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DATE:	AUGUST 17, 2016
NUMBER:	S.1
SUBJECT:	SUPERVISION AND ASSIGNMENT OF INMATE WORKERS
RELATED SECTIONS:	S.3 , S.5 , R.3 , MSD I.2 , O.1

PURPOSE

To standardize the supervision and assignment of inmate workers within the Detention Services Bureau.

POLICY

It shall be the responsibility of the inmate worker deputy (IWD) to perform the majority of the supervision and assignment of inmate workers, and the general responsibility of each deputy to functionally supervise inmate workers.

PROCEDURE

I. THE IWD DETERMINES INMATE WORKER SUPERVISION AND ASSIGNMENTS

- A. The IWD will determine the current charges, run a criminal history records check, and review the Incidents record on all prospective inmate workers. The IWD will ensure the Inmate Worker Application (J-114A) form is completed and filed in the inmate's custody record on all inmates hired. All inmate workers shall complete and sign an Inmate Medical Questionnaire (J-235) form to be reviewed by the IWD. The IWD is also responsible for enrolling inmate worker information into Custody Programs and conducting a weekly audit of all inmate workers to monitor their legal status and make appropriate changes. At the time an inmate is “hired,” the IWD will enter a ‘W’ in the Management Plan in the Jail Information Management System (JIMS). All inmates hired will be informed of the department's zero tolerance policy on sexual abuse and harassment and sign the Inmate Worker Contract (J-114) form as acknowledgment of the information. Both the J-114 form and J-114A form are available online in English and Spanish in the Detentions forms folder. All inmates hired must have both forms filed in their custody record.
- B. Deputies and other detention facility staff members using inmate workers have the functional responsibility of supervising and directing the work and conduct of the inmate workers during their shift. Inmate workers require supervision and frequent reminders of their work duties, but tolerance and impartiality when supervising them must be maintained.
- C. When personality issues or poor work standards develop with inmate workers, the IWD will change assignments or take remedial action as soon as possible. Except in an emergency, the IWD will accomplish any duty transfer or “roll up” of an inmate worker.

- D. Deputies requesting that an inmate worker be “rolled up” should refer the incident report to the IWD for handling. The watch commander must approve the incident report when an immediate “roll up” is requested. Any questions or concerns arising out of an inmate worker’s status will be referred to the IWD.

II. GENERAL CRITERIA FOR ASSIGNMENT OF INMATE TO INMATE WORKER STATUS

- A. Inmates may either be sentenced or unsentenced, as detention facility needs dictate.
- B. The inmate’s bail amount should be one of several considerations evaluated during the inmate worker selection process. As such, there is no specific bail amount that, alone, disqualifies an inmate from inmate worker status. The bail amount should be considered along with the type of offense, prior record, level of criminal sophistication, prior custody history, if any, and the availability of inmate worker candidates.
- C. No inmates with Parole Holds who will be returning to prison, or who may otherwise be considered unacceptable based on parole officer’s evaluation/information, will be made an inmate worker.
- D. No history of excess violence.
- E. No one who has been convicted or civilly or administratively adjudicated to have engaged in sexual abuse in prison, jail or any other confinement facility or attempting to engage in sexual activity in the community facilitated by force.
- F. No 1551.1 P.C. fugitives.
- G. Generally, inmates with escape records are unacceptable; however, an individual case may be reviewed and approved by the watch commander.
- H. No inmates with state prison commitments.

III. INITIAL INMATE WORKER MEDICAL SCREENING

- A. All prospective inmate workers shall complete and sign J-235 form. The completed form will be reviewed by medical staff prior to being hired. Inmates will be cleared on a case by case basis and may be limited in work assignments based on established medical criteria.
- B. All prospective inmate workers will have a current chest x-ray (within six months).

IV. INMATE WORKERS ASSIGNED TO FOOD HANDLING-MEDICALLY SCREENED

All food service workers shall be screened and cleared by the facility medical staff prior to being assigned to food preparation and serving areas. A medical history shall be completed to screen for infectious diseases including, but not limited to food borne illnesses and skin lesions.

V. SENTENCED INMATE WORKERS UNDER SHERIFF'S STAFF SUPERVISION MAY WORK OUTSIDE THE DETENTION FACILITY

- A. The requesting party will furnish the watch commander with a list denoting time, dates and the number of inmate workers desired for the outside work. A copy of the list will be given to the IWD, who will select the necessary number of inmate workers. It is preferred to use inmate workers sentenced to thirty (30) days or less.
- B. These inmates are to have no pending holds or charges. The IWD will furnish the receiving deputy with the names and photos of the inmate workers and a copy of the request. The receiving deputy will log the inmate workers out, log them in again, and strip-search them in the receiving area.

VI. INMATE WORKERS GOING TO COURT

The IWD will keep a daily list of all inmate workers going to court. The IWD will provide inmate worker work site supervisors with a daily inmate worker court list.

VII. INMATE WORKERS RECEIVING ADDITIONAL HOLDS OR COMMITMENTS

The detention processing technician will be responsible for booking additional arrests or holds in JIMS. Once the hold is entered into JIMS, an automatic notification will be forwarded to the Jail Population Management Unit (JPMU) via the 'Pending Classification' report. The JPMU staff member, re-calculating the inmate's classification code due to the added charges, will be responsible for immediately notifying the IWD or the housing deputy in order to ensure the inmate worker is dismissed of his duties and removed from the module in a timely manner.

VIII. INMATE WORKERS PARTICIPATING IN VOCATIONAL PROGRAMS

- A. All prospective inmates to be assigned to a vocational program will be medically screened prior to the assignment.
- B. Inmates currently taking psychiatric medications shall not be assigned to the following vocational programs:
 - 1. GBDF- Landscaping
 - 2. EMRF- Construction and Print Shop
 - 3. LCDRF- Construction and landscaping

IX. INMATE WORKER CLOTHING

All food handlers shall wear clean, washable "kitchen white" outer garments, keep their hands clean, confine their hair, and use appropriate serving devices, i.e. tongs, gloves, ladles, etc. The kitchen specific outer clothing shall not be worn outside of their work assignment unless they are en route to or from their work assignment. Kitchen specific outer clothing is issued in addition to the regular tan worker outer clothing.

X. RESTRICTIONS

Housing facilities (SDCJ, GBDF, SBDF and VDF) will limit the number of sentenced level 1 and 2 inmate workers to 15% of the total number of inmate workers authorized. In addition, the above mentioned housing facilities shall hire inmate workers based on the following priority order:

- A. Sentenced Level 3 inmates
- B. Unsented Level 1 and 2 inmates
- C. Unsented Level 3 inmates
- D. Sentenced Level 1 and 2 inmates

XI. LENGTH OF ASSIGNMENT

Inmate workers will only be allowed an assignment for a period of one year at any one facility. After one year has been completed, the inmate will be transferred to another facility as an inmate worker. The IWD at each facility will be responsible for tracking and coordinating the movement. The facility commander has the option of extending an inmate worker's time for a period of 6 months for the purpose of completion of programs that are not provided at other facilities.

Exceptions to the one-year term will be allowed for the following facilities:

- A. The Las Colinas Detention and Reentry Facility due to the limitations of female housing.
- B. The East Mesa Reentry Facility due to reentry programs that will not be available at other facilities.

DATE:	MAY 6, 2016
NUMBER:	S.2
SUBJECT:	INMATE WORKER IDENTIFICATION CARDS
RELATED SECTIONS:	

PURPOSE

To provide a standardized inmate worker identification system throughout the Detention Services Bureau.

POLICY

Inmate worker deputies (IWD) may select inmate workers who meet housing criteria. Inmate workers will be screened and selected for job assignments by the IWD assigned to the facility. The IWD will issue appropriate colored identification cards to eligible workers. Inmate workers are required to wear their identification card once they leave their assigned housing area. Inmates will immediately report a lost or damaged identification card to a staff member.

PROCEDURE

- I. **RED Identification Card:** Inmate workers that are sentenced and have less than 36 months to serve or unsentenced and do not fit the criteria for outside worker deployment. Their assignments require constant direct supervision.
- II. **BLUE Identification Card:** Inmate workers who are sentenced and have less than 18 months to serve can only work inside of the facility, but do not require constant supervision.
- III. **YELLOW Identification Card:** Inmate workers who may work outside of the facility with constant supervision. They shall meet the following criteria:
 - A. Sentenced to local time with no additional bookings, warrants or holds and have less than 12 months to serve.
 - B. Must not have been convicted of the following types of crimes:
 - 1. Serious history of violent criminal conduct (i.e., armed robbery, assault with or without a weapon).
 - 2. Escapes or attempted escapes, including “walk-aways.”
 - 3. Sexual violence or “sex-related” offenses or prior convictions.
 - 4. Extensive narcotics history (i.e., usage and/or sales).
 - 5. Serious weapon charges or history of illegal possession of weapons.

6. Any charge(s) that is politically sensitive or could cause embarrassment to the department.
7. No immigration holds.
8. Must have a confirmed U.S. address.

IV. WHITE Identification Card: In addition to all of the criteria listed above in Procedure III, Section B, the inmates must have 6 months or less to serve. The IWD will complete periodic reviews of continued white identification card eligibility, as deemed necessary by each facility commander. They do not require constant direct supervision, but will require occasional supervision by the job site supervisor. Inmates issued white identification cards may be assigned to work off the facility grounds, with a deputy or other authorized staff member.

DATE:	MAY 8, 2013
NUMBER:	S.3
SUBJECT:	INMATE WORKER AND DISCIPLINE
RELATED SECTIONS:	O.1, S.1, S.5

PURPOSE

To provide a uniform and consistent method of administering discipline, thereby providing a more efficient Inmate Work force.

POLICY

An Inmate Worker will not be removed from inmate worker status (rolled-up) without the Watch Commander or Inmate Worker Deputy having reviewed the Incident report.

PROCEDURE

- I. When an Inmate Worker commits any violation of Inmate Rules and Regulations, the deputy detecting, or observing the violation shall write an Incident report, detailing the circumstances surrounding the violation.
 - A. A progressive rate of discipline is recommended. An example of this is as follows:
 1. Removal from or change of work assignments
 2. Assignment of extra work detail
 3. Loss of commissary (1 week)
 4. Loss of social visits
 5. Loss of pay (inmate worker wages)
 6. Loss of good/work time
 7. Loss of Inmate Worker status
 8. Disciplinary isolation
 9. Disciplinary diet
 - B. Whenever the disciplinary Incident report is prepared and referred to the Inmate Worker Deputy, a copy shall be given to the Watch Commander, or Shift Sergeant, of the team that initiated the Incident report.
 - C. Any Inmate Worker “rolled-up” shall be immediately removed from the work site.

1. The Inmate Worker identification badge shall be confiscated, along with their Inmate Worker clothing.
 2. The Inmate Worker shall be dressed out in mainline clothing and removed from the Inmate Worker housing unit.
- II. Incident reports shall be written on ALL DISCIPLINE affecting Inmate Workers. They are to be processed and distributed according to policy.

DATE:	OCTOBER 5, 2009
NUMBER:	S.5
SUBJECT:	INMATE WORKER PRIVILEGES
RELATED SECTIONS:	S.1, S.3

PURPOSE

To maintain motivation in the Inmate Worker work force.

POLICY

Inmates serving as Inmate Workers will be afforded certain privileges not available to non-workers.

PROCEDURE

- I. Each facility shall establish a list of Inmate Worker privileges. Each Inmate Worker will be allowed such privileges except when being disciplined. These privileges include:
 - A. Pay
 - B. Extra food
 - C. Extra visiting time
 - D. Extra recreation time

- II. Inmate Worker Deputy:

The Inmate Worker Deputy will be responsible for the administration of Inmate Worker privileges. The Inmate Worker Deputy and Watch Commander will approve any exceptions or denial of privileges.

DATE:	AUGUST 1, 2013
NUMBER:	S.7
SUBJECT:	WORK RELEASE PROGRAM
RELATED SECTIONS:	PC 4024.2

PURPOSE

Provide eligible persons referred by the courts an opportunity to perform public service work in lieu of serving a term of confinement in custody as ordered by the court.

POLICY

The Sheriff's Work Release Program will review for eligibility any referral by the Superior Court of San Diego County if the person referred has been sentenced to a term in custody of the Sheriff not exceeding 30 days. Participation by the person referred is on a voluntary basis if the person meets background and medical standards.

The Supervising Correctional Counselor designated as the supervisor for the Work Release program is further designated as the person in charge of the program for purposes of issuing Work Release Notifications of Failure, PC 4024.2 subsection 4 (c).

Pursuant to section 4024.2 subsection 4 (d) Work Release staff may find that an individual authorized by the court to participate in the Work Release Program in lieu of custody is not a suitable subject for participation if it appears from the record that the person has refused to satisfactorily perform as assigned or concludes that the person is not eligible.

PROCEDURE

I. OUT OF CUSTODY OPERATIONAL PROCEDURES:

- A. Self-commit referrals to Work Release will be initiated by the court sending a copy of the court order to the Work Release office. It is the responsibility of each court to make sure that court orders are forwarded in a timely fashion. On receipt, the Work Release staff, or Supervising Correctional Counselor will document the referral by entering the referral into the Work Release database.
- B. The court shall provide the Work Release telephone number (619) 615-2487 to defendants assigned to the program. The court should also inform the self-commit to contact Work Release within 72 hours. A voice mail message does not meet this requirement.
- C. Work Release staff will gather the necessary information and perform a background check. The referrals that are cleared for participation will be scheduled for an intake appointment for enrollment.

For those rap sheets with questionable or borderline charges/convictions, the Supervising Correctional Counselor will conduct a review of the rap sheet and make a final determination about eligibility.

- D. Work Release staff will notify the referring court of all participants who are found to be ineligible for the program by completing a Notice of Ineligibility form and sending it to the Criminal Division of the Clerk of the Court with a copy of the notice to the defendant.

All Notices of Ineligibility will be reviewed and signed by the Supervising Correctional Counselor or designated staff prior to mailing.

- E. Work Release staff (or designated staff in his/her absence) is responsible for Work Release Orientation and will review the booking slip to ensure that all recorded information is correct. The Work Release staff (or designated staff) will also review the participant's photo identification and court papers. All approved participants will be given an Order to Release and Referral to Work Project (pink copy) indicating the total number of days to complete on Work Release and a date by which they must report to the Work Project Office.

The participant will be provided with a copy of the Program Orientation Sheet that outlines the program and provides direction to the Work Project Office. The participant will also be given verbal and written instructions and directions to proceed to the San Diego County Probation Department's Work Project Office. At the Probation Work Project Office, the participant is to pay the administrative fee which is subject to change on an annual basis. At this location, the participant will be enrolled and be provided a work schedule.

II. PROGRAM COMPLETION/FAILURE PROCEDURES

- A. Every week, Work Release staff will receive a list from the Probation Department's Work Project Office of participants that have completed their commitments, as well as program failures.
- B. On receipt of this information, Work Release staff is responsible for updating the records by inputting the data into the Work Release database. Two to three days after receipt of the list noted above, documentation will be received from the Work Project on each participant either completing the commitment or failing the program. Work Release staff will pull the participant's packet, insert the documentation and return the packet to the appropriate file drawer.
- C. If the participant has successfully completed the program the packet will be filed in the Work Release Completions file drawer.
- D. If the participant failed to complete and was terminated from the Work Release program, Work Release staff will document the participant's termination from the program and prepare a Notification of Failure. The notification will include the name and date of birth of the defendant and will provide the number of days remaining to be served.
- E. The Supervising Correctional Counselor or designated staff will review and sign the Notification of Failure for content and accuracy prior to mailing.
- F. A copy of the Notice of Failure will be mailed to the participant's last known address and the court.
- G. Copies will be attached to the participant's packet, which will be filed in the Ineligible/Failures file cabinet.

- H. If the person authorized to perform work release in lieu of custody does not contact the Work Release office within 72 hours as directed by the court, Work Release staff will inform the court of the non-compliance by forwarding a Notification of Failure form to the court. The Supervising Correctional Counselor or designated staff will review and sign the Notification of Failure prior to mailing.
- I. As the need arises or when requested by the court, the Supervising Correctional Counselor shall provide in-house training or presentations to court personnel regarding Work Release procedures, P&P, documentation or any other Work Release related subject for which the court needs clarification.

III. WORK RELEASE PROGRAM FILE AUDITS AND REVIEWS

- A. On a quarterly basis, the Supervising Correctional Counselor overseeing the Work Release Program shall conduct an audit. Each audit will include, but not be limited to, a review of the following items:
 - 1. All current active cases – this will help determine whether any cases listed as “active” should actually be closed out.
 - 2. A review of a reasonable percentage of the Notifications of Failure that have been issued – this is to ensure that accurate reporting has taken place and no errors in days worked vs. days owed has been made.
 - 3. Court commits received directly from the court in the “pending” file have not been “pending” for more than 30 days post-sentencing.
- B. The audit will be conducted with the use of the Work Release Audit Form. At the end of each calendar year, the previous year's Work Release files will be stored and retained for three years.

IV. EXCLUSIONARY CHARGES

Persons convicted of the following offenses or the attempts thereof are not eligible for the Work Release Program.

- PC 187 Murder
- PC 192 Manslaughter
- PC 191.5 Vehicular manslaughter while intoxicated
- PC 192C (1) Vehicular Manslaughter
- PC 192C (3) Vehicular Manslaughter
- PC 203, 205 Mayhem
- PC 207, 208 Kidnapping
- PC 209 Kidnapping for ransom, robbery, rape
- PC 211 Robbery
- PC 220 Assaults w/intent to commit sex crime
- PC 245C, D ADW on Peace Officer
- PC 261 Rape
- PC 264.1 Rape w/Foreign Object
- PC 286C, D Forcible Sodomy
- PC 288 Lewd Act on a child

PC 288.5 Continuous Sexual Abuse of a child
PC 288a (2) Forcible oral copulation
PC 288C, D Victim has mental disorder, dev. Disabled or unconscious
PC 289A Forcible acts of penetration
PC 451 Arson
PC 487(d) (2) Grand theft firearm
PC12022B Offense w/personal use of deadly weapon
PC12022.5 Personal use of firearm
PC 12022.7 Personal infliction of great bodily harm
PC 273A Child abuse
PC 273.5 Spousal abuse
PC 136.1 Witness intimidation
HS 11382 Possession for sale of controlled substance
HS 11378 Possession for sale

Additional exclusionary offenses, whether felony or misdemeanor, include any sex offense wherein the victim is a child under the age of 18, including all offenses requiring registration as a sex offender under section 290 of the Penal Code; and also offenses involving child pornography as described in sections 311 through 312.3 of the Penal Code.