

JUDICIARY - J O I N T H E A R I N G - W A Y S & M E A N S

57th Nevada Assembly Session

MINUTES

February 22, 1973

The joint meeting of the Committee on Judiciary and the Committee on Ways and Means was held in order that these bodies might hear testimony on A.B. 32.

A.B. No. 32 SUMMARY-Authorizes work release program for state prisoners.

The meeting was called to order at 8:08 AM, by Assemblyman Don Mello, Chairman of Ways and Means. Mr. Mello introduced himself and Mr. Keith Hayes, Chairman of Judiciary to those present.

MEMBERS PRESENT: MESSRS: MELLO, HAYES, SCHOFIELD, DREYER, PRINCE, CAPURRO, ROBINSON, FRY, LOWMAN, GLOVER, HUFF

MEMBERS ABSENT:

GUESTS: SEE ATTACHED

Mr. Mello called on Mr. Fred Hoover to lead off the testimony.

Mr. Hoover, representing the American Justice Institute, gave an explanation of his background, stating that he is presently Deputy Work Furlough Administrator of the California state prison in San Mateo County. He said that over 340 prisoners under his direction have gone through the San Mateo County work furlough program, and 80% of those have been successful. "In looking at the bill, it seems to assume that everybody is successful, this of course is not true." In an informal study it was found that people who have gone through the work furlough program, have a job, and some financial security, tend to be about twice as successful as those released without this benefit. Mr. Hoover was asked what type of program they had for prisoners, and what type of work they do. He replied, there is no specific type of program, and they work as janitors, in service stations, industry, etc. Some make as much as \$50.00 per day while others receive only minimum wage.

Mr. Robinson asked if 20% are failures, what do they do for you to term them a failure. Mr. Hoover replied that about half of them got drunk and did not come back on time etc., only one serious crime was committed by a person on work furlough other than that they were minor infractions. Mr. Robinson queried if these prisoners were released to travel throughout the state to which Mr. Hoover answered that he could release them to go anywhere in the state of California, however they are generally limited to San Mateo,

San Francisco County, and the other Bay area counties.

Mr. Capurro inquired how many people were out now on this type of program. Mr. Hoover said about 21 at this time. Over a period of six and one half years over 2,250 prisoners have gone through this program. There are 23 Counties in California that have work release programs. Mr. Capurro then asked if Mr. Hoover would term it a successful operation. "Yes, I would."

Gary Hill representative of the Nevada Jaycees, testified to the Committee that the work release program has been a program that the majority of other states have adopted and have in use. Mr. Hill said that the program has been an outstanding success, and in definition of success he stated that under these terms it is the ability to keep a person crime free after their initial contact with the criminal justice system. He then listed various organizations who have endorsed this program. The chief recommendation comes from the correction staff board which utilized community cooperation. "North Carolina probably has the largest experience with work release." Last year they sent out from their confined population over 116,000 times. There were 1525 violations, 98% of these violations were minor infractions such as returning late, or with the smell of alcohol on the breath, etc., 30 people committed other crimes such as robbery etc. Mr. Hill went on to inform the Committee that the only intensive study that extends over a period of time comes from Brookhousen, Massachusetts, done on a contractual basis with the state. The study was made in 1968 of 58 prison residents. Mr. Hill gave figures to show how selective this test group was. In this five year period the percentage of people committing another crime and returning to an institution was 29.3%. Going into the economics of the situation, Mr. Hill said that in Nevada, assuming that 30% of the prison population could be eligible for work release and they were able to make \$8,000.00 per year from \$1,600,000.00 in wages now being earned, with sales tax, etc., Nevada could expect an annual return of \$56,000.00 to the state in taxes. That is a tremendous return on the \$12,000.00 investment that is being asked. The Jaycees of the state of Nevada not only support this type of program, but support it the way citizens are supposed to. They will personally undertake the responsibility of working with the probation services, parole officers and department of corrections in helping the men obtain jobs in community services. "I think this is a fine bill and it deserves support."

John Lindscott, Vice-President of the Nevada Jaycees, appeared before the Committee next. Mr. Lindscott stated that he was here to back up previous statements made by Mr. Hill, and also that the work release program has been designated as the number one project for the forth coming year. There are fifteen chapters in this state ready to "Help in any capacity to aid prisoners in finding jobs". Nevada Jaycees will also work with other civic organizations to do whatever is necessary to provide employment.

Mr. Hayes asked about whether or not there is a Jaycee chapter at the prison. Mr. Lindscott informed the Committee that there is a prison chapter, and a functioning unit. There are 39 regular members and 11 associate members. This is the first year in the history of the Nevada State Prison Jaycees that they have paid their own local and national dues. The question was asked as to whether this would be an on-going program with the Jaycees. Mr. Lindscott replied that any program which met with success is usually carried through. The Jaycee motto is "Leadership training through community development".

Mr. James Cooper of the U.S. Bureau of Prisons, told the Committee that he had been with this department for the last eleven years working both in and outside. The last five years in a work release situation of placement, and finding jobs for prisoners. It has been found that there is more likelihood of a man who is discharged from prison without money to return than the man who has been on work release and has saved a little money. "Each institution has to establish it's own guidelines." "We have found that if a man has money when he comes out on the streets he won't be concerned with trying to rob a bank, service station, etc." We have also found that he will wait a little longer in obtaining the right kind of employment. One week ago, Mr. Cooper related, I was in Las Vegas, and had nine former offenders come to me regarding employment. "This may sound funny, gentlemen, but I made nine phone calls to companies I have never even heard of in my life." Each made similar statements, that they would not hold the man's criminal activity against him, "we have an opening," if the man is qualified for it, send him out". We feel that the work release program is a very needed tool in rehabilitation.

Mr. Bud Campos from the Department of Parole and Probations, stated that he would address himself to some of the particulars of the bill rather than try to sell the Committee on the work release program. Although Mr. Campos did say that he was fairly sold on the program, and that from all the research he had done this is a valid tool in the civil process. In any program there are failures. The number of crimes committed by persons on work release is normal for any cross section of society. Mr. Campos said that he would like to know what type of person to be looking for to put on a work release program, etc. Mr. Campos called on Mr. Ed Glick to explain a little about the money being brought in from the room and board the people on work release would pay. Mr. Glick said that these monies would go to the county in which the prisoner was working and staying. "In general, the public is for the program because they can see that revenue was coming in, these prisoners were paying their own way within the prison, and they are also paying child support, fines due the county, etc."

Ms. Pat Lewis addressed the Committee at this point, stating that her background is in social psychology with special emphasis on penology. She pointed out for benefit of the Committee that 24 states had work release in 1967, and 40 states in 1970. She said that correctional administrators have indicated that when alcohol becomes a problem antibuse and work release go together. "Work release is worth the risks involved". I am concerned with the priorities and how they might be expressed with regard to salaries. In Section 6 of this bill it is more realistic to say a "portion of the price". Bear in mind that by and large the amount of money that these men will make will be pretty minimal. Savings for release should be paramount, it should not be dependant on if there is any left. She spoke further concerning her beliefs as to what and how these priorities were and should be selected. Ms. Lewis also questioned Section 9 of A.B. 32 feeling that it is too strict. An escape from the work release program constitutes an escape from the Nevada State Prison and is punishable as a felony. "You must remember, these men on work release are on a half free status" this should be regarded in a different light than an escape from a stronghold security situation. Many states classify this form of escape punishable as a misdemeanor.

Mr. Prince commented that from what he gathered Ms. Lewis is saying that we ought to give a man on the work release program more consideration than

we give a man on the labor market. Ms. Lewis said "different consideration". Mr. Prince took exception saying that she evidently felt that the state should pick up half the tab for supporting his family, part of the tab for room and board etc., "It doesn't quite make sense to me that these considerations are given to a man who is being punished for committing a crime."

Ed Pough, Deputy Warden of the Nevada State Prison ended the testimony for those in some degree of accord with this bill by telling the Committee that the administration of the prison does support this bill, but also has a number of minor recommendations that would make it much easier to administer. These will be given to the secretary in writing. (see attached) The prison sees this as one part of corrections and certainly not a magic stone for everyone. Controls are necessary and it is felt that the bill does have adequate controls both at the prison and with the Department of Parole and Probation. Mr. Pough said he should go on record as stating that this is not a prison bill, they did not ask for it, they are not actively supporting it, but it is a part of corrections that is recognized and would therefore be administered.

Speaking in opposition of this legislation was Mr. Lou Paley, Executive secretary of the AFL-CIO. He said, "I believe that this is the third session that this bill has appeared." "I have heard it mentioned that these people would make in the area of \$10,000 a year. Today in unemployment in the state of Nevada there is an average of 6%. There are 700 people coming into this state every day who are heads of families and looking for jobs. They are more entitled to these jobs than prisoners. "We do not think work release is the answer". I will say it again, "I say it every time I appear before the Committee. "Our taxes pay for all these boards, four different boards, to help these people." "They should work out some type of apprenticeship program, making furniture, etc." "We would like to help them, but I do not think this is the answer". "If we thought it was we would be the first people to stand here and tell you."

Mr. Capurro retorted, "your humane attitude overwhelms me". "These people are going to be out on the streets, the whole idea of the work release program is to allow them to know what the outside is going to be before they are completely there." "I do not see them a threat on your organization, or the work force of the state of Nevada. We are only talking about a total of seven hundred people locked up in the state. This is in an embryo stage." "I think it is time for this kind of program in Nevada, I think we are sadly lacking in time right now. We probably should have passed this bill two sessions ago. These people are going to be out, We are not talking about people who are locked up forever."

Mr. Mello thanked the witnesses and announced the Committee in recess.

STATE OF NEVADA
WAYS AND MEANS COMMITTEE
GUEST REGISTER

DATE: FEB 22, 1973

NAME	REPRESENTING
Gene Caplan	Prison
E. Deane	Prison
A. Hill	Prison
M. Orr	Prison
W. E. Brown	NEVADA JAYCEES (Prison)
J. E. Lambert	Nevada Jaycees
Bob Conley	Carson City Jaycees
James R. Woodcock	Carson City Jaycees
C. L. Carter	U.S. Bureau of Prisons
Fred J. Hoover	Division of Justice, Wash. D.C.
E. Hill	New York & Co.
R. J.
Gary Hill	U.S. JAYCEES
L. B. ...	NEV. STATE PRISON
...	...
...	...



NEVADA STATE PRISON

P.O. Box 607

CARSON CITY, NEVADA 89701

February 26, 1973

TO: ASSEMBLYMAN HAYES, CHAIRMAN OF
ASSEMBLY JUDICIARY COMMITTEE AND
ASSEMBLYMAN MELLOW, CHAIRMAN OF
ASSEMBLY WAYS AND MEANS COMMITTEE

FROM: NEVADA STATE PRISON

SUBJECT: ASSEMBLY BILL # 32: AUTHORIZES WORK RELEASE PROGRAM FOR STATE PRISONERS

INTRODUCTION:

Although not requesting the drafting of AB32, the Prison staff feel that it might be an effective and workable program if passed. However, we would strongly urge consideration of certain integral, technical revisions and/or amendments, so as to render the administration of the program simpler and more efficient.

Contained below, is a section by section analysis - and concurrent recommendation or amendment - of those sections felt to require changes. The format utilized is a justification of the desired section change, followed by a suggested rewording of the section and/or subsection involved.

SECTION II, LINE 3:

The Prison is obligated to work through the State Board of Prison Commissioners when instituting any major programs or revisions thereof. The suggested amendment merely includes the State Board of Prison Commissioners in this section. The change would also bring this section into alignment with 209.350, wherein "The Board" refers to the State Board of Prison Commissioners, and not the State Board of Parole Commissioners.

SUGGESTED REVISION OF SECTION II:

1. The State Board of Parole Commissioners, through the Chief Parole and Probation Officer, and the State Board of Prison Commissioners, through the Warden, shall establish and administer a work release program under which a person sentenced to a term of imprisonment in a penal or correctional institution may be granted the privilege of leaving secure custody during necessary and reasonable work hours to: (a) Work in the State at gainful private employment that has been approved by the State Board of Prison Commissioners and the State Board of Parole Commissioners for such purpose. (b) Obtain in this State additional education, including but not limited to vocational, technical and general education.

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2. The work release program may also include, under rules developed by the Chief Parole and Probation Officer and approved by the State Board of Parole Commissioners, and the Warden as approved by the State Board of Prison Commissioners, temporary leave for the purpose of seeking employment within the State of Nevada.

3. The State Board of Parole Commissioners is responsible for the quartering and supervision of prisoners enrolled in the work release program.

SECTION III, SUBSECTION I, BEGINNING AT LINE 20:

The only eligibility stated in this section, in essence, are non-lifers. We would recommend that lifers be potentially included in the program, once they have reached parole eligibility. We would recommend excluding those inmates serving life without possibility of parole sentences, as well as sex offenders requiring certification by a Psychiatric Panel prior to parole eligibility, but who have not as yet been certified. The Prison staff feel that certain lifers would make excellent candidates for inclusion in a work release program, once they have reached parole eligibility, but before they have actually received parole. Ideally, a work release might provide an excellent test of stability for a lifer, in preparation for eventual parole under somewhat less - structured conditions.

SUGGESTED REVISION OF SECTION III, SUBSECTION I:

The Warden shall, by appropriate means of classification and selection, determine which of the prisoners [who have not been sentenced to a life term] are [eligible] suitable for the work release program. Inmates who are serving life terms and have not yet otherwise reached parole eligibility would be excluded from consideration, as would sex offenders who require certification by a Psychiatric Panel prior to parole eligibility, but who have not as yet been certified.

SECTION III, SUBSECTION II, LINE 2:

We would suggest substituting the word "suitable" for the word "eligible." We can envision many cases in which inmates might be eligible for inclusion in the program, but hardly suitable for approval. Additionally, on line 4, we would recommend inserting the word "most" prior to the word "suitable."

SUGGESTED REVISION OF SECTION III, SUBSECTION II, LINE 2:

The Warden shall then submit to the Board of Parole Commissioners the names of those prisoners he determines to be [eligible] suitable for the work release program, and such Board shall select from such names the prisoners they consider to be most suitable for the program.

SUGGESTED CHANGE IN SECTION III, SUBSECTION III, LINE 7:

After the numeral "10," we would suggest inserting the word "working." In effect, this would allow the courts two full weeks in which to respond in selected cases.

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SECTION III, SUBSECTION III, LINE 7:

Before work release privileges are granted to any prisoner so selected, the sentencing court shall be notified of the intent to take such action. If such court does not object within 10 working days of such notice, the State Board of Parole Commissioners may proceed to enroll such prisoner in the work release program.

SUGGESTED CHANGES IN SECTION III, SUBSECTION IV, LINE 12:

We would recommend substituting the word "enforce" in place of the word "assure. In effect, the Chief Parole and Probation Officer could hardly assure that each participant would comply with the program, but he is certainly in a position to enforce the approved, general procedures and objectives of the program.

SECTION III, SUBSECTION IV, LINE 12:

In enrolling a prisoner in the work release program, the State Board of Parole Commissioners shall delegate full authority to the Chief Parole and Probation Officer to take all necessary actions to [assure] enforce compliance by such prisoner with the general procedures and objectives of the program.

SUGGESTED CHANGE IN SECTION IV, SUBSECTION III, LINE 27 & 28:

We would recommend including the words "State Board of Prison Commissioners," after the words "Parole Commissioners," for the reason cited above under the heading of "Section II, Lines 3 & 15."

SECTION IV, SUBSECTION III, LINES 27 & 28:

Subject to the approval of the State Board of Parole Commissioners, and the State Board of Prison Commissioners, the Chief Parole and Probation Officer and the Warden shall adopt rules for the administering of the provisions of Section 2 to 10, inclusive, of this Act.

SUGGESTED CHANGES IN SECTION V, SUBSECTIONS I, II, III AND IV, LINES 31 THROUGH 41:

The Prison staff recommend that the various approved disbursements, taken from a participating inmate's earnings, be controlled on as local as possible a level, specifically, by the supervising parole officer. It is felt that if the Prison (Warden) attempts to make such disbursements, the process would be extremely awkward and cumbersome. Moreover, the parole officer on the scene would be in the best position to verify or refute individual expenses, costs and encumbrances. In addition, the supervising parole officer would have an excellent line of communication with the Chief Parole and Probation officer, who would ultimately approve or disapprove the individual disbursements.

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However, it is recommended that all funds over and above individual expenses be referred to the Warden for placement in the individual inmate's retention fund, to be allotted the inmate upon subsequent parole or expiration release from prison. Specifically, funds in excess of an inmate's expenses on work release would be placed in his regular prison trust account, but "frozen" pending subsequent release from prison. The foregoing would correlate with Section VI, Subsection II, Lines 3 through 5.

SUGGESTED CHANGE IN SECTION V, SUBSECTION I, II, III AND IV, LINES 31 THROUGH 41:

It is specifically recommended that Section V be deleted in its' entirety, as the Parole and Probation Department currently has the mechanics whereby disbursement and/or control of funds can be administered for current parolees and probationers.

SUGGESTED CHANGE IN SECTION IX, SUBSECTION II, LINE 35:

We would recommend substituting the word "may," in place of the word "shall." While it is entirely possible that a participating inmate would commit an out and out escape while assigned to the program, there might be numerous mitigating circumstances in certain other cases, and the Prison would recommend flexibility as to whether or not NRS 212.090 is utilized:

SUGGEST REVISION OF SECTION IX, SUBSECTION II, LINE 35:

If a prisoner enrolled in the work release program is absent without a reason acceptable to the State Board of Parole Commissioners from his place of employment or his designated quarters, such absence: (a) immediately terminates his enrollment in the work release program. (b) constitutes an escape from the Nevada State Prison, and such prisoner [shall] may be punished as provided in NRS 212.090.

SUGGESTED CHANGE IN SECTION X, SUBSECTION II, LINES 40 AND 41:

The Prison would recommend deleting any reference to interest being charged on prisoners loans, as it is felt that this procedure would neither be feasible nor manageable.

REVISION OF SECTION X, SUBSECTION II, LINES 40 AND 41:

2. The funds shall be used to make loans to prisoners to pay their expenses for food, quarters and clothing while participating in the work release program. [Such loans may be made at a rate of interest not to exceed 4%.]

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SUGGESTED CHANGE IN SECTION XI, SUBSECTION I, LINE 46:

We wish to point out that, in this instance, "the Board" refers to the State Board of Prison Commissioners, and not the State Board of Parole Commissioners. The foregoing would appear to justify our above-noted recommendations for inclusion of the words "State Board of Prison Commissioners" in certain section of this Bill.

SUMMARY STATEMENT:

In any instance wherein we have not called attention to a given Section and/or Subsection throughout AB32, it is simply because we envision no particular problems with those sections and/or subsections. Additionally, we would like to point out that a conference was held between the Chief of the Parole and Probation Department and the Deputy Warden of the State Prison, and there is a high degree of concurrence between the two Departments as to the need for changes cited herein.

Respectfully submitted,

Carl Hocker

CARL G. HOCKER, WARDEN
NEVADA STATE PRISON

QUESTIONS AND ANSWERS ABOUT WORK RELEASE

What is Work Release?

Work Release is a program under which inmates of Federal correctional institutions may be employed in nearby communities, returning to the institution at night. It is the most significant provision of the Prisoner Rehabilitation Act of 1965, signed into law by President Johnson on September 10, 1965.

What purpose does it serve?

Work Release lends itself to multiple uses: (a) As a pre-release tool, it provides opportunity to individuals who, in the judgement of the Classification Committee, need further transitional preparation for community life; (b) Specific training needs may be met through Work Release as complements to education and training at the institution; (c) Work Release may be an especially useful alternative to an Industries assignment or Meritorious Service Award for certain inmates whose families have serious dependency needs; (d) It is an effective way to accumulate savings for release, to make restitution and to pay legitimate debts, especially when such payments will free an inmate from overwhelming financial burden on the day of release. For any individual, the "purpose" may be a combination of the foregoing.

How will inmates be selected for Work Release?

Inmates must volunteer: Any inmate wishing to be considered for Work Release must apply on the prescribed form.

Custody: Full minimum custody is a prerequisite in all cases. Work Release will not be authorized for offenders identified with large scale, organized criminal activity or inmates serving sentences for violent crimes; nor for others whose presence in the community is likely to evoke adverse public reaction.

Physical condition: The candidate for Work Release shall be in good health, physically able to perform the proposed assignments and free from out-patient care that would interfere with full performance. This requirement should not preclude the use of Work Release as an unusual opportunity to aid a physically handicapped person in obtaining community employment consistent with his capacities.

Emotional and behavioral factors: Candidates with serious emotional or personality defects and those with histories of violent or assaultive behavior will be excluded. However, Work Release may be considered, under limited circumstances, for those who are mentally or emotionally handicapped when it is apparent that community employment will significantly aid their post-release adjustment.

Need: Work Release is not intended as a program of status to be made available summarily to all who may be technically "eligible." There must be indicated need for the opportunities and responsibilities which Work Release provides. This is a Classification Committee judgment to be released to the pre-release, family need or other individual circumstances for which Work Release is particularly appropriate. Further, it must be presupposed that the inmate will benefit from the experience. Decisions in cases of family need, restitution and debt payment must be based on investigation so that official records will establish the inmate's responsibility and verify that the claimed need exists.

Residence: Preference is given candidates whose residence is in the vicinity of the institution or for whom release plans in this vicinity are reasonable and appropriate. But this should not exclude others. A number of factors must be weighed carefully: (1) It can be expected that many inmates and their employers will want to continue their employment after release from the institution. (2) No community will tolerate its becoming a "haven" for felony offenders, even under supervision. (3) There are circumstances in which sound correctional treatment involves relocating an offender from a home or community situation that is untenable or lacking in opportunity. (4) The views and cooperation of the U. S. Probation Officers must be obtained where release supervision will be involved.

What types of jobs will Work Releasees be permitted to hold?

No general restrictions have been imposed on the kinds of Work Release jobs for which candidates may be considered. The expectation is that the job selected will be that which best fulfills the purpose of Work Release in each case, consistent with the fact that the employed inmate is still in custody. Good employment placement will give preference to jobs that are related to prior work experience, institutional training and are suitable for continuing post-release employment. The "break-even" point between wages and expenses will tend to eliminate temporary, part-time, and intermittent employment.

Each job offer is investigated to determine that it is bona-fide, is consistent with basic Work Release policies and will adequately fulfill the institution's objectives for the inmate involved. While Work Release employment neither constitutes nor implies a contractual agreement between an employer and the Government, it must be recognized that mutual responsibilities exist. These derive from the fact that, though employed, the inmate is still in custody and his Work Release status is for a purpose.

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It is imperative that exploitation in any form or degree be avoided, either as it might affect the community or Work Release inmates. Specifically, the compensation of Work Release inmates will be no less than that of comparable workers and they shall not be employed under working conditions at less than acceptable minimum standards. Conversely, Work Release inmates shall not be employed as strike-breakers.

Within reasonable limits of convenience, Work Release jobs need not be restricted to "normal" work hours. When suitable transportation can be arranged, there should be no objection to shift work or overtime.

What is very few or no jobs opportunities exist within commuting distance of the institution?

Inmates may be recommended for transfer to an institution operating a Work Release program, so long as all other eligibility requirements for transfer are met.

Do Work Release inmates share any of the expenses connected with their employment?

Work Release inmates pay their share of transportation costs.

The Work Release inmate is outfitted with clothing suitable for the kind of work or other placement at which he will be employed. Work Release inmates purchase with their own funds all supplemental and replacement clothing. This may be purchased through regular institution Commissary procedures or directly from outside cash commercial sources.

Work Release inmates are required or permitted to reimburse the institution for board, room and expenses of other services and facilities normally available to inmates in the institution.

They will pay taxes on earnings as would any other employee. Also, they will pay the costs of membership in any type of organization, such as a union, where it is a condition of employment.

Inmates in Work Release status may not open charge accounts, bank accounts, or contract for installment buying except as authorized by the Warden.

If an inmate has no funds, is there any provision for advancing him money to get started at a job?

Inmates without funds may receive a cash advance, as authorized by the Warden from Commissary Loan Fund not to exceed \$100.00 for the purchase of clothing and payment of other necessary expenses until the first pay check is received. The inmate shall make full reimbursement from subsequent earnings.

How will Work Release affect an inmate's activities in the institution ?

While in the institution during non-work hours, Work Release inmates are entitled to participate in the same institutional activities as all other inmates housed in honor or pre-release units.

To the fullest possible extent, guidance and counseling services are made available to Work Release inmates. Often there will be special and immediate needs for such services arising from problems on the job and working conditions in addition to the usual range of personal and family matters.

Inmates in Work Release status live in specially designated quarters. Ideally, such a unit would be located outside the immediate security compound area. Where this is impossible, a special honor section is established.

What will happen if an inmate absconds from work or while enroute to or from the job?

All inmates admitted to Work Release status remain in technical custody of the Attorney General. Any inmate who willfully absconds shall be considered to have escaped from custody.

Who will have authority to approve inmates for Work Release?

Only the Warden or Superintendent is empowered to admit an inmate to Work Release status and to remove him. These actions shall be on recommendation of the Classification Committee.

NAME _____ NUMBER _____ SOCIAL SECURITY # _____

(1) PROPOSED RESIDENCE AT RELEASE

STATE WHERE YOU WILL LIVE AND WITH WHOM:

STREET ADDRESS _____ CITY&STATE _____
WITH WHOM _____ RELATIONSHIP _____

(2) MARITAL STATUS

MARRIED _____ SEPERATED _____ DIVORCED _____ WIDOWED _____ COMMON-LAW _____ SINGLE _____

STATE NAME AND ADDRESS OF YOUR LEGAL WIFE, COOMON-LAW WIFE, OR EX-WIFE:

NAME _____ STREET ADDRESS _____
CITY & STATE _____

(3) DEPENDENTS

STATE THE NAME, ADDRESS, AND AGE OF YOUR CHILDREN OR OTHER DEPENDENTS:

NAME	ADDRESS	AGE
NAME	ADDRESS	AGE
NAME	ADDRESS	AGE
NAME	ADDRESS	AGE

ARE ANY OF YOUR DEPENDENTS NOW RECEIVING WELFARE BENEFITS ? YES _____ NO _____
IF YES, NAME AND LOCATION OF WELFARE DEPT. _____

ARE YOU REQUIRED TO MAKE SUPPORT PAYMENTS ? YES _____ NO _____ AMOUNT _____

DO YOU WISH TO SEND SUPPORT PAYMENTS TO YOUR WIFE OR DEPENDENTS ? YES _____ NO _____

IF YES, TO WHOM:

NAME _____ ADDRESS _____
CITY & STATE _____ AMOUNT _____

(4) EDUCATION

APPLICANTS FOR STUDY RELEASE MUST SUBMIT THIS APPLICATION TO THE EDUCATION DEPT. BEFORE IT GOES TO THE CASWORKER.

HIGHEST SCHOOL GRADE COMPLETED (CIRCLE)
1 2 3 4 5 6 7 8 9 10 11 12 COLLEGE 1 2 3 4

LIST COLLEGE, BUSINESS OR TRADE SCHOOL ATTENDED AND DEGREE OR CERTIFICATES:

THIS PART FOR STUDY RELEASE ONLY

ARE YOU NOW OR HAVE YOU TAKEN ANY EDUCATIONAL PROGRAMS AT TERMINAL ISLAND OR ANY OTHER INSTITUTION ? YES _____ NO _____

IF YES, EXPLAIN:

WHAT SCHOOL OR COLLEGE WILL YOU ATTEND IF APPROVED FOR STUDY RELEASE ?

WHAT SUBJECTS DO YOU PLAN TAKING ?

HOW WILL YOU PAY FOR YOUR SCHOOL EXPENSE ? EXPLAIN

DO YOU PLAN ON ATTENDING SCHOOL OR COLLEGE AFTER RELEASE FROM THE INSTITUTION ?
YES _____ NO _____

Inc "

(5) EMPLOYMENT RECORD

THIS PART FOR WORK RELEASE ONLY

IF YOU BELONG TO A UNION OR PROFESSIONAL SOCIETY, GIVE NAME & LOCATION:

WHAT KIND OF WORK ARE YOU QUALIFIED TO DO ?

WHAT IS YOUR JOB PREFERENCE ?

WILL YOU REQUIRE THE HELP OF THE EMPLOYMENT OFFICER TO OBTAIN WORK ? YES NO

DO YOU HAVE A JOB AVAILABLE TO YOU NOW ? YES NO

FIRM NAME _____ ADDRESS _____

CITY & STATE _____ PHONE _____

NAME OF PERSON WHO CAN BE CONTACTED TO VERIFY THIS: _____

NAME OF PLACES IN THE LONG BEACH OR LOS ANGELES AREA YOU FEEL MAY HAVE EMPLOYMENT FOR YOU :

NAME _____ ADDRESS _____ PHONE _____

NAME _____ ADDRESS _____ PHONE _____

NAME _____ ADDRESS _____ PHONE _____

NAME OF YOUR LAST EMPLOYER _____

ADDRESS _____ YOUR JOB _____

DATE BEGAN _____ DATE ENDED _____ MONTHLY PAY _____

WHAT TYPE OF JOBS HAVE YOU DONE AT TERMINAL ISLAND OR OTHER INSTITUTIONS ?

(6) WHY HAVE YOU REQUESTED TO BE PLACED ON THE WORK OR STUDY RELEASE PROGRAM ?
EXPLAIN:

DO NOT WRITE BELOW THIS LINE

EDUCATION DEPT. RECOMMENDATION:

COMMITTEE RECOMMENDATION:

FEDERAL CORRECTIONAL INSTITUTION
TERMINAL ISLAND, CALIFORNIA

WORK RELEASE PROGRAM

AGREEMENT

In general terms, Work Release is a continuation of your period of confinement. By law you are still under the control of the Attorney General. For your protection and guidance we are listing some guidelines which must be followed if you are to successfully complete your program. If you have questions about what is expected of you, ask your Caseworker, a member of the Work Release Team, or the Chief, Classification and Parole.

1. Work Releasees will be expected to maintain good institutional records.
2. Conduct on the job or in a training situation will conform to those standards set forth by the respective employer or school, and to the laws and ordinances of the community in which you are working.
3. The drinking of alcoholic beverages may result in disciplinary action and possible removal from the program.
4. The use of drugs or narcotics is prohibited and will result in immediate removal from the program. You are required to furnish a urine sample for narcotic testing whenever you are requested to do so by the institution staff as a condition of placement or continuation on a Community Program.
5. Punctuality in arriving on the job and returning to the institution is required unless specifically excused by a member of the Work Release Team during regular working hours or the Shift Supervisor at other times. It is your responsibility to insure that the institution is notified when you will work overtime or will be late for other acceptable reasons.
6. There may be no unauthorized absences from the job during the work day and failure to report for work or to return to the institution on schedule may be deemed an escape from confinement subject to prosecution in Federal Court.
7. Phone calls for other inmates are prohibited and no letters or packages may be mailed or received away from the institution.
8. Bank accounts, charge accounts, or installment buying, may not be established without specific permission from the institution.

9. The driving of any motor vehicle is prohibited unless it is required as a part of the employment or specifically approved by the institution staff.
10. Medical attention in the community may be secured only in cases of emergency. Other medical problems must be handled by the institution medical staff.
11. You may participate in all institutional activities during the time you are in the institution and will be required to participate in group counseling sessions as indicated by your caseworker.
12. You should carry the institution identification card on your person at all times when away from the institution. You may also carry or wear any I. D. Card required by your employer.
13. You may not conduct any business activities beyond the requirements of your employment, nor may you sign any legal documents.
14. Pay advances may not be requested of your employer nor may you borrow money from any person or lending agency.
15. Problems on the job should be discussed with your job supervisor and also a member of the Community Programs Team. Do not quit your job over some matter that might be worked out satisfactorily.
16. It is a violation of the law to introduce or attempt to introduce into this institution or its grounds, or take or attempt to take or send from this institution any article without the knowledge and consent of the Warden or his duly authorized representative.
17. Articles purchased outside the institution will not be allowed beyond the processing area without specific approval of the Work Release Coordinator. All articles for use within the institution will be regular issue or purchased from the Commissary in accordance with regulations governing the general population.
18. The only articles purchased in the Commissary which may be taken into the processing area by Work Releasees for use outside the institution on the job are: sealed packages of cigarettes, sealed packages of pipe tobacco, pipes or cigars. Once taken into the locker room of the processing area, these articles may not be brought back into the institution.

ADDENDUM

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12 April 1971

- 19. You are authorized to collect your pay in the same manner as other employees where you work. It is your obligation, however, to bring all your pay to the institution, deliver it to an officer, and have it receipted. The amount turned in must agree with your time slip. If your pay is in check form you must CASH IT. THE AMOUNT TURNED IN MUST AGREE WITH YOUR WAGE STATEMENT.
- 20. You will assume full responsibility for all funds disbursed to you for personal expenses or authorized purchases.
- 21. There may be additional guidelines for NARA offenders.
- 22. Persons who are employed in the community will pay a charge in accordance with the schedule below:

Employed full time.....	\$2.00 per day
Employed 75% or more but less than full time.....	\$1.50 or 75%
Employed 50% or more but less than 75%.....	\$1.00 or 50%
Employed less than 50%.....	No charge

- A. There will be no charge made for a period of 30 calendar days when the inmate is first assigned to community employment. This will allow a time lag to process paychecks, purchase tools or other supplies, and to determine permanency of employment.
- B. Upon the recommendation of the Community Programs Team, the daily charge may be waived after the 30 day grace period when it can be determined that there are emergent and compelling casework reasons for reserving the Work Release's wages for such emergency purposes. For example: low income, a low amount of funds after expenditures, taxes, etc., have been taken from gross pay, serious dependency need, extreme indebtedness, short term cases that need accumulation of funds for release purposes and/or savings goal.
- C. The sign-out register will be the basis of determining the charges and the person will be considered as working full time if gone from the institution a normal work day.

- D. The fixed charge includes lodging, meals taken at the institution, clothing and bedding, laundry, allowances, medical care, and other services and supplies normally made available to population. Although Work Releasees may wish to secure a lunch at the job-site, the institution will provide a lunch on request at no additional expense. Transportation to and from the job-site is not included in the fixed rate.

_____ (Date) _____ (Work Releasee's Signature) _____ (Reg. No.)

Witnessed by:

_____, Work Release Administrator
(Signature)

SAN MATEO COUNTY WORK AND EDUCATIONAL FURLOUGH PROGRAM
SHERIFF EARL B. WHITMORE, ADMINISTRATOR

WORK OR EDUCATIONAL FURLOUGH AGREEMENT

The following rules are in addition to those regulations governing conduct while actually inside the Work Furlough Facility:

1. Work furloughees are released only to seek or engage in employment or educational programs approved by the Work Furlough Administrator. The time between release and return, other than actual working or school hours, is to be used for no purpose other than traveling to and from work or school, except for work or school-connected activity having advance written approval by a work furlough officer.
 - (a) If released from work or school earlier than usual, the furloughee shall return immediately to the Work Furlough Facility, and report to the duty officer the time he actually left school or the place of employment.
 - (b) Overtime is permitted only when requested in advance by the employer or school administration, and authorized by a work furlough officer.
2. On the day received, all earnings are to be submitted to a work furlough officer immediately upon return to the facility, and a statement of earnings which sets forth the days and/or hours worked, the gross pay and deductions must accompany the earnings.
3. Furloughees are not to incur indebtedness or purchase vehicles or other items of personal property without prior written authorization from the Work Furlough Administrator, and no item of merchandise or personal property other than those normally carried when going to work may be brought into or taken from the facility without prior approval of a work furlough officer.
4. Furloughees are required to pay a maintenance charge, based on gross income, and derived from the Schedule of Maintenance Charges approved by the Work Furlough Administrator, except that prisoners from jurisdictions other than San Mateo County will pay in accordance with the applicable agreement.
5. Operating any vehicle on a public roadway is prohibited, except that the Work Furlough Administrator may authorize a furloughee to drive, providing he has a valid driver's license and submits proof of ability to respond in damages (liability insurance).
6. Furloughees will not arrange visits with persons not normally contacted in their line of work while away from the facility, without prior and express permission from a work furlough officer.

(cont.)

Work or Educational Furlough Agreement - cont.

- 7. Those rules and laws prohibiting use and/or possession of alcoholic beverages, narcotics, drugs or medicines, weapons and explosives, which apply to persons in a penal institution, apply equally to persons on conditional release under the Work Furlough Program.
- 8. All furloughees are subject to legally accepted chemical and physiological tests for determination of alcohol and drug consumption, and are subject to search of their persons, personal possessions, vehicles used in going to and from work, and any area used or controlled by the work furloughee, at any time deemed necessary by the Work Furlough Administrator.

Section 4532 Penal Code (Deals with escapes from custody, and reads, in part): Every prisoner....who is employed or continuing in his regular educational program or authorized to secure employment or education away from the place of confinement pursuant to the Work or Educational Law (Sec. 1208 P.C.), and who thereafter escapes or attempts to escape....from custody or confinementis guilty of a felony....The willful failure of a prisoner... (released per Sec. 1208 P.C.) to return to the place of confinement not later than the expiration of a period during which, pursuant to that law, he is authorized to be away from such place of confinement, is an escape....punishable as provided in this subdivision.

I HAVE READ THE FOREGOING RULES AND PENAL CODE EXCERPT, AND UNDERSTAND THAT A VIOLATION OF THESE RULES OR ANY CALIFORNIA LAW MAY RESULT IN MY FULL-TIME CONFINEMENT AND ADDITIONAL PROSECUTION. I HAVE RECEIVED A COPY OF THIS AGREEMENT.

Officer Time & Date Furloughee

SPECIAL CONDITIONS: _____

Officer Time & Date Furloughee

SAN MATEO COUNTY SHERIFF'S OFFICE

EARL B. WHITMORE, SHERIFF

I understand that while I am assigned to the Work Furlough Facility that I am in the custody and control of the Sheriff of San Mateo County. I further understand that leaving the facility without authorization may result in felony prosecution for escape.

I will comply with all instructions given me by the Sheriff or his representatives and hereby authorize the opening and inspection of all mail, packages or items directed to me while I am assigned to the Work Furlough Facility.

RULES GOVERNING THE HANDLING OF MONEY IN POSSESSION OF INMATES IN THE WORK FURLOUGH FACILITY.

1. The maximum amount to be in the possession or under the control of any inmate while inside or in the immediate area of the facility is five dollars (\$5.00).
2. Money is allowed in the following denominations of coins only: quarters (.25), dimes (.10), and nickels (.05), limited to U.S. legal tender. Paper money is prohibited. Money in other than the prescribed denominations and in excess of five dollars, in the control or possession of any inmate, or money discovered which no one claims, will be deposited to the inmate welfare fund.
3. Gambling, lending and borrowing are prohibited. All money accepted from inmates for deposit will be subject to investigation to determine the reason for deposit and the source of the funds.
4. Money is to be accepted from no one except staff. Only cash, certified checks or valid money orders may be deposited to the inmate's account and the right is hereby reserved for staff to refuse to accept anything other than cash. Personal checks will not be accepted.

I have read and understand the foregoing acknowledgement and rules and I agree to these conditions. I will keep my own money under my control at all times and absolve staff from any liability which may arise from my having money in my possession while in custody.

Witness

Signature

Date

I.D. #.

SAN MATEO COUNTY WORK FURLOUGH PROGRAM
SHERIFF EARL B. WHITMORE, ADMINISTRATOR

Financial Summary: January 1, 1972 thru December 31, 1972

<u>Gross Earnings</u>	<u>Net Earnings</u>	<u>Maint. Fees Charged</u>
Jan \$ 25,512	Jan \$ 20,407	Jan \$ 7,305
Feb 25,486	Feb 20,846	Feb 6,360
Mar 35,312	Mar 29,977	Mar 7,772
Apr 29,181	Apr 22,189	Apr 6,260
May 25,485	May 19,231	May 7,323
Jun 32,670	Jun 25,084	Jun 6,481
Jul 38,776	Jul 27,656	Jul 8,973
Aug 44,027	Aug 32,600	Aug 9,032
Sep 36,925	Sep 28,031	Sep 8,509
Oct 26,345	Oct 20,251	Oct 7,512
Nov 23,883	Nov 18,080	Nov 6,256
Dec 25,749	Dec 19,469	Dec 6,852
\$369,351	\$283,821	\$88,635
	Paid by State	2,019
		\$90,654

Paid to Work Furloughees (1) for personal expenses while in custody, (2) upon release. Paid on behalf of Work Furloughees for (3) family support, (4) current bills, time payments and past due accounts, (5) car payments, (6) union dues, (7) fines and restitutions.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Jan	\$ 4,446	\$ 3,767	\$ 4,338	\$1,457	\$ 300	\$ ---	\$ ---
Feb	1,555	2,252	5,579	1,584	150	50	114
Mar	2,126	3,167	5,579	1,900	739	---	172
Apr	4,410	3,480	4,059	2,100	93	95	191
May	2,122	3,252	3,817	3,189	---	40	264
Jun	1,616	3,968	5,655	2,534	500	50	493
Jul	1,370	3,010	5,468	2,752	159	90	917
Aug	2,255	5,330	10,408	2,110	270	63	585
Sep	1,987	5,131	5,114	2,404	70	73	460
Oct	1,038	4,219	4,440	1,596	---	---	763
Nov	1,577	3,711	2,334	1,247	124	79	261
Dec	1,910	3,156	3,349	1,578	125	---	86
	\$24,412	\$44,443	\$61,538	\$24,451	2,530	\$540	\$4,306

No. of Man Days in Facility: 30,099
No. of Man Days on Program: 21,673

No. on Prog. 1/1/72:	52
Admissions 1/1/72-12/31/72:	643
Releases 1/1/72-12/31/72:	646
Failures 1/1/72-12/31/72:	56
No. on Prog. 12/31/72:	46

Prepared by Fred T. Hoover, Lt., Deputy Work Furlough Administrator
Sheriff's Work Furlough Facility. Phone: (415) 364-1811, Ext. 2711
1580 Maple Street, Redwood City, California 94063

SAN MATEO COUNTY WORK FURLOUGH PROGRAM

SHERIFF EARL B. WHITMORE, ADMINISTRATOR

1972 Activity Report

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>
1. Admissions to Facility														
2. Releases from Facility														
3. Avg. daily count in Facility														
4. Total man days in Facility														
5. Admissions to Wk. Fur. Prog.														
6. Releases from WF Prog.														
7. Removed for cause from Prog.														
8. Avg. daily count on Prog.														
9. Total man days on Prog.														
10. Total man days worked														
11. Total gross income														
12. Total net income														
13. Total maint. chg.														
14. Net to inmate														
JAN	74	53	77	2,413	37	23	5	57	1,709	1,150	\$25,512	\$20,407	\$7,305	\$13,102
FEB	39	49	85	2,486	27	30	2	60	1,686	1,204	25,486	20,846	6,360	14,486
MAR	34	50	84	2,616	28	32	3	62	1,845	1,404	35,312	29,977	7,772	22,205
APR	49	43	72	2,170	26	27	1	52	1,480	1,015	29,181	22,189	6,260	15,929
MAY	57	40	86	2,577	30	25	2	56	1,679	1,196	25,485	19,231	7,323	11,908
JUN	29	42	88	2,638	25	23	5	61	1,807	1,278	32,670	25,084	6,481	18,603
JUL	51	43	89	2,757	34	31	9	69	2,139	1,290	38,776	27,656	8,973	18,683
AUG	49	48	91	2,814	32	35	4	75	2,313	1,610	44,027	32,600	9,032	23,568
SEP	51	52	88	2,631	34	31	2	63	1,903	1,250	36,925	28,031	8,509	19,522
OCT	66	74	82	2,528	32	49	11	61	1,884	1,103	26,345	20,251	7,512	12,739
NOV	64	67	76	2,270	27	28	6	54	1,634	1,016	23,883	18,080	6,256	11,824
DEC	<u>80</u>	<u>85</u>	<u>76</u>	<u>2,199</u>	<u>24</u>	<u>31</u>	<u>6</u>	<u>53</u>	<u>1,594</u>	<u>1,042</u>	<u>25,749</u>	<u>19,469</u>	<u>6,852</u>	<u>12,617</u>
TOTAL	643	646		30,099	356	365	56		21,673	14,561	\$369,351	\$283,821	\$88,635	\$195,186
											State Paid:	\$ 2,019		
												\$90,654		

Prepared by Fred T. Hoover, Lt.
Deputy Work Furlough Administrator

Sheriff's Work Furlough Facility (415) 364-1811, X 2711
1580 Maple St., Redwood City, Ca. 94063

SAN MATEO COUNTY WORK FURLOUGH PROGRAM
SHERIFF EARL B. WHITMORE, ADMINISTRATOR

77

Financial Summary: January 1, 1972 thru December 31, 1972

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		Releases 1/1/72-12/31/72:	646
		Failures 1/1/72-12/31/72:	56
		No. on Prog. 12/31/72:	46

Prepared by Fred T. Hoover, Lt., Deputy Work Furlough Administrator
Sheriff's Work Furlough Facility. Phone: (415) 364-1811, Ext. 2711
1580 Maple Street, Redwood City, California 94063

1972 Activity Report

1. Admissions to Facility
2. Releases from Facility
3. Avg. daily count in Facility
4. Total man days in Facility
5. Admissions to Wk. Fur. Prog.

6. Releases from WF Prog.
7. Removed for cause from Prog.
8. Avg. daily count on Prog.
9. Total man days on Prog.
10. Total man days worked

11. Total gross income
12. Total net income
13. Total maint. chg.
14. Net to inmate

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>
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Deputy Work Furlough Administrator

Sheriff's Work Furlough Facility (415) 364-1811, X 2711
1580 Maple St., Redwood City, Ca. 94063

STATE OF CALIFORNIA - 1972

Penal Code Sec. 1208.(a) The provisions of this section, insofar as they relate to employment, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of employment conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to employment, in that county is feasible. The provisions of this section, insofar as they relate to education, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of education conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to education, in that county is feasible. In any such ordinance the board shall prescribe whether the sheriff, the probation officer, or the superintendent of a county industrial farm or industrial road camp in the county shall perform the functions of the work furlough administrator. The board of supervisors may also terminate the operativeness of this section, either with respect to employment or education in the county if it finds by ordinance that, because of changed circumstances, the operation of this section, either with respect to employment or education in that county is no longer feasible.

(b) When a person is convicted of a misdemeanor and sentenced to the county jail, or is imprisoned therein for nonpayment of a fine, for contempt, or as a condition of probation for any criminal offense, or committed under the terms of Section 6404 or 6406 of the Welfare and Institutions Code as a habit-forming drug addict, the work furlough administrator may, if he concludes that such person is a fit subject therefor, direct that such person be permitted to continue in his regular employment, if that is compatible with the requirements of subdivision (d), or may authorize the person to secure employment for himself, unless the court at the time of sentencing or committing has ordered that such person not be granted work furloughs. The work furlough administrator may, if he concludes that such person is a fit subject therefor, direct that such person be permitted to continue in his regular education program, if that is compatible with the requirements of subdivision (d), or may authorize the person to secure education for himself, unless the court at the time of sentencing has ordered that such person not be granted work furloughs.

(c) If the work furlough administrator so directs that the prisoner be permitted to continue in his regular employment or educational program, the administrator shall arrange for a continuation of such employment or education, so far as possible without interruption. If the prisoner does not have regular employment or a regular educational program, and the administrator has authorized the prisoner to secure employment or education for himself, the prisoner may do so, and the administrator may assist him in doing so. Any employment or education so secured must be suitable for the prisoner.

Such employment or education program, if such educational program includes earnings by the prisoner, must be at a wage at least as high as the prevailing wage for similar work in the area where the work is performed and in accordance with the prevailing working conditions in such area. In no event may any such employment or education program involving earnings by the prisoner be permitted where there is a labor dispute in the establishment in which the prisoner is, or is to be, employed or educated.

(d) Whenever the prisoner is not employed or being educated and between the hours or periods of employment or education, he shall be confined in the facility designated by the board of supervisors for work furlough confinement unless the work furlough administrator directs otherwise. If the prisoner is injured during a period of employment or education, the work furlough administrator shall have the authority to release him from the facility for continued medical treatment by private physicians or at medical facilities at the expense of the employer, workmen's compensation insurer, or the prisoner. Such release shall not be construed as assumption of liability by the county or work furlough administrator for medical treatment obtained.

The work furlough administrator may release any prisoner classified for the work furlough program for a period not to exceed 72 hours for medical, dental, or psychiatric care, and for family emergencies or pressing business which would result in severe hardship if the release were not granted.

(e) The earnings of the prisoner may be collected by the work furlough administrator, and it shall be the duty of the prisoner's employer to transmit such wages to the administrator at the latter's request. Earnings levied upon pursuant to writ of attachment or execution or in other lawful manner shall not be transmitted to the administrator. If the administrator has requested transmittal of earnings prior to levy, such request shall have priority. In a case in which the functions of the administrator are performed by a sheriff, and such sheriff receives a writ of attachment or execution for the earnings of a prisoner subject to this section but has not yet requested transmittal of the prisoner's earnings pursuant to this section, he shall first levy on the earnings pursuant to the writ. When an employer or educator transmits such earnings to the administrator pursuant to this subdivision he shall have no liability to the prisoner for such earnings. From such earnings the administrator shall pay the prisoner's board and personal expenses, both inside and outside the jail, and shall deduct so much of the costs of administration of this section as is allocable to such prisoner, and, in an amount determined by the administrator, shall pay the support of the prisoner's dependents, if any. If sufficient funds are available after making the foregoing payments, the administrator may, with the consent of the prisoner, pay, in whole or in part, the pre-existing debts of the prisoner. Any balance shall be retained until the prisoner's discharge and thereupon shall be paid to him.

(f) The prisoner shall be eligible for time credits pursuant to Sections 4018, 4019 and 4019.2

(g) In the event the prisoner violates the conditions laid down for his conduct, custody, education, or employment, the work furlough administrator may order the balance of the prisoner's sentence to be spent in actual confinement.

(h) Willful failure of the prisoner to return to the place of confinement not later than the expiration of any period during which he is authorized to be away from the place of confinement pursuant to this section is punishable as provided in Section 4532 of the Penal Code.

(i) As used in this section, "education" includes vocational training, and "educator" includes a person or institution providing vocational training.

(j) This section shall be known and may be cited as the "Cobey Work Furlough Law."

PENAL CODE SECTIONS RELATED TO THE WORK FURLOUGH LAW

1208.5 The boards of supervisors of two or more counties having work furlough programs may enter into agreements whereby a person sentenced to, or imprisoned in, the jail of one county, but regularly employed in another county, may be transferred by the sheriff of the county in which he is confined to the jail of the county in which he is employed, in order that he may be enabled to continue in his regular employment in such other county through such county's work furlough program. Such agreement may make provision for the support of transferred persons by the county from which they are transferred.

1203.9 Whenever any person is released upon probation, the case may be transferred to any court of the same rank in any other county in which the person resides or to which the person moves. The order of transfer shall contain an order committing the probationer to the care and custody of the probation officer of such county. A copy of the order shall be transmitted to the probation officer of such county. The court shall thereafter have entire jurisdiction over the case whenever it seems proper.

(1203.9 is useful when an individual is serving a jail sentence as a condition of probation, and it is desirable to move him to another county to be on work furlough)

2910 (a) The Director of Corrections may enter into an agreement with a city, county, or city and county, to permit transfer of prisoners in the custody of the Director of Corrections to a jail or other adult correctional facility of such city, county, or city and county, if the sheriff or corresponding official having jurisdiction over such facility has consented thereto. Such agreement shall provide for contributions to such city, county, or city and county toward payment of costs incurred with reference to such transferred prisoners.

(b) When an agreement entered into pursuant to subdivision (a) is in effect with respect to a particular local facility, the Director of Corrections may transfer prisoners whose terms of imprisonment have been fixed, to such facility.

(c) Prisoners so transferred to a local facility may, with approval of the Director of Corrections, participate in programs of the facility, including work furlough rehabilitation programs. Prisoners so transferred remain in the constructive custody of the Director but are subject to the rules and regulations of the facility in which they are confined.

4532 (Deals with escapes from custody, and reads, in part):
Every prisoner.....who is employed or continuing in his regular educational program or authorized to secure employment or education away from the place of confinement pursuant to the Work or Educational Furlough Law (Sec. 1208), and who thereafter escapes or attempts to escape.....from custody or confinement..... is guilty of a felony.....The willful failure of a prisoner..... (released per Sec. 1208) to return to the place of confinement not later than the expiration of a period during which, pursuant to that law, he is authorized to be away from such place of confinement, is an escape.....punishable as provided in this subdivision.