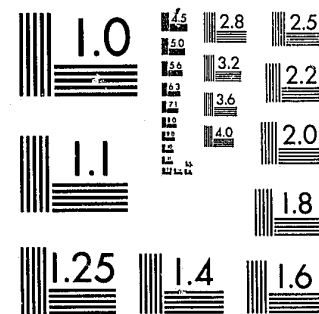


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WORK RELEASE

by

Michael T. Charles

NCJRS

MAY 20 1981

ACQUISITION

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The author would like to take this opportunity to express his appreciation to all those State work release systems that so graciously provided information on their programs. Special thanks must be afforded Douglas County and those officials, in both State and County work release programs, for extending their time so that this research paper might be completed. Appreciation is also extended for the financial support received from the Department of Criminal Justice of the University of Nebraska at Omaha and to LEAA Grant #73-NI-99-1022.

INTRODUCTION

Work Release, a program begun by a 1913 law (Huber Law) in the State of Wisconsin, authorized judges and magistrates in cooperation with local sheriffs in charge of jails, to impose a conditional sentence upon misdemeanor offenders so that they might retain their jobs and serve their sentence simultaneously. At its beginning work release aroused little attention or interest, but eventually the advantages of work release were realized and presently numerous jurisdictions have adopted the work release concept for not only misdemeanants but felons as well.

As a result of the success of many jurisdictions, the economic advantages within a work release system, and the poorly developed work release programs throughout the country, the need for a research paper which would assist Douglas County and other county jurisdictions was incontestable. Thus provided herein are suggestions, alternatives, and ideas which are designed to stimulate correctional personnel to develop a work release program for their jurisdiction which will be an asset to their community.

This document is not meant to be a total remedy for every work release program. The ideas, suggestions, and so forth are written so that each jurisdiction may take those concepts which may prove acceptable to their program and ignore the rest. If the author were to do otherwise, this monograph would not be realistic or workable, it would demonstrate only the naivety of the author. Naturally, the author does

not expect all readers to accept every contention brought forth in this paper. In fact, this monograph was written so that it would arouse controversy and incite debate. Yet, despite the objections which will be cast it must be remembered that the information continued herein is based on generally sound research data not only from the field of corrections but other related areas as well. But, through constructive discourse additional research data will result, and after all, that is the means by which the system can be continually improved.

This essay has been divided into five distinct yet closely related chapters. The first three chapters discuss the research problem a review of the literature and the methodology used. Chapter Four is entirely devoted to the work release concept. This chapter provides that information most needed by correctional agencies in the process of developing or redeveloping their work release program. Without doubt there are areas which are not discussed in this chapter that would be of concern to the correctional administrator, but these areas were not considered as essential, or as influential on the entire program, thus they were excluded. Those areas not discussed are well covered in other publications concerning work release. The final chapter attempts to conclude this research document in a manner that will encourage correctional personnel, especially at the management level, to thoroughly plan their work release system before they begin a new program, or change or redevelop an already existing work release system.

CHAPTER I

IDENTIFICATION OF THE PROBLEM

Introduction

There has been a burgeoning interest over the past several years for the development and implementation of community-based programs for not only felon, but misdemeanor offenders--especially the community-based program of work release. This phenomenon is in part a result of the public's awareness of national statistics which demonstrate that ninety-eight percent of those convicted of a felony and virtually one hundred percent of those individuals convicted of misdemeanors will eventually be returned to the communities from which they came; in addition, statistical data demonstrates that of these ex-offenders released back into our communities, between fifty and ninety-one percent of these individuals will be incarcerated for a second time, and many times for a crime of more serious magnitude than their first offense. It is also a demonstrated fact that a large majority of community-based programs, including work release, claim a much lower recidivism rate than the traditional forms of incarceration.¹

¹Frederick D. Moyer and Edith E. Flynn, eds., Correctional Environments (n.p., 1973), p. 32; Robert M. Carter, Daniel Glaser, and Leslie T. Wilkins, eds., Correctional Institutions (Philadelphia: J. B. Lippincott Co., 1972), p. 29; U.S., President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington, D.C.: Government Printing Office, 1967), p. 78; U.S., Congress, Senate, Committee on the Judiciary, Oversight Hearings on the Nature and Effectiveness of the Rehabilitation Programs of the U.S. Bureau of Prisons, Hearings before the Subcommittee on National Penitentiaries, 92d Cong., 1st sess., 1971, p. 41; John M. McKee, New

As a result of the advantageous outcome reached through the community-based concept, and due to the fact that the Nebraska State Legislature passed Legislative Bill 782², which required the Douglas County Sheriff's Office to relinquish its responsibility for the care and detention of sentenced county misdemeanants to the newly formed Douglas County Department of Corrections, the Douglas County Department of Corrections has chosen to accept the community-based approach to corrections.

Since 1969, Douglas County has had legal authority to place misdemeanor offenders on work release. But, for a number of reasons, the work release program was never fully developed. Hence, one of the first programs chosen by the Douglas County Department of Corrections to be improved was their work release system.

One of the major reasons for the Douglas County Department of Corrections administrator's desire to revise the work release program was the results of a study conducted by the now defunct Douglas County Corrections Coordinator's Office in 1974 (consult Appendix A). According to this study the average population of the Douglas County jail is from 150 to 200 inmates--this includes both sentenced and nonsentenced incarcerated misdemeanor offenders. There is also a daily intake of approximately eighteen new offenders per day, but even with this rather large population the present work release program has a maximum capacity

Directions in Corrections (Montgomery, Alabama: Rehabilitation Research Foundation, n.d.), p. 5; U.S., Congress, House, Select Committee on Crime, American Prisons in Turmoil (Part I), Hearings before the Select Committee on Crime, 92d Cong., 1st sess., 1971, p. 397.

²Nebraska, Legislative Bill 782, 83d legislature, 2d sess., 1974, passim.

of only fifteen clients. In addition, it was discovered that of the fifteen inmates on work release at the time of the study, thirteen were adjudicated as a result of driving on a suspended license, while of the remaining two, one was convicted of motor vehicle homicide and the other burglary. All of which suggested to the administration of the Douglas County Department of Corrections that a more fully developed and efficient program was needed.

The objective was apparent, a more efficient Douglas County work release program, but just how could Douglas County revise their existing program so that it would be the most effective system possible? Thus, the need for an analytical look at already existing work release programs was apparent. And, the author has chosen to study state work release programs to fill this void of information.

Douglas County is by no means the only county correctional system in need of information on the structure of work release programs; in fact, numerous county jurisdictions, as well as state and federal, are continually revising and improving their work release systems; in addition, many county agencies in the future will benefit from this type of information as they begin developing new work release programs. Therefore, this study will be conducted in a manner which will enhance its applicability to county correctional agencies in particular and state and federal work release programs in general.

Purpose

It is expected that a work release program will be of particular benefit to county correctional agencies. Thus, the purpose of this study is to investigate existing state work release systems and review their methods and procedures.

Specifically, this study is designed to determine which methods and procedures employed by state work release programs appear most workable.

Importance

This study has particular relevance to the criminal justice field for the following two reasons.

First, both existing county work release programs, such as Douglas County's as well as county work release programs yet to be developed, are in need of a study which demonstrates the positive and negative aspects of the methods and procedures used by state work release programs. Secondly, with this type of study county governments, as well as state and federal, will have a means by which they can compare and analyze their existing programs, or a method by which they can develop a new work release system in a more informed and analytical manner.

Generalizability

It is worth indicating that the findings of this study may have impact far beyond the limits of the study itself. First, since the sample includes felony work release programs from the fifty states and Washington, D.C., it may be concluded that most of the findings are applicable to not only county, but state and federal work release systems. Second, in relation to the above statement, there is no reason to believe that the findings are appropriate to felony work release systems only. Third, there is also no reason to believe that many of the findings cannot be equally useful to women's work release systems. Finally, the concept of work release is appropriate for all levels of the criminal justice system (county, state, and federal). And,

there is no evidence to indicate that radically different methods of operation are needed for each level.

Statement of Research Question

The primary purpose of this study is to provide information concerning the most effective methods employed by state work release systems. Thus, county correctional agencies can either critically evaluate existing work release programs, or plan new work release systems on a more informed basis.

The following research question should be answered. Which alternative state work release methods and procedures studied, appear most workable in a work release system?

Definitions of Important Terms

Definitions for key terms used in the study will follow to provide a common basis for understanding.

1. Work Release - A criminal justice program which allows for the periodic release of offenders, during prescribed periods of time, for the purpose of gainful employment.
2. Community-Based Programs - A correctional concept whereby offenders are encouraged to enlist in programs and services designed to assist them in the reintegration process.
3. Methods - The rules, regulations, and/or general procedures utilized by the correctional administration to achieve its goals.
4. County Correctional Institutions (Jails) - These institutions are used to detain accused offenders and short-term misdemeanants. Jails are not to be confused with "lockups", which are to be found in almost every police station. "Lockups" are generally used for short-term

interrogation of suspects, holding of suspicious persons while clarifying information, and the detention of vagrants and drunks.

Conclusion

Tersely stated, as a result of the promising outcome of community-based programs, counties like Douglas County, desiring to improve their work release system, as well as county correctional agencies planning to implement a new work release program are in need of a study which will provide information concerning the most workable methods employed by state work release programs.

CHAPTER II

REVIEW OF RELATED LITERATURE

Introduction

The review of related literature is organized under five major headings. These are: (1) Community-Based Corrections; (2) The Protection of Society: Rhetoric and Reality; (3) The Short-Term Community-Based Program; (4) Economics; and, (5) Work Release A Dearth of Information.

Community-Based Corrections

An interesting and relevant phenomenon to this study is the fact that the correctional process has gone through five major philosophical revisions which include: revenge, restraint, reformation, rehabilitation, and reintegration--the community-based program of work release is a product of the reintegration philosophy. As a result of the different philosophies of correction, quite naturally opposing objectives, goals, and methods would result. And, to further compound this problem many correctional agencies have found themselves in a situation where more than one type of correctional philosophy, objectives, goals, and methods exist simultaneously, which not only produces confusion, but provides a detrimental effect to corrections.

Although, there are remnants of the traditional correctional philosophies, their objectives, goals, and methods, the National Advisory Commission on Criminal Justice Standards and Goals, Corrections,

states that the most promising future for the field of corrections is the community-based approach, which is an aspect of the reintegration theory. The National Advisory Commission chose this philosophical foundation, which states that crime is a symptom of the failure and disorganization of the community as well as the offender.¹ For a number of reasons. For example, after nearly two centuries of experience, experts have found that traditional correctional institutions (those institutions with the philosophy of revenge, restraint, reform, and/or rehabilitation) succeed in punishing, but offer little in deterring criminal behavior.² In fact, it has become increasingly clear that our traditional system of corrections is in fact criminogenic in itself.³ This fact is demonstrated not only by high recidivism rates,⁴

¹U.S., President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington, D.C.: Government Printing Office, 1967), p. 7.

²U.S., National Advisory Commission on Criminal Justice Standards and Goals, Corrections (Washington, D.C.: Government Printing Office, 1973), pp. 1, 223; U.S., Congress, Senate, Committee on the Judiciary, Priorities for Correctional Reform, Hearings before the Subcommittee on National Penitentiaries, 92d Cong., 1st sess., 1971, p. 99; Carl A. Bersani, ed., Crime and Delinquency: A Reader (London: Collier-Macmillan Ltd., 1970), p. 471.

³Frank J. Menolascino, "Corrections--Where Next," Omaha, n.d. (Mimeographed); Frederic D. Moyer and Edith E. Flynn, eds., Correctional Environments (n.p., 1973), p. 26; U.S., National Advisory Commission on Criminal Justice Standards and Goals, Corrections, p. 234; James C. Kane, "From Penal Reform to Sweet Joins," Alpha Phi Sigma ETA Chapter News Letter, February, 1974, p. 7.

⁴Depending upon the study, recidivism is reported as low as fifty percent and as high as ninety-one percent. See Benjamin Frank, ed., Contemporary Corrections: A Concept in Search of Content (Reston, Virginia: Reston Publishing Co., 1973), p. 106; Interview with Frank J. Menolascino, University of Nebraska Medical Center, Omaha, Nebraska, May 1975; Mel D. Powell et al., Regional Criminal Justice Planning: A Manual for Local Officials (Washington, D.C.: National Association of Counties Research, Foundation, 1971), p. 27; Moyer and Flynn, Correctional Reform, Hearings before the Subcommittee on National Penitentiaries,

but by the fact that eighty percent of all major crimes in America are committed by ex-offenders.⁵ After reflecting upon Mr. Richard Velde's, Director of Law Enforcement Assistance Administration, comments concerning society's traditional methods, it becomes painfully clear why the traditional correctional concept has failed:

. . . Jails are festering sores in the criminal justice system. There are no model jails anywhere; we know, we tried to find them. Almost nowhere are there rehabilitative programs operated in conjunction with jails. . . . The result is what you would expect, only worse. Jails are, without question brutal, filthy cesspools of crime--institutions which serve to brutalize and embitter men to prevent them from returning to a useful role in society.⁶

Under such conditions men and women emerge from the traditional system with little opportunity for readjustment.⁷ In fact, at best the offender will learn how to exist and react in a total institution, which is of minute value to him when he emerges from his confinement and is placed back into the community. Thus it is not merely for humanitarian reasons alone that society revamp the correctional systems--it is for their safety as well.⁸

pp. 31, 75, 101; U.S., Congress, House, the Select Committee on Crime, Reform of our Correctional Systems on H.R. 93-329, 93d Cong., 1st sess., 1973, p. 47.

⁵Gerald Leinwand, Prisons (New York: Pocket Book, 1972), p. 1. For further information on this subject consult Ramsey Clark, Crime in America (New York: Simon and Schuster, 1970), p. 55; U.S., Congress, House, Reform of our Correctional System on H.R. 93-329, p. 47.

⁶U.S., Congress, Senate, Committee on the Judiciary, Oversight Hearings on the Nature and Effectiveness of the Rehabilitation Programs of the U.S. Bureau of Prisons, Hearings before the Subcommittee on National Penitentiaries, 92d Cong., 2d sess., 1972, pp. 18-19.

⁷Idaho State Board of Correction, "Idaho State Board of Correction: Success in the Work/Study Release Program," Boise, 1974. (Mimeographed.)

⁸U.S., Congress, Senate, Oversight Hearings on the Nature and

The Protection of Society: Rhetoric and Reality

One of the major influencing criteria which brought about the development of the traditional correctional concepts was the apparent need to protect society from those individuals inclined to commit criminal acts. This is a rather laudable purpose, but due to the obvious ineffectiveness of the traditional system public safety has become nothing more than a moot question.

It has become apparent that an offender has a far better chance of leaving a community-based correctional system and leading a non-criminal life than he has under any of the traditional correctional processes.⁹ Yet, although the evidence suggests far greater success with a community-based correctional system hesitation on the part of the public exists in its adoption. This is generally the case due to the public's gravitation toward the traditional correctional philosophies. But, society must attack this dilemma at the intellectual level rather than the instinctive level; society must not consider it coddling prisoners simply because they are treated as human beings. It must be remembered that ". . . man is sent to prison as punishment--not for punishment."¹⁰

Effectiveness of the Rehabilitation Programs of the U.S. Bureau of Prisons, Hearings before the Subcommittee on National Penitentiaries, p. 19.

⁹Kane, "From Penal Reform to 'Sweet Joints'," p. 8, reports that chances of success on community-based programs is seven out of ten. For further discussion consult U.S., Congress, House, Committee on the Judiciary, Corrections, Hearings before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, 93d Cong., 2d sess., 1974, p. 29.

¹⁰Robert M. Brian, "The Morality of Punishment," America, January 15, 1972, p. 50. It should be noted that it is not the intent of community-based programs to make life pleasant for the offender, but to normalize it so that he might be reintegrated back into society as a law abiding citizen.

The Short Term Community-Based Program

Considerable concern and discourse has taken place in the past few years concerning the practicality of implementing short term treatment modalities like work release. Many believe, and this is one of the major reasons why although county correctional systems have the greatest potential they are the most poorly developed,¹¹ that nothing can be accomplished with individuals that spend only a short period of time under jurisdiction of a county correctional system.¹² But, evidence is proving this contention inaccurate; in fact, it has been demonstrated that many short term programs are effective in turning the tide of recidivism.¹³ It is not the length of time an offender spends in a program, but the purposefulness and intensity of the program.¹⁴

The public has also showed concern in allowing sentenced offenders the opportunity to remain in the community at large, in community-based programs like work release, while they are under the jurisdiction of a correctional agency. But, it appears that this concern is far greater than necessary, because over the past several years it has been discovered that prison commitment for most offenders can be avoided or at

¹¹ Social, Educational Research and Development, Inc., A Model Social Service Program for a County Jail (New York: Praeger Publishers, 1972), p. 3.

¹² It is reported that the average length of stay in the Douglas County Correctional Institution is eighteen days.

¹³ The National Sheriffs Association, Manual on Jail Administration (Washington, D.C.: The National Sheriffs Association, Inc., 1970), p. 198.

¹⁴ Committee for Revision of 1959 Manual, Manual of Correctional Standards (College Park, Maryland: American Correctional Association, 1966), p. 66.

least abbreviated without significant loss to public protection;¹⁵ in fact, it has been estimated that the jail population could be cut in half without undue risk to the public.¹⁶

Economics

When considering the cost of traditional corrections as opposed to the community-based concept, interesting findings result. The traditional system spends an excess of one billion dollars annually, ninety-five percent of which is spent on custody while only five percent is used to provide hope for the future of the offender and society.¹⁷

¹⁵ U.S., National Advisory Commission on Criminal Justice Standards and Goals, Corrections, p. 223. An excellent study demonstrating that prison commitments can in fact be abbreviated without any significant loss of public protection was conducted as a result of the famous Gideon v. Wainwright decision of 1963.

...the Supreme Court's Gideon decision overturned the convictions of persons in the Florida prison system who had not had an attorney, more than 1,000 inmates were freed. Such a large and sudden release might be expected to result in an increase in crime. To check this hypothesis, two groups of inmates released at the time were matched on the basis of individual characteristics. The one significant difference was that one group of prisoners was released as a result of the Gideon decision and the other group at the expiration of their sentences. Over a period of 2 1/2 years, the Gideon group had a recidivism rate of 13.6 percent, and the other group had almost twice that rate, 25.4 percent. Taken from U.S., National Advisory Commission on Criminal Justice Standards and Goals, A National Strategy to Reduce Crime (Washington, D.C.: Government Printing Office, 1973), p. 113. The research is described in Charles J. Eichman, The Impact of the Gideon Decision Upon Crime and Sentencing in Florida (Florida Division of Corrections, 1966). Consult Anthony Lewis, Gideon's Trumpet (New York: Vintage Books, 1966), for a rather descriptive discussion of the Gideon v. Wainwright decision.

¹⁶ U.S., Congress, House, Corrections, Hearing before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, p. 92. For further evidence see Moyer and Flynn, eds., Correctional Environments, p. 32; Virginia McArthur, Barbara Cantor, and Sara Glendinning, "Cost Analysis of the District of Columbia Work Release Program," Washington, D.C., 1970, p. 19. (Mimeographed.)

¹⁷ Powell et al., Regional Criminal Justice Planning: A Manual for Local Officials, p. 27.

On the other hand, it has been found that community-based correctional programs are considerably less expensive than traditional correctional methods in most instances--it has been determined by some States that it is fifty percent less expensive to place an offender in a work release program.¹⁸

In short the National Advisory Commission is saying that imprisonment in traditional institutions, under traditional philosophies, affords only limited protection to society, the period of confinement, but offers no long range advantages to the offender or society as a whole. Not only are community-based programs like work release more capable of influencing an offender's behavior in a positive manner, but in most cases more economically than traditional means. Thus, this new approach to corrections must be adopted, community-based corrections (reintegration), so that society may find success with their correctional system.

Work Release A Dearth of Information

The work release idea was first introduced in 1913 under the State of Wisconsin's Huber Act. This program, or law, authorized judges and magistrates in cooperation with local sheriffs in charge of jails, to impose a conditional sentence upon misdemeanor offenders so that they might retain their employment, maintain contact with their families and the community, and not become a burden on society, while they served their sentence. At its modest beginning work release attracted little

¹⁸ State of Delaware Division of Adult Corrections, Work Education Release: The Way Out (n.p., n.d.); McArthur, Cantor, and Glendinning, "Cost Analysis of the District of Columbia Work Release Program," p. ii.

attention; in fact, for four decades the work release concept spread slowly.¹⁹ But, today work release is rather common among state and federal correctional systems, and to some extent at the county level.

Yet, work release, like so many other community-based programs suffers from a dearth of information on the effects of different procedures in the treatment of its clientele.²⁰ In fact, one of the most conspicuous problems taunting the field of corrections today is the "...lack of knowledge and unsystematic approach to the development of programs and techniques."²¹ This naturally results in the development of new work release programs with little essential data and the revision of already existing work release systems on a hit and miss basis. And, since jails throughout the United States serve a clientele far in excess of state and federal penal institutions²²--between two-thirds and three-fourths of all convicted offenders serve out their sentence in jails.²³ And since, most studies of correctional institutions indicate that jails, although the most poorly developed, have the greatest potential for reintegrating the offender. The importance of adequate information on the effectiveness of state work release procedures cannot be denied.

¹⁹ U.S., President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections, p. 11.

²⁰ Ibid., p. 109.

²¹ Ibid., p. 13.

²² The National Sheriffs Association, Manual on Jail Administration, p. 192; U.S., Congress, House, Corrections, Hearing before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, p. 71.

²³ Robert M. Carter, Daniel Glaser, and Leslie T. Wilkins, eds., Correctional Institutions (Philadelphia: J.B. Lippincott Co., 1972), p. 71.

Simply put, jails presently are the worst designed or developed correctional agencies in existence in this country, but due to the fact that the majority of offenders serve their sentences in jails and since these offenders, in general, are not as of yet hardened criminals, counties would be well advised to implement a work release program or revise and improve their already existing work release system. But, there is presently a lack of information on work release programs (methods and procedures) which hinders the development of efficient work release systems.

CHAPTER III

METHODOLOGY

Introduction

The Douglas County Correctional system was chosen for study because of two major criteria: one, the need for a viable work release program was apparent; and two, the Douglas County system was anxious for such a study to be conducted.

After preliminary investigation of the Douglas County work release system it became apparent that this County suffered from many of the more common faults experienced by many correctional systems in the process of developing a viable work release program. Thus, the decision was made to write this monograph in such a manner that it would not only aid Douglas County, but other County, State, and Federal jurisdictions developing or revising their work release program.

SAMPLE. In order that a factual and realistic monograph on work release be provided it is essential that other existing work release programs be studied. Therefore the author has chosen to sample each of the fifty states, (Washington, D.C., was also included) with State work release programs,¹ to acquire available information on their methods

¹Information on state work release programs was received from seventy-six percent of the fifty states, and Washington, D.C., which received requests. Those supplying information were Alabama, Alaska, Arizona, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada,

and procedures. State work release programs were chosen as opposed to County work release systems because of their long established experience with work release programs and their superiority in available information. In addition, it was felt that by using State work release programs, which deal with felony offenders, it would be much easier to determine work release methods and procedures appropriate for County Correctional agencies.

DESIGN. Since it was necessary to obtain information concerning the methods used by State work release programs, it was necessary to send a letter of transmittal to State Departments of Corrections requesting that this information be sent to the author. Naturally, it is not expected that all States (and Washington, D.C.) contacted would comply with the first request for information; thus, where necessary a follow-up letter was sent.

Further data was obtained through on sight visits of the States of Nebraska's and Iowa's work release programs. Through this the author had the opportunity to observe State work release programs in action, and consult with practitioners in the field.

DATA. After receiving the information requested from the State work release programs, and after the on sight visits had been conducted, the

New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, West Virginia, Washington, Wisconsin. It is of interest to know in the State of Ohio there are consitutional and legislative barriers against work release for felons; in the State of Kentucky the work release program was declared unconstitutional due to a quirk in their constitution; Mississippi reported that they had no work release program; and Virginia was unable to send work release guidelines due to the fact that they were being revised at the time of inquiry.

author analyzed the data to compare and thus determine the most appropriate methods employed by State work release programs.

CHAPTER IV

WORK RELEASE: AN OVERVIEW

We shall Treat in charity an evil we used to Treat in anger.

Victor Hugo

Introduction

For a more firm understanding of the concept of work release, a clear image of the intent of a community correctional facility is essential. It must be realized that a community correctional facility is an alternative to traditional forms of imprisonment, and as such must not be misconstrued as merely an extension of the two hundred year old system that plagues and taunts our society daily. Although, each system adheres to at least one common objective, the protection of society, the methods of achieving this objective are strikingly different. The traditional system of correction consistently applies corporal and/or psychological punishments in order to produce what is considered appropriate behavior, while the community correctional facility adopts the more enlightened approach, most commonly referred to as reintegration. Under this philosophy, offenders are encouraged to partake in programs and services provided by the department of corrections, but most often administered and executed by a community agency, which will most benefit their particular needs (individualized treatment). In other words, a community correctional facility is a mechanism whereby an offender may be integrated

back into his community in a manner which will, in most instances, assist and not hinder his chances for fiscal, marital, employment, and mental adjustment.¹

Now that a more firm basis for understanding the concept of a community correctional facility has been established, attention may now be directed toward the idea of work release per se. Generally, work release may be thought of throughout this paper as a program by which selected offenders committed by county or municipal court, for misdemeanor criminal acts, to a county correctional facility, are allowed to engage in remunerative employment, vocational training, or educational endeavors,² during certain hours of the day, and return to the community correctional facility when not engaged in approved community activities.³

Although, this definition of work release serves the purpose of explaining the general intent of such a program, it does little in explaining the different methods, or uses this program may serve. For example, a work release program may be utilized as an alternative by the court,

¹Kristann S. Jones, "A Functional Analysis of the State of Colorado's Work Release Program," Golden, Colorado, 1974, p. 12. (Mimeographed.)

²State of New Jersey Department of Institutions and Agencies, "Annual Report Calendar Year 1973: County Work Release Program," Trenton, 1973, p. 1 (Mimeographed;) interested readers might also consult State of Wisconsin Health and Social Services Division of Corrections, "Wisconsin's Huber Law," Madison, 1974. (Mimeographed.)

³Stephen Saur and Stephen Dailey, "The Work Release Program: A Resident Oriented Guide," Anamosa, Iowa, 1974, p. 1. (Mimeographed;) Louisiana Department of Corrections, "Louisiana Department of Institutions: Work Release Fact Sheet," Baton Rouge, n.d., p. 1. (Mimeographed.)

in which selected offenders may avoid traditional incarceration entirely, or work release may be employed as a preparation for the terminating offender, or finally, this type of program may be made available to those inmates that are to be paroled in the near future (this type of work release program is generally used by State and Federal institutions).⁴

The type of use that the work release program is designed for is a relative question for each jurisdiction using or considering the use of such a program. And, it must not be overlooked that it may prove beneficial and commendable to implement more than one system or type of work release program in any one jurisdiction. But, before implementation of such a program becomes a reality, or in order that a jurisdiction already utilizing the work release concept realizes the full potential of their program, numerous areas must be analyzed, highly controversial issues must be attacked and resolved, and difficult decisions must be made. Therefore, the remaining segments of this chapter will address itself to what this author considers the most important areas of contention in a work release program.

Rules and Regulations

After the philosophy has been carefully considered, and the objectives and goals of the county work release program have been approved, it is time to begin preparation of the rules and regulations of the work release program. But, before developing these rules and regulations, it should be brought to mind that these rules and regulations, must complement

⁴State of Delaware Division of Adult Corrections, Work Education Release: The Way Out (n.p., n.d.).

the goals of the county work release program as the goals complement the objectives and the objectives the philosophy for if this is not accomplished, chaos will result. In conjunction with the rules and regulations need for conformity they must also be flexible enough to accommodate the unique requirements and capabilities of each and every individual in the work release program.⁵ In other words, it may be best to think of rules and regulations as guidelines, rather than mandates--few rules should be so soundly established that variation is impossible. In fact, established laws are the only regulations which should be strongly supported and waived from vary sparingly. This is not to say that offenders should be left to violate rules at will, quite the contrary, this would not produce the type of behavior sought after. What is being said is that if the individual circumstances exist, which would suggest that alternative rules and regulations would prove more beneficial to the offender in his reintegration process, then by all means make the necessary arrangements. But, if the offender, after agreeing to specific regulations, chooses to persistently ignore his responsibility, then some course of action must be taken to correct his behavior. More will be said on this point when the subject of discipline is discussed.

It should also be mentioned that this chapter is provided to generate creative thought, and not to be mistaken as the panacea of work release. Each community has different characteristics, beliefs, and attitudes which will greatly affect the rules and regulations, philosophy, goals

⁵Walter H. Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release (Washington, D.C.: U.S. Government Printing Office, 1973), p. 21.

and objectives, of each county. Thus, the correct procedures for one community may in fact be totally inappropriate in another. But, this must not be used as a crutch for inactivity and laskadaisical performance. Although community attitudes may be negative toward the concept of work release in general, or a particular segment of the program, it is the responsibility of correctional agencies to actively educate the public so that they will become receptive to proposed plans.

Eligibility Criteria

Any work release program can be extremely successful. All one need do is admit only those offenders which almost assuredly will complete the program successfully. And, for a newly developed program this may be an intelligent approach to establishing itself in its community and gaining public support. But, a work release program especially at the county level, which does not expand and attempt to integrate more serious offenders as their ability increases is failing its responsibility to society, because almost all if not all of these offenders will one day be returned to the community from which they come. Traditionally those incarcerated in a county jail return to their community more angry and hostile toward society than they were prior to their imprisonment. They are released with the stigma of ex-con, no employment, and often broken marriages due to their incarceration. Corrections cannot say that they are protecting society nor aiding the offender under circumstances such as these; thus, the admittance criteria for a work release program should be established, subject to change, which would best suit the community, the offender, and the work release program.

Considering the fact that state work release programs can successfully place felons on work release,⁶ and have far greater success with them when compared with traditional modes of correction, it seems well within the realm of contemplation to make admittance criteria or guidelines for county work release programs flexible enough to encompass most, if not all, misdemeanor offenders.⁷

Eventhough, it is being suggested that relatively all misdemeanor offenders should be considered for a work release program, certain requirements or conditions should be considered before an offender is placed in a county work release system.⁸ One of the major requirements for placing an individual on a county work release program should be "needed". That is, will this program benefit the offender by helping him to

⁶ States like Nebraska allow any inmate including lifers, to become eligible for work release, consult Michael T. Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," Omaha, 1974, p. 6. (Mimeographed.)

⁷ Although offenders may be eligible for a county work release program not all would benefit most from this particular alternative to incarceration. Particular circumstances will often exist, which would suggest that another course of action, program, would prove more beneficial to the offender than work release. When this is the case, work release should be denied and the appropriate alternative chosen. The reader might also be interested in noting that both Vermont and New Jersey have rather broad guidelines for admittance to work release programs. Consult correspondence with Peter A. Profera, Agency of Human Services Department of Corrections, Montpelier, Vermont, 12 March 1975; State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," Trenton, 1969, p. 3. (Mimeographed.)

⁸ As discussed earlier in this chapter several different types of work release programs may exist. But, no matter which type of work release program is chosen and used these criteria will be useful.

maintain his employment, family relationships and so forth, or would the individual and community be better served if the offender were processed in some other manner.⁹

Closely related to the previously mentioned guideline is the condition that no person should be placed on work release that would jeopardize the safety of the community or the integrity of the program.¹⁰ This would suggest that great care be taken in placing those individuals closely associated with organized crime, those having committed heinous criminal acts, offenders with a history of violence, individuals that have committed sex offenses--especially where a minor was the victim, mentally unbalanced offenders, and those individuals with emotional problems, on a county work release program.¹¹

⁹ States such as Iowa and Louisiana consider the need of the inmate before placing him on their work release programs. Consult State of Iowa Bureau of Adult Corrections Services, A Comprehensive Report on the Work Release Program from July 1, 1969 to June 30, 1970, (Des Moines: n.p., n.d.), p. 2; Louisiana Department of Corrections. "Louisiana Department of Institutions: Work Release Fact Sheet." p. 2.

¹⁰ Experts in the area of work release suggest that this requirement be met and all states studied by the author demonstrated a belief in this requirement. Consult the following for more information on this contention. Moyer et al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults (Urbana, Illinois: University of Illinois, 1971), section C p. 8.3F; State of Alabama Department of Corrections, Alabama Community-Based Corrections Program (Elmore, Alabama: n.p., 1974), p. 3; State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program," Indianapolis, n.d., ch. 3. (Mimeographed;) State of Connecticut Department of Correction, "Work and Education Release," Hartford, 1975, p. 4. (Mimeographed.)

¹¹ State of Michigan Department of Corrections, "Policy Directive: Work/Study- Pass Program," Lansing, 1973, p. 2. (Mimeographed;) State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 4; State of Connecticut Department of Correction, "Administrative Directives," Hartford, 1973, p. 3. (Mimeographed.) South Carolina

Another criteria which holds equal weight with the aforementioned, is that the offender must volunteer for the work release program.¹² Far too frequently the offenders attitudes, feelings, desires, and interest in a proposed program are not considered--the offender is simply not asked if he would like to participate in a proposed program.¹³ A county correctional system, or for that matter any correctional agency, cannot expect an individual to do well in a program or benefit from it unless he desires to do so. Therefore, if the offender does not wish to participate, eventhough all other conditions are met, in most cases it is more wise to exclude him rather than to try and force him into compliance.

Another ingredient in the admission criteria that poses a controversial issue for many work release programs is that of accepting offenders

Department of Corrections, "Annual Report 1972-73," Columbia, 1973, p. 5. (Mimeographed;) Oklahoma Department of Corrections, "Community Corrections," Oklahoma City, n.d. (Mimeographed;) Texas Department of Corrections, "Work Release Program," Huntsville, 1974, p. 1. (Mimeographed.)

¹² Many states include in their admittance criteria that the offender must volunteer for the work release program, consult State of Nevada Department of Parole and Probation, "Policy for Work Release Program," Carson City, 1973, p. 1. (Mimeographed;) State of Wisconsin Health and Social Sciences Division of Corrections, "Work Release," Madison, n.d. (Mimeographed;) State of Indiana Department of Correction, Work Release (Indianapolis: n.p., n.d.); Oklahoma Department of Corrections "Community Corrections."

¹³ The author tends to agree with Karl Menninger's viewpoint on the concept of volunteering. According to Dr. Menninger it is often times necessary to place an individual into a program eventhough at the outset he expresses a desire not to participate in the proposed activity. The reasoning behind this conviction is that it is impossible for someone to make a truly informative decision until one is familiar with the subject matter; therefore, at times it may be adviseable to enroll this individual into the program for a few short weeks and after participating in the program allow him to make a decision as to whether he wishes to remain in the program or be withdrawn.

that are physically and/or psychologically dependent on drugs and/or alcohol.¹⁴ It is the author's opinion, assuming that other circumstances exist which would indicate that the offender would benefit from a work release experience, that those dependent on either drugs or alcohol should not be excluded simply for this reason. But, as a prerequisite to admission, the offender must voluntarily enter either a drug or alcohol treatment modality and demonstrate a willingness to "kick the habit," before acceptance is extended. Quite naturally, it is imperative that proper psychological and sociological testing accompany the offender before the final decision to accept or reject is made.

The importance of developing a work release system which is capable of complementing established community drug and alcohol related programs cannot be overemphasized for a county work release program. Statistics demonstrate that alcohol alone, is involved in fifty percent of all criminal acts committed in the United States today.¹⁵ Yet, despite this need it must also be noted that among work release programs in most states the consumption of alcohol is the number one violation.¹⁶

¹⁴ States like Connecticut allow narcotic users to participate in their work release program with special stipulations. Consult State of Connecticut Department of Correction, "Administrative Directives," p. 3; States such as Texas and Alabama do not allow offenders dependent on drugs or alcohol to participate in their work release programs. Consult Texas Department of Corrections, "Work Release Program," p. 1; State of Alabama Board of Corrections, Work Release (n.p., 1973); State of Alabama Department of Corrections, Alabama Community-Based Corrections Program, p. 3.

¹⁵ Jones, "A Functional Analysis of the State of Colorado's Work Release Program," p. 33.

¹⁶ State of Iowa Bureau of Adult Corrections Services, A Comprehensive Report on the Work Release Program from July 1, 1969 to June 30, 1970, p. 11.

This does not indicate that those dependent on alcohol or drugs should be excluded, only that more research must be conducted in this field.¹⁷

The next criteria to be discussed is that of detainers. It is a general practice for work release programs not to allow individuals with detainers to enter their work release program.¹⁸ But, as an established practice this would seem to violate the purpose of corrections--to correct. Granted in most cases the giving of work release status to an offender with a detainer would be unwise. Yet, there are those individuals that would not only benefit from the experience, but could possibly, through successful completion of the program, lessen their sentence to be in the jurisdiction holding a detainer on them. Therefore, it is suggested that though it not become common policy to grant work release status to offenders having detainers, the ability to do so should be present.

¹⁷ One administrative procedure to reduce the problem of alcohol among work release residents is to allow the consumption of alcohol by residents not physically or psychologically dependent upon it. Caution will need to be taken with this type of rule. If there is an integrated population of those able to consume alcohol and of those unable to do so, it may be wise to restrict drinking from the place of residence; in fact, it may be wise to do so anyway, because of the obvious problems it may cause. Those allowed to consume alcohol must not be allowed to over consume, since it is illegal, nor are they to drink when inappropriate, on the job and so forth. In other words, they must be responsible for their actions, and if they prove irresponsible appropriate action must be taken.

Drugs present an entirely different problem, since drugs are presently illegal residents cannot and should not be allowed to use, buy, or sell any illegal drug. Thus, if drug dependent individuals are on the work release program they must be capable of not using drugs while on the program. Involvement in community drug programs will assist in this area.

¹⁸ Moyer et al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, section C p. 8.3F, suggests that offenders with detainers be excluded from a work release program.

The final criteria to be discussed for admission into a work release program is mentioned only because of the possible difficulties it may generate among county work release programs. This criteria concerns the offenders necessary physical condition or health to be placed on a work release program. For example, it is quite possible that a physically handicapped offender may desire admittance to a county work release program. If this should happen, he should not, in fact, must not be rejected for this reason. The only criteria which should exist concerning the physical health of the offender, is that he is physically capable of performing the duties of his employment, and that he not have any serious or communicable disease.¹⁹

Selection Process

Due to the amount of time spent in incarceration by both State and Federal offenders, expedience is not of the essence as it is in a county work release program. Considerable effort may be expended in evaluating the State or Federal offender for possible work release status, and a substantial period is present to study the offenders progress and attitudes

¹⁹ Consult the following publications to see the regulations of some state work release programs concerning health. Oklahoma Department of Corrections, "Community Corrections;" State of New York Department of Correctional Services, "Administrative Bulletin #12 Amended," Albany, 1972, p. 2. (Mimeographed;) Louisiana Department of Corrections, "Louisiana Department of Institutions: Work Release Fact Sheet." p. 2.; State of Michigan Department of Corrections, "Policy Directive: Work/Study-Pass Program," p. 2; State of Indiana Department of Correction, "Work Release;" State of Connecticut Department of Correction, "Administrative Directives," p. 4; State of Iowa Bureau of Adult Corrections Services, A Comprehensive Report on the Work Release Program from July 1, 1969 to June 30, 1970, p. 2; Jones, "A Functional Analysis of the State of Colorado's Work Release Program," p. 15.

before allowing him to become a participant in work release. In fact, it has been suggested, and most states agree, that no individual be placed in a work release program to exceed one year in duration, because of its detrimental effects beyond this point.²⁰ Thus, State and Federal institutions are allowed years, in most cases, to study and evaluate an individual; hence, the selection process can afford to be lengthy and extremely thorough,²¹ which should result, and apparently has resulted, in the development of rather successful programs.

²⁰ For further discussion of the length of time that an offender should spend on work release, and the amount of time allowed by many states consult, Moyer et al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, section C p. 8. 6F; Jones, "A Functional Analysis of the State of Colorado's Work Release Program," pp. 20-21; Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," p. 2; State of Connecticut Department of Correction, "Work and Education Release," p. 1; State of Hawaii Department of Social Services and Housing Corrections Division, "Correctional Services Laumaka Conditional Release Center," Honolulu, 1973, p. 1. (Mimeographed.) The only state work release program studied, which mentioned that they allowed in excess of one year on their work release program was Massachusetts, consult Public Education and Information, "Correctional Reform and Community Programs: Why?," Boston, n.d. (Mimeographed.)

²¹ Although the amount of time available for state work release systems to conduct tests and evaluate potential candidates does exist, some states use a rather basic selection system while others are more complex. For information on state selection processes consult Idaho State Board of Correction, "Idaho State Board of Correction: Success in the Work/Study Release Program," Boise, 1974. (Mimeographed;) State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program"; State of Nevada Department of Parole and Probation, "Policy for Work Release Program," p. 2; State of Alabama Department of Corrections, Alabama Community-Based Corrections Program, p. 4; State of New York Department of Correctional Services, "Administrative Bulletin #12 Amended," p. 2; Louisiana Department of Corrections, "Louisiana Department of Institutions: Work Release Fact Sheet," p. 1; State of Connecticut Department of Correction, "Administrative Directives," p. 3; State of Iowa Bureau of Adult Corrections Services, A Comprehensive Report on the Work Release Program from July 1, 1969 to June 30, 1970, p. 1; Jones, "A Functional Analysis of the State Work Release Program," p. 14; Charles, "Nebraska State Work Release Program:

A county work release program does not have the luxury of an abundance of time to study and evaluate offenders placed under their care, since most county correctional systems, by law, are allowed to incarcerate only those offenders that have been sentenced by a court of law to one year or less. Therefore, the selection process must be stripped to the basic essentials, so that a more rapid decision making process may be developed. This must not be misinterpreted to mean that caution and professionalism be cast to the winds when determining who should be placed on a county work release program. In fact, a more highly sophisticated and expertly administered selection process is essential, and an extremely competent staff is necessary for the county selection process, due to the dearth of information and actual physical studies that may be conducted in the short time frame present. In most cases the offender will spend only a few days to a few months--others will spend an entire year within the county system, under the jurisdiction of the county correctional system, and because of this it may prove necessary to construct different processes, means, and regulations to accommodate those offenders with short sentences as opposed to those that face relatively longer periods of incarceration.

There are numerous alternatives to be chosen from when determining the selection process for a county work release program, but despite

Lincoln, Nebraska," pp. 1-2; Missouri Division of Corrections Department of Social Services, "Community Release Programs," Jefferson City, 1975, p. 2. (Mimeographed;) State of Maryland Department of Public Safety and Correctional Services, "Selection of Work Release," Baltimore, 1974, p. 1. (Mimeographed;) State of Delaware Division of Adult Corrections, "Criteria and Procedure for State-Wide Work Education Release," Wilmington, 1974, p. 1. (Mimeographed.)

this variety it appears that some basic ingredients must be present if an efficient, fair, and successful selection process is to be established. To begin, because of the necessity to intelligently expand public funds, it would be wise of a county correctional system to develop an offender classification committee which is capable of making determination for offenders' placement into all county correctional programs. (Because of the specificity of this paper, attention will be placed on the selection of work release participants).

The classification committee should be an egalitarian entity responsible only to the director of the county correctional system. Each member of this committee should be a specialist in his own area, of the highest competence and a majority decision should stipulate the course of action to be taken. Through this method of selection an offender will be less likely to be discriminated against and the best possible decision making process will be afforded. In addition to this overall makeup, it is suggested that the head of each correctional program, in this case the work release director, be allowed to provide any input he deems necessary to the classification committee for their consideration, but he should not be granted voting privileges, for he is represented through the program specialist.

The selection committee, being the guiding source for all inmates, must consist of highly professional individuals from different yet complementing fields. Therefore, it is suggested that the committee consist of a psychologist, a sociologist, a program specialist, an educational specialist and the assistant director of the county correctional system (who will act as chairman of the committee, and retain equal voting

privileges with other members). These individuals will also be responsible for developing testing procedures and evaluation criteria, which will be used to determine the best program for each offender. In addition, it is further suggested that this committee encourage and accept input from the offender himself, former employers, family, friends, ministers, and so forth in order that they may acquire as much information as possible on the offender before making their decision.²²

Work Release Orientation

This procedure, although an important part of the overall effectiveness of a work release program,²³ was mentioned rarely by state work release systems.²⁴ All offenders should be provided with an orientation program which will familiarize them with the purpose of work release, the rules and regulations, their responsibilities and the responsibility of the work release program.²⁵ By providing the offender with this information

²²State of Georgia Department of Corrections/Offender Rehabilitation, "Criteria for Work, Education, and Drug Release Programs," Atlanta, 1975. (Mimeographed.)

²³State of West Virginia Division of Correction, "State of West Virginia: Commissioner of Public Institutions Annual Report July 1, 1973 to June 30, 1974," Charleston, p. 64. (Mimeographed.)

²⁴Of all the states studied, only three mentioned the use of any type of orientation program. Consult State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 13; South Carolina Department of Corrections, "Annual Report 1972-73," p. 15; State of West Virginia Division of Correction, "State of West Virginia: Commissioner of Public Institutions" Annual Report July 1, 1973 to June 30, 1974," p. 64.

²⁵For a rather impressive listing of subjects to be covered in an orientation program consult Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, pp. 189-191.

they will know exactly what is expected of them and exactly what consequences they will meet if they violate the work release regulations. In addition, this type of program is useful in determining the type of employment the offender wishes to perform, and may assist, to some extent, in finding employment for the offender. Also, through this type of program, preliminary steps are taken in the reintegration process, which provides the offender with the basic essentials necessary to complete the county work release program successfully.

Employment

Employment is the basic foundation for a work release program, and unless it is administered correctly chances of failure for an offender are an almost certainty. Meaningful employment and an adequate income are among the most important determinants in reducing recidivism.²⁶ Thus rewarding employment is the key to a successful county work release program; in fact, employment should serve as the bridgehead upon which the offender begins to plan his future in the community, and from which he proceeds to assume that place.²⁷ In other words, employment should serve or have relevance to the future and the present for the offender,

²⁶U.S., Congress, Senate, Committee on the District of Columbia, Court Reform Act Impact on Correctional System, Hearings before the subcommittee on Business, Commerce, and Judiciary on Impact of the Court Reform and Criminal Procedure Act of 1970 on the Correctional Institutions of the District of Columbia, 92d Cong., 1st sess., 1971, pp.29-30; Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, p. 71.

²⁷State of Connecticut Department of Corrections. "Community Release Programs: Guidelines," Hartford, n.d., p. 1. (Mimeographed.)

it should not serve merely as a justification for periodic release from custody.²⁸ Through proper planning work release will provide the opportunity for an offender to assume responsibility for his personal obligations, develop self-respect, and allow the offender to retain and improve his work skills.²⁹ In addition, constructive and challenging work will improve an offender's mental, physical, and emotional well being.³⁰ Therefore, considerable thought and planning must be incorporated when developing or redesigning a work release program.

Employer-Employee Responsibility

Work release programs at the county level must make a determination as to the type of employment which will be considered appropriate for work release clients. It is suggested that no general restrictions per se be imposed upon the work release system.³¹ Instead, it is advised

²⁸State of Connecticut Department of Corrections. "Community Release Programs: Guidelines," Hartford, n.d., p. 1. (Mimeographed.)

²⁹Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, p. 76.

³⁰The National Sheriff's Association, Manual on Jail Administration (Washington, D.C.: The National Sheriff's Association, Inc., 1970), p. 200.

³¹Numerous states apply this criteria to their work release programs, consult State of Alabama Board of Corrections, Work Release; State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program," ch. 3; Louisiana Department of Corrections, "Louisiana Department of Institution: Work Release Fact Sheet," p. 2; State of Nevada Department of Parole and Probation, "Policy for Work Release Program," p. 3. Although, no general restrictions should be placed upon the type of employment that a work release client might accept, except the previously mentioned guidelines, it has been discovered that certain types of employment have a greater tendency to be harmful, or at least not productive, or in line with the proposed intentions of a work release program. For further discussion consult State of Connecticut Department of Corrections, "Community Release Programs: Guidelines," pp. 2-3.

that acceptable employment be limited according to the following requirements: one, the proposed job requires a level of knowledge and skill commensurate with that possessed by the offender; two, there is a relationship between the offender's experience, training, interests, and occupational goals; and three, there is the possibility of continuance after completion of the work release program.³² Although, these three prerequisites are suggested as the major criteria for acceptable employment, there are adjunct requirements, that must be present before verification of any employment is provided. For example, it is the responsibility of the work release administration to contact potential employers and verify that minimum wages will be paid, that the offender is compensated equally with other workers in the same class, that acceptable working standards are available and that safety laws are being met, that offenders are not being hired as strike breakers, and that work release participants will be treated fairly.³³ The purpose of these employer checks is to be certain that offenders are neither taken advantage of nor accept employment merely as a means to leave the institution.³⁴

³²Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, p. 71; Connecticut Department of Corrections, "Community Release Programs: Guidelines," p. 2.

³³For further discussion on the adjunct criteria to be investigated by the work release administration, consult State of California--Health and Welfare Agency: Department of Corrections, Work Furlough Manual (n.p., n.d.), Ch v. p. 2. Jones, "A Functional Analysis of the State of Colorado's Work Release Program," p. 1; State of Connecticut Department of Correction, "Administrative Directives," p. 1; State of Maryland Department of Public Safety and Correctional Services, "Placement of Applicant on Work Release," Baltimore, 1974, p. 1. (Mimeographed); State of Nevada Department of Parole and Probation, "Policy of Work Release Program," p. 3; Texas Department of Corrections, "Work Release Program," p. 4.

³⁴Even though it is being suggested that the work release administration holds sole responsibility for verifying the acceptability of a

The employee, or work release client, must assume full responsibility for his actions in the employment process. This means that before the final agreement or contract is agreed to between himself, his employer, and the work release administration, he should be required to submit a proposed work release plan. This plan should include, but not be limited to, such things as the manner in which he will go to and from his employment, the method in which his earnings will be dispersed, his hours of employment, his availability for overtime, and the amount of funds that he will need annually for his support.³⁵ With this, all concerned parties will be aware of what the work release client has agreed to and thus responsibility has been affixed and the seed of a successful program planted.

Not to be forgotten is the additional responsibility of the work release client to perform his duties as an employee to the utmost of his ability. It is also his responsibility to abide by company regulations and guidelines. In other words, he must assume all responsibilities

proposed employer, this should not be taken to mean that they have sole responsibility for obtaining employment for the work release client. The client, as in the Colorado State work release program, should have or assume as much of the responsibility for finding his own job as possible. Naturally, the work release program can provide possibilities, but the potential employee must obtain the job on his own merit. By obtaining their own employment, offenders are more likely to obtain at least some degree of self-worth and feel more responsible for their actions. They are taking the first steps in assuming responsibility.

³⁵ The implementation of such a contract or work release plan would be quite easy for any work release system. In fact, a standardized form could be developed which would provide the data needed by the work release program and a designated staff member could moderate and assist in the drawing up of such plans so that they would comply with work release guidelines.

that he would if he were not under the jurisdiction of the department of corrections,³⁶ for this is the intent of a work release program.

Before leaving the topic of employer and employee responsibilities, one last comment needs to be made. That comment concerns itself with the responsibility of the work release county to hire, at a fair wage, a reasonable number of work release clients, as well as offenders that have completed their term, within different departments of the county. It seems quite strange that many state and local governments will not hire persons that have resided in their correctional institutions, yet they will insist that private firms hire, and even condemn them if they do not hire, work release participants and ex-offenders.³⁷ All counties, especially those with work release programs should allow for the employment of work release participants and ex-offenders. But, job requirements

³⁶ Full responsibility for the actions of the work release client rests squarely upon his shoulders. But, this is not to say that professional assistance and guidance should not be made available to the offender. In fact, this assistance is essential if the offender is to overcome the problems which caused his imprisonment.

³⁷ U.S., Congress, Senate, Committee on the Judiciary, Priorities for Correctional Reform, Hearings before the subcommittee on National Penitentiaries. 92d Cong., 1st sess., 1971, p. 114. According to evidence presented at this hearing about forty states have statutory or administrative restrictions against the hiring of probationers or parolees by state agencies, approximately thirty-three have prohibitions against the employment of ex-offenders that are completely free from supervision. Finally, it was found that of 422 local probation and parole agencies studied, seventy-two percent would not hire a person with a felony record. Instead of following this poor example county agencies should follow the example of states like New Jersey and Connecticut which allow the employment of offenders. Consult State of Connecticut Department of Correction, "Work and Education Release," p. 3; State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 8.

must not be lowered by county agencies in order to hire these individuals; infact, offenders wanting government employment must take the initiative to enlist in training programs, if necessary, to meet required standards. But, these requirements must not be used simply as a legitimate means to reject work release participants or ex-offenders.

Work Release Earnings

As a result of the fact that clients having work release status are engaged in remunerative employment, it becomes necessary for the work release administration to form some type of policy concerning the manner in which offender earnings are to be managed. The county work release program may choose to have the employer send offender earnings, minus deductions, directly to the Department of Corrections. Upon receipt of offender's earnings the Department will make the prearranged disbursements of funds, including an allowance to the offender, while the remaining portion of money is placed in a non-interest bearing savings account.³⁸

Another alternative would be for the offender to receive his earnings personally, and then surrender his salary to the department of corrections, where deductions are made, debts are paid, and savings are incurred.³⁹

³⁸ Numerous state work release programs implement this policy. Consult State of Alabama Board of Corrections, Work Release; State of Michigan Department of Corrections, "Work-Pass Program," Lansing, 1971. (Mimeographed;) State of Nebraska Department of Corrections, "Nebraska Penal and Correctional Complex Work Release Program: Offender Orientation for Men," Lincoln, n.d., p. 4. (Mimeographed;) State of Nevada Department of Parole and Probation, "Policy for Work Release Program," p. 4.

³⁹ There are also a considerable number of states that utilize this approach to managing inmate funds. Consult State of Connecticut Department of Correction, "Administrative Directives," p. 6; State of Florida

Or, finally, the work release program could be designed to provide realistic management for the offender by permitting qualified residents to open a savings account at a local bank where they personally are responsible for paying their own debts, obligations, and accruing savings.⁴⁰

The ideal method of managing offender income would be for the offender to be totally responsible, as they would be in the free community. But, often offenders are not sufficiently trained in the art of saving or paying debts; therefore, it will be necessary to teach and assist a number of offenders in how to manage their money before they are given free reign. Accomplishment of this task may be greatly aided by the assistance of community resources. Thus, for most county work release programs the use and implementation of all three types of money management plans would serve their purpose. Offenders could begin at whatever stage they could successfully handle and progress as their abilities improved.

Department of Health and Rehabilitative Services," Florida Division of Corrections." Tallahassee, 1974, p. 5. (Mimeographed;) State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program"; Saur and Dailey, "The Work Release Program: A Resident Orientation Guide," p. 5; State of Maine Department of Mental Health and Corrections, "Community Rehabilitative Program Policy and Guidance," Augusta, n.d., p. 4. (Mimeographed;) State of Maryland Department of Public Safety and Correctional Services, "Disposition Work Release Earnings," Baltimore, 1974, p. 1. (Mimeographed.)

⁴⁰ Of all states studied Hawaii was the only state that allowed for work release participants to personally handle all their personal funds and have an account at a local bank. It might be added that "all" work release participants are required to care for their own money and pay their legal debts. Consult State of Hawaii Department of Social Service and Housing Corrections Division, "Correctional Services Laumaka Conditional Release Center," p. 2. It should also be mentioned that the State of North Carolina after all required deductions and disbursements are made from the work release's earnings and upon the offenders written request, allows the transfer of offender savings into a local bank. Consult State of North Carolina Department of Corrections, "North Carolina's Work Release Program," Raleigh, 1973, p. 2. (Mimeographed.)

Earnings Disbursements

Little question seems to exist as to the proper disbursement of offender earnings among state work release programs. General agreement has been reached in that work release clients are responsible for payment of legal debts, support of dependents, court costs, their room and board, their transportation, taxes, clothing, and all other expenses that they would be responsible for as a free citizen.⁴¹ And, the author finds no fault with this policy, but some informative comments are in order. For example, although all state work release programs studied required compensation for lodging (most states supply room and board while others supply only room and require clients to make arrangements for their commissariat) varying degrees of payment are required.⁴² In addition, it is also a fact that offenders' wages and amount of financial responsibility varies. Thus, care must be given in the establishment of fees for clients, they must not be so high that they unduely restrict offenders from the program, nor so low that they are unrealistic.

⁴¹For continued discussion on this point consult such references as Correspondence with Francis J. Herron, Department of Health and Social Services Division of Adult Corrections, Wilmington, Delaware; 14 March 1975; Idaho State Board of Correction, "Idaho State Board of Correction: Success in the Work/Study Release Program"; State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program"; Louisiana Department of Corrections, "Louisiana Department of Institutions: Work Release Fact Sheet," p. 3; State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 18; State of Wisconsin Health and Social Services Division of Corrections, "Work Release".

⁴²The State of Michigan charges \$1.50 per day while states such as Iowa charge \$5.00 per day, Nevada determines maintenance cost on a sliding scale according to the offender's income, and Missouri requires that offenders pay fifty percent of the state's cost.

Another point upon which a considerable amount of disparity exists concerns the provision of initial clothing for the work release client. Many states simply provide the new work release client with clothing, and require that he provide subsequent apparel.⁴³ Other jurisdictions oppose this method or procedure and insist upon the offender taking full responsibility for his care at the outset.⁴⁴ Finally, some state work release programs require that clients purchase their initial clothing, but provide loans to indigent offenders, which must be repaid as quickly as possible.⁴⁵

Since the need for a realistic atmosphere for a county work release program is necessary and since any one of the above methods could be

⁴³Moyer et. al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, section C p. 8.7F; suggest that this method be utilized and numerous states follow this practice. Consult State of Maine Department of Mental Health and Corrections, "Community Rehabilitative Program Policy and Guidance," p. 5; State of Michigan Department of Corrections, "Policy Directive: Work/Study-Pass Program," p. 3; Missouri Division of Corrections Department of Social Services, "Community Release Programs," p. 2; State of Nevada Department of Parole and Probation, "Policy for Work Release Program," p. 3; South Carolina Department of Corrections, "Annual Report 1972-73," p. 17; the State of California provides each new client with \$200, \$100 of which may be used for the purchase of clothing. Consult State of California-Health and Welfare Agency: Department of Corrections, Pre-Release Manual (n.p., n.d.), ch. V p. 07.

⁴⁴State of Nebraska Department of Corrections, "Nebraska Penal and Correctional Complex Work Release Program: Offender Orientation for men".

⁴⁵State of Connecticut Department of Correction, "Administrative Directives," pp. 7-8; State of Florida Department of Health and Rehabilitative Services, "Florida Division of Corrections," p. 5; Louisiana Department of Corrections, "Louisiana Department of Institutions: Work Release Fact Sheet," p. 4; State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 10.

considered realistic, little aid or assistance is provided to the administrator making his selection. But, due to the fact that many work release candidates are indigent, especially at the county level, it would appear more in line with the Community-based correctional philosophy to allow indigent offenders loans for the purchase of their initial needs before beginning the work release program.⁴⁶

The importance of transportation is in the fact that it can contribute heavily to program failure,⁴⁷ not necessarily whether the state or the offender is economically responsible--the work release client should be responsible for his own transportation when possible.⁴⁸ Naturally, there are many means of conveyance which might be drawn upon by the work release participant: public transportation, car pools, program shuttle, privately owned vehicles, family members, and so forth. But, numerous

⁴⁶ Again a warning must be emphasized. No work release program should become overly concerned with economics, therefore, if circumstances are such that a work release program would benefit an offender, but the repayment of a loan would be an undue hardship, then supplying the initial clothing, tools, and so forth at no cost to the offender would not be out of order.

⁴⁷ Mark S. Richmond and George W. Aderhold, eds., New Roles for Jails: Guidelines for Planning (Washington, D.C.: U.S. Bureau of Prisons Department of Justice, 1969), p. 21.

⁴⁸ Generally states require offenders on work release to pay for their transportation costs, consult State of Michigan Department of Corrections, "Policy Directive: Work/Study-Pass Program," p. 3. States like Indiana do not provide regular transportation service to clients, but clients are allowed to ride in program vehicles, at no cost to them, when the vehicle is making a routine trip to the vicinity of his employment. Consult State of Indiana Department of Correction, "Rules and Regulations for the Indiana Department of Correction Work Release Program," ch 9. Finally, the state work release program of Nebraska for example, (the Douglas County work release program provides transportation in the same manner as the state work release program of Indiana) does not charge clients for the program shuttle. Consult Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," p. 9.

work release programs shy away from methods of transportation aside from that supplied by the work release center itself.⁴⁹ And, special concern seems to be centered on the privately owned vehicle, because of the temptation and ease of travel it provides.⁵⁰ Eventhough, the work release administration has the responsibility of maintaining a degree of security which will afford protection for society; they must be able to temper this security with their intended correction. Thus, arrangements should be made which would allow an inmate to be transported to and from work in a manner which he is capable of coping with. This will mean that as the offender progresses in the program his means of transportation might or should progress also.

The final topic to be discussed, only briefly, is that of fiscal accounting. Although, numerous offenders should be capable of having their own bank account, it is still essential for the work release

⁴⁹ The major reason for work release programs providing transportation for their clients, whether offenders are required to pay for their transportation or not, is not to provide a service, nor to make employment more accessible, but for security reasons. It is believed that by taking an offender to work he is less likely to produce or commit acts which will embarrass the work release program. Although this may be true to an extent these programs fail to realize that unescorted travel presents releasees with many occasions to make decisions which test their capacity to act in a responsible manner. It requires them to practice self-control and helps work release personnel evaluate the offenders readiness to accept more responsibility. All of which augments and complements the intent of a work release program. Consult State of Connecticut Department of Corrections, "Community Release Programs: Guidelines," p. 8.

⁵⁰ States such as Iowa were concerned greatly about allowing offenders to drive their own vehicles, but since the implementation of the rule allowing clients to have their personal vehicles no problems have arisen to date. Refer to State of Iowa Bureau of Adult Corrections Services, A Comprehensive Report on the Work Release Program from July 1, 1969 to June 30, 1970, p. 8.

administration to acquire and compute monetary data on these clients as well as those which must submit their earnings to the Department of Corrections for care. This information will not only demonstrate the economical advantages of a work release program,⁵¹ but it will allow the work release staff and other appropriate sources, the opportunity to provide assistance and training in financial matters to work release clients. Finally, this information, when properly accumulated, can provide the offender with data as to exactly where his money has gone and is going, and thus assist him in budgeting his funds and assure him that his earnings are being spent in the correct manner.

Furloughs

The term furlough as being used in this context must not be thought of as a synonym for work release. Furlough may be defined here as a temporary release from the confines of the work release center, for any period of time, for the purpose of participating in approved activities. Thus, furloughs may be granted to work release clients so that they may spend time with their families, at home, and thus strengthen family ties.

⁵¹For those readers interested in the financial advantages of a work release program to both the work release participants and the tax payer, consult State of New Jersey Department of Institutions and Agencies, "Annual Report Calendar Year 1973: County Work Release Program," p. 5; Nebraska Penal and Correctional Complex, "State of Nebraska Work Release Program," pp. 12, 21; State of Delaware Division of Adult Corrections, "Delaware Agency to Reduce Crime Subgrant Application: State Work Education Release Program," Wilmington, 1975. (Mimeographed;) Idaho State Board of Correction, "Idaho State Board of Correction: Success in the Work/Study Release Program"; State of Indiana Department of Correction, Work Release; Tennessee Department of Correction, "Rehabilitative Services (Work Release)," Nashville, 1974. (Mimeographed;) State of Wisconsin Health and Social Services Division of Corrections, "Huber Law Survey 1972," Madison, 1973, pp. 7-9, 11-12. (Mimeographed.)

Offenders may also be granted furloughs so that they may visit responsible individuals that may provide a positive influence during the work release program period. In addition, furloughs may be granted to offenders interested in participating in community activities which would provide a needed experience for the work release participant. And, finally, holiday furloughs may be allowed so that offenders could be with their loved ones on special occasions.

Now that it has become clear just what a furlough program is, and what it can be used for, it may prove helpful to understand what purpose it serves. To begin, by being furloughed into the community offenders will be required to accept their responsibilities, obligations, and rights of citizenship. A furlough program will provide administrative staff with relevant and factual information of the offenders' behavior, which will assist greatly in effective decision making. This type of program will reduce the offenders' isolation from the community and thereby reduce the tensions encountered by offenders who return to their community; and a furlough program can also reduce the dependence caused by institutionalization.⁵²

Today, furloughs are becoming common,⁵³ especially among state work release programs. Although, different work release programs

⁵²State of Arizona Department of Corrections, Arizona Department of Corrections: Internal Management Policy and Procedure Manual (Arizona: n.p., 1974), p. 1.

⁵³U.S., Congress, Senate, Committee on the Judiciary, Residential Community Treatment Centers, Hearings before the subcommittee on National Penitentiaries, 91st Cong, 2d sess., 1970, P.55.

establish different procedures and regulations,⁵⁴ success with the program is exceptional.⁵⁵ Naturally, a county furlough program would be somewhat different from a state program, but the advantages incurred through this type of program would be similiar. State furlough programs, as a result of the expected average stay of clients, have the ability to establish rather lengthy periods, for the purpose of evaluating offender behavior, before allowing the work release client to become eligible for their furlough program. But, a county furlough program, for optimum results, does not have the benefit of time to perform extensive studies on offenders. Therefore, it is imperative that well established and properly performed admittance criteria be established. With this, it will be possible to allow clients to be eligible for the furlough program shortly after becoming an active participant of work release. This will result, if properly conducted, in a far more sucessful work release system for the county.

⁵⁴In order to determine the policies and procedures of some states concerning furlough programs, consult Office of External Correctional Services, State of Alabama Board of Corrections: Rules, Regulations, and Information for Work Release Residents (n.p., 1974), p.7; South Carolina Department of Corrections, "Annual Report 1972-73," p.9; p.6; State of Arizona Department of Corrections, Arizona Department of Corrections: Internal Management Policy and Procedure Manual, pp.2-3; State of Hawaii Department of Social Services and Housing Corrections Division, "Correctional Services Laumaka Conditional Release Center," p.2.

⁵⁵States such as Massachusetts and South Carolina report extremely successful furlough programs. See Public Education and Information, "Correctional Reform and Community Programs, Why?"; South Carolina Department of Corrections, "Annual Report 1972-73," p.7.

Recreation

For years it has been recognized that a well-rounded and organized recreational program is corrective, preventive, and assists in controlling aggressive tendencies of offenders.⁵⁶ All individuals housed in a correctional facility require not only physical exercise, but the opportunity to partake in more relaxing and educational activities such as reading, chess, and so forth.⁵⁷ These programs will assist in normalizing the correctional environment and thus further aid in neutralizing the dissocializational aspects of the correctional setting.

All county work release programs should utilize recreational activities to not only ease the administrative problems of a work release center, but as a method to help reintegrate the offender. And, any work release program that does not, especially at the county level, effectively incorporate a recreational program is failing in its responsibility to society. Often recreation is given last consideration and thus exists in name only. It is believed, by many, that by providing that by providing recreation society is coddling offenders. But, if by providing this program a greater percentage of offenders will emerge from work release as law abiding citizens then society is not coddling prisoners, but protecting itself.

⁵⁶Oklahoma Department of Corrections, "Community Treatment Centers," Oklahoma City, n.d. (Mimeographed.)

⁵⁷To distinguish the types of recreational activities provided by some state work release programs refer to State of Connecticut Department of Corrections, "Community Release Programs: Guidelines," p. 11; South Carolina Department of Corrections, "Annual Report 1972-73," p. 18; Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," p. 5; for further suggestions on the type of recreational possibilities see Moyer et. al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, section C p. 8.15F.

Diminution of Term

It is common practice for state correctional institutions to permit offenders to "earn", or subtract, time from their original sentence by demonstrating proper behavior.⁵⁸ But, numerous county correctional agencies, like the Douglas County Department of Corrections, have legal restrictions which forbid granting good time to any individuals under their jurisdiction. These archaic attitudes must come to rest in county settings if progress is to be made in the field of corrections. It is imperative that county departments of corrections implement and properly administer a good time regulation if maximum results are to be achieved by their work release programs.

Personnel

There is probably no correctional agency more in need of a highly qualified staff and extremely competent administration than a county correctional system, because of the type of offenders they encounter and the short period of time in which they have to influence the lives of those within their system. Yet, there is virtually no level of government less willing to spend tax dollars on corrections, nor any governmental entity so entrenched in traditional values than a county government. Therefore, extensive efforts are necessary to those individuals interested, both correctional personnel and private citizens, in modern techniques of corrections to influence the county governmental structure to establish

⁵⁸State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 21; this publication exemplifies a rather well administered program which may interest the reader.

and maintain a correctional department which will actually achieve its goals and objectives. This will mean that nepotism at the county level, as least where corrections is concerned, must be abolished, and efforts must be made to attract the type of personnel that can effectively manage a community-based correctional system. It must be remembered that the entire correctional system is dependent upon the competence of its personnel.⁵⁹

Discipline, Revocation, and Appeal

Disciplinary action in a correctional setting is unfortunately a necessary reality. But, in order that discipline provide or achieve its intended purpose, to stimulate proper behavior, it must be fair, reasonable, and justifiable. In other words, work release clients must be treated equally, the punishment must not be physical nor overly zealous, nor should punishment⁶⁰ be metted out without just reason.

In order that the above qualifications be met, it is necessary for the work release program, preferable during the orientation period, to provide clients with the rules and regulations, and the types of disciplinary action which will be taken for violation of these rules and regulations. In addition, in the development of disciplinary procedures it must be kept in mind that they are to be severe enough to discourage violations, but moderate enough not to instill hostility in

⁵⁹Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, pp. 19, 44.

⁶⁰Punishment as used in this context does not mean punishment merely for the sake of punishing, but punishment for and with a purpose.

the offender.⁶¹ And, finally, in order for disciplinary action to be justifiable the offender must be afforded every opportunity to demonstrate his innocence and/or mitigating circumstances.

The removal of any participant from the work release program should be the most severe penalty imposed by the work release administration, and for this reason some discussion is necessary. It should be realized that removal of a work release client may be for other than disciplinary causes: (1) offenders may request that they be taken off work release programs, (2) offenders may be taken off work release because of their inability to find employment, or (3) because of a determination that another type of program would better serve their needs. Naturally, removal from a work release program for any of the above reasons should not affect the offenders status in any other way.⁶²

The subject of forced removal from the work release program, for disciplinary reasons, is an important topic and must be treated as such. To begin, removal of an offender should be limited to more serious offenses, not necessarily only violent offenses, but offenses which could harm the individual, the program and/or society. Two important factors play a major role after a serious act subject to revocation has been committed. That is, who dismisses the offender and when? Numerous states

⁶¹For suggested disciplinary action consult Mark S. Richmond, ed., Prisoner Management and Control (Washington, D.C.: U.S. Bureau of Prisons Department of Justice, 1969), p. 14; Saur and Dailey, "The Work Release Program: A Resident Orientation Guide," pp. 7-8.

⁶²State of California-Health and Welfare Agency: Department of Corrections, Pre-Release Manual, Ch v p. 10; State of Main Department of Mental Health and Corrections, "Community Rehabilitative Program Policy and Guidance," p. 5; Texas Department of Corrections, "Work Release Program," pp. 1-2.

have chosen one method or another to solve the matter of who dismisses the offender, but the most acceptable methods would be to have a higher authority (higher than the work release director), within the correctional agency make this determination, or to have the courts relinquish or remove the offender.⁶³

The problem of when to dismiss the offender can become a rather complicated matter if not decided upon before an incident occurs. The most acceptable procedure for a work release program to follow is to immediately withdraw the offender from the work release facility and place him in a more secure institution until final disposition may be made, if the offender has physical tendencies or has committed a serious crime. On the other hand, if the offender has broken a rule or regulation but presents no danger to himself or the public, then he should remain in his present status until the deciding authority has reached a decision.⁶⁴

The right of an offender to appeal any staff action or decision which affects his status or welfare is an essential ingredient in making discipline fair, reasonable, and justifiable;⁶⁵ in fact, without the right to appeal a decision which effects the offenders welfare or status,

⁶³For further information on these methods of revocation refer to State of New Jersey Department of Institutions and Agencies, "Department of Institutions and Agencies Regulations for County Work Release Programs," p. 22; Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," pp. 3-4.

⁶⁴The State of California Work Release Program follows these standards, see State of California-Health and Welfare Agency: Department of Corrections, Work Furlough Manual (n.p., n.d.), ch v p. 01. It is also suggested that the clients that violate the law should be prosecuted as would any other individual. See State of California-Health and Welfare Agency: Department of Corrections, Pre-Release Manual, ch v p. 11.

⁶⁵The State of Nebraska Work Release Program has implemented a rather well designed appeal process. See Charles, "Nebraska State Work Release Program: Lincoln, Nebraska," pp. 3-4.

little positive results will be obtained; in fact, negative results may occur. Therefore, each county correctional system must provide an appeal process which allows the offender to verbalize his version of the incident and have impartial parties decide on his fate.

In conjunction with the actual hearing that is provided the offender, other precautionary measures should be taken. For example, it would be wise if an impartial correctional staff member to investigate the incident after it had been reported to determine if a hearing is necessary, or if other acceptable arrangements would suffice. In addition witnesses to the incident could be identified and questioned and if necessary requested to attend the hearing, these witnesses could be requested to appear at the hearing by staff members or the offender himself, in order that they might give their version of the incident.

This procedure will require time and money, but our present judicial system requires time and money, yet society feels that justice is far more important than either money or time. Therefore, why not make the correctional system as just and fair as the courts are intended to be. Only by doing this will society protect itself and the correctional clients.

The Work Release Center

This segment of the chapter should be premiced with the statement that a work release program, being one of the most useful community programs, should be established regardless of space limitations.⁶⁶ But, it must be remembered that nothing affects the nature of a work release

⁶⁶The National Sheriffs Association, Manual on Jail Administration, p. 212.

program more fundamentally that the physical features and location of the work release facility.⁶⁷ Therefore, most workhouses, stockades, local jails, lockups, prisons, and penitentiaries are ill-suited for a work release program, because of the fact that they were designed and constructed to isolate and control offenders--because of their location, furnishings, and architecture it is extremely difficult to establish an efficient work release program.⁶⁸ It is therefore suggested that work release facilities would be most effective if they were divorced from county jails and detention facilities. In fact, the most preferable location for a work release facility is in community-based centers within the community itself,⁶⁹ because of the accessibility of community tries,⁷⁰ and the fact that work release clients will not be subject to unnecessary rules, procedures, and physical features which prevade more traditional facilities.⁷¹

The selection of a community center, that is whether to build a new facility or to utilize existing community structures is dependent upon a

⁶⁷Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, p. 55.

⁶⁸Ibid.

⁶⁹Numerous types of community facilities may be used successfully as a work release center. Consult State of Washington Department of Social and Health Services, "Work and Training Release," Olympia, n.d. (Mimeographed.)

⁷⁰Moyer et. al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, section C p. 8.15F.

⁷¹Busher, Ordering Time to Serve Prisoners: A Manual for the Planning and Administration of Work Release, p. 56.

number of things. For example, the number of clients to be served; the method(s) of transportation; the type of clients to be served; the type and amount of counseling to be used, the quantity and type of community programs to be given at the center; recreational activities, such as reading rooms, recreational rooms and so forth; the type of security; and a myriad of other small, yet quite important details, must be decided upon before actual selection of a facility occurs, and definitely before the first offender is allowed in the program.

If careful planning proceeds a county work release system, then a rather successful program, which will be an asset to the department, will emerge.⁷² But, it takes time and expert planning to develop such a program; therefore, the necessary time and effort should be given so that the program will be an asset and not a detriment to the department of corrections and the community as a whole.

Evaluation Criteria

Without doubt, one of the most necessary, yet most neglected, areas within the correctional environment is information concerning the effectiveness of a county work release system. This information is urgently needed so that a work release program can build on past experience instead of having to repeatedly break ground.⁷³ Information concerning the effectiveness, fairness, and so forth of the county work release program is needed, so that necessary improvements in the program can be made, and so determination on the success or failure of the program is

⁷²For further discussion on a work release facility consult Moyer et. al., Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults, passim.

⁷³Ibid., section C p. 8.19F.

possible. Thus, so that interested parties might better understand the basic rudiments of evaluating an already existing program, the author has provided an analysis of the Douglas County work release program (see Appendix A). But, there is one major flaw in this analysis, that draw back lies in the fact that there is no documentation on the success of ex-work releast clients. Yet, despite this failing readers will be able to draw upon the existing evaluation catagories and apply them appropriately.

A final note must be made before closing; that is, ex-work release clients must be checked on and evaluated for a number of years after their completion of the program to better understand the effectiveness of the county's work release system. This in itself will pose numerous difficulties, but then so do offenders that are not corrected; therefore, it seems more logical to expend manpower and funds to improve a system rather than to expend manpower and funds to mask its mistakes.

CHAPTER V

CONCLUSION

It has become apparent throughout this reaserch document that the traditional concept to corrections is unworkable and in fact criminogenic in itself. One answer to this problem is the implementation of a community-based county correctional system. This type of correctional plan offers the best known solution to the high percentage of recidivism and the increasing crime rate in this county. And, one of the most successful community-based programs to achieve reintegration is a work release system.

Although many jurisdictions especially at the state level provide work release programs for their clientele, and eventhough each jurisdiction has some laudable aspects, improvement is needed in already existing programs and numerous areas of concern need to be studied by county correctional systems planning to implement a new work release system. It is extremely important that the correctional philosophy, objectives, and goals not only complement one another, but they must also be analogous to the philosophy, objectives, and goals of their work release program, otherwise an ineffective and inefficient work release program will result.

Every area of the work release program is important and must be developed in such a manner that it not only achieves its purpose, but does not negatively affect other segments of the work release system. Although, the importance of all segments of the work release program cannot be denied there are certain areas which are more prominent than others. For example, the rules and regulations criteria for eligibility, the

selection process, orientation, employment furloughs, and so forth must be given a considerable amount of thought before a work release system is begun, or when a revamping of an old system is necessary. Each of these areas must be developed so that they actually achieve their intended purpose. To establish rules and regulations that produce undue restrictions or hardships on offenders is not the objective of the rules and regulations. Their purpose is to provide an atmosphere which allows the offender to gain back his self-esteem and learn responsibility for his actions. If this is not being accomplished then the work release program is not achieving its intended purpose and thus must be changed. This holds true with every other aspect of the work release system and this is where evaluation techniques prove invaluable.

Any correctional agency which develops any type of program must evaluate it and be held accountable. If a work release program, or any other type of correctional program, is not functioning properly it must be either changed so that it does achieve its purpose, or be discontinued. This means that a highly competent and thorough correctional staff is essential, a staff which is not afraid to try new methods, yet responsible enough to research their intended plans and change or discontinue a program when necessary.

This monograph has presented many alternatives which must be considered by county correctional agencies before implementing their work release program, or revising their old one. It must be remembered that a county correctional agency may find that for one reason or another they are incapable of providing a work release system which they believe would best suit the needs of their clients and community. If this is discovered it will be necessary to decide whether an appropriate work

release program can be implemented or if it would be totally impossible to provide any type of viable work release system. If a reasonably well founded program can be established, do so, time and hard work on the part of staff members will provide the impetus to improve the system. But, if neither the correctional staff nor the public support the work release concept then it may be wiser to implement the work release program at a later date, after more preparation is made and support gained.

County correctional agencies, or any jurisdiction, that seriously reads and considers the information contained within this research paper will find it much easier to implement a truly viable work release program, and they will have far less problem with their system, because they will plan and evaluate each step thoroughly before proceeding to the next.

APPENDIX

APPENDIX A

DOUGLAS COUNTY WORK RELEASE PROGRAM

November 1, 1973 - September 24, 1974

Introduction

The type of analysis provided in this appendix would prove an asset to any County, State, or Federal work release program. With this essential information, which is not apparent until analysis is made, correctional administrators will be capable of making changes that will increase the effectiveness and potential of their program.

It will be noticed, that although the text of this monograph did not mention female work release programs, most information, if not all contained in this paper is applicable to a female program. Thus, this analysis included not only the male work release program of Douglas County, but female clients as well. In addition, the information contained within this appendix should not be considered the only necessary data to evaluate a work release program. In fact, only basic essential information is provided by this type of analysis. One of the best ways to determine how well your program operates is to ask its clientele--obtain feedback from those involved and consider their comments in light of other data obtained in order to make the most effective decision and to analyze the actual success of the program.

The following report was completed for the purpose of determining some of the characteristics which the present Work Release system of Douglas County has, and thus, form some conclusion and pose some questions

which should be dealt with in the near future by staff of the Douglas County Department of Corrections, if an equitable and viable alternative to incarceration is to be realized in the Douglas County Work Release program.

Although the following research study consists of a total population for the time period of November 1, 1973 through September 24, 1974, (this period of time was chosen by the author because of the fact that record keeping prior to this time period was sporadic, inaccurate and inconsistent), there is still the possibility of inadequate statistical data for two reasons:

1. Certain portions of the statistical information was only recently developed and implemented, and
2. As a result of the small Work Release staff (one part time Work Release Director) totally accurate information could not be kept.

With these problems in mind the author constructed his tables so that numbers of clients, where applicable, having said information could be easily seen and thus aid in developing hypotheses; thus, accurate statements and conclusions may be more realistically inferred from the available data.

After reviewing the raw data it became evident to the reader that a grand total of five Work Release clients, (present = male black - one; male white - one, male Mexican - one; past = male white - two) are walk aways and four recidivists (present = male white - four). These individuals have been considered in the statistical data because of the fact that they were in fact on Work Release and did partake in it for at least a short period of time; thus, it was felt by the author that exclusion of these individuals would bias the sample and thus possibly bias the results.

It should also be explained to the reader that the sample was divided into two distinct yet quite related parts; vis.: 'present', which designates those clients that were presently on the Work Release program September 24, 1974; and 'past', that is, those individuals that were on Work Release November 1, 1973, but had completed or were taken off Work Release prior to September 24, 1974. In addition, the four individuals that were recidivists, that is, those that had been on Work Release prior to their present stay were counted as two individuals, in that, they were counted as past and as present Work Release clients.

TABLE 1.

SEX

SEX	PRESENT	PAST
Male	23	66
Female	<u>0</u>	<u>3</u>
Grand Total 92* Clients		

*This figure includes 5 Walk Aways & 4 repeaters.

Within the Douglas County Jail system the present daily population average ranges from 170 to 190 inmates. (Prior to the R.O.R. 'release on recognizance' program, the Omaha Police Department's Street and Drunk Release Program, and the 10 percent Cash Bond Bail system, the daily average was between 300 to 370 inmates.) Although these figures include both pre-sentenced and sentenced individuals, the average sentenced population will range from eighty to 110 inmates.

Within the Douglas County Jail system approximately twenty-five to thirty inmates (trustees) are regularly allowed to work for both the city

and county in places like the police station, the county hospital, the county garage, and the civic auditorium for a daily wage of a package of cigarettes and a bottle of pop. For all practical purposes, such persons are work releasees. Thus, it becomes quite evident that the Work Release program, which has a present average population range of between twelve to twenty clients, is underutilized. Albeit, there are a number of reasons for this underutilization, the major difficulty lies in the fact that there is no Work Release staff except for a part time Director; thus, it becomes plainly apparent that the Douglas County Department of Corrections must not only enhance staff size, but implement policies that will accommodate all those sentenced Douglas County misdemeanants that are eligible for a Work Release program.

TABLE 2.

RACE REPRESENTATION

RACE	SEX	PRESENT	PAST	TOTAL	PERCENT OF RACE REPRESENTATION
B	F	0	0	0	0%
B	M	5	19	24	26%
W	F	0	3	3	.03%
W	M	14	46	60	65%
Indian	F	0	0	0	0%
Indian	M	1	1	2	.02%
Mexican	F	0	0	0	0%
Mexican	M	<u>3</u>	<u>0</u>	<u>3</u>	<u>.03%</u>
Grand Total		23*	65	92	

*Although the total number of inmates on Work Release is 23, this number includes three Walk Aways. Thus, in fact, there are 20 inmates on Work Release at the time of this survey.

According to a survey compiled by the Omaha-Douglas County Metropolitan Criminal Justice Center, which was published in June of 1973; 20 percent of the Douglas County inmate population is female while 80 percent of the inmate population consists of males. In addition, it was shown that 35 percent of the jail population are black, 7 percent Indian, and 2 percent Mexican, and 56 percent are represented by Whites.

Although, in fact, the statistics representative of 1972 and those of the 1973 - 1974 Work Release program are not completely comparable, they are comparable enough to demonstrate a number of things; viz.: one, considering the fact that the vast majority of inmates committed to Douglas County jail are misdemeanor offenders and the fact that the Douglas County jail in 1973 booked a total of 3,485 individuals, one is led to believe that there is an underutilization of the Work Release program. Two, it becomes evident that only white males are fairly represented within the Work Release program, with black females being least represented as well as female Mexicans, female Indians and female Whites respectively. From the statistical information one may also conclude that black males are more representative than either Mexican or Indian males; although none are represented in proportion of the total percent of their racial population within the institution. Hence, the question quite naturally comes to mind, why are all races except male whites, and why are all females regardless of race not represented fairly with the Douglas County Work Release program? And, what might the newly formed Douglas County Department of Corrections do to help alleviate this inequity?

Through preliminary research it was possible to demonstrate where eighty-eight clients either have worked or are presently working while on the Douglas County Work Release program. It should be kept in mind that

this figure includes not only five walk aways and four repeaters, (in three out of four instances repeaters are working at the same place of employment that they worked at while previously on the Work Release program) but it also includes one client, who is presently on Work Release and has two places of employment.

The research data plainly demonstrated the fact that the Clearview Work Release/medium security facility at 156th and Maple Streets is somewhat less than ideal in location*, not to mention other drawbacks which are not considered in this appendix.

According to the present study a Work Release facility for Douglas County should be located in or quite near downtown Omaha, which is in full agreement with federal guidelines stating that a community-based facility should be located more closely to areas of population so that reintegration or integration can be more natural and effective; thus, it appears that the Douglas County Work Release facility should be relocated for at least two reasons: 1) it is too far removed from community involvement, and 2) the distance is too great from the majority of jobs. It might be noted at this point that transportation problems can contribute heavily to program failure.

As presented in Table three, present white males tend to spend 39 percent more total number of days on Work Release than the second highest group which is black males; in addition, Mexican males spend 74 percent less time on Work Release than white males and 58 percent less time on Work Release than black males; and finally, Indian males spend 86 percent less time on Work Release than white males, 77 percent less time than

*Since the writing of this analysis the Douglas County Work Release Program has been relocated to a more ideal location within the city, and additional staff members have been added.

TABLE 3.

AMOUNT OF CLIENT TIME SPENT ON WORK RELEASE

SEX	RACE	PRESENT TOTAL NO. OF W. R. CLIENTS	PRESENT EXPECTED TOTAL NO. OF DAYS ON W. R.	EXPECTED PRESENT AVERAGE NO. OF DAYS ON W. R.	PAST TOTAL NO. OF W.R. CLIENTS	PAST TOTAL NO. OF DAYS "WORKED" WHILE ON W.R.	PAST AVERAGE NO. OF DAYS "WORKED" WHILE ON W.R.
F	W	0	0	0	3	91	30.33
M	W	14	2,246	160.42	46	1,590	34.56
F	INDIAN	0	0	0	0	0	0
M	INDIAN	1	22	22	1	10	10
F	B	0	0	0	0	0	0
M	B	5	488	97.6	19	673	35.42
F	MEXICAN	0	0	0	0	0	0
M	MEXICAN	3	124	41.33	0	0	0

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black males, and 47 percent less time on Work Release than male Mexicans. Again, it is painfully apparent that females in all groups are non-representative in the present Work Release population.

In contrast to the present Work Release client statistics, the past average number of days worked while on Work Release appears as follows. (Please take note of the difference between these two columns; the 'Present' column gives total expected days on Work Release, while the 'Past' column expresses only total days worked, which does not include vacation days, weekends, etc.). Black males spend an average of .024 more work days on Work Release than male whites, 14 percent more than white females and 71 percent more work days on Work Release than male Indians. White males spend a total of 12 percent more work days on Work Release than white females, and 71 percent more work days on Work Release than Indian males. Finally, it may be drawn from the statistical data that white females spend a total of 67 percent more work days on Work Release than male Indians. Again, it is demonstrated, except for a very few white females, that women as a whole have in the past been excluded from the Douglas County Work Release program.

Although these statistics are in themselves somewhat shocking, further analysis of this phenomenon is necessary. For example, because of the lack of accessibility of statistical information a background study of why women have been and are presently being discriminated against by the courts and corrections, by not being put on Work Release, is necessary. For example, are their crimes of such a serious magnitude that Work Release is inappropriate for them? Within the study, figures indicating the total number of females in each racial class must be represented as well as their percent of the total population, if meaningful

relationships are to develop. In addition, it would benefit the Douglas County Corrections system to know why there is such a discrepancy in the average length of time spent on Work Release between certain races.

TABLE 4.

CLIENT'S LAST RESIDENCE BEFORE INCARCERATION'

RESIDENCE	PRESENT TOTAL NUMBER	PAST TOTAL NUMBER
Omaha	22	67
Council Bluffs	0	2
Elkhorn	1	0

Although the Douglas County courts and jail system are initially in existence to serve the Douglas County area, and thus, Douglas County residence, there are a number of transient individuals that come in contact with our correctional system. Albeit, a number of jail inmates will not become Douglas County residents after their release, it becomes evident that those placed on Work Release are those that, after completion of their sentence, will most likely reside within Douglas County, most of which will reside within the immediate area of Omaha; thus, demonstrating the advantage to Douglas County residents, especially Omaha citizens, of reintegrating the offender back into society so that he or she will be a benefit to the community of which he or she resides as opposed to becoming a burden. And, if recidivism rates and walk away figures are accepted as valid criteria, the present Work Release system, even with its many drawbacks, has proven rather successful, only five walk aways and four recidivists, and with reorganization, proper facilities, and sound

administrative direction*, of which the Douglas County Department of Corrections wishes to implement, the Douglas County Work Release program will become a truly viable and successful sentencing alternative for a greater number of Douglas County inmates.

TABLE 5.

AGE

SEX	AVERAGE AGE OF PRESENT W.R. CLIENTS	TOTAL NO. OF PRESENT CLIENTS WITH AGE GIVEN	AVERAGE AGE OF PAST W. R. CLIENTS	TOTAL NO. OF PAST CLIENTS WITH AGE GIVEN
M	27.5	19	33.73	15
F	0	0	20	2

With respect to Table 5, it becomes apparent that the average age of male Work Release clients is dropping, which is to be expected because of not only the national trend toward younger clients, but the fact that the overall trend in Douglas County is in accord with this phenomenon. (There are too few females to make any hypothesis). This particular bit of information is of considerable importance because of the need to develop and redirect facility and community-based programs so that they may produce the most efficient and productive results. For example, the design of a program for forty to fifty year olds would be quite different from that of a program designed to aid twenty year olds. Hence, it appears necessary for Douglas County to make certain that all facility and community-based programs, not just Work Release, are designed in such a way that they will be able to and capable of changing with the "law of the situation."

*Since the writing of this analysis Douglas County has made extensive changes to improve their system.

The total number of present inmates represented which had a record of their net income was 70 percent of those on Work Release, while only 46 percent of the past Work Release clients had their net wage recorded; thus, although a larger percent of recorded net income would be of more aid, and the fact that each client had a different length of stay, one may still draw tentative conclusions and focus attention on questionable areas from the above statistics. For example, the group with the highest average wage in both the present and past groups was and is the black males; male whites claim second in both present and past catagories, while male Mexicans have sole position of third, and finally male Indians and women of all races again hold last position. There again, posing an interesting research problem.

TABLE 7.

FUNDS COLLECTED BY THE COUNTY FOR ROOM & BOARD

PERIOD OF RECORDING	TOTAL FUNDS COLLECTED FROM W.R. CLIENTS BY THE COUNTY	TOTAL NUMBER OF W.R. CLIENTS OF WHICH RECORDS OF FUNDS THEY PAID THE COUNTY ARE AVAILABLE
Present	\$3,750.00	16
Past	\$11,560.82	64
GRAND TOTAL:	\$15,310.82	80

The economic ramifications of the present Work Release program as expressed in Table 7 are quite evident. The \$15,310.82 which was collected by the county from Work Release clients for their room and board is 100 percent more than would have been collected from these same individuals provided they had been housed in or by traditional incarceration

TABLE 6.

NET INCOME OF WORK RELEASE CLIENTS WHILE THEY WERE/ARE ON WORK RELEASE

SEX	RACE	PRESENT CLIENTS NET INCOME WHILE ON W. R.	PRESENT NO. CLIENTS WITH INCOME STATED	AVERAGE INCOME FOR PRESENT W.R. CLIENTS	PAST CLIENTS NET INCOME WHILE ON W.R.	PAST NO. OF CLIENTS WITH INCOME STATED	AVERAGE INCOME FOR PAST W.R. CLIENTS
M	MEXICAN	\$454.24	3	\$151.41	0	0	0
F	MEXICAN	0	0	0	0	0	0
M	INDIAN	29.07	1	29.07	\$467.59	1	\$467.59
F	INDIAN	0	0	0	0	0	0
M	B	2,319.86	2	1,159.93	9,817.10	11	892.46
F	B	0	0	0	0	0	0
M	W	8,681.88	10	868.18	11,344.14	18	630.23
F	W	0	0	0	734.01	2	367.00

methods; thus, reducing the cost of reintegrating these offenders back into society as law abiding productive citizens. Another point of concern which is not depicted in Table seven but of which is evident in the survey data, is the fact that present inmates after paying the county from their net earnings, have a range of from \$35.10 to \$1,732.96 left for their savings, family care, and personal needs. Although this in fact is a rather large gap, one must keep in mind that length of stay and type of job have a considerable effect on these figures. To further demonstrate this range one has only to look at past figures, again in the initial data, which depicts the discrepancy from \$5.63 to \$2,656.70.

The reason for demonstrating this discrepancy is to point out the fact that in some instances little financial support is left for either the inmate himself or for his family, if he has one; thus, defeating from the Work Release goals, in that the client will not be capable of caring for himself or his family and thus not developing either responsibility or a feeling of self-worth which is an important aspect of Work Release philosophy. Thus, it appears that alternatives must be considered; viz.: (1) Do not give Work Release status to inmates unless they would be capable of making at least 'X' number of dollars (this may be discriminatory); (2) lower the cost of room and board from \$5.00 to \$1.00 - \$3.00, or suspend this obligation altogether; or, (3) charge in-according to their income, that is a graduated rental fee.

*Since the writing of this analysis the cost of room and board for Douglas County Work Release clients has been reduced to \$3.00 per working day.

TABLE 8.

TAXES & AMOUNT OF SOCIAL SECURITY PAID BY CLIENTS WHILE THEY WERE ON WORK RELEASE

PERIOD OF RECORDING	FEDERAL TAXES	NO. OF CLIENTS HAVING RECORDS OF FEDERAL TAXES PAID	STATE TAXES	NO. OF CLIENTS HAVING RECORDS OF STATE TAXES PAID	SOCIAL SECURITY	NO. OF CLIENTS HAVING RECORDS OF SOC. SEC. TAXES PAID	TOTAL TAXES PAID
Present	\$1,060.83	10	\$168.02	10	\$353.82	9	\$1,582.67
Past	<u>602.40</u>	<u>5</u>	<u>109.97</u>	<u>5</u>	<u>237.15</u>	<u>5</u>	<u>949.52</u>
Grand Total:	\$1,663.23	15	\$277.99	15	\$590.97	14	\$2,532.19

Although only fifteen clients out of a total of ninety-two had information within their records concerning the amount of taxes paid, the Grand Total is significant and suggests, because of the small sample, that a much larger sum has in fact been collected, which also lessens the cost of corrections to the public, and enhances the feelings of independence and self-respect within the client.

According to the research presented covering the present Douglas County Work Release program the following points have been made; viz.: First, only ninety-two clients from November 1, 1973 to September 24, 1974 have been given Work Release status which aids in demonstrating an underutilization of the Douglas County Work Release program potential, given the Douglas County jail situation. Second, the present Work Release system does not have or demonstrate adequate representation of either women, male Indians, male blacks or male Mexicans. Third, the present Work Release facility should be relocated for at least two reasons. a) it is physically too far removed from community involvement, and b) the distance from the Work Release facility to the majority of job locations is much greater than need be. Fourth, at present white males will spend the largest amount of time on Work Release with black males second, Mexican males third, male Indians fourth, and women of all races spending the least amount of time on Work Release. Fifth, in reference to past Work Release clients, black males spend a fraction more time on Work Release than all others, with white males second, white females coming in third, male Indians fourth, and male Mexicans, female Indians and female Mexicans respectively. Sixth, 96 percent of those inmates given Work Release status give as their last residence Omaha, which demonstrates the vested interest of Omaha in a successful Douglas County Work

Release program. Seventh, the age of male Work Release clients is decreasing, thus demonstrating to program developers the direction of which programs must be developed if they are to be as successful as anticipated. Eighth, the net income of both present and past black males is larger than any other group with white males claiming second in both categories. Ninth, Douglas County has collected in excess of \$15,310.82 from present and past Work Release clients, which lessens the cost of incarceration to the taxpayers. Finally, an excess of well over \$2,532.19 has been paid in federal, state, and social security taxes by present and past Work Release clients, again reducing the cost of corrections.

Hence, even though the Nebraska law which provides Douglas County legal authority to place inmates on Work Release came into effect back in 1969, the program has only been superficially implemented for a myriad of reasons, mostly because of a lack of staff*. But, no matter what the reasons were the direction of which the Douglas County Department of Corrections must take is plainly laid out. The implementation of viable sentencing alternative such as Work Release will not only aid and protect the community but it will also prove more advantageous to the adjudicated criminal.

*Numerous improvements in the Work Release system have made it a much better program for the Douglas County area.

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