

## 1.5.A.5 Work Release

### I Policy Index:



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### II Policy:

Pursuant to SDCL § 24-8-1, the Department of Corrections (DOC) may conditionally release select, eligible inmates to participate in the Work Release Program, in accordance with rules promulgated by the DOC pursuant to chapter 1-26. The DOC may change the basis of eligibility for the Work Release Program at any time.

### III Definitions:

**Booking:**

An offender's continuous period of custody and/or supervision on a transaction or set of transactions.

**Minimal Non-Direct Supervision:**

Periodic checks on an inmate. Most activities are independent of supervisor direction and observation.

**Mixed:**

Inmates who violate parole or a suspended sentence with an additional conviction and sentence to prison with at least one of their prison sentences as a new system offense. These inmates may have multiple parole dates.

**New System:**

Inmates sentenced to prison as a result of a crime committed on or after July 1, 1996.

**Old System:**

Inmates sentenced to prison as a result of a crime committed prior to July 1, 1996.

**Sex Offender:**

For the purposes of this policy, a sex offender is any adult offender convicted or adjudicated of a felony sex crime, as listed in SDCL § 22-24B-1, regardless of the offense date or date of conviction; an offender serving a current prison term as a condition of a suspended imposition of sentence for the commission of a sex crime; and offenders who have been identified as having a Sexual Behavior Issue (SBI) by SOMP staff (designated by sexual behavior code of 2) or convicted of any offense requiring sex offender registration.

### **Unit Staff Member:**

For the purposes of this policy, a unit staff member is a unit manager, case manager or unit coordinator.

### **Vehicle:**

For the purposes of this policy, a vehicle includes motor vehicles (automobiles, motor trucks, and all vehicles propelled by power other than muscle power), off-road vehicles (self-propelled, two or more wheeled vehicles designed primarily to be operated on land other than a highway and includes, but is not limited to, all terrain and utility vehicles, golf carts/"mules" and vehicles whose manufacturer's statement of origin {MSO} or manufacturer's certificate of origin {MCO} states that the vehicle is not for highway use), road tractors (any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn) and farm vehicles (field tractors and other farm machinery). This definition specifically excludes riding lawn mowers, self-propelled lawn mowers, and "push -type" lawn mowers.

### **Work Release Program:**

A program that allows approved inmates to be competitively employed in the community. The DOC shall promulgate rules necessary for placement, supervision and confinement of Work Release inmates and the administration of the program, pursuant to chapter 1-26.

## **IV Procedures:**

### **1. Eligibility:**

- A. Inmates applying for work release must be classified as minimum (MN) custody status (See DOC policy 1.4.B.2 [Male Inmate Classification](#) and DOC policy 1.4.B.14 [Female Inmate Classification](#)).
  - 1. Inmates classified as MN custody through use of "exceptional" actual risk behavior are not eligible for work release.
- B. Inmates identified as a "sex offender", consistent with the definition included within this policy, are not be permitted to participate in the Work Release Program.
- C. Inmates with an active felony warrant, pending felony charge, pending sentencing document for additional felony convictions, or a felony hold/detainer as noted in the Holds / Warrants / Detainers Module in the adult Comprehensive Offender Management System (COMS), are not eligible to participate in the Work Release Program.
  - 1. Central Records staff will conduct an updated warrant check when an inmate's work release application is reviewed. Prior to an inmate being placed in the Work Release Program, a warrants search must be conducted by Central Records staff if more than thirty (30) days has elapsed since a warrants search was initially conducted.
  - 2. All inquiries concerning warrants, charges, holds or detainers placed upon an inmate by another authority will be referred to Records staff for clarification and direction.
  - 3. Records staff will immediately notify unit staff any time an active felony warrant, pending felony charge, pending sentencing document for additional felony convictions or felony holds/detainers is received or discovered for an inmate in the Work Release Program.
  - 4. If an inmate is removed from the Work Release Program because of a warrant, felony charge, etc., the inmate will be informed of the reason.

- D. Inmates will serve a minimum of thirty (30) consecutive days at a minimum custody DOC facility prior to being eligible for placement in the Work Release Program. This requirement may be waived on a case-by-case basis by the Warden or Community Service Director.
- E. The following eligibility criteria apply to inmates considered for the Work Release Program:
1. Inmates with no prior felonies who are serving an old system sentence for a non-violent crime or a violent crime classified 3V, 4V, 5V or 6V (See [Crime Codes and Classification List](#)), are eligible for the Work Release Program when within eighteen (18) months of their parole eligibility date.
  2. Inmates with multiple felonies who are serving an old system sentence for a non-violent crime or a violent crime classified 3V, 4V, 5V or 6V, are eligible for the Work Release Program when they have reached their parole eligibility date.
  3. Inmates who are serving a new system sentence for a non-violent crime or a violent crime classified 3V, 4V, 5V or 6V, and are in overall substantive compliance with their Individual Program Directive (IPD), are eligible for Work Release when within eighteen (18) months of their initial parole date. Inmates assessed as "Non-Compliant" with any element of their IPD are not eligible (See DOC policy 1.4.B.1 [Individual Program Directives \(IPD\)](#)).
  4. Inmates otherwise eligible, who waive their parole appearance or request "no action", are eligible when within (12) months of their flat date.
    - a. If an inmate has the "no action" clause removed, they are eligible when within (12) months of their next parole date.
- F. Inmates whose current booking is for a suspended execution of sentence (SES) or suspended imposition of sentence (SIS) may be eligible if approved by the Warden or Community Service Director.
- G. Inmates whose current booking is for a violent crime or accessory to a violent crime classified as 2V or higher, are not eligible (See DOC [Crime Codes and Classification](#)).
- H. Inmates who are contractual work release or community placement violators, are not eligible for work release for a minimum of 30 days from the date of their return to DOC custody.
- I. Inmates who are institutional work release, institutional support or community service violators, are not eligible for a minimum of 30 days from the date of their removal from the program.
- J. Inmates who are unable to obtain employment during the approved job search period, may be ineligible for up to 60 days from the end of the job search period, at the discretion of unit staff or Director of Community Services.
- K. Inmates whose current booking is for a non-violent crime, who are past their initial parole date due to non-compliance or who have sustained a suspended sentence or parole violation, may be eligible for the Work Release Program when within twelve (12) months of their next discretionary parole date or flat date, at the time of application provided the inmate:
1. Has not received more than twelve (12) disciplinary points (12.1 points or greater) per year average, or more than one 1.00 disciplinary points per month average (See pg. 17 of DOC policy 1.4.B.1 [Individual Program Directives \(IPD\)](#)) on their most recent admission.

Example: If the inmate was first admitted as a new court commitment on 01/01/17; was

released on parole on 03/01/17, admitted as a parole violator on 05/01/17; released on parole again on 07/01/17 and admitted as a parole violator again on 09/01/17, their most recent admission is the admission starting 09/01/17.

3. Does not have an active IEDC alert noted in COMS.
4. Has not had his/her parole or suspended sentence revoked by the Board of Pardons and Paroles for violating condition 1 (only applies if weapons were involved or assaultive behavior) or condition 4 (weapons) or condition 14 (assaultive behavior) of the inmate's supervision agreement while serving his/her current booking (See Parole OM 7.4.G.3 [Initial Interview Supervision Agreement and Suspended Sentence Supervision](#) and SDCL § 24-15A-28.
  - a. Any documented assaultive behavior or actions involving weapons, may be considered when determining work release eligibility.
- L. Inmates with a violent offense on their current booking, who are past their initial parole date on any transaction, active or inactive, are not eligible.
- M. Inmates guilty of a major offense in custody that does not result in an increase in their custody status or transfer to a higher custody facility, are ineligible for 60 days from the completion date/expiration of the sanction.
- N. Inmates returned to a DOC facility for a violation of the conditions of extension of confinement (See DOC policy 1.4.G.7 [Extension of Confinement](#)), are ineligible for sixty (60) days from the date of their return or date the sanction is complete, whichever is longer. Inmates returned for a violation of condition 1 (only applies if weapons were involved or assaultive behavior) or condition 4 (weapons) or condition 19 (assaultive or abusive behavior) of the inmate's extended confinement agreement, are ineligible on their current admission.
- O. Inmates currently serving a sentence for a non-violent offense with multiple parole dates, as defined within this policy's definition of "mixed" sentence, must meet one of the following:
  1. Inmates serving mixed concurrent sentences must meet the eligibility requirements for each parole date.
  2. Inmates serving mixed consecutive sentences must be paroled on sentence(s) that have discretionary dates, or be within 12 months of their term expires date and meet the eligibility requirements on the consecutive sentence(s).
  3. Inmates with a violent offense on their current booking, with multiple parole dates, as defined under the definition of mixed sentence, are not eligible.

## 2. Application and Approval Process:

- A. Inmates applying for work release may apply for work release up to thirty (30) days prior to becoming eligible for the work release program. Inmates may submit a *Work Release Application* form (See [Attachment 1](#)) to their case manager, who will review the application for eligibility and determine appropriate action.
- B. Inmate participation in the Work Release Program is strictly voluntary. The DOC may change the basis of program eligibility at any time, including the criteria for initial selection or continued participation in the program.
- C. Unit staff will initiate work release placement proceedings for inmates who meet the established eligibility criteria.

1. Staff will utilize the *Work Release Routing Checklist* located in COMS (See [Attachment 11](#)) when an inmate is considered for work release.
- D. Before an inmate's application can be approved, a warrants check must be completed.
- E. In the event staff determine an inmate is not eligible or not appropriate for placement in work release, the case manager will notify the inmate and include the reason.
- F. Decisions regarding an inmate's participation or continued placement in the Work Release Program shall not be influenced by stereotypes, or bias based on race, color, ethnicity, disability or other protected status.
- G. If the inmate's current admission is for a parole or suspended sentence violation, the unit manager or case manager will submit the application and violation reports to the Deputy Warden or designee for review and action.
  1. After review, the application will be returned to the case manager, who will notify the inmate of the decision.
- H. Inmates are not entitled to work release. No inmate has an implied right or expectation to participate in any specific program (See SDCL § [24-2-7](#)). Neither this policy nor its application may be the basis for establishing a constitutionally protected liberty, property or due process interest in any inmate.
- I. Inmates who violate the provisions of this policy or the rules of the Work Release Program (See *Work Release Rules Attachment 2*) are subject to disciplinary action, including and up to, termination from the Work Release Program. The list of rules contained in Attachment 2 are not intended as an exhaustive guide for the conduct of inmates participating in work release.
- J. Inmates whose request to participate in the Work Release Program is denied, or whose participation in the Work Release Program is terminated by the DOC (not the employer), may file an Administrative Remedy (See DOC policy 1.3.E.2 [Administrative Remedy for Inmates](#)).

### 3. Placement Proceedings:

- A. Unit staff will initiate work release placement proceedings for approved inmates.
  1. Unit staff will initiate the *Work Release Routing Checklist* (See [Attachment 11](#)).
- B. Job Search.
  1. If an inmate is unable to obtain employment within two (2) weeks of being approved to seek employment, the unit manager may grant an extension for a period to be determined by the unit manager. Inmates removed from job search for failure to locate employment may be allowed employment if a previously submitted job application results in a job offer.
    - a. Inmates housed at a contract facility are allowed a minimum of two (2) weeks on job search.
    - b. Inmates releasing to the Community Transition Program (CTP), or paroling locally (as determined by the unit manager), who have not secured employment, may be allowed to continue job search if within sixty (60) days of their release date.
    - c. Inmates may be approved for multiple part-time jobs in the event full-time employment is not available.

- C. During the initial meeting with the employer, unit staff will review the *Work Release Rules and Regulations* and *Work Release Information for Employers* form with the employer (See [Attachment 2](#) and [Attachment 4](#)).
  - 1. The inmate will be present at the initial meeting. All necessary forms relating to participation in the Work Release Program must be completed prior to the inmate accepting employment.
  - 2. Unit staff and/or the inmate will inquire about any benefits offered by the employer; i.e. health insurance, retirement accounts, labor union membership.
  - 3. The initial meeting may take place at place of employment or the inmate's housing unit.
- D. A work release inmate is not an agent, employee, or involuntary servant of the DOC (See SDCL § [24-8-13](#)).
- E. Inmates who do not have sufficient funds in their subaccounts may be granted a loan (credit obligation) by the DOC to cover approved start-up expenses associated with employment (See DOC Policy 1.1.B.2 *Inmate Accounts and Financial Responsibility*).
  - 1. The work release loan may only be used to pay approved work release expenses (footwear, headwear, safety gear, transportation costs, tools, etc.).
    - a. A loan may be issued each time an inmate is placed on work release status, provided previous loans have been paid in full.
  - 2. The loan must be approved in full by unit staff (no partial loans).

#### **4. Housing:**

- A. Inmates approved for work release will be housed in DOC minimum custody units (Community Work Center), a county jail, contract facility or other agency of the state (See SDCL § [24-8-4](#) and ACA 4-4463).
- B. Inmates may be required to pay room and board costs based on a percentage rate established and approved by the Secretary of Corrections, in accordance with SDCL §§ [24-8-11](#) and [24-11-45](#) and DOC Policy 1.1.B.2 *Inmate Accounts and Financial Responsibility*.
- C. Room and board costs may begin to accrue upon receipt of the inmate at the eligible facility.

#### **5. Inmate Financial Responsibility:**

- A. Inmates on work release are required to apply a portion of their employment earnings toward fixed obligations listed within the inmate's Financial Responsibility (IFR), consistent with DOC policy 1.1.B.2 *Inmate Accounts and Financial Responsibility*.
- B. Appropriate and reasonable costs incident to the inmate's confinement may be collected from the inmate's earnings. The priority of fixed obligation disbursements for inmates shall be deposited into the inmate's account and distributed in the order set forth below, pursuant to SDCL § [24-8-9](#):
  - 1. Room and board charges.
  - 2. Credit obligations, which include travel expenses and other incidental expenses related to participation in the program.

3. Support of legal dependents.
  4. Restitution.
  5. Fines.
  6. The balance, if any, will be retained in the inmate's institutional frozen subaccount and is payable to the inmate upon release to parole, suspended sentence, transfer out-of-state or discharge from the DOC.
- C. Unit staff is responsible for maintaining the inmate's IFR (See [Attachment 9](#)).
1. Inmates may join a labor union representing employees at their place of employment if this is a condition of employment. Dues will be paid from the inmate's spend subaccount.
  2. Inmates may participate in an employer-provided retirement plan if this is a condition of employment. This requirement will be confirmed in writing through the employer. The inmate may only contribute the minimum amount required.
  3. Work release inmates must obtain health and/or dental (medical) insurance through their employer if such insurance is offered. The inmate is responsible for the insurance premium, copayment for services received, and may be responsible for costs not covered by the insurance plan (See DOC policy 1.4.E.10 [Medical Services Copayments](#)).
  4. Inmates may make a charitable donation from their net earnings after all required fees and/or payments have been deducted from their earnings. The donation shall be paid from the inmate's spend subaccount.
- D. Inmates unwilling to make payments toward costs, charges or fees, as required, are not permitted to participate in the Work Release Program and may be terminated from the program/employment. Inmates have no right to the full amount of their work release earnings.

## 6. Transportation:

- A. Approved transportation methods for work release inmates are limited to the following:
1. Walking.
  2. Bicycle.
  3. Public transportation (does not include Uber, Lyft or any on-demand transportation company).
  4. Transportation provided by a work associate of the inmate as part of the employee's work duties (the employee is compensated by the employer for the transport).
  5. An approved person from the community.
    - a. A criminal background check is required for all non-work associates transporting an inmate.
      - 1) The senior security officer or designee will determine if the person's criminal background check is acceptable.
    - b. The person must be eighteen (18) years of age or older, possess a valid driver license, current automobile insurance policy and be the same gender as the inmate.

- c. The person must complete the *Work Release Transportation Person* form (See [Attachment 10](#)).
6. Facility/contract staff may transport inmates.
    - B. Inmates are responsible for informing unit staff of changes in their transportation methods.
    - C. Inmates may not be provided a motor vehicle or access to a motor vehicle to transport themselves to and from work.
    - D. Persons who charge inmates for transportation are subject to licensing and sales tax reporting requirements, as set forth by the Department of Revenue and state law.
    - E. Transportation methods not approved include:
      1. Transport by an inmate's friend, spouse or significant other.
      2. Transport by person from the community of the opposite gender (does not apply to work associates).
      3. Transport by any person not approved by the DOC.
    - F. Transportation methods must be pre-approved by the supervising authority.

## 7. Operation of a Vehicle:

- A. Inmates may not operate motor vehicles on a public highway. A public highway is defined as all streets, alleys, public roads, public thoroughfares or highways.
- B. The Warden or his/her designee may grant exceptions and approval on a case by case basis.
- C. Inmate operation of motor vehicles will be consistent with DOC policy 1.5.A.8 *Inmate Operation of Vehicles*.

## 8. General Rules and Conduct:

- A. Inmates must agree to follow all rules, regulations and agreements applying to their particular work release situation (See [Attachments 1, 2, 3, 4, 5, 7, 9 and 11](#)), in accordance with Administrative Rule [17:50:01:28](#).
- B. Employers must agree to follow all rules, regulations and agreements that apply to employment of an inmate (See [Attachments 4, 5 and 8](#)).
- C. Inmates approved for work release may attend religious/cultural activities in the community, as provided in DOC policy 1.5.F.3 *Inmate Community Religious Activity Guidelines*.
- D. Inmates are subject to the rules and regulations of the employer, the facility where they are housed and the DOC. In the case the employer or non-DOC facility rules and regulations governing conduct and behavior are less restrictive than the *Work Release Rules and Regulations* (See [Attachment 2](#)), the DOC rules shall apply (See ARSD [17:50:01:28](#)).
- E. A urine sample or breath test may be requested of any inmate, at any time, by DOC staff, contract staff or law enforcement. Inmates may be subject to drug testing by an employer if the employer

requires drug testing of employee as a condition of employment (See DOC policy 1.3.A.8 [Offender Drug Testing, Sanctions & Treatment](#)).

- F. Work space or items assigned to an inmate (includes lockers, equipment, tool boxes, work clothing, vehicles, computers or other electronic devices) are subject to search at any time by DOC staff, contract staff or the employer. Search of an inmate's person must be conducted by DOC staff or law enforcement.
- G. An inmate's access to the community is limited to approved and authorized purposes only.

## 9. Staff Responsibilities:

- A. Unit staff will verify any extended work hours or changes to the inmate's schedule directly with the employer.
  - 1. Normal working hours for inmates will be between 5:00 AM and 11:30 PM, Monday-Sunday. Work hours outside of the normal working hours may be permitted, as approved by designated DOC staff.
  - 2. Any change to the inmate's previously disclosed and approved work schedule, must be reported by the inmate to unit staff and approved.
- B. DOC staff will ensure the employer is contacted if a work release inmate is unable to work due to illness or other approved reason.
- C. Unit staff will initiate regular contact with the employer to measure employer and inmate compliance with all requirements of the Work Release Program. Contact is defined as a job site visit, phone contact or face-to-face meeting. The unit manager will ensure all employer contacts are documented in COMS. All employers are subject to the following:
  - 1. A job site visit or face-to-face contact with unit staff during the second week of employment following the inmate's initial employment.
  - 2. The employer will be contacted by the DOC a minimum of once a month regarding each inmate employed. Monthly contact shall continue for the duration of the inmate's employment.
  - 3. Unit staff will contact the employer any time staff becomes aware an inmate has received a verbal or written reprimand at work, is placed on a work improvement plan or receives notice, written or verbal, that adversely affects the inmate's employment.
  - 4. DOC staff will contact the employer periodically to verify the inmate's presence at the place of employment.
- D. Escape.
  - 1. Any inmate who failures to report or return from planned employment, job search or vocational training as directed by the DOC shall be considered on escape status (SDCL § [24-8-6](#)). Any inmate who fails to return to custody following an assignment or temporary leave granted for Work Release or limited period, is considered to have committed second degree escape, which is a class 5 felony (SDCL § [22-11A-2.1](#)).
  - 2. SDCL § [24-15A-20](#). Consecutive sentencing--Parole eligibility. If an inmate is convicted of a felony while under the custody of the DOC, the sentence shall run consecutively, and the inmate is not eligible for consideration for parole until he/she has served the last of all such

consecutive sentences, unless the sentencing court specifically orders otherwise. The inmate's parole date shall be established subject to the provisions of § [24-15A-32](#).

3. If a work release inmate cannot be accounted for, or the inmate has departed from his/her assigned worksite without authorization by his/her employer or the DOC, or the inmate fails to return within one (1) hour of their scheduled return time, or other evidence exists which supports the inmate has departed without authority, DOC staff will immediately contact the Warden.
  - a. The Warden retains discretion to implement any steps he/she deems appropriate to determine the whereabouts of the inmate. Steps include, but are not limited to, search of the work site, contact with the employer, contacting friends or family of the inmate, review of phone records/messaging system.
  - b. Escape procedures will not be initiated without authorization by the Warden. Reasonable steps will be initiated to attempt to locate the inmate.
  - c. Upon decision by the Warden to place the inmate on escape status, designated DOC staff will immediately report the escape in accordance with DOC Policy 1.1.A.3 [Staff Reporting Information to DOC Administration](#).
- E. Case managers should verify the inmate's earnings by reviewing payroll deposits into the inmate's institutional account at least one (1) time per month.
  1. Any lapses in the inmate's regular payroll deposits, a pattern of delayed or irregular payroll deposits, or significant changes in the amount deposited will be reported to the unit manager.
- F. The Community Service Director will be notified whenever an inmate is removed from the program for institutional disciplinary.
- G. The Warden may, with or without cause, terminate or suspend the release of any inmate for the purpose of participating in the Work Release Program (See SDCL § [28-8-1](#)).

## 10. Inmate Compensation:

- A. Wages paid to inmates by the employer must meet or exceed federal and state minimum wage requirements. Inmates will be compensated a prevailing wage rate for the position occupied (ACA 4-4463).
  1. Inmates may not be used as a cut-rate labor force.
  2. The earnings of work release inmates are not subject to garnishment, attachment or execution, either through the employer or an agent authorized to hold or transmit such funds (See SDCL § [24-8-10](#)).
  3. Inmates have no right to work release and thus have no right to the full amount of wages earned through the Work Release Program.
- B. Inmates must sign the *Work Release Assignment of Check* form (See [Attachment 3](#)) and a revised *Inmate Financial Worksheet* (See [Attachment 9](#)) prior to participating in the Work Release Program.
- C. Paychecks will be made payable to the inmate and mailed to the DOC Administrative Office (See SDCL § [24-8-8](#)). Inmates will not be issued their paycheck. Payroll payments may also be completed by the employer via direct deposit into the inmate's institutional account.

1. Each pay stub must include the hours worked, gross wage, net wage and all federal and state withholding taxes. Inmates must turn in all cash tips to their employer. The employer shall issue a check for the total cash amount and mail this to the DOC or direct deposit this into the inmate's account. Inmates may not bring cash back to the facility.
  2. Inmates may not receive an advance against a paycheck unless authorized by the Community Service Director.
  3. Inmates removed from work release for misconduct will have any work release earnings received by the DOC, subsequent to their removal from work release, frozen.
    - a. All room and board costs and credit obligations, including work release expense loans, will be deducted from the inmate's pay check. The spend and savings account will be bypassed in the distribution formula. Deductions will apply towards fixed obligations and any remaining funds will be frozen.
- D. When an inmate's parole or release date has been confirmed by Central Records, and the inmate is within approximately one (1) week of being released from DOC custody, unit staff will send the inmate's employer a *Check Assignment Cancellation* form (See [Attachment 6](#)).
1. Employer payroll checks issued prior to and on the actual release date of the inmate's scheduled release date, as noted on the *Check Assignment Cancellation* form, must be sent to the DOC.
  2. Employer payroll checks issued after the scheduled release date noted on the *Check Assignment Cancellation* form will be released to the inmate.
  3. All inmates releasing to parole supervision who have credit obligations at the time of their release, will have the credit obligation written off and the amount transferred to "costs incurred" (See [Attachment 7](#)).
  4. Payments on these costs shall be made directly to the DOC Administration office until the amount is paid in full. The expectation is that the total amount due be repaid within six (6) months of the date of the inmate's release, dependent upon the financial plan developed by the parole agent and parolee.

## 11. Medical Care:

- A. Inmates housed at a DOC facility will access health care through DOC Health Services, unless otherwise referred to an outside provider by Health Services. Health Services will manage health care for all Work Release inmates.
  1. Inmates are not permitted to independently pursue, seek or obtain health care outside of Health Services without prior approval from Health Services staff, except in the case of a medical emergency occurring while the inmate is in the community.
- B. Inmates are financially responsible for medical expenses and co-pay fees, as determined by the DOC and Health Services, in accordance with DOC policy 1.4.E.10 [Medical Co-Payment Fees](#).
- C. Inmates are required to apply for health insurance coverage and/or dental insurance offered through their employer if eligible to receive such benefit(s). Inmates must provide unit staff with a copy of their insurance card and insurance information.
  1. Unit staff will email Health Services the name of any inmate who is known to have health or dental insurance through their employer and shall provide Health Services with a copy of inmate's provider information (insurance card).

2. Inmates known to have health insurance through their employer, may be referred for necessary medical services to an outside provider (preferred provider of the insurance company), as deemed appropriate by Health Services. All invoices for medical services received will first be filed through the inmate's insurance provider. Services not covered by the provider shall be the responsibility of the inmate or DOC.
  3. Inmates may request to add their spouse or legal dependent(s) to their insurance plan with approval from unit staff. If approved, the inmate, spouse or parent/legal guardian of the added dependent, shall be responsible for any co-pays or out-of-pocket expenses due as a result of services received.
- D. If an inmate sustains a work-related injury, state law requires the inmate to notify their supervisor immediately and to provide written notice to the employer within three business days of the injury occurring. The employer or workers' compensation insurance carrier must ensure necessary first aid and medical, surgical and hospital services are provided to the inmate. This includes replacement of any eyeglasses, dentures or hearing aids damaged as a result of the inmate's work-related injury.
- E. Work release inmates housed in a county jail or contract facility will access medical services for non-work-related accidents/injuries as determined and instructed by jail staff/the contractor.

## 12. Employer Responsibility and Eligibility:

- A. Responsibilities of inmate employers is found within the *Work Release Information for Employers* (see [Attachment 4](#)). The information contained within this section and attachment 4 is not intended as an exhaustive guide or list of the responsibilities employers.
1. Employers must operate a legitimate business (registered with the South Dakota Department of Revenue and assigned a sales tax license, as required).
  2. Employers must comply with local, state and federal laws, including state and federal labor law.
  3. Employers may not discriminate against inmates on the basis of race, sex, religion or national origin or engage in any discriminatory practices prohibited by law.
  4. Employers shall refrain from speech, gestures or other conduct that could reasonably be perceived as sexual harassment by an inmate employee. Employers should have a policy in place prohibiting sexual harassment within the workplace.
  5. Employers must provide workers' compensation insurance. Employers informed of an injury by the employed inmate or who otherwise learn an inmate employee has sustained a work-related injury, are responsible for completing the *First Report of Injury* form and submitting it to their workers' compensation insurance carrier within seven business days. Failure to notify the provider of a worker's compensation claim is a Class 2 misdemeanor and subject to civil penalty.
- B. Inmates participating in the Work Release program remain under the supervision of the DOC (See ARSD [17:50:01:28](#)). Inmate must be under the direct supervision of a non-inmate employee of the employer for the duration of time which the inmate is under the authority of the employer. Direct supervision means to be physically present, or within immediate distance, such as on the same floor, and available to respond to the needs of the Work Release inmate. The supervisor shall have control over the inmate and shall have knowledge of the work being done by the inmate.

1. Employers must have at least one (1) supervisor on duty any time inmates are present at the worksite.
  2. Any employer who knowingly or intentionally allows or assists an inmate to depart from the direct supervision of the employer without authorization, shall be terminated from the Work Release Program, may be charged criminally, and will not be permitted to employ work release inmates.
- C. Inmates may be employed in a "family business", if the criteria outlined in A. and B. of this section is met. Inmates participating in work release may not be self-employed.
1. Employers previously incarcerated or known to have a criminal record are not automatically barred from participating in the Work Release Program.
  2. The Warden or designee or Community Service Director may grant exceptions on a case-by-case basis.
- D. An inmate's employment may be terminated at any time through notice provided by the inmate, employer or the DOC.
- E. Employers hiring inmates to work on projects that receive federal funding must comply with Executive Order 12943 (See [Attachment 8](#)):
1. Employers requesting inmates to perform any trade, craft or skill for which a local union, central body, or similar unit organization regularly engages in collective bargaining on behalf of more than twenty percent (20%) of those engaged in the trade, craft, or skill within the county in which the work will actually be performed, must have consulted with representatives of the corresponding union.
  2. If the unemployment rate of the county in which the work will actually be performed exceeds four percent (4%), pursuant to the most recent calculations published by the Labor Market Information Center, South Dakota Department of Labor, the employer must demonstrate to the South Dakota DOC that their employment of inmates will not displace employed workers, impair existing contracts for services, and that non-inmate applicants of equal skills and abilities for the position(s) are not available.
- F. Inmates on work release may not be employed directly by local, state or federal government.

### 13. Reports and Record Keeping:

- A. The Community Service Director shall report program information through the Department's monthly metrics briefing.
1. Metrics will include the following:
    - a. Average daily count and end of month counts by participating facility and department total.
    - b. Number of inmates released or removed from the program by month.
    - c. Average and median account balances for released or removed offenders for each month.
    - d. Average number of days spent in the program for released or removed offenders for each month.

- B. Copies of all signed agreements concerning an inmate's participation in the Work Release Program shall be maintained by facility work release case managers.
- C. Additional requests for information concerning the Work Release Program will be directed to the Director of Community Services.

## V Related Directives:

SDCL §§ [22-11A-2.1](#), [24-2-22](#), chapter 24-8, [24-11-45](#), [24-15A-32](#), [32-12-39](#) and [32-35-113](#).  
Administrative Rule [17:50:01:28](#)

DOC policy 1.1.A.3 – [Reporting Information to DOC Administration](#)  
DOC policy 1.1.B.2 – [Inmate Accounts & Financial Responsibility](#)  
DOC policy 1.3.A.8 – [Offender Drug Testing, Sanctions and Treatment](#)  
DOC policy 1.3.C.11 – [Offender Obligations](#)  
DOC policy 1.3.E.2 – [Administrative Remedy for Inmates](#)  
DOC policy 1.4.B.1 – [Individual Program Directives \(IPD\)](#)  
DOC policy 1.4.B.2 – [Male Inmate Classification](#)  
DOC policy 1.4.B.14 – [Female Inmate Classification](#)  
DOC policy 1.4.E.10 – [Inmate Medical Co-Pay](#)  
DOC policy 1.4.G.7 – [Extension of Confinement](#)  
DOC policy 1.5.A.8 – [Inmate Operation of Vehicles](#)  
DOC policy 1.5.F.3 – [Community Religious Activity Guidelines](#)  
Parole OM 7.4.G.3 – [Initial Interview, Supervision Agreement and Suspended Sentence Supervision Agreement](#)  
[Crime Codes and Classification](#)  
[Inmate Living Guide](#)

## VI Revision Log:

**September 2003:** **Added** B under Medical Care section. **Added** # 17 to Attachment 2. **Revised** policy statement. **Added** references to DOC policies 1.1.B.2, 1.3.C.2, 1.4.B.1 and 1.4.B.2.

**Moved** financial responsibility information into a separate section. **Revised** inmate eligibility dates from time to placement rather than time to application. **Added** specific application time frame. **Revised** the inmate compensation criteria on removal from work release. **Noted** that SES/SIS will not participate in the work release program.

**December 2004:** **Added** definition of sex offender. **Changed** Work Release Coordinator to Community Service Director. **Added** restrictions on sex offenders. **Added** references to SDCL. **Revised** work release rules and regulations. **Updated** attachment 8. **Added** attachment 9. **Added** requirement that facility staff have to contact the employer if the inmate is not going to work.

**December 2005:** **Revised** the policy statement. **Added** a reference to SDCL § 24-15A-32 to the definition for Violent Offenders. **Added** a provision for \$30 in start-up costs for inmates.

**Clarified** when inmates will start to be charged for housing and meal costs. **Added** a statement on inmate responsibility for debts/obligations incurred while on work release. **Changed** inmate compensation section to clarify money may be frozen if an inmate is removed from the work release program for reasons of misconduct. **Revised** attachments 2 and 6. **Added** reference to DOC policy 1.3. C.11. **Added** Warden/Director of Community Services discretion to allow SIS/SES inmates to participate in work release. **Revised** the 60-day minimum facility housing standard. **Revised** the section on medical care. **Added** attachment 10.

**March 2006:** **Added** a definition for vehicle. **Added** a section on inmate operation of a vehicle while on work release. **Added** reference to DOC policy 1.5. A.8. **Added** a reference to the Citrix database. **Added** guidelines for the background check on the transport person.

**March 2007:** **Revised** the definition of Senior Security Officer. **Added** a restriction that inmates is not work release eligible if they have an active 4-34 Notice or medical hold. **Added** a restriction on work release inmates of opposite genders working at the same business location.

**Added** a requirement that a work release inmate may have to pay the total cost of room and board. **Clarified** work release inmate use of vehicles. **Revised** the responsibility for medical care for work release inmates. **Added** a reference to DOC policy 1.4. E.10. **Clarified** information kept for record keeping purposes. **Revised** the timelines for work release eligibility on parole violators or suspended sentence violators. **Revised** attachments 2 and 8. **Added** a provision that inmates on job search normally have two weeks to find a job. **Added** eligibility language for those inmates who were unable to find a job and want to reapply for work release. **Added** restrictions on transport personnel. **Added** language that inmates who have less than sixty days to serve are not eligible for work release.

**August 2007:** **Added** a definition for Unit Staff Member. **Clarified** the 60-day eligibility is for inmates at a contractual facility. **Replaced** the term "facility staff" with "Unit Staff Member".

**Revised** attachment 5. **Added** restrictions on inmates having extra money deducted from their paychecks. **Revised** the requirements for inmates with a medical hold.

**January 2008:** **Deleted** the restriction on inmates participating in a retirement plan. **Revised** the guidelines for advancing work release start-up expenses. **Revised** attachments 2, 4 and 8. Other minor style/format changes made throughout the document.

**December 2008:** **Revised** formatting of policy in accordance with DOC policy 1.1. A.2. **Deleted** trailers in definition of Vehicle. **Added** reference to Attachment D in ss (N) and added initial relating to work release in ss (O) and **revised** "will be" with "may be" ineligible for the work release program in ss (I) of Inmate Eligibility for the Work Release Program). **Added** new ss (D of Application and Approval Process for Work Release) and reformatted bullets. **Deleted** extension of 1 week from ss (B1a) and **revised** ss (B1b) stating they may be ineligible vs being removed from the work release program within Work Release Placement Proceedings. **Revised** ss (A) to cover all medical care, **added** statement regarding occurring one time in ss (A2), **added** new ss (A, A2a1, A2b1, A2c), **deleted** statement regarding residual amount from medical obligations will be listed as an obligation, **revised** procedures of collecting a minimum \$20.00 per month in ss (A2a1) and **replaced** to be determined by agency with contractor and DOC in ss (E) all within Medical Care for Work Release Inmates. **Added** driver license #, SSN and birth certificate to Attachment 1. **Added** language to # 26 in Attachment 2 regarding forfeit opportunities for the Work Release Program. **Added** language regarding agree to the procedures in paragraph 1 on pg 1, **deleted** statement on matching with suitable employment, **added** statement regarding pay stub must accompany in second full paragraph on page 2 and **added** statement preventing holiday gifts in first full paragraph on pg 3 with Attachment 4. **Deleted** statements regarding obtaining a copy of driver license, proof of insurance, attaching background check to form and **added** statement regarding background check approval and insurance verification. **Revised** titles of Attachments 1, 3, 4, 6, 7 and 11 to be consistent with policy attachments and WAN.

**December 2009:** **Revised** title of DOC policy 1.4.B.2 and **added** reference to DOC policy 1.4. B.14. **Added** ss (4 and 4a) regarding "no action", **added** Mental Health when referencing holds in ss (N), **deleted** initial when referencing work release in ss (O) and **added** contractual in regards to a facility within ss (O) all within Inmate Eligibility for the Work Release Program. **Added** statement regarding inmate may be allowed to receive employment after two weeks if a previous application is responded to within ss (B1), **added** ss (B1c) regarding 60-day extension, **replaced** mainframe computer with inmate records and will with may in ss (B3), **added** ss (B3a) regarding inmate records being checked, **added** reference to labor union membership in ss (C2), **deleted** reference to "one time" regarding an advance for work release start-up expenses in ss (E) and **added** ss (E1a) that this advance may be issued each time provided previous advances have been paid back all within Work Release Placement Proceedings, **Added** new ss (B1 and B2 of Financial Responsibility for Inmates on Work Release) regarding inmates joining a labor union or obtaining a retirement plan. **Added** reference to 18 or older in ss (A4c) and **added** reference to "work" associate of the opposite sex within ss (B2) both within Transportation Arrangements for Work Release Inmates, **Replaced** discharged with released in ss (D) and **added** inmate's budget plan will be sent to the business office in ss (D3) both within Inmate Compensation for Work Release Employment, **Added** eligible for program health benefits with ss (D of Medical Care for Work Release Inmates). **Added** new # (28 within Attachment 2) regarding use of the internet. **Added** reference to computers and internet

restrictions **added** reference to benefits and inmates joining a labor union, and **added** reference to inmates' earnings and SDCL 24-8-10 all within Attachment 4. **Replaced** 1 year with six months regarding payment and **replaced** discharge with release both within Attachment 7.

**January 2011: Added** SS 3. a. b. & c. to Section 1 A. **Removed** from Section 1 H. "two weeks" from the job search period. **Deleted** "require a consult from" Health Services and **Added** "must be approved" to N in Section 1. **Removed** "In the event the inmate is not eligible according to the section on Inmate Eligibility, the inmate will be notified by the case manager of the reason for the ineligibility" from Section 2 A. **Added** 1. and a. describing the warrant check requirement to Section 2 A. **Revised** B. in Section 2. **Added** new section to C in Section 2. "In the event the case manager determines an inmate is not eligible to participate in the Work Release program, as set forth by in the "Inmate Eligibility" section of this policy, the case manager will notify the inmate of the reason(s) they are ineligible. **Moved** language in B. to C. and C. to D. and D. to E. Language in previous E. became new SS F. in Section 2. **Added** hyperlink to DOC Policy 1.1.E.4 to SS E. in Section 2. **Removed** "and allowed two (2) weeks to obtain employment." from Section 3 B. 1. and **Replaced** with "Each inmate is allowed job search for a minimum of two (2) weeks. If an inmate is unable to obtain employment during the two (2) week period, the Unit Manager may grant an extension" **Removed** "allow an inmate to continue on job search" and **Replaced** with "for a period to be determined by the Unit Manager". **Removed** "If after two (2) weeks the inmate has not been able to secure employment the" **Replaced** with "An inmate who is removed from job search may still". **Removed** from Section 3 1. A. "The unit manager may grant an extension of time for good cause". **Replaced** with "Inmates housed at contract facilities are allowed a minimum of two weeks on job search". **Removed** from Section 3. 1. C. job search "and" **Replaced** with "but" **Removed** "finding" employment and **Replaced** with "securing". **Removed** "business" location and **Replaced** with "work release" location in Section 3 4. **Added** hyperlink SDCL 24-8-11 and DOC Policy 1.1.B.2 to B. in Section 4. **Changed** 2. In Section 4. to f. **Added** 3. "Inmates on work release may make a charitable donation from their net earnings through their spend account." to Section 5 B. **Added** "as set forth by SDCL 24-8-9" to C. in Section 5. **Removed** "may be" required and **Replaced** "are" and **Added** "unless granted a waiver by the Secretary of Corrections" and **Added** hyperlink "SDCL 24-8-11" to E. in Section 5. **Added** "or approved community member" to 4. in Section 6. **Added** f. to Section 6. 4. **Deleted** "Through the" facility staff **Added** "may transport inmates". To Section 6. 5. **Deleted** 6. a. b. c. d. in Section 6. **Added** "or community member" to B. 2. in Section 6. **Added** hyperlink to SDCL 32-35-113 to C. in Section 7. **Deleted** D. in Section 7. **Added** hyperlink to Administrative Rule 17:50:01:28 to Section 8 A. **Added** E. "Inmates on work release may attend religious activities in the community (See policy 1.5.F.3 Community Religious Activity Guidelines) to Section 8. **Removed** "a contact is made with the employer by telephone at least monthly by facility staff and **Replaced** with "the employer is contact at least once a month by staff" in Section 9 E. **Added** hyperlink (SDCL 24-8-6 and DOC Policy 1.1.A.3 Reporting Information to DOC Administration to Section 9 G. **Added** hyperlink (SDCL 24-8-8) in Section 10. C. **Added** "access the internet" to page 1, 9. of the Work Release Rules and Regulations (Attachment 2). **Added** "approved transporter" to 13 of Attachment 2. **Added** "knowingly" to 16 of Attachment 2. **Added** "minimum" of two (2) weeks and **Added** "If after two (2) weeks I have not obtained employment, I understand the Unit Manager may, at his/her discretion, grant me an extension for a period to be determined by the Unit Manager." to page 2 , 30 of Attachment 2. **Added** "Employers shall contact the DOC if an inmate will have internet access for the purpose of completing their job duties" to page 1, in Telephone and Computer Usage section, Attachment 4. **Added** section "Inmate Operation of Vehicles" to page 1, of Attachment 4. **Added** "Inmates must be paid on a regularly scheduled basis, as designated in advance by the employer. Employers shall pay all wages due at least once each calendar month unless otherwise provided by law pursuant to SDCL§ 60-11-9." "Holiday or one-time bonuses must be in the form of check or direct deposit and made payable to the Department of Corrections. Inmates cannot receive gift cards, accept gifts of cash, or accept gifts of any kind." on page 2 of Compensation and Benefits on Attachment 4. **Added** "Employers shall provide proof of insurance" to Attachment 4, page 2. **Added** "Normal working hours for inmates on work release will be between 5:00 AM and 11:30 PM." to the Work Schedule section on page 2 of Attachment 4. **Added** "Normal working hours for work release inmates will be between 5:00 a.m. and 11:30 p.m. Any changes to this schedule must be approved by unit staff" to Attachment 5. **Added** "If an inmate's location cannot be verified of a one (1) hour time period, or the inmate fails to return to their housing unit within one (1) hour of their scheduled time of return and they not received authorization from unit staff for a late return, the inmate will be considered on escape status and

escape procedures will be initiated.” to attachment 5. **Added** “Copy: Parole Agent” to bottom of Attachment 7.

**March 2012:** **Deleted** The provisions described in letter “F” of this section still apply to letter “J” and **Replaced** “and the following do not apply” in Section 1 L. **Added** 1-4 to Section 1 L. **Added** “or removed from the Work Release Program” to Section 2 E. **Added** a. “Records staff will be immediately notify the unit/case manager if a response is received from a victim regarding and inmate who has been approved for work release” in Section 2 E. **Deleted** “may complete this check through their appropriate unit staff member” and **Replaced** with “staff may contact their facility contact person to request a check of DOC records regarding a potential employer” in Section 3 B. 3. c. Deleted d. in same section. **Deleted** “approved” and **Added** “or other agency of the state designated by the Secretary of Corrections” to Section 4 A. **Added** “shall be in the order set forth below” to Section 5 A. 1 and **Changed** subsection to B. 1-5. **Added** 1. to Section 4 B. **Deleted** “Work release inmates are required to pay for the cost of room and board at the rate established by the Secretary of Corrections unless granted a waiver by the Secretary of Corrections from Section 5 B. **Added** 4. “Payments on Restitution” and renumbered items that follow in Section 5 B. **Added** “and have a valid driver license and automobile insurance” to Section 6 A. 4. c. **Replaced** term “halfway house” with “contract facility throughout the policy. **Deleted** “An inmate on Work release will not operate a vehicle while his/her license is surrendered” and **Replaced** with “Each work release inmate shall have their driver license in their immediate possession at all times when operating a motor vehicle” in Section 7 B. 2. **Added** “or be insurable through the employer’s insurance provider” in Section 7 C. **Deleted** C. and D. in Section 8 (already listed in attachments). **Deleted** “Any time an inmate is having problems on the job, a contact visit with the employer will be required” and **Replaced** with “Unit staff shall contact the employer any time they become aware an inmate has received a verbal or written reprimand, been placed on a work improvement plan, or received other notice, written or verbal, that adversely affects the inmate’s employment.” in Section 9 E. 2. **Added** (including medical, dental, optometry, lab, e-rays, medications or other related medical expenses)” to Section 11 A. **Added** 2. “Work Release inmates will be charged according to the fees listed in Attachment 12 for any appointment they initiate with Health Services wherein they fail to provide notice to Health Service staff informing he/she cannot attend the appointment. Notice is required at least twenty-four (24)-hours prior to scheduled day and time of the appointment” to Section 11 A. **Renumbered** subsections that followed. **Added** “and/or dental insurance” to Section 11 B. **Added** “and non-emergency psychiatric services through DSS staff” to Section 11 D. **Added** 1. “Inmates are responsible for all medical expenses described in DOH policy P-C-06A Medical Expenses in the amounts specified” to Section 11 D. **Added** “when the emergency services are required” to Section 11 D. 2. **Added** a. “Outside referrals and access to off-site medical services or specialists must be pre-approved by the on-site prison physician” to Section 11 D 4. **Added** Attachment 12.

**July 2012:** **Revised** definition of Sex Offender. **Added** “sentence in accordance with SDCL for violating condition 1 (only applies if weapons were involved or assaultive behavior” to Section 1 L. 4. **Added** “Work release eligibility for” and **Deleted** “the eligibility requirements for each parole date to be work release eligible” and **Replaced** with “one of the following” in Section 1 O. **Added** 1. and 2. to Section 1 O. **Deleted** “violator” and **Replaced** with “suspended sentence violator” and **Added** “or suspended sentence” to Section 2 C. **Added** new G. and G. 1 to Section 9 and **Renumbered** items that followed.

**January 2013:** **Added** “or accessory to a violent crime” in Section 1 F. **Added** “institutional support or” in Section 1 J. **Added** “or their flat date” and **Added** “at the time of their application” in Section 1 L. **Added** “This advance will create a credit obligation in the inmate’s account” in Section 3 E. **Deleted** “second” in Section 3 E. 4. **Deleted** “housing and meals and **Replaced** with “room and board” throughout Section 4. **Deleted** “will” and **Replaced** with “may” and **Deleted** “jail or contract facility” and **Replaced** with “board of county commissioners not to exceed the average daily prisoner cost of the facility. The rate must be” in Section 4 D. **Deleted** “to accumulate on” and **Replaced** with “after their first paycheck is received after the” in Section 4 E. **Deleted** “Necessary” and **Replaced** with “Credit obligations which include” in Section 5 B. 2. **Added** D. to Section 7. **Added** D- H in Section 8. **Deleted** “on escape status and escape” and **Replaced** with “and Emergency Response procedures” in Section 9 H. **Added** 1-3 to Section 9 H. **Deleted** “Inmates will receive the regular competitive wage for the job performed” and **Replaced** with “Work release inmates will be paid wages that meet or exceed federal and state minimum wage requirements” in Section 10 A.

**April 2013:** **Deleted** 1. "Inmates on work release who have fully paid all disbursement obligations and whose minimum savings and frozen account balances have been met may be charged a work release supplemental charge of ten dollars per day for room and board" in Section 4 B. **Added** "costs based on a percentage rate established by the DOC. (The facility's rate...)" and **Deleted** "The rate must be approved by the Community Service Director" in Section 4 D. **Deleted** "Work release inmates who have disbursement obligations cannot have their union dues payable through a company payroll deduction. and **Deleted** "net earnings" in Section 5 B. 1. **Added** E. to Section 5. **Added** "who provides the inmate transportation as part of their work duties (is being compensated by the employer while transporting the inmate)" in Section 6 A. 4. **Added** 5. "An approved member of the community" to Section 6. A. **Added** new B. and C. to Section 6. **Deleted** "work associate" from Section 6 D. 2. **Added** 1. to Section 8 H. **Moved** G. to I and **Renumbered** subsections in Section 9. **Added** "terminated or escaped" to Section 9 J. **Deleted** "Funds will be retained in the inmate's account and paid to them upon their release to parole, suspended sentence or discharge" in Section 10 C. 3. **Deleted** "Any debts incurred due to the removal from the work release program, any outstanding work release expenses on debts incurred while on work release and any current disbursement obligations" and **Replaced** with "All room and board costs and credit obligations, including work release expense loans will be deducted from the inmate's work release pay check, the spend and savings account will be bypassed in the distribution formula, deductions will still apply towards fixed obligations and any remaining funds will be frozen" and **Deleted** "retained in the inmate's account" and in Section 10 C. 4. **Deleted** 3. "If it appears a work release inmate releasing to parole supervision owes the DOC money for involvement with the WR program, the parolee's parole agent will ensure the DOC debt is included in the inmate's obligations. A copy of the parolee's budget plan will be sent to the respective DOC business office" in Section 10 D. 3. **Deleted** "owe the DOC money are required to provide his/her forwarding address/contact information and acknowledgement in writing he/she owes the debt and he/she will make a good faith effort to settle the debt" and **Replaced** with "releasing to parole supervision who have credit obligations at the time of their release will have the credit obligation written off and the amount transferred to "costs incurred" This information will be included on the inmate's IFR and forwarded to the inmate's assigned parole agent" in Section 10 D. 3. **Added** 4. to Section 10 D. **Deleted** 2. & 3. and 3. a. b. c. in Section 11 (refer to Inmate Medical Copay policy). **Deleted** 2. "If a work release inmate is referred for medical services outside the DOC facility by HS, the inmate is financially responsible for all expenses incurred" in Section 11.

**December 2013:** **Added** "and utility" to definition of "Vehicle". **Deleted** F. "A copy of all approved Work Release Applications will be sent to the Community Service Director for statistical purposes" in Section 2. **Deleted** "During the inmate's second week of employment, the" and **Added** "make contact with the employer" and **Deleted** "telephone contact is completed with the employer" and **Replaced** with "program compliance" and **Added** "Contact is defined as either a physical job site visit, phone contact of facility face-to-face meeting" in Section 9 D. **Deleted** "During the third week of employment, the unit manager will ensure a contact visit is completed with the employer" and **Replaced** with "A physical job site visit or facility face-to face contact will be made during the second week of employment for each inmate beginning new employment" in Section 9 D. 1. **Deleted** "This meeting may include the inmate if he/she is available" and **Replaced** with "A minimum of one monthly contact for each inmate on work release is required for the duration of the time the inmate is on work release" in Section 9 D. 2. **Added** 3. 4. and 5. to Section 9. **Deleted** E. "During the remainder of the time the inmate is employed through the Work Release Program with the employer, the unit manager will ensure the inmate's employer is contacted at least once a month by unit staff" in Section 9. **Deleted** 1. "Physical spot checks at the inmate's place of employment will be completed by DOC staff as time allows" in Section 9 E. **Deleted** "Unit staff shall contact the employer anytime they become aware an inmate has received a verbal or written reprimand, been placed on a work improvement plan or received other notice, written of verbal, that adversely affects the inmate's employment" in Section 9. E. **Deleted** F. "DOC staff may contact the employer periodically to verify the inmate's presence at the job site" in Section 9. **Deleted** H. "The unit manager will ensure employment/employer contacts are documented and maintained in the COMS" in Section 9. **Deleted** "terminated or has escaped from Work Release" and **Replaced** with "work release due to disciplinary action or escape/walk away" in Section 9. J. **Deleted** "Inmates on work release from the Community Alternatives of the Black Hills will have their paychecks sent to CABH" in Section 10 C. **Deleted** "or when" and **Replaced** with "and" in Section 10 D. **Deleted** D. and all reference to medical care and **Added** reference to Inmate Medical Co-Pay policy.

**December 2014:** Deleted H. in Section 1. Added "If an inmate is accepted back into programming and completes the required programming, the inmate may be considered for work release" in Section 1 K. 3. Added 4. to Section 1 K. 3. Added a. to Section 1 K. 5. Deleted "when a slot is available" in Section 3 A. Deleted 6. Payments of personal debts and obligations upon proof and the discretion of the inmate" in Section 5 B. 6. Deleted "The contribution amount shall be paid from the inmate's spend subaccount" in Section 5 C. 2. Added "Payroll may be done via direct deposit in Section 10 B. Deleted "This information will be included on the inmate's IFR and forwarded to the inmate's assigned parole agent" in Section 10 C. 3. Deleted "minimum of 35 hours a week) and Added "as defined by the employer" and Added "or supplement their full-time employment through part-time employment" in Section 12 a. Added 1. to Section 12 B.

**April 2015:** Deleted P. "Inmates are ineligible for work release placement at a contractual facility if they have less than sixty (60) days to serve prior to their scheduled release date" in Section 1 Deleted 1. "An exception may be granted by the Warden for female inmates participating in the Intensive Meth Treatment (IMT) program" and 2. "Contractual" facility includes but is not limited to CABH, the Glory House and MCC" in Section 1 P. Deleted 1. "Inmates will sign the Medical Expenses for Work Release Inmates form acknowledging their obligation for medical expenses (See Attachment 12)" in Section 11 A. Deleted Attachment 12.

**December 2015:** Updated definition of "Sex Offender" Deleted "burglary 2<sup>nd</sup>" from Section 1 F. Deleted "programming" and Added "chemical dependency, moral recognition therapy or Thinking for a Change" and Deleted "they were assessed as needing i.e. chemical dependency or education programming" in Section 1 K. 3. Added F. to Section 2. Deleted C. "The room and board costs for inmates housed at minimum custody level units will not begin to accrue until the day the inmate has started his/her work release job" in Section 4. Added "or as established in the applicable contract" in Section 4. C.

**December 2016:** Added definition of "Booking". Added "felony" to Section 1 C. Added "if more than 30 days have passed since the warrants search was conducted" in Section 1 C. 1. Added 3. to Section 1 C. Added "or a violent crime classified 3V, 4V, 5V or 6V. to section 1 E. 1, 2, and 3. Added "or accessory to a violent crime, classified 1V or 2V" and Added "current booking is ineligible" to Section 1 g. Deleted E. and 1. in Section 1. Added "serving a sentence for a non-violent crime and" in Section 1 K. Added GED to Section 1 K. 3. Added "had his/her parole or suspended sentence revoked by the" in Section 1 K. 5. Added new L. to Section 1. Added "Offenders with a non-violent offense" and added 3. to Section 1 O. Deleted P in Section 1. Added 1. to Section 3 A. Added language to Section 4 B. Revised language in Section 13. Deleted Attachment 12. Medical Expenses for Work Release Inmates.

**August 2017:** Added 3. to Section 1 C. Deleted "If at any time DOC staff become aware a work release inmate has an active felony warrant(s), pending felony charge, pending sentencing documents for additional felony convictions, or felony holds/detainers, the Warden and Director of Community Services will be notified immediately and Replaced with "unit staff member will notify staff using the appropriate chain of command" in Section 1 C. Deleted (4) months and Replaced with 60 days in Section 1 H. I. and J. Added "in custody requiring a transfer from a community work center to a higher security facility due to an increase in custody status or policy directive" and Added "Inmates found to have committed a major offense in custody that does not result in an increase in their custody classification or required transfer from a community work center are ineligible for 60 days from the date of the sanction completion" in Section 1 M. Added 2. to Section 8 H. Added "Work hours outside of the normal working hours are permitted as approved by designated staff" in Section 9 A. 1. Deleted B. "Inmates will normally be back to the unit by 12:00 AM. Designated staff must approve any exceptions" in Section 9. Added H. to Section 9.

**December 2017:** Added 4. to Section 1 C. Section 1 G Deleted "1V or 2V" and Changed to "2V or higher" Added B. to Section 2. Added F. and H. to Section 2. Added 2. to Section 11 C. Revised Section 11 D. Added 2-4 to Section 12 A. Revised Section 12 A. 5. Added B. 1.-2. to Section 12. Updates to Attachment 2.

**February 2019:** Added "twelve (12) disciplinary points (12.1 points or greater) per year average or more than one 1.00 and Deleted (9) and Deleted (9.1 points or greater) and Added "per month average and Deleted "year average or more than .75 disciplinary points per month average" in Section 1 K. 2. Deleted "30" and Replaced with "60" in Section 1 N. Added 3. to Section 5 C. Added "does

not include Uber, Lyft or any on-demand transportation company” in Section 6 A. 3. **Added** new B. in Section 6. **Added** “employer if the employer requires drug testing of employee as a condition of employment” in Section 8 E. **Added** or the employer. Search of an inmate’s person must be conducted by DOC staff or law enforcement in Section 8 F. **Added** “review of the phone records/messaging system” in Section 9 D. 3. a. **Added** “Reasonable steps will be initiated to attempt to locate the inmate” in Section 9 D. 3. b. **Added** “actual release date” in Section 10 D. 1.

**July 2019: Deleted** “Been found guilty of committing any of the following offenses in custody” and **Deleted** a.- e. listing of H-level offenses in Section 1 K 1. **Deleted** “(9.1 points or greater)” and **Deleted** “year average, or more than .75 disciplinary points per month average” in Section 1 K. 2. **Deleted** “Refused or been removed from chemical dependency, GED, moral recognition therapy (MRT) or Thinking for a Change (T4C) for non-compliance on their most recent admission. If the inmate is accepted back in the program and completes the required programming, the inmate may be eligible” and **Replaced** with “Does not have an active IEDC alert noted in COMS” in Section 1 K. 3. **Deleted** “In the last year of employment or assigned work, the inmate has a documented report of refusal to work or has quit a job (with or without a disciplinary report) or has received a work-related disciplinary report involving a Level H, M or L Offense in Custody” in Section 1 K. 4. **Deleted** “Inmates who are found to have committed a major offense in custody that required transfer to a higher security facility because of a change in custody status within the last four (4) months, are ineligible. The inmate may be eligible four (4) months from the completion date/expiration of the sanction for the major offense that triggered the transfer” in Section 1 M. **Deleted** “thirty” and **Replaced** with “sixty” in Section 1 N. **Deleted** O. “Inmates are ineligible if they have committed five (5) minor level offenses in custody in a three (3) month period (See [Inmate Living Guide](#))” in Section 1.

*Mike Leidholt (original signature on file)*

Mike Leidholt, Secretary of Corrections

07/22/2019

Date

## Attachment 1: Application for Work Release

The **Work Release Application** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Application.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Work Release Application Please refer to DOC policy 1.5.A.5 Work Release	
<b>WORK RELEASE APPLICATION</b>			
Name	Number	DOB	
SSN	<input type="checkbox"/> Old / <input type="checkbox"/> New / <input type="checkbox"/> Mixed Sentence	<input type="checkbox"/> Prior PV? Date of PV	
Offense	Sentence		
Sentenced from? City	County		
Education (Highest grade completed)			
Initial Parole eligibility date	Next Parole Date		
Do you have a driver license?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have access/availability to your social security card?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have access/availability to your birth certificate?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Work History (Last three jobs before incarceration)			
Equipment/Training (What can you do?)			
Do you have a job lined up?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Name of firm			
Address		Phone	
<p>I respectfully ask permission of the Department of Corrections to locate and secure employment. I hereby authorize that my records, or any portion thereof, be revealed to prospective employers and assistance groups or individual persons, at the discretion of such persons; and hereby exempt such authorized from any and all liability thereof. I agree to abide by all rules and regulations concerning my assignment to the Work Release Program.</p>			
Inmate's Signature		Date	
<input type="checkbox"/> Recommend Approval	<input type="checkbox"/> Recommend Denial		
Unit Manager Signature		Date	
Deputy/Assistant Warden or Warden Signature		Date	
Revised: 12/22/2008 <span style="float: right;">Page 1 of 1</span>			

## Attachment 2: Work Release Rules and Regulations

The **Work Release Rules and Regulations** form at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\WORK RELEASE RULES AND REGULATIONS.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department Of Correction Attachment: Work Release Rules and Regulations Policy Please refer to DOC policy 1.5.A.5 Work Release Distribution: Public

### WORK RELEASE RULES AND REGULATIONS

- I will obey all Department of Corrections (DOC) rules and regulations.
- I will obey all Federal, State and local laws and ordinances of the community in which I reside and work.
- I will not possess or use any alcohol, tobacco, narcotics, synthetic drugs or other illegal substances.
- I will submit to a urinalysis test, breath analyzer test or any other test approved to determine chemical use when requested.
- I will cooperate with DOC and contract facility/jail staff and be guided by their advice in all matters affecting my involvement with the Work Release Program.
- I understand my person, possessions, living quarters and work site are subject to search at any time and I will be held responsible for any contraband found on my person, in my possessions, in my living quarters, and at my work site.
- I agree that I will not store or conceal contraband (including tips and/or other currency) at my work site or anywhere else in the community.
- I will comply with any specific order, special limitation and/or condition imposed on me by the Work Release Program.
- I will secure advanced approval from DOC staff or authorized contract facility/jail staff, if, at any time, I wish to:
  - Operate an automobile or any other motorized vehicle for work related purposes.
  - Change employment.
  - Modify an approved work schedule.
  - Access the internet.
- I will not:
  - Incur debts by borrowing or installment buying.
  - Open or use a checking account or credit card account.
  - Use a savings account without prior approval by unit staff.
  - Leave the approved job site.
  - Purchase, lease, rent or possess a cellular/mobile telephone.
- I will voluntarily surrender my driver's license to the DOC or contract/jail staff upon request. I will not operate a motor vehicle without a valid and proper driver license or when my license is surrendered or not in my possession.
- I will not operate a vehicle if I am uninsurable or do not have adequate auto insurance coverage through my employer or my own insurance provider, as required by state law.
- I will report to work at pre-determined times using only approved routes. I will return directly to my housing unit using only the approved routes within the approved time frame. If I am released from my job earlier than scheduled, I will have my employer notify my housing unit and I will return directly to my housing unit.
- I will utilize only transportation means that have been approved by DOC staff or contract/jail staff.

Revised: 03/07/2012 Page 1 of 3

South Dakota Department Of Correction Attachment: Work Release Rules and Regulations Policy Please refer to DOC policy 1.5.A.5 Work Release Distribution: Public

- I understand that I am responsible for contacting my employer immediately regarding any work-related injuries and for filing any required Workers' Compensation claims as a result of a work-related injury.
- I understand that I am required to provide at least twenty-four (24) hours notice to health services if I am unable to attend any scheduled health/dental appointment and that I may be charged a fee for any appointment I miss if I have not given adequate notice to health services.
- I will not knowingly associate, correspond or communicate with any people who are on parole or probation without the consent of my unit staff.
- I understand I am not to have family or friends visit my work site. If family or friends show up at my work site, I will not deviate from my work duties to visit in length with them or take breaks with them.
- I understand and agree not to bring any unauthorized item(s) to the housing unit.
- I understand and agree that if I am unable to obtain employment during the specified job search period or I am terminated from my employment due to my actions or my job performance, I will be removed from the Work Release Program.
- I understand and agree that if I am removed from the Work Release Program, any work release earnings received subsequent to my removal from the program will be retained in my account and paid to me upon parole or discharge. I further understand and agree that any debts incurred by me due to my removal from the Work Release Program, any outstanding work release expenses and current disbursement obligations will be deducted from my work release earnings prior to being retained in my account.
- I understand and agree to call my assigned housing unit if an emergency necessitates a change from my approved activities.
- I understand I am to follow my approved work schedule and that any change to my work schedule must be approved by my unit staff or contract/jail staff.
- I understand and agree I am not to leave the site of my employment during job hours unless I have prior approval from DOC or contract/jail staff.
- I understand that if I fail to report to work or report back to my housing unit at pre-determined times, this will constitute an escape. If my actions cause the DOC to initiate escape procedures I understand that I forfeit any further opportunity to be involved with the Work Release Program under my current admission.
- I understand I am required to carry health and/or dental insurance if such insurance is offered through my employer and I am eligible to receive the insurance.
- I understand and agree to wear appropriate and customary clothing to my job.
- I will not use the telephone at work unless authorized by my employer as part of my job or in the case of an emergency.
- I understand that the use of the internet is strictly prohibited unless approved through my employer and DOC for authorized work purposes only.
- I understand the following deductions may be made from my paycheck:

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South Dakota Department Of Correction Attachment: Work Release Rules and Regulations Policy Please refer to DOC policy 1.5.A.5 Work Release Distribution: Public

- Financial obligations and disbursements as required by law or as ordered by the court.
- Health insurance, if offered by the employer and I am eligible to receive this benefit.
- Retirement, provided the retirement plan is a condition of employment and confirmed in writing by the employer. I understand that only the minimum amount required under the retirement plan may be deducted from my paycheck and contributed to the plan.

- I understand if I am unwilling to make payments towards my financial obligations that I will be removed from the Work Release Program.
- I will not receive my paychecks or ask for an advance against them.
- I understand I may be required to pay for housing and meal costs (room and board) at the rate established by the DOC or the contract/jail facility.
- I understand I am financially responsible for my medical care (including medical, dental, optometry, lab, x-rays, medications and other related medical expenses).
- I understand I am allowed a minimum of two (2) weeks to obtain employment after I have been placed on job search. If after two (2) weeks I have not obtained employment, I understand the Unit Manager may, at his/her discretion, grant me an extension for a period to be determined by the Unit Manager.
- I agree to immediately notify DOC staff or contract/jail staff of any contact I have with law enforcement while on work release, (i.e. traffic offense, questioning by law enforcement regarding the commission of a crime, or any investigation being conducted by law enforcement).
- I will report to DOC staff or contract/jail staff any adverse work related reports I receive from my employer, to include, but not limited to, verbal reprimands, written reprimands, work improvement plans or any other notice, either verbal or written, that adversely impacts my employment.

I, \_\_\_\_\_, have received a copy of the rules and regulations for the Work Release Program of the Department of Corrections. This is to certify that I have read and fully understand that participation in the Work Release Program does not cancel or modify any of the customary rules for my conduct while I am within the institution.

Inmate Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inmate Number: \_\_\_\_\_  
Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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### Attachment 3: Work Release Assignment of Check

The **Work Release Assignment of Check** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Assignment of Check.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department Of Corrections Policy Distribution: Public		Attachment: Work Release Assignment of Check Please refer to DOC policy 1.5.A.5 Work Release	
<b>WORK RELEASE ASSIGNMENT OF CHECK</b>			
I hereby assign and transfer to the Department of Corrections, herein after designated as assignee, all wages and other funds that I have earned or may earn from my involvement in the Work Release Program pursuant to SDC L § 24-8-8.			
I authorize said assignee to take and receive the same, endorse my name thereon, and collect the money on such check and credit me with the amount so received; and if such check more than pays my indebtedness, the balance will be paid to me upon my parole or discharge. This assignment and authorization is to remain in full force and effect until I am no longer involved with the Work Release Program unless sooner released in writing by said assignee.			
Inmate Signature	<input type="text"/>	Date	<input type="text"/>
Inmate Number	<input type="text"/>		
Staff Signature	<input type="text"/>	Date	<input type="text"/>
All checks earned are to be made payable to the Work Release Inmate. And mailed to: Community Service Director South Dakota Department of Corrections 3200 East Highway 34 Suite 4 Pierre, SD 57501-5070			
Revised: 12/22/2008		Page 1 of 1	

## Attachment 4: Work Release Information for Employers

The *Work Release Information for Employers* form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\WORK RELEASE INFORMATION FOR EMPLOYERS.doc>

The gray areas indicate the information that is to be entered.

## Attachment 5: Work Release Schedule

The **Work Release Schedule** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Schedule.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Work Release Schedule Please refer to DOC policy 1.5.A.5 Work Release			
<b>WORK RELEASE SCHEDULE</b>					
Inmate Name:		Number:			
Company Name:					
Address:					
Phone Number:					
Job Title:		Contact Person:			
Transporter:					
Inmate Signature:		Date:			
Employer Signature:		Date:			
Day	Date	Time You Will Leave The Unit	Time You Will Arrive At Work	Time You Will Leave Work	Time You Will Arrive Back @ Unit
FRI					
SAT					
SUN					
MON					
TUE					
WED					
THU					
The above schedule must be completed by the Inmate in conjunction with his/her employer. The schedule runs Friday through Thursday and must be turned in by Thursday afternoon to reflect the hours you will work the following week.					
If an Inmate does not return within an hour of the scheduled time, escape procedures will be initiated.					
Revised: 12/29/2008		Page 1 of 1			

## Attachment 6: Work Release Check Assignment Cancellation

The **Work Release Check Assignment Cancellation** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Check Assignment Cancellation.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Work Release Check Assignment Cancellation Please refer to DOC policy 1.5.A.5 Work Release
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**WORK RELEASE CHECK ASSIGNMENT CANCELLATION**

To: Employer \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State & Zip \_\_\_\_\_

This notice is to inform you that \_\_\_\_\_ will discontinue his/her  
(work release inmate's name)  
involvement with the Work Release Program on \_\_\_\_\_  
(date)

This is an official notice of cancellation of check assignment for the above named inmate. Please discontinue sending his/her paycheck to the Department of Corrections and remove the Department of Corrections as the designated assignee of the above named inmate's earned wages. Should the above named inmate remain employed with your business after the date listed above, their name may appear on their paycheck and their paycheck may be issued directly to them unless otherwise directed by DOC staff. Thank you for your cooperation and participation with the Work Release Program.

Reason for termination from the Work Release Program:  
\_\_\_\_\_ Discharge  
\_\_\_\_\_ Parole  
\_\_\_\_\_ Disciplinary/misconduct  
\_\_\_\_\_ Release to Extension of Confinement

Sincerely,

Name \_\_\_\_\_  
Position \_\_\_\_\_  
South Dakota Department of Corrections  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State & Zip \_\_\_\_\_

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## Attachment 7: Work Release Acknowledgment of Costs Incurred

The **Work Release Acknowledgment of Costs of Incarceration** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Costs Incurred.doc>

The gray areas indicate the information that is to be entered.

<p>South Dakota Department of Corrections      Attachment: Work Release Acknowledgement of Debt Policy Policy      Please refer to DOC policy 1.5.A.5 Distribution: Public      Work Release</p>	<p>South Dakota Department of Corrections      Attachment: Work Release Acknowledgement of Debt Policy Policy      Please refer to DOC policy 1.5.A.5 Distribution: Public      Work Release</p>
<b>WORK RELEASE ACKNOWLEDGEMENT OF COSTS INCURRED</b>	
<p>Inmate (name): _____ (ID number): _____ is scheduled to release: _____ . It is projected he/she will owe \$ _____ to the Department of Corrections for costs associated Incarceration. I, (inmate name) _____ acknowledge I owe the Department of Corrections \$ _____ for costs associated with my incarceration. By my signature at the bottom of this form, I agree to repay the SD Department of Corrections the full amount owed.</p>	
_____ Inmate (printed name and signature)	_____ Date
_____ Forwarding Address	
_____ Telephone Number	
_____ Staff Witness (printed name and signature)	_____ Date
Revised: 06/16/2013	Page 1 of 2

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**COPY: To parole agent (if inmate is releasing to parole supervision)**



### Attachment 9: Inmate Financial Worksheet

The *Inmate Financial Worksheet* form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\INMATE FINANCIAL WORKSHEET.doc>

The gray areas indicate the information that is to be entered.

The image shows two identical copies of the 'INMATE FINANCIAL WORKSHEET' form. Each form is a complex document with multiple sections and fields. The top section includes inmate identification information such as name, number, and date of birth. Below this, there are sections for 'Work Release' and 'Court Orders' (for litigation and child support). The 'Work Release' section includes fields for dates, hours, and various account types. The 'Court Orders' section includes fields for court name, case number, and amounts. The bottom section contains signature lines for the inmate and the Department of Corrections. The form is designed to be filled out by the inmate and reviewed by the Department of Corrections.

## Attachment 10: Work Release Transportation Person

The **Work Release Transportation Person** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\WORK RELEASE TRANSPORTATION PERSON.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Work Release Transportation Person Please refer to DOC policy 1.5.A.5 Work Release	
<b>WORK RELEASE TRANSPORTATION PERSON</b>			
DATE:	[ ]		
INMATE NAME:	[ ]		
FACILITY:	[ ]		
JOB SITE #:	[ ]		
NAME OF COMPANY:	[ ]		
ADDRESS:	[ ]		
CITY/STATE:	[ ]		
TELEPHONE:	[ ]		
TRANSPORTATION PERSON'S NAME:	[ ]		
POSITION:	[ ]		
ADDRESS:	[ ]		
CITY/STATE:	[ ]		
TELEPHONE:	[ ]		
DATE OF BIRTH:	[ ]		
SOCIAL SECURITY #:	[ ]		
DRIVER LICENSE NUMBER/STATE:	[ ]		
NAME OF AUTO INSURANCE CARRIER**:	[ ]		
BACKGROUND CHECK COMPLETE:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Approved <input type="checkbox"/> Yes <input type="checkbox"/> No
DRIVER LICENSE VERIFIED:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
INSURANCE COVERAGE VERIFIED:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
DATE:	[ ]	STAFF:	[ ]
UNIT STAFF MEMBER/WORK RELEASE COORDINATOR: [ ]			
*NOTE: A SEPARATE FORM IS REQUIRED FOR EACH PERSON WHO WILL BE TRANSPORTING AN INMATE.			
TRANSPORTER AGREEMENT			
I, [ ] Agree to transport Inmate [ ]			
to and from the job site. I certify that I do have a valid driver's license. I agree that I will take this Inmate directly to work, without any unauthorized stops. I understand that this Inmate is on work release, and as such has limited access to the community. It is my responsibility to come into the unit and identify myself when I pick the Inmate up for work and when I drop the Inmate off from work. I will not provide cash, alcohol, tobacco products, cell phone or any contraband item to the Inmate I am driving.			
[ ]		[ ]	
Transporter Signature		Date	
[ ]		[ ]	
Revised: 12/29/2008		Page 1 of 1	

## Attachment 11: Work Release Routing Worksheet

The form **Work Release Routing Worksheet** is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Work Release Routing Checklist.doc>

The gray areas indicate the information that is to be entered.

<p>South Dakota Department of Corrections Policy Distribution: Public</p>	<p>Attachment: Work Release Routing Checklist Please refer to DOC policy 1.5.A.5 Work Release</p>	<p>South Dakota Department of Corrections Policy Distribution: Public</p>	<p>Attachment: Work Release Routing Checklist Please refer to DOC policy 1.5.A.5 Work Release</p>
<h3>WORK RELEASE ROUTING CHECKLIST</h3>		<p><b>Medical Restrictions-</b> [ ] Any blank or code other than NR are referred to medical for recommendation.</p>	
<p>Offender Name: [ ] ID: [ ] INPD: [ ] NRD: [ ] TED: [ ]</p>			
<p><b>Chemical Dependency</b> IMT Status- <b>INSERT NEW BOOKMARK HERE</b> If the offender is waiting or attending IMT and has more than 13 weeks to a next possible release date, contact CD for a recommendation.</p>			
<p><b>CBH Level 2.1 (CBISA)-</b> [ ] If the offender is waiting or attending CBH Level 2.1 and has more than 5 months to a next possible release date, contact CD for recommendation.</p>			
<p><b>CD Recommendation:</b> <input type="checkbox"/> Recommend work release with treatment deferred to the community <input type="checkbox"/> Recommend work release with concurrent treatment - Programming offered at the following date and times: [ ] <input type="checkbox"/> Recommend treatment prior to work release placement</p>			
<p><b>Cognitive Programming</b> Moral Reconciliation Therapy (MRT)- [ ]</p>			
<p><b>Thinking for a Change-</b> [ ] If the offender is waiting or attending either of these services and has more than 6 months to a next possible release date, contact the T4C facilitator and/or DSS Supervisor (MRT) for recommendation.</p>			
<p><b>Cognitive Programming Recommendation:</b> <input type="checkbox"/> Recommend MRT programming. Available program date and times: [ ] <input type="checkbox"/> MRT programming unavailable at this time recommend work release placement. <input type="checkbox"/> Recommend T4C programming. Available program date and times: [ ] <input type="checkbox"/> T4C programming unavailable at this time recommend work release placement.</p>			
<p><b>GED Programming</b> GED- [ ] If the offender is waiting or attending GED services contact the DOC education department for recommendation.</p>			
<p><b>GED Recommendation:</b> <input type="checkbox"/> Recommend GED services. Available date and times: [ ] <input type="checkbox"/> Recommend completion of GED prior to work release placement with expected completion date of: [ ] <input type="checkbox"/> GED may be deferred</p>			
<p><b>Health Information</b> Mental Health Level of Functioning (LOF)- [ ] Any LOF code over a 1 or a PA/PA-SM code shall be referred to MH for recommendation. MH will respond via the WR IWP in COMS. Please complete and return within 5 working days.</p>			
<p>Created: 12/29/2016</p>	<p>Page 1 of 2</p>	<p>Created: 12/29/2016</p>	<p>Page 2 of 2</p>