation for action, the average amount of time required to reach and formalize a decision is not likely to exceed 15 minutes/application.

Basic care (while confined). When work releasees are either a segregated or unsegregated minority of prisoners in a multipurpose institution, their basic care needs vary little from those of other prisoners. As a group what extra work their special care needs create for custodial staff is probably offset by the fact they contribute fewer disciplinary problems to handle.

In institutions operated primarily or exclusively for work releasees, basic care, custody, and prisoner movement activities tend to blend together and represent the concern of all staff members rather than that of selected personnel.

Custody (while off-grounds). In a multipurpose institution, under certain conditions, work releasees may place a special burden on custodial staff in the form of a responsibility to check on and investigate irregular behavior of releasees when they are away from the institution. Depending upon the number of releasees and the extent to which the responsibility for verifying the custody of releasees is assigned to special custodial or case service personnel, the impact on staffing requirements of the institution may or may not require supplementing the basic staffing pattern.

Facilitating releasee movement. The tasks which are centered at the control desk are discussed at length in Chapter IX. Again, depending upon the number of participants served, the extra work required may be small enough to be absorbed by the normal complement of custodial personnel or it may be large enough to require supplemental staffing.

The processes attendant to checking work releasees out of and into the work release facility should not be performed routinely by case service function personnel. Using case service personnel for this purpose reduces the amount of time they have available for their basic work and complicates lines of authority. On the other hand, while case service personnel should not be expected to routinely perform what is primarily custodial work, they should be available to the regularly assigned control desk staff to assist in dealing with emergency situations.



When work releasees are housed separate and apart from other prisoner groups and assigned separate staff to perform the custody function, the responsibility for releasee movement is likely to be assumed by the same staff who provide for the releasees' basic care and security needs. Appendix B sets forth the justification for requiring 4.8 employees for every post which must be manned on a 24-hour basis. The number of posts and the period of time each post must be manned vary with the size of the population to be served, characteristics of the residents, kind of facility used, the support supplied by case service personnel, and other factors.

Case service function. Each definable activity takes staff time to perform. How much staff time is required can be approximated for activities already being performed by timing a fair sample of cases and calculating an average.

Estimates used should be conservative and adjusted upward, if necessary, on the basis of actual experience. In arriving at minimum estimates for time required for specific activities, one should be aware of and allow for time spent on the telephone, in travel, dictating, waiting in court, attending meetings, etc. Time consumed in such events can add up to considerable amounts. Time required will vary from program to program, depending upon such factors as geography, administrative practices, interagency policies, and budgeting considerations.

The following is a set of yardsticks for case service function activities which are intended only as an example, not as a standard. They are based upon an assumption that the program is serving an average daily population of 15 participants.

Minimum Time Allocation/Unit

Direct Case Activities

Orientation	1 hour/participant
Liaison with Custody Personnel	1/3 hour/workday/participant
Liaison with Employers	1/2 hour/month/participant
Liaison with Cooperating Agencies	1 hour/month/participant
Individual Counseling	3/4 hour/week/participant
Case-Related Office Work	1/4 hour/week/participant

Indirect Activities

Resource Development	2 hours/week
Public Education	1/2 hour/week
Group Programming	1 1/4 hours/week
Administrative Support	3/4 hour/week

COMPUTATION OF WORKLOAD

Once activities are identified, their frequency of occurrence determined, and the average amount of time required for their performance established by estimate or analysis of experience, it is possible to compute the total time required to perform each activity and function.

The process for arriving at the time totals is best demonstrated by an example.

If it is assumed that in a given work release program,

1. the work release administrator is responsible for performing all screening and case service activities but has no responsibility for adjudication or custody activities,
2. an average of 196 applications/year are screened,
3. one out of three (65.2) applicants are granted work release status each year, on the average,
4. the average time spent in work release status is 84 days,
5. the average number of releasees served each day is 15,

Then, as shown in Table 1, the total number of hours of staff time required each month to discharge the Work Release Administrator's responsibility is 138.7 hours.

CONVERTING WORKLOAD TO STAFF

After the number of hours of work which must be performed each month is determined in the manner demonstrated above, the next step is to convert the work hours into the number of personnel required to perform them. To do so, it is useful to determine the average number of hours a full-time employee has available each month to apply to a workload.

An employee who works 8 hours/day, 5 days/week who is entitled to and takes off 12 holidays, an average of 6 sick leave days, and 15 vacation days will be able to apply an average of 152 hours/month to a workload. (See Appendix C for computations involved.)

When this figure of 152 hours is compared to the workload requirement of 138.7 hours, it is apparent that the workload responsibility of the Work Release Administrator in the example requires the equivalent of almost the full-time (91.2%) services of one employee.

TABLE 1

## COMPUTATION OF CASE SERVICE FUNCTION WORKLOAD

ACTIVITY	UNITS	MINIMUM TIME ALLOCATION UNIT TIME REQUIREMENT	TOTAL TIME REQUIREMENT
<b>SCREENING ACTIVITIES</b>			
Case Investigation, Information Analysis, and Presentation of Recommendations	16.3 Appl./Mo.	1 Hr./Appl.	16.4 Hrs.
<b>CASE SERVICE ACTIVITIES</b>			
<u>Direct</u>			
Orientation	5.4 Participants/Mo.	1 hr. Participant	5.4 Hrs.
Liaison with Custody Personnel	15.0 Participants/Mo.	1/3 Hr./Work Days x 21 work days	10.5 Hrs.
Liaison with Employers	15.0 Participants/Mo.	1/2 Hr./Month	7.5 Hrs.
Liaison with Cooperating Agencies	15.0 Participants/Mo.	1 Hr./Month	15.0 Hrs.
Individual Counseling	15.0 Participants/Mo.	3/4 Hr./Wk. x 4.3 Wks./Month	48.4 Hrs.
Case-Related Office Work	15.0 Participants/Mo.	1/4 Hr./Wk. x 4.3 Wks./Month	16.1 Hrs.
<u>Indirect</u>			
Resource Development	1 Month	2 Hrs./Wk. x 4.3 Wks./Month	8.6 Hrs.
Public Education	1 Month	1/2 Hr./Wk. x 4.3 Wks./Month	2.2 Hrs.
Group Programming	1 Month	1-1/4 Hrs./Wk. x 4.3 Wks./Month	5.4 Hrs.
Administrative Support	1 Month	3/4 Hrs./Wk. x 4.3 Wks./Month	3.2 Hrs.
TOTAL			138.7 Hrs.

The method outlined above for gauging manpower needs can never be exact. At best, it is an approximation. The method involves many yardsticks which require constant validation or revision. It deals in averages and makes no allowances for such factors as individual proficiency and inexperience. Yet, in spite of these and other limitations, the method is superior to sheer guesswork. It does provide a rationale for justifying deployment of existing staff or for requesting new positions. The method is one familiar to and accepted by most county administrative officers. It provides a tool for use in budgeting, personnel management, and program planning.

## RECRUITMENT OF STAFF

In some counties, some or all case service activities (and screening processes) will be performed by personnel of agencies not administered by the Work Release Administrator. In such situations, the Work Release Administrator is limited to the use of his influence with appropriate officials to encourage them to assign personnel to work release activities who possess and can contribute the applicable knowledge and skills to the program.

When organizational circumstances permit the Work Release Administrator to select and appoint work release coordinators to perform the case service function, the Work Release Administrator should take any or all of the following steps which are permissible under the provisions of the county's personnel ordinances and/or civil service rules and procedures:

1. Preparation of a written job description--(these should be prepared as soon as the position is authorized and be related to the requirements of the job rather than the qualifications of any actual or potential applicant).
2. Recruit applicants from as wide a geographical and functional area as feasible in order to increase the likelihood of obtaining high quality applicants.
3. Have applicants screened independently of the appointing authority through either a written or oral examination, or both, in order to better gauge their qualifications.
4. Have applicants ranked by the examining authority according to their qualifications.
5. Have at least the five top rated applicants certified to the Work Release Administrator for consideration.

6. Have the Work Release Administrator select and appoint the Work Release Coordinator.

#### SALARY LEVEL FOR WORK RELEASE COORDINATORS

Although good cause can exist in any county for using other criteria, the following guidelines should be considered in classifying the Work Release Coordinator position in a county's Position Classification and Pay Plan:

- When a position embodies only the responsibility for performing case service function tasks and related tasks, it should be classified at a level equal to or above the level assigned to positions of deputy probation officer (journeyman level grade) and/or sheriffs' sergeant classes, whichever is higher.
- When a position embodies, in addition to the responsibility for performing case service function tasks and related tasks, responsibility delegated to the Work Release Administrator for performing major administrative tasks, including but not limited to the supervision of other work release program employees, the position should be classified at a level equal to or closely approximating positions in the supervising probation officer and/or sheriffs' lieutenant classes, whichever is lower.

## CHAPTER V

### HOUSING OF PROGRAMS AND PARTICIPANTS \*

With the sole exception of the quality and philosophy of staff employed to administer and supervise them, nothing can affect the nature and course of local work release programs more fundamentally than the physical features and location of facilities upon which the programs are based. Most local jails, lockups, workhouses, stockades, and local penitentiaries and prisons were designed and constructed to isolate and control their residents. They are, therefore, ill-suited in terms of their architecture, furnishings, and location to accommodate work release programs. The new notions that confinement time should be put to constructive use and that the lines between institutional and community correctional programs should be less rigidly maintained are often difficult to implement using the institutions which have survived from an earlier era.

A major task confronting today's criminal justice planners and administrators, then, is to determine how to deal with these present structures. Usually, there are only two options. The more desirable one - and not necessarily the more expensive one - involves obtaining access to new construction or other existing construction which is more appropriate for program purposes. The other option - which need not be regarded as hopeless - is to modify, live with, and operate in existing facilities without sacrificing vital program concepts.

Undoubtedly, some communities must face the reality that for the foreseeable future they have no alternative but to continue using their existing archaic buildings. It is fortunate, therefore, that there are communities in all parts of the nation which have demonstrated that this situation is not hopeless. Convincing evidence exists that strong, determined administrative leadership, creative staff, and an understanding and interested public can stage work release programs from even the most uninspiring physical circumstances. In fact, there is reason to believe that poor physical facilities may be one of the primary factors fueling the initiation and support of work release programs.

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\* As used in this chapter, this term "housing" refers to those specific quarters in which

- 1) prisoners granted work release status are confined when not engaged in authorized activities in the community, and
- 2) staff and activities provided to implement the objectives of the work release strategy are based.

When planning for the housing of a work release program, careful study should be given to three factors:

The incompatibility of the requirements of the work release and non-work release prisoner populations.

The location of work release facilities.

Space requirements.

This chapter sets forth some considerations which should be incorporated in any plan to establish new or modify existing housing arrangements.

#### WORK RELEASE POPULATIONS HAVE DIFFERENT NEEDS

Prisoners granted work release status, activities staged principally for their benefit, and staff assigned to provide for their control and supervision should be housed separate and apart from all other prisoners to the fullest extent permitted by available facilities.

Security and Control. The essence of work release strategy is the deliberate reduction of the use of custody for maintaining control of prisoners accompanied by the simultaneous increase in reliance upon self-discipline exercised in an enlarging area of discretion. In short, internal exercised-by-prisoner controls are substituted for external controls exercised by prisons. The stage on which this transition takes place must be partly inside and partly outside the institution to which work releasees are sentenced.

Properly selected, work releasees can be assumed to possess enough self-control, an assumption proved valid when they move about successfully in the community. When work releasees are confined with and cannot be substantially segregated from other classes of prisoners, they are likely to be subject to the same restrictive rules, procedures, and physical features which are necessary to assure proper custody of the most undisciplined. Work releasees are thus denied the kind of environment they require in order to practice self-control and exercise discretion. The work release strategy becomes restricted in its implementation by the unavoidable over-exposure to excessive custodial supervision and the overuse of rigid procedures and detailed rules.

Group Orientation. Work release activities are designed to focus prisoners' thoughts and efforts on ways and means of functioning successfully as free men in the community. This contrasts with the normal preoccupation of prisoners with details of day-to-day living in confinement. When work release prisoners can be segregated from other prisoners, they are less likely to be dominated by the traditional "here and now" culture of penal institutions.

Special Program Requirements. Work release participants require certain privileges not generally accorded to other prisoners. These include greater access to money, personal clothing, rehabilitation services and staff, community visitors, newspapers, and telephones. The extent to which these privileges can be and are extended to and used to advantage by work releasees depends in part upon how reasonably they can be denied to cell mates and other prisoners who do not have work release status.

Personnel Assignment. To be fully exploited, work release requires an operational environment and philosophical climate frequently not present in established institutional programs. Removing work release prisoners to separate quarters can provide the opportunity not otherwise achievable for developing a staff selected on the basis of their understanding of and commitment to the objectives and operational methods of work release.

Separate housing also increases the likelihood that the kind of and amount of staff allocated to work release populations will be more consistent with their reduced need for physical custody and increased need for program activity.

Contraband. Separation of work release prisoners from other prisoners reduces or eliminates the possibility that contraband material and information will be carried into or out of the institution.

Accountability. Separation of work releasees from other classifications of prisoners with limited privileges (trustees, weekenders, etc.) can help minimize the risk that work releasees will come under suspicion for delinquent acts (e.g., transmittal of contraband) actually committed by other prisoners.

Special Requirements Imposed by Daily Schedules. When work releasees are housed with other prisoners, they are normally a minority. The daily schedule of the institution is determined by the needs of the majority and may be incompatible with the requirements of work releasees. Work releasees employed at night must sleep when other prisoners are awake and active. Work releasees employed during the day and engaged in other activities in the evening must concentrate their sleep during a period when other prisoners have the option to be awake. Segregation of work releasees, then, increases the likelihood that individual schedules can be accommodated and personal living needs more satisfactorily met.

Separation in Housing. As desirable as it is to house work release prisoners and programs away from other classifications of prisoners, it is very difficult, if not outright impossible, to accomplish in the available facilities of many counties.

In counties with small multi-purpose jails in which no separation is possible, or if possible not desirable, consideration might be given to the possibility of using any available space and supervision in a nearby fire station. Another possibility is contracting space and supervision from interested citizens, YMCA's, or hospitals. A less desirable possibility would be the use, under contract, of a no longer used lockup in a city police department.

In counties with multi-purpose jails in which some separation is possible, work releasees might be assigned to unneeded detention, service, or administrative areas. However, such separation should not be pressed unless it offered some program opportunities not otherwise available.

The principle of "maximum possible separation" is observed when work releasees are housed in a separate institution constructed or remodeled for their exclusive use. Typically referred to as "rehabilitation centers," such institutions usually incorporate some physical security features suggested by the size of the population served (usually 25 to 100). Such buildings usually contain space for staging a variety of in-building group activities. While such buildings can provide an excellent base for a work release program, the opportunities offered by the buildings can only be exploited when the programs are competently staffed.

The most desirable and potentially most effective setting for work release programs involves facilities divorced from the

county's jail or other detention facility. Small (capacity 25 or less) residence-like buildings and larger (capacity 25 - 75) motel-like or hotel-like construction, located in the midst of residential and/or commercial areas, offer the best setting for work release programs. Such facilities provide a minimum of physical security, and control must be achieved through staff supervision, peer group pressure, program regimen, and participant self-discipline. Programs based on this kind of housing can make use of activities outside the facilities as well as those brought into the facilities.

This type of housing should not be attempted in the absence of a sophisticated staff, strong community understanding and support, and a substantial level of administrative commitment. Programs operated in such settings can be expensive. They involve considerable risk-taking. They are highly visible and subject to public misunderstanding and criticism. Their justification rests upon achievements which are difficult to observe or measure in the short run.

#### SITE LOCATION

The location of a work release center can significantly affect the nature of its program and the extent of its usage, costs, and effectiveness. Therefore, sites for locating programs should be carefully selected.

Counties contemplating the initiation of a new work release program or relocating an existing one normally can consider one or more of the following options:

Use of existing county jail, prison, workhouse, stockade, etc.

Use of some other available county-owned building.

Contracting with another county to use their facilities (and their program).

Purchase or lease of some non-county owned building(s), (e.g., motel, unused federal or state facility, YMCA, private residence).

Undertaking new construction on land previously purchased by the county for other purposes or on land acquired specifically for a work release facility.

Which options are available for consideration are determined in part by such factors as whether or not funds are available for purchase, construction, lease, and/or remodeling and, of so, the amount of available funds; the size of the work release population anticipated (largely a factor of the sentencing practices of the courts and administration officials); local zoning ordinances; and community responsiveness.

Within the constraints dictated by others, criminal justice planners and administrators charged with recommending a location for a work release operation should consider each potential site in terms of the availability of the following factors, among others:

- ★ The kind and amount of work opportunities that are available.  
The relationship between the kind of skills possessed by work releasees and the kinds of jobs available need to be explored. Work release populations expected to contain large numbers of persons with experiences and skills associated with industry and commerce should not be housed where the predominant job opportunities are agricultural.
- ★ Normal residence of releasees.  
If most releasees are residents of a given area and are likely to return to that area upon release, it is not desirable to house them in a location where they will have to work in a different community. Only tentative ties are made to the new community; the reestablishment of ties to the home community must await release and take place without the support of the program staff.
- ★ Transportation.  
While some releasees can travel to and from work in their own cars, with friends, or employers, or walk, others may have no alternative to depending upon public transportation systems. Centers located beyond the service area of transportation systems may find it necessary to operate their own buses or permit taxicab pools - practices which may be costly, risky, or undesirable for other reasons.

Similarly, the absence of transportation tends to reduce the extent to which relatives and the public at large can be expected to participate in program activities.

- ★ Source of administrative supervision and support.  
Work release centers should not be located so far from other confinement facilities, administrative offices, cooperating agencies, supply sources, and the courts that the desirable level of interaction becomes so time-consuming and expensive that it is not achieved.
- ★ Functional space.  
Work release programs require both indoor and outdoor space. Programs are apt to grow. Any site should contain sufficient space for additional buildings, parking areas, and outdoor recreational activities.

The most desirable sites are those which involve the best possible balance of all these factors. A site which is nearest the largest concentration of employment opportunities may be some distance removed from a residential area. The presence of adequate transportation may be offset in part by the fact that the site would be near a noisy freeway, railroad line, or both. A center which might be located near its source of supplies, administrative support, and cooperating agencies might be far removed from the primary sources of work, thereby committing many of its residents to costly and time-consuming travel.

Finding and acquiring the most ideal physical location for a work release center can become idle acts if the site is selected without the understanding, consent, and support of key residents of the surrounding area. For this reason, site selection efforts should include an assessment of the likelihood that community acceptance of the center can be generated. Acceptance should go beyond tolerance; there should be convincing evidence that the community will come to regard a work release center as an asset to be desired in its midst.

#### SPACE REQUIREMENTS

Programs and the activities which comprise them exist to implement strategies required to accomplish specific objectives. Space, buildings, staff, and equipment are all employed as means to accomplish program ends; they are not ends in themselves.

When work releasees are confined in buildings which offer no alternative to spending time in idleness in locked cells, the buildings are doing little to serve the work release strategy. When work releasees who should be extended the opportunity to use their own cars for transportation to and from work cannot be given the opportunity for no other reason than that there is no space in which to park their cars, the building and its surroundings have restricted the range of privileges which the work release administrator needs to have to grant, withhold, or revoke. When releasees who need to use their confinement time to increase knowledge and skills and cannot because the facility has no activity space, the building has defined the nature of the work release program.

Buildings can be constructed to create program capability but only when the nature of the program and its component activities are decided upon and clearly described. A building which serves one work release program well may not serve another one equally well because of differences in program features.

Because programs need to be changed from time to time, buildings used for them should be capable of modification.

Regardless of the numbers of prisoners served by a work release program, facilities used should provide the following:

- Individual living space for sleeping, providing privacy, if at all possible, and storage of allowable personal items.

The importance of personal privacy should be a major consideration in designing the physical (and program) features of a work release center. All men have a need for some privacy. Some require more than others. One of the basic reasons why forced confinement is so degrading and destructive of personal dignity and sense of self-worth is that it so often denies men any opportunity to be alone.

Accommodating participants' needs for privacy can be expensive in terms of building and supervision costs. On the other hand, failure to do so introduces costs of another kind - those associated with low motivation for engaging in self-improvement activities, low morale, and personality destruction - all of which threaten the capacity of participants to reenter and remain in the community as productive citizens.

In a model work release center, each participant should have access to his own room. Allowance needs to be made for the occasional and exceptional resident who cannot tolerate complete isolation.

The single, large, unpartitioned dormitory should be avoided at all costs. When the only space available for housing work releasees is a large open area, it should be partitioned to the height of at least ten feet into modules for not more than four persons.

Men should be permitted to decorate their living areas in accordance with their individual preferences within broad limits set by the program administration. Individual rooms should have locks on the doors to which their residents and designated staff have keys.

- Bathroom facilities.

Sufficient space should be allocated to bathroom areas to accommodate enough showers, lavatories, and toilets to meet normal peak periods of usage. Bathroom facilities should be laid out in such a manner as to assure their efficient use and a reasonable degree of privacy.

- Laundry facilities.

Even when laundry services are available from other sources for major items such as sheets, uniforms, towels, etc., there is value in having available on the premises washers and dryers for laundering personal clothing required in conjunction with work and other activities outside the facility.

- Food preparation and service area.

Proper equipment and space should be provided to permit the preparation and service of food efficiently and in a sanitary manner. When food is prepared elsewhere and delivered to the work release facility, proper equipment should exist to keep food at the proper temperature pending its service to releasees whose schedules do not permit them to eat with the group. Suitable arrangements should be made for the storage and dispensing of lunches prepared for releasees.

- Dining area.

Dining areas should be large enough to handle normal maximum populations comfortably. They should be located adjacent to food preparation and service areas for maximum efficiency. They should be marked by pleasant surroundings and capable of being easily cleaned. Furnishings should be informal and not fixed to the floor. Furnishings of the kind normally used in maximum security institutions should be avoided.

- Recreational areas.

Although work release prisoners, unlike conventionally confined ones, have the pressure of confinement relieved by their community activities, they still have a need to engage in recreational activities while in custody. Some participants will neither need nor desire physical exercise; others will place a high value on it. Nearly all participants will want and benefit from the opportunity to participate in nonphysical activities on a group basis.

To accommodate the needs of a work release population, the facility in which they are housed should provide space suitable for a variety of indoor and outdoor activities.

Indoor. Indoor space should be divided into two areas. One should be suitable for physical activity. Sufficient space should be provided to permit the use and storage of weight lifting equipment, mats, exercise gear, etc.

Space available should be capable of use for whatever activities are desired by individuals and should not be so structured or equipped that it will limit the use to one or two activities.

A work release facility should also provide space for nonphysical activities. Such space should be subdivided so that persons seeking to read or engage in quiet games are not distracted by those who are watching television, playing records, or listening to radios.

Dining room space can be used for some recreational activities. However, it should not be depended upon to serve as the major recreational area.

Outdoor. Whenever practical, sufficient space should be provided adjacent to buildings housing work releasees to permit such activities as basketball, touch football, baseball, and soccer. Some areas should be covered with macadam, others with grass.

Outdoor areas should also be designed in a way to permit their use for visiting, outdoor eating, barbecuing, and hobbies.

Depending upon the location of the facility and the size and makeup of the population it serves, the area may need to be surrounded by a fence or low wall. When necessary to provide the desired degree of seclusion from surrounding areas, fences and walls should be designed to add to, not detract from, the appearance of the facility itself.

- Administration.

The administrative and operational aspects of a work release program require the allocation of both indoor and outdoor space for the following purposes:

Indoor.

Control Center---every work release facility must have an area immediately adjacent to the point of entrance and departure which can be equipped and staffed to serve as an operational control point. It is the area through which all applicants pass in the course of leaving for and returning from activities in the community. A detailed description of the requirements of this strategic area is provided in Chapter IX.

Visitation---space must be provided to accommodate visiting activities. Areas allocated for dining, classrooms, outdoor and indoor recreation, and other purposes may be adequate for this purpose.

Outdoor.

Parking---when participants are permitted to use their own cars, parking space should be provided for them, preferably at a point visible from the Control Center. Program staff, visitors, and service vehicles also require parking space.

Landscaping---the setting and appearance of buildings can go a long way toward creating a favorable climate for their programs. A facility which is modestly landscaped with flowers and small lawns will communicate a more positive feeling to its residents than will one which is surrounded by macadam. Attractive landscaping will help make a



facility become regarded by the residents of the surrounding community as a desirable asset rather than an unwanted liability.

- Storage.

All work release facilities require considerable space for individual and group storage. Individual participants all have personal possessions, including money and clothing which must be safely stored. Some participants may require space in which to keep tools required on the job. Some storage can be accomplished in individual living areas. However, safe deposit boxes and lockers may have to be provided in or adjacent to the Operation Control area.

- Special activities.

Programs which plan to incorporate on-the-premises educational, vocational, and individual and/or group therapy activities should provide sufficient space to accommodate them. Such space should be located and designed to permit its use for a variety of purposes, including visiting, administrative interviewing, and recreational pursuits.

- Infirmary.

When not readily available elsewhere, facilities for medical examination, storage of drugs and other medicines, and the temporary isolation of residents with communicable disease should be provided. If county medical practices involve doctors and/or nurses conducting sick calls at institutions, it is desirable to provide space for a small examining room.

Regardless of the location and kind of space available, quarters used should be painted in attractive, noninstitutional colors. Residents of individual living areas should be given a broad area of discretion within which to exercise their personal preferences for decorations. Community space should be decorated in ways which are calming rather than exciting in their effect. Sleeping areas should contain beds rather than concrete bunks, and furnishings should be non-institutional in appearance. All space should permit easy and thorough cleaning.

## CHAPTER VI

### PROGRAM ACTIVITIES

Work release status confers the privilege to work, the need to travel, and the opportunity for self-development. But the benefits which work release status promises cannot be achieved unless employment, travel, and special activities which are involved are deliberately and carefully planned, executed, and supervised on a prisoner-by-prisoner basis. The discipline demanded by program activities involves the intelligent interaction of staff and prisoners. Each has a role to play which if exceeded or underperformed can only lead to failure.

This chapter is concerned with how staff and work releasees need to perform to assure that the objectives of work release are served by employment, travel, and special activities carried out either in the institution or in the community.

#### EMPLOYMENT

Rewarding employment is the key to the successful use of work release. To be rewarding, employment must represent more to a prisoner than an excuse to periodically escape the boredom of confinement and an opportunity to accumulate some cash to spend within a few hours of his release. Work release employment should serve as the bridgehead upon which the prisoner prepares a plan for himself in the community and from which he proceeds to assume that place.

To serve effectively the objective of reinstating a participant in the community as a productive, law-abiding resident, work release employment must contain ingredients necessary to foster the resumption of personal obligations, the development of self-respect, and the retention and improvement of work skills and seniority. Work release employment can be classified as follows:

1. Jobs held prior to arrest and resumed while in work release status.
2. New jobs obtained in the absence of the continued availability of pre-arrest employment
  - a. obtained as a result of efforts initiated by the prisoner.
  - b. obtained through efforts of work release program staff.

### Preservation of Present Employment

When it appears that a defendant who has been convicted and is awaiting sentence (1) still has the likelihood of returning to and continuing meaningful pre-arrest employment, and (2) is deemed likely to be granted work release status at the point of sentencing or shortly thereafter, the Work Release Administrator should take positive steps to try and preserve the job for the defendant.

A job involves a relationship between employer and employee which is rewarding to both. From the employee's standpoint, a job which is interesting, challenging, and financially rewarding usually is the foundation upon which his life and that of his family are organized. Besides providing economic stability, a job is a source of friends and companions upon whom he may depend for his social adjustment. In addition, a job offers status which in turn produces self-respect. A job held for some time comes to govern many aspects of a man's life. It is, therefore, an important asset to be preserved for the prisoner who will be returning to the community in due course.

Probation officers, institution rehabilitation officers, work release coordinators, or other criminal justice personnel appropriate to local operation circumstances should develop procedures for

- ... being alerted by prosecution, defense, detention, court social work personnel, or the court itself of the possibility that a particular defendant may be sentenced to custody and be made eligible immediately for work release status.
- ... interviewing the defendant to ascertain his job status and the implication of possible confinement.
- ... considering with the defendant whether or not the present job should be abandoned in favor of new employment more in keeping with the defendant's interests, aptitudes, and skills and offering greater opportunity for career advancement.
- ... contacting the defendant's employer with the defendant's consent and only if the defendant has no means of doing so himself.

- ... advising the employer of the opportunities inherent in work release status and encouraging his willingness to hold open the option of retaining or reemploying the defendant.

- ... notifying the sentencing court through appropriate means of the employer's stance with respect to the defendant and his job.

### Obtaining New Employment

When work release status becomes available to sentenced or unsentenced defendants who were either unemployed when arrested or discharged subsequent to their arrest and detention, employment must be obtained. The responsibility for finding jobs in these circumstances can be assigned to the prisoner, the Work Release Coordinator and other staff, or to both the prisoner and staff.

To the fullest extent possible, prisoners anticipating or granted work release status should be made responsible for obtaining their own work release jobs; the role of work release program staff should be to support, assist, and confirm.

When prospective releasees are required to take the responsibility for obtaining their own employment, prisoners can be expected to:

- ... enlist the assistance of family members, relatives, friends, and fellow inmates.
- ... be presented with risk of having some of their job applications rejected and of having to live with the resulting frustrations in an acceptable way.
- ... undertake any jobs obtained with a greater sense of commitment to it than would be the case if the jobs were found for them.
- ... accept responsibility themselves if the jobs they accept prove to be unrewarding.
- ... find more appropriate jobs more quickly on the basis that they may have better knowledge of the job market for their particular skills than do work release staff members.

... make staff effort available for other purposes.

When a prisoner fails to make a serious effort to locate work or turns down what appears to be suitable job offers, he may be telegraphing an interest in only the privileges and not the responsibilities inherent in work release status. A lack of sincerity and motivation evidenced in this way may justify reconsideration of the prisoner's work release application.

As soon as a prisoner is approved for work release status, he should be:

1. advised of his responsibility to obtain acceptable employment.
2. informed as to what kinds of jobs, pay, and working conditions are acceptable.
3. authorized to enlist the assistance of family members and friends.
4. permitted to register with the state employment office on forms provided by staff of the institution in which he is confined or by the Work Release Coordinator.
5. allowed to make and receive telephone calls related to job possibilities.
6. review newspaper "help wanted" columns.
7. appraised of the kinds of assistance which can be offered by the work release program staff.
8. advised that any employer found must be made aware of his work release status.

When appropriate, the Work Release Coordinator should make available to the participant-to-be from a reservoir of potential employers the names of persons or firms to which he might apply

for work. When personal contact is required between applicant and potential employer and legislation permits, the Work Release Coordinator should arrange for the participant-to-be to travel unescorted to the appropriate site for interview.

During the period of time the participant-to-be is seeking employment, the Work Release Coordinator should be readily available to him to offer guidance and reassurance and to prevent time being wasted in soliciting jobs which are not acceptable.

#### Use of State Employment Services

In some situations, it may be useful to have prisoners needing jobs to establish contact with local representatives of the state employment service. When prisoners are allowed to go to the state employment service office to register for work, it may be helpful if they take with them already completed the forms which they will be required to submit. By following this procedure, some time may be saved, but more important, any prisoners unaccustomed to completing forms can receive assistance from the work release program staff and perhaps be saved from embarrassment at the employment service office.

#### Criteria for Acceptable Employment

Unless convincing reasons exist justifying contrary action, no prisoner approved for work release status should be permitted to accept a job unless the job

1. requires a level of knowledge and skill commensurate with that possessed by the prisoner.
2. bears a relationship to the prisoner's vocational interests and aptitudes to the extent they are known.
3. offers the promise of continuing for at least six months beyond the time the prisoner's work release status is scheduled to terminate.

Employment is the heart of the work release strategy. If employment is secure and satisfying, the releasee's chances of achieving a satisfactory adjustment in other areas of his life are greater than would be the case if the job is temporary or, if permanent, so incapable of providing gratification that it is abandoned.

The work releasee's job should not serve only to justify his periodic release from custody and to lessen the cost of his care to the county. It should have relevance to the future as well as to the present. A prisoner who wishes to become a journeyman carpenter and who has already served part of his apprenticeship is not likely to be satisfied by a job washing cars. To the contrary, jobs which fail to challenge and interest can breed frustration which in turn can threaten a prisoner's morale and self-discipline capability. Nor is there likely to be much benefit accruing to a prisoner who is allowed to take a job which is scheduled for termination shortly after he is scheduled to be released from confinement.

Responsibility of the Work Release Administrator

Work Release Administrators should

- establish and publicize a policy which conveys the principle that work release status will not be allowed to be implemented with jobs which have little or no relevance to the prisoner's post-release readjustment.
- investigate all employment opportunities claimed by applicants for work release to be available to them.
- seek to suggest or provide more appropriate job opportunities to applicants who cannot find acceptable ones themselves.
- be prepared to...  
of any prison...  
on the basis...  
to the prison...

The following work releasees frequently... Such employment should be... before permission is...

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2. Se...

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am staff  
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3. Sales work involving travel.
4. Bartending.
5. Car washing.
6. Dishwashing.

No work releasee should be permitted to accept or continue any employment which does not offer him substantially the same pay, benefits, rights, and privileges granted to other employees working in comparable positions within the employing or similar organizations in the community. Prisoners whose job qualifications and productivity are rewarded with less than the prevailing pay and perquisites by their employers can only be expected to feel they are being exploited because of their circumstances. The feeling of exploitation serves only to accentuate rather than lessen any existing sense of unworthiness.

The Work Release Administrator should adopt procedures which provide that no successful applicant for work release status be released to resume or begin a job unless and until

1. the Work Release Coordinator assigned has conferred with a prospective employer or his representative to determine that
  - a. it actually exists and there are reasonable prospects of it continuing.
  - b. its requirements are consistent with the applicant's aptitudes, experience, and capabilities.
  - c. the rate of pay is consistent with prevailing rate for similar jobs elsewhere.
  - d. it is not the subject of a labor dispute.
  - e. it is not likely to pose unreasonable seduction to criminal activity or work release rule violations.
  - f. appropriate on-the-job training opportunities exist for which the participant could expect to qualify.
  - g. the pay and number of hours of work/week are enough to justify the releasee holding it.

- h. the employer is willing to cooperate in whatever arrangements are desired for transmitting the participant's paychecks to the Work Release Administrator.
  - i. the job climate is likely to be conducive to satisfactory relationships between the participant and his superiors and fellow employees.
2. the prospective employer acknowledges his awareness of the requirement that work releasees are not to be discriminated against and his intention to comply with it.
  3. the prospective employer agrees to confer with the Work Release Coordinator if and when issues arise between the employer and releasee over any circumstance of employment.
  4. the Work Release Coordinator has reason to believe that the employer is financially solvent and can meet payrolls.
  5. the Work Release Coordinator determines who the participant's job supervisor will be and how he can be contacted.
  6. the Work Release Coordinator is informed concerning any requirements for the participant to join a union, attend after-hours meetings, provide special tools, or possess licenses.

#### Employment Involving Special Conditions

Special consideration should be given on a case-by-case basis to allowing or forbidding work releasees to be employed on any job which

exposes employees to unusual risks of physical injury.

requires employees to cross state lines.

regularly or frequently involves working in excess of 10 hours per day or 48 hours per week.

constitutes a second, part-time job to be worked in addition to an already approved full-time one.

consistently provides less than full-time employment.

is seasonal.

involves irregular working hours.

requires frequent association with former crime partners or other crime-prone persons.

#### Program-Employer Relationship

Work Release Administrators should recognize the crucial role played by employers in the execution of work release strategy and actively recruit, orient, and support them as members of the case service team.

Work release status can surround employment with complications (e.g., necessity for obtaining permission to work overtime, restrictions on driving or traveling across state lines) not usually associated with the normal employer-employee relationship. How sensitive employers are to these complications and how willing they are to accommodate them can be crucial determinants in the outcome of the use of the work release method.

It is the responsibility of the Work Release Administrator to create a climate in the work releasee's environment which is conducive to the releasee's correction. The job and its setting are part of the releasee's environment. The Work Release Administrator's responsibility includes taking all appropriate steps to improve the climate in which the releasee is to work. Employers are the key to the employment environment, and it is to employers that the Work Release Administrator needs to turn for assistance in carrying out his responsibility for achieving the releasee's correction and reinstatement in the community as a free citizen.

The employers of work releasees require the maximum possible productivity from their employees in the interest of meeting the objective of their businesses. In employing a work releasee, a firm is inviting a level of risk beyond what it might otherwise be willing to accept. It is also inviting certain administrative problems which are peculiar to work release employees. The amount of risk and inconvenience an employer is willing to accept and tolerate will depend upon how much assistance and cooperation can be expected from the work release program staff.

Thus, the Work Release Administrator and work release employer have a mutual interest in the quality of performance of the work releasee. Both have a need for their own purposes for the releasee-employee to succeed on the job. Each needs the other's acceptance to stand any chance of achieving the level of success each expects.

It is within this state of mutual dependency that the rationale for an active liaison between the Work Release Administrator and the employer lies.

Normally, the Work Release Administrator is the moving party in establishing this liaison. It is the Work Release Administrator who needs to find employment for a prisoner or to verify and examine employment obtained by the prisoner himself. It is the Work Release Administrator who has to explain the requirements inherent in work release employment to the employer and obtain his agreement to accept them. It is the Work Release Administrator who must make certain commitments (e.g., approval of requests that prisoner-employee be allowed to work overtime) to the employer to gain his acceptance of the prisoner as an employee.

Once established, the liaison can serve the employers in terms of his requirements, as well. When the employer needs his employee for overtime or extra shift work to meet production schedules, the liaison provides the avenue of approach to the work release program itself. Similarly, when employees on work release are performing poorly for any reason, it is to the Work Release Administrator that the employer can turn for assistance in dealing with the employee's attitude or other debilitating factors.

#### Work Release Staff Responsibilities to Employer

Upon referral to the work release staff by work release applicants or when initially recruited through the formal or informal efforts of the staff, every prospective work release employer should be seen by a member of the program staff for the purposes of

- ... introducing and explaining the program.
- ... becoming acquainted with the employer, his firm, personnel officer, and supervisors.
- ... learning about the kinds of jobs and availability, skill requirements, working conditions, pay and benefits, labor relations, and other factors bearing upon job placement.
- ... developing arrangements for maintaining an ongoing liaison with the employer.
- ... enlisting his support to the staff's efforts to build a reservoir of potential employers.

The Work Release Administrator should establish and enforce a rule requiring case service personnel to respond promptly to any crisis situations reported by employers and to take whatever action is deemed appropriate.

The Work Release Administrator should with respect to work release programs

- ... include on any advisory committee organized to foster public understanding and support for work release and to advise its administrator not less than one person who has employed work releasees in his own business and who is in a position to be influential with other community employers.
- ... consider the desirability of establishing an Employers Advisory Committee composed of businessmen, personnel officers from private industry, representatives of the county's Central Labor Council, and local representatives of the local office of the State Department of Labor, and other officials who can assist the Work Release Administrator in establishing a larger and effective reservoir of employment and job-related training opportunities.
- ... publicize the contributions made by employers individually and collectively in providing employment and training to specific work releasees and in building a reservoir of jobs for use by the Work Release Administrator.

#### Developing a Pool of Employers

Work release program staff should develop a reservoir of employers who are fully acquainted with the operation of work release which can serve as a pre-screened source of employment opportunities for selected work release candidates.

Some prospective work releasees may be sufficiently motivated to seek work but are without resources to assist them in their job-finding efforts. Without staff assistance in finding work, their chances of being able to take advantage of their work release privileges might be very poor. Other potential work releasees might possess physical or psychological handicaps or be faced with problems of interpreting their criminal records to the point where they would be crippled in any unassisted job-finding effort.

By developing a reservoir of employers who are aware of work release and have indicated a special receptivity to employing releasees for any positions which they may have available, the work release staff have a resource which they can use in several ways. Specific prospective releasees can be referred to those employers most likely to have jobs appropriate to the applicants' particular needs. Such referrals can be made with some assurance that the applicant, whether hired or not, will be dealt with with some sensitivity.

The reservoir can be used also by staff in situations where a particular applicant possesses an unusual skill or an unusual quantity of skill which a particular employer requires, is likely to appreciate, and will need.

The reservoir can represent a solid body of program support which can be useful in situations calling for political action. Being composed of employers who have been screened as to their integrity, interest, and resources, the reservoir provides staff with the capacity to act quickly in situations where early implementation of work release is authorized and where conventional confinement should be avoided for a variety of reasons.

A reservoir of prospective jobs can be created over a period of time through the following steps:

1. The Work Release Administrator directs that each member of his staff shall contribute to a single pool the name of
  - a. all present and past employers of work releasees who are known to be willing to hire qualified participants in the future.
  - b. the names of all new potential employers developed through informal and formal recruiting efforts. Prospective employers are secured through
    - (1) day to day solicitation by staff, present employers, volunteers, and present and former work releasees.
    - (2) public solicitation through newspaper articles, radio and television programs, and presentations made to selected audiences (service clubs, homeowner associations, etc.).
    - (3) leads provided by members of advisory committees.
2. When identified, prospective employers are interviewed by staff or volunteers to
  - a. acquaint them with program details.

- b. assess their sincerity, integrity, and availability.
    - c. obtain specific information concerning the kinds of employment opportunities which they may be able to offer and the kind of support they are willing to give to program participants hired.
  3. Preparation of a single formal file for ready access by staff containing a card or folder setting forth specific information concerning each prospective employer. The individual file card or folder should contain information relating to
    - a. any previous experience with work releasees.
    - b. specifics about the firm (name, location, telephone, number of employees, products, etc.)
    - c. kinds of jobs available and the frequency of their availability.
    - d. knowledge and skill requirements of jobs.
    - e. salaries and working conditions.
    - f. firm personnel officer or other contact person.

It is very desirable that work release programs, regardless of size, successfully recruit several large firms as employers. Such firms offer many key advantages not available normally from smaller organizations.

#### Unions as Employers

Some prisoners' primary, if not only, access to employment is through their unions. The union hiring halls serve as a clearinghouse for bringing employers and employees together. In such situations, the Work Release Administrator should approach the union business agents in the same manner as other employers. Effective working relationships need to be established and maintained. Where the process of obtaining a job requires prisoner union members being present at the hiring hall, work releasees should be permitted to proceed there on the same basis they would be authorized to be released to seek or pursue employment elsewhere in the community. Assistance in the monitoring of releasees on the job normally requested from employers should be sought from union officials.

Perhaps one of the most effective ways of developing the understanding, support, and active cooperation of unions in a work release program is for the Work Release Administrator to request the county's Central Labor Council to appoint one or more representatives to sit on the work release program's advisory committee.

#### Change of Employment

All Work Release Administrators sooner or later are faced with the situation where a work releasee requests permission to change jobs. Such a request can pose a conflict of interests for the administrator and must be handled with care.

Such requests are usually represented by the work releasee as an effort to move into a job which is more in keeping with the releasee's skills and career interest and which offers better prospects for advancement in the long run. Such a representation may be justified by the facts or it may be an effort to escape from some onerous or unpleasant situation (on the existing job) of the releasee's or his employer's making. The reasons behind such requests need to be fully explored before permission is granted or denied.

Work releasees should be discouraged from changing employers while in work release status in the absence of substantial justification, and no changes should be permitted to occur without the knowledge and approval of the Work Release Coordinator.

At times, the key to increasing the chance for successful adjustment will rest upon allowing a releasee to give up one job in order to take another offering better pay, working conditions, opportunity for advancement, and status. At the same time, the Work Release Coordinator has a responsibility for building and maintaining a reservoir of interested and cooperative employers upon which to draw in the future. Having extended himself to accommodate a work releasee and become dependent upon him for performing a segment of work, an employer may become resentful enough to disassociate himself from the work release program if he loses the employee to another employer for any reason. Because of the serious consequences which may result from a releasee changing employers, Work Release Coordinators should be in a position to examine carefully the reasons offered by the releasee for desiring to make a change. If, upon study, they appear to justify granting the releasee's request, the Work Release Coordinator is in a position to interpret the move to the original employer and, possibly, to retain the employer available for future releasees.

Work Release Coordinators should employ the following practices:

1. At the time a prisoner is eligible to apply for work release, he should be advised that job changes are discouraged except for good cause and only after prior approval is granted by the Work Release Coordinator.
2. Whenever a work releasee requests permission to change jobs, the Work Release Coordinator should personally verify the reasons offered by the releasee to determine their legitimacy and to assess whether the benefits which could be expected for the releasee outweigh the losses which would be suffered by the employer and the work release program.
3. If the Work Release Coordinator grants the work releasee permission to change jobs and the Work Release Coordinator is interested in retaining the original employer as a resource for future use, the Coordinator should meet with the employer and seek to interpret to him the reasons for allowing the work releasee to change employment.
4. If it is determined that the work releasee requested permission to change jobs because the first employer failed to honor commitments or exploited the releasee, the Work Release Coordinator should refer the matter to the Work Release Administrator for a policy decision as to whether or not the employer should be solicited again.
5. If the Work Release Coordinator receives numerous requests for job changes, he should seek to determine whether or not he is allowing men to be under-employed initially. If so, steps should be taken to assure that employment being found and offered to the Work Release Coordinator by the applicant for approval is consistent with the applicant's career, interests, skill, and experience.

#### Bonding

Occasionally, work release prisoners will apply and be considered for jobs which carry with them the requirement that the incumbents be bondable. For prisoners who have criminal records which include offenses involving the theft or embezzlement of money, the employer's requirement for bondability can present a difficult, if not insurmountable, obstacle. Work Release Coordinators sometimes can provide a potential employer with sufficient information to give to his insurance company to relieve the insurer's objections. In some states, the State Employment Agency can provide assistance to registrants with bonding problems. In other areas, assistance may be obtained directly from regional offices of the United States Department of Labor.



## TRANSPORTATION

The fact that work releasees must travel between the point where they are confined and the points where they work or are otherwise engaged in authorized activities in the community poses both opportunities and problems to the Work Release Administrator.

Unescorted travel presents releasees with many occasions to make decisions which test their capacity to act in responsible ways. How releasees respond to irregularities and disruptions in authorized transportation arrangements can provide Work Release Coordinators with valuable evidence concerning releasees' ability to handle more complex situations. The extent to which releasees successfully resist the temptation of desired but unauthorized activities while in the community can be used as a measure of their ability to make correct decisions. In short, the necessity for releasees to travel works to their advantage in that it requires them to practice self-control. For the Work Release Coordinator, the travel requirement provides a means of evaluating releasees' readiness for handling even more responsibility.

Transportation can pose difficult problems in the arranging. The location of the work release facility will always favor some releasees while proving to be a burden to others. Facilities located at some distance from commercial and industrial areas usually result in a majority of releasees expending significant amounts of time and money in travel.

### Working Out the Transportation Plan

The kind of transportation to be used by each releasee should be decided upon, agreed to, and arranged as part of the post-acceptance, prerelease activities engaged in by the work release participant-to-be, and his Work Release Coordinator. Whenever possible and appropriate, work releasees should be responsible for developing their own transportation plan in detail as a learning experience. The Work Release Coordinator should review any travel arrangements proposed by the participant-to-be to determine:

1. how the travel will be accomplished.
2. who besides the participant will be involved.
3. the time required to get to work and to return.
4. the cost involved to the participant.
5. whether better alternatives are available.
6. the reliability of the proposed method.

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7. the opportunities for misconduct and the intensity of their appeal.
8. whether any private vehicle to be used meets required standards of safety.
9. whether drivers are properly insured and licensed.

The Work Release Coordinator should also:

- ... approve the route to be used.
- ... advise the participant of procedure to be followed in the event that unexpected developments such as traffic tie-ups, accidents, and missed connections threaten to delay arrival at work or return to custody beyond approved times.
- ... determine the amount of money to be allowed to the participant for transportation expenses from his earnings.
- ... advise the participant where to park any private vehicle approved for use when returning to the work release center.

The method, schedule, and route of travel approved for each releasee should be in keeping with the Work Release Coordinator's estimate of the releasee's capacity to handle the problems inherent in them. Any job requiring more than one hour's traveling each way should be carefully assessed to determine whether its value is likely to outweigh the detrimental aspects of spending two hours a day in travel.

Some work releasees can be expected to use any given set of travel arrangements successfully, while others can be expected to find it beyond the limits of their self-control. Still others, while using it successfully, could profit from a different less restrictive plan. To require all releasees to use the same transportation arrangement, then, does not recognize individual differences nor does it recognize different realities.

It should be assumed that work releasees have the capacity to learn, become more disciplined, and be less dependent upon external control. Therefore, after participation has begun and the releasee has demonstrated his capacity to handle additional responsibility, the original transportation plan may be replaced by a less restrictive

one which may be available and is agreed upon by the releasee and Work Release Coordinator. For a releasee to experience continuing growth in his ability to make responsible decisions, the area of discretion available to him must be enlarged.

#### Responsibility of the Work Release Coordinator

When releasees have no capability for providing their own transportation and the work release facility is inadequately served by public and private transportation systems, the Work Release Coordinator should arrange for the county to provide the necessary bussing of releasees to points where they can use existing private and public transportation facilities or to their jobs. In such instances, participants should be required to pay a reasonable charge for the transportation provided.

All forms of transportation are subject to delay, interruption, and cancellation. Therefore, every participant should be counseled carefully concerning the steps he should take to notify program staff and/or employers when unexpected problems arise which threaten to delay his arrival at the facility or his place of employment. Any such circumstances reported to custodial personnel on duty at the Control Desk should be passed on to the Work Release Coordinator for review and possible verification.

Work Release Coordinators should seek the assistance and opinion of the county's legal advisor before approving any plan submitted by participants incorporating unusual circumstances which could pose liability problems to either the county or participants or to both.

#### Use of Personal Vehicles

Releasees should be allowed to use their own cars only when

- ... the releasee holds a valid license to operate a motor vehicle.
- ... the releasee possesses auto insurance which is in force.
- ... the vehicle is in a legal condition to be operated on public streets.
- ... parking space is available at or adjacent to the work release facility.

Private vehicles used by participants should be treated the same as any other valuable which the participant is authorized to possess. When participants return to the center, their cars should be parked where they are not exposed to vandalism and theft and their keys turned in at the Control Desk.

#### Transportation by Wife, Fellow Releasee, Fellow Employee, or Employer

Before approving such arrangements, the Work Release Coordinator should consider such matters as

- a. the reliability of the transporting party.
- b. the amount the releasee will be charged, if any.
- c. the insurance coverage maintained by the driver and the condition of the vehicle(s) used.
- d. alternate arrangements available when regular driver is unavailable.
- e. the need for and possession of a chauffeur's license by the driver.

#### Cabs and Cab Pools

Before approving plans involving the individual or joint use of taxicabs, the Work Release Coordinator should be certain that reasonable rates are being charged and that individual releasees are not required to make up the fare of absent pool members.

#### Walking

Walking should be permitted only when the distances to be covered are short enough to discourage hitchhiking.

#### Public and Private Bus Lines

When it would be advantageous to program participants, the Work Release Administrator should attempt to arrange with the transportation company management appropriate changes in schedules and additional stops at or near the work release facility.

## Use of Volunteers

When for any reason it is impossible to otherwise arrange satisfactory transportation for a potential participant, serious consideration should be given to seeking the assistance of program volunteers. If the program has developed a reservoir of citizens who have agreed to assist with various activities, the Work Release Coordinator can usually arrange for one or more of them to provide the needed assistance at least temporarily until other arrangements can be worked out.

## SPECIAL PROGRAM ACTIVITIES

A typical work releasee will spend about two-thirds of each week in sleep or at work and in closely associated events. After allowance is made for the time he will spend eating meals and attending to housekeeping tasks, it is probable that he will have a balance of between 45 and 55 hours a week to dispose of, largely at his discretion. About two-thirds of this balance is accounted for by his days off from work; the remainder is evening time on work days.

The challenge facing Work Release Administrators is to motivate program participants to use their discretionary time in ways which will assist them adjust in their communities after their release from custody. Releasees, tired after 10 hours of work and travel, are not likely to give up the comfortable chair and television movie for the intellectual effort or emotional strain of the classroom or discussion group unless they can be convinced that what is offered is relevant to their needs.

There are men in every institution who are crippled every day of their lives by their inability to read and write or by their failure to have completed high school. Most institution populations contain men who have very little knowledge about the health, welfare, education, criminal justice, recreation, and other kinds of agencies in their community and when and how to use these services. Many prisoners lack any basic knowledge concerning banks, installment buying, preparation of income tax forms, and have little ability to manage their personal finances to their families' advantage. Some men know little about the job market and lack information about how to approach a prospective employer. Others are constantly in trouble with their wives, children, the police, and their neighbors because they do not understand and therefore find it difficult to control their anger. Most men can benefit from receiving authoritative information about such matters as venereal disease, abortion, and drug usage. These are but a few examples of needs which are proper targets for deliberate programming for work releasees as well as other classes of prisoners.

## Principles to Guide Program Development

Work Release Administrators should build a program of self-development activities on the following principles:

- All activities should have as their objective the strengthening of their participants' capacity to cope with their post-release physical and social environment. Each activity should be undertaken to provide its participants with one or more of the following:
  - ... More marketable work skills.
  - ... Greater familiarity with job market and methods of obtaining and maintaining employment.
  - ... Improved physical and mental health.
  - ... More effective management of alcohol and hard drug problems.
  - ... Authoritative information concerning such subjects as venereal disease, abortions, and drug abuse.
  - ... Improved capability for dealing with personal finances.
  - ... More satisfying family relationships.
- New activities should be initiated only at the request of a group or individual. Staff should not expect releasees to participate in and/or profit from any activity for which releasees have not recognized and acknowledged a need. However, when staff perceive a need to exist, there is no reason why staff should not assist releasees in recognizing it. Only after the need is recognized should possible solutions be suggested.
- Self-development activities may be designed for individuals as well as groups. The fact that only one work releasee out of a total of 20 in residence feels a need for the services of Alcoholics Anonymous should not rule out the development of a plan for helping the single releasee.

- Prisoners requesting activities should plan in their development. Special activities should take the size and form which potential participants request rather than that which staff would impose.
- Activities staged in the work release institution should make extensive use of and involve community residents. Expertise from local colleges, businesses, and government should be used as discussion leaders. When appropriate, friends and members of participants' families should be allowed to take part in meetings, classes, and other events.
- To the fullest extent permitted by legislation, court orders, administration policy, housing, and staffing, releasees should be permitted to participate in activities already existing in their home communities. Classes, training, recreation, therapy, etc., obtained in the participant's community environment is more likely to be helpful than similar events carried on in the work release center. Use of community activities permits more individualized programming and access to a wider range of activities.

#### Major Kinds of Self-Development Activities

Most programs can be classified into (1) instructional, (2) informational, (3) therapeutic, (4) community service, or (5) recreational activities.

##### 1. Instructional Activities

- a. Formal classroom instruction conducted by credentialed teachers employed by the institution or provided by a public school district. An example is instruction provided to releasees who have not completed high school. Credentialed teachers provide regular instruction in a classroom setting in required subjects. Completion of the course or passing a comprehensive General Education Development examination will result in the issuance of a high school diploma or its equivalent. Completion of GED instruction opens some doors to jobs previously closed to releasees. It also provides the psychological benefits which come from completing an undertaking previously failed.
- b. Instruction in subjects which increase job skills. Formal instruction offered by high school, community college, and private industry in such subjects as mechanical drawing, typing, and blueprint reading.

- c. Instruction to develop new skills. Formal instruction provided by community colleges and private industry in such subjects as small motor repair, television servicing, and card punching.
- d. General instruction. Courses in driver education, first aid, personal grooming, speed reading, foreign language, etc.
- e. Remedial. Individualized tutoring in basic language and mathematical skills.

Instructional activities can be individually or group oriented. Given the proper authorization, they may take place in the community in schools or plants as well as in the institution when facilities permit.

State Vocational Rehabilitation agencies are authorized under the Vocational Rehabilitation Act to purchase needed services for offenders through contract with private employers and training centers. Psychological testing and job counseling services are also available in most states from S.V.R. agencies.

Work Release Administrators can often find persons in the community who will volunteer time on a weekly basis to tutor or instruct individual releasees with special learning problems or unusual subject matter.

##### 2. Informational Activities

Often the most desired and used type of activity among work releasees are seminar and discussion groups, informally conducted, where a topic of general interest is presented by an authority on the subject followed by a discussion of the subject by participants.

Examples of subject matter which may be suggested for presentation are:

time purchase contracts (installment buying)

managing household finances

obtaining housing

trends in the employment market

venereal disease

drug abuse

physical fitness

where to find and how to use community health, education, welfare, recreational, etc., services

sociological and economic trends affecting the community

Afro-American history and contemporary issues

A wide range of expertise can be enlisted. Local businessmen, bankers, college instructors, government officials, ex-offenders, and other authorities are almost always willing to contribute their services to such a program of activities. Their involvement also serves to broaden the base of public understanding of the work release program and prisoners and support for them.

### 3. Therapeutic Activities

Therapeutic activities can be required and provided in a variety of forms.

Individual Counseling---concerned with surface problems relating to immediate environment and conduct. Not concerned with basic psychological processes or emotional relationships. Can be provided by reasonably skilled Work Release Coordinators, probation or parole officers, rehabilitation officers, volunteers, etc.

Individual Treatment---concerned with crippling emotional and/or personality problems requiring professional attention. Can be obtained from local mental health agencies; some private and public social work, and correctional agencies; and private therapists.

Family Counseling---concerned with marital and child raising problems. Requires involvement of spouse and, at times, children in the treatment process. Available

from public and private social work and mental health agencies, church counseling centers, and private counselors.

Group Counseling---concerned with improving releasees' methods of social adjustment and behavior. Uses guided group interaction as treatment method. Can be conducted with a work release population or one or more releasees may become members of a group functioning outside the institution. Method requires competent leadership. Should not be used in an institution as a substitute for individual counseling.

### 4. Community Service Activities

One way of getting releasees involved with the community to which they will return is to permit them to become involved in service projects. Releasees often have particular skills which are in demand on a volunteer basis. Other groups require manpower for jobs which require no particular skills.

Some community service activities can be carried on in the institution. An example would be repairing bicycles recovered by the police and unclaimed by their owners. Most activities would involve entering the community either unescorted or with a representative of a sponsoring organization.

Example of community service projects which work releasees as well as others can benefit from are:

- ... repainting a building to be used as a teen-age center
- ... blood donation
- ... emergency flood damage prevention, control, or cleanup
- ... servicing mini-bikes donated to YMCA for use in youth group programming
- ... assisting a church with the construction of a float for a parade
- ... raising funds for Red Cross or United Fund organization by selling art and craft objects.

Some organizations like the Junior Chamber of Commerce will pair up their membership with releasees and involve their sponsored releasees in a variety of religious, recreational,

and service events in the community. Such arrangements provide releasees with contacts that they may be able to use to their advantage upon release.

#### 5. Recreational Activities

Recreational activities which can contribute to a work releasee's post-release adjustment can take a variety of forms. Some releasees enter custody with a substantial interest in achieving, maintaining, or improving a competitive capability in a particular activity, such as weightlifting or wrestling. Such releasees can benefit from being provided the opportunity to continue their training under appropriate circumstances. When the work release facility lacks the necessary space and equipment, consideration should be given to allowing access to any available school or YMCA facility. Any transportation, coaching, or supervision required by such an approach may be available on a volunteer basis.

When work release program populations are large and available staffing and facilities permit, requests for team sports should be honored. Interest in softball, basketball, volleyball, etc., opens the door to possible competition with similar teams in the community. Such encounters create opportunities for greater releasee involvement in community life and increased understanding of and support for the program by the public.

When work releasees have an interest in learning and pursuing special hobbies and crafts, Work Release Coordinators can usually find interested and capable persons in the community who are willing to volunteer their time and talents for instructional purposes. Craft and hobby activities are important to prisoners because they provide them with the opportunity to satisfy their psychological needs to succeed and to complete tasks from which recognition, praise, and income can be gained.

#### Use of Volunteers

Programs of activities designed to permit work releasees to make profitable use of their confinement hours require extensive manpower to arrange and execute. Few, if any, work releasee programs can command the amount of paid professional manpower which can be used to advantage. The manpower needs are particularly heavy if releasees are to be allowed to participate in community-based activities rather than only in activities staged within the work release facility.

During the past decade, many urban and suburban communities have developed formal corps of volunteers who are screened, trained, and available for use by any community agency that has need of their services. Volunteer corps contain persons representing a wide range of knowledge, skills, experience, and availability. Volunteers are available for such purposes as teaching, tutoring, job-finding, and resources development (locating speakers, educational and recreational opportunities, and raising money for special purposes). Most volunteer bureaus have persons available who will provide transportation to clinics, recreational events, etc. The services of former social workers, clinicians, accountants, and other professionals are often available through volunteer bureaus.

College and high school faculties, service clubs, graduate students, and ex-offender organizations are groups which are usually capable of producing specialized talent for both group and individualized programming.

Work Release Administrators who choose to make full use of volunteers need to recognize that some professional staff person must have the time to screen, instruct, deploy, and supervise them. Accordingly, a Work Release Coordinator assigned the responsibility for the work of volunteers may need to have some of his regular duties reassigned in order to have the necessary amount of time available to make full use of volunteers.

#### Funding

Special program activities requiring purchase of supplies, services, and equipment can be funded by one or more of the following means, among others:

sponsoring agency's budget

federal, state, and private foundation grants and scholarships

discretionary fund supported by contributions from service clubs, employer groups, other community groups and individuals

welfare fund supported by institution vending machines, self-assessments, etc.

proceeds from sale of participants' arts and crafts.

## SELECTING WORK RELEASE PARTICIPANTS

Given the wide range of statutory requirements, administrative practices, organizational structures, and community traditions bearing upon the administration of criminal justice, it is not possible to conceive of and justify any single set of criteria for use in selecting work releasees which could have universal application. While some special diagnostic tests and criteria have been developed which are claimed to have some value in helping decision-makers choose between good and poor prospects for work release, their usefulness seems to be limited largely to the setting for which they were developed.

In the absence of any established criteria for choosing releasees on the basis of personal characteristics, the focus on selection must remain on processes designed to minimize error. The ultimate question, "Should this applicant be granted or denied work release status?" still must be answered on the basis of individual judgment. There are no magical formulas or reliable scientific instruments available which can be used as a substitute for the collective opinion of a group of well-informed individuals possessing professional integrity.

## COMPONENTS OF THE SELECTION PROCESS

Work release participants are selected primarily at two points in the criminal justice process: (1) sentencing, and (2) after commitment to a term of confinement. In the first instance, the question of whether or not work release status should be granted is posed before the actual details of sentence have been decided. The assessment of a convicted defendant's eligibility and suitability for work release is made coincidental with resolving the broader question of what is the appropriate sentence for imposition. If sentencing is preceded by and based upon a presentence investigation report, and recommendation executed by a probation officer or other aide to the court, suitability for work release is determined in the process.

The second focus of selection for work release occurs after the imposition of a sentence which involves a term of confinement and before outright or conditional release from confinement. In this instance, the responsibility for selection for work release may rest with a different complex of officials than is the case at the point of sentencing.

At both junctures, the question of whether or not criminal justice clientele should be granted work release status can arise in one or the other of two ways. Individuals may formally request

work release status or a criminal justice agency official may suggest it as an appropriate step.

Whether the question of utilizing work release arises at or after sentencing or is posed by a defendant or official, the answer involves making three determinations:

Is the subject eligible?

If eligible, is the subject suitable?

If suitable, is the subject acceptable for work release status?

- Eligibility

Eligibility is decided on the basis of well-defined and objective criteria. It is, therefore, usually easily determined. Applicants can be considered eligible if

1. provisions of state laws or local ordinances do not disqualify them on the basis of their offense, amount of time served in confinement, or other factors.
2. the sentencing judge has not specifically ordered applicants to be denied work release status.
3. administrative policies do not disqualify.
4. applicant is available because he is not
  - ... being held for transfer in custody to answer charges in another jurisdiction.
  - ... required to serve a sentence previously imposed in another jurisdiction.
  - ... assigned to work as a trusty or otherwise removed from consideration.

- Suitability

Not all persons found to be eligible are proper subjects for work release. Some possess personal characteristics or are subject to environmental pressures which render them incapable of using or benefiting from work release at a given point in time. Others may be insufficiently



motivated to put forth the effort required to be benefited. Such applicants need to be identified and denied work release unless and until there is adequate evidence that the disqualifying factors no longer exist.

#### • Acceptability

Some applicants who are deemed both eligible and suitable may not be acceptable to the judge or administrator with the authority to actually grant or deny work release. Such factors as probable adverse public reaction, lack of available housing, unemployability, and the desire to achieve certain equities with respect to other defendants may well result in decisions to deny work release to persons who, in terms of their individual suitability, are considered appropriate candidates.

Because the criminal justice process is performed by a number of separate entities, each with its specific area of responsibility and work focus, every applicant for work release has been, is, or can be the concern of several agencies. To one degree or another, every agency with which a person interacts between his arrest and discharge from custody with or without probation or parole can contribute to the selection process.

The issue of eligibility rests largely on objective criteria. Usually, no formal effort is required to establish it. If eligibility is not self-evident, some criminal justice official or body should be designated to determine it.

In the interest of eliminating unnecessary paperwork and interviewing, officials in charge of institutions should discourage sentenced prisoners from applying for work release who are clearly ineligible.

On the other hand, a strong case can be made for one or more local criminal justice agencies to assign responsibility to some official to screen every person received in an institution as a sentenced prisoner within 24 hours of his arrival. The practice can be justified on the premise that the community has an interest in assuring that every prisoner is made aware of and is motivated to take advantage of the most appropriate program available which will enhance his chances of becoming a more successful citizen following discharge. When prisoners are neither informed nor encouraged to act in their own behalf, some, out of ignorance, misinformation, demoralization, or inertia, will not apply.

Any plan involving the routine screening of all prisoners upon their arrival can be expected to inhibit persons ineligible for work release from applying and increase the number of applications received from prisoners who are eligible and who may subsequently be determined to be both suitable and acceptable.

It is entirely possible in some jurisdictions that a convicted but unsentenced defendant will request that he be granted work release privileges if he is sentenced to a term of confinement. Such requests may be addressed directly to the court at the time of sentencing. In such situations, if practical, the sentencing judge should not act unless and until he has ascertained through the probation officer or other investigative official whether or not the defendant is eligible and suitable. In determining the defendant's suitability or unsuitability, the investigating official should seek to use the same criteria used in assessing applicants who apply subsequent to being sentenced. No recommendation for work release status should be submitted to the court until the investigating official has conferred with the Work Release Administrator and other officials who would have some responsibility for supervising the defendant in the event the court grants work release status.

The determination of suitability rests on informed opinion. As information needed to arrive at a decision resides in the files and experience of many agencies and officials, it needs to be found, compiled, and presented for consideration. The processes of locating, gathering, and presenting information concerning criminal justice clientele is usually performed by probation and parole officers and rehabilitation officers in sheriffs' departments.

The more broadly based the recommendations are, the more weight they are likely to have with the ultimate decision-maker. They should represent, as far as is practical, the collective informed opinion of all officials who have borne or are likely to bear some responsibility for the applicant rather than the assessment of a single person.

A recommendation that an applicant be granted work release status should imply that the official or group making the recommendation has considered and approved in principle a plan of treatment designed to accomplish certain objectives. It can be very helpful if this treatment plan and its objectives are summarized and formally presented to the judge or other decision-making official along with the recommendation and other supporting data.

#### Work Release Screening Committee

Any criminal justice official designated by law, executive action, or judicial order to exercise responsibility for the review of applications of convicted offenders for work release should seek to

establish a Work Release Screening Committee to assist him in discharging that responsibility. The committee should consist of representatives of each criminal justice agency which normally possesses knowledge about and has a responsibility for the care and rehabilitation of offenders for whom work release constitutes a possible course of correctional treatment. The Work Release Screening Committee should review all applications for work release and recommend to the appropriate official(s) that work release status be granted or denied.

As a minimum, the Work Release Screening Committee should consist of two or more of the following officials as permanent members:

1. The jailer and/or superintendent of any county institution to which sentenced offenders are committed at the point of sentencing.
2. County and/or state probation officers assigned to serve the criminal department of local courts.
3. Institutional rehabilitation officers.
4. The Work Release Administrator.

Once established, the Work Release Screening Committee should request the assistance on a case-by-case basis from such local and state officials as the

- ... director, community mental health department.
- ... director, county department of public health.
- ... director of private social agencies providing services to adult offenders.
- ... state parole officer (when applicant is a state prisoner).
- ... regional representative of the state employment department.

If no Work Release Coordinator position exists, the Work Release Administrator or other official charged with the responsibility for screening work release applicants should:

- request the director of an appropriate agency to designate one or more members of his department to serve as staff assistant(s) to the Work Release Screening Committee, or

- when no such personnel are elsewhere available, designate one or more members of his own department to
  - a. search out and compile social and other pertinent information concerning each applicant.
  - b. present such information to the Work Release Screening Committee for its consideration.
  - c. perform other functions at the request of the Work Release Screening Committee.

The Work Release Screening Committee should meet as often as is necessary to consider and act upon all applications without undue delay and to make known its recommendations to the official who is empowered to grant or deny work release.

#### Establishment and Publication of Eligibility Requirements

The Work Release Administrator, with the assistance of the Work Release Screening Committee should prepare a written statement setting forth all criteria which must be met by potential applicants for work release to be considered eligible. Such a statement would include all relevant provisions of state enabling laws and local ordinances, as well as any administrative and/or judicial policies which have been formulated and to which exceptions are not made.

When prepared, the statement should be made available in writing to all criminal justice personnel and to all potential applicants, whether confined after sentence or free on bail or their own recognition while awaiting sentence.

#### Application Procedure

Whenever a prisoner indicates to an institution official that he wishes to apply for work release, the official, using the published guidelines of the Work Release Screening Committee, should determine whether or not the prisoner is eligible. When it is clear that the prisoner is ineligible he should be so advised and no application form given to him. If the prisoner continues to believe he is eligible, the issue should be brought before the Work Release Screening Committee for final resolution before the prisoner is allowed to file an application.

If it appears that a prisoner is eligible under the published guidelines for work release, he should be given an application form to complete and return to the appropriate institution official for forwarding to the Work Release Screening Committee.

The amount and kind of information which the work release application form should be designed to produce will depend upon what information that is needed has been compiled previously, is current, and is available for review. For example, if prior to sentence, the court ordered and received a comprehensive presentence investigation report, there is no need to collect such information again. On the other hand, when little is known about the applicant, the applicant should be asked to supply considerable basic information about himself and his circumstances.

Application forms should include questions which force the applicant to think through why it is that he is applying and what his objectives are. Such questions, besides encouraging the applicant to consider his motivation, provide a point of departure for staff - prisoner discussions.

Appendix D consists of an application form which is designed to elicit most of the information which should be available to the Work Release Screening Committee for its study. The form provides a page for noting the verification of certain key items. This verification should be undertaken and completed by staff designated to assist the Work Release Screening Committee prior to the time the committee meets to consider the application.

A copy of the application form submitted by every person subsequently granted work release status should become a part of the participant's personal file.

#### Steps in the Selection Process

After the Work Release Administrator or other official has established a Work Release Screening Committee, arranged for staff assistance to the Work Release Screening Committee, and prepared and published eligibility rules, the following steps should take place relative to work release applicants:

- a. All applications for work release submitted to the Work Release Administrator should be received by staff assigned to the Work Release Screening Committee to confirm the eligibility of the applicant (applications submitted by persons not eligible should be returned to the applicants with an explanation for the rejection for further consideration).

- b. Staff should compile case information concerning every applicant ruled eligible, through review of files, application form, and personal interview.
- c. Information should be presented to members of the Work Release Screening Committee in whatever form authorized by the Work Release Administrator.
- d. The Work Release Screening Committee should meet at the call of the Work Release Administrator.
- e. The Work Release Screening Committee should jointly consider the suitability of each applicant on the basis of information provided by staff.
- f. The Work Release Screening Committee should arrive at a recommendation concerning the applicant's suitability and direct that the recommendation be forwarded in a manner previously agreed upon to the official required by law to act upon the application.

Upon receipt of the recommendation of the Work Release Screening Committee, the decision-making official considers the recommendation; the data upon which it is based, and other factors not considered by the Work Release Screening Committee which have bearing upon the applicant's suitability and/or acceptability. He then:

1. grants the applicant's request for work release status, or
2. denies the applicant's request, or
3. requests further information, or
4. defers action for later review and decision, and
5. notifies Work Release Administrator of his decision and executes any forms required to convey authority for the Work Release Administrator to act.

The Work Release Administrator then takes appropriate steps to notify the prisoner of the action taken on his application.

#### Assessing Suitability

In assessing an applicant's suitability for work release, the members of the Work Release Screening Committee need to arrive at the answers to four basic questions:

1. Does the applicant want to work?
2. Does he have the capacity to do so?
3. Will the applicant escape and/or commit another offense while in the community on work release?
4. Can he be expected to benefit from work release more than from any other course of action?

Before arriving at answers to these questions, the Work Release Screening Committee should carefully consider a reasonable amount of evidence concerning the applicant's post-discharge plans, past employment history; prior criminal record, financial situation, family circumstances, social contacts and associations, and his capability to act rationally rather than impulsively. In addition, the Work Release Screening Committee should consider each applicant in terms of what program resources will be available to support him psychologically while he is in work release status.

Only when such factors as these are carefully explored can the Work Release Screening Committee be expected to minimize the likelihood of error which would unnecessarily deny applicants' opportunities from which they and the community could be expected to benefit or submit the community to exposure to a degree of risk which it is unprepared to tolerate.

#### Temporary Order

Frequently, an applicant's employment circumstances are such that the Work Release Coordinator assigned to his case may desire that the applicant be released to begin work before the court clerk could be expected to prepare and forward a copy of the judge's order granting work release status.

In such situations, the Work Release Coordinator should prepare and bring to the hearing with him a completed form (See Appendix E) which he can submit to the judge for his signature after the hearing. When signed, such an order can serve as the Work Release Administrator's authority to act pending receipt of a copy of any permanent order which the court may direct the clerk to prepare and forward.

#### Notification of Action Taken on Application

Every applicant for work release is entitled to be notified promptly whether or not his application has been accepted, denied, or continued for further consideration and, in the case of denial

or deferral, entitled in addition to an explanation for the reason(s) for the decision.

If it is assumed that prisoners will not apply for work release status unless they desire it, and if it is also assumed that consent to apply carries with it some possibility that the application will be granted, then it is probable that applicants to some extent at least become mentally preoccupied and emotionally invested in the screening and decision-making process related to their application. In submitting an application, the prisoner symbolically is offering himself for judgment and setting the stage once again to become a loser. The situation can generate anxiety and discomfort.

If a prisoner's application is approved, immediate notification is necessary to set the implementation process in motion. The applicant's response can be expected to be one of satisfaction, and notification presents no problem for the staff member charged with the responsibility to provide it. On the other hand, there is a natural resistance on the part of staff to confront applicants with bad news. As a result, in cases where applications are denied or deferred for later reconsideration, the notification of the applicant may be delayed, distorted, and, in some cases, not given at all. This can only further increase the applicant's anxiety, breed resentment, and further diminish his sense of self-worth.

The adverse decision can provide an opportunity for a sensitive staff to build rather than destroy. A "no" answer promptly announced in a straightforward manner is more likely to be accepted than a delayed or indecisive answer because the applicant can at least sense that staff consider him worthy of an honest answer and fair treatment.

It can be assumed that work release applicants realize that decisions must be reached in part on objective data and in part on subjective grounds. Prisoners whose applications are denied need to know why they failed, in effect. Honest answers, promptly given, can prove helpful in alleviating anxiety and preventing paranoia. Avoidance tactics by staff can only lead to hostility, an increased sense of defeat, and a loss of respect for the offending staff member and his organization.

## CHAPTER VIII

### PREPARATION FOR PARTICIPATION

A decision to grant work release status to an applicant does not carry with it any guarantee that the applicant is ready for immediate participation. There are both physical and psychological adjustments to be made. If approval for work release status involves moving to new quarters, the move can involve the prisoner in a whole new set of rules, different companions and custodians, and an array of activities and opportunities not previously available. Tentative arrangements relating to leaving and returning to the institution will need to be confirmed and strengthened. Ground rules for governing conduct during hours spent out of confinement will need to be developed.

Before a prisoner approved for work release is allowed out of confinement, the following 11 steps or principles should be followed:

#### PRINCIPLE #1

Every person granted work release status is entitled to be advised promptly as to the identity of the person from whom he can expect direction and support.

It must be assumed that any time a court or administrative official authorizes work release for an applicant that the official does so with some objective in mind concerned with creating a better citizen and a healthier community. There is, then, the expectation that change will take place. However, work release is not a self-executing correctional tactic. In order to confer its potential benefits, work release must be deliberately applied. The application of work release is the responsibility of the Work Release Administrator and the work of his staff.

If the successful work release applicant was not assigned a Work Release Coordinator at the time his application was being screened, the Work Release Administrator should promptly designate one. In such instances, the approved applicant should be notified promptly as to the identity of the staff person assigned. At the first scheduled meeting between the Work Release Coordinator and the participant-to-be, the Work Release Coordinator should inform his

assignee of the scope of his responsibility, the kind of assistance he is equipped to provide, and the extent of his availability.

#### PRINCIPLE #2

No Work Release Coordinator should seek the release of any prisoner approved for work release participation unless and until the official in charge of the institution receives written notification of the prisoner's work release status signed by the authorizing judge or administrative official.

Whenever a court grants work release privileges to a defendant and/or prisoner, the Work Release Administrator should arrange for a file marked "Copy of the Court's Order" to be delivered promptly to the appropriate Work Release Coordinator. Upon receipt of the copy of the order, the Work Release Coordinator should

1. reconcile it with any pre-existing orders or verbal directions received from the court or superiors in the agency.
2. place it in the folder maintained for the subject along with copies of any more prior orders.
3. arrange with the institution's custodial personnel to release and readmit the participant-to-be in accordance with the order.

While good practice is based upon a rule that no verbal authorization be accepted for the release of any prisoner from custody, actual operating circumstances sometimes require that exceptions be made to the rules. Therefore, in all situations where the Work Release Coordinator is expected to act pursuant to orders communicated verbally and before written verification of the verbal orders are received, he should record in the subject's folder: (1) the orders received verbally as he understood them, and (2) the name of the person(s) communicating them to him. Thereafter, as soon as possible, the Work Release Coordinator should obtain written confirmation of all verbal orders.

### PRINCIPLE #3

As soon as a prisoner is approved for work release status, he should be made fully aware of all procedures and rules with which he will be expected to comply, all obligations which attend his status, and all rights, privileges, resources, and opportunities which he may be entitled to claim or exercise.

Prisoners will know something about the purposes and mechanics of a work release program when they apply. They will learn more as their applications are processed. Yet, work release staff should not assume that when prisoners are selected to participate they are sufficiently informed to participate without formal orientation. Some will have received misinformation; most are likely to view the program from a narrower perspective than the staff sees it and expects the participants to view it.

In a sense, work releasees are being given a chance to play a game. Therefore, they are entitled to know the rules they are expected to play by. The rules as well as the rights and privileges they have or can acquire and the penalties they can incur should be carefully spelled out and formally communicated to the prisoners by staff.

Full and honest communication serves the participants by helping them to function in line with expectations. It also is important from the standpoint of maintaining program discipline. Staff are in a better position to hold participants accountable for their conduct when rules, procedures, rights, and privileges have been formally presented and acknowledgment obtained from the participants for the receipt of such information.

The orientation of a participant-to-be should be

- a. the responsibility of one person.
- b. carried out by or under the direction of the Work Release Coordinator to whom the participant is assigned for supervision.
- c. undertaken on a one-to-one basis rather than on a group basis to increase the likelihood that communication is taking place.

- d. carried out in the course of one or more structured conferences.
- e. staged in a manner which will enable the participant to ask questions and seek further explanations.
- f. assisted by the use of a check-off list of subjects to be covered.
- g. organized in a way which will allow for presentation of some information orally and other information in writing.
- h. terminated only after the participant-to-be gives evidence that he understands all information provided.

Crucial rules and procedures should be placed in writing and two copies of them be given to the participant-to-be at the time they are discussed. The participant-to-be should be requested to sign both copies as an acknowledgment that he has read the material and understands it. Both copies should be countersigned by the Work Release Coordinator in the presence of the participant-to-be and dated. One copy should be given to the participant and the other placed in the man's folder by the Work Release Coordinator.

In situations where the participant-to-be is known to have a demanding wife or girl-friend who could be expected to place him under great pressure to break or seek frequent exceptions to the rules, consideration should be given to including such person(s) in the orientation process. Such a strategy should be used only after preliminary discussion has taken place between the Work Release Coordinator and the participant-to-be and both agree to the tactic.

### PRINCIPLE #4

Before a prisoner is released into the community for any purpose associated with work or education release, the Work Release Administrator should: (1) notify law enforcement officials serving the jurisdiction in which the prisoner will be traveling and working that the prisoner has been granted work release status, and (2) invite their assistance and cooperation in supervising the releasee's movements in the community.

Few experiences are more offensive to police personnel than to encounter unexpectedly on the streets persons who they had every reason to assume were in custody. The insult which is felt arises not so much from the fact the persons have been released as it does from the discourtesy rendered them by the releasing agencies in not giving them notification.

Police, court, and correctional agencies serve a common justice system and a common clientele. Each in the exercise of their particular area of responsibility develops both a body of information about and a continuing interest in the clientele. Agencies which ignore this fact invite non-cooperation and, at times, outright hostility from other agencies in the criminal justice continuum.

When afforded the courtesy of being consulted and informed about dispositions made by the courts and treatment plans administered by correctional organizations, police agencies can be expected to support dispositions and plans with the resources at their disposal. When made aware of the fact that persons in whom they have an interest are being considered for or have been granted work release status, police agencies can be very helpful to Work Release Administrators in supplementing - but not substituting for - whatever supervision efforts the Work Release Administrator regards as being necessary for any given work releasee. The more effective the supervision of participants, the more likely they are to profit from their status and less likely they are to consider violating program rules.

Once the decision has been reached to grant a prisoner work release status and his place of employment and time and travel schedule are worked out, the Work Release Coordinator should notify the law enforcement agency(ies) in the jurisdictions in which the person was arrested, normally resides, and will be working and traveling of the person's

- a. work release status.
- b. date work release authorization is scheduled to start and end.
- c. hours during which releasee is authorized to be in the community.
- d. method of transportation approved.
- e. name and telephone number of Work Release Coordinator assigned.
- f. Any special conditions involving prohibited activities and companions.

The most effective method of notification is personal contact with appropriate police personnel at their agencies. Face-to-face contact encourages discussion, interpretation, and the resolution of disagreements, and the detailing of steps and methods to be employed.

When direct contact is not feasible and the Work Release Coordinator has a close relationship with the police personnel to be contacted, a telephone call can be expected to accomplish the desired end.

In all instances, whether notification has been achieved by face-to-face contact or telephone call, a formal written notice should follow for purposes of the record - if requested. When personal contact is deemed unnecessary or impractical, notice should be provided by mail.

While there are benefits to be gained from sharing information with police organizations, there are also risks. There is always the possibility that overzealous police personnel will concern themselves with work releasees to the point of harassment. This can be a difficult problem for Work Release Administrators to document or deal with. Where Work Release Administrators are quite certain that police will harass work releasees, they may choose not to identify work releasees in the community. However, the possible advantages of taking this course of action must be weighed against the risks involved should police independently learn the same information from other sources.

#### PRINCIPLE #5

No person accepted for work release should be allowed to work on a job unless and until the Work Release Coordinator has contacted the prospective employer and has verified the employment and wages, examined the working conditions, and arranged for continuing liaison with the employer or his designate.

Inherent in the decision to grant work release is the expectation that work and the circumstances under which it is performed will provide benefits to the participant at no unreasonable risk to the community. Given this expectation and its importance, the Work Release Coordinator would be inviting intolerable risks to approve employment for participants without assuring its potential for achieving its

purposes. The work itself must not contravene statutory prohibitions or introduce hazards to the employee's adjustment, public safety, or the work release program's continued existence.

One of the key resources which a work release program requires in order to function effectively is a reservoir of willing, helpful, and satisfied employers. One way of building and maintaining such a reservoir is for the Work Release Coordinator to regard individual employers as partners engaged in a mutual effort to assist work releasees and the community. This concept of partnership is honored when the Work Release Coordinator takes the time to consult with employers and arrange for open communication and continuing liaison with respect to new program participants. On the other hand, a Work Release Coordinator who offers little support to work release employers can expect little more than superficial cooperation in return.

Whether an applicant for work release plans to return to his regular employment or proposes to accept a new job which he claims he has been offered or whether the applicant will be employed at work procured for him by the Work Release Coordinator himself, the Work Release Coordinator should act in accordance with the practices set forth in Chapter VI.

#### PRINCIPLE #6

No person should be released from confinement to travel to and from his place of employment unless and until the Work Release Coordinator is aware of and approves the method and circumstances of transportation to be used.

No periods during a participant's day offer greater opportunity for abuse of the work release status than those periods of time allowed for traveling between the work release facility and the point of employment. Consequently, the circumstances which are permitted to surround such travel should bear some relationship to the Work Release Coordinator's estimate of the participant's capacity to exercise self-discipline in the face of pressure to violate program rules and procedures.

The Work Release Coordinator should follow steps outlined in Chapter VI which are appropriate in each case.

#### PRINCIPLE #7

To the fullest extent possible, all critical needs and problems confronting a prisoner approved for work release should be identified and alleviated in the interest of making it possible for the participant to give his full attention and best efforts to all program activities and opportunities.

Under even the best of circumstances, work release time is a hard time to serve. It can only be all the more difficult for a participant who is preoccupied with unresolved crises based on situations existing in the community. Concerns over domestic matters, financial situations, and personal health can burden a participant to the point of complete frustration. The earlier the Work Release Coordinator becomes aware of the existence and nature of such problems, the better chance he has of taking steps which can be useful to all concerned and lessen the likelihood that the participant will be overwhelmed by them and react in ways which would be detrimental to himself and others.

In the course of conducting the orientation conference with a person about to embark on work release, the Work Release Coordinator should

1. provide all assistance necessary to assure the participant acquires any clothing, tools, equipment, and personal effects needed to take part fully in any aspect of the work release program.
2. arrange that any drugs required by and/or prescribed for the participant be made available.
3. assist the participant in making any arrangements with creditors, financial institutions, or family or friends to stabilize his financial condition until his work release earnings become available to satisfy obligations.
4. seek to reschedule any pending court appearance to a time which will not jeopardize the participant's job or his current work release status.



5. facilitate the settling or easing of any domestic or personal problems which could threaten the participant's morale, on-the-job performance, or willingness to accept the requirements of his work release status.
6. arrange with appropriate community social work, medical, and educational agencies to provide continuing counseling or other forms of specialized assistance requested by the participant for himself or his family.

#### PRINCIPLE #8

Before a prisoner approved for work release status actually begins work, the procedure for transmitting his pay from his employer to the Work Release Administrator and a plan for the allocation and disbursement of his earnings should be worked out between the participant-to-be and the Work Release Administrator, placed in writing, and signed by both parties to the agreement.

Work release status is granted to a prisoner so that he can use the opportunities of the present to accommodate to the needs of the future. The earnings a participant will receive from his employment represents the most tangible resource he can acquire from his work release status which he can deploy to his future advantage. The assistance a Work Release Coordinator can give to a participant in identifying his financial obligations, establishing priorities, and developing a plan which yields the maximum benefits from available resources may be the most significant contribution the Work Release Coordinator can make in any given case. The process which the participant and the Work Release Coordinator go through together can be instructive to both parties. The participant can be expected to increase his skill in allocating funds; the Work Release Coordinator will learn something more of the problem faced by the participant - information which may prove useful in subsequent counseling and programming activities involving the participant. The process can also provide the Work Release Coordinator the opportunity to indicate to the participant his intention of allowing him to exercise as much control over his personal affairs as circumstances permit. (See Chapter X for guidelines for arriving at a budget.)

The development of a financial plan prior to the participants actually beginning employment lessens the likelihood that when earnings are actually received they will be diverted to gratify the immediate convenience of releasees rather than to serve their more fundamental needs.

#### PRINCIPLE #9

Each work releasee should be provided with identification which establishes his work release status and right to be in the community.

Although other forms of notification that a prisoner has been granted work release status may have been given to police agencies in surrounding areas, it cannot always be assumed that the notification has been completely effective. Therefore, in order to forestall impasses which could arise when police officers stop a work releasee on the assumption he may be on unauthorized leave from custody, a participant should carry on his person convincing evidence of his work release status. Such identification enables the work releasee to quickly establish his credibility.

Written identification and verification of work release status can be particularly valuable when a work release program is first being introduced in a given area, particularly a large metropolitan area. In such circumstances, it always takes time for all law enforcement personnel to become aware of the existence of a work release program in their own or neighboring jurisdictions.

Prior to the time he leaves the institution the first time to enter the community for any reason, a participant should be given a card or letter capable of being conveniently carried on the person which contains the following:

1. The issuing department and the name, title, and signature of the issuing official.
2. The official and telephone number to be called by anyone requesting further information.
3. The bearer's name, age, height, weight, hair color, and eye color.
4. The bearer's photograph.

5. The bearer's signature.
6. Description of authorized transportation.
7. Special conditions authorized.

Any photograph used should not contain any numbers or other features normally associated with arrest and detention.

Appendix F contains a sample Work Release Identification Card.

#### PRINCIPLE #10

The implementation of an order granting work release status implies the acceptance of certain obligations and responsibilities on the part of the applicant and Work Release Administrator (representing the sponsoring governmental entity) toward each other which should be mutually understood, accepted, and acknowledged in writing.

At the time he applies for work release status, a prisoner has only a general understanding of what obligations that status will impose upon him or what services and privileges he can expect to receive. Not until his application has been approved does he receive the opportunity to become fully acquainted with the rules and procedures governing program participation, the way his earnings will be distributed, and self-improvement goals he will set for himself. These obligations will only become defined in the course of the development of a plan of action during the orientation process.

Similarly, the Work Release Administrator, as the representative of the granting authority, can only know in general terms what responsibilities he is obligated to discharge in behalf of the applicant as a participant. Only after the assigned Work Release Coordinator has met with the participant-to-be and become acquainted with his particular needs can he specify what services and privileges he can offer the participant-to-be.

After the orientation process is completed and the obligations each party agrees to accept are defined, the major commitments each has agreed to make should be placed in writing and signed. This

formalization can be expected to reduce the likelihood that misunderstandings and disputes will arise in the future, provide a solid basis for judging participant misconduct, serve as a base line for measuring both participant and staff performance, and, in general, encourage a well-disciplined program operation.

As soon as all steps have been taken to acquaint the participant-to-be with the procedures and rules governing work release activities; the details of a plan for receiving, allocating, and distributing his earnings agreed upon; and resources, services, and privileges to be made available along with the conditions of their availability are agreed upon; the participant-to-be should sign the following:

1. A statement acknowledging that he has read, understands, and intends to comply with rules and procedures. (See Appendix G)
2. A statement indicating approval of a plan for the disbursement of earnings and authorizing the Work Release Coordinator to disburse funds in accordance with the plan. (See Appendix H)
3. An authorization to the employer to release the paycheck to the Work Release Administrator (if this tactic is to be used). (See Appendix I)

#### PRINCIPLE #11

Work Release Coordinators should inform personnel in charge of assigning living and other space in a work release facility of the special needs, if any, of each participant-to-be and make recommendations that as far as possible space be assigned which will accommodate such needs.

In the course of exploring with the participant-to-be the nature and schedule of his work, classes, recreation, and other activity, Work Release Coordinators will become acquainted with special needs which the participant-to-be might have. Some of these needs might be satisfied by the allocation of specific living and storage space in the work release facility. For example, it may become apparent to the Work Release Coordinator that some work releasees will be subject to regular or periodic night work which in turn would require

some daytime sleeping. If such information was given to the person responsible for assigning living space, it might be possible for the participant-to-be to be billeted in an area in the facility reasonably removed from the area where noisy daytime activities go on. Similarly, if a Work Release Coordinator, upon learning that a participant-to-be intends to study or engage in some other activity requiring concentration, reports such information and recommends to the appropriate authority that allowance be made for this fact, the prisoner might be housed more appropriately than he might be if assigned space on a random basis. Further, work releasees who have certain health conditions or psychological characteristics might benefit from selection rather than random assignment of living space.

When a person granted work release status meets with his assigned Work Release Coordinator, the Coordinator should

1. determine what, if any, special requirements the participant-to-be may have for personal living space and/or for job-related tools, clothing, training equipment, and/or for other personal gear required while in custody.
2. call such needs as may be anticipated to the attention of the official in charge of prisoner custody in the work release institution and make such recommendations as are appropriate under the circumstances.
3. notify the participant-to-be of the arrangements made and the reasons for any action recommended but not taken.
4. arrange for the actual transfer of the prisoner and his gear to assigned space in quarters set aside for work releasees.

#### A Checklist---And a Handbook

The process of preparing a successful work release program applicant to become a successful participant rarely can be an orderly one in which everything which should be done actually gets done in one meeting between the participant-to-be and the Work Release Coordinator. Therefore, the Work Release Coordinator may find it useful to develop a checklist of things which should be completed to reduce the likelihood that any significant omissions occur. When exceptions must be made to rules or normal disciplinary action cannot be taken because participants acted in error due to ignorance, the effects can be far-reaching, not only to a particular participant but to others in the program. Time spent conducting careful and complete

orientation sessions is never likely to equal the amount expended in dealing with crisis situations resulting from ignorance and misunderstanding.

Appendix J consists of a checklist of subjects which should be covered during the orientation period.

The entire process of preparing prisoners for their work release experience can be facilitated if a comprehensive handbook is available for distribution at the time the orientation activities are taking place. Such a handbook should not be limited to a statement of rules and regulations but should reflect something of the program's objectives and philosophy.

Although a well-prepared handbook can be a useful device for reinforcing the information transmitted during the orientation period interviews, it should never be allowed to become a substitute for person-to-person contact.

## CHAPTER IX

### MOVEMENT, CARE, AND CUSTODY

Once prisoners selected for work release have been fully oriented and appropriately billeted, they can be considered ready for active participation. It is at this point that they begin experiencing whatever organizational machinery and operating procedures that have been established to move them between the two environments in which they will function for the duration of their commitments. It is also at this point that they may begin a more active use of their time spent in the institution. Meanwhile, each prisoner must be retained within the limits of custody authorized while his daily physical, psychological, and spiritual needs are satisfied.

Custody staff must have the full cooperation of case service personnel. The institution's custodial personnel cannot compromise the custody of their prisoners except upon the day-to-day instructions supplied by Work Release Coordinators or other case service personnel. On the other hand, whether or not authorization is given by the Work Release Coordinator will depend in part on information supplied by custody personnel concerning the conduct of participants, both inside and outside the institution.

The intertwining of case service and custody functions underscores the need for definition of roles and specific procedures.

#### PRISONER MOVEMENT

Typically, work releasees will be authorized to leave the institution and return to it five times each week. Each departure and re-entry must take place pursuant to specific authority. Staff frequently must receive information from releasees or give instructions to them. Money may be exchanged and accounted for; personal property, and perhaps clothing, must be issued and retrieved. Written entries must be made in files and on forms.

Checking men out and checking them in can be just mechanistic activities. They should be much more. An insensitive staff operating without sufficient information and employing clumsy procedures can launch men into their work world threatened and angry; it can also rekindle them as they reenter their living quarters at the end of their work day. On the other hand, a sensitive, well-informed staff using well-planned processes can create both the time and the climate for establishing healthy, morale-building relationships with participants as they go and come.

Five principles regarding prisoner movement are listed below:

#### PRINCIPLE #1

Every facility hosting a Work Release Program requires a single point at which the movement of program participants can be continuously and effectively facilitated and monitored.

Work releasees move back and forth between two worlds. Each crossing of the border between them is attended by processes concerned with accounting for the participant's person, time, property, clothing, funds, and behavior. The schedules and authorizations governing daily activities and privileges are subject to frequent exceptions and changes. The responsibility for the care, custody, and treatment of participants is dispersed among different classifications of employees spread over several work shifts. These efforts must be coordinated. In some settings, the requirements of the work release program population must be continuously adjusted to the requirements of other population groups sharing a common facility and staff. To provide this coordination, it is necessary to establish a Control Center or Control Desk.

The physical features of the housing available for work release programs largely determine the location and, to a lesser extent, the staffing and procedures of the Control Center. Although in some situations it is impossible, the Control Center should be located apart from other control points and operated as a separate entity.

The Work Release Control Center should:

- be located adjacent to a single point of entrance and exit.
- have visual control over the
  - ... door leading into and out of the building.
  - ... door leading into and out of the living quarters used by participants.
  - ... parking areas and access roads and paths serving participants, visitors, and staff.
  - ... waiting area used by releasees and visitors.
  - ... visiting area.
  - ... telephones used by program participants.
  - ... areas used for counts, lineups, and message and transmittal.

The Work Release Control Center should consist of:

- desk, counter, and office work areas.
- secluded areas for crisis handling, conducting searches, and maintaining records and medical supplies.
- adequate lobby area to handle peak traffic.
- space for posting of messages, maintenance of records, storage of valuables, and movement of participants, visitors, and staff.

The Work Release Control Center should be equipped for the staff to:

- receive telephone calls from any point inside and outside the building.
- make telephone calls to any point inside and outside the building.
- communicate to all points by loudspeaker, when necessary.

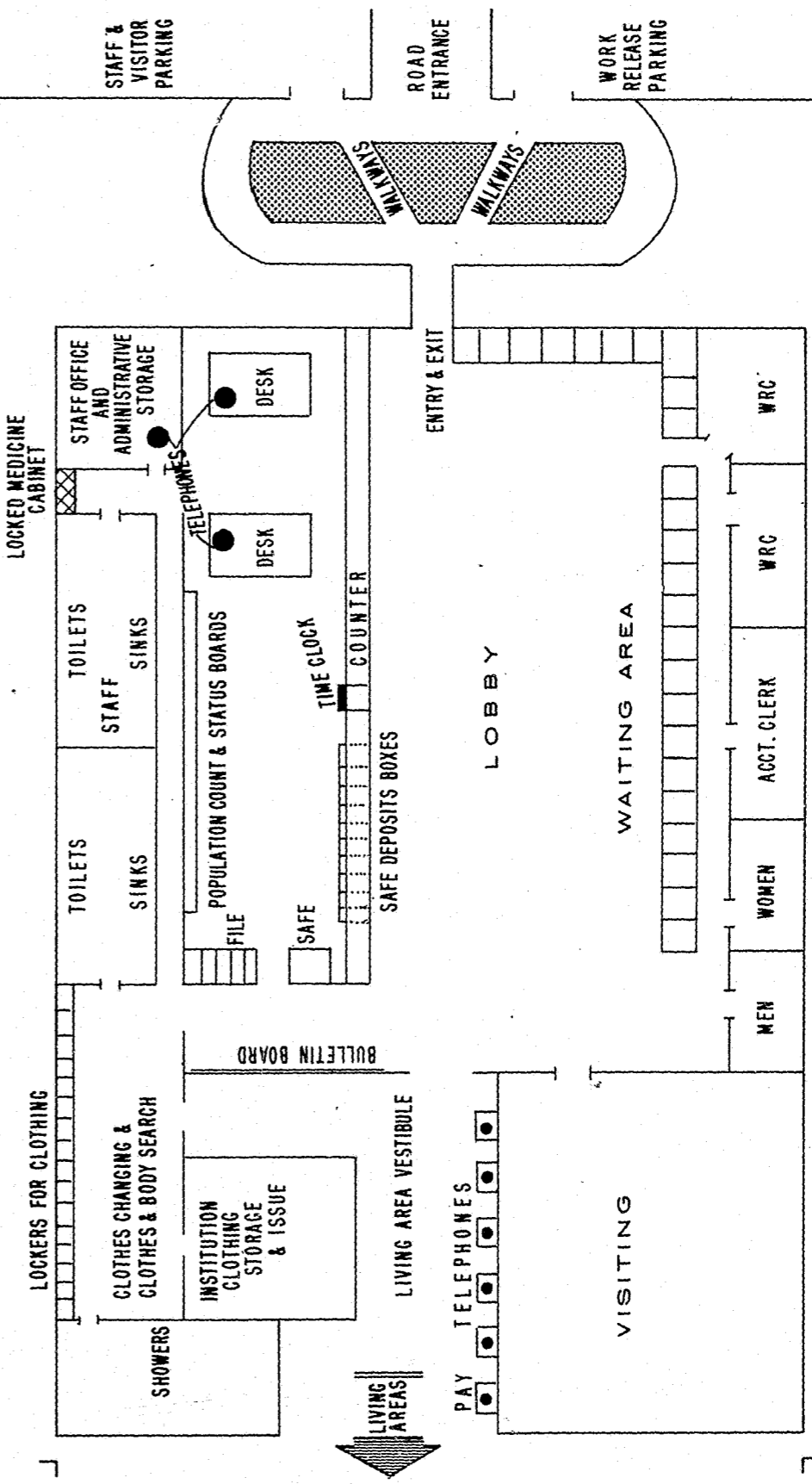
Figure 2 presents, in schematic form, the major requirements of a Control Center.

**PRINCIPLE #2**

The Control Center should be manned at all times with enough on-duty personnel to service adequately the individual and collective requirements of the program's participants and to perform all required administrative tasks.

The volume of work release program activity fluctates throughout the day and night. Peak periods usually occur between 5:30 a.m. and

SCHEMATIC REPRESENTATION FOR WORK RELEASE FACILITY CONTROL CENTER INDICATING AREAS AND MAJOR EQUIPMENT USED FOR CHECKING OUT AND CHECKING IN PROCESSES



7:30 a.m. when most men are rising and leaving for work, and from 4:30 p.m. to 10:00 p.m. when they return and are active in the institution. During these peak hours, the movement and supervision of men require more staff than are normally necessary at other times. Checking out and checking in activities are not postponable and must be accomplished with dispatch.

At other times, including when more participants are normally sleeping, there is work to be done. Men on unusual schedules must be serviced, case records and work schedules require updating, the nonworking and sick require supervision, and the staff need training. Emergencies occur and must be dealt with. The problems of a work release program and its participants do not distribute themselves into eight-hours-a-day and five-days-a-week increments.

The Control Desk should be manned by at least one person at any given time. This will involve 168 (24 hrs/day x 7 days/week) hours of basic coverage, an amount which can be provided by the equivalent of 4.8 full-time employees (See Chapter IV)

Additional coverage required to supplement basic coverage may be available from one or more of the following sources:

1. Regular part-time employees.
2. Basic coverage employees on overtime basis.
3. Supervisory staff.
4. Work release coordinator personnel.
5. Volunteers.

### PRINCIPLE #3

To function effectively, custodial function personnel at the Control Center require complete, current, and accurate information and instructions in order to properly control the movement of participants between the institution and the community.

The courts, administrators, and personnel of agencies responsible for the case service function define the manner in which each participant is authorized to exercise his work release status. Custodial

personnel are not normally informed as to the schedules, privileges, and responsibilities which characterize each participant's program plan. Therefore, before custody function personnel can alter a prisoner's custody status, they must receive formal instructions setting forth the changes that have been authorized, the conditions surrounding the changes, and the schedule to which they are to be geared. Such instructions must be expressed in a manner which permits their total comprehension and be accompanied by the authority to act.

Work Release Coordinators and/or other personnel assigned the responsibility for performing case service activities should develop, in consultation with personnel responsible for the custody of participants, the following:

1. An inventory of information required at the Control Center.
2. Procedures for supplying all information listed in the inventory.
3. Methods for storing, recovering, and using the information supplied.
4. An inventory of information developed at the Control Center needed by case service personnel.
5. Procedures for transmitting the inventoried information from the Control Center to case service personnel.

The procedures and methods agreed upon should be implemented with forms where appropriate and should be placed in writing for use in the orientation and training of new employees.

The following minimum basic data concerning each prisoner granted work release status should be supplied to the Control Desk and maintained in readily available form:

Name  
Facility file or case number  
Photograph  
Sentencing court and judge  
Sentence term and conditions  
Expiration date of commitment  
Anticipated date of discharge (with earned credits)  
Employer  
Employer's address  
Employer's phone number

Occupation  
Approved normal departure time  
Approved normal return time  
Starting date of employment  
Payday  
Work Release Coordinator assigned  
Room, cell, and/or bunk number  
Wake-up time  
Normal days off  
Lunch needs  
Approved visitors  
Amount of money allowed/week for personal expenses  
Special instructions relating to schedule, earnings, visitors, medication, security, etc.

#### PRINCIPLE #4

Personnel manning the Control Center should always execute their duties in ways which create and maintain an atmosphere which supports rather than antagonizes participants and visitors.

The Control Center is the work release population's thermostat; the setting given to it by staff will determine how comfortable or uncomfortable participants will be. The daily transitions which participants make between their two worlds do not take place without upsurges of anxiety, resentment, embarrassment, and hostility. How participants come to handle their feelings will depend in part upon the conduct of staff. Personnel who either through insensitivity or malice use their authority and the participant's status to dominate or humiliate them run the risk of diminishing or destroying their self-esteem and morale. On the other hand, if Control Center staff treat participants individually and collectively with dignity and friendliness, they can contribute to the growth of a sense of self-worth and improved morale.

Control Center personnel should be selected primarily on the basis of their sensitivity and personal maturity. Procedures employed to release and readmit releasees should be designed to avoid delays and confusion. The Control Center should be operated at all times as a serious arena, and professional demeanor should characterize all staff. The area surrounding the Center should be kept orderly and clean. The Center should not be a place for either prisoners or staff to lounge.

Staff should not discuss participants' problems when other participants may overhear them. In the event a situation develops in the vicinity of the Control Desk involving misconduct by a member of a group of participants, the person engaging in the offensive conduct should be removed from the group as unobtrusively as possible before censure of his behavior is expressed.

#### PRINCIPLE #5

To be of maximum benefit to participants, the processes involved in checking out of and into the Work Release Center must involve the active and continuous coordination of the efforts of case service and custody function personnel.

Program participants are subject to the demands of two environments. By virtue of their status as prisoners, they do not possess all the discretion they require to respond directly to every demand made of them. They must seek the counsel and permission of program staff before they can act. Each segment of program staff have certain areas of authority and within each segment certain personnel have special areas of responsibility. Because every need of a participant cannot be always immediately directed to the particular staff member with the expertise and/or authority to respond, participants' requests for service frequently must be received by one staff member and forwarded on to another for consideration and action. The decisions of some personnel require implementation through the efforts of others.

Program discipline weakens and has less value to participants when personnel act inconsistently and unfairly in the absence of needed information. The failure of case service and custody function personnel to act in harmony with one another encourages individual participants to manipulate rules and decisions to their own immediate ends.

#### Making Information Available

The keys to the smooth performance of checking out and checking in tasks are:

1. The Daily Work Schedule (See Appendix K)
  - a. prepared and/or updated daily by the Work Release Coordinator(s)

- b. available at the Control Desk no later than 5:00 a.m. each day.
- c. listing all prisoners with work release status and opposite each of their names the following:
  - ... any special instructions to be carried out.
  - ... time approved for departure from custody.
  - ... space for noting actual time of departure.
  - ... approved return time.
  - ... space for noting actual time of return to custody.
  - ... space for noting any special message to be conveyed to Work Release Coordinator and/or Control Desk personnel on later shifts.
2. A card or folder for each participant containing all the information items listed above.
3. A time clock card for each participant containing:
  - a. name.
  - b. space for clock stamping of out and in times.
  - c. time period covered by card.
4. A roster of all participants indicating their individual
  - a. room, cell, and/or bunk number.
  - b. wake-up time.
  - c. day(s) off.

#### Responsibility of the Work Release Coordinator

The Work Release Coordinator's contributions to the checking out and checking in processes should be to:

1. Supply the Control Desk with
  - ... completed personal information card or folder.

- ... new information required to update personal information card or folder.
  - ... information required to prepare the next day's Daily Work Schedule sheet.
  - ... special information needed by Control Desk staff but not related to the Daily Work Schedule sheet.
2. Keep informed about and respond to participants' requests for information and appointments.
  3. Promptly initiate follow-up action in response to Special Incidents noted by Control Desk staff.
  4. Be available to confer with Control Desk staff relative to non-deferrable problem situations.
  5. Provide consultation to Control Desk staff regarding case handling and offer psychological and physical support as required.
  6. Supply Account Clerk with
    - ... amount of personal expense money to be paid to each participant.
    - ... authorization to draw funds pursuant to special requests.
    - ... initialed (verified as accurate) completed weekly time clock cards.
    - ... authorization to deviate from provisions of financial agreement with respect to disbursing earnings.

#### Steps in Checking Out Process

##### Routine

1. Control desk consults Daily Work Schedule to determine whether or not participant is scheduled for work (school or other destination).



2. Control Desk checks wake-up time and awakens participant who arises, breakfasts, picks up lunch, proceeds to the locker room, changes into street clothes, and proceeds to the Control Desk.
3. Control Desk checks Daily Work Schedule sheet to determine whether or not there are any special instructions concerning or message for participant, and whether participant is leaving at the approved time.
4. Participant takes personal time card from rack, punches it, and returns it to rack.
5. Control Desk records participant's departure by initialing check-out verification column of Daily Work Schedule Sheet.
6. Participant recovers personal property from his individual safe deposit box.
7. Control Desk notes participant's absence from facility on wall roster and/or population count (optional).

Special circumstances.

1. Participant to receive personal expense money after Step 6 and before Step 7; Control Desk hands participant envelope containing personal expense money and filled-out receipt form; participant opens envelope, counts money, and signs and returns receipt to Control Desk.
2. Participant requests appointment with Work Release Coordinator. Control Desk notes request in writing on Daily Work Schedule sheet in check-out message column.
3. Participant requires prescription medication which is kept at the Control Desk. After participant recovers personal property from safe deposit box and locks it, Control Desk gives him the requested medication required prior to check-out.

Steps in Checking In Process

Routine

1. Participant returns personal property to his individual safe deposit box.
2. Control Desk consults Daily Work Schedule sheet to determine whether or not there are any instructions concerning or messages for the participant, and whether or not the participant is returning in accordance with approved time.
3. Participant removes time card from rack, punches it, and returns it to rack.
4. Control Desk verifies participant's proper return by initialing check in verification column.
5. Control Desk accepts any messages or requests from participant for Work Release Coordinator.
6. Participant notifies Control Desk whether he will want lunch for the next work day.
7. Participant proceeds to locker room, changes into institution clothes, and is admitted to residence area by Control Desk, or
8. Participant is admitted directly into residence area by Control Desk.
9. Control Desk notes under Special Incident column of Daily Work Schedule sheet any observations requiring possible follow-up by Work Release Coordinator.

Special circumstances.

1. Participant returns with pay. Control Desk notes exact amount and writes receipt for full amount. In presence of participant, earnings, pay stub, and copy of receipt are placed in envelope together, then envelope is sealed and deposited in safe. Original receipt is given to participant to place in his individual safe deposit box, and one copy of receipt is to be retained at the Control Desk.

2. Participant to be searched. As participant enters door and approaches Control Desk, Control Desk directs him to place his personal property on counter. Control Desk then has participant place property in his individual safe deposit box while under observation. Participant is then admitted to locker room and searched.
3. Participant requests to see Work Release Coordinator. Control Desk notes fact on Daily Work Schedule sheet in Check In Message Column.
4. Participant requests funds for special purpose. Control Desk provides participant with proper form for making request. Completed form is forwarded to Work Release Coordinator for approval and Account Clerk for action.

### Contraband Control

Work releasees are part-time prisoners. Their special circumstances subject them to both pressure and opportunity to traffic in contraband, both inside and outside the institution to which they are committed. The seriousness of the threat posed by contraband in facility is related generally to the kinds of persons confined. Contraband poses more serious problems among sophisticated prisoners than among those less committed to the subculture of crime.

When work release is located at a facility where most prisoners require close custody and where total isolation of work releasees from other prisoners is not possible, it may be necessary to search, either routinely or intermittently, work release prisoners. In addition, when good cause exists to believe that a specific work release participant is violating program rules and procedures by handling contraband, there is justification for conducting a search of not only the suspect but other work releasees as well.

While search is a legitimate and necessary safeguard to be undertaken by institution administrators, it should also be recognized that the practice has destructive features as well. The search of a man's possessions, clothing, and body is an invasion of personal privacy and an insult to an individual's sense of self-worth. When undertaken without apparent cause and in an insensitive manner, it can breed resentment and increase demoralization.

The Work Release Administrator should formulate and place in writing a list of all items not allowed to be brought into or taken out of the institution and the policies and procedures to govern the use of search procedures. Both policies and procedures should be developed through the joint efforts of custody and case service

personnel. When formulated, the list of contraband items as well as the policies and procedures relative to search should be made known to each participant at the time of his orientation.

Men to be searched should be shunted away from the normal flow of traffic near the Control Desk and into a side room as soon as they enter the institution. Then the required search should be conducted as quickly as possible out of view. The entire process should be handled with as little comment on the part of the staff as possible.

In establishing policies and procedures, it should be borne in mind that spot checks of returning prisoners randomly selected can be as effective as regularly searching all prisoners, and the practice is less likely to occasion the same degree of negative fallout which accompanies routine search practices.

Prompt and fair disciplinary action should be taken with respect to all identified violation of rules regarding contraband.

### Time-Saving Equipment

Some of the congestion which can occur at checking out and checking in periods can be alleviated if the Control Desk is equipped with a time clock so that participants record the time of their departure and return.

Similarly, placing safe deposit boxes and lockers at the Control Desk and allowing participants to carry their own keys can speed up the transfer of property, valuables, and clothing. In addition, the practice has symbolic value to participants as it gives them control over personal assets.

### BASIC CARE AND CUSTODY

Not less than two-thirds of the typical work releasee's sentence is spent in actual confinement. Regardless of where he is confined, he will have to eat, sleep, attend to his personal hygiene, and exercise his body and mind.

In addition to these basic needs, the work releasee has special needs that cannot be overlooked without weakening the effect of the entire work release strategy. For example, a work releasee who is attempting to obtain a place for himself in the community can make good use of the privilege to make phone calls from the institution to friends, relatives, employers, and others. To be denied the right to use telephones while in the institution can only work against the work release strategy objective of gradually reentering the prisoner into the free community.

The following are some of the special circumstances which work release status creates, as well as the kind of adjustments to them an institution should try to make:

Meals. The work and travel requirements of some releasees will prevent their being present at the institution at the time certain meals are served. Each institution housing work releasees should be equipped to keep food at proper temperature for delayed service to late returning releasees. Participants who must leave the institution before a meal is scheduled to be served should either be permitted access to the kitchen to prepare his own meal or be authorized to eat outside the institution.

Assigned living and sleeping areas. To assure an adequate amount of uninterrupted sleep, work and study releasees should be assigned personal living and sleeping areas which are isolated from those of other classes of prisoners who can afford to satisfy their sleep needs over a larger portion of each day.

Personal possessions. Many work and study releasees must have more personal clothing, tools, books, and other items available to them than regular prisoners. Articles which cannot be safely kept in lockers under the control of releasees themselves should be kept in lockers under staff control.

When security circumstances permit, releasees should be allowed to carry on their person sufficient money to use coin-operated vending machines and telephones.

Telephone usage. Work releasees should be permitted unrestricted use of telephones for making outgoing local calls. Pay telephones should be provided in sufficient numbers to accommodate heavy usage during early evening hours. Work release residents as a group should be allowed to establish their own rules concerning the number and length of calls made by individuals in the interest of assuring equal opportunity for everyone.

Releasees should be allowed to accept incoming calls on the institution's business lines in emergency situations.

Correspondence. Work releasees should be permitted to send sealed, uninspected letters to anyone. When deemed necessary, incoming mail should be inspected for contraband only and given to the participant unread.

Medical services. Some work releasees suffering mild illness prefer to go to work instead of to bed. Staff should be alert to such situations and require the releasee to be seen by the institution's medical personnel.

Releasees for whom certain drugs have been prescribed should be permitted to pick up at the Control Desk and carry with them any dosages which have been medically authorized that they will need during their absence from the institution.

Housekeeping. All releasees should be required to keep all areas assigned to them clean and orderly. Work releasees should not be expected to participate in the maintenance of common living areas on days they work at outside employment. To the fullest extent, possible major housekeeping tasks should be confined to weekends, with necessary interim maintenance carried out by releasees who are not working for reasons of weather conditions and temporary layoffs.

Counts. When releasees are housed in circumstances where it is necessary to conduct periodic counts, the procedure used should allow for the fact that some work releasees must sleep during daytime hours. Such releasees should not be required to get up and proceed to a lineup, but their presence in the facility should be accounted for by other means.

Visitation. To the fullest extent permitted by the program's housing, work releasees should be allowed wide latitude with respect to who is allowed to visit them and the frequency of such visits.

Visitors should be made well aware of what items are contraband, and that any dealing in contraband can result in termination of visiting privileges. Visitors allowed to enter the releasee's individual and group living areas should be required to leave all personal property at the Control Desk.

Visiting arrangements should be as informal as the institution's security circumstances permit. All visiting should take place under staff supervision but should be carried out as informally as possible.

#### TERMINATION

The termination of work release status may occur passively coincidental to the expiration of a court commitment, or it may be deliberately precipitated in response to special circumstances. By

whatever means it takes place, termination is an event which has meaning to participants. For some participants, it represents the satisfactory fulfillment of the terms of the contract entered into with the court or program administrator when their application was approved. For other participants, termination is, in effect, a judgment on the part of the revoking authority that they are as yet incapable of the exercise of the amount of self-restraint considered necessary to live in the community without posing an unacceptable level of risk to the well-being of themselves and their fellow residents.

For the Work Release Administrator who sees his responsibility as including the coordinating of his work release program with other criminal justice programs, termination presents an opportunity to provide one final service to program participants.

When defendants are convicted and sentenced to a period of time to be spent in custody, it can usually be safely assumed that they have psychological and environmental problems of some consequence. Their arrest, conviction, and confinement contain the potential for aggravating them. All the embarrassment, insecurity, hostility, anxiety, and self-hate which men feel become particularly burdensome during confinement when it is more difficult to divert one's attention from them. Confinement which is little more than warehousing is destructive because it fails to provide prisoners with any way to counteract the demoralizing effects of having to live with a sense of personal failure.

The relationships which develop between work release program staff and participants should be sincere and not contrived. A normal consequence of an honest relationship would be the work release coordinator's appreciation of the difficulty which participants overcome in order to benefit from and succeed at work release. Similarly, work release coordinators would be expected to possess a sensitivity for the problems faced by participants who fail.

No relationship can be considered sincere if it terminates abruptly on the day a sentence terminates or an order of suspension or revocation is entered on the record. The transition from work release status to free citizen or conventionally confined prisoner requires more than a signature on a form. It can require a period of adjustment during which former participants can use the psychological support of a work release coordinator he has come to trust and respect.

Work release status is terminated when:

... the participant's court-ordered term of confinement expires.

... the courts grant formal requests submitted by or in behalf of applicants for early termination of confinement.

... the courts make findings that participants have violated the conditions under which work release status was granted.

... the participants die.

#### Expiration of Court-Ordered Term

Work release coordinators should pinpoint as early as possible the date each participant is scheduled to complete his time of confinement. The coordinator should then:

- gauge how soon any special steps which are indicated as desirable should be taken to assist the releasee complete arrangements in the community for obtaining housing, enrolling in school, receiving special vocational training, personal or group counseling, medical care, etc.
- complete arrangements for the transfer of case service activities to probation, parole, or other agency personnel who may have continuing responsibility for the participant after his release from confinement.
- be prepared to take any appropriate formal step (e.g., special court appearance, presentation of a letter) which acknowledges the participant's successful completion of his work release obligations and offers congratulations.

Immediately prior to the time participants are scheduled for release, the work release coordinator should

1. verify that all financial obligations for program cost reimbursement, fines, and restitution have been satisfied.

2. oversee the payment of all funds held in trust, return of locker and safe deposit box keys, and the removal of personal property from living areas.

3. meet with participants to

- a. review their experience while on work release and immediate post-release plans.
- b. obtain their observations and reactions to their work release experience and their suggestions for program improvement.
- c. set forth the basis on which they may voluntarily return to see staff, visit with friends, or serve as program resources.
- d. accompany them to court for formal termination and/or to give them written acknowledgment of satisfactory completion.

#### Conditions for Early Termination

All prisoners accepted for work release should be made aware during their formal orientation of any policy which permits application for early release and the kinds of situations which justify the filing of an application.

Programs using the practice of granting early release should provide for applications to be submitted in writing and be addressed to the court or official authorized to grant or deny the request. However, the practice should provide for applications to be routed to the appropriate work release coordinator for review and recommendation.

The work release coordinator's review should establish whether the applicant qualifies under program policies and rules. In situations where the work release coordinator finds that the application is ill-founded and cannot be endorsed for favorable action, the work release coordinator should discuss the situation with the applicant and seek the withdrawal of the application.

If the applicant is unwilling to withdraw the application, the work release coordinator should arrange for the application and his negative recommendation to be forwarded to the decision-making authority. The applicant should be made aware of the work release coordinator's recommendation. If program procedures provide for a formal hearing to take place, the work release coordinator should arrange for the scheduling of such a hearing and for the applicant's presence.

When a participant's application is approved, the work release coordinator should proceed as is recommended above for situations involving normal expiration.

#### Termination by Revocation

Terminations by revocation usually are preceded by administrative suspension of work release privileges. The suspended releasee may be in custody or may have absconded.

Suspension may result in reinstatement by the work release coordinator without referral of the matter to the original granting authority or in a decision by the work release coordinator to recommend to the authority that a formal finding be made that the participant had violated his work release status and that the status be revoked.

When a work release coordinator decides that a suspended participant's work release status should be revoked, he should take the necessary steps to arrange for a hearing within the time period specified by statute or program rules. When participants indicate that they wish to contest the work release coordinator's recommendation, their presence at the hearing should be facilitated. If state law or program rules permit or require the suspended participant to be represented by counsel, and the participant is represented, the work release coordinator may find it advisable to seek the assistance of the county's prosecuting attorney in presenting the facts upon which the recommendation for revocation is based.

Although the work release coordinator's actions relative to suspension and revocation place him in an adversary relationship with participants, work release coordinators should seek to maintain a positive attitude toward and helpful relationship with suspended and terminated participants. By maintaining an honest relationship with former participants, work release coordinators remain in a position to provide two important services.

First, they can help the former participants to accept responsibility for their failures and help them see the consequences of their failure in a broader perspective. Demoralization may thus be avoided, and the will to try again is fostered.

Second, the work release coordinator remains in a better position to help assist whatever other criminal justice personnel who must assume case service responsibilities to become quickly acquainted with the prisoner's past history and needs.

### Termination by Death

Should a work releasee die as the result of illness or accident, the work release coordinator, as a person who may have established a significant relationship with him, should offer any appropriate assistance to members of the deceased's family, employer, or other close associates.

Thoughtfulness and sensitivity expressed in such situations provide a means of communicating the work release program's spirit and philosophy not only to the friends and relatives of the deceased but to other program participants and prisoners as well.

## CHAPTER X

### MAINTAINING PROGRAM CONTROL AND ACCOUNTABILITY

The administration of discipline in work release programs needs to be viewed in broader terms than merely the act of imposing penalties upon participants who disobey rules. It should be seen as encompassing all the steps required to create an orderly and healthy environment as well as the acts which must be taken to restrain those who would damage it. In this view, the administration of discipline must include such processes as the expression of an operational philosophy, the setting of program objectives, the establishment of procedures, the formulation and publication of rules, the orientation of participants, and the training and supervision of staff, as well as the disciplining of offending staff and participants.

#### THE NEED FOR A MANUAL

Each Work Release Administrator should prepare, periodically update, and make available to all agencies with personnel participating in work release program activities a written manual setting forth in as full detail as is feasible philosophy, purpose, policies, and procedures which are to govern the use of work release.

The process of preparing a manual is a valuable exercise for full staff involvement. The process forces the articulation of a philosophy and the reconciliation of practice with it. Each procedure and every rule gets examined in the context of the philosophy, objective, and policies adopted by the program.

The use of a manual contributes to uniformity of practice and to program orderliness. A manual is a prime vehicle for creating disciplined action by program staff and for assuring fair and consistent treatment.

When a new program is being formalized, the Work Release Administrator or, when none has been appointed, the official responsible for the case service function should, in concert with personnel concerned with custody and decision-making,

1. agree upon and commit to writing
  - a. a philosophical context for the program.
  - b. a program purpose and objectives.
  - c. operational policies.

2. prepare a listing of activities constituting the program.
3. break down each activity into its component processes and detail procedures to be followed which are consistent with philosophical and policy determinations.
4. commit to writing all procedures described and all rules developed to assure the execution of the procedures.
5. assemble the manual in a form which permits item revisions without reproduction of major portions of unrevised material.
6. distribute copies of the manual to each criminal justice agency chief for assignment to appropriate staff.
7. establish procedures for periodic review and revision.

A manual should include as a minimum the following contents:

Definition--a statement defining work release as a specific strategy and program.

Authority--a listing of state legislation and local ordinances and resolutions which sets forth the legal authority for work release programming.

Purpose and Objectives--a general statement of the reason for having the program and the short-term and long-term objectives.

Program Policies--a statement of the sponsor's philosophy and principles and the method by which these principles will be carried out in major aspects of the program, such as distribution of earnings, selection, discipline, housing, security, employment, and the articulation of the program with other criminal justice activity.

Operational Rules and Procedures--a listing of detailed procedures and rules for guidance of staff.

## STAFF TRAINING AND SUPERVISION

Before being required to assume full responsibility for their actions, all personnel being assigned to perform decision-making, custodial, or case service function duties in conjunction with work release participants should undergo a period of orientation and instruction under the direction of the Work Release Administrator. During the period of orientation and instruction, personnel should be provided the opportunity to

1. receive an overview of all segments of the program.
2. review all operational manuals, policy statements, procedural memoranda, legislation, and court decisions related to work release.
3. observe the performance of experienced staff.
4. sit in as an observer in meetings of the Work Release Screening Committee.
5. raise questions with and receive answers from a supervising official.

While assigned to a work release program position, employees should

- ... have their job performance formally reviewed at regular intervals by their immediate supervisor.
- ... be permitted to attend meetings, conferences, and classes which are concerned with work release practice.
- ... have access to periodical literature and other sources of information bearing upon work release programming.
- ... be given the opportunity to suggest changes in practice based upon their observations and experience.

## INFORMATION BOOKLET FOR PARTICIPANTS

The Work Release Administrator should prepare in booklet form a brief and readable summary of the county's Work Release Program. The booklet should be made available to all prisoners and can be a useful device for providing them with factual information concerning a program for which they may become eligible. Although it should be designed for the benefit of the county's prisoners, the booklet could also be used for providing basic information about work release to interested citizens, students, volunteers, and others with an interest in the local adult correctional program. Readability and interest can be enhanced by the use of cartoon drawings.

The booklet should contain the following:

1. A simple definition of work release.
2. The legal authority for work release.
3. Program philosophy.
4. Program objectives.
5. Opportunities and benefits.
6. Who is and who is not eligible.
7. Applications and selection processes.
8. Rules and procedures contained in the Work Release Agreement.
9. Financial agreement.
10. Employer's agreement.

## PROCEDURES FOR DISCIPLINING PROGRAM VIOLATORS

The administration of discipline should consist of the following processes performed under the direction of the Work Release Administrator:

- ... establishing and publishing rules and procedures governing participant conduct.
- ... establishing policies and procedures for documenting and dealing with misconduct.

... applying established policies and procedures.

## Rules for Participant Conduct

The following steps are recommended:

1. To the fullest extent possible, each agency exercising some level of responsibility for program participants identifies and defines what acts or behavior work releasees are forbidden to perform or engage in.
2. Forbidden acts and behavior are collected by the Work Release Administrator and expressed in writing in the form of rules and procedures which can be easily understood.
3. In the course of receiving his formal orientation, each participant-to-be
  - a. receives two copies of the written rules.
  - b. reads the rules and is provided with the opportunity to have any questions concerning them answered.
  - c. acknowledges by placing his witnessed signature on both copies that he has read and understands the rules.
  - d. retains one copy of the rules for ready reference (the Work Release Coordinator places the other copy in the participant-to-be's folder).

## Responding to Misconduct

The following steps are recommended:

1. A Disciplinary Committee be created consisting of not more than three members in addition to the Work Release Administrator or his designate, including representatives from agencies responsible for both the custody and case service functions (the Disciplinary Committee might consist of all or part of the membership of the Work Release Screening Committee).



2. All potential misconduct be listed and classified into two categories: infractions and statutory offenses.
3. Policies be devised which define under what circumstances violations which are statutory offenses should be handled administratively or be referred to the county's prosecuting officer for formal proceedings.
4. Sanctions which are available to be imposed upon violators should be listed and the limits of their use defined. Special attention should be given to the following, among others:
  - a. loss of accumulated "good time" and/or "work time."
  - b. loss of accumulated time earned on any other basis.
  - c. suspension of work and nonwork-related privileges (e.g., visiting and furloughs).
  - d. requirements for recommendation for revocation of work release status.
5. The kind of sanctions which are available for use by the Work Release Administrator to be made known to program participants at the time of their orientation.

#### Applying the Rules

Before any formal system of discipline is implemented, it should be submitted to and approved for form by the county's chief legal advisor. The entire area of prisoner rights is currently in a state of rapid evolution. There are many legal complexities involved in the administration of discipline by an administrative authority.

In the application of approved policies and procedures to specific individuals, it is advisable to take the following steps:

1. Provide the alleged violator with a written statement of the allegations being made against him.
2. Give the subject sufficient written notice of any formal hearing to which he is entitled to permit his preparing a

competent response (obtain counsel, gather evidence, contact witnesses, etc.).

3. Request the assistance of the county's legal officer, when appropriate.
4. Publicize for the benefit of other participants only the actual findings and disposition made. (Publication of findings and disposition are justified as a desirable antidote for disturbing and disruptive rumor, speculation, and misrepresentation.)

#### Hearings

Participants who are believed to have violated state statutes or local ordinances should be referred to the county prosecutor for action. Participants who are accused of violating program rules and who deny the accusation should be provided with a formal hearing before the Disciplinary Committee and notice given of the time of the hearing. The accused should be accorded his right to be present, to confront and question his accusers, and to summon witnesses in his own defense.

#### CONTROLLING PARTICIPANTS' EARNINGS

With few exceptions, work release programming involves the receipt, recording, holding, depositing, and disbursement of some or all of the earnings of program participants. Various program personnel can be involved. Custodial officers may receive checks and cash from releasees returning from work. Work Release Coordinators may hand out personal expense monies. One or more account clerks may be involved in receiving and disbursing funds in cash or by warrant. Personnel in county fiscal offices may be required to conduct audits, review procedures, and issue warrants.

Few Work Release Administrators are free to develop their own fiscal procedures independently of the county's fiscal officer. The usual role of the Work Release Administrator is to describe his requirements to others and ask for their assistance in setting up operating procedures which both serve the needs of his program and are compatible with the county's overall fiscal operation. Because of the wide variations which exist in such fiscal operations as well as in the requirements of individual work release programs, no one system can be described which can be expected to serve all programs. Each county must arrive at its own, tailored to its particular circumstances.

The day-to-day execution of work release program fiscal operations requires that personnel responsible for them be provided with two sets of instructions. One set is related to procedure, the other to individual participants.

County fiscal officers (auditor, treasurer, controller, etc.), after conferring with the Work Release Administrator, should provide the Work Release Administrators with a written set of instructions covering every aspect of money handling and related record keeping. These instructions should be passed on to all staff with fiscal responsibilities with directions that they be followed as issued. The instructions should also be incorporated in any operations manual which has been or is being developed. Custodial personnel who receive participants' paychecks and/or distribute personal expense monies, the program account clerks, and personnel of other departments involved in the processing of participants' earnings and disbursements should all have ready access to copies of procedural instructions.

The second set of instructions required by personnel involved in fiscal operations consists of copies of the earnings allocation plans of individual participants. These plans provide the authority and directions for the disbursement of earnings. It should be the responsibility of Work Release Coordinators to keep all such plans current and to see that all personnel who require the information receive copies of the plans as well as all information needed to update them.

#### Account Clerk

Every Work Release Administrator for a program which requires participants to surrender all or a major share of their earnings should have available the services of an account clerk. In large volume programs, such an employee should be full-time. In small volume programs, a part-time clerk should be employed, or a full-time clerk from another governmental operation should be assigned. In the latter case, the existing workload should be lightened to whatever degree is necessary for the clerk to completely handle the work release program accounting.

#### Activities Performed and Personnel Involved

The processing of participants' earnings can involve the following steps and personnel:

- Receipt of checks or cash. Earnings are usually initially received from the participant by one of three persons,  
(a) custodial personnel on duty at the Control Desk (see

Chapter ), (b) the account clerk housed at the work release facility, or (c) the Work Release Coordinator (in cash or by check from the participant, by check received by mail, and by check picked up from the employer).

- Issuance of receipt. Payments received in any form should be promptly acknowledged by the issuance of a receipt. The signed original of receipts should be given to the participant in person or placed in his private property; the first copy should accompany the payment to the point of deposit, and the second copy should remain in the receipt machine or book for later use for control purposes.
- Recording of funds received. An account clerk should enter the amount of all payments received by date and receipt number on individual ledger cards maintained for each participant. After being inspected and the amount of payroll deductions and net pay noted, paycheck stubs should be returned to participants.
- Deposit of funds. At as frequent intervals as is practical, all funds received and not required to be paid out in cash to participants for their personal expenses or for other reasons should be deposited with the county treasurer or other repository approved by the county's fiscal officer or governing body.
- Disbursement. Using updated copies of approved plans for the allocation of earnings as authorization, the program account clerk should prepare warrants for payment of all obligations. Warrants should require the signature of the Work Release Administrator or his designate (authorized as such in writing), as well as that of an official of the county treasurer's office or other repository for funds deposited.
- Recording disbursements. All disbursements made should be posted to the individual participant's ledger card according to the type of payment. Ledger cards should provide separate columns for at least the following expenditures: personal expenses, county program cost reimbursement, fines and court costs, support, restitution

to victims, and dues, installment, and other debts held in trust for post-release expenses.

- Auditing of procedures and accounts. The processing of participants' earnings, from receipt to closing of account, should be subject to periodic review by the county auditor or other source approved by the county's governing body.

### Special Requirements

In arriving at procedures for receiving, accounting for, and disbursing participants' earnings, the Work Release Administrator should seek to obtain from the county's fiscal officer the capability to provide work releasees with their regular personal expenses allocations in cash, funds credited to their accounts and not committed to other purposes or otherwise encumbered which may be needed immediately for unexpected but legitimate and approved purposes, and a monthly written statement of their accounts.

Bookkeeping practices should be capable of delivering to the Work Release Administrator at stated intervals a statement of the account of each participant which sets forth the monthly and cumulative totals of receipt and disbursements by expenditure categories, and a statement of the total amount of earnings received from all participants during a given period (normally a month) and the total amount disbursed in each expenditure category.

Some counties, recognizing the cost of processing warrants, have adopted policies which permit Work Release Administrators to deposit with the county only those monies to which the county is entitled for reimbursement, fines, and court costs. The remainder is then turned over to a person designated by the work releasee who then satisfies any bills or other obligations which the releasee may have.

Releasees, particularly women, who receive a substantial portion of their pay in the form of tips can burden a bookkeeping operation if they are required to turn in their earnings daily. In such situations, the Work Release Administrator may be able to get employees to agree to hold a releasee's tips for a week or two at a time and then write one check to cover the accumulated amount.

Whether or not participants are required to turn over all of their earnings, the Work Release Administrator may wish to see all paycheck stubs to collect certain information. When a Work Release Administrator is seeking to build a complete justification for a program or to fully report its benefits, he may find it very useful

to know the extent to which participants pay income taxes, provide medical insurance for their family and themselves, and contribute to their Social Security account.

The occasional employer who pays a releasee with a bad check can create problems for a Work Release Administrator. County fiscal officers are likely to try and protect the county by instituting a rule that no warrants can be issued against payroll checks until a specified period of time (frequently five days) elapses after receiving the check on deposit. When such a rule is imposed, it generally results in serious delays in dependents receiving support monies and, in some situations, participants receiving their personal expense money.

Work Release Administrators should seek to prevent the application of such a rule. By carefully screening selected employers, the Work Release Coordinators can reduce the risk to some extent. By adopting a practice, in questionable cases, of allocating a portion of the participants' first two or three checks to their trust accounts to serve as a hedge, the risk can be reduced even further. In most instances when a releasee receives and deposits a bad check, Work Release Administrators, acting in behalf of participants, are able to prevail upon the employer to make his payment good.

The slight risk which such employers pose to the county should not be allowed to serve as an excuse to institute procedures which seriously complicate routine day-to-day practices needed to serve the best interests of the releasees.

Building up a reserve in trust from releasees' first paychecks can also serve to reduce the threat to the county's financial interests when a releasee absconds owing the county reimbursement for program costs. If such reserves are created and not used, the monies constituting the reserves can be paid to releasees upon their discharge from the program.

### DETERMINING THE AMOUNT OF REIMBURSEMENT

In the absence of state statutes or administrative policy requiring the assessment of a set daily or weekly charge from every participant as his share of the program's costs, it is desirable that the Work Release Coordinator have considerable flexibility in negotiating the amount of this item.

### Allocation of Earnings

Whether or not the work releasee will be required to deliver all of his earnings to the Work Release Administrator, the Work Release Coordinator and the prisoner, together, should:

1. develop a realistic estimate of the participant's weekly earnings after payroll deductions.
2. determine the total amount participant will require each week for weekly personal expenses (e.g., transportation, meals outside the institution, phone calls, cigarettes, etc.).
3. subtract total personal expenses requirement from net earnings to determine amount of earnings available for allocation.
4. identify and list all of the following:
  - a. mandatory, non-deferrable obligations (e.g., court-ordered fines, costs, restitution, child or family support, union dues, or association fees required to retain employability).
  - b. minimum mandatory charge for reimbursement of program costs.
  - c. minimum amount required for personal use at point of release from custody.
  - d. discretionary and deferrable obligations (e.g., family support, personal debts, installment payments).
  - e. the difference between b. above and the total liability for reimbursement of costs.
5. set up a payment schedule which will satisfy all mandatory obligations within court-imposed time periods or other deadlines.
6. subtract the total funds required to satisfy the requirement of Step 5 above.
7. establish priorities for satisfying discretionary obligations.
8. decide what percentage of total funds determined by Step 6 is to be allocated to each item listed in Step 7.

9. incorporate the agreed-to plan for allocation of earnings into the work release contract to be signed by both parties.

Signed copies of the agreement should then be distributed to the participant, work release program account clerk, and the Work Release Coordinator for inclusion in the participant's case folder.

Any policy which is adopted should allow for the possibility of granting exemptions to all persons falling into one or more well-defined classes. One example of such a class would be full-time study-release participants who have no earnings and therefore no capability to reimburse. Another class which might be established would include only all participants in their final week of employment before discharge from confinement. In this case, the exemption would be for the purpose of assuring the participants a reasonable amount of "gate money" with which to meet their post-discharge expenses, if the necessary amount had not been previously accumulated.

Finally, in the absence of statutory or administrative provisions to the contrary, Work Release Administrators should be permitted to relieve some participants with unusual circumstances of any requirement to reimburse program costs. Such exceptions should be made only when it can be convincingly argued that the economic interests of the taxpayers are best served when the amount normally required as reimbursement be deployed to prevent or lessen the likelihood of dependency and to enable participants to achieve financial stability which, in turn, promises long-term, uninterrupted productivity and purchasing power.

#### Allowance for Personal Expenses

It is important that a realistic amount be allowed for personal expenses. Inherent in obtaining employment and performing work in a satisfactory manner are certain reasonable, if not unavoidable, expenses. Most workers require and must pay for transportation to and from work. Normally, one meal must be purchased. Job related assessments are levied and must be paid. Custom fosters participation in coffee breaks, and smoking is a practice engaged in on the basis of personal preference. Phone calls to family and friends are normal, and work clothes require laundering. Participants should be able to exercise the same privileges on the job as are exercised by any other employee. In order to do so, they must be allowed to have sufficient funds in their possession to meet anticipated needs.

Therefore, all expenses which participants can be expected to incur in the course of obtaining, holding, and traveling to and from employment should be regarded as a prerequisite to employment and, as such, given top priority claim upon the participant's earnings.

Although the amount of money each releasee receives should be related to his particular needs and not be arbitrarily set, it may be necessary for reasons of security to arbitrarily set a maximum amount any releasee is permitted to have in his possession at one time. The amount should be subject to adjustment to reflect any changes occurring in the participant's work situation.

Funds in the amount agreed upon should be provided to the participant weekly, if the total does not exceed any maximum which a participant is allowed on his person at a given time.

When the circumstances of program housing permit, participants should not have to surrender any unexpended balance upon returning to confinement from work; on the other hand, means of safekeeping should be available to participants who wish to surrender any balance while in custody.

In arriving at the amount to be allocated to each participant, the Work Release Coordinator should be aware that overly restrictive budgeting can encourage participants to engage in borrowing or unreasonable self-denial. These practices, in turn, can create embarrassment for participants in their relationships to fellow employees and breed resentment toward program rules and staff. On the other hand, funds carried on the person for which no legitimate need exists tend to encourage gambling, the purchase of contraband, and loss by theft.

## CHAPTER XI

### RECORDS AND EVALUATION

Like any other program, work release needs to be capable of description and measurement. Work Release Administrators must be in a position at all times to respond promptly to requests for information which will come from many quarters. A judge, concerned about the effectiveness of his sentencing practices, may want to know the percentage of successful terminations among all persons to whom he granted work release status. In order to respond to a misinformed and angry constituent, a county commissioner may find it useful to know what percentage of work releasees' earnings during a given period of time were paid into the county treasury as reimbursement for program costs. If a county administrative officer is making a cost-benefit study of the work release program, it is important that the Work Release Administrator is able to supply him with the amount of federal, state, and local taxes that are paid by releasees through withholding.

For a Work Release Administrator to competently describe the "average work releasee" to a newspaper reporter writing a feature story, he needs to know such facts as the average age, hourly rate, monthly pay, and length of time in work release status. In order to assign proper priorities for funding to new proposals received from local agencies, the local criminal justice planning board may need and request from the Work Release Administrator the percentage of all sentenced prisoners who applied for work release and the percentage of applications granted and denied.

Competent record keeping is a fundamental administrative responsibility. Statistical data is basic to planning, budgeting, public relations, program evaluation, and decision making. There is little logic and considerable risk in operating on impression and guesswork where actual facts are reasonably simple to come by. Although some procedures must be designed and followed and some effort invested, the value which can be realized from good data and its use far outweighs the little trouble and cost involved in its collection.

#### PURPOSE AND PROCESS OF RECORDING

Work release is a definable criminal justice program publically administered and tax-supported. Those responsible for its administration are accountable to legislators and/or executive officials who authorize it, judges and other officials who use it, local and state authorities who may supervise it, and the public which must support and pay for it.

To justify, plan, operate, evaluate, and describe a work release program adequately, it is necessary to obtain and rely upon statistical information.

Every official responsible for administering one or more activities involved in a work release program should (1) determine what information he needs in order to describe quantitatively the dimensions of his operation, and (2) devise, develop, maintain, and use a system for the orderly, complete, accurate, and consistent recording, compilation, and reporting of all required information.

No Work Release Administrator can expect a program to be recognized, accepted, respected, and perpetuated unless and until he is able to fully reveal it in convincing terms. A prudent official, responsible for administering any work release activity, will find it essential to establish a formal process which can deliver routinely to him quantified information on each critical aspect of his operation. Without such information, an administrator can only proceed on the basis of impression, guesswork, and chance. With it, he is equipped to plan, act, account for, assess, and inform on a foundation of facts.

To develop a plan which will yield useful statistical data, a Work Release Administrator should take the following steps:

★ Identify and list information items needed by the work release program staff in order to plan, administer, and evaluate each program activity.

★ Identify and list all officials, departments, organizations, and individuals to whom the Program Administrator is required to make an accounting.

★ Identify as fully as possible the specific information which it will be necessary or desirable to provide to each entity to whom an accounting is made.

★ Design a system which will produce all the data which will be required for operational and informational purposes.

Because each work release program operates in a unique setting, no two administrators are likely to have exactly the same reporting responsibilities and opportunities. However, most Work Release Administrators will find it necessary or desirable to report formally or informally concerning their operations to one or more of the following:

1. Officials of the sponsoring governmental unit.

... sheriff, chief probation officer, or other official whose responsibility includes work release administration.

... chief administrative officer or executive.

... auditor or other fiscal officer.

... presiding judge.

2. Planning, research, and investigative and supervisory authorities.

... state corrections departments.

... state and local criminal justice planning agencies.

... governmental and nongovernmental research groups.

... grand juries.

3. Citizen groups and individuals.

... taxpayer and homeowner organizations.

... service clubs and social clubs.

... students.

... other individual citizens.

4. Radio, television, and the press.

### A Plan for Recording

Work release statistics cannot exceed the quality of the recorded data from which they are derived. Basic to any statistical reporting plan, therefore, must be complete, accurate, and consistent recording of operational and case data. To insure that basic records possess these qualities, Work Release Administrators should make certain that:

- every employee whose duties include the recording of facts which are to be counted, collected, and processed is provided with an understanding of the purposes to which the data will be put and impressed with the importance of recording all information accurately.
- forms used for recording data and the instructions for their use are simple and readily understood.
- in situations where the recorder is faced with making a choice, each option is defined clearly.
- all recording takes place as soon as the fact is established.
- the process and content of recording be subject to supervisory review.

### Compiling the Data

Given the existence of a statistical reporting plan and competent recording of basic data, the process of compiling the data should pose few problems. Periodic compilations can be made by persons recording the basic data or by other persons who may or may not be responsible for its further processing. Data should be compiled periodically, according to plan; on forms designed for the purpose; and without analytical comment other than explanatory notes relating to recording and compilation problems, when appropriate.

### "Massaging" the Data

After it has been compiled, work release data should be placed in the hands of the person(s) designated in the statistical reporting

plan for elaboration and analysis. Data received can be used to derive additional information. Data from a given reporting period can be compared with corresponding data from other reporting periods. Cumulative summaries can be prepared. Ratios and percentages can be established. Correlations and other statistical measures can be undertaken when appropriate.

### Reporting--the Final Product

When accurately recorded and routinely compiled, work release program data can be easily prepared for presentation in a variety of ways. Tables containing monthly compilations can be adapted for use in making quarterly, six-month, and annual comparisons. For some purposes, tabled data requires no explanation. However, for other purposes, it may be desirable to convert statistical material into textual form in order to present it to the intended reader more clearly.

Statistical reports submitted periodically pursuant to executive or legislative directives frequently can be made more readable and interesting if key data is placed in a cover letter in the form of a profile of the average program participants. Public media representatives also find such presentations newsworthy.

Statistics submitted for a given reporting period can be given additional significance when presented with similar data for one or more previous reporting periods or for the corresponding period in the previous year.

Where data is reported monthly, it can be useful to run a cumulative total through a twelve-month cycle along with the monthly entry.

### THE USEFUL "CORE DATA"

No two persons or groups of persons requiring or requesting information can be expected to raise the same series of questions. Each party seeking information will have its own unique concerns. On the other hand, most, if not all, will be interested in a core body of knowledge which every administrator should develop for his own purposes as well as for the benefit of others. This core knowledge relates to three aspects of work release programming:

#### 1. Program Content

- a. The total number of persons served by the local criminal justice machinery who are convicted and sentenced and thereby constitute the universe from which work releasees are selected.

(To place any work release program in its proper perspective, the volume of its activity should be related to the size of the total convicted criminal justice population served. For example, it is less informative to report only that 10 men were granted work release status during a given period of time than it is to report that of 200 persons appearing before the courts for sentencing 25 were considered eligible for work release but only 10 were granted the privilege. Similarly, it is not very informative and can actually be misleading to report only that County A and County B each granted work release status to 10 men in a given period of time when, in fact, County A's 10 releasees were 20% of the county's total of 50 sentenced prisoners, while County B's equal number of work releasees constituted only 2% of that county's 500 sentenced prisoners.)

- b. The daily total population of sentenced prisoners at all institutions of the local government entity.

(The size of the work release prisoner group is best viewed in contrast to the total prisoner group from which it is selected and of which it remains technically a part.)

## 2. Screening Activity

- a. Number of persons actually formally considered for the granting of work release status.

(This statistic is valuable on two grounds: (1) it serves to define the extent to which convicted and sentenced defendants are screened for work release eligibility, and (2) when used in conjunction with a measurement of the amount of staff time required to service each referral, it helps provide a basis for arriving at the total manpower needed to perform the screening activity.)

- b. Persons actually determined to be eligible for work release.

(When viewed in conjunction with the total number of persons applying and screened, this figure can become a measure of the effectiveness of communication between criminal justice staff and inmate population, application procedures, and operational consistency.)

- c. The number of persons eligible for work release who were also found suitable for work release.

## 3. Supervision Activity

- a. The number of persons deemed suitable who were actually granted work release status.
- b. The number of persons in work release status at any given point in time and the average number during a given period of time.
- c. For each person granted work release status, the number of days each status was in effect during any specified period (defined as prisoner days).
- d. For each person granted work release status, the number of days the prisoner was actually released to work at his job (defined as prisoner work days).
- e. The gross earnings and take-home pay of each participant and the averages for the total participant group.
- f. The distribution of each participant's earnings received by the program administrator by amount and purpose.

From this basic data, the following information can be derived:

- ... the percentage of all convicted defendants actually screened for eligibility who are suitable for and granted work release.
- ... the percentage of the total institutional population at any point in time which has work release status.
- ... the average daily number of work releasees served by the program.
- ... the work week of each participant and the average work week of the entire work release population.
- ... the number of days worked by the average releasee during the report period.
- ... the average total earnings per participant.
- ... the average earnings per participant working day and average hourly rate of pay.



Information of the kind listed above can only be obtained through systematic recording, compiling, processing, analyzing, and reporting of data concerning day-to-day decisions made and activities performed with respect to people, dollars, and time.

#### Reporting Procedures and Forms

Because work release programs vary in size, setting, and procedures, no single style or format of reporting can be expected to be appropriate for all of them. For example, programs which allow participants to retain and handle their own earnings will probably not feel it is necessary to collect or report financial information over and above the amount received as reimbursement of program costs. Programs housing state, federal, and other county's prisoners will need to keep data in a different format from programs which serve only their own prisoners.

... Appendices L, M, and N represent three reporting formats and instructions for their use which demonstrate one method of presenting most, if not all, basic data Work Release Administrators will require for administrative and public information purposes.

... Appendix O consists of a memorandum which demonstrates how assembled statistical data can be used for routinely keeping a county's administrative officer apprised of program volume and activities. When authorization is obtained to release copies of such communications to the press, the Work Release Administrator has acquired a useful means for informing the public also.

#### PROGRAM EVALUATION

Work release has burgeoned in one jurisdiction after another largely on the strength of its appealing concept and the enthusiasm expressed by those who have experimented with it. Today, much of the religious zeal which surrounded its early promotion

is diminishing. More and more, work release cannot be sold and sustained on the basis of faith alone. Its advocates and practitioners are being asked increasingly to produce evidence that claims made for it are valid.

To date, very little research has been undertaken. Most of what little has been reported has focused on state-operated programs for felons leaving prison. Because there are significant differences between the characteristics of jail and prison populations and the circumstances which attend the staging of work release at the state and county levels of government, the findings of studies of state programs probably have little relevance to local work release.

It is also quite probable that any competently performed research completed in one local work release setting will have little relevance to other local program populations. Methods established as effective in a program operated in a minimum security facility serving an average daily population of 50 releasees could not be assumed to be equally effective if employed with a program operating in another state out of a small hundred-year-old jail averaging five prisoners a day.

Because of the wide variation in the populations and criminal justice organizational structures of counties served, as well as in the housing, staffing, and administrative resources available, the work release concept has been implemented in many forms. Therefore, it must be assumed that even if a program in one setting was found through independent and competent evaluation to have achieved its objectives, there would be no guarantee that the same format would be successful if applied in a different setting. Each county must determine for itself, in terms of its own unique circumstances, what program format is likely to be most effective.

Work release programs are no longer allowed to operate unchallenged behind the shield of innovation. The costs of staging programs are now mounting more rapidly than work releasees' capacity to reimburse their sponsoring counties for services provided, weakening work release's "pay-as-you-go" argument. Programs are becoming more and more visible as they are moved out of jails into the community where they may create more anxiety. For these and other reasons, the question is being asked increasingly in responsible quarters, "What is the justification for initiating (or continuing) a work release program?"

Program evaluation and research were long regarded by criminal justice administrators and political bodies as expensive luxuries and were accorded a low priority for public funding. Today, this posture is changing. Every indication now suggests that all criminal justice programs - including work release - should be called to account. A convincing accounting can be made only through the objective assessment of both a program's costs and its benefits and the relationship of one to the other. Program evaluation can no longer be viewed as an expensive luxury; it must now be regarded as an administrative imperative which is ignored at the risk of program extinction.

#### Requirements for Program Evaluation

Every work release program should be subject to and funded for a formal evaluation process appropriate to its size and operational history. Work release is a government-sponsored, tax-supported program undertaken in response to a problem and intended to accomplish specific objectives.

It must be assumed that at some point questions will be raised, such as, "Are the program's goals being achieved?" and "If so, are the benefits achieved worth the costs incurred in achieving them?" The questions can be raised legitimately by any official whose area of responsibility includes work release and by county governing bodies, executive officials, the judiciary, officially authorized investigation bodies, and taxpayer representatives. Program administrators should raise the questions themselves even if no one else does.

To have credibility, the answers to the questions cannot rest upon administrative guesswork, untested rules of thumb, vague impressions, and estimates from sources inherently biased. The only acceptable alternative is evaluative research competently executed.

Evaluative research approaches its task with the logic of science and employs techniques designed to exclude bias and subjectivity from observations, experimentation, and analysis. Its purposes are to discover whether and how well program objectives are being fulfilled, the reasons for specific successes and failures, the principles which underlie successful program elements, and to project the course of the program's operation by employing techniques which increase effectiveness.

Although the same questions which require answers will arise in all programs irrespective of size, complexity, and age, the means whereby the answers are obtained will differ. But all evaluative undertakings should be undertaken in a manner which guarantees their objectivity and integrity.

The evaluative research process bears not only on a program's end results; it is concerned as well with the quality of the planning which led to the program's implementation. Ideally, then, the sponsors of new work release programs should obtain qualified research personnel during the program planning and implementation phases. This will ensure that the evaluation methodology can be fully integrated into the operational phase of the program.

#### Special Skills Needed

Formal evaluative research is not something everyone can do. It requires the application of specialized knowledge and skills acquired only from selective study and on-the-job experience. Only large criminal justice agencies can normally justify including a researcher on their staff on a full-time basis. Most organizations must contract for such expertise on a project-by-project basis.

The extent and form of evaluative research will vary from program to program. What is appropriate for one agency will be of little use to others. What can and should be done for a program which has been operating for some time would be meaningless if undertaken in the same agency during its first year of operation - while it was still hiring and breaking in staff, serving a small clientele which had no program culture to help guide it, and in many other ways was immature.

The following steps, if taken when appropriate, will facilitate formal evaluation processes:

When program planning begins--As soon as a decision has been made to initiate a work release program (or some new activity which will be a part of an existing work release program), the following procedures should be taken:

- a. Carefully define and record the problem that the program is intended to solve.
- b. Record all alternative courses of action considered to deal with the problem and the rationale used in selecting work release and in rejecting each of the alternative solutions considered.
- c. Decide upon and set down in detail and in order of their priority the objectives of the program.
- d. Present to the officials whose responsibilities include the authorization of funding of the program and to whom the program's administrator will be accountable the case for including in the program

from the beginning a formal evaluation capability and recommend the funding of such a capability.

When funds are available--When authorization and funding have been obtained for an evaluation component and the program enters the planning stage, the Work Release Administrator should:

- a. employ or contract for research expertise to advise and assist in the development of a plan for the evaluation of the program, and to advise and assist in the preparation of necessary procedures and forms. This expert staff can then be used to help train other staff in the proper use of forms and other data gathering and reporting techniques.
- b. maintain a complete account of the program's development, detailing any operational and case problems which required making changes in the program's objectives or the order of their priority and procedures and the reason for making such changes.

When operational phase starts--When the program becomes operational, the Work Release Administrator should:

- a. accommodate the evaluation team with all space, records, and entree needed to carry out the evaluation plan.
- b. make certain that all program staff are cooperating fully with research personnel.
- c. provide his superiors periodically with reports on the progress of research activities.

When work is finished--When a particular phase of research is completed, the Work Release Administrator should assess the findings and report them to the officials to whom he is accountable. He should seek any additional authority required to alter existing program operation to accommodate the new knowledge, and he should consider additional areas for evaluative research.

Evaluative research should be concerned as much with the processes of the program as with final results. Frequently, changes in management policies and procedures, leading to greater efficiency,

are serendipitous "spin-offs" of research that was originally designed to solve an entirely different problem. A blending of basic research and operational research is not only possible; it is vital.

## PUBLIC RELATIONS

Traditionally, society has decreed that many of its efforts to reform offenders shall place them out of public view behind locked doors and high walls. As a result, programs, and the prisoners the programs were intended to serve, generated a minimum amount of citizen interest and concern, were not understood, and received only marginal financial support.

If traditional institutional programs have had low visibility, the same cannot be said of work release. While it is based upon institutions and is concerned with prisoners, work release necessarily involves the community in many ways. Its participants spend a significant amount of their time walking the streets as free citizens. They use the community's employers, agencies, and facilities. In fact, as well as in principle, they pose some degree of threat to the person and property of the community's residents.

Because work release tends to make prisoners visible, it can evoke anxiety among those who are aware of its existence but do not understand its functioning. On the other hand, work release involves features which can be readily accepted and even applauded by most citizens once they become aware of them.

Work Release Administrators who are aware of the potentials of both the risks and advantages of their programs should be alert to all means for achieving public understanding and support.

Work release programs can be presented to the public in two ways. The first is largely unstructured and consists of the day-to-day, person-to-person routine work and program promotion and interpretation carried on by every staff member, participant, official, and citizen who is convinced of the program's merits. The second approach to achieving good public relations is a calculated effort to inform and create understanding through specific processes. Both approaches are equally important and complementary. One cannot succeed without the other.

A principle of good public relations may be stated as follows:

Public relations efforts should have as their prime objective the development of effective citizen support for participant-serving activities; they should not be crisis-oriented but should be planned and executed in a deliberate, continuous, and straightforward manner.

The mission of work release programs cannot be accomplished through the efforts of professional staff alone. There must be assistance by a reservoir of employers, teachers, counselors, and volunteer aides, as well as by funds, equipment, facilities, and other resources. To acquire the assistance that is needed, work release staff must devote part of their time to developing public awareness, understanding, and enthusiasm.

Essentially, public relations is public education. Citizens can be expected to respond only in terms of what they know and feel. In the absence of knowledge, there can be little understanding, and there may be considerable fear.

To create the level of support required to operate a successful program, program staff need to take deliberate steps. The public at large should be one target for such steps. The goal should be the creation of awareness and a basic understanding of the program's nature, advantages, and problems. As this target is elusive, constantly changing, and possessed of a short attention span and short memory, efforts directed toward it must be continuous and reinforcing.

The second target is smaller. It consists of persons who have a particular interest in local governmental affairs, community service, and criminal justice procedures. Included in this category are criminal justice and social work employees, students, organized taxpayer and neighborhood improvement groups, service club members, and legislative, judiciary, and executive officials. Collectively, this target is willing to become better informed and is in a position to influence public opinion and grant and deny support.

Given the present state of the art of prisoner classification, work release programs will make mistakes in selecting participants and extending privileges. This fact should be honestly dealt with on the basis that a greater public respect and support for the program and its clientele will be achieved when program liabilities are frankly admitted and discussed than when they are hidden only to be revealed at a point of crisis.

Reservoirs of goodwill are like bank accounts. They cannot sustain continual withdrawals unless deposits are made. For work release programs willing to assume risks, some withdrawals are inevitable. For programs which intend to survive and flourish, continuous deposits in the form of educational efforts directed toward all citizens need to be continuously and effectively undertaken.

Each of the following vehicles should be incorporated into the public relations plan:

- Formal Reports

Routine reports which the Work Release Administrator has already prepared for the county governing body, county administrative officer, court, or state correctional officials frequently contain statistical data and other information which have both educational and news value. Whenever possible within the existing working arrangements with recipients, copies of such reports should be made available to the communication media serving the area.

Such reports should include reporting and commenting upon the financial advantages to the taxpayer realized from anticipated earnings. The reports should set forth actual but disguised case material which demonstrates some typical kinds of benefits which participants realize from the program.

When creative use is made of pictures, participant contributions, and graphic presentation of statistical material, annual reports can be an excellent means for disseminating information to the public. Such reports can be distributed at public meetings, made available to high school and college students in the preparation of papers, and furnished to taxpayers upon request.

- Special Features

News media generally find work release programs worthwhile to feature periodically through indepth reporting. Work Release Administrators should be alert to every opportunity to reveal and describe their programs in this way. When still or motion pictures are desired by the media, every effort should be made to accommodate them. Pictures in which actual participants can be identified by viewers should be avoided. Actual participants should not be photographed in any position unless they have given their uncoerced consent and have signed an agreement releasing the photographer and his employer, as well as the sponsoring county, from liability for any unintended embarrassment which the publication of the pictures might create.

House organs of large firms employing work releasees often desire to feature their organization's involvement in work release programs. Although the local readership

of the originals of such articles may be limited, such articles can frequently be reviewed later in other media which reach a larger local audience.

The presence in the county of visitors from other counties, states, or countries who are studying the program often serves to trigger the interest of news media.

- Use of Former Participants

Some men who have made particularly successful adjustments in the community for which they credit their work release experience will volunteer to discuss the program from the participants' standpoint. Their presence on panels can be effective both from the program's standpoint as well as the former participant's. Work release personnel normally will not need to solicit such volunteers except under unusual circumstances. Before using unsolicited volunteers, work release personnel should satisfy themselves that the volunteers are not exposing themselves to embarrassment or to disadvantageous circumstances which they cannot foresee.

- Use of County Government Publications

Some county governments prepare information booklets for distribution to interested individuals and groups. Whenever possible, appropriate efforts should be made to include strategic data concerning work release operations.

The laws of some states require the county to publish its annual budget and make it available to the public. When such budget documents go beyond the reporting of dollars expended to describe programs actually financed, the financial aspects of work release programs can be featured.

- Participant Service Projects

As a group, work releasees may undertake activities which are worthy of public notice. Although such activities as giving blood, making contributions to disadvantaged children and families, donating to community fund-raising efforts, building and supplying furnishings to community projects, repairing bicycles and toys, sponsoring a Little League or bowling team, and joining in community efforts to cope with natural disasters all have considerable news value, they should not be sponsored primarily for that purpose. But because they almost surely will attract

the attention of news media, administrators should seek to regard them as opportunities for pointing out the value of work release programs in breaking down the isolation between prisoners and the communities to which they belong and will return.

● Payment of Restitution

Some releasees' offenses involve the financial victimization of citizens, organizations, and businesses. Frequently, when convicted and sentenced, the court imposes a requirement upon the defendants that they make restitution to injured parties. Work release status may be authorized by the court primarily for the purpose of enabling the defendant to carry out the restitution obligation.

When earnings have been accumulated in sufficient amounts to pay a part or all restitution owing, and warrants are drawn to pay victims, Work Release Administrators have an opportunity to build appreciation for their programs. Brief letters of transmittal should be prepared to accompany the warrants, explaining to the payees that their restitution was earned by the offender while in work release status. If the warrants themselves make clear the source of the funds, a letter may not even be necessary to accomplish the same results.

This simple device, used over a period of years, can mollify many angry citizens and build a great deal of appreciation in the community for the work release program.

Reacting to Crisis Situations

Every work release program sooner or later will experience some serious misconduct by participants which is newsworthy and reported by the communication media. In such circumstances, the Work Release Administrator should:

- ... assist reporters in obtaining the actual details of the event or situation, supplying originally unavailable information as soon as it becomes available.
- ... offer any circumstances concerning the offenders not known to the media which may provide some context for the participant's behavior.

- ... provide relevant background information relative to the program which can be used for placing the event in perspective.

Initial reporting of such an episode can be expected to trigger some public criticism of the program by individuals and groups. Such criticism is often expressed in a hostile way and may even be accompanied with demands for termination of the program. As provocative, overstated, and irrational as such criticism may be, Work Release Administrators should resist any temptation they may feel to respond in kind. Any response should be moderate in tone and designed to place the incident in its proper perspective.

Publicity concerning problems often presents in its aftermath opportunities for indepth discussions concerning the program. Such opportunities should be seized upon. Public attention is apt to be higher at such times than normally is the case. Such a chance for discussing programs in broad perspective can be very useful in allaying individual and community anxieties and broadening public understanding.

APPENDIXES

APPENDIX A

SAMPLE STAFFING AND BUDGET MODULE

When planning full-scale work release operations, it is useful to be able to arrive at an estimate of the cost which will be incurred. The following is an example relating to a typical situation encountered when

- a. one full-time work release coordinator supported by a half-time clerk accountant is employed to staff a work release program serving an average of 15 participants/workday, and
- b. when all functions related to staging work release other than decision-making by the courts are concentrated in the work release staff.

Budget

Direct Costs

1 full-time work release coordinator @ \$12,000/yr.	\$12,000
1 half-time clerk accountant @ \$5,000/yr.	2,500
Extra hired custodial personnel for supplementing regular custodial staff during periods of peak work release activity, 3 hrs./day, 250 workdays/yr. @ \$4.00/hr.	3,000
	<hr/>
TOTAL SALARIES	\$17,500
Fringe Benefits @ 15% of Salaries	<u>2,625</u>
TOTAL SALARIES AND FRINGE BENEFITS	\$20,125
Operating Supplies and Services (office supplies, telephone, mileage, travel, etc.)	2,000
	<hr/>
TOTAL DIRECT COSTS	\$22,125

Indirect Costs

Administrative and Staff Supervision, Personnel Services, and Supplies used but budgeted elsewhere, @ 15% of Total Direct Costs	3,320
	<hr/>
TOTAL COST OF WORK RELEASE UNIT MODULE	\$25,445

Per Capita Cost

15 participants/day x 250 workdays/yr. = 3750 participant workdays/yr.  
 $\frac{\$25,445 \text{ Work Release Unit Cost/Year}}{3750 \text{ Participant Workdays/Year}} = \$6.80 \text{ (rounded)/participant workday}$

APPENDIX B

COMPUTATION OF THE NUMBER OF EMPLOYEES REQUIRED TO MAN ONE POST

24 HOURS/DAY, 7 DAYS/ WEEK

TOTAL NUMBER OF HOURS OF COVERAGE REQUIRED:

24 hours/day x 365 days/year = 8760 hours/year

NUMBER OF HOURS ONE FULL-TIME EMPLOYEE WORKS EACH YEAR:

Number of days/year	365
Number of non-work days	137
6th and 7th days/week x 52 weeks	104
Holidays (Average)	12
Sick Leave (Average)	6
Vacation	<u>15</u>
TOTAL WORK DAYS	228

228 Workdays x 8 Hours/Day = 1824 Hours/Year

DETERMINATION OF NUMBER OF FULL-TIME EMPLOYEES TO COVER ONE 24-HOUR POST:

$\frac{\text{Total annual coverage required}}{\text{Total annual coverage provided by 1 employee}} = \frac{8760}{1824} = 4.8 \text{ employees}$



COMPUTATION OF THE AVERAGE NUMBER OF HOURS/MONTH AVAILABLE FROM  
ONE EMPLOYEE WORKING 8 HOURS/DAY, 5 DAYS/WEEK

NUMBER OF DAYS/YEAR 365

NUMBER OF NON-WORK DAYS 137

6th and 7th Day/Week x 52 104

Holidays (Average) 12

Sick Leave (Average) 6

Vacation 15

NUMBER OF ACTUAL WORKDAYS 228

228 Days/Year x 8 Hours/Day = 1824 Hours/Year

1824 Hours/Year ÷ 12 Months = 152 Hours/Month (Average)

COUNTY OF \_\_\_\_\_  
**APPLICATION FOR WORK RELEASE PROGRAM**

**I. PERSONAL HISTORY**

- (1) NAME: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE) (ALIAS, NICKNAME)
- (2) ADDRESS: \_\_\_\_\_  
(NO.) (STREET) (CITY) (COUNTY) (STATE)
- (3) TELEPHONE: \_\_\_\_\_  
(HOME) (WORK)
- (4) DATE OF BIRTH: \_\_\_\_/\_\_\_\_/\_\_\_\_ AGE: \_\_\_\_  
(MO. DAY YEAR)
- (5) MARITAL STATUS:  SINGLE  MARRIED  SEPARATED  DIVORCED

**II. MARITAL HISTORY**

PRESENT MARRIAGE:

WIFE'S NAME	ADDRESS	MARRIAGE DATE	LICENSE OBTAINED WHERE	MARRIED WHERE	DIVORCED WHEN, WHERE
(6)					

PRIOR MARRIAGE

(7)					
(8)					

(9) WIFE'S TELEPHONE NUMBER: \_\_\_\_\_

(10) CHILDREN (INDICATE BY WHICH MARRIAGE)

NAME	ADDRESS	AGE	GUARDIAN	WHO SUPPORTS
1.				
2.				
3.				
4.				
5.				
6.				

(11) ARE ANY MEMBERS OF YOUR FAMILY APPLYING FOR OR RECEIVING PUBLIC ASSISTANCE?  
YES  NO

(12) IF "YES", WHERE? \_\_\_\_\_

III. FAMILY

(13)

NAME	ADDRESS	PHONE	OCCUPATION	AGE
A. FATHER				
B. MOTHER				
C. S/FATHER				
D. S/MOTHER				
E. BROTHERS AND SISTERS				
1.				
2.				
3.				
4.				
5.				

IV. MILITARY SERVICE

(14) HAVE YOU SERVED IN THE ARMED FORCES?  YES  NO

A. SERVED FROM \_\_\_\_\_ TO \_\_\_\_\_ BRANCH: \_\_\_\_\_

B. TYPE OF DISCHARGE \_\_\_\_\_

V. HEALTH AND MEDICAL HISTORY

(15) HEALTH:  EXCELLENT  GOOD  FAIR  POOR

A. PHYSICAL OR MENTAL DEFECT OR DISABILITY AT PRESENT OR IN PAST?

DESCRIBE: \_\_\_\_\_

WHERE: \_\_\_\_\_ WHEN: \_\_\_\_\_

B. PRESENTLY TAKING MEDICATION? \_\_\_\_\_

C. EVER BEEN HOSPITALIZED? WHERE? \_\_\_\_\_ WHEN? \_\_\_\_\_

WHY? \_\_\_\_\_

D. TO WHAT EXTENT ARE YOU DEPENDENT UPON ALCOHOL, NARCOTICS, AND MARIJUANA PHYSICALLY OR PSYCHOLOGICALLY? \_\_\_\_\_

E. WERE YOU UNDER THE INFLUENCE OF ALCOHOL OR NARCOTICS WHEN YOU COMMITTED THE OFFENSE FOR WHICH YOU ARE UNDER SENTENCE AT THIS TIME?  YES  NO

CONTINUED

2 OF 3

**VI. EDUCATION**

(16) CIRCLE HIGHEST GRADE COMPLETED: 1 2 3 4 5 6 7 8 9 10 11 12

(17) LAST HIGH SCHOOL ATTENDED: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

(18) LIST NAMES OF TRADE/TECHNICAL / ARMED FORCES SCHOOLS YOU HAVE ATTENDED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**VII. EMPLOYMENT**

(19) WERE YOU EMPLOYED PRIOR TO CONFINEMENT?  YES  NO

(20) PREVIOUS EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

(21) HOW LONG EMPLOYED? \_\_\_\_\_

(22) KIND OF WORK PERFORMED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(23) NAME OF IMMEDIATE SUPERVISOR: \_\_\_\_\_

(24) ARE YOU ELIGIBLE FOR REEMPLOYMENT?  YES  NO

(25) WOULD YOU LIKE A DIFFERENT TYPE OF WORK?  YES  NO

A. WHAT ARE YOUR INTERESTS? \_\_\_\_\_

(26) HAVE YOU EVER BEEN DISMISSED FROM ANY JOB?  YES  NO

A. IF ANSWER IS YES, GIVE REASONS: \_\_\_\_\_

\_\_\_\_\_

**VIII CONTACTS**

(27) FRIENDS LIVING IN STATE:

	NAME	ADDRESS	TELEPHONE
A			
B			
C			



APPENDIX E

IN THE \_\_\_\_\_ COURT OF THE STATE OF \_\_\_\_\_

IN AND FOR THE COUNTY OF \_\_\_\_\_

STATE OF \_\_\_\_\_

CASE NO. \_\_\_\_\_

vs

ORDER

The Work Release Administrator of \_\_\_\_\_ County,

having presented his Plan and Recommendation for Work Release for the above-referred to person, and

The Court, having read and considered said Plan and Recommendation,

It is hereby ordered that effective \_\_\_\_\_, (Date)

\_\_\_\_\_, (Name and Title of Official Holding Applicant in Custody)

be authorized to grant Work Release status to \_\_\_\_\_, (Name of Applicant)

and to permit him to travel to and from and remain at, unaccompanied by a custodial agent, any place of employment, training, schooling, or service,

his home, or to any other place approved by the Work Release Administrator,

the reasons for and conditions of any such release from custody to be

approved by the Work Release Administrator and agreed to in writing by

\_\_\_\_\_, (Applicant)

Dated: \_\_\_\_\_

Hon. \_\_\_\_\_

APPENDIX F

FOR THE INFORMATION OF ALL LAW ENFORCEMENT PERSONNEL:

The bearer is participating in the Work Release Program of the \_\_\_\_\_

\_\_\_\_\_. He has been authorized to be in the community (Name of Organization)

during prescribed hours and for specific purposes. Should you have any reason at

any time to question the bearer's activities, whereabouts, or conduct, please phone:

\_\_\_\_\_ at \_\_\_\_\_ (Position Classification) (Phone Number)

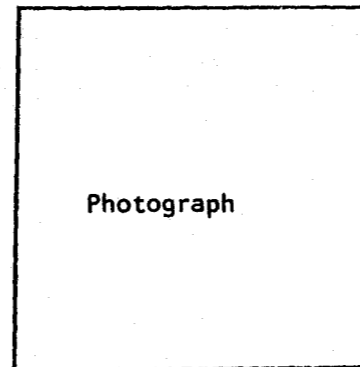
your earliest convenience. Any communication received will be relayed as soon as

possible to the bearer's assigned Work Release Coordinator who is:

\_\_\_\_\_, (Name)

\_\_\_\_\_, (Title)

\_\_\_\_\_, (Signature)



Name: \_\_\_\_\_

Age: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Transportation Authorized: \_\_\_\_\_

Special Conditions: \_\_\_\_\_

\_\_\_\_\_, (Work Releasee's Signature)

Date Issued: \_\_\_\_\_

COUNTY OF \_\_\_\_\_  
 \_\_\_\_\_, DIRECTOR, DEPARTMENT OF PUBLIC SAFETY  
 COUNTY COURTHOUSE, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
 CITY STATE ZIP  
 \_\_\_\_\_  
 PHONE NUMBER  
 \_\_\_\_\_ COUNTY CORRECTIONAL INSTITUTION  
 CORRECTIONS DIVISION — WORK RELEASE SECTION  
 GUIDELINES FOR WORK/EDUCATION RELEASE PROGRAM PARTICIPANTS

You have been selected for participation in the Work-Education Release Program. Acceptance into the program and placement in a job will result in a number of changes in your daily routine and will place new obligations on you for proper and responsible action.

The Corrections Division reserves the right to terminate your participation and return you to court at any time. Supervisory control is vested in the Work Release Section for all aspects of your program while you are absent from the Correctional Institution. Your Work Release Coordinator is the only person who can grant privileges or changes from your previously agreed upon program and schedule.

You will be in the free community during the hours of your employment. You will travel over a prescribed route within a prescribed time. Failure to report at the scheduled time, or failure to return to the Correctional Institution at the scheduled time, will be considered an A.W.O.L. for which you may be disciplined or prosecuted.

Wages earned by work release employment will be paid to you by check. Do not cash your paychecks. Immediately upon your return, deliver them to the Control Desk Officer on duty. You will be charged for room and board and other approved expenses, including family support, as agreed upon with the Work Release Coordinator.

The following agreement outlines conditions of your participation in the program

1. I will not enter into any civil contract or incur any indebtedness without the express consent of my Work Release Coordinator.
2. I agree to pay for the support of all my legal dependents and other financial obligations as ordered by a court of law. If unable to pay the full amount, I will pay the amount established by the Work Release Coordinator.
3. I agree that all disbursements from my work release trust account will be as per prior agreement or as determined to be necessary by the Work Release Coordinator.
4. I will not change my place of employment, training, or school without the prior approval of the Work Release Coordinator.

5. I will notify my Work Release Coordinator immediately upon a change of plan, discharge, lay-off, quitting, or other termination of employment, training, or school.
6. I will not drive, or ride in, any private motor vehicle other than those used in carrying out my duties of employment without the express consent of my Work Release Coordinator. I understand that hitchhiking is not permitted.
7. I will not acquire a vehicle of any type without specific written permission from the Work Release Coordinator.
8. I will furnish proof of a valid operator's license to my employer and Work Release Coordinator if operation of a motor vehicle is necessary to my employment.
9. I will not associate with, or contact in any manner, any ex-prisoner or any persons known to have a police record, other than those with whom I must make contact, in carrying out authorized work-education release functions.
10. I agree to travel directly by the approved method of transportation and return promptly to the Correctional Institution without unauthorized stops or detours.
11. I will not drink, have in my possession, or cause to be brought into the Correctional Institution any intoxicating liquor, or narcotic or hallucinogenic drugs. This includes marijuana, barbituates, LSD, etc.
12. I agree that all correspondence and visits will be within the prescribed policies and regulations of the Correctional Institution.
13. I will not be in possession of, or use any firearm, dangerous weapon, or articles deemed contraband by the Correctional Institution.
14. I will abide by all rules and regulations set forth by the Correctional Institution and will conduct myself properly at all times.
15. I will keep only those clothes and personal property needed to sustain myself on the Work Release Program.
16. I understand the Work Release Section assumes no responsibility for loss of personal property while I am on the Work Release Program.
17. I will turn over to the Control Desk Officer my endorsed paycheck and will retain the issued receipt while in the Correctional Institution.
18. I will furnish the Correctional Institution with a duplicate of my locker key.
19. I agree to submit to urinalysis or blood test when requested to do so by the Correctional Institution staff.

20. I agree not to act as a strike breaker or to participate in any strikes, demonstrations, or similar activities occurring at my place of employment.

I have read the above agreement, and it has been discussed with me by the Work Release Coordinator. I understand that any deviation may result in my removal from the program and possible punitive action.

Date \_\_\_\_\_ Signed \_\_\_\_\_

Witnessed \_\_\_\_\_

ESCAPE FROM CUSTODY

RE: \_\_\_\_\_  
(cite State Code Provision Dealing with Escape)

I, the undersigned, understand that as a resident of the \_\_\_\_\_ County Correctional Institution, I will be subject to official detention by the Sheriff of \_\_\_\_\_ County and that it is unlawful for me to escape from such detention. I understand that escape includes any unlawful departure, including failure to return to custody after temporary leave granted for a specific purpose or limited period. I am aware that if I escape from the \_\_\_\_\_ County Correctional Institution, I will be prosecuted for a crime punishable by imprisonment in the penitentiary.

Date \_\_\_\_\_ Signed \_\_\_\_\_

Witnessed \_\_\_\_\_

AGREEMENT FOR ALLOCATION AND DISTRIBUTION OF EARNINGS

I, \_\_\_\_\_, hereby authorize \_\_\_\_\_ (Name of Work Release Adm.),  
Work Release Administrator of \_\_\_\_\_ County to receive, deposit  
in \_\_\_\_\_, and disburse all of my work release  
(Specify fund)  
employment earnings for such items and in such amounts as are set forth below:

Weekly Budget

- I Income \_\_\_\_\_
- II Disbursements
  - A. Personal Expenses \_\_\_\_\_ days @ \$ \_\_\_\_\_ /day \_\_\_\_\_
  - B. County Charges \_\_\_\_\_ days @ \$ \_\_\_\_\_ /day \_\_\_\_\_
  - C. Family Support
    - Payee: \_\_\_\_\_
    - Address \_\_\_\_\_
    - Payee: \_\_\_\_\_
    - Address \_\_\_\_\_
  - D. Fine
    - Payee: \_\_\_\_\_ Total Owed \_\_\_\_\_
    - Address \_\_\_\_\_
    - Payee: \_\_\_\_\_ Total Owed \_\_\_\_\_
    - Address \_\_\_\_\_
  - E. Restitution
    - Payee: \_\_\_\_\_ Total Owed \_\_\_\_\_
    - Address \_\_\_\_\_
    - Payee: \_\_\_\_\_ Total Owed \_\_\_\_\_
    - Address \_\_\_\_\_
  - F. Creditors
    - Payee: \_\_\_\_\_ Total Debt \_\_\_\_\_
    - Address \_\_\_\_\_

Total Expenditures (Items A through F) \_\_\_\_\_  
Balance Deposited to Trust Account \_\_\_\_\_

\_\_\_\_\_  
(Date) (Signature) (Witnessed & Approved)

APPENDIX I

SAMPLE OF WORK RELEASEE'S AUTHORIZATION FOR  
EMPLOYER TO FORWARD EARNINGS TO WORK RELEASE ADMINISTRATOR

COUNTY OF \_\_\_\_\_  
DEPARTMENT OF CORRECTIONS  
WORK RELEASE DIVISION

I, \_\_\_\_\_, do hereby request and  
(Work Releasee's Name)

authorize \_\_\_\_\_ to deliver any and  
(Name of Employer)

all of my earnings less required payroll deductions to the

\_\_\_\_\_, County Work Release Administrator.  
(Name of County)

I further request that this authorization be effective \_\_\_\_\_  
(Date)

and remain in full force continuously until written notice is received

by you from the Work Release Administrator canceling this authorization.

\_\_\_\_\_  
(Work Releasee's Signature)

\_\_\_\_\_  
(Date of Signature)

APPENDIX J-1

CHECK LIST OF SUBJECTS TO BE COVERED  
DURING ORIENTATION CONFERENCE

1. The responsibility of the:
  - a. participant to the granting authority.
  - b. Work Release Coordinator to the granting authority.
  - c. Work Release Coordinator to the participant.
2. The role of the Work Release Coordinator with respect to case service activities.
3. The role of the Work Release Coordinator with respect to the custody function and staff.
4. How, when, and where to contact the Work Release Coordinator.
5. Who to contact in an emergency when the Work Release Coordinator is not available.
6. Rules and procedures governing conduct while
  - a. in the work release facility.
  - b. on the job or at school.
  - c. enroute between work release facility and place of employment or school.
  - d. on furlough or special leave.
7. How to check out and check in at the work release facility.
8. What clothing may be worn inside and outside the facility.
9. What personal possessions must be surrendered upon checking in and recovered upon checking out.
10. What provisions exist for safeguarding valuables.



APPENDIX J-2

11. What to do in the event of a transportation problem.
12. How to request a change of an existing work schedule to allow for performing extra work requested by employers.
13. How to handle problems arising on the job with other employees.
14. What to do if stopped by a police officer.
15. What to do if illness or injury occurs on the job.
16. How to obtain funds from the trust account to meet unexpected emergency needs.
17. How earnings are to be handled from the time paycheck is written until balance in trust is paid upon discharge from program.
18. What the basis of the charge is for reimbursement of costs.
19. How to obtain funds needed for expenditures which cannot be postponed until after receipt of first payment of earnings.
20. Who may visit, how often, how long, when, where, and what articles can be brought to the facility.
21. Restrictions on incoming and outgoing mail.
22. Restrictions on use of the telephone.
23. What areas is available for studying.
24. Good-time and work-time credits.
25. Furloughs and how they are earned and requested.
26. How modifications of existing court or administrator's orders are applied for.
27. Educational, vocational, recreational, and other activities available.
28. Expectations regarding participation in educational and/or other activities.

APPENDIX J-3

29. How performance is evaluated.
30. What will happen if job is lost through no fault of participant.
31. How to contact probation or parole officer.
32. When job changes are allowed.
33. Participant's rights when Work Release Coordinator intends to recommend supervision or termination of work release status.
34. How bed assignments are made.
35. Medical, dental, and psychiatric resources available.
36. Basis for applying for early termination.



## WORK RELEASE ADMINISTRATOR'S MONTHLY POPULATION REPORT

## I. CRIMINAL JUSTICE BASE POPULATION

No. of Convicted Defendants Sentenced---Officials serving as Work Release Administrators normally would have no occasion to be concerned with the total number of convicted defendants sentenced and would not have this information at hand. To obtain either the exact number or a reasonable approximation, Work Release Administrators should seek the cooperation and assistance of court clerks and prosecuting attorney personnel who are the officials most likely to be able to provide this data.

No. of Sentenced Defendants Received in County Institution(s) and Average Daily Population of Sentenced Prisoners in County Institutions(s)---Work Release Administrators should experience no difficulty obtaining from officials responsible for administering institutions to which persons are sentenced for care and custody either the number of prisoners beginning the serving of sentences during each month or the average daily population of sentenced prisoners (including work releasees) for each month.

## II. SCREENING AND CLASSIFICATION

One of the activities which rightly should be a part of a work release program is the screening of applicants and others who should be considered for work release status. The assessment involves determining which prisoners are eligible in terms of the law and court order as well as which of those found eligible are also suitable for being recommended for or granted work release status. The amount of time work release staff must give to screening activities can be considerable and is not available for performing activities related to supervision of persons actually granted work release status.

Date called for in Section II of the Monthly Population Report should be available from the minutes kept by any screening committee established to review work release applications or from notes kept by the Work Release Administrator or other official responsible for screening potential work releasees.

## III. PROGRAM VOLUME

Data reported in this section provides a method of measuring the volume of participants who required supervision services

during the reporting period. The unit reported is the prisoner actually granted work release status (participant).

## IV. TERMINATION

It is important from the standpoint of program evaluation and research to know the basis on which participants leave the program. Therefore, all terminations occurring within the reporting period are classified according to whether they occurred on the basis of program completion (successful) or removal from the program (failure). Program failures should be broken down into three subdivisions.

COUNTY OF \_\_\_\_\_  
**WORK RELEASE ADMINISTRATOR'S STATISTICAL SUMMARY**  
 JANUARY 1, 19\_\_ THROUGH DECEMBER 31, 19\_\_\*

APPENDIX M-1

MONTH	A TOTAL PARTICIPANT DAYS	B AVERAGE DAILY NUMBER PARTICIPANTS	C TOTAL PARTICIPANT WORK DAYS	D % PARTICIPANT WORK DAYS	E AVERAGE NO OF WORK DAYS PARTICIPANT	F GROSS EARNINGS	G AVERAGE EARNINGS PARTICIPANT	H AVE. EARNINGS PARTICIPANT WORK DAY
JANUARY								
FEBRUARY								
MARCH								
APRIL								
MAY								
JUNE								
JULY								
AUGUST								
SEPTEMBER								
OCTOBER								
NOVEMBER								
DECEMBER								
TOTAL								
MONTHLY AVERAGE								

\* FORMAT CAN BE USED FOR 12 MONTH PERIOD BEGINNING WITH ANY MONTH

APPENDIX M-2

**WORK RELEASE ADMINISTRATOR'S STATISTICAL SUMMARY**

**A. Total Participant Days**

Prisoners granted work release status do not always begin working immediately, usually work less than seven days a week, and may be temporarily denied working privileges, although not suspended from the program. Nevertheless, whether or not they are actually released on a given day to work, prisoners granted work release privileges represent a program responsibility for work release staff. For this reason, it is appropriate to use as the basic measurement unit of program volume a "participant day" rather than a "participant work day."

A prisoner's first "participant day" is the day he is formally granted work release status. His last "participant day" is the day he is discharged or terminated.

The county of "participant days" for each prisoner can be arrived at most directly, usually, from his file card which contains the date work release status was conferred and ended.

**B. Average Daily Number of Participants**

This statistic which is the one most frequently used to describe the dimensions of a program is obtained by dividing the total Participant Days (A) by the number of days during the reporting period. It must be borne in mind that as an average the statistic does not reveal necessarily the actual number of different participants served during the reporting period. (Total Participant Days/Number of Days in Reporting Period)

**C. Total Participant Work Days**

A "participant work day" is defined as one day worked by one work release inmate. This statistic is useful in justifying a work release program to the public and to representative bodies because it focuses attention on time spent in productive activity rather than in custody.

The count can be obtained from Check Out-Check In Logs or individual time cards.

**D. Percentage Participant Work Days**

When Participant Work Days are expressed as a percentage of Participant Days and compares the percentage with 71.4% (5 work days ÷ 7 days), one acquires a means of judging the extent to which the

work release population was fully employed (assuming a 5-day work week as a desirable objective) during the reporting period. Percentages well below 71.4% would suggest delays in getting work releasees jobs, shortened work weeks due to weather conditions, strikes, lack of work, etc. Percentages approximating or higher than 71.4% suggest full employment and/or overtime (6 and 7-day work weeks) work.

The statistic is obtained by dividing the total Participant Work Days (C) by the total Participant Days (D) and multiplying the result by 100 ( $\frac{C}{D} \times 100$ ).

**E. Average Number of Work Days/Participant**

It can be useful to know how many days the average work releasee worked during a given reporting period. This figure is obtained by dividing the total number of Participant Work Days (C) by the Average Daily Number of Participants (B).

**F. Gross Earnings**

The total Gross Earnings reported (and verified by inspection of paycheck stub) on the Work Release Administrator's Financial Summary form can serve as a good point of reference for relating earnings to work days. Gross earnings rather than net earnings should be used whenever available, because they compare more readily with income figures reported by free employees.

**G. Average Earnings/Participant**

Obtained by dividing Gross Earnings (F) by the Average Daily Number of Participants (B), this statistic provides a convenient way of reporting the monthly (or other period) income of a typical work releasee in a frame of reference easily grasped by program observers wishing to make comparisons of work releasee earnings with those of free employees in the community.

**H. Average Earnings/Participant Work Day**

This statistic also provides a convenient way of comparing the average work releasee's earnings with those of free employees. The statistic is obtained by dividing Gross Earnings (F) by the Total Participant Work Days (C).

COUNTY OF \_\_\_\_\_  
**WORK RELEASE ADMINISTRATOR'S FINANCIAL SUMMARY**  
 JANUARY 1, 19\_\_ THROUGH DECEMBER 31, 19\_\_ \*

MONTH	EARNINGS										DISTRIBUTION OF NET EARNINGS										PARTICIPANTS AT REL. 1ST BALANCE				
	GROSS EARNINGS	TAXES WITHHELD	ALL OTHER DEDUCTIONS	NET EARNINGS	PAID TO: COUNTY	FOR: PROGRAM COSTS	PARTICIPANTS PERSONAL EXP.	DEPENDENTS SUPPORT	CREDITORS PAYMENTS	COURT FINES	VICTIMS RESTITUTIONS	OTHERS MISCELLANEOUS	AMT.	%	AMT.	%	AMT.	%	AMT.	%		AMT.	%	AMT.	%
JANUARY					100.0																				
FEBRUARY					100.0																				
MARCH					100.0																				
APRIL					100.0																				
MAY					100.0																				
JUNE					100.0																				
JULY					100.0																				
AUGUST					100.0																				
SEPTEMBER					100.0																				
OCTOBER					100.0																				
NOVEMBER					100.0																				
DECEMBER					100.0																				
TOTAL					100.0																				

\* FORMAT CAN BE USED FOR 12 MONTH PERIOD BEGINNING WITH ANY MONTH

REIMBURSEMENTS PAID TO COUNTY AMOUNT \_\_\_\_\_

RECEIVED FROM:

    COUNTY PARTICIPANTS \_\_\_\_\_

    STATE PARTICIPANTS \_\_\_\_\_

    U.S. OTHER COUNTIES \_\_\_\_\_

TOTAL RECEIVED AND PAID TO COUNTY TREASURER \_\_\_\_\_

WORK RELEASE ADMINISTRATOR \_\_\_\_\_

PREPARED BY \_\_\_\_\_ (SIGNATURE)

DATE SUBMITTED \_\_\_\_\_

## WORK RELEASE ADMINISTRATORS' FINANCIAL SUMMARY

## EARNINGS

Gross Earnings--Total earnings of all participants before payroll deduction (obtainable by inspecting paycheck stubs).

Taxes Withheld--Federal, State, and local income taxes and Social Security taxes (also obtainable from paycheck stubs).

All Other Deductions--All other mandatory and voluntary deductions (e.g., Disability Insurance, Medical Insurance, Union Dues, charitable contributions).

## DISTRIBUTION OF NET EARNINGS

Net Earnings--Total net earnings actually disbursed during month (total will usually differ from total of net earnings actually received during the same month).

Payees--Enter totals of actual amounts paid during month for each purpose indicated. Calculate and enter percentage of the total net earnings distributed that each entry represents.

## REIMBURSEMENTS PAID TO COUNTY

Enter amounts received from

1. participants committed by the county sponsoring the program.
2. the State Treasurer for payment for county care provided to state corrections department prisoners under contract.
3. the U.S. Treasurer for payment for county care provided to federal prisoners under contract.
4. the Treasurer of any other counties for sponsoring county's care of their prisoners.

5/15/72

TO: John Doe, County Administrator  
 FROM: Richard Roe, Work Release Administrator  
 SUBJECT: Work Release Administrator's Monthly Report

Attached are the Work Release Administrator's (1) Population Report, (2) Statistical Summary, and (3) Financial Summary for the month of April 1972.

Your attention is called particularly to the following facts based on the reports:

1. The average number of program participants served during April reached 22.6, an increase of 21.8% over the number in March. This is the largest average daily population served by the work release program since it was started.
2. Although there were fewer work days in April than in March, the gross earnings of all work releasees increased by \$1,659.46 (20.2%). This apparent paradox is explained in part by the fact that three large plants employing a total of 12 work releasees were shut down by weather conditions for one week and upon resuming operations ran ten hours/day, seven days/week, enabling the work releasees to earn sizable amount of overtime pay.
3. The average work releasee completing his sentence and released during April:
  - ... served 94.3 days in work release status.
  - ... worked 70.6 days (5 1/4 days/wk.).
  - ... was paid at the rate of 4.93/hr.
  - ... earned a total of \$2783.47.
  - ... paid \$767.43 in Federal and State Income taxes.
  - ... reimbursed the county in the amount of \$282.40.
  - ... contributed \$932.73 toward the support of his family.

The Work Release Administrator is pleased to advise you that the Marton Manufacturing Company has offered to provide employment for five men with work release privileges who are willing to enter into and promise to complete a three-months company-sponsored training program designed to qualify men to service and repair electronic equipment manufactured by the company.

GLOSSARY

## GLOSSARY

Today, every precinct of criminal justice functioning is experiencing the burgeoning of new concepts and activities. New terms are being created and old ones renovated to describe these developments. In the process, many words and phrases which are being employed have acquired different meanings in different operating contexts and political jurisdictions.

The definitions contained in this glossary represent an attempt to make more precise the meaning of some of the terms used in this publication.

The terms, "man," "participant," "prisoner," "applicant," and "releasee," whether used in the singular or plural form, and personal pronouns of the masculine gender used in reference to them, are intended to apply to persons of both sexes unless specifically noted to the contrary.

### Multi-Purpose Jail

Any institution (usually the only one) for the confinement of adult persons operated by a county or municipality having a limited capacity, if any, to segregate and house inmates according to their legal status, level of criminal sophistication, and degree of custody deemed necessary. \*

### Community Correctional Center

Any facility--not operated as a prison or jail--which is located in or near the intended post-release residence and/or employment of persons subject to control and supervision by correctional authority and which is used as a base of operations for residential and nonresidential activities designed to foster its clientele's readjustment to and reintegration with the surrounding community.

\* In the overwhelming majority of the nation's counties, there is only one institution for confining adults -- the county jail. Within its walls are held all categories of unsentenced and sentenced prisoners. So long as these facilities contain heterogeneous populations in unsegregated quarters; are without the physical and staff resources for programming education, recreational, and other activities; and remain the administrative responsibility of officials whose major responsibility and pre-occupation is police work, it is inappropriate to refer to them as correctional institutions. Accordingly, the term, "local

### Correctional Officer

A line employee of an institution whose work responsibilities include, but are not necessarily limited to, providing the basic custody and care of prisoners before and/or after sentencing. As used, the term includes "guards," "turnkeys," "jail deputies," "jailers," and "custodians."

### County

Includes "county and city" units, independent city (Maryland, Missouri, and Virginia), parish (Louisiana), and borough (Alaska).

In every section of the nation, most persons placed in custody pending plea and/or trial or confined after conviction anywhere other than in state-operated institutions become the custodial and correctional responsibility of county government. For this reason, most local work release activity is based upon county facilities and administered by county officials. Yet, some cities, primarily populous ones, have both the authority and the capability to confine some convicted violators of municipal ordinances. A few of the cities have developed work release programs in their jails and lockups. Although city-operated work release programs may differ in form and content from county programs, the principles and guidelines which should govern and aid them should be the same. Therefore, in the interest of brevity and simplicity, all references in this publication to "county and local programs" can be read to include city programs unless specified otherwise.

### \* (Continued)

correctional institution," is reserved for those facilities for sentenced prisoners which are either

1. administered by sheriffs or other "law enforcement" official whose major responsibility is the operation of the county jail, or
2. administered by appointed wardens, superintendents, directors, or other officials responsible directly to the county's top legislative and/or executive body or officer, and
3. sponsoring substantial formal efforts which have as their objective the preparation of prisoners to reenter their communities, upon release, on better terms than they left them upon arrest.

This restrictive use of the term, "local correctional institution," does not imply that correctional programs, including work release, do not or cannot exist in multi-purpose county jails.



Detention Center

Any site at which two or more detention facilities are located.

Detention Facility

Any institution administered by a government entity which is used primarily for the confinement of adult persons at any time and for any purpose subsequent to arrest pursuant to police action or court order.

Furlough

Any special or nonroutine release from custody, not related to regular employment or course of instruction, which is granted as an earned privilege or in response to personal emergencies.

Institution Director

A line employee to whom responsibility has been delegated to administer a facility providing custody and care for sentenced and/or unsentenced prisoners.

Local Unit of Government

See "County."

Parole

A legal status formally conferred upon a sentenced and confined offender by an official or commissioner which results in his conditional release from custody in lieu of continued confinement.

Participant-Day

A statistical unit representing one prisoner-day served in work release status (whether actually employed and working or not).

Participant-Work-Day

A statistical unit representing one day of work performed at his place of employment by a prisoner granted work release status.

Prerelease Center

Any place of confinement administered by a correctional authority and its program of special activities designed primarily to facilitate the transition of prisoners scheduled for imminent release from 24-hour custody to parole, probation, or unsupervised release status.

Probation

A legal status used as a sentencing option available to courts with jurisdiction in criminal matters which provides for a convicted offender to remain in the community under official supervision in lieu of confinement or following a period of confinement.

Rehabilitation Staff

Any personnel of a criminal justice agency whose primary work responsibility involves the planning and execution of special correctional activities including, but not limited to, social diagnosis, individual, and group treatment.

Release on Recognizance

(also known as "QR" and "ROR")

The release of prisoners from custody without payment of bail or posting of bond pending prosecution and/or sentencing.

Study Release

(also known as Education Release)

A release on recognizance, sentencing, and/or correctional strategy, the essential features of which are:

1. period release from physical custody for the purpose of attendance at formal courses of instruction in community, educational, and vocational institutions.
2. return to physical custody at the completion of each daily increment of instruction. \*

\* The extension of the concepts and procedures of work release to include persons for whom the resumption of school attendance; rather than employment, is appropriate is occurring with increasing frequency. Usually referred to as Study Release, the practice, when employed, is carried out under the supervision of the same personnel responsible for work release. Therefore, except as noted, the term, "work release," as used, includes "study release."

Weekend Sentence

A term of confinement of specific length ordered by a court and served in successive increments consisting of some portion of the time between the end of the sentenced offender's last day of work in a given week and the beginning of the first day of work in the ensuing week.

Work Release

(also known as: Work Furlough, Community Work, Huber Program, Huber Plan, Out-mate, Day Parole, Work Pass, Conditional Release, Day Work, Semi-Detention, Day Probation, Community Release, Day Pass, Outworking, Live-in Work-out, Semi-Liberte', Extramural Private Employment, Daylight Parole, Free Labor, and Intermittent Jailing)

A criminal justice practice used as a form of release on recognizance, sentencing option, and prerelease measure which involves all three of the following elements:

1. periodic release from confinement during stated hours for the purpose of finding and/or engaging in employment.
2. retention by the work releasee of some or all of his earnings over and above what is paid for support of dependents, daily personal expenses, reduction of court-ordered fines, restitution, and costs, and the reduction of personal obligations, including partial or full reimbursement of costs associated with being in work release status.
3. employment at work for which the wages, performance expectations, and working conditions are the same as for nonwork release employees.

Work Releasee

Any person granted work release status.

Work Release Administrator

An official of a criminal justice agency vested with the responsibility by statute, judicial order, or legislative action to exercise executive authority for the organization and administration of a Work Release Program.

Work Release Coordinator

(also known as: Work Rel. Representative, Work Rel. Officer, Work Rel. Agent, Work Rel. Supervisor)

An employee of the Work Release Administrator who, while acting as his agent and within his area of discretion, is responsible for the day-to-day planning, implementation, and coordination of activities required for and used by persons in work release status.

Work Release Facility

Any physical setting, including jails, workhouses, road camps, halfway houses, community correctional centers, lockups, stockades, publicly or privately owned residential centers, etc., upon which a work release program is based and where work releasees normally are confined when not working or receiving instruction in the free community.

Work Release Program \*

A coordinated set of activities directed toward the implementation of work release strategy.

Work Release Status

A formal condition created by decision and act of constituted judicial or administrative authority which, when granted, confers eligibility for participation in a work release program.

Work Release Strategy

A carefully planned, deliberately executed course of action to achieve an objective.

\* The word, "program," does not necessarily imply a special organizational structure or personnel charged with operating, supervising, or administering all activities participated in by persons granted work release status. Within this use of the term, it is possible to include all manifestation of work release from

1. the occasional, once/year, employment of the work release strategy by a court in a small county using existing resources to implement it, at one extreme, to
2. the more common situation wherein the extent of usage is so large as to require the assignment of special staff, housing, and other resources as well as organization and administration as a separate entity, at the other extreme.

"On Work Release"

A phrase intended to denote that work release status has been conferred.

Work Release Supervisor

An assistant to the Work Release Administrator or a division head in the agency which he administers to whom the Work Release Administrator delegates the responsibility for the supervision of a Work Release Program and its coordination with other programs which are operated by the agency.

**END**