I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to set forth the procedures to consider Level 1 inmates for work assignments on and off the grounds of a correctional institution.

III. APPLICABILITY

This policy applies to all Ohio Department of Rehabilitation and Correction (ODRC) employees who are involved with initiating, reviewing, and recommending inmate security level changes as well as those staff, trained program coordinators and volunteers responsible for monitoring inmates who have job assignments that require them to be on or off the grounds of a correctional institution at certain times. This policy does not apply to inmates who are participating in the ODRC’s Intensive Program Prisons (IPP).

IV. DEFINITIONS

**Community Work Assignment** - Any highly sensitive Level 1 inmate job assignment off the grounds of a correctional institution that permits entrance into the community. These inmates may or may not be under the direct supervision of ODRC staff members.

**Electronic Monitoring Device** - A device that is attached to an inmate worker to track their location.

**Escape from Confinement** - The act of purposely breaking detention while either confined within a city, county, state or federal detention center or correctional facility, or while being legally detained by law enforcement personnel.

**High Notoriety Case** - Any inmate whose offense and/or pattern of previous behavior gives rise to concerns because of its sensational, notorious, or heinous nature. High Notoriety may be evidenced by intense ongoing community, victim, and/or media interest.
Outside Inmate Worker (OIW) - Any inmate worker who works outside the secure perimeter of a correctional institution, correctional facility or camp.

OIW on Prison Grounds - A job assignment in which the inmate remains on state owned prison grounds and is supervised by staff (i.e., front entry, garage, farm, warehouse, etc.).

OIW off Prison Grounds Staff Supervised - A job assignment in which inmates work off state owned prison property and will involve work in the community. These inmates shall be under supervision by a prison staff member (i.e., ODOT, speak outs).

OIW off Prison Grounds Unsupervised - A job assignment in which inmates work off state owned property and will involve work in the community (nonprofit). The inmates will not be directly supervised by prison staff. These inmates shall be supervised by approved trained volunteers and program coordinators (i.e., community clean up details, dog shelters).

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (ODRC) to assign inmates of the appropriate custody and security level to complete work assignments outside the secure perimeter of an institution. There shall be three (3) tiers of supervision levels to accomplish these work assignments. Electronic Monitoring Devices may be utilized to add additional layers of security.

VI. PROCEDURES

A. Outside Inmate Worker (OIW) Assignments

1. Each inmate assigned to work outside the secure perimeter of an institution shall be approved pursuant to the guidelines set forth in this policy and in Administrative Rule 5120-9-34, Community Education and Work Assignment Time, and Administrative Rule 5120-3-07, Special Labor.

2. Only those inmates classified to Security Level 1 shall be considered for assignment to work outside the secure perimeter of an institution. Exceptions may be made by the managing officer in case of special needs (i.e., natural disaster).

B. Initial Classification and Security Reductions to Level 1

1. Reception Centers: Classification specialists shall complete the initial security classification of inmates at reception. If the inmate is classified at reception as a Level 1, the classification specialist shall complete an initial review to determine whether the inmate is a potential candidate for outside secure perimeter job assignments. Inmates identified as potential outside workers shall be routed to prisons with the need for workers.

   a. At least monthly, the reception coordinator will send a list to all managing officers containing the names of potential outside workers.
b. Managing officers may have these lists screened and then send a list of accepted inmates to the reception coordinator at the appropriate reception center.

c. Selections for placement are made on a first request basis; therefore, the managing officer who requests the inmate first shall receive the inmate.

d. It is the expectation no prison will request a reserve labor force or request more than a reasonable number to meet their needs.

2. Parent Institution: Institution employees involved in the review of inmates for reduction to Level 1 shall follow the procedures outlined in ODRC policy 53-CLS-01, Inmate Security Classification Levels 1 through 4. When inmates are reduced in security to Level 1, the unit team shall assess their suitability for assignment to an outside work detail. If an inmate is identified as a potential outside worker and the current prison is not in need of outside workers, the inmate shall be transferred to a facility which has the need for OIW.

C. Screening of Level 1 Inmates for Outside Work Details on Prison Grounds

1. Institution staff shall complete a review of inmates for possible job assignments outside the secure perimeter of the institution. The review process shall be completed on the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). Institution staff shall determine appropriate job placement for the OIW on Prison Grounds job assignments. If the institution staff determines the inmate is not suitable for outside job assignments, the reasons for denial shall be noted on the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). At a minimum, the local process shall require a detailed review of all available records and a face-to-face interview between the staff person making the recommendation and the inmate. This interview shall take place in a committee setting. The results of the face-to-face interview shall be documented in DOTS Portal (i.e., RAP6).

2. Pursuant to ODRC policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, the following criteria shall eliminate an inmate from eligibility for OIW job assignments during their initial review at reception or during the review at the facility:

   a. Sex offenders;
   b. Kidnapping or abduction offenders;
   c. High Notoriety case offenders;
   d. Current conviction of aggravated murder or murder (i.e., attempted or conspiracy to commit);
   e. Any felony for causing the death of a law enforcement officer or causing the death of another person while incarcerated;
   f. Former death row or life without parole offenders;
   g. Documented Escape from Confinement;
   h. Sentence length over six (6) years;
   i. Active or Disruptive STG;
   j. Current conviction which resulted in a child victim.
D. Assignment of Outside Inmate Workers (OIWs) on Prison Grounds

1. Institution classification committees shall review all Level 1 inmates received from reception determined to be suitable for outside work assignments as well as any Level 1 inmates residing in the facility. The parent institution shall then determine which classification of outside work is appropriate for the inmate, utilizing the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). The institution classification committee shall determine whether the inmate is suitable for:

   a. Outside secure perimeter on prison grounds work assignment;
   b. Outside secure perimeter off prison grounds, staff supervised work assignment;
   c. Outside secure perimeter off prison grounds, non-ODRC staff supervised work assignment.

2. The managing officer shall have the final authority to approve or disapprove any OIW designated to remain on prison grounds. The following criteria shall not be used solely to prohibit eligibility:

   a. Drug offenses (i.e., drug trafficking, drug possession, and possession of chemicals to manufacture);
   b. Offenses primarily against property;
   c. Offenses of violence that did not result in actual harm to an individual or incur a substantial risk of harm (i.e., breaking and entering, burglary, and robbery);
   d. Passive STG affiliation;
   e. Notifications and non-felony detainers or warrants;
   f. High Notoriety cases that are not local to the community of the prison or in a position with minimal contact with the public;
   g. Parole violations, including walkaways from halfway houses or absconding from supervision;
   h. Inmates with multiple felony convictions; and
   i. Offenses where the inmate was not convicted (i.e., arrest or indictment history).

3. Classification Committee

   a. The classification committee as described in ODRC policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, shall screen inmates for OIW on Prison Grounds consideration using the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). Only sections 1 and 2 of the form are required for OIW approval on prison grounds.

   b. In addition to all other screening criteria, the classification committee shall examine the inmate’s master file and review the most recent LEADS check to determine if the inmate has an outstanding felony detainer or warrant. Inmates who are found to have an outstanding felony detainer or felony warrant shall not be approved for OIW status until the detainer or warrant is officially removed. The classification committee shall provide notice to the inmate of the detainer or warrant.
c. Exceptions to the criteria set forth in this policy and the related Administrative Rules may be considered for compelling reason(s) based on the recommendation of the classification committee; however, must be approved by the managing officer.

4. Managing Officer’s Action

The managing officer/designee shall review each Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). The managing officer’s review shall include, at a minimum, the following:

a. A review of the most recently completed Supervision Review Form (DRC2098/2094/2338) for male inmates and (DRC2605/2606/2607) for female inmates;

b. A review of the classification committee recommendations;

c. A review of the details of the offense for any inmate who does not meet all of the criteria set forth in this policy or Administrative Rule 5120-9-34, Community Education and Work Assignment Time; and

d. A personal interview with the inmate, either by the managing officer or designee(s).

5. Any institution classification committee or managing officer that does not approve or recommend an inmate for outside work assignment shall document the reason on Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428).

E. Outside Inmate Work Assignment off Prison Grounds Approval Process

Only those inmates recommended by the managing officer, reviewed by the Office of Victim Services (OVS) and approved by the appropriate regional director shall be permitted a Community Work Assignment and subsequent assignment off the grounds of a correctional institution. In view of the sensitive nature and high visibility of these work assignments, special criteria for selection beyond the general security instruments and committee review are required. The following guidelines must be adhered to when considering an inmate for Community Work Assignment approval:

1. Classification Committee

a. The classification committee as described in ODRC policy 53-CLS-01, Inmate Security Classification Levels 1 through 4, shall screen inmates for Community Work Assignment (Outside Inmate Work Assignment off Prison Grounds) consideration using the Application for Outside Work Assignment Form/Special Labor Assignment (DRC2428).

b. Inmates considered for Community Work Assignment (Outside Inmate Work Assignment off Prison Grounds) generally must meet all applicable criteria for assignment to Level 1 status and the requirements of Administrative Rule 5120-9-34,
Community Education and Work Assignment Time, unless granted an exception by the managing officer.

c. In addition to all other screening criteria, the classification committee shall examine the inmate’s master file and request a LEADS check to determine if the inmate has an outstanding felony detainer or warrant. Inmates who are found to have an outstanding felony detainer or felony warrant shall not be approved for Community Work Assignment until the detainer or warrant is officially removed. The classification committee shall provide notice to the inmate of the detainer or warrant.

d. Exceptions to the criteria set forth in this policy and the related Administrative Rules may be considered for compelling reason(s) based on the recommendation of the classification committee; however, must be approved by the managing officer.

2. Managing Officer’s Action

The managing officer/designee shall review each Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). The managing officer’s review shall include, at a minimum, the following:

a. A review of the most recently completed Supervision Review Form (DRC2098/2094/2338) for male inmates and (DRC2605/2606/2607) for female inmates);

b. A review of the classification committee recommendations;

c. A review of the details of the offense for any inmate who does not meet all of the criteria set forth in this policy or Administrative Rule 5120-9-34, Community Education and Work Assignment Time; and

d. A personal interview with the inmate, either by the managing officer or designee(s).

3. Decision of the Director/designee

All Applications for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) must be approved by the appropriate regional director prior to the inmate being assigned outside of the secure perimeter of the institution.

a. Victim Issues - The Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) shall first be submitted to OVS for work assignments off of prison grounds. OVS shall review the application and proposed work assignment, taking into consideration any relevant victim notification requests. OVS may issue a recommendation in regards to the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428), including placing limitations on the location and/or type of community service assignment in which the inmate participates. Following OVS’ review, the application shall be forwarded to the appropriate regional director/designee.
b. The regional director/designee shall make the final determination as to the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) and return the completed form to the managing officer/designee.

c. The approved Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) shall serve as the notice to OVS required by ODRC policy 03-OVS-01, Crime Victims. No further notice shall be required by the institution to OVS concerning an inmate’s removal from the institution for participation in the Outside Inmate Work Assignment Program, unless requested by OVS. For security purposes, under no circumstances shall an inmate be told of OVS’ recommendation concerning Community Work Assignments.

d. If the prison intends to place an Electronic Monitor on the inmate, they shall indicate this on the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428). If, for any reason, the Electronic Monitor is removed from the inmate, OVS must be notified prior to the inmate being allowed to work off prison grounds without a monitor.

4. Managing Director Review- Statewide Approval

The Managing Director of Operations may grant inmates statewide approval for work assignments that require inmates be moved from their parent institution to other institutions (i.e., construction, modular installation, etc.). Once authorized by the managing director, the Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) shall be valid at all institutions where the inmates may be housed. Any concerns about the approval status, including new information which questions the inmate’s suitability for Community Work Assignment, shall be immediately reported to the Managing Director of Operations.

5. Renewal of Community Work Assignment Approval

a. Approved Applications for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) are in effect for one (1) year after the date approved by the appropriate regional director/designee and/or managing director. After a one (1) year period has elapsed, the inmate must be reconsidered for Outside Inmate Work Assignment approval in accordance with the guidelines set forth herein. In between yearly renewals, it is the responsibility of the work site supervisor who manages the area in which the inmate is employed to monitor the inmate’s behavior, institutional record and work record to ensure they are still a suitable candidate for outside work detail.

i. A representative of the classification committee shall meet with the inmate in a face-to-face interview and review the inmate’s behavior, work performance, visiting and any other relevant information which may provide insight into the inmate’s behavior. This interview shall be documented electronically in DOTS Portal using the RAP6 screen.
ii. If there are any concerns noted during the interview, these shall be communicated to the managing officer and the inmate shall be temporarily suspended from the OIW assignment.

iii. If the managing officer chooses to rescind the OIW approval, a new Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) must be completed and the reason for rescinding shall be documented on the new form.

iv. For any inmate who has spent more than two (2) years in the status of an approved OIW, a new Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) must be completed, including completion of a new LEADS check.

b. When an outside work assignment approved inmate is transferred to a new parent institution that has not been authorized for statewide approval, the managing officer/designee of the receiving institution shall review the current approved Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) to ensure its validity and accuracy prior to assigning the inmate to work off the grounds of a correctional institution. The managing officer/designee shall initial the application, documenting the date of review.

c. Any recommendation to rescind a previously approved Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) must be documented on a new Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) and approved by the managing officer.

6. Retention of Outside Inmate Work Assignment Approval Records

A copy of each Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428), whether approved or denied, shall be maintained in the inmate’s OnBase file. In addition, the work crew supervisor shall be provided with and maintain a copy of the current approved Application for Outside Inmate Work Assignment/Special Labor Assignment (DRC2428) for each inmate assigned to work on his/her crew.

Related Department Forms

Supervision Review/Male Pg. 1
Supervision Review/Male Pg. 2
Supervision Review/Male Pg. 3
Application for Outside Inmate Work Assignment/Special Labor Assignment
Supervision Review/Female Pg. 1
Supervision Review/Female Pg. 2
Supervision Review/Female Pg. 3