DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS

Program Manual

OPI:	**OCC**
Number:	**8010.1A**
Date:	**April 4, 2012**
Supersedes:	**8010.1 (8/31/07)**
Subject:	**Work Release Program**

1. **PURPOSE AND SCOPE.** To establish policy and procedures for:

   a. Placing inmates and pretrial defendants into contract community correctional centers (CCC) on and CCC-based electronic monitoring;

   b. Releasing inmates and pretrial defendants upon expiration of their sentence, upon program failure or upon other court-ordered disposition; and

   c. To provide overall contract administration of the program.

2. **POLICY.** It is DC Department of Corrections' (DOC) policy to place eligible inmates/defendants in a CCC based program upon court ordered pretrial work release supervision, community transition from detention, or electronic monitoring as an alternative to incarceration.

3. **APPLICABILITY.** This directive applies to the following entities:

   a. The DOC Office of Community Corrections (OCC) who has the authority to approve inmate/defendant placement and who has the authority for the administration and oversight of contracted community correctional center (CCC) services;

   b. The DOC Case Management Division that refers eligible sentenced misdemeanants from the Central Detention Facility (CDF);

   c. The Corrections Corporation of America (CCA) that sends referrals through the DOC Case Management Division on behalf of DOC misdemeanants housed at the CCA Correctional Treatment Facility (CTF);

   d. Contract service providers who operate the CCC; and

   e. Sentenced misdemeanants and pretrial defendants who participate in the program.

4. **PROGRAM OBJECTIVES**

a. A risk assessment is conducted for each sentenced misdemeanant referred by DOC. The OCC shall advise the referring authority when an inmate/defendant is not accepted into the program, stating specific reasons.

b. CCC inmates/defendants will receive structured supervision and accountability in a community setting to enhance their opportunities for successful reentry.

c. Absconders and escapees are detected and promptly reported.

d. DOC shall monitor contract CCC facilities to ensure they are administered and managed in a professional and responsible manner, consistent with legal requirements, local regulations and contractual agreements.

e. DOC shall maintain an appeal system for resolution of inmate grievances.

5. **NOTICE OF NON-DISCRIMINATION**

a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

6. **DIRECTIVES AFFECTED**

a. Directives Rescinded

1) PS 4923.4B Placement of Inmates in Community-Based Programs (6/4/01)

2) PS 8010.1A Work Release Program (8/31/07)

b. Directives Referenced

1) PS 1280.2 Notification and Reporting Procedures for Significant Incidents and Extraordinary Occurrences

2) PS 1300.1 Freedom of Information Act (FOIA)

3) PS 1300.3 Health Information Privacy

4) PS 2000.2 Retention and Disposal of Department Records

5) PS 4022.1 Community Correctional Disciplinary Procedures

6) PS 4030.1 Inmate Grievance Procedure (IGP)

7) PS 4060.2 Inmate Record

8) PS 4352.1 Inmate-Offender Death

9) PS 4353.1 Admissions, Transfers and Releases

10) PS 5010.3 Contraband Control

11) 5010.9 Use of Force and Application of Restraint

7. **AUTHORITY**

a. DC Code § 22-4501 Definitions

b. DC Codes § 24-241.01 through § 24-241.10, Work Release Program

c. DC Code § 2-1931, et seq., Language Access

8. **STANDARDS REFERENCED**

a. American Correctional Association (ACA) 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF-5B-17

b. ACA Standards for Adult Community Residential Services: 4-ACRS-2A-07, 4-ACRS-2A-08, 4-ACRS-2A-09, 4-ACRS-2A-12, 4-ACRS-2C-05, 4-ACRS-3A-01 through 4-ACRS-3A-07, 4-ACRS-4C-01 through 4-ACRS-4C-24, 4-ACRS-5A-01, 4-ACRS-5A-06, 4-ACRS-5A-10, 4-ACRS-6A-04, 4-ACRS-6A-10, 4-ACRS-6A-12, 4-ACRS-6A-13, 4-ACRS-6B-02, 4-ACRS-6B-03, 4-ACRS-6C-01 through 4-ACRS-6C-04, 4-ACRS-7D-05, 4-ACRS-7D-08, 4-ACRS-7D-10, 4-ACRS-7D-11, 4-ACRS-7D-15, 4-ACRS-7D-32, 4-ACRS-7D-33, and 4-ACRS-7D-34

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CHAPTER ONE

PROGRAM EVALUATION AND PLACEMENT

1. DEFINITIONS

a. *Crimes of Violence*. Crime of Violence means aggravated assault; act of terrorism; arson; assault on a police officer (felony); assault with a dangerous weapon; assault with intent to kill; commit first degree sexual abuse, commit second degree sexual abuse, or commit child sexual abuse; assault with intent to commit any other offense; burglary; carjacking; armed carjacking; child sexual abuse; cruelty to children in the first degree; extortion or blackmail accompanied by threats of violence; gang recruitment, participation, or retention by the use of threatened use of force, coercion, or intimidation; kidnapping; malicious disfigurement; manslaughter; manufacture or possession of a weapon or mass destruction; mayhem; murder; robbery; sexual abuse in the first, second, or third degrees; use, dissemination, or detention or a weapon of mass destruction; or an attempt or conspiracy to commit any of the foregoing offenses.

b. *Electronic Monitoring*. Use of an ankle bracelet transmitter tracking (Global Positioning System-GPS) device to account for an individual all times, including verification of activities, reporting tardiness and/or absence from required services or activities, as well as other program violations.

c. *Special Needs*. A mental and/or physical condition that requires specialized accommodations or arrangements. Individuals with special needs may include, but are not limited to, persons with emotional, developmental, mental or physical disabilities, including chronic illness, substance abuse and addictions.

2. RESPONSIBILITIES

a. **Office of Community Corrections (OCC).** The Deputy Director has delegated responsibilities for administration of this program to OCC.

b. **Community Correctional Centers (CCC).** Each community correctional center is responsible for day-to-day operations and programs pursuant to their contractual agreement with DOC and consistent with applicable federal and local regulations, as well as this directive.

c. **Case Managers.** DOC and CCA/CTF Case Managers shall screen their respective caseload to identify inmates who are eligible for CCC placement. This screening shall include, but not be limited to, interviewing the inmate to determine his/her request or refusal for CCC placement and providing an overview of the program and general rules. Case Management staff at

DOC and CCA/CTF shall prepare the referral package for sentenced misdemeanant candidates.

d. **CDF Warden.** The Warden or his/her designee shall be the institutional approving authority for non-waiver referral packages submitted from the CDF.

e. **DOC Case Management Division.** The DOC Case Management Division shall be the institutional approving authority for non-waiver referrals and the institutional level reviewing authority for referrals requiring a waiver when the CCA/CTF submits a Work Release referral.

f. **Deputy Director.** The Deputy Director or his/her designee shall be the final approving authority in all cases requiring a waiver for CCC placement.

3. **ELIGIBILITY CRITERIA**

a. **Sentenced Misdemeanants** shall meet the following eligibility criteria:

1) Within 180 days of their mandatory release date;

2) No history of escape/abscond, crime of violence or assaultive behavior in the past ten (10) years, except when a waiver is granted (see ¶ b. of this section);

3) The instant offense does not evidence conviction for domestic violence or sex offense;

4) No pending charges, outstanding detainers or outstanding warrants;

5) No requirement for inpatient medical, psychiatric or substance abuse treatment;

6) Minimum or Medium custody;

7) A juvenile records clearance for inmates between the ages of 18 and 21;

8) Has signed an agreement for participation in a CCC or CCCEMP (Attachment A); and

9) Is employed or agrees to seek and maintain full-time employment or enrollment in approved educational or training opportunities.

b. **Waivers.** A waiver may be granted by the Deputy Director or his/her designee for sentenced misdemeanants with the following:

1) A history of escape/abscond or assaultive behavior within the past 10 years. A history of violent crimes involve harm and danger to another

person(s), including but not limited to Armed Robbery, Arson, Assault with Intent to Kill, Assault with a Dangerous Weapon, Burglary I, Child Abuse, Child Molestation, Manslaughter, Mayhem, Murder, And Rape While Armed.

2) A stay away order (a condition of work release ordering the defendant to stay away from a specific person(s) and/or place); or

3) Sentenced misdemeanants who require a waiver for placement, who have limited community resources, ties or no permanent DC address or other extenuating circumstances may be placed in a CCC with the added condition of participation in the Electronic Monitoring Program.

c. **Court Ordered Work Release.** The U.S. District Court for DC and the Superior Court of DC place pretrial defendants (hereafter called *"defendant"*) and sentenced misdemeanants (hereafter called "inmates") in halfway houses as an alternative to incarceration. The inmate/defendant shall meet the flowing criteria for court ordered placement:

1) Have no pending charges where work release is not recommended;

2) Have no outstanding detainers or outstanding warrants;

3) Have no requirement of inpatient medical, psychiatric or inpatient substance abuse treatment; and

4) If the inmate/defendant is between the ages of eighteen (18) and twenty-one (21), the individual shall not have outstanding charges as a juvenile or outstanding detainers or warrants pursuant to a juvenile offense.

4. **INMATE DECLINATION FROM PARTICIPATION.** The Case Manager shall ensure that documentation is obtained when an inmate declines CCC placement for work release or electronic monitoring. Declination shall be recorded on the Request for Community Correctional Center Placement Form (Attachment A) and filed in the inmate's institutional record.

5. **REFERRAL PACKAGE**

a. **Sentenced Misdemeanant Packages.** Case Management shall submit the referral package to OCC. The referral package shall contain the following documentation:

1) CCC Referral Package checklist (Attachment B);

2) Warden's transmittal memorandum to OCC or when applicable, the waiver memorandum to Deputy Director;

3) Institutional Transfer Report (report must have been prepared/updated within the past 60 days);

4) Request for CCC Placement (Attachment A) or when appropriate, the CCC Electronic Monitoring Program (CCCEMP) Form (Attachment C) containing the inmate's signature;

5) CCC EMP Equipment Compliance Assignment Contract (Attachment D); and CCC General Rules and Orientation Form (Attachment F) containing the inmate's signature and when applicable;

a) Face Sheet #1;

b) Face Sheet #2;

c) Judgment and Commitment Order(s);

d) Medical Clearance Form;

e) Copy of current photograph;

f) Copy of fingerprint card;

g) Copy of criminal history check;

h) Protective Custody waiver (if applicable);

i) Copy of Separation Orders, if applicable, including location of separatees;

j) Release Plan that includes recommendation for special needs assistance as appropriate;

k) LSIR Assessment; and

l) WALES check.

b. **Court Ordered Work Release Packages**. These packages shall be submitted by the Records Office to OCC and contain the following:

1) Face Sheet #1;

2) Face Sheet #2, when applicable;

3) Judgment and Commitment Order(s);

4) Medical Clearance Form;

5) Copy of fingerprint card; and

6) Copy of photograph.

6. REVIEW OF CCC REFERRALS

a. Sentenced Misdemeanants

1) Case Managers shall forward referral packages for sentenced misdemeanants through the chain-of-command to the Warden or designee for review and approval/disapproval.

2) The Warden or designee shall then forward the package to OCC for review except when a waiver is required and the Warden forwards the package to the Deputy Director for consideration.

3) OCC staff shall review each referral package, approve or disapprove the referral and determine the appropriate CCC placement, if approved.

4) OCC staff shall ensure that each appropriate inmate is placed in a CCC as soon as eligible and/or as a bed space becomes available. An inmate may not apply for placement in a CCC of their preference.

5) A CCC Administrator may submit justification to the OCC Administrator to deny an inmate/defendant's placement when the inmate/defendant does not meet placement criteria or there are other extenuating circumstances.

6) Both the OCC and the CCC Administrators may appeal a placement to the DOC Deputy Director when either determines that placement may not be suitable.

7) OCC staff may re-designate an inmate if it is determined that the initial placement is not suitable.

b. Court Ordered Work Release

1) The Central Detention Facility Record Office shall conduct appropriate record searches and documentation for open cases, pending charges and outstanding warrants and detainers.

2) The Record Office shall forward a request to the health care provider for a medical clearance.

3) Upon receipt of the medical clearance, the Records Office shall send the Court Ordered List to OCC.

4) The DOC Record Office shall notify the judge's chambers if it is determined that the defendant/inmate does not meet program criteria.

7. TRANSFER PREPARATION

a. OCC shall fax the list of inmates/defendants approved for transfer into a CCC to the CDF Record Office.

b. On the day of transfer to a CCC, the Records Office shall complete final legal clearances and prepare an Inter-Institutional Transfer (IIT) form identifying the inmate and the designated CCC. The Records Office shall attach the signed IIT form to the work release package and forward it to R&D Control.

c. On the day of transfer to a CCC facility, the OCC shall notify the contract health services provider, via fax. The health services provider shall provide the inmate/defendant with a 3-day supply of medication and prescription, (7 day supply and prescription for HIV & AIDS patients).

d. On the day of transfer to a CCC, Receiving and Discharge (R&D) shall ensure that the transport officer receives the following documents:

1) Inter-Institutional Transfer (IIT);

2) Fingerprint card;

3) A recent photograph;

4) The inmate's Judgment and Commitment Order(s);

5) Face Sheets #1 & #2;

6) Medical Clearance; and

7) When applicable, medication.

CHAPTER TWO

INMATE PROGRAMMING AND PARTICIPATION

1. INTAKE SCREENING, ORIENTATION AND PROGRAM PLANNING

a. DOC – Electronic Monitoring Program Orientation

DOC shall within seventy-two (72) hours of CCC placement, outfit inmates/ defendants who are assigned to the electronic monitoring program with the electronic bracelet and provide one-on-one orientation. Orientation shall include rules and instructions on use and care of equipment.

b. Contractor

1) All inmates/defendants shall receive an intake briefing within 24 hours of arrival at the facility.

2) Within seventy-two (72) hours of admission, each inmate/defendant shall receive a more comprehensive orientation and personal interview.

3) Orientation shall include but not be limited to verbal and written notification of the rules and regulations governing facility operations, conduct and discipline and program services.

4) Inmates/defendants shall receive written orientation materials and/or verbal translations in their language if they do not understand English. Contractors shall at a minimum contract with a telephone interpreter service to enable limited or non-English proficient inmates/defendants to access or participate in programs or services.

5) The CCC shall make counseling and social service programming available to all inmates/defendants to assist in their successful community reintegration.

6) The service provider shall ensure that the assigned case manager assists the inmate to establish individual program goals and objectives and make referrals and recommendations on behalf of the client to appropriate treatment staff and community resources.

7) The Job Counselor shall counsel, screen and place inmates/ defendants in employment and/or training situations determined by the individual’s needs, ability, prior experience and available employment opportunities.

8) The CCC shall provide inmates/defendants with opportunities to maintain family ties and community involvement.

9) The facility shall allow inmates/defendants to make confidential contact with attorneys and their authorized representatives (law students, special investigators, lay counsel or other persons who have legitimate connections with the legal issue being pursued). The facility shall make provisions for legal visits because of special circumstances, uncensored correspondence and telephone communications.

10) Each inmate/defendant shall in conjunction with the case manager, establish a monthly budget. All inmates/defendants shall pay court-ordered obligations (i.e. Victims of Violent Crimes and Child Support).

11) Inmates/defendants authorized to drive shall posses a valid driver's license, registration and inspection certificates, appropriate insurance and CCC authorization to operate a vehicle. Inmates/defendants shall operate the vehicle for employment purposes only and in compliance with all federal and District of Columbia laws and regulations.

2. **CENTER RULES AND DISCIPLINARY PROCEDURES**

a. CCC contractors shall administer DOC rules of discipline pursuant to PS 4022.1 *Community Correctional Center Disciplinary Procedures.*

b. The CCC and DOC rules shall be prominently posted and included in the inmate's/ defendant's orientation package and discussed with the inmate/defendant during orientation.

c. Removal for Disciplinary Reasons

1) Pretrial defendants charged with one or more Class I infractions shall be immediately remanded to the CDF pending judicial intervention and review, pursuant to PS 4022.1.

2) Inmates/defendants charged with one or more Class I infractions shall be immediately remanded to the CDF pending administrative disposition.

3) Procedures for remanding inmates/defendants to custody after a finding of guilt for commission of one or more Class II or Class III infraction is prescribed in this Chapter, ¶ h.

d. Inmates/defendants charged with one or more Class II and/or Class III infractions may be restricted to the CCC prior to the hearing before the CCC Disciplinary Board. The hearing shall be conducted as soon as possible but no later than 24 hours after the referral to the Disciplinary Board. If a Disciplinary Board hearing cannot be scheduled within the twenty-four (24) hour period, the Center Administrator or the shift supervisor shall appoint a temporary board to expeditiously provide the hearing.

1) The Adjustment Board Committee shall read the alleged violation(s) to the inmate/ defender.

2) The inmate/defender shall have the opportunity to present his or her version of the facts and introduce any supporting materials. Upon request, an attorney may be present to observe the proceedings in accordance with PS 4022.1.

3) The Committee may continue the hearing to secure additional information and/or recommend removal from the program.

4) The Committee chairperson shall prepare a memorandum summarizing the incident, findings and recommendation(s) to the OCC Administrator, who may concur or disagree with the findings.

e. Recommendation to Remove an Inmate/Defendant for Disciplinary Reasons on Class II and Class III infractions. Procedures when the recommendation is removal are as follows:

1) After the hearing, the Adjustment Board chair shall prepare an affidavit detailing the committee's findings and recommendations and forward it through the CCC Administrator to the OCC Administrator.

2) The OCC Administrator may overrule the recommendation to remand the inmate/defendant from the CCC. The inmate/defendant would remain in the center and the OCC Administrator shall provide written justification for denial of the recommendation for removal/remand.

3) If the OCC Administrator sustains the recommendation for removal, the OCC Administrator shall forward the affidavit to the Office of the General Counsel for legal sufficiency review and approval for removal.

a) Inmate. Upon approval, an inmate would then be remanded to CDF for further administrative disposition.

b) Pretrial Defendant. Upon approval, the inmate/defendant would be remanded to CDF. OCC would present the affidavit to the District of Columbia Superior Court Criminal Division requesting a Show Cause revocation hearing before the defendant's judge of record.

3. **INMATE'S GRIEVANCE AND APPEAL PROCESS.** Inmates/defendants shall use the grievance process provided by the CCC contractor. Upon exhaustion of all remedies, the inmate may appeal to the DOC Director in accordance with PS 4030.1 *Inmate Grievance Procedures*.

4. **MEDICAL AND DENTAL SERVICES**

a. DOC shall ensure the CCC contractor provides the following services:

1) Orientation for inmates/defendants about available health care services in the at large community.

2) Referrals for inmates/defendants with medical and mental health needs.

3) Coordination with the Department of Mental Health's Core Service agencies and support systems.

b. Offsite Health Services

1) When the inmate/defendant requests routine medical attention, the CCC staff shall contact the health care provider for approval to go to a local hospital for treatment.

2) Emergency Care

a) If the inmate's/defendants medical condition appears to be life threatening, CCC staff shall request emergency assistance from the DC Fire and Emergency Medical Service (DCFEMS).

b) If DCFEMS transports the individual to a medical facility, CCC staff shall notify the OCC Administrator of the inmates/ defendant's location and pertinent information related to the emergency.

c) OCC shall make appropriate initial notification and status updates pursuant to PS 1280.2C *Notification and Reporting Procedures for Significant Incidents and Extraordinary Occurrences*.

d) OCC shall submit a written report to the DOC Health Services Administrator within 24 hours providing the inmate's name, DCDC Number, symptoms observed by staff, inmate's complaints, or the nature of the emergency if the inmate was not at a CCC just prior to the emergency, method of transportation and condition of the inmate.

c. Employment Related Accidents/Injuries

1) Employers are responsible for medical care when an inmate is injured on the job.

2) Inmates/defendants who encounter medical emergencies in the community shall notify the CCC or OCC immediately or as soon as possible.

3) The employer shall notify the CCC when an inmate is injured and is unable to contact the CCC.

d. All Inmates/defendants shall immediately physically report to the assigned CCC facility, with all related medical documentation after completing medical treatment or release from the hospital.

e. Inmates/defendants, who fraudulently report a medical complaint, shall assume the full responsibility for all costs of transportation, treatment and care when the health care provider, in conjunction with the DOC Health Services Administrator, determines that no emergency existed.

f. Medication Storage

1) Inmates/defendants shall surrender all prescription or over-the-counter medication immediately upon entering the facility.

2) The CCC shall have a locked container for the storage and security of medication. Only authorized CCC staff shall have access to the key or combination number to unlock the storage container.

3) Each CCC shall maintain a medication log that the inmate/defendant shall sign when obtaining his/her medication dosage.

5. **MEDICAL OUTCOUNT**

a. When an inmate/defendant is admitted to a local hospital for medical services, the CCC shall place the inmate/defendant on medical out-count for the duration of his/her hospital stay.

b. When an inmate/defendant is placed on medical out-count the CCC staff shall notify DOC in accordance with the requirements of PS 1280.2C.

c. CCC staff shall make an on-site visit to the hospital within the shift during which the admission occurred. The purpose of the visit is to ensure positive identification of the inmate/defendant and to verify the circumstance surrounding the admission.

d. CCC staff shall conduct at least two telephonic verifications per shift with the nurse’s station until the inmate/defendant is released.

e. CCC shall keep the bed space open until the inmate/defendant is either released or returned to the CCC.

6. **INMATE/DEFENDANT DEATH.** Pursuant to PS 4352.1 *Inmate/Offender Deaths:*

   a. Within one hour of an inmate's/defendant's death, or within one hour of the time staff becomes aware of the death, the contract halfway house shall notify the OCC Administrator.

   b. The OCC Administrator shall notify the CDF Command Center.

   c. Contract halfway houses shall utilize the incident reporting and notification forms and procedures specified in PS 1280.2 *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*.

7. **DRUG SCREENING, TESTING AND TREATMENT**

   a. All CCC inmates/defendants shall be tested for the use of illegal drugs.

   b. Inmates/defendants with a history of drug use may be required to participate in the drug treatment program even if they do not test positive for drugs.

   c. Each CCC shall establish procedures to ensure appropriate maintenance of the chain of custody for all urine samples.

   d. A breathalyzer test shall be administered when an inmate/defendant is suspected of using alcohol. Staff shall enter in the designated logbook the inmate's name, DCDC number, test date and results and a brief description of conduct/behavior that prompted reasonable suspicion for testing.

   e. Program removal for alcohol and/or drug use may result based upon one or more of the following conditions:

      1) Failure to cooperate with drug counseling, treatment or regular urine testing.

      2) Refusal to submit a urine sample as instructed by a staff member or tampering/ attempting to tamper with the specimen.

      3) Confirmed positive urinalysis test.

8. **RELEASE PROCESS**

   a. Inmates shall be released on the day of the expiration of their respective sentence or on the day when release becomes mandatory.

   b. DOC is the releasing authority for court order work release and sentenced misdemeanor inmates/defendants. The DOC Records Office shall pursuant to PS 4353.1 *Admission, Transfers and Releases* complete and

document all legal clearance checks in the release authorization processing systems database.

c. The Records Office shall electronically fax a copy of the approved Release Authorization Form to the OCC and the CCC.

d. The inmate shall sign the required release paperwork and any notifications/ conditions for community supervision.

e. If the inmate is released to community supervision, the CCC Administrator shall ensure that written notice is issued to the Court Services and Offender Supervision Agency (CSOSA). Notice shall include a copy of the individual's release plan and documentation that the conditions of supervision were explained to the inmate.

f. The CCC Administrator shall conduct random audits not less than once a year to assure that staff are providing all required activity and documentation in the release plan and that reports are routed to the appropriate official(s) in a timely manner.

g. The CCC Administrator shall audit files of participants who successfully completed the program to assure that each release package contained all required documentation and was appropriately forwarded in a timely manner.

h. The OCC Administrator shall audit files at each facility to ensure contractor compliance with appropriate and timely release procedures.

CHAPTER THREE

PROGRAM FAILURES
TECHNICAL VIOLATORS, ESCAPE, ABSCOND AND REMAND

1. **SUSPENSION OR REVOCATION OF CCC PLACEMENT.** Placement in a CCC may be suspended or revoked and the inmate remanded to custody based on violation of any of the following conditions:

   a. Walk away. Walk away is when a *sentenced inmate* is absent from a community residential program without authorization;

   b. Abscond**.** Absconding is when a *pretrial inmate* is absent from a community residential program without authorization;

   c. Arrest for a new charge and/or bench warrant;

   d. A finding of guilt for a violation of the CCC disciplinary code of offenses or other facility rules;

   e. Any breach of the conditions of electronic monitoring;

   f. The CCC in conjunction with OCC may remand the inmate/defendant to the CDF when the resident is an escape risk; the resident poses a threat to the staff or other residents; or would otherwise interfere with the orderly operation of the CCC;

   g. Upon Court order; or

   h. By order of the DOC Director.

2. **REMAND**

   a. The sending CCC shall prepare an Inter-Institutional Transfer (IIT) form when an inmate/defendant is scheduled for return to custody through the CDF.

   b. The sending CCC shall notify the CDF Transportation Unit.

   c. When DOC transport arrives at the CCC, Center staff will turn the custody of the inmate over to them.

   d. The CDF Shift Commander shall ensure Receiving and Discharge (R&D) staff inputs the recommitment in JACCS.

   e. When an inmate/defendant is returned to the CDF, senior staff at the CCC shall ensure that all property is collected and inventoried and shall notify

the person designated by the inmate to collect the property within 10 days or it will be disposed of. The call shall be logged.

3. **PRETRIAL DEFENDANT PROGRAM FAILURE**

   a. When a pre-trial defendant is remanded to CDF for failure to comply with the program, the CCC Administrator shall, by noon of the next business day, send an affidavit along with inmate's signature of receipt of the rules and regulations and, if applicable, the new arrest report, to OCC. The affidavit shall contain information regarding the defendant's legal status, a report of the inmate's adjustment and participation in the program, justification for the remand request and supporting documents.

   b. The OCC Administrator shall forward copies of the affidavit to the D.C. Superior Court Criminal Division and the US Attorney's Office.

4. **ESCAPE/ABSCOND PROCEDURES.** When an inmate or pretrial defendant fails to return to his or her CCC at the established time, the following escape or abscond procedures shall automatically go into effect.

5. **CURFEW VIOLATION**

   a. If an inmate or pretrial defendant fails to return to a center by his/her curfew and has made no contact with the center, staff shall within fifteen (15) minutes after the individual's curfew, begin to physically search the center to further verify that the inmate/ defendant is not in the CCC.

   b. Staff shall conduct a count of inmates/defendants who are in the facility and document findings on the program count sheet and daily log.

   c. Staff shall then attempt to contact the inmate's/defendant's employer, persons listed on the individual's social pass, area hospitals, central cell block and authorized locations to which he or she has signed out previously. Staff shall document findings from each inquiry.

6. **ESCAPE/ABSCOND ACTIVATION**

   a. When the inmate/defendant has not returned to the CCC after two (2) hours of curfew, center staff shall advise the CCC Administrator and request permission to place the individual on escape or abscond status.

   b. CCC staff shall notify DOC in the following manner:

      1) If the escape or abscond occurs Monday through Friday between the hours of 7:30 am and midnight, CCC shall contact the OCC.

2) If the escape or abscond occurs between midnight and 7:30 am or on the weekend, or a DC Government legal holiday, the CCC Administrator shall verbally notify the OCC Administrator or Duty Officer.

3) CCC staff shall provide all pertinent and available information regarding the escapee or absconder to the OCC.

4) CCC staff shall place the CCC Administrator and OCC Administrator on high alert when the defendant is charged with or an inmate is serving a sentence for a violent crime or the inmate/defendant is subject to a stay-away order.

5) The OCC Administrator shall notify the DOC Office of Internal Affairs when the escapee/absconder is serving a sentence for/has been charged with a violent crime or is subject to a stay-away order.

6) The DOC OIA shall notify the DC Metropolitan Police Department (MPD) Special Operations Command Center (SOCC) of all escapes/absconds from a CCC.

7. ESCAPE/ABSCOND PACKAGE PREPARATION

a. Before the close of business, the CCC Administrator or designee shall forward the escape/abscond report package to OCC.

b. The escape/abscond report package shall include all of the following documents:

1) First Sheet of Escape Report – District-Wide Escape Monitoring System (DEMS)(Attachment G)

2) DCDC Form 1/Report of Significant Incident/Extraordinary Occurrence narrative when applicable (Attachment H)

3) Emergency Notification (Attachment I)

4) Apprehension Report (Attachment J) (if applicable)

5) Judge Violation Report/Affidavit (Attachment K)

6) Judgment and Commitment Orders or the Pretrial or Court Order Work Release Order

7) Face sheet 1 & 2 (if applicable)

8) Inmate's CCC sign in/out sheet

9) Copy of Signed Rules and Regulations

10) Emergency Notification Log

11) Inmate's photograph

12) Inmate's fingerprint card

8. **ESCAPE DATA ENTRY**

a. When the OCC declares the individual as officially on escape or abscond status, OCC staff shall input required data into the District-wide Escape Monitoring System (DEMS) and input the required information into the Jail and Community Correctional System (JACCS).

b. DEMS will automatically fax notification as follows:

1) Office of Internal Affairs (OIA) - (202) 673-4359

2) Central Detention Facility (CDF) Command Center - (202) 673-8794

3) OCC Administrator - (202) 715-2862

4) DOC Deputy Director - (202) 645-9245

5) DOC Director - (202) 671-2043

6) Metropolitan Police Department (MPD) Communications - (202) 373-3700 and all MPD Precincts (202) 730-0574

7) U.S. Marshals - (202) 616-2464

9. **APPREHENSION PROCEDURES**. Inmates/defendants return from escape/abscond status through the following processes:

a. Apprehension by OIA, US Marshals or MPD;

b. Voluntary return to the CCC where housed before the escape/abscond;

c. Voluntary return to the CDF Tower; or

d. Commitment on new charges.

10. **APPREHENSION NOTIFICATION.** When an escapee/absconder is apprehended and remanded to custody by the US Marshals or DOC OIA,

the reporting official shall document the time and date and shall notify the OCC by phone.

11. **VOLUNTARY RETURN TO THE CCC**

a. Sentenced Inmate (Escapee)

1) The inmate shall be held at the Center and returned to the CCC count.

2) CCC staff shall telephonically notify the OCC to request transport of the inmate as an administrative removal.

3) Upon approval from OCC, the CCC shall complete an Inter-Institutional Transfer (ITT) form for transfer to the CDF.

4) When DOC transport arrives at the CCC, Center staff will turn the custody of the inmate over to them.

5) The CDF Shift Commander shall ensure R&D staff inputs the recommitment in JACCS.

b. Pretrial Defendant (Absconder)

1) CCC staff shall report an absconder's return to the OCC Administrator or designee through the CCC Administrator.

2) Upon determination and approval that the defendant shall be removed from the CCC, OCC shall contact the CDF to remand the defendant into custody in accordance with sub section a. above

12. **VOLUNTARY RETURN TO THE CDF**

a. When the inmate/defendant reports to the CDF Tower to voluntarily return to custody, the Tower Officer shall immediately obtain the inmate's/defendant's name, DCDC#, the date and the CCC from which the individual escaped/absconded.

b. The Tower Officer shall ask the inmate to remain in the parking lot near the gate but shall not allow the inmate/defendant to enter the Sally Port.

c. The Tower Officer shall immediately notify Receiving and Discharge (R&D) and convey all pertinent information received.

d. R&D shall verify through JACCS, *All Jails Location screen* that the inmate/offender is in *15 Abscond* or *52 Escape* status. Upon verification R&D staff shall make notification to the Records Office.

e. The Records Office shall locate the returnee's official inmate institutional record to ensure that there is a legal commitment to DOC and the individual is/was a work release participant.

f. When R&D notifies the Tower Officer to take the inmate/defendant into custody, the Sally Port Officer shall escort the individual to R&D for further processing.

g. Recommitting a Sentenced Inmate

1) R&D Control shall notify the OIA of the recommitment.

2) The OIA shall execute the escape warrant.

3) If the warrant has not been issued, the OIA shall issue and execute the escape warrant.

h. Recommitting a Pretrial Defendant

1) If the individual is a pretrial defendant, R&D shall prepare a Form 41 US Marshal Commitment to temporarily hold the individual.

2) R&D shall obtain a faxed copy of the escape/abscond report from the DOC OIA or OCC.

3) Within twenty-four hours of commitment on a Form 41 or on the next business day, the Office of Internal Affairs shall escort the pretrial defendant to the Central Cellblock.

4) The Office of Internal Affairs shall execute the escape warrant and the pretrial defendant shall then be booked on the new charge of Escape.

i. The R&D Control OIC shall in JACCS:

1) Document the time and date that the inmate escapee or defendant absconder is admitted;

2) Transfer the inmate's record from location 52 or 15 into location 12 (CDF); and

3) In the appropriate JACCS Booking Screen pull-down, designate the apprehending agency as "*Other*" and specify "*Self-Return*" in the JACCS notes section.

j. R&D shall notify the Command Center and shall contact the OCC Administrator if the inmate/defendant is admitted Monday through Friday between the hours of 7:30am-12 midnight, or shall notify the Weekend Duty Officer for Community Corrections if the inmate/ defendant is admitted between Saturday at 12:01 am through 7:30am Monday.

13. **NEW ARREST**

a. CCC staff shall verbally notify DOC in the following manner:

1) If the arrest occurs Monday through Friday, to include holidays, between the hours of 7:30 am and 12 midnight, CCC shall contact the OCC.

2) If the arrest occurs between Saturday at 12:01am and Monday 7:30 am, the CCC Administrator shall notify the OCC Duty Officer at (202) 595-4677.

3) CCC staff shall alert the CCC Administrator and the OCC Administrator when the inmate/defendant is serving a sentence for or has been charged with a violent crime or is subject to a stay-away order.

4) The OCC Administrator shall notify the DOC Office of Internal Affairs when the inmate/defendant is serving a sentence for/has been charged with a violent crime or is subject to a stay-away order.

b. The inmate/defendant shall immediately be placed on Re-arrest status in JACCS.

c. Authorized CCC staff shall complete and fax an official DCDC Form 1, *Report of Significant Incident/Extraordinary Occurrence* (Attachment H) to the OCC, providing all known information concerning the reported arrest.

14. **NEW COMMITMENTS – SCREENING FOR OUTSTANDING ESCAPE/ ABSCOND WARRANTS AND DATA- RECONCILIATION**

a. The R&D Control team, upon commencement of each shift and prior to processing any inmates, shall print a copy of the *CCC Inmates on Escape or Abscond Status* crystal report. Based upon DEMS and JACCS data entry at the time of an escape/abscond, this crystal report contains the DCDC number and location of inmates on escape (52) or abscond (15).

b. The R&D Control officer shall check the DCDC number of each inmate being committed against the DCDC numbers on the *CCC Inmates on Escape or Abscond Status* crystal report.

c. If the inmate's DCDC number matches on the Escape or Abscond Status report, R&D Control shall:

1) Transfer the inmate's record from location 52 or 15 into location 12 (CDF);

2) In the appropriate JACCS Booking Screen pull-down, designate the apprehending agency; and

3) Notify OCC.

d. The OCC shall complete the *Apprehension Report* in DEMS, thereby synchronizing the records in JACCS and DEMS.

15. **REPORTING AND DOCUMENTATION**

a. Within one (1) hour of the escapee's/absconder's return to custody, the reporting official in R&D shall fax all pertinent information to the OCC staff who shall prepare an Apprehension report.

b. The OCC shall input the apprehension report into DEMS.

c. DEMS will make automatic notification by fax to the following offices:

1) CDF Command Center

2) OIA

3) Administrator, OCC

4) Office of the Director

5) Office of the Deputy Director

6) DOC Records Office

7) MPD Communications and all MPD Police Precincts

8) U.S. Marshals

CHAPTER FOUR

DOC RESPONSIBILITIES

1. **CONTRACT ADMINISTRATION**

   a. DOC contracts with private vendors for all CCC housing and services provided to DOC inmates and DC Superior Court-ordered work release defendants.

   b. OCC shall maintain a separate file for each facility that contains the signed contractual agreement, statement of work, clarifications and deficiency reports, the technical proposal, and contract modifications.

   c. Pursuant to the contractual agreements, the Contractor shall conform to DOC policies and procedures that are specifically cited in the contractual agreement.

2. **CONTRACT MONITORING.** OCC shall regularly inspect each contract facility and document program compliance, deficiencies found, the service provider's plan for corrective action and the results of re-inspections. The contract file shall also document any technical assistance that was provided to the contractor and the result.

3. **MEDICAL**. DOC shall maintain a written agreement with contracted health care providers for delivery of medical and dental services to all CCC inmates/ defendants.

4. **ELECTRONIC MONITORING**

   DOC shall maintain responsibility for the electronic monitoring program to include orientation about the program, instruction for equipment care and use, installing and removing the electronic devices, equipment replacement and daily comparison of inmate/defendant destination/movement sheets with actual electronically recorded movement.

5. **RECORDS**

   a. DOC shall prepare an inmate package containing documents outlined in Chapter 1 Sections 5 (a) or (b) as applicable and shall forward this package to the CCC when the inmate/defendant is placed in a CCC.

   b. The DOC Records Office shall retain the inmate's/defendants official institutional record at CDF. The official institutional file contains all original copies of judgment and commitment documents and other pertinent court orders.

CHAPTER FIVE

CONTRACT RESPONSIBILITES SERVICE PROVIDERS

1. FACILITY MANAGEMENT

a. The service provider shall ensure that the facility is inspected regularly, on both a scheduled and unscheduled basis, and shall maintain and produce on demand documentation of compliance with applicable zoning ordinances and building codes verified by a license, letter or certificate.

b. The service provider shall provide sufficient living, storage program and recreation space in compliance with local regulations.

c. The service provider shall ensure that sufficient toilets, wash basins, showers and bathing facilities are maintained. Hot and cold water temperatures shall meet standards required by local regulations.

d. The service provider shall ensure the facility is ventilated and illuminated in accordance with local building codes.

e. The service provider shall assign each inmate/defendant clean sleeping quarters, clean bedding and linen that is in good repair and personal storage space. The service provider shall ensure inmates/defendants exchange soiled linen for clean items once a week.

f. The service provider shall maintain and document its preventive maintenance program and ensure that maintenance repairs are promptly made.

g. Each service provider shall establish a housekeeping and pest control program and ensure that the center is continually clean and in good repair in accordance with the applicable sanitation codes of DCRA and DOC.

h. The service provider shall contract for trash and garbage removal.

i. The service provider shall comply with DC Fire Safety Regulations to include, but not be limited to, orientating inmates/defendants in fire prevention and safety, conducting emergency drills, testing fire and smoke detectors, ensuring wiring and appliances are kept in good order ensuring, that paper is not allowed to accumulate, ensuring that flammable liquids and other combustible materials are kept in secure storage, testing and strategically placing fire extinguishers, fire and smoke detectors throughout the facility; ensuring exit illumination, and ensuring that exits are not obstructed.

2. SAFETY AND EMERGENCY PROCEDURES

a. The service provider shall prepare a clear and concise emergency evacuation plan, in both English and Spanish, which is communicated to new staff at orientation to the facility and reviewed with all staff at least yearly. The plan shall be posted conspicuously in both English and Spanish and shall provide clear directions to the nearest exits, and the locations of fire extinguishers, first aid and other emergency equipment and supplies. Staff awareness of the plan shall be documented.

b. The Medical Director shall designate and ensure a health care provider inspects and certifies first aid equipment at each CCC not less than bi-annually.

c. The service provider shall ensure that there are staff on duty at all times who are trained to identify potential emergency situations and appropriately respond to them.

d. The service provider shall ensure there is staff that is trained to conduct emergency response and evacuation drills and document the results of such drills.

3. STAFFING

a. The Center Director shall ensure adequate staff is on duty 24 hours a day, 7 days a week including weekends and holidays, especially during those times when the greatest number of inmates/defendants are present.

b. Case management, counseling and other program staff shall be present during the afternoon and early evening when most inmates/defendants are present.

c. The work schedule of each counselor will include hours flexible enough to insure that he or she has weekly contact with each inmate on his or her caseload.

d. No inmate shall be requested or permitted to assume a staff person’s duties for any purpose.

e. No inmate shall be put in charge of any other inmate.

f. All inmate counsels and committee members shall be elected by the inmates/defendants to represent the inmates/defendants and shall not be assigned by staff.

4. **STAFF TRAINING**

   a. DOC shall provide orientation regarding designated DOC policy requirements to include but not be limited to: to prevention of sexual misconduct against inmates/offenders, HIPPA, suicide prevention, transgender classification and housing training, the DOC disciplinary process, access and use of the language line and applicable District or DOC legal requirements for program administration and delivery.

   b. Pursuant to the contractual agreement and the Contractor's own personnel requirements, the service provider shall plan, coordinate and administer staff training and development program that is supervised by a qualified employee.

   c. Each CCC shall provide an in-house pre-service training that may include but not be limited to: a historical perspective of the facility, facility goals and objectives, program rules and regulations, job responsibilities, personnel policies, offender supervision and report preparation.

   d. All employees shall sign and date a statement indicating receipt of facility orientation.

   e. The Contractor shall provide, during the employee's first year and each subsequent year of employment, training that shall cover but not be limited to: security procedures, supervision of defendants, use of force regulations and restraint techniques, report writing, defendant rules and regulations, defendant rights and responsibilities, fire and emergency procedures, safety procedures, key and tool control, interpersonal relations, defendant social and cultural diversity, communication skills, counseling techniques, first aid/CPR, crisis intervention, prevention of sexual misconduct against inmates/defendants, transgender classification and housing training, prevention of sexual harassment and legal issues.

5. **KEY AND TOOL CONTROL.** The service provider shall maintain a control plan for accessing, using and storing keys, tools and utensils.

6. **INMATE/DEFENDANT PROPERTY**

   a. Inmates/defendants shall not exceed the maximum allowable property. The inmate's Personal Property Form will be maintained in the inmate's record.

   b. If the inmate is transferred from the CCC to another facility for disciplinary or medical reasons for a period of more than 3 days, the facility shall inventory the inmate's property and store it for up to five (5) days so that the individual authorized on the Property Release Form can pick it up. If

the inmate/defendant escapes, the facility may inventory and appropriately dispose of the property.

7. **CONTRABAND CONTROL**. The service provider shall conduct and document regular searches of the facility, inmate/defendant property, staff and visitors to control the introduction of contraband.

   a. If a strip search of an inmate/defendant is necessary, it shall be conducted by and witnessed by another staff member of the same sex as the inmate. Strip searches shall be thorough and conducted in such a way that the dignity of the inmate will not be offended.

   b. Body cavity searches shall only be performed by medical personnel and only at the CDF.

   c. Inmates/defendants who attempt to introduce contraband may be subject to the center disciplinary process or the MPD may be called, depending on the type of contraband, at the discretion of the Center Administrator or senior staff member present.

   d. CCC staff shall confiscate contraband and shall in accordance with DOC policy *5010.3 Contraband Control*, place each item in a sealed container with a label indicating the date, time, and location of the seizure and signed by the employee.

   e. The CCC Administrator shall release major contraband to the District of Columbia MPD.

   f. The CCC Administrator shall destroy nuisance contraband pursuant to *PS 5010.3, Contraband Control.*

8. **MEDICATION CONTROL AND DISTRIBUTION.** An inmate's personal medication shall be kept in a locked cabinet and made available upon the inmates/defendant's request and signature acknowledging access and issuance.

9. **ACCOUNTABILITY FOR INMATES/DEFENDANTS.** The service provider will provide adequate supervision to inmates/defendants by accounting for their whereabouts through counts and the regularly monitoring of inmate/defendant whereabouts and activities. The service provider shall maintain documentation for at least one year to show that regular audits were conducted on each inmate file to ensure that the staff document inmate movement accurately.

10. **USE OF FORCE.** The use of physical force is restricted to the protection of staff, inmates/defendants, visitors and property, as described in the DOC Program Statement 5010.9, "*Use of Force"*. Force shall be used only to the extent necessary to control the incident. Chemical agents shall be used only as

a last resort when necessary to maintain security and shall only be used with the permission of designated supervisory staff.

11. **REPORTING SERIOUS INCIDENTS**. The service provider shall immediately notify the DOC Office of Community Corrections Administrator of death, suicide or suicide attempt; serious assault on a staff member or an inmate/defendant; discharge of a firearm at or by a staff member or an inmate/defendant; use of force or chemical agents; serious vehicle accident involving a staff member or an inmate/defendant; bomb threat; escape/abscond; new arrest; or any incident that involves a major interruption to operations.

    a. When making notification, the service provider shall communicate all pertinent information, including, but not limited to, the inmate/defendant's name, DCDC number, charge, sentence, date admitted to OCC, and a brief description of the incident and the action taken.

    b. The Re-Arrest Form shall be used to report the information on new arrests.

    c. All notifications, including rearrests, shall be documented on the Emergency Notification Form.

    d. An inmate, who does not return to the CCC at the designated time and has not, called and had his or her time extended, shall be considered to have escaped and the procedures outlined *in PS 1280.2, "Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences from Community Correctional Centers* shall be followed.

12. **RECORDS MANAGEMENT**

    a. The inmate/defendant record shall be treated as confidential and secured in a locked file cabinet, replaced by a sign-out card when removed, and returned immediately when no longer needed. It shall be returned before the end of the shift by the staff member who removed it and shall not be kept out overnight. It shall not be removed from the premises without authorization of the Center Administrator or the Administrator, OCC.

    b. CCC staff shall ensure that information generated as a result of the inmate's participation in the CCC program are filed in the appropriate section of the Inmate Record.

    c. The CCC shall maintain and store each inmate's/defendant's record in accordance with PS 4060.2, "*Inmate Record".*

    d. In addition, medical information is subject to PM 1300.3A *Health Information Privacy Program* and PM 1300.1C, "*Freedom of Information Act and HIPPA".*

e. The contracting CCC shall ensure that all CCC staff receives training regarding records privacy and confidentiality.

f. The inmate record shall contain the initial assessment identifying inmate/defendant needs and problems, the treatment plan, counseling reports, and any narrative notation.

g. Any staff member making an entry in the Inmate Record shall sign and date it and file it in chronological order.

h. When the inmate/defendant is released/removed/escapes/absconds, DOC shall retrieve and file pertinent CCC progress notes and documents in the inmate's official institutional record pursuant to PS 4060.2. DOC shall maintain the inmate's institutional record pursuant to PS 2000.2 *Retention and Disposal of Department Records*.

i. These official records are DOC property and are subject to federal and local regulations governing confidentiality.

13. **VISITORS.** At the discretion of the service provider, a social visiting policy and schedule may be established and posted. CCC staff shall monitor and control the movement of visitors.

14. **VOLUNTEERS**. The service provider shall coordinate the use of volunteers who may be recruited from all segments of the community and all social and cultural groups. The Center Administrator will establish efforts to reach out to the community and encourage community members to volunteer at the center.

CHAPTER SIX

APPENDIX – ATTACHMENTS

Chapter 1

Attachment A	Request for CCC Placement (Participant)
Attachment B	CCC Referral Package Checklist
Attachment C	Electronic Monitoring Program (EMP) Guidelines Contract
Attachment D	CCC EMP Equipment Assignment Contract
Attachment E	EMP Equipment Maintenance Log
Attachment F	CCC General Rules and Orientation

Chapter 3

Attachment G	DEMS – District Escape Monitoring Systems (DEMS) Escape Rpt.
Attachment H	DOC Form 1 Report of Significant Incident/Extraordinary Occurrence
Attachment I	Emergency Notification
Attachment J	Apprehension Report
Attachment K	Violation Report