

**AGENCY OF HUMAN SERVICES  
DEPARTMENT OF CORRECTIONS**

**REPORT TO THE LEGISLATURE  
OF THE STATE OF VERMONT**

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**Act 156: Transitional Facilities Study**

**AN ACT RELATING TO THE ESTABLISHMENT OF  
TRANSITION UNITS AT STATE CORRECTIONAL FACILITIES**

**JANUARY 2015**

**Submitted to:**

**Senate Institutions**

**House Institutions and Corrections**

## **A. Introduction**

The following information is provided to the House Committee on Institutions and Corrections and the Senate Committee on Institutions. Act 156 instructs the Commissioner of Corrections to examine the necessary programmatic, capital, and operational requirements for the establishment of secure transitional housing facilities under the supervision of the Vermont Department of Corrections (VTDOC). This report does constitute a request for any additional dollars. This report is a response to the study requested in the Legislation. The VTDOC is neither requesting nor recommending that this proposal be adopted by the Legislature.

Act 156 instructs the VTDOC to explore the creation of secure transitional housing facilities for offenders who are not released due a lack of suitable housing. The VTDOC keeps a list offenders incarcerated due to lack of housing. This list is referred to as the B1 list. VTDOC completed an analysis of the B1 list to understand the characteristics of offenders placed on the list.

## **B. Proposal**

Based on the analysis of B1 demographics the VTDOC the location of three secure transitional facilities are as follows: one in Chittenden County, one in Rutland County, and the other in Washington County. Each facility would house 50 transitioning offenders. Outlined in the report are the current number of B1's, the profile of the B1 population, selection of sites, programming and services currently offered to VTDOC offenders, proposed programming and services for the secure transitional facilities, and costs associated with the development of the facilities.

## **C. B1 Population**

### **Number of B1 offenders who would be eligible for residence in a transitional facility**

In an average year, there are approximately 1,500 offenders released to the community on a furlough status. Most are returned to the community to independent living situations or find housing in community based transitional housing programs. There are also approximately 991 people over the course of year designated as B1 – Lack of Housing List. These are not mutually exclusive groups.

The average number of people per month on the B1 list is 200.

### **Profile of B1 offenders**

In regard to the B1 population, 87 % of the 991 are Male while 13 % are Female. Eighty (80) percent of the 991 have felony convictions while 20 % have Misdemeanor convictions. Approximately 30 percent of this population was convicted of a sex offense, and 7 % are designated as having a Serious Functional Impairment (SFI). Although sex offenders and SFI individuals make up less than half of the population, they pose significant challenges to place back into the community, requiring intensive supports and services to be successful. Forty nine (49) percent of the total B1 population has experienced 2 or more attempts at community placement. Various reasons for the multiple releases include: violation of

conditions of release, committing a new crime, not adhering to a plan of services, and violating Transitional Housing rules and regulations.

Of the total B1 population, 80 % are moderate to high risk to recidivate. Criminogenic need areas scoring high for this population are Criminal History, Substance Abuse, Family/Marital, Leisure & Recreation, Education & Employment, and Financial. Currently the Department is using the LSI-R (Level of Service Inventory – Revised) to determine the offenders overall risk to re-offend and to identify need areas. In the near future the Department will transition to the ORAS tool to determine risk and need areas.

**D. Eligibility guidelines for offenders to reside in the proposed secure transitional facilities**

The Department would use the eligibility criteria already established in directive #371.26: Reintegration Furlough and #371.15: Conditional Reentry (Attachment A). These directives outline the criteria and procedure for granting furlough. Offenders on the B1 list would also be given priority in addition to offenders who have begun participation in their risk reduction programming.

**E. Potential site locations for Secure Transitional Housing**

The proposed sites for secure transitional housing are Chittenden, Rutland, and Washington Counties. A review of the B1 lack of housing list showed that over the course of the year, these counties experienced the highest numbers of offenders who were awaiting release due to lack of housing.

	<b>Chittenden</b>	<b>Rutland</b>	<b>Washington</b>	<b>All Counties</b>
<b>Total on B1 List</b>	214	164	133	991
<b>Percentage of State</b>	21%	16.5%	13.4%	100%

VTDOC expects that 150 people can be served with the establishment of three 50 bed transitional facilities. Programming time will range from 6-9 months allowing for 150-300 people to move through the facility over the course of a year.

Currently the VTDOC has transitional housing programs throughout the State of Vermont. Within the three identified communities above; 84 transitional beds are available in Washington County, 73 beds in Chittenden County, and 33 beds in Rutland County (an additional 12 coming soon).

Under this proposed model the current transitional housing programs could serve as step down for individuals in the transitional facilities should they require more support and unable to transition to independent community living within the proposed timeframe outlined above.

**F. Summary of the programming and services currently available to transitioning offenders**

Currently the VT Department of Corrections offers Programming both within a few of the facilities and in all the District Probation and Parole Offices across the State. Programs consist of Sex Offender Treatment and Risk Reduction Programming targeted specifically to address criminogenic need areas. Programming for offenders is currently available at Northern State Correctional Facility, Southern State Correctional Facility, and Chittenden Regional Correctional Facility and at local Probation and Parole Offices.

1. Risk Reduction Programming for moderate and high risk offenders.

Primarily for the following population:

- a. Sex offense conviction (misdemeanor or felony);
- b. Listed offense conviction;
- c. Furlough supervision status will be prioritized as follows:
  - i. Pre-Approved Furlough (PAF);
  - ii. Re-Integration Furlough (RF);
  - iii. Supervised Community Sentence (SCS);
  - iv. Re-Integration Furlough
  - v. Conditional Re-entry (CR) who are transitioning from facility Risk Reduction Programming and need continuing care.
- d. Probation supervision status with a minimum a condition for programming

Risk Reduction Curriculum currently available is:

<b>Program</b>	<b>Description</b>	<b>Criminogenic Need Addressed</b>	<b>Delivery Location</b>
Charting a New Course	Curriculum designed to help individuals in the justice system develop cognitive processes for responsible decision making and to promote pro-social, responsible lifestyles. Curriculum is delivered through 10 evidence based, cognitive behavioral modules.	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes and Orientation</li> <li>• Anti-Social Personality Traits</li> </ul>	Field and Facility
Thinking for a Change	Curriculum designed to help individuals in the justice system take control of their lives by taking control of their thinking.	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes and Orientation</li> <li>• Anti-Social Personality Traits</li> <li>• Emotional/Personal</li> </ul>	Field and Facility (NSCF and Listed SSCF, VTPSA)

	<p>There are three components:</p> <ol style="list-style-type: none"> <li>1. Cognitive self-change: teaching individuals a concrete process for self-reflection aimed at uncovering antisocial thoughts feelings and attitudes</li> <li>2. Social skills: teaching individuals to engage in pro-social interactions based on self-understanding and consideration of the impact of their actions on others</li> <li>3. Problem solving skills: integrating the concepts with an explicit step by step process for addressing challenging and stressful real life situations.</li> </ol>		
<p>Criminal Conduct &amp; Substance Abuse Treatment Phase 1</p>	<p>Intervention and treatment for the judicial client that is centered on responsibility to self, others, and the community.</p> <p><b>Phase 1:</b> Orientation, Cognitive Behavioral approach to change and responsible living; Alcohol and other drug use patterns and</p>	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes and Orientation</li> <li>• Leisure Time</li> <li>• Emotional/Personal</li> <li>• Relationship Skills</li> </ul>	<p>Facility (NSCF, CCCF and starting SSCF)</p>

	<p>outcomes;          Understanding and changing criminal thinking and behavior;          Sharing and listening;          Understanding and preventing relapse and recidivism; Steps, stages and skills for self-improvement and change.</p>		
<p>Criminal Conduct &amp; Substance Abuse Treatment Phase 2</p>	<p>Intervention and treatment for the judicial client that is centered on responsibility to self, others, and the community. <b>Phase 2:</b> Mental Self-Control; Social relationships and skill building; Skills in social and community responsibility.</p>	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes and Orientation</li> <li>• Leisure Time</li> <li>• Emotional/Personal</li> <li>• Relationship Skills</li> <li>• Anti-Social Companions</li> <li>• Substance Abuse</li> <li>• Anger/Aggression</li> <li>• Family/Marital</li> </ul>	<p>Facility (Northern, Chittenden, Southern)</p>
<p>Aggression Interruption</p>	<p>A ten week cognitive behavioral program that teaches individuals how to improve their social skills, control their anger and consider other people's perspectives.</p>	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes and Orientation</li> <li>• Family/Marital</li> <li>• Emotional/Personal</li> <li>• Relationship Skills</li> </ul>	<p>Facility (Northern, Chittenden, Southern)          Potentially Field</p>
<p>Texas Christian University (TCU) Curriculum</p>	<p>Evidence based guides for adaptive treatment services specific to substance abuse treatment group programs. <b>Modules:</b> Getting Motivated to Change; Ideas for Better Communication; Understanding and Reducing Angry Feelings; Unlocking Your Thinking/Open Your Minds; Building Social Networks; Common Sense Ideas for HIV Prevention and Sexual Health</p>	<ul style="list-style-type: none"> <li>• Anti-Social Associates</li> <li>• Anti- Social Attitudes and Orientation</li> <li>• Substance Abuse</li> </ul>	<p>Field and Facility</p>

Cognitive Behavioral Intervention-Substance Abuse	A cognitive behavioral approach to teach participants strategies for avoiding substance abuse. There is emphasis on skill-building activities to assist with cognitive, social, emotional, and coping skills development.	<ul style="list-style-type: none"> <li>• Anti- Social Attitudes and Orientation</li> <li>• Substance Abuse</li> <li>• Leisure</li> <li>• Emotional Personal</li> <li>• Relationship Skills</li> </ul>	Field
Moving On (Women Only)	An educational and cognitive skills-building curriculum designed to provide women with alternatives free from criminal activity by assisting them to identify and mobilize both personal and community resources.	<ul style="list-style-type: none"> <li>• Anti-Social Attitudes</li> <li>• Emotional Personal</li> <li>• Family/Marital</li> </ul>	Facility (Chittenden) (need to train prior to implementation)
Inside Out DAD	<p>An evidence-based fatherhood program designed specifically for incarcerated fathers.</p> <p>The curriculum helps reduce recidivism rates by reconnecting incarcerated fathers to their families, providing the motivation to get out and stay out.</p>	<ul style="list-style-type: none"> <li>• Family/Marital</li> </ul>	Community Provider-Prevent Child Abuse VT

The VTDOC also offers transition services in two correctional facilities with plans to expand to all facilities:

*2. Transition Services (NWSCF and MVRCF):*

Currently the Northwest State Correctional Facility operates a Transition Unit for individuals returning to the St. Albans community and Chittenden County. Transition Services are also available to individuals at Marble Valley Regional Correctional Facility returning to the Rutland and Bennington Counties. The average length of stay at NWSCF is 2.5 months while at MVRCF it is 30 days.

In order to participate in the Transition Unit/Services individuals must be:

- Past their minimum release eligibility date, OR
- Within 90 days of their anticipated release date, OR
- RF eligible

Also, the individual must have a risk assessment score indicating they are moderate or high risk re-offender; or have a listed offense. The risk assessment score is to be reviewed annually. Any significant changes (such as major DR, new charges/convictions, getting a GED/HS diploma) may necessitate an assessment update to capture accurate risk level and criminogenic needs.

Referrals to the Transition Unit/Services will be reviewed for acceptance by the Reentry Coordinator, and Facility Living Unit Supervisor.

Throughout an individual's participation in the Transition Unit/Services, he or she will be presented with information to help them secure housing, find employment, rebuild relationships with family; and access health care, mental health and substance abuse services if necessary upon release. Upon completion the individual will have a written transition plan and links to community resources.

At the NWSCF Transition Unit it is an expectation that the individual hold facility job or volunteer position. Although not an exhaustive list of requirements, individuals must also attend Employment Readiness classes, take on job skill class such as OSHA, ServSafe, Auto Shop, and Restaurant Management, maintain an education plan, and attend "Mapping your Reentry Plan: Heading Home" class.

### **G. Core Pre-Release Services currently offered to transitioning offenders**

The Department is currently providing the following core pre-release services to individuals within the transition unit at NWSCF and at MVRCF to prepare individuals for their transition back into the community. These core pre-release services would continue to be offered at the transitional facilities. A description the services are as follows:

#### Identification

Inmates transitioning to the community will require the possession of sufficient State or federal identification, in order to access any number of services or general community activities. Inmates will review which identification documents they already have and which documents they will need in order to secure employment and access resources in the community. Inmates will be able to identify the related agencies, requirements, fees and resources available for identification assistance.

#### Housing

Inmates will identify viable options for housing in the community, where DOC staff will work with the inmate to evaluate the appropriateness of the proposed residence to best meet the expectations of community supervision. Inmates will understand the critical role that a healthy and stable living environment plays in their successful transition into the community.

#### Employment Readiness & Retention



Inmates will be prepared for employment upon release. Inmates will engage in career exploration and interest assessments as well as receiving the job search tools necessary to find and secure employment. Each inmate will create a Career Portfolio complete with an application, resume, cover letter, and references. Each inmate will practice interviewing focusing on how to talk about criminal history to an employer and how to build a resume with little or no work history or gaps in employment. If possible provide hands on opportunities to engage in the job search process, including use of technology for job searches.

### Transportation

Inmates will identify transportation options and assistance resources in their community. Inmates will strategize ways to eliminate barriers related to transportation and create a realistic plan to handle transportation issues upon release.

### Money Management and Credit

Inmates will identify strategies to create and maintain a sound money management plan in order to achieve self-sufficiency and avoid excessive debt. Inmates will prepare for their community transition by creating a budget which accounts for the real financial obligations they will face upon release. Topics can include but not limited to how to manage and eliminate debt, how to create or repair credit and how to handle online banking and technology.

### Education Options & Resources

Inmates will identify educational opportunities available to them and the role that skill building can play in their career decisions. Inmates will identify educational programs in the community of interest to them and have the opportunity to begin application processes. Also discuss questions related to financial aid, grants, and available resources as they relate specifically to inmates seeking to develop marketable skills.

### Healthy Lifestyles

Inmates will identify strategies for creating and maintaining stable mental, physical and emotional health. This module will address health concerns including substance abuse, mental health issues, medication needs, and grief and loss. Inmates will be able to identify and/or choose a doctor, dentist, mental health, and substance abuse provider prior to leaving the facility.

### Family, Relationships & Support Systems

Inmates will explore the importance of health relationships and support systems in their successful transition into the community and identify resources such as parenting classes and family counseling.

### Mapping Your Reentry Plan: Heading Home

A collaborative, mapping-based intervention designed to help inmates identify goals for reentry and aftercare.

### Restorative Justice and Victim Awareness

Inmates will define restorative justice and understand the important role of victim awareness in the reparation of crime for the victim, the inmate, and the community. Inmates will explore the impact of crime and elements of accountability and responsibility. Inmates will be given opportunities to understand the harm they have caused to victims and the community.

### Living under Supervision

Inmates will understand the conditions of their release back into the community. They identify strategies to successfully completing the conditions of their probation/parole while avoiding common pitfalls toward success. A Probation and Parole Officer will answer questions and provide tools and tips for success while under supervision.

## **H. Proposed Secure Transitional Housing Facility Program and Services**

Programming within the Transitional Housing Facilities at each site (Chittenden, Rutland, and Washington Counties) would be split into two phases:

### **Phase 1 (Intensive Programming)**

Phase 1 is a three-month phase with open-ended groups. This phase is focused on intensive interventions with a strong focus on behavioral interventions, such as adhering to a schedule (Attachment Sample Schedule), keeping belongings orderly, keeping the living environment clean and developing prosocial behaviors.

Groups offered will be curriculum based with a Cognitive Behavioral Treatment focus similar to the risk reduction programming currently being offered in the community.

Self Help groups will be NA, AA and Smart Recovery. Offenders can attend programs they feel are most relevant to them. Additional services can come from volunteers, church groups and other community providers as identified,

One evening per week offenders can receive an additional visit if families attend a family education session.

### **Phase 2 (Work Release/Programming)**

The length of this phase will be dependent on the offender's ability to save the requisite amount of money necessary for release. The amount of money saved needs to provide for 2 months' rent and deposit, plus two months of the anticipated amount of monthly expenditures in addition to rent. This phase can last up to six months.

Offenders will be required to complete weekly movement schedules, develop and maintain a budget, attend groups at the facility when they are not working, provide evidence of their weekly payment, pay

a maintenance fee of 25% of their earnings to the State to help maintain the facility, obey all facility rules, and serve as role models for the community.

Offenders will be assigned to caseloads both within the facility and to probation officers in the field. Work Release offenders may also be assigned to attend Risk Reduction Programs in the community if that is a better fit for their work schedule than programming in the facility.

Transition of offenders into the Transitional Housing Facility would occur over a month long period, ideally 10 to 20 offenders a week.

### **I. Costs associated with establishing three secure transitional facilities and estimate of state capital funding needs**

The Estimated Operating Costs (facility Design and fit up) is \$7,668,425.00 per site; Estimated Annual Operating Expenses is \$2,752,416.00 per site; and Estimated Annual Personal Services Expenses - \$2,198,416.00.

**For a detailed budget for secure transitional facilities see attachments.**

### **J. Potential Complications**

Given our experience to date, it is of critical importance for the Legislature to recognize that the prerequisite public and municipal approval processes for developing community-based transitional housing programs invariably present a set of local barriers and obstacles that makes siting such programs a significant challenge at best, if not entirely unfeasible, even for projects of much smaller scale than the ones proposed in this study.

In addition the Department may face challenges with providing medical/dental and mental health services for the individuals within the transitional facility. Given that individuals are not free to come and go from the facility as they please, except for daily work, they may not be eligible for Medicaid coverage. The Department would have four options to look at: 1. Transport individuals to a regional facility for treatment as needed; 2. Enroll the residents in a Health Care Plan, paid for by the Department; 3. Contract with local health care providers for a basic care package; or 4. Explore fee for service with local health providers, paid for by the Department. Any hospitalization of an individual would be covered by Medicaid.

Although the Transitional Facilities are secure, individuals cannot be prevented from leaving the facility without permission if they choose. Also, individuals may not return to the facility after work. It is also expected that some individuals may violate conditions of furlough and facility rules. Returns to the facility are anticipated when egregious violations occur. Staff will attempt to resolve issues and keep returns to the regional facilities to a minimum.

**ACT 156 Legislative Report: Detailed Budget**

**PAYROLL**

Position	Paygrade	Job Code	min sal	max sal	FTE	Min	max	Annual min	Annual max
Community Corrections District Manager	28	133500	\$ 29.05	\$ 45.81	1	\$ 1,162.00	\$ 1,832.40	\$ 60,424.00	\$ 95,284.80
Community Corrections Program Supervisor	26	133900	\$ 25.75	\$ 40.39	1	\$ 1,030.00	\$ 1,615.60	\$ 53,560.00	\$ 84,011.20
Corrections Service Specialist II	23	620000	\$ 21.55	\$ 33.66	5	\$ 4,310.00	\$ 6,732.00	\$ 224,120.00	\$ 350,064.00
Corrections Officer II	20	611600	\$ 18.25	\$ 28.35	6	\$ 4,380.00	\$ 6,804.00	\$ 227,760.00	\$ 353,808.00
Finance Manager I	25	89	\$ 24.22	\$ 37.99	1	\$ 968.80	\$ 1,519.60	\$ 50,377.60	\$ 79,019.20
Administrative Service Technician IV	19	089210	\$ 17.30	\$ 26.84	1	\$ 692.00	\$ 1,073.60	\$ 35,984.00	\$ 55,827.20
Cook C	16	711200	\$ 14.80	\$ 22.88	2	\$ 1,184.00	\$ 1,830.40	\$ 61,568.00	\$ 95,180.80
								<b>\$ 713,793.60</b>	<b>\$ 1,113,195.20</b>

**BENEFITS**

	Base Min	Rate	Cost	Base max	Rate	Cost
Community Corrections District Manager	\$ 60,424.00	0.55	\$ 33,233.20	\$ 95,284.80	0.55	\$ 52,406.64
Community Corrections Program Supervisor	\$ 53,560.00	0.55	\$ 29,458.00	\$ 84,011.20	0.55	\$ 46,206.16
Corrections Service Specialist II	\$ 224,120.00	0.55	\$ 123,266.00	\$ 350,064.00	0.55	\$ 192,535.20
Corrections Officer II	\$ 227,760.00	0.55	\$ 125,268.00	\$ 353,808.00	0.55	\$ 194,594.40
Finance Manager I	\$ 50,377.60	0.55	\$ 27,707.68	\$ 79,019.20	0.55	\$ 43,460.56
Administrative Service Technician IV	\$ 35,984.00	0.55	\$ 19,791.20	\$ 55,827.20	0.55	\$ 30,704.96
Cook C	\$ 61,568.00	0.55	\$ 33,862.40	\$ 95,180.80	0.55	\$ 52,349.44
			<b>\$ 392,586.48</b>			<b>\$ 612,257.36</b>

**Total Personnel Costs**

	Annual min	Annual max	Min Benfits	Max Benefits	Total Min	Total Max
Community Corrections District Manager	\$ 60,424.00	\$ 95,284.80	\$ 33,233.20	\$ 52,406.64	<b>\$ 93,657.20</b>	<b>\$ 147,691.44</b>
Community Corrections Program Supervisor	\$ 53,560.00	\$ 84,011.20	\$ 29,458.00	\$ 46,206.16	<b>\$ 83,018.00</b>	<b>\$ 130,217.36</b>
Corrections Service Specialist II	\$ 224,120.00	\$ 350,064.00	\$ 123,266.00	\$ 192,535.20	<b>\$ 347,386.00</b>	<b>\$ 542,599.20</b>
Corrections Officer II	\$ 227,760.00	\$ 353,808.00	\$ 125,268.00	\$ 194,594.40	<b>\$ 353,028.00</b>	<b>\$ 548,402.40</b>
Finance Manager I	\$ 50,377.60	\$ 79,019.20	\$ 27,707.68	\$ 43,460.56	<b>\$ 78,085.28</b>	<b>\$ 122,479.76</b>
Administrative Service Technician IV	\$ 35,984.00	\$ 55,827.20	\$ 19,791.20	\$ 30,704.96	<b>\$ 55,775.20</b>	<b>\$ 86,532.16</b>
Cook C	\$ 61,568.00	\$ 95,180.80	\$ 33,862.40	\$ 52,349.44	<b>\$ 95,430.40</b>	<b>\$ 147,530.24</b>
	<b>\$ 713,793.60</b>	<b>\$ 1,113,195.20</b>	<b>\$ 392,586.48</b>	<b>\$ 612,257.36</b>	<b>\$ 1,106,380.08</b>	<b>\$ 1,725,452.56</b>

ACT 156 Legislative Report: Detailed Budget

Facility Costs

average cost per bed to build                      \$ 140,000.00    \$ 7,000,000.00

Operating Costs

Fit up

25 bunk beds

50 mattresses

50 pillows

Linens

Kitchen equipment

Table/chairs for kitchen

Chairs for group rooms

Office furniture

Phone systems

Camera systems

1 large screen TV

**ACT 156 Legislative Report: Detailed Budget**

**PERSONAL SERVICES**

**Salary**

Position	Annual min	Annual max	Paygrade	Job Code
Community Corrections District Manager	\$ 60,424.00	\$ 95,284.80	28	133500
Community Corrections Program Supervisor	\$ 53,560.00	\$ 84,011.20	26	133900
Corrections Service Specialist II	\$ 224,120.00	\$ 350,064.00	23	620000
Corrections Officer II	\$ 227,760.00	\$ 353,808.00	20	611600
Finance Manager I	\$ 50,377.60	\$ 79,019.20	25	89
Administrative Service Technician IV	\$ 35,984.00	\$ 55,827.20	19	089210
Cook C	\$ 61,568.00	\$ 95,180.80	16	711200
	<b>\$ 713,793.60</b>	<b>\$ 1,113,195.20</b>		

**BENEFITS (rate - 55% of base salary)**

Community Corrections District Manager	\$ 33,233.20	\$ 52,406.64
Community Corrections Program Supervisor	\$ 29,458.00	\$ 46,206.16
Corrections Service Specialist II	\$ 123,266.00	\$ 192,535.20
Corrections Officer II	\$ 125,268.00	\$ 194,594.40
Finance Manager I	\$ 27,707.68	\$ 43,460.56
Administrative Service Technician IV	\$ 19,791.20	\$ 30,704.96
Cook C	\$ 33,862.40	\$ 52,349.44
	<b>\$ 392,586.48</b>	<b>\$ 612,257.36</b>

**Total Personnel Costs**

	Total Min	Total Max
Community Corrections District Manager	\$ 93,657.20	\$ 147,691.44
Community Corrections Program Supervisor	\$ 83,018.00	\$ 130,217.36
Corrections Service Specialist II	\$ 347,386.00	\$ 542,599.20
Corrections Officer II	\$ 353,028.00	\$ 548,402.40
Finance Manager I	\$ 78,085.28	\$ 122,479.76
Administrative Service Technician IV	\$ 55,775.20	\$ 86,532.16
Cook C	\$ 95,430.40	\$ 147,530.24

**TOTAL SALARY/BENEFITS (Min/Max)**

**\$ 1,106,380.08**    **\$ 1,725,452.56**    **\$ 1,415,916.32**

**TOTAL AVERAGE SALARY/BENEFIT EXPENSES**

**\$ 1,415,916.32**

**Contracts/Grants info needed, and medical**

**\$ 782,500.00**

Chief Specialist, 1.5 RRC's, and 1.5 Interventionists. Medical at \$30/per person, per day

**TOTAL PERSONAL SERVICES**

**\$ 2,198,416.32**

**ACT 156 Legislative Report: Detailed Budget**

**OPERATING COSTS**

<b>Facility Design/Fit Up</b>	cost each	estimated total	
Site Planning / Feasibility		\$ 500,000.00	
average cost per bed to build	\$ 140,000.00	\$ 7,000,000.00	current cost for facility is \$180K
25 bunk beds		\$ 10,000.00	cost each?
50 mattresses	\$ 48.95	\$ 2,447.50	Bob Barker contract
50 pillows	\$ 5.12	\$ 256.00	ATD contract
Linens	\$ 14.42	\$ 721.00	ATD contract
Kitchen equipment		\$ 50,000.00	
Table/chairs for kitchen		\$ 30,000.00	
Chairs for group rooms		\$ 7,500.00	Qty? cost each @ \$50
Office furniture		\$ 15,000.00	
IT Equipment (computers, printers, software)		\$ 15,000.00	
Phone systems		\$ 10,000.00	
Camera systems		\$ 40,000.00	
1 large screen TV		\$ 2,500.00	
<b>Facility Design/Fit Up Total</b>		\$ 7,683,424.50	
<b>Estimated Annual Operating Expenses</b>	<b>WINDSOR (For Comparison)</b>		
Equipment (Office equipment, Furniture)	\$ 8,000.00	\$ 2,000.00	if everything new, may be under \$1000
IT Telecom Services /Equipment: Equipment (computers, printers, software), Telecom Services (phones, wireless, wiring)	\$ 20,000.00	\$ 10,000.00	internet?
Other Operating Expenses (clothing, hygiene supplies)	\$ 23,000.00	\$ 5,000.00	inmate wages \$8000
Other Purchases Services (insurance, printing, postage, laundry service)	\$ 6,000.00	\$ 2,000.00	
Property and Maintenance (water/sewer, waste, repair)	\$ 70,000.00	\$ 45,000.00	
Rental Other (vehicles, office equipment)	\$ 40,000.00	\$ 25,000.00	2 vehicles, copier
Rental Property (Fee For Space)	\$ 620,000.00	\$ 250,000.00	SESCF = 46,400 sq. ft. at \$13.42
Food	\$ 173,000.00	\$ 80,000.00	
Fuel	\$ 17,000.00	\$ 10,000.00	
Office Supplies	\$ 80,000.00	\$ 45,000.00	
Utilities	\$ 132,000.00	\$ 75,000.00	
Travel	\$ 12,000.00	\$ 5,000.00	
<b>Total Estimated Annual Operating Expenses</b>	\$ 1,201,000.00	\$ 554,000.00	
<b>TOTAL PROJECTED ANNUAL EXPENSES</b>		\$ 2,752,416.32	SESCF = \$5,340,000

STATE OF VERMONT  
AGENCY OF HUMAN SERVICES  
DEPARTMENT OF CORRECTIONS

Directive: 371.15

**Subject:** Conditional Re-Entry

**Effective Date:** 12/30/02

**Review and Re-Issue Date:**

**Supersedes:** 372.02  
dated  
3/1/02

**APA Rule Number:**

<b>Recommended for approval by:</b> Richard Turner, Director/Correctional Services		<b>Authorized By:</b> Steven M. Gold, Commissioner	
_____ <b>Signature</b>	_____ <b>Date</b>	_____ <b>Signature</b>	_____ <b>Date</b>

**1. Authority:**

1.1. 28 VSA, Chapter 11, subchapter 1A, Offender Reintegration, 28 VSA Section 808 (a)(6), VSA 28 subchapter 3, sections 501-507.

**2. Purpose:**

- Establish the eligibility criteria for conditional re-entry
- Outline the supervision and risk management programs for offenders released to conditional re-entry
- Describe the processes to provide negative and positive sanctions for offenders who violate conditional re-entry
- Describe the parole process for offenders on conditional re-entry

**3. Applicability/Accessibility**

3.1. This directive describes the Department's Conditional Re-entry Program. It is applicable to staff involved in classification and release planning for inmates, in supervision of offenders on conditional re-entry and in the preparation of information to the parole board for offenders eligible for parole. Anyone may have a copy of this directive.



## Directive 371.15 Conditional Re-Entry

### 4. Directive

#### 4.1. Eligibility for Conditional Re-entry

#### **Offenders will not be released on conditional re-entry until they have served their entire minimum sentence.**

After serving the entire minimum sentence offenders are eligible for release on conditional re-entry except as follows:

- 1) When an offender convicted of a listed offense who is placed in program management level "C", has not completed in an exemplary fashion the required treatment program to reduce his/her risk of violence.
- 2) When an offender convicted of a listed offense who is placed in program management level "B" has not yet satisfactorily participated in the number of months of treatment required by his/her sentence.
- 3) When an offender is serving segregation time for a disciplinary infraction.
- 4) When an offender is being held for lack of bail on other charges.

#### 4.2 Release of eligible offenders

All eligible offenders shall be released on conditional re-entry once they have completed their entire minimum sentence. The field or facility Superintendent may recommend to the Director of Correctional Services that an eligible offender's release be delayed if he/she believes:

- 1) There is substantial credible evidence that the release will place a particular citizen at risk of harm.
- 2) That based on risk assessment, and current behavior in the correctional facility release will pose an imminent risk to public safety.
- 3) The offender has failed to meet their responsibilities to the victim and/or the community as established by the offender responsibility plan.

If a Superintendent is recommending to delay the release of an eligible offender he/she shall forward a Case Staffing Review Form along with a rationale for the delay to the Director of Classification. A case staffing will be scheduled to review the case. If approved by the Director of Correctional Services, release may be delayed until the reasons causing the delay have been addressed sufficiently to allow for release on conditional re-entry.

Consistent with title 28 chapter 1(b), and 2(a) and in accordance with Policy 371, the department's goal is to release offenders on conditional re-entry once they have served their minimum sentence unless they pose an imminent threat to public safety. Offenders should be released on a plan designed to address the needs of victims, restore the community, and adequately manage the offender's criminal risk. While corrections professionals must be allowed to exercise professional judgement to delay release of eligible offenders, it is vital that the department manages to achieve the goals stated above. Accordingly, the director of correctional services shall establish and manage a

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system that identifies offenders whose release on minimum sentence has been delayed, allows for review of the decision to delay release, and monitors the department's efforts to mitigate the barriers to release.

### 4.3 Release planning

Pursuant to Title 28, Section 721, the department's goal is to release eligible offenders to conditional re-entry on the day they reach their minimum sentence unless their release has been delayed by the superintendent for any of the reasons listed above. The responsibility to achieve this goal falls jointly on the Facility Superintendent and the CCSC Superintendent.

#### 4.3.1. Responsibility of the facility superintendent:

- Timely information to field offices when an offender's release is approaching.
- Coordinating the processes leading to release on conditional re-entry; including, ensuring that field CSSs are aware of the timetable for release and the key events attendant to that release so they can prepare a release plan.

#### 4.3.2. Responsibility of the field superintendent:

- Developing an offender's release plan in a timely way so that release to conditional re-entry occurs at the minimum sentence;
- Eliminating or resolving barriers to release for eligible offenders.

The field and facility superintendents in each area shall develop local procedures that achieve release of eligible offenders on their minimum sentence.

#### 4.3.3. Release planning time frames

- Upon intake the facility CSS should start working towards a release plan. In cases where this is unrealistic, the planning should start at the 6-month window prior to the minimum release date. At a minimum, the CSS should get possible residence information from the offender, call the prospective locations to see if it is a viable plan, and if so forward it to the field CSS for further investigation.
- Between 6 months and 90 days of release, a field caseworker will be assigned to begin the release planning process.

#### 4.3.4. Developing a plan for conditional re-entry

Whenever possible, the process shall provide opportunities for the victims and other members of the community to participate in the release planning process. In completing the release plan the following factors shall be considered and included where applicable:

- A plan to address the needs of the victim / affected parties (refer to Directive 502.01);
- A plan to restore the community;

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- A plan to address the criminogenic needs that manifest themselves during the administration of the LSI;
- If convicted of a violent crime, a treatment plan designed to prevent future violence;
- A plan for successful community living including employment, continuing education, successful family living, and successful citizenship.

### 4.3.5. Terms of Release for Conditional Re-entry

The Department shall develop terms of release for each offender on conditional re-entry. Conditions are to maintain control and supervision of offenders on this status, address the needs of the victim, restore the community, and participate in correctional programming to address criminogenic needs. (See Appendix A - attached)

### 4.4 Violation of Conditional Re-entry

Violations of conditional re-entry shall be held pursuant to Directive 371.16 and Directive 410.02.

### 4.5 Parole Consideration for Offenders on Conditional Re-entry

- Upon reaching the minimum sentence:

Unless he/she waives it, offenders will see the board upon satisfying their minimum sentence. The department will provide the board with documents and a recommendation regarding appropriateness of parole.

- Upon completion of the initial conditional re-entry term:

Pursuant to title 28, Section 725, offenders on conditional re-entry will be referred to the parole board as follows:

- If they are convicted of crimes that are not listed in V.S.A. Title 13, chapter 165 section 5301 they will be scheduled for a hearing before the parole board after serving 90 days on community re-entry.
- If they are convicted of crimes that are listed in V.S.A. Title 13, chapter 165 section 5301 they will be scheduled for a hearing after serving 180 days on conditional re-entry.
- Superintendents of field sites shall ensure that offenders have their hearings in a timely way in accordance with parole board procedures.

## **Directive 371.15 Conditional Re-Entry**

### **5. Training Method**

5.1. Each site manager will ensure all staff have read and understand this directive.

### **6. Quality Assurance Processes**

6.1. Each site manager will establish a local procedure.

### **7. Financial Impact:**

7.1. Statute directs that offenders be released at their minimum release date. Previously offenders could be furloughed prior to their minimum. Currently we may be experiencing increased bed demand due to this, however, over time a more defined period of incarceration should mitigate this.

### **8. References**

8.1 Title 28 V.S.A.

### **8. Responsible Director and Draft Participants**

Ray Flum, Director of Classification

Vermont Department of Corrections

- Conditional Re-Entry Agreement
- PAF Agreement
- SCS Agreement
- Furlough Agreement

Offender Name: \_\_\_\_\_ DOB \_\_\_\_\_

MPL: \_\_\_\_\_

Offenses: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Standard Conditions

- A. I will commit no act punishable by law.
- B. I will immediately report any contact with law enforcement to my supervising CSS or CO.
- C. I will not engage in threatening, violent or assaultive behavior.
- D. I will report to Department of Corrections staff at the time and place, and in the manner they require.
- E. I will not leave the State of Vermont without written permission of the Department of Corrections.
- F. I will allow the Department of Corrections to visit me in my home or place of employment or elsewhere at any time.
- G. I will not purchase, possess, or consume regulated drugs without a prescription from a licensed physician.
- H. I will work and reside as directed by the Department of Corrections. I will participate as directed in community service work, work crew or structured work search.
- I. I agree to submit my person, place of residence, vehicle or property to a search at any time of the day or night by the department of corrections staff.
- J. I will submit to photographing for ID purposes as directed by Department of Corrections
- K. I will not drive a motor vehicle of any type unless approved by the Superintendent.
- L. I will not use alcoholic beverages to the extent they interfere with my employment or the welfare of my family, myself, or any other person.
- M. I agree to assume all costs incurred for any medical and dental expenses while on furlough.
- N. I will submit to a urine screen or alco-sensor test at the request of a duly authorized agent of the Department of Corrections.

**Special Conditions**

**The following special conditions may be applied on a case by case basis and must be based on the level of risk in the individual case. Each condition being imposed must be tied to a risk related issue. Check off and initial the conditions being imposed.**

1. I will not purchase, possess, or consume alcoholic beverages.
2. I shall not be in the company of, contact or caused to be contacted anyone that is deemed inappropriate, by my supervising CSS. Including, but not limited to: \_\_\_\_\_
3. I will follow the provisions of the ORP as it pertains to the treatment program and its requirements
4. I shall attend all activity / programs as directed by the CSS that are risk related or are restorative in nature and participate to the satisfaction of the CSS
5. I shall reside in a place approved by the CSS. I will maintain safe access to my residence at all times (protection from dogs, open gates, etc.)
6. I will maintain a telephone with a private line within my residence
7. I have permission to drive a motor vehicle from the Superintendent
8. I will have no explosives or weapons on my person or in my residence. This includes but is not limited to hunting equipment, knives, guns, martial arts equipment, bows or any other object as determined by the Department of Corrections Staff.
9. If I am placed on a prescription drug, I will supply the name of the drug and the doctor's name to the Department of Corrections Staff with in 24 hours. I agree to sign and execute any release deemed necessary so the department of corrections staff can verify the source and purpose on medically prescribed drug. I agree not to abuse any drug prescription.
10. I will make regular payments towards any fine or restitution at the rate of -----per week or -----per month.
11. I will abide by any curfew imposed by the CSS. My curfew is \_\_\_\_\_.
12. I will remain at my residence unless I am specifically authorized by this agreement to be elsewhere.
13. I shall submit a detailed written schedule of my activities as directed by my CSS
14. Other -----
15. See attached special conditions for Sexual Offenders - (refer to Sentencing Option Manual – section H)
16. See attached special conditions for Domestic Violence Offenders – (refer to Sentencing Option Manual - section I)

NOTICE

While you are on furlough status, PAF, SCS, CR, or FR, you are subject to being charged with the crime of escape in accordance with Title 13, chapter 35, Section 1501 if:

- 1 You are attempting to allude or evade supervision, or
- 2 You leave the state without permission

Should I violate this agreement by traveling to any jurisdiction in or outside the U.S., where I may be found, I hereby waive extradition to the state of Vermont. I will not contest any effort by any jurisdiction to return me to the State of Vermont. I may also be subject to re-payment of the cost of extradition for my return.

My signature below is indication that I have had the conditions read and explained to me and I understand them. I also understand that my release on furlough is a privilege and that if I violate this agreement I would be subject to graduated sanctions and or a furlough revocation that possibly could have me serve the remainder of my sentence incarcerated. I further acknowledge the waiver of extradition and with my signature acknowledge that I will not contest any effort to return me to Vermont.

\_\_\_\_\_  
Offender                      Date

My signature below is an indication that I have read and explained the above conditions to the offender. I have also explained to the offender the notice regarding escape and the waiver of extradition issues.

\_\_\_\_\_  
Staff                      Date

My signature below is an indication that I have authorized the offender indicated above to be released on conditional re-entry, PAF, or SCS.

\_\_\_\_\_  
Superintendent      Date

<b>State of Vermont Agency of Human Services Department of Corrections</b>	<b>Home Confinement Furlough</b>		<b>Page 1 of 7</b>
<b>Chapter Classification and Case Planning</b>	#371.27	<b>Superseded History:</b> Supersedes Interim Procedure dated 7/01/11; Interim Procedure dated 7/01/10.	
<b>Attachments, Forms &amp; Companion Documents:</b> 1. Home Confinement Intermediate Sanctions Report			
<b>Local Procedure(s) Required:</b> No <b>Applicability:</b> All staff (including contractors & volunteers) <b>Security Level:</b> "B"- Anyone may have access to this document.			
<b>Approved:</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div data-bbox="168 890 630 921" style="width: 30%; border-top: 1px solid black;"> <b>Andrew A. Pallito, Commissioner</b> </div> <div data-bbox="704 856 927 921" style="width: 30%; text-align: center;"> <u><b>August 24, 2011</b></u>  <b>Date Signed</b> </div> <div data-bbox="1117 856 1339 921" style="width: 30%; text-align: center;"> <u><b>August 31, 2011</b></u>  <b>Date Effective</b> </div> </div>			

## PURPOSE

The purpose of this administrative directive is to provide direction for Department of Corrections staff as it pertains to Home Confinement Furlough.

## POLICY

It is the policy of the Vermont Department of Corrections to supervise persons in the Department's custody in the least restrictive environment consistent with public safety and offense severity.

## AUTHORITY

28 V.S.A. §§ 808b and 808d.

## REFERENCE

Department Policy #410 *Due Process*; Department Administrative Directives #371.15 *Conditional Re-Entry*, 371.16 *Graduated Sanctions*, #407.03 *Unauthorized Absence From Furlough or Conditional Reentry*, "A" #410.02 *Violations of FR/CR/PAF*, and #371.14 *Furlough Residence Approval*. Interim Procedure *Conditional Re-entry, Attachment A, Terms of Release*.

## DEFINITIONS

Electronic Monitoring: Any electronic device or technology that automates, replicates, or supports supervision tactics that would normally require direct staff presence or resources.

Escape: Any action by the offender which leads Corrections' staff to believe the offender intends to absent him or herself from State custody or supervision.



Home Confinement: A status of furlough determined either by the court at sentencing or the commissioner of corrections that restricts the offender to a pre-approved place of residence continuously, except for authorized absences, enforced by appropriate means of supervision, including electronic monitoring and other conditions.

Intermediate Sanctions Report (ISR): A report written by the Probation & Parole Officer which details social history, key risk areas, and treatment planning of a person who has been arraigned and is anticipating a change of plea. The report outlines the conditions by which the person would be accepted into an alternative to incarceration program.

Intermediate Sanctions Program: A correctional program delivered to offenders who are in the legal status of Pre-approved Furlough or Supervised Community Sentence. In order to place an offender in an Intermediate Sanctions Program, the Court must refer the offender to the Department, in advance of sentencing, for screening to determine if they meet the eligibility requirements for the program requested.

Pre-Approved Furlough: 1) A legal status used for offenders who are determined eligible for Intermediate Sanctions Programs by the Department of Corrections and who are recommended for placement in these programs by the Court at sentencing. These furloughs are pre-approved by the Department after it conducts an eligibility screening prior to sentencing to determine if the offender meets the criteria established for the program to which the court refers them. For offenders who are pre-screened and determined eligible for the Corrections' program, and receive an appropriate sentence of incarceration, and further receive recommendation on the mittimus by the Court for placement on furlough, the Department will forgo the normal inmate classification rules and honor the Court's recommendation regarding placement in the community-based program by executing a furlough to the offender if they agree to the terms and conditions outlined in a furlough agreement.

## **PROCEDURAL GUIDELINES**

Home Confinement Furlough as ordered by the Court at sentencing is a pre-approved furlough status where the Court sentences the offender directly into the Intermediate Sanctions Program as an alternative to incarceration;

-or-

Home Confinement Furlough may also be granted by the authority of the Commissioner of Corrections as identified in the guidelines listed below.

Home Confinement Furlough restricts the offender to a pre-approved place of residence continuously, except for authorized absences, enforced by appropriate means of supervision, including electronic monitoring and other conditions imposed by the Court and/or the Department of Corrections.

### **1. Court Referral Process**

- a. Prior to sentencing, the Court refers the offender to the Department of Corrections for eligibility determination and screening for Home Confinement Furlough as a sentencing option.
- b. Eligibility: In determining eligibility for an offender's placement on Home Confinement the Court will take into account all of the following:

- i. The maximum sentence cannot exceed 180 days;
    - Split sentences with 180 days or less to serve are eligible.
  - ii. The nature of the offense(s) with which the defendant is charged;
  - iii. Any prior convictions;
  - iv. Any history of violence;
  - v. Any medical and mental health needs;
  - vi. Any history of supervision;
  - vii. The risk of flight; and
  - viii. Any risk or undue burden to other persons who reside at the proposed residence, or risk to third parties, or to public safety that may result from such placement.
- c. Department staff will follow this review process for Court-requested Home Confinement referral:
- i. Complete the *Home Confinement Intermediate Sanctions Report (ISR) (Attachment 1)*;
  - ii. Complete a residence check in accordance with administrative directive #371.14 *Furlough Residence Approval*, to determine appropriateness for Home Confinement supervision and electronic monitoring suitability.
- d. In determining if the offender is eligible for Home Confinement the assigned PO will staff the case with a Correctional Program Supervisor to determine if this case can safely manage the offender's risk in the community. Staff will use the criteria below in determining if an offender should **not** be approved for Home Confinement:
- i. The proposed residence is not suitable for electronic monitoring;
  - ii. The proposed residence is not approved based on administrative directive #371.14;
  - iii. There is substantial credible evidence that a community placement will place a particular citizen and/or the public at risk of harm;
  - iv. That based on assessment of risk, which includes the use of validated tools and/or other behavioral indicators, that a community placement may pose a serious risk to the public.
- e. After determining the offender's eligibility for Home Confinement the Department will present to the Court a completed ISR with a furlough agreement signed by the offender, which sets forth the terms and conditions of the proposed furlough status.
- f. The Court sentences the offender to a term of imprisonment and specifically recommends on the mittimus that the offender be placed on Home Confinement Furlough.
- g. An offender on Home Confinement will be supervised as a Risk Management case for at least the duration of their furlough period unless the furlough is revoked and/or the sentence is satisfied.

## 2. Department Referral Process

- a. Eligibility:
  - i. All sentenced inmates who do not have written restrictions on the mittimus stating Home Confinement is not an option will be evaluated for appropriateness.
  - ii. Current conviction(s) cannot include a felony or any of the following misdemeanor offenses:
    - a) Cruelty to animals involving death or torture as defined in 13 VSA § 352(1) and (2);
    - b) Simple Assault as defined in 13 VSA § 1023(a)(1);

- c) Simple Assault with a deadly weapon as defined in 13 VSA § 1023(a)(2);
  - d) Simple Assault of a law enforcement officer, fire fighter, emergency medical personnel member, or health care worker while he or she is performing a lawful duty as defined in 13 VSA § 1023(a)(1);
  - e) Reckless Endangerment as defined in 13 VSA § 1025;
  - f) Simple Assault of a correctional officer as defined in 13 VSA § 1028a(a)(1);
  - g) Simple Assault of a correctional officer as defined in 13 VSA § 1028a(b);
  - h) Violation of an abuse prevention order, first offense as defined in 13 VSA § 1030;
  - i) Stalking as defined in 13 VSA § 1062;
  - j) Domestic Assault as defined in 13 VSA § 1042;
  - k) Cruelty to children over 10 years of age by one over 16 years of age as defined in 13 VSA 1304;
  - l) Cruelty by a person having custody of another as defined in 13 VSA 1305;
  - m) Abuse, neglect, or exploitation of a vulnerable adult as provided in 13 VSA §§ 1376-1381;
  - n) Hate-motivated crime as defined in 13 VSA § 1455, or burning of a cross or other religious symbol as defined in 13 VSA § 1456;
  - o) Voyeurism as defined in 13 VSA § 2605;
  - p) Prohibited acts as defined in 13 VSA § 2632;
  - q) Obscenity as defined in chapter 63 of 13 VSA;
  - r) Possession of child pornography as defined in 13 VSA § 2827;
  - s) Possession of a dangerous or deadly weapon in a school bus or school building as defined in 13 VSA § 4004(a);
  - t) Possession of a dangerous or deadly weapon on school property with intent to injure as defined in 13 VSA § 4004(b);
  - u) Possession of a firearm in court as defined in 13 VSA § 4016(b)(1);
  - v) Possession of a dangerous or deadly weapon in court as defined in 13 VSA § 4016(b)(2);
  - w) Failure to comply with the sex offender registry as defined in 13 VSA § 5409;
  - x) Careless or negligent operation of a motor vehicle resulting in serious bodily injury or death as defined in 23 VSA § 1091(b);
  - y) Driving under the influence of alcohol or drugs, second offense as defined in 23 VSA §§ 1201 and 1210(c);
  - z) Boating under the influence of alcohol or drugs second offense as defined in 23 VSA § 3323.
- iii. When the Facility Caseworker determines an inmate meets the criteria for Home Confinement, a referral will be made to the Probation Officer (PO) for review.
- iv. In determining eligibility for an offender's placement on Home Confinement as determined by the Department, the facility will take into account all of the following:
- a) The maximum sentence cannot exceed 180 days;
    - Split sentences with 180 days or less to serve are eligible.
  - b) The nature of the offense(s) with which the defendant is charged;
  - c) Any prior convictions;
  - d) Any history of violence;
  - e) Any medical and mental health needs;
  - f) Any history of supervision;
  - g) The risk of flight; and
  - h) Any risk or undue burden to other persons who reside at the proposed residence, or risk to third parties, or to public safety that may result from such placement.

- v. The PO will staff the case with a supervisor or manager for determination of placement on Home Confinement.
- b. If the staffing determines that placement on Home Confinement is acceptable, Department staff will complete a residence check in accordance with administrative directive #430.12 *Furlough Residence Approval*, as well as to determine appropriateness for Home Confinement supervision and electronic monitoring suitability; and
- c. After determining if the offender is eligible and the residence is appropriate for Home Confinement, the Department will establish a furlough agreement to be signed by the offender, which sets forth the terms and conditions of the proposed furlough status.
- d. The offender's residence must be within the area supervised by the field office.
- e. An offender on Home Confinement will be supervised as a Risk Management case for at least the duration of their furlough period unless the furlough is revoked and/or terminated.

### 3. Intake

District Managers will set up a process for the intake of offenders on Home Confinement Status which will include, but not be limited to, the following:

- a. Updating offender information (e.g., address, charges, etc.);
- b. Taking a digital photo;
- c. Staff explanation of, and offender signature on, the Department of Corrections furlough agreement;
- d. Explanation of electronic monitoring devices that will assist in the supervision of the offender;
- e. Acknowledgement of, and offender signature on, the electronic monitoring contract which is provided by the electronic monitoring vendor;
- f. Review of the approved schedule imposed by the Court and Department;
- g. Entering an electronic case note outlining the index offense(s), the status, and approved absences;
- h. Offender acknowledgement of, and signature on, conditions of supervision;
- i. Appropriate risk assessments;
- j. Conviction and Violation Summary (CVS);
- k. Any other mandated Departmental process such as Financial Agreement, ADA, DNA, Sex Offender Registry, Grievance orientation, etc.;
- l. Entering data into the electronic database for the above, if applicable.

### 4. Supervision

- a. The District Manager or designee will assign a Home Confinement case to either a Probation Officer (PO) or a Community Corrections Officer (CCO) depending on the level of case management services required for the offender. In general, cases requiring pre-approved absences such as for programming, educational services, and other risk-reduction needs, should be supervised by a PO. Cases requiring primarily risk control supervision should be supervised by a CCO.
- b. The assigned PO/CCO will have one (1) direct offender contact weekly. Other contacts will be in response to notifications or discoveries of violations from electronic monitoring or when other information is discovered during the course of supervision.

- c. Home Confinement furlougees will be on a set schedule as approved by the Court or Department. The furlougee is to remain at the pre-approved residence at all times except for scheduled and pre-approved absences. Changes to this schedule will be at the discretion of the supervising officer, and should be made sparingly and only out of necessity.

#### **5. Electronic Monitoring**

All Home Confinement furlougees will be monitored by GPS or other location-monitoring devices. If alcohol is a risk factor for the offender, alcohol monitoring devices will also be used.

#### **6. Response to Violating Behavior**

If through the course of supervision the offender has violated a condition of their *Home Confinement Agreement*, staff may:

- a. Issue a graduated sanction in accordance with administrative directive #371.16 *Graduated Sanctions*; or
- b. Return the offender to a correctional facility following the process as indicated in administrative directive #410.02 *Violations of FR/CR/PAF*.

#### **7. Escape**

If the offender is unable to be located, staff should place the offender on escape in accordance with administrative directive #407.03 *Unauthorized Absence from Furlough or Conditional Re-entry*.

### **TRAINING**

1. The Director of Community Corrections, Re-entry and Classification shall ensure that all District Managers are trained in this administrative directive and that they provide training on the use of electronic monitoring for all necessary field staff.
2. District Managers shall ensure that all appropriate staff are trained in this administrative directive.
3. The Classification Unit shall ensure that all appropriate staff are trained in the booking processes associated with this directive.

### **QUALITY ASSURANCE**

1. District Managers shall ensure that they have assigned staff resources for purpose of referral, supervision, and data tracking of offenders who are supervised on Home Confinement.
2. Central Office will:
  - a. Monitor the effectiveness of this administrative directive, with an emphasis on developing needed supports or training to assist staff.
  - b. Performance measures shall be developed to ensure compliance with this directive and legislative mandate (process and outcome). The objective of such measures is to assess the effectiveness of the Home Confinement Furlough in terms of reducing the need for future jail beds, saving money for the Agency and taxpayers, and lowering crime rates.

**ATTACHMENT 1 - SAMPLE**

**HOME CONFINEMENT  
Intermediate Sanctions Report**

**Offender Name:**

**Date:**

**Defense Attorney:**

**State's Attorney:**

**Offense(s):**

**Docket: #**

**Author of Report:**

**Personal:**

DOB: / /

Age:

POB:

Marital Status:

Number of Children:

**Residence:**

Proposed Residence:

Current Residence will allow for supervision with Electronic Monitoring:  Yes  No

Current Residence Appropriate for Home Confinement:  Yes  No

Does the placement of the defendant pose a risk to other residents:  Yes  No

Does the placement in this residence pose a specific identifiable risk to Corrections staff or others:  Yes  No

Comments:

**Orientation and Agreement:**

Has Been Oriented to Intermediate Sanctions Program of Home Confinement

Has Agreed to the Conditions of Home Confinement

Willing to Actively Participate in the Program

Comments:

**Recommendation:**

**Approved for Home Confinement**

**NOT approved for Home Confinement**

**Justification for not approving:**

\_\_\_\_\_  
Probation Officer/CCO Signature and Date

\_\_\_\_\_  
Supervisor Signature and Date