

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>WORK RELEASE</b>	<b>Policy Number</b> <b>DN-3</b>
		<b>Effective Date</b> <b>01-05-07</b>
<b>Related Information</b>	<b>Supersedes</b> DN-3 (03-22-92)	

## PURPOSE

This Policy establishes guidelines for accepting and housing inmates sentenced to work release.

## POLICY

It is the Policy of the Office to ensure that work release inmates are only incarcerated during the hours and days indicated in a Court Order of Confinement. This allows inmates the opportunity to continue employment or education through the use of a work release sentence.

## DEFINITIONS

**Adjudication:** The legal process of resolving a dispute; the process of judicially deciding a case.

**Double Time Credit/Two-For-One:** A method of release computation which results in an inmate receiving two days credit for each one day that he has participated in an approved work program, as specified in Arizona Revised Statutes (ARS) §11-455 and § 31-144.

**Full-Custody:** Continuous custody until the inmate is judicially released on all charges, holds, or sentences. Inmates who have been temporarily released into the community and return, such as in the Work Furlough Program, or are serving a work release or weekender sentence, are not considered full-custody.

**Work Release Sentence:** A sentence which stipulates the confinement of an inmate only during specified hours or specified days, thereby allowing the inmate unescorted release into the community during the non-confinement hours or days. This term will include overnight and weekend sentences, but does not encompass work furlough.

## PROCEDURES

1. **Sentenced to Work Release:** The inmate must be sentenced to work release with specified periods of confinement/release and must not have any wants, warrants, holds, or unadjudicated charges for which he should be in custody. Inmates found to have such unadjudicated charges for which they should be in custody will remain in full custody until they are eligible for release on these additional charges. At such time, the inmate will be returned to work release status unless the work release sentence has lapsed.
2. **Report/Return to Facility:** The inmate must report/return to the jail promptly at the times and dates specified in the Order of Confinement.
  - A. An inmate arriving at a detention facility within six hours of his scheduled arrival time will be accepted.

- B. An inmate who has not arrived within six hours after his scheduled arrival time will be listed as a “no-show.” The clerk of the sentencing court will be notified when an inmate is documented as a “no-show.” The appropriate Jail Management System (JMS) format will be updated.
- C. An inmate arriving after being documented as a “no-show” will not be accepted, and will be directed back to the sentencing court for an amended Order of Confinement.
- D. An inmate returning with an amended Order of Confinement after being documented as a “no-show” will be booked under a new booking number and processed as a newly sentenced inmate.
- E. The second time the inmate arrives two or more hours late, the inmate will be removed from the Work Release Program. The clerk of the sentencing court will be notified when an inmate is removed from the Work Release Program.
- F. Inmates arriving at a booking facility other than the facility specified, or at a facility where no Order of Confinement is on file for the inmate, will be accepted after verifying that the incarceration is legally authorized.
  - 1. Verification methods include, but are not limited to, the following:
    - a. Checking with other facilities and sections.
    - b. Checking with the inmate to see if he has a copy of the Order of Confinement in his possession.
    - c. Checking with the sentencing court during business hours.
  - 2. If verification of confinement cannot be made, the inmate will be instructed to contact the sentencing court and will not be accepted.
- 3. **Drugs/Alcohol under Work Release:** As a provision of work release, the inmate must not report to a facility while under the influence of alcohol or drugs. An inmate reporting to a facility who is suspected of being under the influence of alcohol will be required to submit to an Intoxilyzer test given by authorized personnel. If the inmate registers a .05 or above, refuses the test, or is presumed to be under the influence of drugs based on probable cause, the inmate will be accepted but removed from the Work Release Program. A letter documenting the circumstances of the incident will be forwarded to the clerk of the sentencing court. Any modification of the inmate’s sentence will be the responsibility of the sentencing court.
- 4. **Illness under Work Release:** Inmates reporting to the facility who are suffering from an illness or injury will be provided an additional six hours to seek medical treatment on their own. A “no show” will occur if the inmate does not return within the six hour window.
- 5. **Work Release Housing:** Inmates serving work release sentences will be housed separate from inmates assigned to general population.
- 6. **Crimes Committed under Work Release:** Inmates who commit a crime while in custody will be charged with the crime, and will be removed from work release status pending eligibility for release on the charge or adjudication of the charge.
- 7. **Work Release Records:** Custody Files will be maintained at the housing facility on all work release inmates. Records will also be maintained by the Work Box Section and by updating JMS.

8. **Double Time/Two-for-One Credit:** Inmates participating in the Work Release Program may be eligible for double time/two-for-one credit toward the reduction of their sentences for every day spent in the program in an acceptable manner, providing they meet the eligibility requirements in Policy DM-2, *Computation of Projected Release Dates*.