

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Community Work Assignment Approval Process</b>	PAGE <u> 1 </u> OF <u> 5 </u> .  NUMBER: 53-CLS-03
RULE/CODE REFERENCE: A.R. 5120-9-34; 5120-3-07	SUPERSEDES: 53-CLS-03 dated 06/26/10
RELATED ACA STANDARDS:	EFFECTIVE DATE: January 2, 2013
	APPROVED:  

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to set forth the procedures to consider Level 1 inmates for work assignments off the grounds of a correctional institution.

**III. APPLICABILITY**

This policy applies to all Ohio Department of Rehabilitation and Correction staff who are involved with initiating, reviewing, and recommending inmate security level changes as well as those staff responsible for monitoring inmates who have job assignments that require them to be off the grounds of a correctional institution at certain times. This policy does not apply to inmates who are participating in the Department's Intensive Program Prisons (IPP).

**IV. DEFINITIONS**

**Community Work Assignment** - Any highly sensitive Level 1 inmate job assignment off the grounds of a correctional institution that permits entrance into the community under direct staff supervision.

**Double Perimeter Fence Housing (Main Compound)** – Housing units within the main compound of a prison facility that have a double perimeter fence for security purposes with specific housing areas that have been designated, within the main compound, for Level 1 inmates with non-discretionary overrides.

**Escape From Confinement** - The act of purposely breaking detention while either confined within a city, county, state or federal detention center or correctional facility, or while being legally detained by law enforcement personnel.

**High Notoriety Case** - Any inmate whose offense and/or pattern of previous behavior gives rise to concerns because of its sensational, notorious, or heinous nature. High notoriety may be evidenced by intense ongoing community, victim, and/or media interest

**Level 1** – The lowest security level in the classification system. Level 1 inmates may be housed at a correctional camp with a single perimeter fence or a double perimeter fence and may work outside of the fence under intermittent supervision. Inmates reduced to Level 1 via the classification process may have restrictions placed on their housing assignments and/or work assignments and locations. Inmates who are eligible for reduction to Level 1 shall have their status reviewed in accordance with Department Policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, to determine assignments.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to assign inmates of the appropriate custody and security level to community work assignments.

## VI. PROCEDURES

### A. Community Work Assignment Programs

1. Each inmate assigned to work off the grounds of a correctional institution must be approved for community work assignment pursuant to the guidelines set forth in this policy and in Administrative Rule 5120-9-34, Community Program Release Time, and Administrative Rule 5120-3-07, Special Labor.
2. Only those inmates classified to Security Level 1 may be considered for assignment to a community work assignment program off the grounds of the institution.

### B. Classification to Level 1

1. Institution staff involved in the review of inmates for reduction to Level 1 shall follow the procedures outlined in Department Policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, and the Security Classification Manual.
2. Institution staff involved in the review of inmates for reduction to Level 1 and placement in community work assignments or camp settings shall develop a documented screening process to ensure all outside workers are screened and approved prior to working outside of the perimeter fence. At a minimum, the local process shall require a detailed review of all available records and an interview between the staff person making the recommendation and the inmate. This interview should take place in a “committee setting.”
3. Pursuant to Department Policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, the following criteria eliminate an inmate from eligibility to a community work assignment program:
  - i. Sex offenders;
  - ii. Kidnapping or abduction offenders;
  - iii. High notoriety case offenders;
  - iv. Current conviction of aggravated murder or murder;

- v. Any felony for causing the death of a law enforcement officer or causing the death of another person while incarcerated;
- vi. Former death row or life without parole offenders;
- vii. Documented escape from confinement;
- viii. Level 2 security offenders serving an indefinite sentence for a felony 1 or felony 2 offense and has not had a statutory first hearing.

Inmates who are currently classified as Level 1 and were approved for a community work assignment and were living in a single fence facility prior to October 4, 2012 and have continuously remained in this community release and housing assignment shall be exempt from this section.

### **C. Community Work Assignment Approval Process**

Only those inmates recommended by the Managing Officer and approved by the appropriate Regional Director shall be permitted a community work assignment and subsequent assignment off the grounds of a correctional institution. In view of the sensitive nature and high visibility of these work assignments, special criteria for selection beyond the general security instruments and committee review are required. The following guidelines must be adhered to when considering an inmate for community work assignment approval:

1. Classification Committee
  - a. The Classification Committee as described in Department Policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, shall screen inmates for community work assignment consideration using the Application for Community Work Assignment Form/Special Labor Assignment (DRC2428).
  - b. Inmates considered for community work assignment generally must meet all applicable criteria for assignment to Level 1 status and the requirements of Administrative Rule 5120-9-34, Community Program Release Time, unless granted an exception by the Managing Officer and the Director/designee.
  - c. In addition to all other screening criteria, the Classification Committee shall examine the inmate's record office file and request a LEADS check to determine if the inmate has an outstanding felony detainer or warrant. Inmates who are found to have an outstanding detainer or warrant shall not be approved for community work assignment until the detainer or warrant is officially removed. The Classification Committee shall provide notice to the inmate of the detainer or warrant.
  - d. Exceptions to the criteria set forth in this policy and the related Administrative Rules may be considered for compelling reason(s) based on the recommendation of the Classification Committee, but must be approved by the Managing Officer and the Director/designee.

1. Managing Officer's Action

The Managing Officer/designee shall review each Application for Community Work Assignment/Special Labor Assignment (DRC2428). The Managing Officer's review shall include, at a minimum, the following:

- a. A review of the most recently completed Supervision Review Form (DRC2098/2094/2338) for male inmates and (DRC2605/2606/2607) for female inmates);
- b. A review of the Classification Committee Recommendations;
- c. A review of the details of the offense for any inmate who does not meet all of the criteria set forth in this policy or Administrative Rule 5120-9-34, Community Program Release Time; and
- d. A personal interview with the inmate, either by the Managing Officer or designee(s).

2. Decision of the Director/designee

All Applications for Community Work Assignment/Special Labor Assignment (DRC2428) must be approved by the appropriate Regional Director prior to the inmate being assigned outside of the secure perimeter of the institution.

- a. Victim Issues - The Application for Community Work Assignment/Special Labor Assignment (DRC2428) must first be submitted to the Office of Victim Services (OVS). The Office of Victim Services shall review the application and proposed work assignment, taking into consideration any relevant victim notification requests. The Office of Victim Services may issue a recommendation in regards to the Application for Community Work Assignment/Special Labor Assignment (DRC2428), including placing limitations on the location and/or type of community service assignment in which the inmate participates. Following the Office of Victim Services' review, the application shall be forwarded to the appropriate Regional Director/designee.
- b. The Regional Director/designee shall make the final determination as to the Application for Community Work Assignment/Special Labor Assignment (DRC2428) and return the completed form to the Managing Officer.
- c. The approved Application for Community Work Assignment/Special Labor Assignment (DRC2428) shall serve as the notice to the Office of Victim Services required by Department Policy 03-OVS-01, Crime Victims. No further notice shall be required by the institution to OVS concerning an inmate's removal from the institution for participation in the community work assignment program, unless requested by OVS.

3. Renewal of Community Work Assignment Approval

- a. Approved applications, Community Work Assignment/Special Labor Assignment (DRC2428), are in effect for six months after the date approved by the appropriate Regional Director/designee. After a six-month period has elapsed, the inmate must

be reconsidered for community work assignment approval, in accordance with the guidelines set forth herein.

- b. When a community work assignment approved inmate is transferred to a new parent institution, the Managing Officer/designee of the receiving institution shall review the current approved Application for Community Work Assignment/Special Labor Assignment (DRC2428) to ensure its validity and accuracy prior to assigning the inmate to work off the grounds of a correctional institution. The Managing Officer or designee shall initial the application, documenting the date of review.
  - c. Any recommendation to rescind a previously approved Application for Community Work Assignment/Special Labor Assignment must be documented on a new Application for Community Work Assignment/Special Labor Assignment (DRC2428) and approved by the Regional Director.
4. Maintenance of Community Work Assignment Approval Records

A copy of each application for Community Work Assignment/Special Labor Assignment (DRC2428), whether approved or denied, shall be scanned to the inmate's record office file. In addition, the work crew supervisor shall be provided with and maintain a copy of the current approved Application for Community Work Assignment/Special Labor Assignment for each inmate assigned to work on his or her crew.

### **Related Department Forms**

Community Work Assignment/Special Labor Assignment	DRC2428
Supervision Review/Male Pg. 1	DRC2098
Supervision Review/Male Pg. 2	DRC2094
Supervision Review/Male Pg. 3	DRC2338
Supervision Review/Female	DRC2605
Supervision Review/Female Pg. 2	DRC2606
Supervision Review/Female Pg. 3	DRC2607