

STANDARD OPERATING PROCEDURES FOR TRANSITIONAL WORK PROGRAMS

JOHN BEL EDWARDS
GOVERNOR



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SECRETARY

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SOP FORMS

Form PS-D-3-a	“TWP Management Corrective Action Plan for Findings Noted in the Agreed Upon Procedures Report”
Form PS-D-3-SOP-12-1	“Offender Transitional Work Program Agreement Form”
Form PS-D-3-SOP-12-2	“Employer’s Transitional Work Program Agreement Form”
Form PS-D-3-SOP-12-3	“Waiver of Extradition”
Form PS-D-3-SOP-12-4	“Transitional Work Program Job-site Visit”
Form PS-D-3-SOP-16	“Transitional Work Program Offender Transfer/Removal”
Form PS-D-3-SOP-17-1a	“Offender Trust Account Monthly Fiscal Package Certification”
Form PS-D-3-SOP-17-1b	“Offender Trust Account Monthly Summary Report”
Form PS-D-3-SOP-17-1c	“Offender Trust Account Monthly Reconciliation”
Form PS-D-3-SOP-17-1d	“Disposition of Offender Funds upon Release”
Form PS-D-3-SOP-17-1e	“Disposition of Offender Funds upon Death”
Form IS-B-1-SOP-3-1	“Offender Transitional Work Program Recommendation(s)”
Form IS-B-8-a	“Certified Treatment and Rehabilitation Earned Credit”
Form OP-C-1-a	“Disciplinary Report”
Form OP-A-15-e	“Standardized Case Report”
Form OP-C-3-a	“Request for Alcohol/Drug Test”
Form AM-I-4 SOP-4-5	“Monthly Activity Report”
Form AM-I-4 SOP-4-6	“Urine Screen for Substance Use”
Form AM-I-4 SOP-4-7	“Security Search and Seizure Summary”
Form AM-I-4 SOP-4-8	“Employer Summary”
Form AM-I-4 SOP-4-9	“Offender Discharge Information”
Form AM-I-4 SOP-4-10	“Program Activity Summary”
Form AM-I-4 SOP-4-11	“Major Problems, Changes/Developments Offender Morale and Staff Morale”
Form AM-I-4 SOP -4-12	“Facility Staffing”
FormAM-I-4 SOP-4-13	“Offender Unemployment”

REFERENCED DEPARTMENT REGULATIONS:

OP-B-1	“Incident Management Center”
AM-F-1	“Employee Manual”
IS-B-1	“Assignment and Transfer of Offenders”
PS-D-2	“Rehabilitative & Workforce Development Program”
AM-D-4	“Access to and Release of Active and Inactive Offender Records”
PS-F-1	“Volunteer Services Programs”
OP-C-5	“Access to Computers and Certain Office Equipment by Offenders”
PS-C-1	“Offender Reentry Program”
OP-A-15	“Prison Rape Elimination Act”
OP-A-8	“Searches of Offenders”
OP-C-9	“Offender Visitation”
OP-A-3	“Escorted Absences”
AM-I-4	“Activity Reports/Unusual Occurrence Reports Operational Units”
AM-H-2	“Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Jail Facilities”
P&P-1	“Probation and Parole Officers Manual”

Note: Department Regulations are located in the DPS&C electronic database located at the following web address:

<http://webmail.corrections.state.la.us/sopwrk.nsf>

INTRODUCTION

People are spending years, sometimes decades, cycling in and out of Louisiana probation and parole offices and prisons, seemingly unable to disengage from the criminal justice system. In Louisiana, the recidivism (return to prison) rate is approximately fifty percent after five years. Reducing the return-to-prison rate by even five percent would result in significant dollar savings for the state and its citizens and, hopefully, an enhanced quality of life in communities across the state. The question of what happens to men and women when they leave prison has never been as urgent as it is today.

As the Louisiana Department of Public Safety & Corrections recognizes the effects of an offender's successful reentry on public safety and community well-being, reentry strategies have become essential to our mission. We are committed to working in partnership with the Louisiana Sheriffs' Association and local jail administrators to facilitate reentry preparation and transition. Individual successes become program successes. As a result, we are optimistic recidivism will be reduced through our joint efforts.

Transitional Work Programs (also known as "Work Release") serve as a bridge between life in prison and life in the community. Offenders in these Transitional Work Programs focus on transition, re-connecting with family members, and becoming productive members of the community. They learn and refine social and living skills and jobs skills – all while under supervision. The Transitional Work Program provides an opportunity for self-improvement, while assisting offenders to create a safe and productive lifestyle that can be sustained upon release.

These Standard Operating Procedures for Transitional Offender Work Programs (SOP) are an extension of that resolve to better prepare offenders for the gradual reduction of supervision and increased responsibilities.

The Department is committed to the process of providing offenders the tools needed to succeed in transitional work programs and return to society. The positive support received from your agency to this process is fundamentally necessary, desirable, and appreciated.

s/James M. Le Blanc
Secretary

Chapter One Mission Statement

The mission of Corrections Services is to enhance public safety through the safe and secure incarceration of offenders, effective probation/parole supervision and proven rehabilitative strategies that successfully reintegrate offenders into society, as well as to assist individuals and communities victimized by crime.

Goals and priorities are built around the Department's commitment to public safety and rehabilitation and serve to guide our performance in carrying out our mission. These goals and priorities include:

Staff and Offender Safety

We provide for the safety of staff and offenders by maintaining an organized and disciplined system of operations, which enhance the stability of all programs. All employees are provided training on the principles of the Code of Ethics of the American Correctional Association to demonstrate our commitment to professional and compassionate service.

Provision of Basic Services

We provide basic services relating to adequate food, clothing and shelter. We are further committed to delivering cost effective, quality health care services that maintain basic health and quality behavioral health services to contribute to the offender's satisfactory prison adjustment, and to diminish public risk presented by offenders upon release.

Opportunity for Change

We promote moral rehabilitation through program participation, and we will provide an environment for offenders that will enable positive behavior change. This will be accomplished by making or identifying educational and rehabilitative opportunities available within the institution, or in the community for offenders under supervision, who demonstrate motivation for change and the desire to participate in such programs.

Opportunity for Making Amends

Through the availability of opportunities for making restitution and participating in community restorative initiatives, offenders will be provided a mechanism to compensate individuals and communities harmed by crime.

Reentry

We are committed to developing partnerships throughout our communities to include victims, relevant groups, and public and private agencies. We recognize the importance of the role of the community, the victim and the offender in a successful criminal justice system. By using evidence-based practices, we will increase compliance with conditions of parole supervision and the ability of the offenders to reintegrate, which will result in safely reducing recidivism among Louisiana parolees and probationers.

Chapter Two Basic Jail Guidelines ACA Standards

Sheriffs' transitional work programs operating in accordance with La. R.S. 15:711 or 15:1111 shall comply with the Basic Jail Guidelines (BJG) established by the Louisiana Department of Public Safety and Corrections (DPS&C) in partnership with the Louisiana Sheriffs' Association (LSA).

Compliance with the BJG shall be demonstrated in the operation of the facility. A file shall be maintained by the facility on each BJG, which contains appropriate documentation to support that operations comply with each of the BJGs and applicable DPS&C Department Regulations as referenced throughout the "Standard Operating Procedures for Offender Transitional Work Programs" (SOP). Failure to demonstrate compliance may result in more frequent monitoring visits, as stipulated in the Partnership Agreement of the BJG. For Transitional Work Programs operated within a local jail facility, maintaining a separate set of BJG files for the Transitional Work Program shall be at the sheriff's discretion. However, for sheriffs who contract with a third party for the management of the Transitional Work Program, a separate set of files shall be maintained by those sheriffs.

Any privately-managed Transitional Work Program operating under contract with the DPS&C shall maintain accreditation by the American Correctional Association (Standards for Adult Community Residential Services) with 100% compliance on all ACA mandatory standards and at least 90% compliance with non-mandatory ACA standards. If a facility fails to maintain ACA accreditation, either the DPS&C contract may be amended until the facility achieves reaccreditation; or the contract may be terminated according to the agreement of the contract. The contractor is responsible for maintenance of ACA files and is responsible for ensuring the files are updated with the appropriate documentation to support that operations comply with ACA standards and applicable DPS&C Department Regulations as referenced throughout the SOP.

Any sheriff interested in contracting with a separate private management source for operation of a Transitional Work Program shall complete a bid process. Such a request shall be made by the sheriff, not by the proposed private management contractor. Act No. 151 of the 2009 Regular Legislative Session prohibits any facility that provides housing or temporary residence for offenders participating in Transitional Work Programs from being located within one thousand (1,000) feet of any school or child day care center. Planned or proposed expansions for Transitional Work Programs or jail facilities that house DPS&C offenders shall be submitted to the Secretary of DPS&C and the Executive Director of the LSA for consideration and approval.

Written policies and procedures that reflect compliance with the SOP, as well as facility rules for offender behavior, shall be made available to, and approved by, DPS&C Office of Adult Services Transitional Work Program monitoring staff and the Regional BJG Team Leader prior to beginning operation or implementation.

Facility Rules and Handbook shall be submitted to the Chief of Operations-Corrections Services (CS) for approval prior to implementation.

Chapter 2 references:

- 2009 La. Acts No. 151
- La. R.S. 15:711
- La. R.S. 15:712
- La. R.S. 15:1111
- BJG V-B-006: Transitional Work Program/Standard Operating Procedures
- BJG V-B-009: Approval for Transitional Work Programs
- BJG V-B-010: Proposed Expansions
- BJG VII-B-006: Organization
- Department Regulation No. IS-B-1, “Assignment and Transfers of Offenders”

Chapter Three
**Recommendations/
Eligibility for Transitional Work Programs**

1. State Offenders Housed in State Prison Facilities: An offender may be eligible for possible Transitional Work Program participation if all of the following occur:
 - A. The offender is identified independently by Department staff;
 - B. The Secretary or designee determines that the offender meets the statutory criteria and the Department the guidelines and criteria established pursuant to this regulation, and the offender is likely to respond affirmatively to Program participation;
 - C. The offender voluntarily enrolls in the Program;
 - D. Prior to Program participation, the offender submits to a mandatory drug test, and the results of the test are negative for the presence of any controlled dangerous substance. It is the responsibility of the Transitional Work Program to conduct the initial program-participation drug test.

2. State Offenders Housed in Local Jail Facilities: When state offenders housed in local jail facilities are recommended for Transitional Work Program, it shall be the responsibility of the local jail to ascertain suitability for the Program based on the offender's disciplinary record and available recent medical and behavioral health status while in the local jail's custody. Once recommended, the Office of Adult Services shall be responsible for determining the offender's statutory and technical eligibility and suitability based upon the offender's criminal history and statutory and regulatory criteria. The offender must be eligible as outlined below. In addition, certification is required by the sheriff or local jail administrator that all statutory requirements as outlined in La. R.S. 15:711 and La. R.S. 15:1111 shall be obeyed. All recommendations for Transitional Work Programs shall be submitted to the Office of Adult Services on the standard Transitional Work Program Recommendation Form (Form IS-B-1-SOP-3-1).

3. State Offenders Recommended by the Court upon Sentencing: A court may recommend offenders be housed at and participate in the Program upon sentencing. Such recommendation to Transitional Work Program must be stated clearly in the Uniform Commitment Order (UCO) or court minutes. The recommendation is subject to the offender's statutory and technical eligibility and bed space availability. The court may delay sentencing to allow the Department to determine if the offender meets requirements. The courts shall submit the UCO or court minutes recommending Transitional Work Program to HQ-TWP-Recommendations@la.gov. All court recommendations for Transitional Work Program Assignment shall be reviewed by DPS&C Office of Adult Services for eligibility. DPS&C Office of Adult Services shall coordinate final review and approval by the Secretary or designee.

4. A thorough review of an offender's record to determine the offender's suitability for Transitional Work Program participation is mandatory, regardless of the offender's sentence length. In addition, the following guidelines shall be adhered to during the screening process:
 - A. Unless precluded by law or Department Regulation, an offender within four (4) years of his discharge date may be recommended for Transitional Work Program. Those offenders who are within six (6) years of their discharge date and meet criteria established in Department Regulations may be recommended for the Workforce Development Programs.
 - B. Pursuant to the provisions of La. R.S. 15:711 and 15:1111 and/or Department Regulation No. IS-B-1 , Appendix III, unless eligible at an earlier date, an offender sentenced for any of the following crimes is eligible for Transitional Work Program participation during only the last 6 months of his incarceration, except and unless the offender has served a minimum of 15 years in the custody of the Department; in which case, the offender is eligible for Transitional Work Program participation during the last 12 months of his period of incarceration:
 - aggravated arson (14:51)
 - armed robbery (14:64)
 - attempted murder (14:27 & 29)
 - attempted armed robbery (14:27 and 64)
 - C. An offender sentenced as a habitual offender pursuant to La. R.S. 15:529.1 shall be eligible to participate in a TWP during the last 12 months of their sentence if the offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the Secretary of the Department.
 - D. Pursuant to Department Regulation No. IS-B-1 "Assignment and Transfer of Offenders," offenders convicted of a sex offense as defined in La. R.S. 15:541 are not suitable for participation in transitional work programs.
 - E. Offenders with arrests or facility records that reveal habitual or compulsive use of violence against people shall be considered as unsuitable.
 - F. Offenders with illnesses shall be stabilized on all prescribed medications to be suitable.
 - G. Offenders with a behavioral health disorder, but who are stable, will be reviewed by the treating physician or designee to determine suitability for Transitional Work Program placement.

- H. Offenders found guilty of intoxication, who had a positive reading on a urinalysis test, who refused to be tested or to cooperate in testing, or who altered their urine specimen within the last 3 months are unsuitable. Exception: Offenders removed from a TWP, first offense only, for intoxication or for a positive drug screen may be considered for TWP placement after 30 days from a finding of guilt, with an employer that provides on-site security. The offenders may be required to submit to and pass a drug screen on a monthly basis for 3 consecutive months, after which time the offender may be placed with any employer. Any subsequent intoxication or positive-drug-screen offenses may be reconsidered for TWP placement at 3 months from a finding of guilt.
- I. Any offender who completes 100 hour Pre-Release Reentry Programming (*after removal from TWP placement for disciplinary reasons*) shall be immediately eligible for reconsideration of suitability for TWP placement.
- J. Offenders who have demonstrated an overt, aggressive pattern of sexual behavior to the extent that it would disrupt the smooth daily operation of the program are unsuitable.
- K. Offenders whose facility records reflect consistent signs of bad work habits, lack of cooperation, good faith, or other undesirable behavior are unsuitable.
- L. Any offender who has pending felony charges or felony detainers that may result in confinement upon release is unsuitable.
- M. Offenders who have refused to participate in reentry and/or pre-release preparation are unsuitable.
- N. DPS&C Chief of Operations has the authority to waive any suitability requirements not set by Louisiana Statutes on a case-by-case basis upon thorough review of the offender's record.

Chapter 3 references:

- Act No. 31 of the 2008 Regular Legislative Session
- Act No. 266 of the 2009 Regular Legislative Session
- La. R.S. 15:529.1
- La. R.S. 15:711
- La. R.S. 15:1111
- BJG V-B-007: Participation in Transitional Work Programs
- Department Regulation No. IS-B-1, "Assignment and Transfer of Offenders"
- Department Regulation No. PS-D-2, "Rehabilitation and Workforce Development Program"

1. **GENERAL**

All Transitional Work Program facilities shall complete required procedures and submit required reports by the indicated due dates below pursuant to the provisions of Department Regulation No. AM-I-4 “Activity Reports/Unusual Occurrence Reports Operational Units” and Act 701 of the 2018 Regular Session.

2. **MONTHLY REPORTING**

A. Activity Reports – Due by the 15th

The Unit Head or designee shall ensure the following monthly activity reports are submitted to the Chief of Operations electronically on the forms indicated below no later than the 15th day of the month following the reporting period through the following web address:

<http://webmail.corrections.state.la.us/sopwrk.nsf>

PUBLIC SAFETY	
AM-I-4-SOP-4-5	Monthly Activity Report <i>(See Appendix VI for definitions)</i>

INSTITUTIONAL SAFETY	
AM-I-4-SOP-4-6	Urine Screen for Substance Use
AM-I-4-SOP-4-7	Security Search and Seizure Summary

REENTRY	
AM-I-4-SOP-4-8	Employer Summary
AM-I-4-SOP-4-9	Offender Discharge Information
AM-I-4-SOP-4-10	Program Activity Summary
AM-I-4-SOP-4-13	Report of Unemployed Offenders

GENERAL FACILITY INFORMATION	
AM-I-4-SOP-4-11	Major Problems, Changes/Developments, Morale

FACILITY STAFF	
AM-I-4-SOP-4-12	Facility Staffing/Offender Programming

B. Offender Trust Account Fiscal Package – Due by the 25th

The Unit Head or designee shall ensure the following monthly fiscal package is submitted to the appropriate Office of Adult Services TWP Monitor electronically on the forms indicated below no later than the 25th day of the month following the reporting period:

SOP Form	
PS-D-3-SOP-17-1a	Offender Trust Account Monthly Fiscal Package Certification
PS-D-3-SOP-17-1b	Offender Trust Account Monthly Summary Report
PS-D-3-SOP-17-1c	Offender Trust Account Monthly Reconciliation
<p>Required Supporting Document Copies:</p> <ol style="list-style-type: none"> 1. Complete monthly bank statement (<i>including copies of checks if part of the bank statement</i>) 2. Offender Balance Reports (<i>with offender name, DOC #, and ending monthly balance</i>) <ul style="list-style-type: none"> • <u>Positive Offender Balances Report</u> - List of individual offenders with money in the Offender Trust Account at the end of the month, including a report total. • <u>Negative Offender Balances Report</u> - List of individual offenders who are overdrawn and owe money to the Offender Trust Account at the end of the month, including a report total. 3. Monthly bank reconciliation 4. List of outstanding checks (<i>with check #, check date, payee, amount, and description of expense</i>) 5. Shortage repayment documentation (<i>if required by Offender Trust Account Monthly Reconciliation</i>) <ul style="list-style-type: none"> • Copy of reimbursement check from the operating account • Copy of the deposit slip • Copy of the bank's receipt of the deposit 	

3. ANNUAL PROCEDURES & REPORTING

A. Employer Summary Report – Annual Close-out Procedures

- 1) Enter a Work End Date of 12/31/20xx and required wage information (gross/deductions/net) through 12/31/20xx for each active offender listed.
- 2) Create a new Employer Summary Report for the new calendar year for all active offenders:
 - a. Work Start Date – 1/1/20xx
 - b. Original Work Start Date – Original date the offender started working
 - c. Additional information, excluding annual gross/deductions/net

B. Activity Reports – Due by July 31st

Facilities are required to submit annual reports by July 31st of each year via U.S. Mail to the Chief of Operations, and the annual reports shall include the following information:

- 1) Total number of offenders received and date employed;
- 2) Number of releases to parole supervision;

- 3) Number of full term releases;
- 4) Number of offenders returned to DPS&C and the reason(s) for returns;
- 5) Most recent copies of Fire Marshal and Health Department reports along with appropriate corrective measures taken concerning citations;
- 6) Any proposed new construction or anticipated proposal for an increase in Transitional Work Program bed capacity;
- 7) Information particular to services and programs available to participants; and
- 8) A narrative analysis of progress, goals, accomplishments or achievements by the facility, staff, or volunteers.

C. Agreed Upon Procedures (AUP) Report – Due 6 months after FYE

As of January 1, 2015, all TWP facilities, regardless of the amount of gross revenues or number of offenders or who manages the facility, are required to have an annual Agreed Upon Procedure (AUP) engagement performed on Offender Trust Accounts.

The AUP engagement may be performed in conjunction with other annual audit requirements of the TWP (*e.g., sheriff office's annual audit report to the Office of the Louisiana Legislative Auditor*). The resulting AUP report shall be issued as a separate report submitted to DPS&C Internal Audit Department **within six (6) months after the close of the facility's year-end**.

If the results of the AUP reveal significant concerns (*e.g., severe internal control weaknesses, fraud, misappropriation of funds, unethical business practices*), the TWP may be subject to additional audits by the DPS&C Internal Audit Division or the Office of the Louisiana Legislative Auditor.

Scope & Objectives of the AUP Engagement

DPS&C developed a list of specific steps to be performed during the AUP to assist DPS&C to determine compliance with TWP facilities' fiduciary duties to manage and safeguard the OTA in a cost-effective, efficient, and standardized manner. The compliance requirements may be either financial or nonfinancial and may involve examining several types of program records. DPS&C requires tests of financial and other transactions to determine compliance with the requirements applicable to those transactions, regardless of materiality and the effect on financial statements.

The AUP shall be performed in accordance with attestation standards established by the American Institute of Certified Public Accountants (AICPA).

D. TWP Staff To-Do List:

- 1) Engage an independent Certified Public Accountant (CPA) from the Office of the Louisiana Legislative Auditor's list of approved CPAs who perform audit, review, and/or compilation/attestation engagements of government and quasi-public entities. The list is online at <https://lla.la.gov> under "Information for CPAs".

Note: These are the only CPAs who may perform the AUP.

- 2) E-mail a copy of the CPA's engagement letter to the facility's TWP Liaison in Adult Services at DPS&C Headquarters.
- 3) Provide the selected CPA a copy of the current **SOP for TWPs**, including the **Annual TWP Agreed upon Procedures Audit Guide** (See Appendix III).
- 4) Review the **AUP Preparation Checklist** (See Appendix IV) and AUP steps (See Appendix III) to be performed at your TWP facility.
- 5) Understand what documentation shall be required, ensure records & files are orderly, and ensure all documentation can be presented easily to the CPA during the engagement.
- 6) Be prepared to spend some time during the engagement answering questions and providing the documentation requested. If possible, designate a staff person involved with the daily management of the OTA to work directly with the CPA.
- 7) Review the results with the CPA to ensure clarity and accuracy of the report.
- 8) If findings/exceptions were noted, management should
 - a) develop specific corrective action plans to prevent future repeat findings and to strengthen internal controls; and
 - b) complete and sign the **TWP Management Corrective Action Plan** for the findings noted (See Appendix VIII and **Form PS-D-3-a**); and
 - c) submit the completed and signed form to the CPA to be added to the AUP report as an attachment.
- 9) Review the results, including the **TWP Management Corrective Action Plan**, with appropriate TWP staff and TWP management/Sheriff
- 10) E-mail a copy of the AUP Report and attached **TWP Management Corrective Action Plan**, if applicable, to Jewell Freeman, Chief Audit Executive, at jewell.freeman@la.gov.

4. **INCIDENT REPORTING**

- A. Activities as outlined in Department Regulation No. AM-I-4, “Activity Reports, Unusual Occurrence Reports,” Categories A, B, and C.
- B. Escapes and apprehensions shall be reported in accordance with Chapter 21, “Escapes and Apprehensions”.

5. **EMERGENCIES**

DPS&C-Corrections Services conducts its incident management operations (emergency operations) from the Incident Management Center (IMC), located at DPS&C Headquarters, 504 Mayflower St., Baton Rouge, LA 70802.

Provided below is the contact information for the IMC during periods of activation as well as for the Incident Management Director for inactive periods.

Incident Management Center (IMC) – Contact Information

	Phone	Fax	E-mail
Primary	800-317-3117	225-219-0359	hq_command@la.gov (hq”underscore”command@)
Secondary	225-219-0355	225-219-0493	hq_command@brcoxmail.COM (hq”underscore”command@)
	225-219-0356		
	225-219-0357		
700 Radio	Call IMC for channel coordination		

<p>Michael Trevor McDonald, Director Office: 225-342-4399 Cell: 225-223-9864 Fax: 225-219-0493 E-mail: michael.mcdonald@la.gov</p>	<p>Joel Odom, Assistant Director Office: 225-342-1153 Cell: 225-244-0951 Fax: 225-219-0493 E-mail: joel.odom2@la.gov</p>
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6. **TRANSFERS**

- A. **Routine Transfers** – Prior notice of routine transfers shall be made to the DPS&C, Office of Adult Services, with a copy of Form PS-D-3-SOP-16 “Transitional Work Program Offender Transfer/Removal” (via email or fax) when transferring any Transitional Work Program offenders to a local jail facility.
- B. **Urgent Transfers** – Transfers of an urgent nature (for example: Serious rule violation, escapee, event causing immediate ineligibility or suitability such as medical condition that prohibits ability to return to the job or felony detainer issued, etc.) shall be reported to the DPS&C, Office of Adult Services (via fax or email) by the following business day.

Chapter 4 references:

- 2008 La. Acts No. 701
- BJG I-C-001: Emergency Plan
- BJG II-A-009: Reception – Legal Commitment and Medical Service
- BJG IV-C-015: Offender Deaths
- Department Regulation No. OP-B-1, “Incident Management Center”
- Department Regulation No. AM-I-4, “Activity Reports/Unusual Occurrence Reports”

Chapter 4 ACA references:

- ACRS 7D-01: Established measurable goals and objectives

Standard of Conduct for Employees of Transitional Work Programs:

1. Employees shall conduct themselves in a manner that shall not bring discredit upon their respective facilities or the DPS&C.
2. Each employee shall be furnished with written notice of facility rules, policies, and procedures. The facility may use the DPS&C “Employee Manual” or an alternative document approved in writing by the DPS&C Chief of Operations.
3. The facility shall provide sufficient staff at all times, including a designated supervisor, to perform functions relating to the security, custody, and supervision of offenders and, as needed, to operate the facility. Security staff shall be provided 24 hours a day to control at all times the movement and location of all offenders assigned to the facility, in accordance with BJJ II-A-003 (or ACA standards for ACA accredited facilities).
4. There shall be a method of staff identification to be identified readily by DPS&C personnel or visitors through utilization of nametags, identification cards, etc.
5. There shall be written job descriptions and job qualifications for all positions in the facility. Qualifications shall reflect the level of responsibility of the position.
6. Facility policies and procedures shall establish guidelines for employee drug/alcohol testing, which policies and procedures shall include at a minimum: Pre-employment testing, post-accident, reasonable suspicion/probable cause, and random quarterly testing on all employees.
7. All employees shall receive initial orientation training (appropriate to their jobs) during the first week of employment and shall participate in annual training and educational activities in accordance with the BJJ (or ACA standards for ACA accredited facilities). Training documentation shall be maintained for each employee.
8. All staff, volunteers, and employers shall receive Prison Rape Elimination Act (PREA) training.
9. Felons or ex-felons shall not be employed by a Transitional Work Program without express written consent from the DPS&C Chief of Operations.

Chapter 5 references:

- BJJ II-A-001: Control
- BJJ II-A-002: Secure Perimeter
- BJJ II-A-003: Sufficient Staff
- BJJ II-A-017: Drug Free Workplace
- BJJ VII-A-001: Training and Staff Development
- Department Regulation No. AM-F-1, “Employee Manual”
- Department Regulation No. PS-D-2, “Rehabilitation and Workforce Development Program”
- Department Regulation No. OP-A-15, “Prison Rape Elimination Act (PREA)”

Chapter 5 ACA references:

- ACRS 2A-03: Staffing Requirements
- ACRS 7C-01: Staff Rules and Regulations
- ACRS 7B-02: Staff Licensure, Certification or Registration Requirements
- ACRS 7B-05: Criminal Record Check
- ACRS 7B-10 to 7B-19: Staff Training

1. Meals

- A. Food service shall comply with applicable BJJ or ACA standards. The facility shall provide sanitary facilities that comply with applicable state and/or federal requirements for the storage of all foods. Toilet and hand basin facilities shall be readily available to food service personnel.
- B. The facility's dietary allowances shall be reviewed at least annually by a qualified nutritionist or dietician to ensure nationally recommended dietary allowances for basic nutrition are met. Menus shall be evaluated at least quarterly by food service supervisory staff to verify adherence to the established basic daily servings. Food service staff shall be required to maintain accurate records of all meals served.
- C. The facility shall serve three meals (including 2 hot meals) per 24-hour period at regular meal times, with no more than 14 hours between the evening and breakfast meals. Offenders shall be provided ample opportunity to eat for each meal. When an offender's work keeps the offender away from the facility at mealtime, bag lunches shall be available upon request by the offender. This meal shall be prepared on the date it is to be eaten. Additionally, in the event an offender is held over on his or her job, a meal shall be made available upon the offender's return to the facility. The denial of food as a disciplinary measure is strictly prohibited.

2. Therapeutic / Special Diets

The facility shall provide therapeutic and/or special diets based on medical reasons as prescribed by appropriate medical or dental personnel. Additionally, reasonable diets shall be provided based on religious reasons, for example: Muslim diets are characterized by containing no pork or pork products.

Chapter 6 references:

- BJJ IV-A-001: Food Storage Facilities
- BJJ IV-A-002: Food Service Facilities
- BJJ IV-A-003: Food/Dietary Allowances
- BJJ IV-A-004: Records of Meals Served
- BJJ IV-A-005: Denial of Food as Discipline Prohibited
- BJJ IV-A-006: Food Service Management
- BJJ IV-A-007: Therapeutic/Special Diets

Chapter 6 ACA references:

- ACRS 4A-01: Dietary Allowance
- ACRS 4A-02: Special Diets

- ACRS 4A-03: Religious Diets
- ACRS 4A-04 to 4A-07: Food Service Areas and Inspections

Chapter Seven Security

1. A current Master List shall be maintained at all times of all offenders assigned to the facility. The Master List shall be updated immediately whenever the facility receives, releases, or removes an offender from the facility.
2. Levels of security at the facility that shall be adhered to, and shall include, but are not limited to:
 - A. Physical security of the offenders shall ensure all offenders are accounted for at all times.
 - B. The facility itself shall remain secured 24 hours a day in such a manner that no person can enter or exit the facility without the knowledge of the on duty staff.
 - C. When a count is conducted, and it is found that an offender who is not physically present in the facility has not signed out on the offender log in accordance with the appropriate procedure or has signed out but has failed to return to the facility on time in accordance with appropriate procedures, the facility shall take immediate action to locate the offender.
 - D. If the offender cannot be located **within 15 minutes**, the employer shall notify the Transitional Work Program facility via the 24-hr telephone number provided on Form PS-D-3-SOP-12-2 “Employer Agreement,” who shall be responsible for verifying the offender’s location or escape status. If an escape status is confirmed, the Transitional Work Program facility shall immediately notify local law enforcement and DPS&C personnel at Elayn Hunt Correctional Center (1-800-842-4399) which has 24-hour, on-call staffing (see Chapter 21, “Escapes and Apprehensions”).
 - E. ACA-accredited facilities shall follow the above procedures and also immediately shall notify Probation and Parole District personnel.
3. A log book shall be maintained to monitor all offender movements and shall include:
 - Offender’s name
 - Destination
 - Phone number at destination
 - Address of destination
 - Time out, anticipated time of return, actual time of return
 - Offender’s signature upon return
 - Initials of the appropriate staff member charged with monitoring the log book

See also Chapter 15, “Recording Offender Activities.”

4. Facility staff shall ensure offender work schedules are verified prior to the offender signing out for work. Any variances to the offender's work schedule (e.g., working overtime, change in hours) shall be reported to the facility by the employer.
5. All log books and other documentation required by the SOP shall be monitored by the BJG Regional Team Leader assigned responsibility for monitoring the Transitional Work Program facility.
6. A thorough search (shakedown) shall be conducted a minimum of once a month. The results shall be summarized in the daily log by the facility and included on Form 4-7 on the monthly AM-I-4 report. At unannounced intervals, the DPS&C Chief of Operations may coordinate with staff at state prisons/facilities and/or Probation and Parole to conduct shakedowns. For ACA-accredited facilities, local Probation and Parole personnel may conduct a shakedown at any time.
7. The sheriff may request assistance with conducting a shakedown of the facility through the DPS&C Chief of Operations. These searches/shakedowns conducted by DPS&C staff shall be conducted in accordance with Department Regulation No. OP-A-8, "Searches of Offenders."
8. Security and safety are the responsibility of both the DPS&C staff and facility staff; thus, shakedowns of the facility shall be conducted within the following general guidelines:
 - A. Upon arrival, DPS&C staff shall promptly identify themselves and take control of the offenders present at the facility. Normally, all offenders shall be moved to a central location and secured until individual searches are conducted.
 - B. All searches shall be conducted within the provisions of DPS&C Department Regulation No. OP-A-8, "Searches of Offenders."
 - C. Facility staff needs to have keys or access to combinations for all locks to provide ready access to any enclosures on the premises.
 - D. It shall be the responsibility of the leader of the search team to ensure property loss or damage is kept to a minimum. An exit interview may be conducted, if feasible, with the senior facility staff to discuss finding and recommendations.
 - E. When the search of the offenders and facility is complete, control of the offenders shall be returned to the facility staff.
 - F. DPS&C and facility staff shall work in a cooperative manner to accomplish the intended public safety and security goals.
 - G. The facility shall maintain an adequate supply of flex cuffs on site to accommodate the total population if the need arises.

9. If contraband is discovered, facility staff shall take immediate steps to secure the evidence. If possession of the contraband involves illegal activity, such as the possession of controlled dangerous substances, facility staff shall contact the appropriate officials for consideration of prosecution and shall advise the DPS&C Chief of Operations of this action.
10. Random pat searches shall be conducted in such a manner to discourage the introduction of contraband into the facility. These searches shall be entered into the daily log.
11. Random alcohol tests shall be administered daily by a trained staff member as each offender returns to the transitional work program facility. All alcohol tests shall be entered on the daily log. (See Chapter 9, “Alcohol and Drug Testing”).
12. Upon an offender’s entrance or return to the facility, a staff member shall inspect all packages that the offender has in his possession, including laundry bags, lunch boxes, ice chests, etc.

Chapter 7 references:

- BJJ I-C-001: Emergency Plan
- BJJ II-A-003: Sufficient Staff
- BJJ II-A-007: Counts
- BJJ II-C-001: Procedures for Searches
- Department Regulation No. OP-A-8, “Searches of Offenders”
- Department Regulation No. IS-A-3, “Disposal of Property/Contraband”
- Conditions of Work Release, P&P’s Agent Manual, Chapter 3

Chapter 7 ACA references:

- ACRS 2A-04: Staff Availability
- ACRS 2A-11: Offender Accountability
- ACRS 2C-04 to 2C-06: Searches of Offenders

Chapter Eight Personal Property

Upon transfer from a DPS&C facility to a Transitional Work Program, DPS&C provides offenders with a release package of information, which contains at least two forms of identification. (If an offender arrives at the Transitional Work Program facility without this release packet, the DPS&C Chief of Operations shall be notified. These documents shall be placed in a secure area in an envelope marked "IDENTIFICATION INFORMATION – DO NOT DESTROY". The release packet, including identification, shall be updated as necessary and shall be provided to the offender upon release (see also Chapter 23, Reentry).

If an offender is removed from the Transitional Work Program and is transferred to a DPS&C or local jail facility, the release packet shall be included with the offender's personal property.

1. Personal items in the offender's possession while assigned to a Transitional Work Program shall be only those determined by the facility similar to DPS&C Department Regulation No. IS-A-3 "Offender Personal Property Lists, State Issued Items, Procedures for the Reception, Transfer and Disposal of Offender Personal Belongings," in addition to the following:
 - Suitable "street clothing" sufficient to fulfill work obligations;
 - Unless waived by the Chief of Operations, cash money, not to exceed \$50.00, may be allowed (for example, offshore jobs, etc., may require a waiver by the DPS&C Chief of Operations).
 - If offenders are prohibited from possessing cash, the facility shall ensure the offender is provided with a means to obtain adequate nourishment (food, water) while on the job.

2. Offenders shall not possess any item, which could be determined to be detrimental to the security of the facility. Offenders found to be in possession of unauthorized items are subject to disciplinary action and confiscation of the item. Items prohibited include, but are not limited to:
 - Camera
 - Flammable, toxic, or caustic items
 - Tools (work tools are allowed, but must be properly stored and secured by the facility when not in use)
 - Razor/razor blades or straight razor (disposable razors may be allowed)
 - Knives
 - Glass or ceramic containers
 - Sexually explicit/illicit material – Any electronic media, book, pamphlet, magazine, or printed matter however reproduced, which contains any picture, photograph, drawing or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, sadomasochistic abuse, bestiality, or sexuality. Explicit sexual material also includes that

which contains detailed verbal descriptions or narrative accounts of deviant sexual behavior. Any publication containing depictions of nudity or sexually explicit conduct on a routine or regular basis or promotes itself based on such depictions in the case of individual one-time issues is prohibited. A publication should not be prohibited solely because it contains pictorial nudity that has a medical, educational, or anthropological purpose.

3. No electronic communications devices (including, but not limited to cellphones, smartphones/blackberries, etc.) are permitted. Extraordinary circumstances requiring use of a cell phone in the course of employment must be approved by the Chief of Operations on a case-by-case basis. Requests for such approval shall be submitted to the Chief of Operations in writing with detailed justification.
4. An offender may possess one portable radio, cassette, CD player, electronic media player, or a combination instrument with headphones/earphones (**battery operated only**) as is sold in the Canteen (**or by JPay if purchased while housed at a DOC facility**). Such devices and content must be approved by the Warden or TWP Administrator. Unit policy shall advise of areas and times when offenders may have such items and/or if not using headphones/earphones is permitted.
5. All personal items shall fit into assigned storage locker(s).
6. Hobby craft items are limited to only those items approved by the facility director. The facility shall ensure tools are secured and are inventoried in accordance with appropriate BJJ (or ACA Standards for ACA accredited facilities).
7. No personal computer equipment (including, but not limited to: desktop/notebook/laptop computers, data communications equipment, personal digital assistants, removable media storage devices [thumb/flash drives], and other devices by which electronic data can be stored and/or removed from computer equipment or information systems) shall be permitted by an offender while in the facility. This prohibition includes employer owned computer equipment.
 - A. Prior approval must be obtained from the Chief of Operations, on a case-by-case basis, for access to a computer or computer equipment for offenders whose employer may require the use of such personally owned equipment within the scope and course of the offender's job as a condition of employment.
 - B. This employment necessity must be verified as a legitimate business need by the employer, citing specific and detailed justification to support the need. The employer must indicate if other non-offender employees in similar jobs in the employer's employ are required to provide their own computer/computer equipment as a condition of employment.

- C. If the Chief of Operations-CS approves, then the computer/computer equipment shall be secured by the facility during the offender's off-duty hours to ensure no offender may have access. The facility shall maintain detailed information on the equipment (i.e., serial number operating system, software installed, etc.).
 - D. The offender shall be required to check out the computer/computer equipment immediately prior to departing the facility for work detail and shall be required to check in the computer immediately upon returning to the transitional work facility at the end of the work day.
8. Any request received from offenders prior to release for major purchases, for example, vehicles, etc., shall be reviewed by the facility Warden and given a disposition. If approved, the initial request, along with the Warden's disposition, shall be submitted to the Chief of Operations for final approval. Support documentation of the offender's account balance, verification of major purchase cost, and projected release date shall be included with the request to the Chief of Operations.

Chapter 8 references:

- Department Regulation No. IS-A-3, "Offender Personal Property Lists, State Issued Items, Procedures for the Reception, Transfer and Disposal of Offender Personal Belongings"
- Department Regulation No. OP-C-5, "Access to Computers and Certain Office Equipment by Offenders"

Chapter 8 ACA references:

- ACRS 2C-01 to 2C-03: Contraband

Chapter Nine Alcohol/Drug Testing

1. Alcohol/drug testing shall be conducted daily, randomly, and for probable cause in accordance with facility policy.
2. Costs associated with testing shall be the responsibility of the facility. However, restitution for the actual cost of the drug testing may be obtained from the offender when the test results are positive and after a finding of guilt by a Disciplinary Board following a full due process hearing.
3. Urinalysis and breathalyzer of offenders shall be conducted in such a manner as to ensure:
 - A. Each offender is to be tested for the presence of illicit substances in his system within 72 hours of his arrival at the facility/program and tested at least once every 90 days thereafter.
 - B. In addition, random drug testing shall be conducted monthly on a minimum of 5% of the Transitional Work Program offender population. To keep costs down, the 5% may include offenders who are being tested within the month to meet the 90-day requirement as stipulated in 3.a. above.
 - C. When a facility staff member or any DPS&C representative has a reasonable suspicion or indication an offender is intoxicated or under the influence of drugs or alcohol, or when an offender is found to be in possession of suspected illicit drugs or alcohol, or when suspected illicit drugs or alcohol are detected or found in the offender's area of immediate control, or when an offender is observed to be in possession of, or using what appears to be illicit drugs or alcohol, but staff are unable to obtain a sample, or when medical staff feel the offender may be under the influence of drugs or alcohol or otherwise feel a drug/alcohol test is medically appropriate, a test shall be conducted.
 - D. All testing shall be documented in the daily log; however, in the case of confidential information, the name of an informer shall not be committed to writing. The documentation shall indicate only the staff member who received the information, the nature of the information, the offender about whom the information was received, and the specifics of the testing (date, time, place, results, etc.)
 - E. Positive drug/alcohol screens are written up under Rule #1-Contraband violations, as outlined in the Disciplinary Rules and Procedures for Adult Offenders; and the offender shall be transferred immediately out of Transitional Work Program to the secure custody of the local jail facility for a minimum of 30 days, after which time the offender's TWP suitability status may be reviewed for possible

TWP placement. If an offender refuses to be tested, the offender shall be informed such refusal shall be deemed a positive reading and shall result in a charge of violating Rule #1-Contraband being filed against the offender with appropriate disciplinary sanctions if the offender is found guilty after due process proceedings. If an offender is unable to provide a urine specimen, then the offender shall be detained until the offender is able to provide a urine specimen. An offender's inability to provide a urine specimen within three hours of being ordered to do so may be considered as a refusal to submit a specimen. Such refusal shall be deemed a positive reading, and the offender shall be charged with Rule #1-Contraband.

- F. Facility policy shall require a corroborative test be completed by a different, trained staff member utilizing an alternative test. For example: If an offender tests positive for marijuana using a test cup drug screen, then the confirmatory test shall be done using another approved test, such as THC test stick, etc.; and the original urine sample shall be used. The "Request for Alcohol/Drug Test" (Form OP-C-3-a) shall be submitted to DPS&C with any subsequent Disciplinary Report outlining a violation of drugs and/or alcohol usage.
- G. When an offender is tested for drugs or alcohol, the facility staff shall complete the form entitled "Request for Alcohol/Drug Test" when the results are positive. An internal facility chain-of-custody form and/or drug test(s) form(s) may be used for negative results.
- H. A copy of the test results shall be maintained in the offender's file. This documentation shall be signed by the staff member conducting the test. Once the copy is made and filed, the used instrument may be discarded.
- I. The staff member(s) conducting the test shall be trained in the proper procedure for conducting the test and shall follow that procedure in every instance.
- J. The results of drug and alcohol testing shall be reported monthly in the AM-I-4 report. (Form 4-6)
- K. See Chapter 16, Section 5 regarding suspicion of intoxication where there is no approved or effective testing for prohibited substances (e.g., Mojo, synthetic marijuana, etc.).

Chapter 9 references:

- BJJ II-A-018: Offender Drug Testing
- Department Regulation No. OP-C-1, “Disciplinary Rules and Procedures for Adult Offenders”
- Department Regulation No. OP-C-3, “Offender Drug and Alcohol Testing Program”
- Department Regulation No. AM-I-4, “Activity Reports/Unusual Occurrence Reports”
- Department Regulation No. PS-D-2, “Rehabilitation and Workforce Development Program”

Chapter 9 ACA references:

- ACRS 5A-09: Urine Surveillance Program

Chapter Ten Visitation

1. Any visitor list previously approved by DPS&C while an offender was housed at a DPS&C facility shall be forwarded to the Transitional Work Program facility when the offender is transferred, and such lists shall be utilized by the Transitional Work Program facility to allow for visitation.
2. Each facility shall establish a policy on admission and control of visitors and shall develop guidelines concerning visiting hours and disposition of unauthorized visitors. This policy shall be in accordance with BJJG V-B-002 governing visitation. (For ACA facilities, this policy shall be consistent with the provisions of Department Regulation No. OP-C-9 “Offender Visitation”). Copies of the approved visitor’s list are subject to approval by DPS&C staff.
3. Visitation shall not be allowed while on the job except by DPS&C staff or Transitional Work Program facility staff while at work.
4. Loss of visitation privileges cannot be used as a disciplinary penalty unless the rule violation is directly related to visitation.

Chapter 10 references:

- BJJG V-B-002: Visiting
- Department Regulation No. OP-C-9, “Offender Visitation”

Chapter 10 ACA references:

- ACRS 5A-16: Visitation

Chapter Eleven **Escorted Absences**

1. The term “escorted absence” applies to occasions when offenders may be taken off the facility grounds under conditions where continuous supervision is maintained at all times. This includes, but is not limited to, funerals of immediate family members, hospital visits with dying family members (immediate family members only, as specified in #3 below), special events, field trips, religious services, and musical group performances.
2. All escorted absences must be approved by the transitional work program administrator in accordance with Department Regulation No. OP-A-3 , “Escorted Absences”. Offenders approved for an escorted absence shall be supervised at all times by an employee of the facility who assumes full responsibility for the offenders during the absence. The facility administrator is responsible for the supervised transportation of the offender to and from escorted absences and for supervising their presence at the activity.
3. The facility may transport offenders to visit dying family members (verified spouse, children, mother, father, or siblings). The offender may choose to visit prior to the family member’s demise or to attend the funeral. It is the facility’s responsibility to verify, through the attending physician, that death is imminent. If an offender has adequate funds available in the offender’s account, the offender may be assessed a fee of \$25.00 to defray the cost of the funeral trip or bedside visit with dying family members.
4. Absences that are necessary to provide proper health care, such as doctor’s appointments, or that have specific value in the re-socialization and/or rehabilitation of the offender, such as substance use treatment or educational programs, shall be under supervised escort. (*Note: College class attendance on any school campus shall be in accordance with Department Regulations and state statutes and approved by the Chief of Operations.*)
5. Security and transportation for such activities shall be provided by the facility in compliance with these Standard Operating Procedures.
6. Transportation may be provided by the sponsor for activities such as AA/NA meetings, church, etc. Sponsors must be approved by the Transitional Work Program administrator and the Chief of Operations. The facility is responsible for conducting periodic checks on offenders attending such programs.
7. The above-described procedures shall be strictly adhered to. The only instances an offender is approved to leave the facility is for legitimate employment purposes or an approved escorted absence. Other than for employment, unless the offender is discharging by parole or full-term release, under no circumstances shall an offender be allowed for any purpose to leave the facility unescorted.

Chapter 11 references:

- BJJ I-B-001: Offender Transport
- BJJ II-A-007: Counts
- Department Regulation No. OP-A-3, “Escorted Absences”

Chapter 11 ACA references:

- ACRS 5A-13: Transition to the Community

Chapter Twelve Employment

1. There is no general restriction on the types of Transitional Work Program jobs for which offenders may be considered, except as noted in 2.A. below. Each job offer shall be investigated by the facility's Job Coordinator to determine if the job offered is bona fide and consistent with Program policies. The expectation is the job selected is one which best fulfills the purpose of the Transitional Work Program. Employment placement shall be matched to jobs related to the offender's prior training and/or work experience and are suitable for continued Transitional Work Program employment. Every effort shall be made to provide offenders jobs that correlate to the offender's long-term career objectives. The facility shall ensure offenders receive comparable wages to those of non-offender co-workers who perform the same or similar "duties". In no case shall an offender participating in a Transitional Work Program be authorized or permitted to work or to continue to work on a project or job involved in a labor dispute.
2. Concern for public safety shall guide employment decisions at all times. All employment plans shall be consistent with state statutes and only at legitimate businesses that provide a W-2 Form for all wages earned and income taxes withheld from gross wages. Therefore, job placement excludes employment for which income tax is not withheld (for example: housekeeping for private individuals, certain contract jobs) or working for immediate family members of facility staff or offenders.
3. The Warden/Director of the TWP or his designee shall be responsible for providing assistance to offenders with filing 1040 tax returns.
4. To deter offender tax fraud, facilities shall participate in the **IRS's Blue Bag Program**. For additional information, refer to **Appendix V**.
 - A. Specific restrictions for job placement:
 - 1) No offender shall work for or on the premises of a school, day care facility, or other business or agency whose primary objective is in the service of juveniles, or who provide housing, care, and/or treatment of juveniles.
 - 2) Offenders shall not be employed in a bar, lounge, or tavern (*defined as having a Class AG alcohol permit*). Employment in a restaurant (*defined as having a Class AR alcohol permit*) with a dedicated bar area may be acceptable if the employment is considered appropriate by the facility.
 - 3) Offenders shall not be placed in management or supervisory positions that give them authority over other Transitional Work Program offenders.

- B. Any exceptions to the above job placement restrictions shall be submitted in writing with a justification to the DPS&C Chief of Operations for formal approval before any exceptions are implemented by the facility.
5. Every reasonable effort shall be made by the facility to provide offenders with the highest paying job possible. **Offenders shall be placed in a job with an hourly rate of not less than .50 cents per hour above the federal minimum wage.** The Chief of Operations-CS may approve an exception to this wage earnings requirement on a case-by-case basis. Within reason, convenience of job location, as job location pertains to the facility providing transportation, shall not be a deciding factor of where offenders are employed. Offenders shall be placed in jobs for which they are skilled or certified.
 6. Offenders are required to obtain and retain a minimum of one **Primary Job** (full time) working at least 32 hours per week (“week” defined as 7 consecutive 24 hour days) for a single employer to remain in the Transitional Work Program. However, offenders may be allowed to obtain multiple part-time jobs in the beginning of their TWP participation that total 32 hours per week. This exception shall be allowed only for a temporary period until a Primary Job is secured.
 7. Once an offender demonstrates acceptable performance in the Primary Job, the offender may obtain a **Secondary Job** (part time) with a different employer through the facility’s Job Coordinator, provided the secondary employment meets the standards set forth in this chapter. The Job Coordinator shall document an offender’s Primary Job, job performance, and eligibility for a Secondary Job in the offender’s official record. In addition, the Job Coordinator shall document the distinction between the Primary and Secondary jobs in the offender’s official record.
 8. Department Regulation No. PS-C-1, “Louisiana Prisoner Reentry,” requires DPS&C to furnish offenders with a “Release Packet,” which packet includes, at a minimum, the following:
 - A. All available forms of identification,
 - B. Job skills resume or standard employment application which includes at a minimum:
 - Offender’s name
 - Date of birth
 - Program completion(s)
 - Work experience while incarcerated,
 - C. Copies of educational and/or vocational program certificates earned while incarcerated,
 - D. Community resource materials,
 - E. Relevant community referrals, and
 - F. Medical Record Transfer summary, which shall include TB test results

9. The information contained in the “Release Packet” shall be utilized by the facility’s job coordinator as a resource for appropriate job placement based on level of experience and training. The information shall be maintained in the offender’s file and returned to the offender upon the offender’s discharge. The facility is responsible for maintaining liaison with sources of information on available jobs and with potential employers and shall provide transportation for job interviews.

Note: If the facility does not receive a Release Packet as referenced herein, the facility shall notify the Transition Specialist at the DPS&C facility wherein the offender last was housed within (3) days of the offender’s arrival at the Transitional Work Program facility. Tracking of the Release Packets is included in the monthly activity data report (see Chapter 4, “Reporting.”)

10. All offenders are required to sign the standard “Offender Transitional Work Program Agreement Form” (Form PS-D-3-SOP-12-1). The original signed form shall be kept in the offender’s file for the duration of the offender’s stay in the Transitional Work Program.
11. All employers must sign an “Employer’s Transitional Work Program Agreement Form” (Form PS-D-3-SOP-12-2) which indicates the terms and rules of an offender’s employment, prior to any offender reporting to work for the employer. The facility shall explain the requirement contained in the “Employers Transitional Work Program Agreement Form” to all approved employers. A copy of the employer’s signed form shall be maintained in each offender’s file for the duration of the offender’s stay in the Transitional Work Program and shall be updated as needed. The original shall be maintained in a separate file by the facility’s job coordinator. This form shall be reviewed annually with the approved employer and re-signed. A copy of the updated form shall be placed in the offender’s file each year. The employer shall agree to report any attendance irregularities to the facility immediately and record the same.
12. The employer must agree to provide a work situation where he or one of his non-offender employees, preferably a supervisor, shall be present at all times with the offender or on the work site. When an offender is left unsupervised by the employer, the Transitional Work Program shall report the incident immediately to DPS&C, Office of Adult Services, staff utilizing Form AM-I-4-w-2 “Unusual Occurrence - Miscellaneous” listing specific details of the incident under the checkbox titled “Other”.
13. Employment that does not provide for proper supervision of the offender and/or deemed unsuitable by DPS&C personnel shall be terminated and shall be reported in Monthly Summary of Changes/Developments (Form AM-I-4 SOP-4-11).

14. The employer's responsibility to provide proper supervision for the offender extends from the time the employer receives the offender from facility personnel, either by picking up the offender from the facility or by having facility personnel transport the offender to the employer, and terminates when the employer releases the offender back into the custody of facility personnel. No offender shall be unsupervised during the transportation process to or from an employment location.
15. If the occasion arises and an offender is not picked up in a reasonable period of time (defined as 45 minutes), it shall be noted on the transportation log with the reason why the situation occurred. The transportation log shall be monitored by the BJG Regional Team Leader assigned responsibility for monitoring the transitional work program facility (see also Chapter 13, "Transportation").
16. The facility shall keep an updated list of every employer who provides work for offenders assigned to that facility. This list shall include, but not be limited to, the name and address of the employer, a brief description of the nature of the business, relevant telephone number(s), and whether or not work is performed at a stationary location or if the offender is required to move during the course of the day.
17. If the offender's estimated time of return changes for any reason, this change shall be verified by facility staff with the employer and noted in the daily log. Offenders shall not be allowed to remain at job sites on their days off (for example: offshore workers or tugboats where offenders reside during their tour of duty).
18. For ACA-accredited facilities, any exception to the employment of offenders that is justifiable and legitimate must be approved in writing by Probation & Parole personnel.
19. Offenders assigned to offshore jobs must return to the Transitional Work Program facility on their off days.
20. Prior approval shall be obtained from the Chief of Operations-CS for job placement for offenders whose employment requires the offender to reside off the premises of the Transitional Work Program facility during the offender's tour of duty. In all cases that may be approved, Transitional Work Program facility staff shall visit the work site to visualize the offender at least one time each week. #16 below excludes this visit.
21. No offender in the Transitional Work Program shall be employed in a position that requires the offender's departure from the State of Louisiana, except for offenders who are employed in industries off the coast of Louisiana or within its waterways (e.g., offshore or tugboat jobs). In any instance, the facility shall make visual contact with the offender at least once every thirty days.

22. Job Site Visits shall be conducted at a minimum **every 30 days** at each active employment location. The TWP Employment Coordinator shall speak with the supervisor/manager about the assigned offender's work productivity and visually shall confirm all offenders working that day. At each visit, the employer shall sign form PS-D-3-SOP-12-4 confirming the employer understands the requirements of the "Employer Agreement" and shall continue to fully comply.
23. Upon arrival at the facility, the facility shall explain to the offender that for the privilege of being in Transitional Work Program, if the offender escapes, then the offender waives extradition to the State of Louisiana from any jurisdiction in or outside the United States where the offender may be located and agrees that he shall not contest any effort by any jurisdiction to return him to the State of Louisiana. The offender shall sign the "Waiver of Extradition" form (Form PS-D-3-SOP-12-3). The signed waiver shall be placed in the offender's file. If the offender refuses to sign, the offender shall be confined immediately to the secure custody of a local jail facility until arrangements are made to return the offender to DPS&C custody.
24. Any questions concerning any employer and/or employment related questions shall be directed to your respective DPS&C Office of Adult Services Transitional Work Program Monitor for guidance.
25. All offenders may be assigned reasonable housekeeping and maintenance details to provide for a safe and healthy environment at the facility. These duties shall be assigned in a manner so as not to interfere with the offender's normal employment. Offenders shall not be assigned to a major construction project at the facility.
26. Offenders may be assigned extra duty as the result of disciplinary action. When an offender is assigned extra duty as a disciplinary sanction, the extra duty shall be performed at the facility, not with an outside employer.
27. Prior approval must be obtained from the Chief of Operations-CS for all electronic communications devices required by the employer in the course and scope of the offender's job. "Electronic communications devices" include, but are not limited to, desktop/notebook/laptop computers, data communications equipment, personal digital assistants, removable media storage devices (thumb/flash drives), and any other devices by which electronic data can be stored and/or removed from computer equipment or information systems also including digital camera equipment). Requests for approval from the employer shall be in writing and shall state the legitimate business reason for such access/use by the offender. If approved by the Chief of Operations-CS, all such electronic communications devices are subject to audit, examination, and review at any time by the DPS&C. It shall be the employer's responsibility to supervise use of such property and to safeguard it. See also Chapter 8, "Personal Property."

Chapter 12 references:

- 2009 La. Acts No. 266
- Department Regulation No. PS-C-1, “Louisiana Prisoner Reentry”

Chapter Thirteen Transportation

1. General

Transportation provided by the facility is the most suitable and preferred form of transportation for the offenders participating in the Transitional Work Program. When the facility provides transportation, the facility is responsible for the safety of the offenders and shall carry such insurance as required by Louisiana law. Transportation provided to the offender by an employer to and from the work site is also acceptable if the employer maintains responsibility for the offender and provides the facility with a copy of current vehicle insurance coverage as required by Louisiana law. In those cases, the employer's responsibility for the offender begins when the employer picks up the offender from the Transitional Work Program facility and ends when the employer returns the offender to the facility.

2. Supervision of offenders during transportation.

No offender shall be unsupervised during the transportation process to or from an employment location. The employer responsibility to provide proper supervision for the offender extends from the time the employer receives the offender from the offender personnel, either by picking him up from the facility or by having facility personnel transport the offender to the employer, and terminates when the employer releases the offender back into the custody of facility personnel.

3. Offender Drivers

Under no circumstances may the facility use an offender as a driver for the transportation of other offenders. Offenders may drive/operate equipment on the job site. Under no circumstances shall offenders be allowed to operate the equipment on a public roadway.

Chapter 13 references:

- LA R.S. 32:866

Chapter 13 ACA references:

- ACRS 1B-01: Vehicle Inspection
- ACRS 1B-04: Vehicle/Driver Insurance

Chapter Fourteen Community Involvement

1. Community involvement and volunteers is an important contribution to a Transitional Work Program by providing a number of cost-effective and dependable services to offenders that supplement community-based services. Volunteers help improve public awareness and serve as a bridge between the facility and the community. Facilities are encouraged to pursue and utilize faith-based organizations and volunteers for the provision of services (substance use, worship, etc.). All policies and procedures regarding citizen involvement shall be consistent with BJG.
2. For ACA accredited facilities, volunteers may be subject to approval by Probation and Parole. The Probation and Parole Volunteer Service Coordinator in the respective region where the Transitional Work Program facility is located shall work with the Transitional Work Program facility administrator in coordinating the implementation of a Volunteer Services Program.
3. Volunteers shall receive Prison Rape Elimination Act (PREA) during orientation training.

Chapter 14 references:

- BJG V-A-001: Volunteers / Registration
- BJG V-A-002: Volunteer Services
- BJG V-A-003: Programs and Services
- Department Regulation No. PS-F-1, “Volunteer Services Program Manual”

Chapter 14 ACA references:

- ACRS 7B-08: Criminal History Checks
- ACRS 7F-08 to 7F-10: Volunteer Services

Chapter Fifteen

Recording Offender Activities

1. Daily Activity Log

A daily log shall be maintained and on file for a minimum of three years. The daily activity shall begin at 12:00 midnight and cover a 24-hour period. The log shall include, but is not limited to:

- all searches/shakedowns, with results noted
- breath tests administered, with results noted
- drug tests administered, with results noted
- any unusual incidents
- special events, emergency messages/telephone calls, etc.
- counts
- meals served

2. Offender Log

A. A daily offender log shall be maintained on and on file for a minimum of three years. The daily offender log shall indicate when offenders leave and return to the facility for any reason. The offender shall sign in/out in the facility log book. Each log entry shall include:

- Offenders' name
- Destination
- Phone number at destination
- Address at destination
- Time out; anticipated time of return; actual time of return
- Offender's signature upon return.

B. The employee on duty shall initial each entry when the offender leaves the facility and when the offender returns. A clock with the correct time shall be visible to both the offender and the employee and shall serve as the official timepiece. The daily offender log shall begin at 12:00 midnight and cover a 24-hour period. If an offender has more than one job in any given day, the offender first shall return to the facility after completing the workday at the first job, sign the offender log book, and then sign out to the second job before departing the facility.

3. Transportation Log

A. A daily transportation log shall be maintained and on file for a minimum of three years. the daily transportation log shall contain the activities of each transportation vehicle. Daily entries shall include:

- Vehicle driver
- Time and number of offender entering the vehicle
- Time and location where the offender(s) is dropped off
- Time and location offender(s) is picked up
- Time offender(s) is returned to the facility.

- B. No offender shall be unsupervised during the transportation process to or from an employment location.
- C. The daily transportation log shall begin at 12:00 midnight and cover a 24-hour period. Daily transportation logs shall be kept on file for at least three years.
- D. DPS&C personnel shall have complete access to all logs at all times.

Chapter 15 references:

- BJJ II-A-006: Staff Logs

Chapter 15 ACA references:

- ACRS 2A-11: Counts and Movements

Chapter Sixteen

Conduct and Disciplinary Procedures

1. General
 - A. Offenders assigned to a Transitional Work Program shall comply with all applicable rules set forth in DPS&C Department Regulation No. OP-C-1, “Disciplinary Rules and Procedures for Adult Offenders,” and any subsequent amendment(s) published by the DPS&C.
 - B. Within 48 hours of arrival at the facility, each offender shall be provided with
 - Disciplinary Rules and Procedures for Adult Offenders; and
 - Facility Handbook and all other rules/regulations/polices of the Transitional Work Program (which have been pre-approved by the DPS&C).
 - C. The offender shall sign and date a statement acknowledging receipt of this information.

2. Facility Rules and Handbook

- A. Facility Rules and Handbook shall be submitted to, and approved by, the Chief of Operations-CS prior to implementation or operation of a Transitional Work Program. Any revisions to the Facility Rules and Handbook shall be submitted to the Chief of Operations-CS for approval.
- B. Once approved by the Chief of Operations-CS, all program rules and regulations pertaining to offenders shall be posted conspicuously in the facility. Copies of all program rules and posted policies shall be furnished to the supervising Probation and Parole District Administrator, if applicable.

3. Disciplinary Reports

The Transitional Work Program facility is responsible for ensuring disciplinary reports are completed accurately and for ensuring staff completing reports receive training on report writing. A supervisor shall review disciplinary reports prior to submission and make certain essential elements (who, what, when, where, etc.) are covered with clarity. It is essential that reports be accurate because residents are subject to forfeiture of good time for serious Schedule B violations.

4. Schedule A

Violations of Schedule A offenses shall be heard by the facility’s designated disciplinary officer. Upon a finding of guilt, penalties shall be assessed in accordance with Department Regulation OP-C-1, “Disciplinary Rules and Procedures for Adult Offenders”. Copies of all completed rule violation reports shall be maintained in the offender record.

5. Schedule B Disciplinary Removals

- A. In the event of a Schedule B serious rule violation which constitutes removal from the Transitional Work Program, the respective DPS&C Transitional Work Program Monitor within the Office of Adult Services shall be notified with a copy of Forms OP-C-1-a “Disciplinary Report” and PS-D-3-SOP-16 “Transitional Work Program Offender Transfer/Removal” (via email or fax) the following business day.
- B. In instances where an offender appears to be intoxicated and there is no approved or effective testing available to confirm a prohibited substance (for example Mojo, synthetic marijuana, etc.), reference Schedule B Rule #14-Intoxication from Department Regulation No. OP-C-1 “Disciplinary Rules and Procedures for Adult Offenders” (No offender shall be under the influence of any intoxicating substance while in physical custody. Evidence of intoxication may include, but is not limited to, redness in eyes, slurred speech, odor of alcohol, elation, unsteady gait, boisterous behavior, being amused for no apparent reason, hysteria, being in a stupor, daze or trance, etc.).
- C. Offenders found guilty of Schedule B rule violations for intoxication (Rule #14) shall be removed immediately from the Transitional Work Program for a minimum of 30 days from a finding of guilt in the event of a first offense occurrence, at which time the offender may be considered for TWP placement with an employer that provides on-site security. The offender may be required to submit to and to pass a drug screen on a monthly basis for 3 consecutive months, at which time the offender may be placed with any employer. Any subsequent intoxication or positive drug screen offenses may be reconsidered for TWP placement at 3 months from a finding of guilt. The Sheriff may request a waiver from the Chief of Operations, regarding these restrictions and timeframes, to allow an offender to work at a non-secure job site.

6. Restriction of Privileges

When offenders are found guilty of a rule violation and are assessed penalties that restrict their privileges, the restricted privileges and the length of time the restriction is imposed shall be posted in a conspicuous place so all staff members are aware of the restrictions. Under no circumstances shall privileges be restricted without a proper disciplinary report, a due process hearing, and a verdict of guilty. The denial of food shall not be used as a disciplinary measure.

7. Administrative Removals

- A. In the event of a removal from the Transitional Work Program, the respective DPS&C Transitional Work Program Monitor within the Office of Adult Services shall be notified with a copy of Form PS-D-3-SOP-16

“Transitional Work Program Offender Transfer/Removal” (via email or fax) by the following business day. Some events that deem the offender as administratively unsuitable for continuing to participate in the Transitional Work Program include, but are not limited to:

- Felony detainer issued
- Release dates change making them no longer eligible
- Unable to perform job duties in multiple job offers
- Medical symptoms (in the best interest of the offender) that prohibit them from remaining employed

B. An administrative removal other than those listed above shall be reported (via email or fax) to the facility’s respective DPS&C Transitional Work Program Monitor within the Office of Adult Services prior to removal for further review and determination for removal or transfer to another TWP program.

8. Administrative Transfers

A. Transitional Work Program is a privilege, and offenders may be transferred without being found guilty of a rule violation. The facility, DPS&C Office of Adult Services Transitional Work Program monitoring staff, BJJ Regional Team Leader, or Probation and Parole can make a recommendation for administrative transfer. The offender shall be notified, in writing, at the time of the transfer of the reason(s) for the transfer. Prior notice of routine transfers shall be made to the appropriate DPS&C Transitional Work Program Monitor within the Office of Adult Services with a copy of Form PS-D-3-SOP-16 “Transitional Work Program Offender Transfer/Removal” (via email or fax) when transferring any transitional work program offenders to a local jail facility.

B. Transfers of an urgent nature (for example: Serious rule violation, escape, event causing immediate ineligibility bulleted in the above paragraph, etc.) are to be reported to the appropriate DPS&C Transitional Work Program Monitor within the Office of Adult Services (via fax or email) by the following business day.

Chapter 16 references:

- BJJ III-A-001: Rules & Discipline
- Department Regulation No. OP-C-1, “Disciplinary Rules and Procedures for Adult Offenders”
- Department Regulation No. AM-I-4, “Activity Reports/Unusual Occurrence Reports”

Chapter 16 ACA references:

- ACRS 2A-12: Notification of Escapes

Chapter Seventeen Offender Personal Funds

1. GENERAL:

- A. In keeping with the goals and objectives of the Transitional Work Program, offender trust accounts allow offenders to save money, to make purchases, and to satisfy debts and financial obligations. Facility management shall fulfill their fiduciary duty to safeguard and account properly for all funds held on the behalf of offenders in their custody by implementing and enforcing policies and procedures to ensure proper accountability and adequate internal controls over the Offender Trust Account (OTA).

- B. All policies and procedures related to the collection and disbursement of offender money in the OTA shall adhere to the provisions of La. R.S. 15:711 and La. R.S. 15:1111 and shall comply with Generally Accepted Accounting Principles (GAAP) as established by the Financial Accounting Standards Board (FASB). (See **Appendix VII** for examples of GAAP).

Refer to Chapter 4, “Reporting” for specific monthly and annual reporting requirements on offender funds.

2. MANAGEMENT OF OFFENDER FUNDS

A. Offender Trust Account (OTA) Set-up

All money received for a DOC offender in the Transitional Work Program shall be deposited into a single facility-operated checking account designated as the “Offender Trust Account” (OTA).

TWPs shall not have

- 1. multiple bank accounts at a single financial institution; or
- 2. multiple bank accounts at multiple financial institutions; or
- 3. a single bank account at multiple financial institutions.

TWPs may have a separate commissary account listed on the general ledger within their accounting system; however, the commissary account shall not be a separate bank account.

The OTA balance shall represent only the funds held in trust for the offenders and shall be maintained at the appropriate cash balance to cover each offender’s account balance.

The account name shall include the facility’s name and the words “Offender Trust Account”. The bank shall be either a member of the Federal Deposit Insurance Corporation (FDIC) or its successor.

The OTA shall have a minimum of two authorized signers who are either current employees or other legal stakeholders of the facility. The authorized signers shall not be involved in the accounting

processes of offender funds (e.g., data entry, cashiers, and trust account custodians).

B. Prohibited Uses of the Offender Trust Account

The OTA shall not be a "sweep account" or used in conjunction with "sweep accounts". (A "sweep account" is a bank account where the funds are automatically transferred to another account or investment.)

The OTA shall not be used for other purposes (e.g., pay operational expenses) or be commingled with other bank accounts.

The OTA shall not be commingled with other money, such as offender organization funds, seized contraband, investments, petty cash, or a "slush" fund.

Start-up costs/expenses for each new offender shall not be paid from the OTA. Start-up costs/expenses shall be paid from the facility's operating fund account, to be reimbursed by the offender once the offender begins receiving wages and once the offender's balance exceeds the minimum \$200 savings requirement.

The OTA funds shall not be used to facilitate short-term loans of any kind, including, but not limited to, covering expenses of an offender whose individual balance is not sufficient to pay an expense.

C. Employee Theft Insurance Coverage

The facility shall ensure the OTA is insured, at a minimum, against employee theft by either a fidelity bond (employee theft bond) or by a commercial crime insurance policy. Coverage shall include all employees who handle cash and cash equivalents. The amount of coverage shall not be less than 36% of the annual gross deposits into the OTA from all sources (e.g., direct deposits, counter deposits). The facility shall provide documentation of the insurance to the Department upon request.

Note: If the TWP is managed within a sheriff's office (meaning, not sub-contracted out to a third-party management firm), it may be considered a "program" within the Sheriff's office and would be covered by the employee theft insurance policy in place for the Sheriff's General Fund. If the insurance company confirms coverage of the TWP "program," TWPs shall meet this requirement if the coverage on the Sheriff's General Fund is not less than 36% of the annual gross deposits into the OTA from all sources.

D. Segregation of Duties

The facility's management is responsible to ensure duties are segregated properly when managing the OTA. Certain accounting

functions are designed to cross-reference each other for accuracy. If the same person is responsible for multiple duties, the natural check and balance of the system is removed, increasing the risk for errors and fraud. Because each facility may differ in staff size and function, the following chart is provided as suggested segregation of duties for various sized staff.

A = Owner or top manager	C = Secondary accounting staff
B = Primary accounting staff/office manager	D = Another manager level employee

Control Activity	Staff Size		
	2	3	4
Cash			
Physical access to non-deposited funds	B	B	B
Open & review bank statement	A	A	A
Reconcile bank statement	B	C	D
Sales & Accounts Receivable			
Create invoices	B	B	B
Open mail/receive & list receipts	A	C	C
Enter receipts into general ledger	B	B	B
Prepare bank deposit	B	C	C
Review Accounts Receivable aging reports	A	A	A
Void invoices and/or create credit memos	A	A	D
Expenses & Accounts Payable			
Approve invoices	A	A	D
Write/print checks	B	C	C
Sign checks	A	A	A
Review Accounts Payable aging reports	A	A	A
Void checks and/or create debit memos	A	A	D

E. Recordkeeping Requirements

Accounting information needs to be reliable, verifiable, and objective; therefore, the facility shall maintain a complete and exact record of all income to and disbursements from the OTA. As such, each offender shall have an individual ledger detailing each transaction and the subsequent current balance. All transactions require support from adequate, accurate, and detailed documentation in each offender's official file.

The facility shall implement a system of review to ensure compliance with all laws, rules, generally accepted accounting procedures, and proper accounting of all funds received or disbursed.

Ideally, the facility should utilize a single accounting software package/database (*e.g., QuickBooks, Sage Intacct*) to maintain OTA financial records to reduce the risk of inconsistent and erroneous data. If the facility chooses, however, to utilize more than one software package/database to maintain OTA financial records, (*e.g., using Quicken and Excel*), the facility shall ensure accurate and consistent recordkeeping across all systems used.

F. **Income & Wages Received**

- 1) The facility shall ensure employers sign a current **DPS&C Employer Agreement Form** and adhere to its terms.
- 2) The facility shall verify an offender's rate of pay, hours worked, and pay received are accurate for each pay period worked.
- 3) The facility shall ensure the employer pays the offender with either a manual check sent directly to the facility or through direct deposit to the OTA at the facility. **In no instance shall an offender have possession of his/her payroll check.**
- 4) The facility shall ensure employers do not pay offenders with cash, money orders, gift card, or a pay card (*pre-paid credit and/or ATM card*).
- 5) The facility shall review all paycheck deductions to ensure the employer has **not** allowed the offender to receive employee advances/loans or make unauthorized purchases (*e.g., tools/uniforms*).

The only exception to the latter is if equipment/clothing/tools for the offender's job are required to be purchased directly from the employer by the offender. For this exception to be allowed

- a) the policy shall be provided to the facility prior to the offender's employment; and
 - b) detailed supporting documentation of items purchased shall be provided to the facility.
- 6) The facility shall process all funds received on behalf of the offender, issue pre-numbered receipts for funds, and post receipts to the offender's account indicating receipt number.
 - 7) Physical funds received, including paychecks, shall be deposited daily (*within 24 hours of receipt of funds with the exception of weekends and holidays*) into the OTA and shall be posted to the offender's ledger within two (2) business days.
 - 8) For those offenders who use direct deposit, the facility shall post their paycheck information to their ledgers within two (2) business days of receipt of the pay stubs.
 - 9) Sensitive banking transactions involving the facility's banking information and an offender shall be handled directly between the facility and the employer, **not between the offender and the employer.**

10) Any dispute concerning a question of offender wages and disbursements shall be referred or directed to the Chief of Operations-CS.

G. Savings Requirement

One of the goals of a Transitional Work Program is to provide offenders with the opportunity to accumulate savings as they prepare for reentry. DPS&C has defined \$1,000 as a reasonable minimum goal for offenders to save prior to release.

Offenders shall be encouraged to refrain from unnecessary purchases so they may maximize savings available to them upon release. Thus, an offender's purchases from canteen/commissary operations shall be limited to a maximum of \$100 per week from the offender's available balance.

Each facility administrator has the authority to review and approve special requests for spending limits above this amount on a case-by-case basis. Full written justification for the increase shall be noted on the request and maintained in the offender's file. Facilities also may limit the amount of or disapprove Weekly Draws/Allowances as a method to help an offender accumulate savings.

Minimum Account Balance

- a) A minimum of \$200 shall remain in an offender's individual account at all times. The offender shall not have access to this savings portion of his account until all of his documented financial obligations at the facility have been met, and the offender either has been released or has been transferred to another facility.
- b) No commissary/canteen purchases, support for dependents, child support, other debts, or weekly allowance deductions shall be processed for an offender until the \$200 minimum savings portion has been met. The only exceptions are to purchase work-related items, health care expenses, and participation fees.
- c) An offender's account shall not go below \$200.00 at any time after this savings has been accrued without a justifiable reason noted in the offender's file (e.g., health care expenses).

H. Items the Facility shall provide at NO COST to offenders:

Deodorant	Shaving cream
Duffle/Laundry Bags*	Soap
Identification Cards*	Toilet paper
Linens	Toothbrush

Locks/Lockers*	Toothpaste
Razor	Feminine hygiene items (<i>female offenders</i>)
Drug Screens (<i>except as noted in Chapter 9</i>)	Basic laundry services (<i>free access to an adequate number of Washers/dryers and laundry detergent</i>)

*Offenders may be charged for replacement of lost ID cards, laundry bags and locks at actual replacement costs if it is deemed that the loss is due to the offender's negligence.

I. Deductions from Wages

Every offender participating in either a traditional or a work force development work release program shall be liable for the cost of his room & board, clothing, and other necessary expenses incident to his employment or placement.

1. TRADITIONAL PROGRAMS (La. R.S. 15:711 and 15:1111)

Participants in this program

- do not have certification or licensure as a skilled craftsman; or
- did not graduate from the “workforce development training program” and obtained the proper certification or licensing as a skilled craftsman; or
- are not participating in the “workforce development training program” working toward licensing or certification as a skilled craftsman.

The wages of each offender shall be disbursed by for the following purposes and in the order stated.

a) **Participation Fee** – This fee includes the board of an offender including food and non-work-related clothing. Deductions resulting from participation in a traditional work release program shall not exceed 64% of gross wages received by the offender from his Primary Job or \$451.50 per workweek (*7 consecutive 24-hour days*), whichever is less, for hours worked (*includes commissions, tips, etc.*).

- 1) Participation fees shall not be deducted from an employer's pay of fringe benefits calculated independently of an offender's hours worked. (*e.g., vacation pay, sick time pay, bonuses, incentive pay, etc.*)

*Example: An offender works Jan 1 – Jan 8 and earns gross wages of \$600. The offender also is paid \$500 for earned vacation pay from the previous year. The facility may only charge a participation fee on the \$600 related to actual hours worked. The \$500 is **not** subject to a participation fee.*

Example: An offender works Jan 1 – Jan 8 and earns gross wages of \$1,000. The offender earns \$500 as incentive pay for packaging a certain number of widgets. The facility may only

*charge a participation fee on the \$1,000 related to actual hours worked. The \$500 is **not** subject to a participation fee.*

- 2) Participation fees shall **not** be deducted from an offender's Secondary Job.
- 3) Facilities may choose to assess a lower participation fee rate; however, it shall not exceed 64% of gross wages as defined above.
- 4) The offender shall acknowledge his understanding of participation fee deductions from wages on Form PS-D-3-SOP-12-1, Transitional Work Program Agreement Form (*See Chapter 12, Employment*).

b) Necessary travel expenses to and from work and other incidental expenses of the offender:

- 1) Clothing: Any offender participating in a Transitional Work Program shall be responsible for his/her work related clothing, which is defined as clothing that is essential for work. The facility shall provide resources necessary for the offender to purchase his/her own clothing. The facility shall verify clothing expense as actual cost and shall not assess the offender any additional fees (markup). Offenders shall not be required to purchase and/or rent uniforms from a service unless required by employer as a condition of employment.
- 2) Allowance/Weekly Draw: The facility shall develop procedures to determine the weekly allowance needed for incidental personal expenses in accordance with provisions in this Chapter. Refer to Chapter 8, "Personal Property," for the maximum amount of cash an offender can possess.

- c) **Support of the offender's dependents:** The offender and facility shall mutually agree upon the amount to be sent to the offender's dependents with considerations given to any possible outstanding debts at time of discharge. This agreement and authorization shall be in writing.

NOTE: If there is a legal judgment of support, that judgment suffices as written authorization to disburse the money. This disbursement shall be facilitated as agreed upon by the Department of Children and Family Services and the DPS&C. **See Appendix I** concerning the DPS&C's agreement with the Division of Children and Family Services and the appropriate method for managing child support.

- d) **Payment of the offender's written obligations and judgements:** Debts acknowledged by the offender shall be in writing or reduced to judgment (*including victim restitution or fines/fees*) and should reflect the schedule by which the debt shall be paid. The facility shall ensure that payment of this type of debt is legitimate.

See Chapter 23, "Reentry," Section 2b.

Probation and Parole arrearage fees shall be deducted and forwarded to the Division of Probation and Parole Collections Department at a minimum rate of \$50 per month or lesser amount owed.

2. WORKFORCE DEVELOPMENT PROGRAMS (La. R.S. 15:1199.10) (*See also Chapter 24*)

The wages of each offender participating in the Workforce Development Transitional Work Program as described in Chapter 24, in accordance with La. R.S. 15:1199.1 through 1199.16, shall be disbursed for the purposes outlined in Subparagraphs "a." through "h." below and in the order stated.

- a) **Participation Fee** – This fee includes the board of an offender including food and non-work-related clothing. This fee shall not exceed **70% of gross wages** received by the offender from his Primary Job or \$525.00 per workweek (7 consecutive 24-hour days), whichever is less, for hours worked (*includes commissions, tips, etc.*). Facilities may choose to assess a lower participation fee rate between 64% and 70%.
- 1) Facilities **shall not** assess an increased participation fee above 64% from any participant unless the participant meets **all** of the following criteria:
 - a) successfully completed the workforce development training; and
 - b) obtained the proper certification or licensing as a skilled craftsman; and
 - c) is working as a skilled craftsman suited to the certification or licensing obtained.
 - 2) Participation fees shall not be deducted from an offender's Secondary Job or from an employer's pay of fringe benefits (*e.g., vacation pay, sick time pay, bonuses, etc.*) independent of an offender's hours worked.

*Example: An offender works Jan 1 – Jan 8 and earns gross wages of \$600. The offender also is paid \$500 for earned vacation pay from the previous year. The facility may charge a participation fee on only the \$600 related to actual hours worked. The \$500 is **not** subject to a participation fee.*

3) The offender shall acknowledge his understanding of participation fee deductions from wages on Form PS-D-3-SOP-12-1, Transitional Work Program Agreement Form (See Chapter 12, “Employment”).

b) Necessary travel expenses to and from work and other incidental expenses of the offender:

1) Clothing: Any offender participating in a Transitional Work Program shall be responsible for his/her work related clothing, which is defined as clothing that is essential for work. The facility shall provide resources necessary for the offender to purchase his/her own clothing. The facility shall verify clothing expense as actual cost and shall not assess the offender any additional fees (markup). Offenders shall not be required to purchase and/or rent uniforms from a service unless required by employer as a condition of employment.

2) Allowance/Weekly Draw: The facility shall develop procedures to determine the weekly allowance needed for incidental personal expenses in accordance with provisions in this Chapter. Refer to Chapter 8, “Personal Property,” for the maximum amount of cash an offender can possess.

c) Any tuition, books, or other costs associated with the program and are required to be paid by participants in the program

d) Any necessary fees for an examination for certification or licensing in a craft

e) Any certification or licensing fees required to become a skilled craftsman

f) Support of the offender’s dependents: The offender and facility shall mutually agree upon the amount to be sent to the offender’s dependents with considerations given to any possible outstanding debts at time of discharge. This agreement and authorization shall be in writing.

NOTE: If there is a legal judgment of support, that judgment

suffices as written authorization to disburse the money. This shall be facilitated as agreed upon by the Department of Children and Family Services and the DPS&C. See **Appendix I** concerning the DPS&C's agreement with the Division of Children and Family Services and appropriate method for managing child support.

- g) **Payment of the offender's written obligations and judgements:** Debts acknowledged by the offender shall be in writing, or reduced to judgment (*including victim restitution or fines/fees*), and should reflect the schedule by which the debt shall be paid. The facility shall ensure that payment of this type of debt is legitimate. See Chapter 23, "Reentry," Section 2b.

Probation and Parole arrearage fees shall be deducted and forwarded to the Division of Probation and Parole Collections Department at a minimum rate of \$50 per month or lesser amount owed.

- h) **Any drug testing as required by the provisions of the Standard Operating Procedures**
- i) **The balance, if any, to the offender upon his discharge**

J. Requesting a Withdrawal from the OTA

Offenders may request a withdrawal from their individual available balance in the OTA through the facility's official Withdrawal Request Form.

Available Balance = Current Balance – \$200 Savings

The form shall document:

- the offender's available account balance;
- the reason for withdrawal request;
- the offender's signature & date;
- the approval or denial of the request; and
- the authorizing personnel's signature & date.

Withdrawal forms for family support also require detailed contact information about the recipient of the funds.

Withdrawals/expenditures shall be posted to the offender ledgers at least weekly and shall include an adequate description of the expenditure.

3. MONTH-END PROCEDURES

The facility shall establish procedures to ensure the following have been performed as part of the OTA's month-end closing:

- A. All offender monthly income has been receipted, deposited, recorded on the books and has been recorded properly to individual offender accounts.
- B. All offender monthly expenses have been documented, recorded on the books, and charged properly to individual offender accounts.
- C. Offenders were provided a detailed statement of their individual account transactions in a confidential manner.
- D. A bank reconciliation was completed for the OTA, which reconciliation included the following steps:
 - 1) **Transferred out** any interest earned on the OTA. The interest earnings are property of the facility. Such interest earnings may be used to help defray administrative costs and to provide for other expenditures which benefit the offender population.
 - 2) **Transferred out** amounts owed by the offender for room & board.
 - 3) **Transferred out** amounts owed to vendors to be paid from the operating account or to pay the offender's expenses directly from the OTA.
 - 4) **Reimbursed** OTA for bank service charges/fees (*including fees for check orders*) from the facility's operating account.
 - 5) **Reimbursed** OTA from the facility's operating account for any offenders with negative balances whose expenses were paid from the OTA. Offenders who are allowed to spend more money than their current individual balance cannot use OTA funds to pay their debts; therefore, it becomes an operational expense.
- E. A stop payment was issued on all outstanding/un-cashed checks more than 90 calendar days and funds were remitted as described below in section 4.A. Abandoned Funds.

4. DISPOSITION OF AN OFFENDER'S ACCOUNT UPON REMOVAL

When an offender is removed from the TWP program (i.e., discharged, returned, or transferred), the TWP facility shall complete its fiduciary duty to ensure all of the offender's funds due to him are returned to the offender.

Note: Refer to Section 5 for instructions related to disposition of an offender's account upon death.

TWP Staff should utilize the ***Disposition of Offender Funds*** (see **Form PS-D-3-SOP-17-1D**) form to document disposition of offender funds upon discharge. The staff completing the form as well as the offender should sign the form acknowledging and agreeing on the amounts retained and distributed on the discharge date.

Detailed supporting documentation for all obligations should be retained in the offender's file. Facilities may not withhold any funds above the "available balance" from the offender upon discharge.

A. RELEASED OFFENDERS

Immediately upon discharge, the offender shall be given the available balance in his account as calculated below:

1) **With No Documented Debts**

The offender's available balance is calculated as

Current Balance – \$200 Savings Portion

If no additional funds are received on the offender's behalf after discharge (e.g., last paycheck), the savings portion shall be mailed to the offender **within 30 calendar days of the discharge date**, after which the offender's account balance will be depleted (zero balance).

2) **With Documented Debts Exceeding \$200**

The offender's available balance is calculated as

Current Balance – \$200 Savings – Documented Debts Over \$200

If no additional funds are expected to be received on the offender's behalf after discharge (e.g., last paycheck), the remaining balance after documented debts have been paid shall be mailed to the offender **within 30 days of the discharge date**, after which the offender's account balance will be depleted (zero balance).

3) **With Documented Debts Not Exceeding \$200**

The offender's available balance is calculated as

Current Balance – \$200 Savings

If no additional funds are expected to be received on the offender's behalf after discharge (e.g., last paycheck), the remaining balance after documented debts have been paid shall be mailed to the offender **within 30 calendar days of the discharge date**, after which the offender's account balance will be depleted (zero balance).

Funds Received After Discharge

The available balance after depositing the funds and paying the documented debts shall be mailed to the offender **within 30 calendar days of receipt of funds**, after which the offender's account balance will be depleted (zero balance).

The offender's available balance is calculated as

Funds Received + Current Balance – Documented Debts

Abandoned Funds

If an offender cannot be located after release and all means of locating the offender have been exhausted, the funds held on his behalf are considered by the Department to be abandoned after 90 calendar days; and such funds are to be remitted at that time to:

Department of Public Safety & Corrections
Centralized Offender Banking
P. O. 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304

The check shall indicate the name and DOC number of the offender who cannot be located. The Chief of Operations-CS or designee shall make every effort to locate the offender.

B. RETURNED OFFENDERS

A "returned offender" is an offender who has been returned to a DPS&C state prison facility (EHCC, LCIW, DCI, LSP, RCC, RLCC, ALC, DWCC) and can no longer participate in TWP.

The offender's available balance is calculated as

Current Balance – Documented Debts

The available balance shall be returned to DPS&C **within seven (7) calendar days of the date the offender is returned to DPS&C custody.**

Subsequent monies received by the facility after the offender has been returned shall be remitted to DPS&C **within seven (7) calendar days of the date the monies were received.**

A copy of the offender's ledger listing the transactions for the current month and the ending balance minus any outstanding documented debts shall be sent with the funds being remitted to the Department to support the balance due to the offender.

C. TRANSFERRED OFFENDERS

A “transferred offender” is an offender who has either been removed or transferred to another parish facility. These offenders may be removed for disciplinary, medical, or administrative reasons.

The offender’s available balance is calculated as

Current Balance – Documented Debts

The available balance shall be submitted to the receiving facility **within fourteen (14) calendar days of the date the offender is transferred.**

Subsequent monies received by the facility after the offender has been transferred **shall be remitted to the receiving facility within fourteen (14) calendar days of the date the monies were received.**

The sending facility shall ensure all documented obligations have been posted prior to closing the offender’s account. A copy of the offender’s ledger listing the transactions for the current month and the ending balance minus any outstanding documented debts shall be sent with the funds to support the balance due to the offender.

5. DISPOSITION OF AN OFFENDER’S ACCOUNT UPON DEATH

The TWP facility shall complete its fiduciary duty to ensure all of the offender’s funds due to the estate are properly accounted for, safeguarded, and disbursed.

- A. Transfer all funds from the offender’s commissary account, if applicable, to the Offender Trust Account.
- B. Ensure all revenues and expenditures have been posted to the deceased offender’s account.
- C. Complete Form PS-D-3-SOP-17-1E to determine the amount owed to the offender’s estate and to determine what a claimant must submit to receive the amount owed to the estate.
- D. Clear all remaining TWP-related debts of the deceased offender.
- E. Release the funds to the claimant upon receipt of the required form/judgement/affidavit.
- F. Subsequent monies received on behalf of the deceased offender should be forwarded to the claimant on file. Supporting documentation of funds received and forwarded should be maintained in the offender’s file.
- G. The TWP facility shall maintain the deceased offender’s account within the Offender Trust Fund until the account balance has been depleted.
- H. Unclaimed funds of deceased offenders are not considered

abandoned property as provided in La. R.S. 15:866.2. If attempts to notify a spouse or heirs have been unsuccessful for a period of five years, the money in the offender's account should be submitted along with an unclaimed property report to the Department of Revenue and Taxation in compliance with La. R.S. 9:151 through 9:156.

If the TWP facility closes within the five years, the unclaimed funds and all supporting documentation should be forwarded to

Department of Public Safety & Corrections
Centralized Offender Banking
P. O. 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304

Chapter 17 references:

- La. R. S. 24:513
- La. R. S. 15:866.2
- DPS&C Regulation AM-C-2
- BJG IV-B-005: Personal Hygiene
- BJG VII-B-003: Independent Financial Audit
- BJG VII-B-004: Facility Insurance
- BJG VII-B-005: Offender Funds

Chapter 17 ACA references:

- ACRS 7A-02: Financial Legal Measures
- ACRS 7D-21: Secured Funds
- ACRS 7D-22: Accounting Procedures
- ACRS 7D-24: Independent Financial Audit
- ACRS 7D-28: Comprehensive Insurance Coverage
- ACRS 7D-29: Offender Canteen
- ACRS 7D-33: Fee Procedures

Chapter Eighteen Health Care

1. General

Routine health services for offenders shall be coordinated by the facility. . Offenders are responsible for the cost of their routine minor medical expenses including prescriptions, if applicable. However, the facility shall make all efforts to provide cost conscious health care to offenders. If routine health care services are required and are not provided in the vicinity of the facility, the facility should consult with the DPS&C Medical Director (225.342.1320 or via email at HQ-Medical-MentalHealthtransfers@la.gov). The DPS&C shall not be responsible for routine medical or dental examination or treatment costs incurred by the facility.

2. Medical Co-Pay

- A. Transitional Work Program facilities staffed with qualified medical personnel may charge an offender a co-pay fee for services rendered. In accordance with La. R.S. 15:831, DPS&C offenders may be assessed a co-payment for receiving medical or dental treatment, including prescription or nonprescription drugs. The co-payment fee schedule shall be approved by the DPS&C. The co-payment fee schedule for DPS&C offenders housed in local jail facilities and Transitional Work Programs shall not exceed the DPS&C-approved rate, in accordance with Department Regulation HCP14, unless prior approval has been granted by the Secretary of the DPS&C.
- B. Transitional Work Program offenders may be required to file a claim with the offender's private medical or health care insurer, or any public medical assistance program, under which the offender is covered and from which the offender may make a claim for payment or reimbursement of the cost of any medical treatment.
- C. Indigent offenders shall be treated despite not having the required co-pay available in their accounts. Indigent offenders may be assessed the co-pay fee, and the fee may be collected when funds are available in the offender's account. If the offender receives health care services from an off-site health care professional, the facility shall not assess a co-pay fee.

3. Public Medical Establishments

Transitional Work Program residents seeking or obtaining medical treatment at any public medical establishment shall declare their income to the public medical establishment where treatment is being sought or obtained.

4. Emergencies

Emergency medical services may be obtained at the nearest medical facility capable of serving the offender's needs. The DPS&C shall be notified immediately of such medical emergencies by contacting the Office of Medical / Mental Health Director (225.342.1320 or via email at HQ-Medical-MentalHealthtransfers@la.gov). Offenders who require extensive medical or behavioral health services shall be returned to DPS&C custody. Costs incurred because of such emergencies must be fully justified through appropriate documentation. All justifying documentation shall be sent to the DPS&C Office of Medical / Mental Health Director.

5. Medications

All prescription medications shall be administered or distributed to the offender for self-administration using the following procedures:

- A. Within time guidelines set forth by the responsible Health Authority;
- B. By properly trained staff members or licensed health care personnel;
- C. According to orders or authorization by the licensed prescriber;
- D. No offender is authorized to handle any medication, other than his own at any time;
- E. Those medications approved by facility policy for offenders as "Keep On Person" (KOP);
- F. Medications that have potential for abuse, misuse, or those that may be caustic or require close monitoring shall be restricted according to facility policy from a KOP program and shall be administered by licensed health care personnel or distributed by properly-trained staff. The medication administration shall be documented with the date, time, description, amount of medication, and a signature or initials of the person administering or distributing the medication.

6. Communicable Disease and Infection Control Program

- A. The facility shall provide tuberculosis (TB) testing within 14 days of an offender's arrival, unless there is documented evidence testing has occurred within the last 12 months. The facility also shall conduct annual testing or a medical evaluation for signs and symptoms of TB on all offenders. Annual TB testing shall be provided at no cost to the offender.
- B. Communicable diseases shall be managed in accordance with a written plan approved by the TWP facility's health authority in consultation with local public health officials. The plan shall include screening, surveillance, treatment, containment, and reporting of infectious diseases.

Chapter 18 references:

- BJJ IV-C-001 through BJJ IV-C-015
- Department Regulation No. IS-D-HCP14, “ Health Care Co-Payment”
- Department Regulation No. IS-D-HCP21, “Communicable and Infectious Diseases Infection Control Program”
- Department Regulation No. IS-D-HCP22, “Tuberculosis”
- Department Regulation No. IS-D-HCP7, “Pharmaceuticals”
- Department Regulation No. AM-C-4, “Medical Reimbursement Plan”
- La. R.S. 15:705C: If the facility has a medical reimbursement plan for non-state offenders approved as stipulated under R.S. 15:705C, reimbursements should be identical for state and non-state offenders at the facility

Chapter 18 ACA references:

- ACRS 4C: Health Care

Chapter Nineteen Record Keeping

1. Offender Records
 - A. The facility shall maintain a file for each offender which file shall contain copies of all reports submitted to DPS&C and other agencies/departments, employer agreements, support and debt agreements, and verification of those debts, etc.
 - B. All information regarding the offender shall be kept confidential as provided in La. R.S. 15:574.12 and Department Regulation No. AM-D-4 “Access to and Release of Active and Inactive Offender Records.”
 - C. Any extracts from the Department’s official record on the offender shall be maintained in the facility file. All records maintained at the facility shall become the property of the Department and shall be made available to the DPS&C upon request. These records shall be maintained for a period of three years after the offender is removed or released from the Transitional Work Program.
2. Operational Records

The facility shall retain records and other documents relative to the Transitional Work Program. Records and other documents include, but are not limited to payment records, offender logs, transportation logs, disbursement of offender wages, licenses, inspections, insurance, and other compliance with BJG and/or SOP requirements. These records shall be retained by the facility for audits and tax purposes for a period of three (3) years after the offender’s removal or discharge from the Transitional Work Program.

Chapter 19 references:

- La. R.S. 15:574.12
- Department Regulation No. AM-D-4, “Access to and Release of Active and Inactive Offender Records”

Chapter 19 ACA references:

- ACRS 7D-07: Intake Form
- ACRS 7D-08: Case Records
- ACRS 7D-09: Record Maintenance

1. General

The DPS&C shall conduct annual monitoring visits of all transitional work program facilities to ensure compliance with Standard Operating Procedures, Basic Jail Guidelines, or ACA standards, as applicable. Monitoring shall be conducted by the facility's respective DPS&C Transitional Work Program Monitor within the Office of Adult Services, BJJ Regional Team Leader, and/or Probation and Parole staff.

Any difficulties or failures of a Transitional Work Program facility to comply with Standard Operating Procedures for Offender Transitional Work Programs and/or contract provisions shall be reported immediately to the Chief of Operations-CS and may require the program to be monitored more frequently.

All requests for exceptions to provisions of the Standard Operating Procedures Manual must be submitted in writing to the Chief of Operations. All replies to requests for exceptions shall be submitted in writing and a submitted copy to the facility's respective DPS&C Transitional Work Program Monitor within the Office of Adult Services. Duties and responsibilities of the monitors include, but are not limited to the following:

- A. Ensuring DPS&C facilities send appropriate discharge packets with offenders to Transitional Work Program facilities.
- B. Conducting routine checks of logs on offenders' activities, noting any discrepancies and performing any necessary follow-up inquiries relative to it. Each facility is required to maintain a daily log, offender log, and transportation log (see also Chapter 15, "Recording Offender Activities").
- C. Monitoring the offender's employment status to determine if the offender is employed suitably in a job consistent with Program policies (see also Chapter 12, "Employment").
 - ACA-accredited facilities under contract with the DPS&C shall provide Probation and Parole District personnel current employment information on a weekly basis, which information shall include offender's name, employer's name, employer's address, and employer's telephone number, type of employment by trade and skill, and actual job site or location.
- D. Assisting the facility in determining suitability of employment (see also Chapter 12, "Employment"). The employment hierarchy shall

be structured to ensure a non-offender employee, preferably a supervisor, shall be present at all times with the offender or at the work site. The offender shall not be left alone or unsupervised.

- E. Ensuring offenders receive comparable wages to those non-offender co-workers who are performing the same or similar “duties” (see Chapter 12, “Employment”).
- F. Conducting random periodic spot checks of facility operations and management as needed.
 - Local Probation and Parole personnel assigned to monitoring responsibilities may conduct a thorough search (shakedown) at any time at ACA-accredited facilities under contract with the DPS&C. A summary written report regarding any shakedown by Probation and Parole staff shall be forwarded to the Chief of Operations no later than 15 days after a shakedown has been conducted.
- G. Conducting Quality of Life surveys with offenders on a regular basis, reporting any problem areas to the Chief of Operations.
- H. Monitoring and/or conducting random and probable-cause drug screens at privately-managed facilities under contract with the DPS&C.
- I. Verifying appropriate notifications have been made in the event of an escape in accordance with Chapter 21, “Escapes and Apprehensions”. The DPS&C Headquarters Duty Officer shall be responsible for verifying that local law enforcement officials are notified and that an escape flash can be posted.

If it is determined that the escaped offender is in the Transitional Work Program, in lieu of parole revocation, Probation and Parole personnel at the District level immediately shall request via activity report to the Committee on Parole that a parole violation warrant be issued. Once the warrant is received and the offender remains at large, the warrant shall be entered into NCIC by Probation and Parole personnel. **Note:** See also Chapter 21, “Escapes and Apprehensions”.

- J. Immediately reporting irregularities or unusual occurrences to the Chief of Operations.
- K. Ensuring the Transitional Work Program facility provides the offender with an updated discharge packet (see Chapter 23 “Reentry”) upon the offender’s release from the facility.
- L. Participating in compliance performance reviews pursuant to Department Regulation No. AM-H-2, “Headquarters Compliance

Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Jail Facilities.” Monitoring Team members’ participation in the reviews shall include:

- 1) Physical inspection of the entire facility (including each major area within the facility) shall be based upon an objective compliance review instrument approved by the Chief of Operations-CS;
- 2) Reporting on current level of compliance relative to previous partial or non-compliant levels;
- 3) Reviewing for compliance with Department Regulation No. PS-D-3 “Standard Operating Procedures for Offender Transitional Work Programs;”
- 4) Reviewing policy, procedure, and relevant documentation and inspecting and verifying, as may be needed, to determine compliance status with BJG or ACA standards;
- 5) Reviewing BJG or ACA standards files which have been identified for monitoring purposes by the Chief of Operations, which review may include non-identified guidelines;
- 6) Reviewing compliance with offender funds and facility accounting practices as determined by the DPS&C Chief Fiscal Officer.
- 7) Reviewing additional issues or problems at the Secretary’s request or as determined by the Chief of Operations.

Chapter 20 references:

- Department Regulation No. AM-H-2, “Headquarters Compliance Monitoring – DPS&C Facilities, Contract and Cooperative Endeavor Agreement Transitional Work Programs and Transitional Work Programs Operated in Local Facilities”
- Department Regulation No. P&P-1, “Probation and Parole Officers Manual”
- Department Regulation No. PS-C-1, “Offender Reentry Program”

Chapter Twenty - One Escapes and Apprehensions

1. If an offender fails to return from work or any authorized absence, without proper notification to the facility staff by authorized personnel explaining the delay; or is not present at the facility during bed check, headcount, or cannot be accounted for at any time, the offender shall be considered to have escaped. The facility shall take immediate action to locate the offender (see also Chapter 7, “Security”). If the offender cannot be located **within 15 minutes**, the employer shall notify the Transitional Work Program facility staff, who shall be responsible for verifying the offender’s location or escape status. If an escape status is confirmed, the Transitional Work Program facility staff shall immediately notify local law enforcement and DPS&C personnel at Elayn Hunt Correctional Center (EHCC) by calling 1-800-842-4399, which has 24 hour on-call staffing (see Chapter 7, “Security”).

For ACA-accredited facilities, same as above and immediately notify Probation and Parole District personnel.

2. Apprehensions

If an offender escapes and is apprehended or the offender returns to the facility within one hour of discovering the offender is absent from work or an approved location, EHCC Control Center personnel shall be notified. Although apprehended, the offender may be subject to disciplinary action. All escapes and apprehensions shall be reported as outlined above and pursuant to Department Regulation No. AM-I-4, “Activity Reports, Unusual Occurrence Reports”.

Chapter 21 references:

- BJJ I-C-001: Emergency Procedures
- Department Regulation No. AM-I-4, “Activity Reports, Unusual Occurrence Reports”
- Department Regulation No. OP-A-5, “Reporting and Documenting Escapes and Apprehensions”

Chapter Twenty -Two Sexual Assault and Sexual Misconduct

1. Prohibited Conduct: Sexual Contact between Staff, Civilians and Offenders

There is no consensual sex in a custodial or supervisory relationship. Any sexual assault, sexual misconduct, or sexual coercion between staff, civilians, and offenders is inconsistent with professional, ethical principles, DPSC&C Regulations, and state and federal law. Acts of sexual assault, sexual misconduct, or sexual coercion by staff or civilians against offenders under their supervision who are confined to a Transitional Work Program, are violations of La. R.S. 14:134, et. seq., and are subject to criminal prosecution. Retaliation against individuals because of their involvement in reporting or investigation of sexual assault, sexual misconduct, or sexual coercion is strictly prohibited.

2. Facility Policy and Procedures

When the occurrence/allegation of sexual assault or threat involves a DPS&C offender, the TWP facility immediately shall report the incident to DPS&C, in accordance with Chapter 4, Section 3, "Incident Reporting". The facility shall have written policies and procedures for the training, prevention, detection, response, reporting, and investigating of alleged and substantiated sexual assaults. Facility investigative reports of such allegations or threats that include DPS&C offenders shall be submitted to the appropriate Regional BJJ Team Leader utilizing Form OP-A-15-e. DPS&C shall provide Department Regulation OP-A-15, "Prison Rape Elimination Act" and any technical assistance necessary for the development of these policies/procedures.

Chapter 22 references:

- Prison Rape Elimination Act of 2003 (PREA), P.L. 108-79 (34 U.S.C. § 30301, et seq.); 28 C.F.R. § 115.5, et seq.
- La. R.S. 14:134, et seq.
- BJJ IV-E-001, Alleged & Substantiated Sexual Assaults
- Department Regulation No. OP-A-15, "Prison Rape Elimination Act"

Chapter Twenty - Three Reentry

1. Committee on Parole Procedures

The facility Warden or designee of the local-level facility wherein the offender is housed, shall be present to provide information to members of the Committee on Parole regarding the offender's progress and disciplinary infractions during incarceration.

2. Identification

- A. When an offender approaches his/her release date, the facility shall identify which forms of identification the offender has in his/her possession and those contained within the Transition Document Envelope received from the DPS&C facility at which the offender was most recently housed. The Transitional Work Program facility shall ensure the offender has at least two forms of valid identification prior to release (e.g., social security card, birth certificate or birth card, state identification card, etc.) All contents of the Transition Document Envelope received by, or contents procured by the Transitional Work Program, shall be maintained within the Transition Document Envelope.
- B. Facility staff shall obtain a valid state identification card or driver's license prior to the offender's release. This includes paying off any outstanding fees/fines associated with obtaining the identification card and/or complying with any provisional license policy and procedure (including establishing child support payments) established by the Office of Motor Vehicles.

3. Discharges

- A. The Transitional Work Program facility shall ensure the offender's Transition Document Envelope includes an updated resume that includes, at a minimum:
 - Name;
 - Date of birth;
 - Program completion;
 - Most recent employment/job while participating in the transitional work program.
- B. The Transitional Work Program facility at the time of the offender's release (prior to departure from the facility) shall issue to the offender the Transition Document Envelope, which shall include:
 - A check in accordance with Chapter 17, "Offender Personal Funds"

- All identification documents and other contents included when the TWP facility received the envelope
 - Any other certificates, identification, or important documents received while at the TWP facility
4. The Transitional Work Program facility shall coordinate with DPS&C Office of Adult Services, Pre-class Records, to develop a residence plan for the offender prior to release on goodtime / parole supervision, unless there is a Reentry Program located in their parish where the Transition Specialist shall coordinate with the Transitional Work Program to develop a residence plan. The Transitional Work Program shall coordinate with DPS&C Division of Probation and Parole District Community Resource Coordinators and/or Reentry Program Managers, as appropriate, to develop a residence plan for the offender prior to release on parole.
 5. The Transitional Work Program shall contact Probation & Parole staff so Probation and Parole staff can complete and forward Interstate Compact documents to DPS&C Headquarters a minimum of 120 days prior to the offender's release date for any offender who wants to reside out of the State of Louisiana.
 6. The Transitional Work Program facility staff shall assist offenders with submitting applications to prospective employers, but shall encourage the offender to maintain employment with the employer with whom the offender was employed through the Transitional Work Program.
 - For facilities releasing offenders who do not intend to reside in the geographical area of the Transitional Work Program employer, those facilities shall work with the Community Resource Coordinator in the Probation and Parole District in which the offender plans to reside upon release. Every effort shall be made to secure job placement for the offender in a job similar to that which he/she held while in the Transitional Work Program and for which the offender has been trained.
 7. The Transitional Work Program facility shall provide the offender with the opportunity to meet with Probation and Parole staff to establish the expectations of supervision, explain the offender's responsibilities while under supervision, and the role and responsibilities of Probation and Parole in supporting the offender's successful reentry.
 8. The Transitional Work Program facility staff shall consult with other Probation and Parole districts about the availability of community resources in the area where an offender plans to reside upon release or discharge from the Transitional Work Program facility.
 9. DPS&C staff assigned responsibility for the Transitional Work Program facility shall assist with offender reentry, as outlined in Department Regulation No. PS-C-1, "Offender Reentry Program".

10. If an offender is a full-term release, the offender shall be provided information about restoration of voting rights pursuant to La. R.S. 18:177. The information shall include, at a minimum, the address and phone number of the Registrar of Voters in each parish in Louisiana.

Chapter 23 references:

- La. R.S. 18:177
- BJG V-C-002: Reentry Programs
- Department Regulation No. PS-C-1, “Offender Reentry Program”

Chapter 23 ACA references:

- ACRS 6A-13: Release of Offenders

Chapter Twenty - Four Workforce Development Transitional Work Program

La. R.S. 15:1199.1 through 1199.16 establish a program for on-the-job training of offenders who are participating in or have completed the “Workforce Development Transitional Work Program.”

Eligibility Criteria

1. An offender may be eligible for participation in the “Workforce Development Transitional Work Program” if the offender meets the eligibility requirements as provided in La R.S. 15:1199.7.
2. The offender is not currently serving a sentence for a sex offense as defined in La. R.S. 15:541(24), a crime of violence as defined in La R.S. 14:2(B) or sentenced as a habitual offender pursuant to La. R.S. 15:529.1. However, those cases where a previous crime of violence that is not the instant offense, and without a recent conviction or pattern for crimes of violence, shall be considered for participation in the “workforce development training program”.
3. The offender(s) otherwise meets all eligibility requirements for participation in a transitional work program pursuant to La. R.S. 15:1111 and SOP Chapter 3.
4. Eligible participants shall produce documentation to support having certification or licensure as a skilled craftsman, or who have graduated from the workforce development training program and have been certified or licensed as skilled craftsmen, or who are participating in workforce development training program and are working toward licensing or certification as a skilled craftsman pursuant to La. R.S. 15:1199.12.
5. Participants in a “Workforce Development Transitional Work Program” who completed the workforce development training program and who work in a skilled job as a certified/licensed skilled craftsman shall be eligible for 30 days of good time credit for every 6 months they remain working in their skilled job. The facility shall complete form IS-B-8-a “Certified Treatment and Rehabilitation Earned Credit” and shall forward the form to DPS&C Headquarters for approval and applied good-time credit.
6. Every offender with “Workforce Development Transitional Work Program” privileges shall be liable for the cost of the offender’s room, board, clothing and other necessary expenses of his employment or placement unless other means of payment are approved by the Department.

Deductions resulting from participation in the workforce development program shall

- a) not exceed 70% of gross wages received by the offender or \$525.00 per workweek (*7 consecutive 24-hour days*), whichever is less; and
 - b) comply with all provisions in Chapter 17 “Offender Personal Funds”, Section I.2, “Workforce Development Programs”.
7. Offenders participating in “Workforce Development Transitional Work Program” shall be evaluated by transitional work program staff on a continuous basis. The evaluation shall be reported monthly to the Department. The evaluation shall include:
 - The offender’s performance while participating in the program;
 - The offender’s likelihood of successful completion of the program;
 - The offender’s likelihood of successful employment following completion of the program;
 - Any other factors in accordance with the purposed and goals of the Program deemed relevant by the Secretary, the Reentry Advisory Council, or Transitional Work Program staff.
8. An offender may be removed from “Workforce Development Transitional Work Program” for any of the following:
 - Willful failure to comply with the rules of the program.
 - Willful failure to participate in any educational or skills development component of the workforce development program.
 - Any action that results in disciplinary proceedings by the Department.
 - Failure to take examinations necessary to receive certification or licensing as a skilled craftsman.
 - Failure to submit to random drug testing.
 - Testing positive for any controlled dangerous substance.
 - Any other reason deemed by the Department to render the offender ineligible to complete the program.
9. Removal from the program shall be at the discretion of the Department.
10. Offenders removed from the program shall be returned to an appropriate custody status as determined by the Department and may be subject to the forfeiture of any diminution of sentence or good time earned after due process proceedings.

Chapter 24 references:

- La. R.S. 15:1199.1 through 1199.16 (2008 La. Acts, No. 106, § 1, eff. June 6, 2008 and 2010 La. Acts No. 836, § 1, eff. Aug. 15, 2010.)
- Department Regulation No. PS-D-2, “Rehabilitation and Workforce Development Program”

Chapter Twenty - Five Closing Procedures

The following is a list of procedures all TWP's shall follow when discontinuing TWP operations:

- A. **NOTIFICATION.** Send a formal notification of the closing via PDF attachment in an e-mail to the Chief of Operations on official letterhead signed by the Sheriff or TWP Director, if the TWP has a direct contract with DPS&C, stating the following:
- 1) Facility Name
 - 2) Closure Date
 - 3) Current number of TWP offenders
 - 4) Proposed TWP facility to receive the TWP offenders, if applicable.
- B. **ACKNOWLEDGEMENT & APPROVAL.** The Chief of Operations will send an acknowledgement letter of the TWP closing, which shall include approval/disapproval of the proposed closure plan.
- C. **DATA INTEGRITY.** Ensure each offender's files (i.e., master, medical, financial) are accurate, complete, and current as of the date of closure.
- D. **TRANSFER OF RECORDS & FUNDS.**
- 1) Files: Files (i.e., master, medical, financial) of active TWP offenders are the property of DPS&C; therefore, the files shall be sent to the receiving TWP facility on the same day of the physical transfer.
 - 2) Personal Funds: Refer to Chapter 17, Disposition of Offender's Account Upon Release and Upon Death.
 - 3) Seized/Contraband Funds: In accordance with La R.S. 14:402, money seized by the TWP from TWP offenders as contraband shall be remitted to:

Department of Public Safety & Corrections
Centralized Offender Banking
P.O. Box 94304 Capitol Station
Baton Rouge, Louisiana 70804-9304

The check shall be remitted **within fourteen (14) calendar days of the date the offenders are transferred** and shall indicate "TWP Contraband Funds" in the memo.

- E. **REPORTING.** Closing TWP's shall continue to comply with all monthly and annual reporting requirements covered in Chapter 4 as follows:
- 1) Monthly Activity Reports: Complete through the last month of TWP operations.

NOTE: Complete final AM-I-4 Report once all offenders have been transferred and all individual accounts have been closed out.

- 2) Monthly Fiscal Package for Offender Trust Account: Complete through the end of the month in which the bank account is closed, usually within 90 calendar days after operations cease.

NOTE: Include a copy of the final bank statement showing the Offender Trust Account has been closed with your last Monthly Fiscal Package.

- 3) Annual Agreed Upon Procedures (AUP) Report: Complete a final AUP report through the end of the month in which the bank account is closed. The closing TWP may extend their fiscal year to include this time period in a single AUP report instead of completing their annual AUP and a partial year AUP.

Example: Smith TWP's fiscal year ends 12/31. Smith TWP closes the Offender Trust Fund on 4/20/21. Smith TWP may have one AUP report covering the time period from 1/01/2020 – 4/30/21 instead of having two AUP reports covering 1/1/20 – 12/31/20 and 1/1/21 – 4/30/21, respectively.

F. **CLOSING ACCOUNTS.** After TWP offenders have been transferred to the receiving TWP facility, some offender accounts may still have a remaining balance due to monies held for written obligations and/or subsequent paychecks received.

- 1) Participation fees may be deducted for days up to and including **the date prior to an offender being transferred**; however, shall not be deducted after this date.
- 2) TWP staff shall continue to comply with procedures in Chapter 17 related to offender personal funds until all individual offender accounts have been zeroed-out.
- 3) All individual offender accounts shall be zeroed-out, and the Offender Trust bank account shall be closed **no later than 90 calendar days after the TWP closure date**.

Example: Smith TWP closure date is 6/30/21. Offender John Doe is transferred to another facility on 6/15/21. His account balance, including the \$200 savings portion, on 6/14/21 is \$500. He has \$150 in documented debts and is anticipating receiving his final paycheck from his employer.

Balance @ 6/14/21 (includes \$200 savings portion)	\$500.00
Less: Documented Debts	- 150.00
Balance sent to receiving TWP 6/15/21	\$350.00
Balance @ 6/15/21	\$150.00
Add: Paycheck received 6/18/21	+ 1,500.00
Less: Participation Fee Due through 6/14/21	- 451.50
Less: Medical Bill (Documented Debt)	- 150.00
Balance @ 6/18/21	\$1,048.50
Less: Check sent to receiving TWP facility @ 7/2/21	-\$1,048.50
Balance @ 7/2/21	\$0.00

Chapter 25 references:

- La. R.S. 14:402
- Department Regulation No. OP-A-11, “Seized Property Disposal”



BOBBY JINDAL
GOVERNOR

KRISTY H. NICHOLS
SECRETARY

State of Louisiana
Department of Social Services
Office of the Secretary

October 5, 2009

Mr. James LeBlanc
Secretary, Department of Public Safety and Corrections
P O Box 94304
Baton Rouge, LA 70804-9304

RE: Income Assignment Orders for Work Release Inmates

Dear Secretary LeBlanc:

In 1998, an agreement was reached between the Department of Public Safety and Corrections and the Department of Social Services regarding the appropriate method for managing child support income assignments on cases where the employee/child support payor is enrolled in a Work Release Center (WRC). I am pleased to confirm that this agreement remains in tact and that Support Enforcement Services (SES) has included the agreement in the employee policy manual to ensure that all employees are informed.

The agreement states that the employer who receives an income assignment order on a work release enrollee will continue to submit 100% of the employee's earnings to the WRC. The employer should forward the income assignment notice to the WRC. The WRC representative will then contact SES to arrange for withholding an appropriate amount of support from the wages remaining after payment of room and board and other costs to the WRC.

If you have any concerns about the correct implementation of this policy by any of our staff, please let me know. We will be happy to review the situation and will work quickly to resolve any problems. We look forward to a continued partnership in working with Work Release Centers.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristy H. Nichols".

Kristy Nichols
Secretary



AGREEMENT

WHEREAS, the Louisiana Department of Public Safety and Corrections (hereinafter referred to as "DPS&C") and the Louisiana Sheriffs' Association (hereinafter referred to as "LSA") mutually agree that to effectively prepare offenders to transition from jail to the community is in the best interest of the citizens of Louisiana; and

WHEREAS, the DPS&C and the LSA agree to work through a collaborative partnership to develop reentry strategies that address public safety risks and benefit offenders and their families, victims, and the entire community; and

WHEREAS, the LSA has determined that it is desirable to develop and maintain certain Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs and transition initiatives for use by its membership; and

WHEREAS, the DPS&C has a continuing interest in and relationship with parish and local jail facilities and the housing of DPS&C offenders therein; and

WHEREAS, the DPS&C finds that it is in the best interest of the State to assist and cooperate with the LSA in efforts to develop certain Basic Jail Guidelines and Standard Operating Procedures for Offender Work Release Programs and for Transition/Reentry facilities, for use by its member Sheriffs and other local jail administrators.

NOW, THEREFORE, it is agreed that the DPS&C and the LSA and its member Sheriffs, as well as other local jail administrators, will work in partnership to develop transition strategies as well as Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs and a certification process to certify compliance. The DPS&C will provide technical assistance upon request and subject to availability of appropriate resources.

The Louisiana Sheriffs and local jail administrators (hereinafter referred to as "Participants") agree to participate in the development and maintenance of the Basic Jail Guidelines, Standard Operating Procedures for Offender Work Release Programs, and Transition/Reentry facilities, which are applicable to DPS&C offenders as a condition of being allowed to house DPS&C offenders on a continuing basis, subject to normal weekly DPS&C intake quotas. Those participants who demonstrate sustained compliance shall be granted certification by the DPS&C.

CERTIFICATION OF COMPLIANCE

Basic Jail Guidelines

Compliance with the **Basic Jail Guidelines (BJG)** will be monitored by the appropriate Regional Team Leader and monitoring team that is staffed by employees of the DPS&C. Review of the monitoring process and resolution of monitoring issues will be the responsibility of a Jail Operations Committee (hereinafter referred to as "Committee"), composed of an equal number of representatives from the DPS&C and the LSA. The Secretary of DPS&C shall serve as Chairman of the Committee. Committee members shall not receive compensation or a per diem for their service on the Committee.

Once a monitoring inspection of the facility has been conducted by the Monitoring Team, the Regional Team Leader shall submit, within fifteen (15) days, a written report to the BJJ Administrator. The BJJ Administrator shall provide a copy of the report to the Participant and the Committee. The Participant shall submit a written response to the BJJ Administrator on any finding in the report within fifteen (15) days of receipt of the inspection report. The BJJ Administrator will provide a copy of the response to the Committee.

Compliance with any federal or state decree regulating conditions of confinement shall be deemed compliance as to any guideline or procedure covered by the decree even if the decree calls for a different standard.

If non-compliance is determined with one or more of the Basic Jail Guidelines, the Participant must, within 30 days of notification of such non-compliance, submit to the Basic Jail Guidelines Administrator a plan of action to correct the deficiency. Such corrective action must be completed no later than 90 days after the submission of the plan of action. In the event of an emergency, intake may be suspended and state offenders may be removed from the facility.

In the event the participant fails to develop a plan of action, or once developed, fails to implement the plan, the Committee shall determine whether such non-compliance constitutes "substantial non-compliance" with the Basic Jail Guidelines. If it is determined that "substantial non-compliance" exists, the DPS&C may then, at its option, remove state offenders from the Participant's custody. New commitments will also be removed from the Participant's custody within 30 days of the date of sentencing to the DPS&C.

After the initial inspection/monitoring visit of the facility by the DPS&C, subsequent compliance inspections will be conducted every three years. More frequent inspections may be required by the DPS&C as deemed appropriate by the Secretary. The determination for more frequent inspections will be based on significant monitoring issues of concern or non-compliance with one or more Basic Jail Guidelines during the most recent inspection. Between compliance inspections, the participant shall submit an annual statement to the appropriate Regional Team Leader confirming continued compliance with the Basic Jail Guidelines. The annual statement shall also include a current fire marshal and health inspection report, any proposed or projected expansions, and any programs that are available to the state offender population.

Standard Operating Procedures for Offender Work Release Programs

Compliance with the **Standard Operating Procedures for Offender Work Release Programs (SOP)** will be monitored on an annual basis by the appropriate Regional Team Leader and monitoring team that is staffed by employees of the DPS&C. Review of the monitoring process and resolution of monitoring issues will be the responsibility of Committee.

Once a monitoring inspection of the facility has been conducted by the monitoring team, the Monitoring Team Leader shall, within fifteen (15) days, submit a written report detailing the results of the inspection to the Chief of Operations. The Chief of Operations shall provide within thirty (30) days of the monitoring inspection a copy of the report to the Participant and the Committee. The Participant shall submit a written response on any finding noted in the inspection report to the Chief of Operations within fifteen (15) days of receipt of the inspection report. The Chief of Operations will provide a copy of the response to the Committee.

Compliance with any federal or state decree regulating conditions of confinement shall be deemed compliance as to any guideline or procedure covered by the decree even if the decree calls for a different standard.

If non-compliance is determined with one or more of the requirements of the SOP, the Participant must, within 30 days of notification of such non-compliance, submit to the Chief of

Operations a plan of action to correct the deficiency. Such corrective action must be completed not later than 90 days after the submission of the plan of action. In the event of an emergency, intake may be suspended and state offenders may be removed from the facility.

In the event the Participant fails to develop a plan of action, or once developed, fails to implement the plan, the Committee shall determine whether such non-compliance constitutes substantial non-compliance with the SOP. If it is determined that substantial non-compliance exists, the DPS&C may then, at its option, remove state offenders from the Participant's custody.

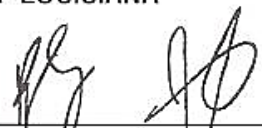
After the initial inspection/monitoring visit of the facility by the DPS&C, subsequent compliance inspections will be conducted on an annual basis. More frequent inspections may be required by the DPS&C as deemed appropriate. Work Release facilities are required to submit monthly and annual reports to the Chief of Operations as required in Chapter 4 of the Standard Operations Procedures for Offender Work Release Programs.

PER DIEM

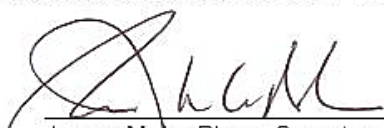
For, and in consideration of, Participant's participation in this Agreement, the State of Louisiana agrees to pay Participant the sums as set forth by Louisiana Revised Statutes 15:824, 15:1111, 15:1135 and/or the DPS&C Standard Operating Procedures for Work Release Offenders for each DPS&C offender housed by Participant. This payment shall not affect, modify or abrogate any other obligations of the State of Louisiana contained in any other agreements, statutes or court decrees, whether state or federal.

This Agreement, the Basic Jail Guidelines, and the Standard Operating Procedures for Offender Work Release Programs are not intended to nor do they create in any convicted offender, pre-trial detainee, arrestee, employee, visitor or any other person of any class or category whatsoever, any liberty interests, right or privileges under federal or state constitutions, laws, rules, regulations or ordinances, or any local or municipal, or other, constitutions, laws, ordinances, codes, or charters irrespective of the use of mandatory language herein or any other provisions hereof. If any person of any class or category whatsoever has any liberty interest, rights or privileges, they must exist completely apart from and independent of this Agreement.

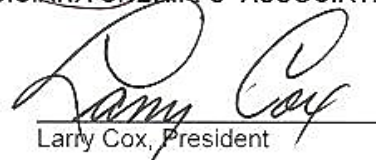
STATE OF LOUISIANA

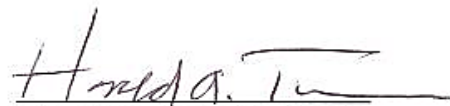
By: 
Bobby Jindal, Governor

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

By: 
James M. Le Blanc, Secretary

LOUISIANA SHERIFFS' ASSOCIATION and ITS MEMBER SHERIFFS

By: 
Larry Cox, President

By: 
Hal Turner, Executive Director

Annual TWP Agreed Upon Procedures Audit Guide

Step #	Description of Procedure
1	<p><u>TEST GOVERNANCE</u></p> <p>A) Verify the TWP facility has formal updated policies and procedures in place governing the program to ensure compliance with the DPS&C <i>Standard Operating Procedures for Transitional Work Programs (SOP)</i>.</p> <p>B) DPS&C defined \$1,000.00 as a reasonable minimum goal for offenders to save prior to release.</p> <ol style="list-style-type: none"> 1) Determine whether the TWP facility has implemented policies to set limitations and/or spending limits on offender weekly draws or purchases from canteen/commissary operations to encourage the offender to maximize the opportunity to accumulate savings prior to release. 2) Document the number of offenders in the AUP Report who have released from the TWP with at least \$1,000.00 of savings during the fiscal year. <p>C) Obtain a copy of the most recent bank signature card(s) for the TWP Offender Trust Account and test the following:</p> <ol style="list-style-type: none"> 1) Verify all funds held in trust for the TWP offenders at the facility are maintained in one bank account at one financial institution. <p>All TWP funds shall be kept as a whole in one bank account and not separated into multiple bank accounts. TWPs may <u>not</u> have</p> <ul style="list-style-type: none"> • multiple bank accounts at a single financial institution; • multiple bank accounts at multiple financial institutions; or • a single bank account at multiple financial institutions. <p>The TWP may have a separate commissary account listed on the general ledger within their accounting system; however, it cannot be a separate bank account.</p> <ol style="list-style-type: none"> 2) Verify the account has at least 2 authorized signers who are current employees/legal stakeholders of the TWP facility.
2	<p><u>TEST EMPLOYEE THEFT/COMMERCIAL CRIME POLICY COVERAGE</u></p> <p>Obtain a copy of the TWP’s employee theft/commercial crime insurance policy and verify its coverage meets the following minimum criteria:</p> <ol style="list-style-type: none"> A) Includes the Offender Trust Account; B) Includes all employees handling cash & cash equivalents; and C) The coverage amount (<i>either per occurrence or a stated maximum</i>) is not less than 36% of the annual (FYE) gross deposits into the Offender Trust Account from all sources.

Annual TWP Agreed Upon Procedures Audit Guide

Step #	Description of Procedure
3	<p><u>TEST SEGREGATION OF DUTIES</u></p> <p>A) Document TWP staff (meaning, name, title, job functions).</p> <p>B) Determine whether duties of the staff have been segregated properly (<i>as illustrated in Chapter 17 of the SOP</i>) to mitigate cash handling risks and to maintain proper controls over the management of the Offender Trust Account.</p> <p>C) Document compensating controls for duties/functions not segregated properly to mitigate associated risks.</p>
4	<p><u>TEST DATABASE GENERAL CONTROLS</u></p> <p>A) Obtain a general understanding of the accounting system(s)/database(s) (<i>e.g., QuickBooks, Excel</i>) used to maintain offender financial records for the TWP Offender Trust Account.</p> <p>B) Determine whether the following controls have been implemented and are functioning properly to mitigate associated risks (<i>e.g., fraud, change control, data integrity</i>):</p> <ol style="list-style-type: none"> 1) Use of individual user ids and passwords on each system/database 2) Audit trail functionality to capture changes of data within the system/database 3) Frequent backups (<i>e.g., daily, weekly</i>) of system/database information to a secure server/off-site/iCloud 4) If more than 1 system/database is used, verify reconciliation between the systems is performed at least monthly.
5	<p><u>TEST FISCAL REPORTING</u></p> <p>A) Randomly select 1 month in each quarter of the fiscal year to test in detail. For each month selected, obtain:</p> <ol style="list-style-type: none"> 1) The Offender Trust Account Monthly Fiscal Package 2) System-generated, detailed reports supporting amounts reported on Lines 2-5 of Form PS-D-3-SOP-17-1B <i>(Note: Reports should be re-run during the AUP for the months selected.)</i> <p>B) For each month selected:</p> <ol style="list-style-type: none"> 1) Recalculate the Offender Trust Account’s reconciled bank balance and verify it agrees with the amount reported on Line 1 of Form PS-D-3-SOP-17-1B. Document the number of months with exceptions in the AUP Report. 2) Test the accuracy of the amounts reported on Lines 2-5 of Form PS-D-3-SOP-17-1B by recalculating the amounts and tracing them to the system-generated reports re-run in Step A-2 above. Document the number of months with exceptions in the AUP Report.

Annual TWP Agreed Upon Procedures Audit Guide

Step #	Description of Procedure
	<p>3) Verify the Offender Trust Account is not:</p> <ul style="list-style-type: none"> a) a “sweep account” or used in conjunction with a “sweep account” <i>(i.e., A bank account where the funds are automatically transferred to another account or investment.)</i> b) co-mingled with other funds (e.g., offender organization funds, seized contraband, trustee/non-TWP offender money) c) used for other purposes (e.g., pay operational expenses) <p>Document the number of months with exceptions in the AUP Report.</p>
6	<p><u>SAMPLE SELECTION FOR DETAILED TESTING OF TRANSACTIONS</u></p> <p><i>Definitions:</i></p> <ul style="list-style-type: none"> → <u>Workweek</u> – 7 consecutive 24-hour days → <u>Primary Job</u> – full time employment working at least 32-hours per workweek for a single employer → <u>Secondary Job</u> – part-time employment working less than 32 hours per workweek for an employer other than Primary Job employer <p>A) Obtain a list of all TWP DPS&C offenders housed at the TWP during the fiscal year.</p> <p>B) Stratify this population into 2 mutually-exclusive groups based on the <u>number of jobs held at a time</u> by an offender during the year.</p> <ul style="list-style-type: none"> Group 1) Offenders who worked only one primary job at a time Group 2) Offenders who worked both a primary and a secondary job <p><i>(Note: If an offender changed jobs, but only had 1 job at a time, they would be in Group 1. If an offender had <u>both</u> a primary and secondary job simultaneously at <u>any point</u> during the year, they will be in Group 2, regardless of their other employment(s) during the year.)</i></p> <p>C) Document the number of offenders in each group in the AUP Report.</p> <p>D) Select the LESSER of the following to obtain the files for and test in detail in Step 7:</p> <ul style="list-style-type: none"> a) 25% of [Group 1 + Group 2] or b) 25 total offenders randomly selected from Groups 1 + 2 <p>E) Document the total number of offenders to be tested in the AUP Report.</p> <p>F) Group 2 will have additional testing in Step 8.</p>

Annual TWP Agreed Upon Procedures Audit Guide

Step #	Description of Procedure
7	<p><u>TESTING GROUPS 1 & 2</u></p> <p>For each offender in the sample selected, perform the following tests on at least 2 paychecks during the fiscal year. Expand testing to additional paychecks if necessary, based on initial results. Document the number of exceptions for each test below in the AUP Report.</p> <p>A) Verify the following documents are in agreement pertaining to the offender’s name, pay rate, pay amount, and date:</p> <ol style="list-style-type: none"> 1) Paystub in the offender’s file 2) Deposit on bank statement 3) Entry in accounting system records <p>B) Verify payroll income is from an approved employer who:</p> <ol style="list-style-type: none"> 1) Signed an “Employer Agreement”; 2) Paid the offender by either direct deposit or a physical paycheck (<i>no pre-paid credit, cash, money order, or ATM cards</i>); and 3) Withheld payroll taxes, when applicable. <p>C) Verify funds received were deposited daily (<i>within 24 hours of receipt, except for weekends & holidays.</i>)</p> <p>D) Verify transactions were posted to individual offender ledgers and the accounting system within 2 business days.</p> <p>E) Verify correct participation fee was deducted from the offender’s pay.</p> <p>advances/reimbursements were taken out of offender’s paycheck (<i>e.g., reimburse employer for work boots, store purchases</i>), except for taxes and garnishments imposed by federal and/or state laws or DPS&C</p> <p>ify no commissary/canteen purchases, support for dependents, child support, other debts, or weekly s were processed for an offender <u>until</u> \$200 minimum savings reached.</p> <p>H) Determine whether the offender has maintained a minimum of \$200 in the account at all times during the year, once the balance exceeded \$200. If the balance fell below \$200, verify those exceptions have a justifiable reason documented in the offender’s file (<i>e.g., health care expense</i>).</p>
8	<p><u>ADDITIONAL TESTING OF GROUP 2</u></p> <p>Randomly select 25% of offenders in Group 2 and verify TWP Job Coordinator has...</p> <ol style="list-style-type: none"> A) specifically identified the offender’s Primary and Secondary jobs (<i>i.e., once established, the job identification is permanent and should not change</i>); B) documented the offender’s acceptable performance of Primary job; and C) eligibility for the Secondary job. <p>Document the number of exceptions for each test below in the AUP Report.</p>

Annual TWP Agreed Upon Procedures Audit Guide

Step #	Description of Procedure
9	<p><u>TESTING TRANSFERS/RELEASES/RETURNS</u></p> <p><i>Definitions:</i></p> <ul style="list-style-type: none"> → Transferred offender is an offender who either has been removed or transferred to another parish facility. Transferred offenders may be removed for disciplinary, medical, or administrative reasons or just transferred. In these cases, all funds (less documented obligations) shall be sent to the receiving facility within 14 calendar days. This includes transferred offenders due to a TWP facility closing. → Returned offender is an offender who has been returned to a DPS&C state prison facility (EHCC, LCIW, DCI, LSP, RCC, RLCC, ALC, DWCC). If an offender is returned to a DPS&C facility, all funds (less documented obligations) needs to be sent within 7 calendar days. <p>A) Obtain a list of offenders who were released, transferred, or returned during the fiscal year.</p> <p>B) Select 25% in each category to test. Document the number tested in each category in the AUP report.</p> <p>C) For all offenders released from the TWP, verify the following:</p> <ol style="list-style-type: none"> 1) The balance of their accounts (<i>as calculated in Chapter 17 of the SOP</i>) was given to them immediately upon their release. 2) Funds received after offender’s discharge were mailed to the offender within 30 calendar days of receipt. 3) Abandoned funds were remitted to DPS&C after 90 calendar days. <p>Document the number of exceptions in each test in the AUP Report.</p> <p>D) For offenders transferred to another TWP or local jail, including those transferred due to a TWP closing, verify the balance of their accounts (<i>as calculated in Chapter 17 of the SOP</i>) was forwarded to receiving TWP/local jail within 14 calendar days of the offender’s transfer. Document the number of exceptions in the AUP Report.</p> <p>E) For offenders returned to DPS&C, verify the balance of their accounts (<i>as calculated in Chapter 17 of the SOP</i>) was forwarded to DPS&C within 7 calendar days of the offender’s return to DPS&C. Document the number of exceptions in the AUP Report.</p>
10	<p><u>TESTING CLOSING PROCEDURES (If applicable)</u> (See Chapter 25)</p> <p>Determine whether</p> <ol style="list-style-type: none"> A) the Offender Trust bank account was closed within 90 calendar days from the TWP closure date; and B) seized/contraband funds from TWP offenders were forwarded to DPS&C Centralized Offender Banking within 14 calendar days of the TWP closure date.
11	<p>Have TWP management complete Form PS-D-3A in Appendix VIII for each finding noted and include the form as an attachment to the AUP Report.</p>

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Annual TWP Agreed-Upon Procedures Preparation Checklist

Step #	Description of Procedure	Completed By Initials Date	
1	<p>Offender Trust Account Monthly Fiscal Packages for the fiscal year have been completed and <u>originals</u> are organized and readily available (including supporting documents) for review.</p> <p><i>Tip: Organize the Monthly Fiscal Packages in a 3-ring binder by month, separated by tabs, or something similar, to make it easy for the auditor to review. Well-organized accounting records & backup documentation help the audit run smoothly and may reduce its cost.</i></p>		
2	<p>Daily deposit records for the fiscal year are organized and readily available for review.</p> <p><i>Tip: Deposit records shall include</i></p> <ul style="list-style-type: none"> <i>a) the bank's receipt of the deposit</i> <i>b) a copy of the prepared deposit slip and</i> <i>c) copies of what was deposited (checks, money orders)</i> <i>d) receipts issued for money received with</i> <ul style="list-style-type: none"> <i>• Offender's Name</i> <i>• DOC #</i> <i>• Payer (who paid the money)</i> 		
3	<p>Obtain a copy of the most-recent bank signature card(s) for the TWP Offender Trust Account.</p>		
4	<p>Obtain a copy of the TWP's commercial crime insurance policy for employee theft.</p> <p><i>Tip: The policy shall be at least 36% of the annual (FYE) gross deposits into the Offender Trust Account from all sources.</i></p>		
5	<p>Ensure accounting system entries for the fiscal year have detailed descriptions for offender income & expenditures.</p> <p><i>Tip: For payroll entries, use the Employer's Name, an established employer code, or "primary/secondary" as a description to help identify those offenders with more than 1 job to help ensure correct participation fee calculations.</i></p> <p><i>Tip: Do <u>not</u> use "miscellaneous" as a description. Detailed descriptions help ensure the expense is coded to the correct account (Medical Expense, Weekly Draw, Commissary).</i></p>		

Annual TWP Agreed-Upon Procedures Preparation Checklist

Step #	Description of Procedure	Completed By	
		Initials	Date
6	<p>On TWP letterhead, document:</p> <ul style="list-style-type: none"> • name, title, phone number, e-mail, and job responsibilities (separation of duties) for all TWP staff; • the name of the accounting system(s) (<i>QuickBooks, Excel, Access, etc.</i>) used to maintain offender financial records for the TWP Offender Trust Account; and • the names and job titles of staff who have access to the system(s). 		
7	<p>Ensure offender files contain copies of:</p> <ol style="list-style-type: none"> a) Payroll stubs b) Weekly Draw Forms with approvals/denials noted c) Family Fund Withdrawals with approvals/denials noted d) Signed Employer Agreements for each job e) Backup documentation for all income & expenditures posted to individual offender accounts 		
8	<p>Prepare a list of all TWP DPS&C offenders during the fiscal year including</p> <ul style="list-style-type: none"> • Name • DOC # • Employment Status (Employed; Unemployed) • Employer for Primary Job • Dates of employment • Job Title • Employer for Secondary Job (if applicable) • Dates of employment • Job Title 		
9	Prepare a list of released/transferred/returned to DPS&C offenders during the fiscal year.		
10	Prepare an organizational chart of the TWP.		
11	Have TWP formal policies & procedures organized and readily available for review.		
12	Provide your CPA a complete copy of the most recent SOP.		



IRS BLUE BAG PROGRAM: FACT SHEET

Revised 5/2021

Blue Bag Program (BBP) History

The IRS Return Integrity and Compliance Services (RICS) Blue Bag Program cooperates with prisons in monitoring inmates' tax related communications to reduce inmate tax fraud. Historically, prisons mailed tax related communications in IRS-supplied blue bags; this included any documents that came to their attention, giving rise to the Blue Bag Program. Those bags have since given way to other secure mailing media, but the program name remains.

Prisons in all 50 states participate in this expanding program. Participating state and federal prisons send us inmate materials to evaluate, including potentially fraudulent Federal Income Tax Returns and IRS issued refund checks. Participating prisons reduce circulation of illicit funds and limit the opportunities for unlawful inmate behavior.

Blue Bag Procedures

Prison officials intercept federal tax refund checks, blank IRS forms and publications that have been mailed to an inmate. Please follow the guidelines below to handle the intercepted mail:

Incoming Mail (sent to Prisons by the IRS)

- **Publications or blank tax forms:** Please destroy blank IRS forms and publications, unless there are special exceptions authorized by the IRS or the forms were requested by the Prison Officials. For example, tax return forms to claim **only** the Recovery Rebate Credit.
- **Federal Tax Refund Checks:** Please submit the inquiry using the [Prison Lead Spreadsheet](#) and **send via eFax to 855-841-6080**.
 - If the inmate's refund check is valid, the refund check validation sheet is returned to the institution via fax, indicating that it is valid.
 - If refund check is questionable, the Prison Official will be asked to mail the check to the Blue Bag Program for further review.

Reminder: Recovery Rebate Credit/Economic Impact Payment checks, **do not** have to be verified by the IRS. Please do not send any faxes or emails to the Blue Bag Program regarding these checks.
- **All other IRS correspondence should be processed through your normal procedures.**

Outgoing Mail (sent by Prisons to the IRS)

- **Completed federal tax returns from inmates:** Send to Internal Revenue Service, MS 6575 KCSC, 333 W. Pershing Rd, Kansas City, MO 64108 (excluding Recovery Rebate Credit only, see below for instructions).
- **Do not send the following to the Blue Bag Program:**
 - Completed federal tax returns from inmates with Recovery Rebate Credit only, send to Department of the Treasury, Internal Revenue Service, Austin, Texas 73301-0002.
 - Questions regarding refund status and status of tax returns. Inmates/Power of Attorney need to contact IRS Customer Service at 1-800-829-1040.
 - All other responses addressed to the IRS from the inmate, should be mailed through the facility's normal mailing process.

Required information for Blue Bag Program inquiries:

- **Inmate data:** Full name, inmate identification number, date of incarceration, release date, inmate's SSN and date of birth.
- **Prison institution data:** Prison name and address, and inquiring Prison Officials name, telephone number and email address.

Please email us at: Prisoner_file@irs.gov This email address is to be utilized by the Prison Officials only. Do not share this email address with inmates or family members/Power of Attorney of inmates.

IRS BLUE BAG PROGRAM: PRISON LEAD SPREADSHEET INSTRUCTIONS

The Blue Bag Program – Lead Spreadsheet Excel file can be accessed at the following web address:

<http://webmail.corrections.state.la.us/sopwrk.nsf>

The spreadsheet should be completed with all of the required information:

	A	B	C	D	E	F	G	H
2	Lead Number <i>IRS ONLY</i>	First Name	Middle Name	Last Name	ID Number	Date of Birth	Social Security Number	DOI
3	040521 01 MO	Test	Middle	Mode	12345678	00/00/0000	123-45-6789	00/00/0000
4								

I	J	K	L	M	N
DOR	Type of Incarceration	Check Serial #	Check Amount	Facility Name	Facility Address
00/00/0000	Work Release	1234 56789012	\$12,000.00	REGIONAL CORRECTIONAL	1234 Main St, New York, NY 10012

N	O	P	Q	R	S
Facility Address	Contact Name	Tel #	Fax #	Email	Comments <i>IRS ONLY</i>
1234 Main St, New York, NY 10012	Point of Contact	123-456-7890	123-456-7890	person@michigan.gov	Check validation requests

COLUMN	TITLE	NOTES
A	Lead Number	IRS Use Only
B	First Name	Inmate's First Name
C	Middle Name	Inmate's Middle Name or Initial (if applicable)
D	Last Name	Inmate's Last Name
E	ID Number	Inmate's Unique Facility/System ID #
F	Date of Birth	Inmate's Date of Birth (MM/DD/YYYY)
G	Social Security Number	Inmate's SSN or ITIN (###-##-####)
H	DOI	Inmate's Date of Incarceration (MM/DD/YYYY)
I	DOR	Inmate's Projected Date of Release (MM/DD/YYYY)
J	Type of Incarceration	Work Release/Halfway House/etc (if applicable)
K	Check Serial #	Check # Being Submitted for Review
L	Check Amount	The Amount of the Check
M	Facility Name	Name of Your Facility
N	Facility Address	Your Facility Mailing Address (including City, State, ZIP)
O	Contact Name	Your Name
P	Tel #	Your Telephone Number
Q	Fax #	Your Fax Number
R	Email	Your Email Address
S	Comments	IRS Use Only

CATEGORY A, B, AND C DEFINITIONS

CATEGORY A INCIDENTS (IMMEDIATE REPORTING REQUIRED)

Escape

Report the number of escapes from the facility during the reporting month.

Escapes shall be reported into the following:

- Escape from Inside a Secure Facility: An act is considered to be an escape from inside a facility as soon as the offender breaches the last line (barrier) of security.
 - For example: If an offender clears the first fence of a double-fenced facility, but is caught inside the two fences, the act is considered an attempted escape and shall not be counted as an escape. (Attempted escapes shall be reported as a Category B incident.) However, if the offender clears the second fence, the act shall be counted as an escape from inside a secure facility, even if the offender is apprehended on prison grounds.
- Escape from Outside a Secure Facility: An act is considered to be an escape from outside a secure facility when the staff member responsible for supervision of the offender loses sight and sound of the offender while the offender is outside the secure perimeter of a facility.
 - For example: If an offender begins to run from an outside work detail, but is apprehended before the staff member supervising the work detail loses sight and sound of the offender, then the act is considered an attempted escape and shall not be counted as an escape. (Attempted escapes shall be reported as a Category B incident.) However, if the offender is not apprehended and the staff member supervising the work detail loses sight and sound of the offender, the act shall be counted as an escape from outside a secure facility.

Death

Report the number of deaths during the reporting month. Deaths shall be reported into the following causes:

- Accident
- Violence
- Suicide
- Suspicious or Unknown Cause
- Execution

Assault Resulting in Life-Threatening Injury

Report the number of assaults that resulted in a life-threatening injury during the reporting month. Assaults resulting in a life-threatening injury shall be reported into the following categories:

- Assaults (Offender on Staff): Report the number of offender-on-staff assaults that resulted in a life-threatening injury during the reporting month.
- Staff Victims (Offender on Staff Assaults): Report the number of staff victims from an offender-on-staff assault who sustained a life-threatening injury during the reporting month.
- Assaults (Offender on Offender): Report the number of offender-on-offender assaults that resulted in a life-threatening injury during the reporting month.
- Offender Victims (Offender on Offender Assaults): the number of offender victims from an offender-on-offender assault who sustained a life-threatening injury during the reporting month.
- Assaults (Staff on Offender): Report the number of staff-on-offender assaults that resulted in a life-threatening injury during the reporting month.
- Offender Victims (Staff on Offender Assaults): the number of offender victims from a staff-on-offender assault who sustained a life-threatening injury during the reporting month.

Staff Injured in the Line of Duty Resulting in Life-Threatening Injury (Excluding Assaults)

Report the number of staff who sustained a life-threatening injury while in the performance of duty (excluding assaults) during the reporting month.

Other

Report the number of each of the following incidents:

- Significant property damage
- Significant disruption to unit operations/ loss of control (e.g., hostage situation, work stoppage of ten or more [offenders or staff], riot, natural disaster, necessity of tact team / outside assistance, lockdown of all or part of the facility)
- Large-scale evacuation of all or significant part of the facility
- Any other significant/high-profile incident as determined by the Unit Head

Life-Threatening Injury: An injury with the potential for secondary complications such as shock, respiratory failure, or death or an injury that threatens a person's life.

Victim: A person who is harmed or assaulted/battered by another individual, regardless of whether the identity of the assailant(s) was substantiated by the disciplinary process or a court of law. However, there must be sufficient evidence that the sustained injury resulted from the assault and not an accident.

CATEGORY B INCIDENTS
(REPORTING REQUIRED WITHIN 24 HOURS)

Attempted Escape

Report the number of offenders who attempted escapes during the reporting month.

- Attempted Escape: An attempt to breach the security of a facility that fails because the offender is apprehended before a staff member loses sight and sound of an individual.
 - For example: If an offender clears the first fence of a double-fenced facility, but is caught inside the two fences, the act shall be counted as an attempted escape.
 - For example: If an offender begins to run from an outside work detail, but is apprehended before the staff member supervising the work detail loses sight and sound of the offender, the act shall be counted as an attempted escape.

Apprehension of Escapee

Report the number of offenders apprehended during the reporting month who had previously been reported as “escape” in Category A, regardless of when the offender escaped.

Death from Natural Causes/ Illness

Report the number of offender deaths that deemed to be from natural causes, including illnesses.

Gunshot, Class I

Report the number of Class I gunshots during the reporting month.

Assault Resulting in Significant Injury

Report the number of assaults that resulted in significant injury during the reporting month. Assaults resulting in significant injury shall be reported into the following categories:

- Offender on Staff Assaults
 - Staff Victims (Offender on Staff Assaults): the number of staff victims from an offender-on-staff assault who sustained a significant injury during the reporting month.
- Offender on Offender Assaults
 - Offender Victims (Offender on Offender Assaults): the number of offender victims from an offender-on-offender assault who sustained a significant injury during the reporting month.

Staff Injured in the Line of Duty Resulting in Significant Injury (Excluding Assaults)

Report the number of staff who sustained a significant injury while in the performance of duty (excluding assaults) during the reporting month.

Suicide Attempts

Suicide attempts shall be reported into the following categories:

- **Total Incidents:** Report the number of incidents that behavioral health staff deemed as a suicide attempt during the reporting month. Do not include incidents that behavioral health staff deemed as suicide gestures or self-mutilation.
- **Total Offenders:** Report the total number of offenders that behavioral health staff deemed as having a suicide attempt during the reporting month.
- **Offenders with Significant Injury:** Report the number of offenders who sustained a significant injury as a result of a suicide attempt.

Suicide Gesture

Report the number of incidents of self-injurious behavior that would not have resulted in death if no intervention occurred and/or were severe enough to cause. If no self-injurious behavior occurred, the incident is neither a suicide attempt nor a suicide gesture.

Hunger Strike

Hunger strikes shall be reported into the following categories:

- **Individual Hunger Strike:** Report the number of offenders who were observed/declared to be on a hunger strike during the reporting month. For an individual hunger strike to be reported as a Category B incident, it must last more than 10 consecutive days, result in hemodynamic instability, or require an emergency trip.
- **Organized Hunger Strike:** A hunger strike involving multiple offenders and/or units.
 - **Total Incidents:** Report the total number of incidents organized by and involving multiple offenders and/or units during the reporting month.
 - **Total Offenders:** Report the total number of offenders involved in an organized hunger strike during the reporting month.

Employee Arrest

Any employee arrested or charged with criminal behavior, other than traffic offenses. (Note: Local jails, community rehabilitation centers, and transitional work programs do not report employee arrests.) Employee arrests shall be reported into the following categories:

- **Job-Related Employee Arrests:** Report the total number of employee arrests that are job-related during the reporting month.
- **Not Job-Related Employee Arrests:** Report the total number of employee arrests that are not job-related during the reporting month.

Other

Report the number of each of the following incidents:

- Minor disruptions to unit operations (e.g., lockdown of a group of offenders, significant water outages, small fires, limited property damage)
- Small-scale evacuations (e.g., evacuations from a housing unit, gym, kitchen, school, office building, etc.)
- Any other small-scale / minor incident as determined by the Unit Head. If, due to the nature of the incident, it cannot be immediately determined if the incident is a Category A or B incident, the incident shall be reported as a Category A incident
- Self-mutilation

Class I Gunshot: Shots fired to prevent the commission of a felony, escape, or an act that could result in death or severe bodily injury to self or another person. A warning shot is NOT a Class I gunshot. Note: For the Division of Probation and Parole, a Class I Gunshot is a Category A incident.

Significant Injury: An injury that requires urgent and immediate treatment and restricts usual activities for a period of six weeks or more under the care of a physician.

Victim: A person who is harmed or assaulted by another individual, regardless of whether the identity of the assailant(s) was substantiated by the disciplinary process or a court of law. However, there must be sufficient evidence that the sustained injury resulted from the assault and not an accident.

Limited Property Damage: Property damage with a loss valued at \$1,000 or more that does not cause major disruption to operations.

CATEGORY C INCIDENTS
(FOR ALL FACILITIES/UNITS)

Violation of Rule No. 21, Sex Offenses

Report the number of offenders found guilty of violating Disciplinary Rule No. 21, Sex Offenses, during the reporting month. Report each participant in the sex offense violation so the number of sex offenses equals the number of Rule Violation Reports (RVRs) processed based on each incident. Each violation shall be reported into one of the following subparts of Rule No. 21:

- 21.A. Nonconsensual Sexual Act (offender-on-offender)
- 21.B. Abusive Sexual Act (offender-on-offender)
- 21.C. Sexual Misconduct (offender-on-offender)
- 21.D. Sexual Misconduct (offender-on-staff or offender-on-non-incarcerated person)
- 21.E. Obscenity, 21.F. Other Prohibited Sexual Behavior (offender-on-offender, offender-on-staff, or offender-on-non-incarcerated person), 21.G. Overt Display of Affection, 21.H. Failure to report any improper advances made by an employee on an offender.

See “Disciplinary Rules and Procedures for Adult Offenders,” Chapter 5: “Offender Rules and Violation Descriptions” for more information.

Gunshot, Class II

Report the number of Class II gunshots during the reporting month.

Assault Resulting in Minor Injury or No Injury

Report the number of assaults that resulted in minor injury or no injury during the reporting month. Assaults resulting in minor injury or no injury shall be reported into the following categories:

- Fight (Offender on Offender): Report the number of offender on offender fights that resulted in minor injury or no injury during the reporting month. Include fights not reported in Category A or Category B. Combatant(s) must be found guilty of violation of Rule No. 10, Fighting or Rule No. 11, Fighting, Aggravated.
- Throwing of Substance (Offender on Offender): Report the number of offender-on-offender attacks that involved throwing of substance(s) during the reporting month.
- Throwing of Substance (Offender on Staff): Report the number of offender-on-staff attacks that involved throwing of substance(s) during the reporting month.
- Weapon (Offender on Offender): Report the number offender-on-offender use of weapon during the reporting month.
- Weapon (Offender on Staff): Report the number offender-on-staff use of weapon during the reporting month.

- **Other Assault (Offender on Offender):** Report the number of offender-on-offender assaults not otherwise reported that resulted in minor injury or no injury during the reporting month.
- **Other Assault (Offender on Staff):** Report the number of offender-on-staff assaults not otherwise reported that resulted in minor injury or no injury during the reporting month.
- **Total number of Victims (All Offender on Offender Assaults):** Report the total number of offender victims from an offender-on-offender on assault who sustained minor injury or no injury during the reporting month.
- **Total number of Victims (All Offender on Staff Assaults):** Report the total number of staff victims from an offender-on-staff on assault who sustained minor injury or no injury during the reporting month.

Hunger Strike

Report the total number of incidents of hunger strikes (both individual and organized), regardless of length, during the reporting month. If a hunger strike meets the requirements to be reported as a Category B incident, report them there as well.

Use of Force

Report the number of incidents of use of force (immediate or planned) as well as the number of each type of use of force utilized (cell extraction, Taser®, and/or chemical agent) during the reporting month. Do not include incidents during which the only equipment used was handcuffs. Use of force shall be reported into the following categories:

- **Immediate Use of Force:** Report the number of incidents of immediate use of force during the reporting month.
- **Planned Use of Force:** Report the number of incidents of planned use of force during the reporting month.
- **Cell Extractions:** Report the number of incidents of cell extractions used during a use of force incident during the reporting month.
- **Taser®:** Report the number of incidents of use of Taser® during a use of force incident during the reporting month.
- **Chemical Agents:** Report the number of incidents of use of chemical agent used during a use of force incident during the reporting month.

Note: For each use of force incident, report whether the use of force was planned or immediate AND report the type of use of force utilized (cell extraction, Taser®, and/or chemical agent)

Class II Gunshot: Shots fired into the air to alert staff and/or offenders of an incident (also known as a warning shot), or accidental (unintentional) discharge of a weapon.

Minor Injury or No Injury: An injury that is not a life-threatening injury as outlined in Category A Incidents or a significant injury as outlined in Category B Incidents.

Weapon: Any object used as a weapon.

Victim: A person who is harmed or assaulted by another individual, regardless of whether the identity of the assailant(s) was substantiated by the disciplinary process or a court of law. However, there must be sufficient evidence that the sustained injury resulted from the assault and not an accident.

Immediate Use of Force: Use of force that staff is unable to prepare for prior to the commencement of force. Immediate use of force does not require supervisor approval prior to the commencement of force. Unit policies outline which staff may utilize immediate use of force and in which situations immediate use of force may be utilized.

Planned Use of Force: Use of force that staff prepares for by developing a strategic plan of action prior to the commencement of force.

Examples of Generally Accepted Accounting Principles (GAAP)

Economic Entity Assumption: Financial records shall be maintained separately for each economic entity. *Only TWP transactions should be kept in the TWP accounting system and reflected in TWP financial reports.*

Monetary Unit Assumption: An economic entity's accounting records must include only quantifiable transactions and must be recorded using US dollars. *All TWP transactions should involve US currency and be recorded in US dollars.*

Full Disclosure Principle: Financial statements must disclose the economic entity's past performance and conditions that may have imminent and significant effects on the entity's financial status, such as a pending lawsuit. *TWP financial statements must contain all relevant data for the time period reported.*

Time Period Assumption: Financial report data must accurately reflect the time period associated with the report. *TWP monthly financial report for April 2019 should encompass the entire month of April 2019.*

Revenue Recognition Principle: Revenue is earned and recognized upon product delivery or service completion, without regard to the timing of cash flow. *Offender paychecks for work done in a month (April 2019) should be recorded as income in that month (April 2019), not in a later month when the funds physically clear the bank account (May 2019).*

Matching Principle: The costs of doing business are recorded in the same period as the revenue they help to generate. *Participation fees deducted from paychecks in a month (April 2019) should be recorded as expenses in the same month (April 2019).*

Cost Principle: Assets are recorded at cost, which equals the value exchanged at the time of acquisition. *Cost = price paid.*

Accrual Basis Accounting: Financial transactions are recorded in the accounting period in which they occur, regardless of when cash changes hands.

Each month of transactions stands alone; therefore, each month should be closed out after all transactions occurring in that month have been entered. Offender paychecks for April 2019 should be recorded in April 2019. Likewise, the related participation fees should be calculated at the appropriate cost and recorded in April 2019.

Going Concern Principle: Unless otherwise noted, financial statements are prepared under the assumption the company will remain in business indefinitely.

Examples of Generally Accepted Accounting Principles (GAAP)

Relevance, Reliability, Consistency Principle: To be useful, financial information must be relevant, reliable, and prepared in a consistent manner.

- **Relevant information** helps a decision maker understand the past, present, and future condition of the company to make informed business decisions. *An example would be an offender's available account balance to determine if he can spend money at the canteen.*
- **Reliable information** is verifiable and objective. *An offender's gross wages for a certain period are calculated based on his hourly rate and the number of hours physically worked during that time period.*
- **Consistent information** is prepared using the same methods each accounting period, allowing meaningful comparisons across time. *TWP staff apply and record participation fees in the same manner each month.*

**TWP Management Corrective Action Plan
For Findings Noted in the Agreed Upon Procedure Report**

TWP Facility: _____ **FYE:** _____

Submitted by: _____
Printed name & title

Signature: _____

TWP management must develop and document a plan to prevent such findings from re-occurring in the future for each finding listed in the Agreed Upon Procedures (AUP) report for the fiscal year noted above. List each finding directly from the AUP report; the specific steps and/or control measures you will implement or change; the staff responsible for the plan; and a due date for completion. Attach additional sheets as needed.

#	Finding	Corrective Action Plan	Responsible Staff	Due Date
1	<i>Example: Commissary was understated on form PS-D-3-SOP-17-1b in March & May by \$250 and \$175, respectively.</i>	<i>Example: The Accountant will include detailed backup supporting the amounts reported on the form. The CFO will ensure the mathematical accuracy of the amounts reported by reconciling them with the detailed backup.</i>	<i>Jane Doe, CFO</i>	<i>6/30/21</i>