

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE WORK PROGRAM	Policy Number DM-1 Effective Date 04-09-24
Related Information Arizona Revised Statutes CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> DG-3, <i>Food Services Division Safety and Sanitation</i> DI-1, <i>Inmate Housing Categories</i> DM-2, <i>Computation of Projected Release Dates</i>	Supersedes DM-1 (10-30-20)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for civilian and detention personnel managing and coordinating inmate work assignments for fully sentenced inmates placed into the Inmate Work Program.

POLICY

It is the policy of the Office to ensure that state law and court orders of confinement are followed. The sentencing court of jurisdiction determines whether an inmate is eligible to receive double-time credit and/or credit for time served. The Office has elected to use inmate labor to perform functions around Maricopa County in an effort to save taxpayer money. The Office has established guidelines for fully sentenced inmate participation in the Inmate Work Program, as specified in Arizona Revised Statutes (ARS) 31-141.

DEFINITIONS

Confinement Order: An official document issued by a court that states a convicted person's sentencing information.

Double-Time Credit (Two-For-One): A method of release computation which results in an inmate receiving two days credit for each one day they have participated in an approved work program, as specified in ARS 31-144.

Fully Sentenced Inmate: An inmate serving one or more sentences with no unadjudicated criminal charges or external agency holds.

Partially Sentenced Inmate: An inmate serving one or more sentences with unadjudicated criminal charges or external agency holds.

Sentence: A period of incarceration ordered to be served in the Maricopa County Jail System imposed as an order of confinement and/or a term of probation.

Sheriff's Inmate Electronic Data (SHIELD): An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into a Maricopa County Sheriff's Office jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes, but is not limited to: inmate charges; holds; court dispositions; bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day-to-day operations of a jail facility housing unit shift logs.

Unsentenced Inmate: A pretrial detainee who has one or more criminal charges or external agency holds, for which they have not been sentenced.

PROCEDURES

1. **Inmate Work Program:** The Sheriff’s Information Management Services (SIMS) Division’s Workbox Unit, in conjunction with detention personnel, shall maintain the Inmate Work Program by coordinating inmate work assignments within Office jail facilities and, where applicable, outside of Office jail facilities.
 - A. Assigned civilian and detention personnel in charge of inmate work crews shall be responsible for the following daily tasks:
 1. Supervising working inmates;
 2. Retrieving the Working Inmate Work Roster generated in Sheriff’s Inmate Electronic Data (SHIELD) from the Daily Inmate Work Roster folder, which is located on the Office shared drive;
 3. Ensuring that inmates report to their appropriate work assignments. The current date and work hours shall be indicated on the Working Inmate Work Roster;
 4. Housing working inmates according to their job assignments or work hours, when feasible;
 5. Notifying the Workbox Unit of conditions which would preclude an inmate from working, and forwarding the required documentation to the Workbox Unit; and
 6. Assigning or re-assigning fully sentenced inmates to or from designated program housing locations.
 - B. Workbox Unit personnel shall be responsible for the following daily tasks:
 1. Establishing and maintaining inmate work records for all fully sentenced inmates;
 2. Obtaining a list of projected inmate release dates through SHIELD and processing the Commitment Files of those fully sentenced inmates who are scheduled to be released;
 3. Updating SHIELD with the current projected release dates of fully sentenced inmates. Confinement orders issued by the sentencing court shall be used as the basis for the calculations of inmate release dates;
 4. Assigning jobs to eligible inmates and conferring with Correctional Health Services (CHS) regarding medical assessment responsibilities specific to those inmates;
 5. Generating transfer messages for fully sentenced inmates between jail facilities, as necessary;
 6. Preparing accurate daily Working Inmate Work Rosters and making them available for review by civilian and detention personnel in charge of inmate work crews; and
 7. Responding to inquiries submitted by personnel and inmate requests and/or grievances regarding the Inmate Work Program and/or release computations of fully-sentenced inmates.

2. **Inmate Work Program Operation Guidelines:** The Inmate Work Program is only available to fully sentenced adult inmates. Juvenile inmates are restricted from participating in the Inmate Work Program.
 - A. Fully sentenced inmates are required to participate in the Inmate Work Program to the extent allowed by the inmate's physical and custodial limitations, to include the following exemptions:
 1. Standard privileges shall be afforded to all working inmates unless prohibited due to administrative sanctions or restrictions;
 2. Inmates having a medical reason confirmed by CHS which prevents participation in the Inmate Work Program shall be exempt from working. Privileges and housing of inmates who are exempt due to a confirmed medical reason are specified in Office Policy DI-1, *Inmate Housing Categories*;
 3. Inmates housed and participating in a program and/or service otherwise approved by the Workbox Unit Supervisor, a division commander, or designee shall be exempt from working; and
 4. Fully sentenced inmates who refuse to work or have been removed from a work program for reasons other than medical shall be placed on Administrative No-Work status, as determined by the Workbox Unit Supervisor, a division commander, or designee. Reduction in privileges and housing for non-working inmates are specified in Office Policy DI-1, *Inmate Housing Categories*.
 - B. If it is determined that an inmate's current work assignment may be inappropriate, a supervisor can request Workbox Unit personnel place the inmate in another job assignment. Job assignments cannot be changed to address disciplinary issues or poor job performance. However, inmates may be removed or prohibited from participating in the Inmate Work Program, as specified in this policy.
 - C. Work assignments shall be based on security level, fully sentenced status, medical conditions, and disciplinary history. Race or other factors are prohibited and shall not be considered for inmate work assignments, as specified in Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*.
3. **Inmate Medical Assessment and Sanitation Requirements:** Inmate health, working conditions, and equipment shall comply with all applicable federal, state, and local work safety laws and regulations.
 - A. Inmates which are fully sentenced must have completed a medical assessment conducted by CHS personnel prior to their placement into a work assignment.
 1. If it is determined an inmate does not have a completed medical assessment, a referral shall be made to CHS by civilian and detention personnel in charge of inmate work crews.
 2. Workbox Unit personnel, upon notification, shall remove the working inmate from their working assignment and refer the inmate to CHS for evaluation when the following occur:
 - a. A change in the health status of a working inmate occurs which prevents the inmate for continuing their working assignment; and/or
 - b. There is suspicion to believe an inmate's physical or mental health has been compromised and/or creates an elevated risk to the health and safety of the working inmate or others.

- B. Inmates participating in the Inmate Work Program shall be required to maintain an acceptable level of personal hygiene. Inmate's hair, body, and clothing shall be kept neat, clean, and odor free.
 - C. Inmates involved in the preparation of food shall work in accordance with applicable health regulations and shall be monitored each day by detention personnel and Food Services Division personnel for health and cleanliness, as specified in Office Policy DG-3, *Food Services Section Safety and Sanitation*.
 - D. Inmates assigned to care for animals with the MASH Unit shall be allowed to carry one extra clean, full set of clothes and one water bottle to and from their work assignment in order to maintain personal hygiene and health standards.
4. **Inmate Work Program Removal Guidelines:** Inmates may be administratively removed from or prohibited from participating in the Inmate Work Program either permanently or temporarily, for reasons of security, order, or safety.
- A. Inmates may be administratively removed from, or prohibited from participating in, the Inmate Work Program by the Workbox Unit Supervisor, a division commander, or designee. Other administrative sanctions may include revoking all or part of double-time credits, and/or prohibiting the accrual of all or part of future double-time credits, as specified in this policy.
 - 1. Inmates who have imposed disciplinary sanctions which result in restrictions shall remain in the Inmate Work Program, unless, and until, administratively removed. Removed inmates shall be housed in general population, as specified in this policy.
 - a. Any removal or prohibition of an inmate from the Inmate Work Program shall be fully documented in a *Disciplinary Action Report (DAR)*, a *Jail Commander Notification form (JCN)*, and an *Administrative No Work Report*.
 - b. Detention personnel shall place a copy of the DAR, JCN, and *Administrative No Work Report* in the Jail File and forward a copy to the Workbox Unit who shall be responsible for placing a copy of the documentation in the Commitment File.
 - 2. An inmate may be removed or prohibited from participating in the Inmate Work Program for any of the following reasons:
 - a. Criminal or behavioral misconduct which threatens the security of the jail facility or inmate safety, and results in disciplinary, security, or administrative restrictive housing. These inmates shall be assigned to an appropriate restrictive housing unit, as specified in Office Policy DI-1, *Inmate Housing Categories*;
 - b. Unsatisfactory performance for the requirements of the job assignment. These inmates may be assigned to a non-working housing unit, as specified in this policy;
 - c. Refusing to submit to random Urinalysis (UA) testing, or having a positive UA test result;
 - d. The request of the inmate;
 - e. Medical reasons, as determined by CHS;
 - f. Refusing to maintain an acceptable level of personal hygiene;

- g. Repeated violations of jail facility inmate rules and regulations, to include refusing to work with a frequency to suggest unwillingness to make a good faith effort to participate in the Inmate Work Program or, an intentional disregard of established rules and procedures; or
 - h. When the Inmate Classification Division determines that an inmate is an escape risk. These inmates shall not be afforded the privileges granted to working inmates. Escape risks include, but are not limited to, those inmates who:
 - (1) Have a prior history of escapes or escape attempts; and
 - (2) Have been previously classified as, or determined to be, an escape risk by the Office, or any other agency.
- 5. **Double-Time Credit:** Fully sentenced working inmates may be eligible for double-time credit toward the reduction of their sentences. The guidelines for determining who is eligible for double-time credit and the computation of release dates, are specified in Office Policy DM-2, *Computation of Projected Release Dates*.
 - A. The Sheriff or designee may declare all or part of the double time credit forfeited in cases of breach of trust or security on the part of the inmate. An inmate's refusal to submit to random UA testing, or a positive UA test result shall also result in the forfeiture of double-time credits.
 - B. A memorandum shall be forwarded to the Workbox Unit to indicate that all or part of the double time credit be removed from the inmate's work record, as specified in Office Policy DM-2, *Computation of Projected Release Dates*.
- 6. **Inmate Work Assignments:** The Office uses working inmates for various functions, both within jail facilities and at outside locations in the community. These functions have been prioritized to ensure that essential assignments are adequately assigned with working inmates on a continuing basis. Security limitations have been set to provide for the safety of the public, employees, other inmates, and the secure control of working inmates.
 - A. Each established working inmate job assignment shall be allocated a specific number of working inmate positions. Job assignment priorities are set to meet Office requirements first, and as needed to fill other Maricopa County requests.
 - B. Any change to these allocated working inmate positions shall be approved by the Workbox Unit Supervisor.
- 7. **Volunteer Inmate Workers:** Unsentenced and partially sentenced inmates are not required to work but may volunteer to do so. These inmates are not part of the Inmate Work Program.
 - A. Volunteer inmate workers shall only work within the confines of a secured jail facility and shall **not** have access to the community or any public places. Volunteer unsentenced and partially sentenced inmates working within the confines of a jail facility shall be closely supervised by detention personnel.
 - B. Volunteer inmate workers shall maintain health and hygiene standards required for their volunteer work assignment.
 - C. Volunteer inmate work assignments shall be based on security level, medical conditions, and disciplinary history. Race or other factors are prohibited and shall not be considered for inmate

work assignments, as specified in Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*.

- D. Volunteer inmate workers are prohibited from accruing double-time credit or applying it toward the reduction of any future sentence.
8. **Working Inmate Identification:** Working inmates shall prominently display their color-coded identification (ID) wristbands at all times.
- A. Sentenced working inmates shall wear orange colored inmate uniforms with “MCSO” stenciled in black ink, on the back of the uniform shirt.
 - B. Unsentenced inmates shall wear orange colored inmate uniforms with “MCSO UNSENTENCED” stenciled in black ink, on the front and back of the uniform shirt.