

**GENERAL DISTRIBUTION**

**WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION**

**NUMBER: 500.07**

**EFFECTIVE DATE: 15 June 2022**

**SUBJECT: OUTSIDE INMATE WORK  
CREWS**

# **POLICY DIRECTIVE**

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**PURPOSE:**

To ensure the management and proper supervision of outside inmate work crews.

**REFERENCE:**

WV Code §15A-4-20; Prison Rape and Elimination Act (PREA) §115.32; and Bureau of Training and Staff Development (BTSD) Protocols 102 Pre-Service Training and 103 Annual In-Service/Refresher Training Standards.

**RESPONSIBILITY:**

Superintendents of adult facilities with inmates assigned to outside work crews shall be responsible for enacting Operational Procedures and Post Orders to ensure compliance with this Policy Directive.

**CANCELLATION:**

Any previous written instruction on the subject including DCR Policy Directive 500.07, dated 01 April 2022.

**APPLICABILITY:**

All facilities within the Division of Corrections and Rehabilitation (DCR) that have custody of adult inmates. This Policy is available for general distribution and shall be made available for inmate review upon the effective date.

**DEFINITIONS:**

None.

**POLICY:**

- I. Inmate work crews may only be assigned to outside agencies with approval of the Commissioner or designee. When a written agreement exists between the Division of Corrections and Rehabilitation (DCR) or any of its facilities with an outside agency, the Superintendent or designee of the facility from which the outside work crew originates shall ensure the agreement is adhered to. Concerns shall be directed by the Superintendent to the appropriate Assistant Commissioner through the chain of command.
- II. Correctional employees shall be assigned to each outside inmate work crew.
  - A. The selection and number of correctional employees chosen to supervise outside work crews will be the responsibility of the Superintendent or designee.
    1. The number of employees assigned shall be determined by the number of inmates to be supervised, job site, and any other security factors that must be taken into consideration.
    2. It is the responsibility of the Superintendent or designee to determine if armed officers are necessary.
  - B. The supervising employee(s)'s responsibility is to provide security and supervision to the inmate crew, including, but not limited to:
    1. Maintaining a time sheet on each inmate assigned to the crew.
    2. Ensuring the inmates understand their assignments.
    3. Based on the nature of the work assignment, ensure inmates are wearing the proper safety equipment.
    4. Count of inmates on outside work crews will be in accordance with institutional procedures.
    5. Notify the facility's security Control Center of any significant incidents in a timely manner depending on the nature of the situation and complete an incident report in the Offender Information System (OIS) upon his/her return to the facility.
    6. Take appropriate action in the event an inmate is injured or becomes sick, including providing first aid or seeking medical attention as appropriate.
    7. Should an **escape or attempted escape** occur, the following guidelines shall apply:
      - a. Assemble the remaining crew and secure them in the transporting vehicle, if possible.
      - b. Perform a head count of the inmates.

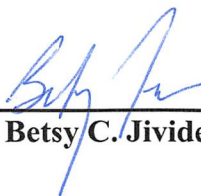
- c. Notify the facility's security Control Center and relay all pertinent information.
  - d. Return remaining crew to facility and maintain them in an area until such time as interviews by appropriate personnel may be conducted concerning escape.
  - e. The facility will be responsible for notifying the proper law enforcement authorities and executing facility escape procedures.
- III. Inmates must meet the following minimum eligibility requirements for assignment to an outside work crew.
- A. All convicted inmates serving time in a **jail**, other than federal inmates, may be eligible for assignment to outside work crews. This determination will be based on severity of current and prior offenses as well as other risk factors. Prior to assignment to an outside crew, the inmate's name will be submitted by the Superintendent or designee to the DCR Director of Classification or designee for review and approval.
  - B. Inmates serving time in **prisons or community corrections facilities** must have an overall classification level of I or II with no restrictions to outside clearance to be eligible for assignment to outside work crews.
  - C. Inmates assigned to outside work crews (including state or local agencies and community service crews) must possess a high school diploma or its equivalent or be enrolled in high school equivalency (HSE) classes and maintain good attendance and participation records. Should the inmate withdraw from or fail to successfully complete these classes, his/her outside/off-grounds work assignment will be terminated. The Superintendent may waive this requirement based on availability of educational classes.
  - D. Due to the nature of the work assignments, prior to assigning inmates to an outside work crew, their physical ability must be verified by medical personnel.
- IV. Employees of the Department of Highways (DOH), and other state, county or local municipalities who have direct contact with the inmates assigned to outside work crews will receive initial training prior to contact with the inmates and refresher training annually. This training will be coordinated by the facility Field Trainer and the outside agency liaison. The training will cover the following topics:
- A. Prison Rape Elimination Act (PREA), to include notification of DCR's zero-tolerance policy regarding sexual abuse and sexual harassment, how to respond and report such incidents and staff and inmate interaction guidelines.
  - B. General correctional issues, including but not limited to, escape procedures, contraband reduction/interdiction, etc.

- V. An inmate with a valid driver's license shall be permitted to operate a tractor or similar piece of equipment that is normally used in off road areas to cut grass, dig ditches, or be utilized as a piece of farm equipment. No inmate shall be permitted to operate a truck, pick-up truck, automobile, van, SUV, jeep, or other like vehicle that is normally on a road or highway.
  
- VI. The Work Assignment Coordinator or designee will provide each inmate chosen for assignment to an outside work crew a copy of the Contract for Placement on Outside Work Crew (**Attachment #1**) and understands and agrees to abide by the rules and regulations.

ATTACHMENT(S):

- #1 Contract for Placement on Outside Work Crew (2 pages)

APPROVED SIGNATURE: \_\_\_\_\_



Betsy C. Jividen, Commissioner

6-3-22

Date

## DIVISION OF CORECTIONS AND REHABILITATION

### CONTRACT FOR PLACEMENT ON OUTSIDE WORK CREW

#### **I understand and agree to the following conditions:**

1. I, \_\_\_\_\_, OID # \_\_\_\_\_, understand that I have been selected for an outside work crew. Receiving an outside work crew assignment off the grounds of a Division of Corrections and Rehabilitation facility, more specifically, \_\_\_\_\_ is a **privilege**.  
Name of Facility
2. I agree to conduct myself at all times in such a manner that no adverse criticism will reflect upon the facility, the work program, or me. I further agree to comply and abide by all municipal, state, and federal ordinances and laws, and to abide by all rules and regulations of the Division of Corrections and Rehabilitation.
3. I cannot miss work for any reason other than a medical emergency unless written permission is given by a facility staff person.
4. I am to be clean and neat (showered, hair groomed, and clean) and must wear appropriate clothing (long work pants, shirt, underwear, boots or tennis shoes) as required by policy. I may be required to wear appropriate safety equipment (hard hat, vest, and goggles) as well as any other items for safety and protection.
5. I am prohibited from loaning, borrowing, buying or selling any item(s) involving money to/from any other inmate, Division of Corrections and Rehabilitation employee or other state, county or local municipality employees.
6. If I refuse to perform work requested by the work crew supervisor or the Division of Corrections and Rehabilitation staff or I am insubordinate, use abusive and insulting language, it shall be reported to the facility.
7. I am to use all property or equipment issued and/or used by work crew members properly and return to the appropriate agency upon completion of use. This includes tools, clothing, and/or safety equipment.
8. I shall not use, buy, sell or have in my possession any alcohol or drugs at any time.
9. **ALL** accidents or unusual incidents are to be reported, in writing, to the Division of Corrections and Rehabilitation staff as soon as practical.
10. I am not permitted to stop at convenience stores, department stores, malls, or grocery stores while traveling to and from the job site.

11. I must remain on my assigned crew unless given written permission to leave that assigned employment placement. I will not be permitted to leave the assigned crew until replaced by another person, except in cases of release to parole supervision or discharge.
12. I will not make or receive personal phone calls during working hours.
13. I am not permitted personal visits of any kind on the job site.
14. I am not permitted to bring items found while off the grounds into a Division of Corrections and Rehabilitation facility.
15. I am not permitted to bring any electronic devices to the job site.
16. I am prohibited from transferring from one inmate work crew to another, unless approved by an employee of the facility.
17. I am not permitted to fraternize with the public or supervisors. Personal contact with civilians may result in my removal from the work program.
18. No civilian/acquaintance, because of this assignment, will be placed on my approved visiting list or permitted to visit me at the facility.
19. I understand and agree that, while working on an outside work crew, 30% of all wages earned will be deducted from my account for the payment of rent.
20. I understand that my work assignment may be terminated any time, or I may reassigned to a different work crew.

**I certify that I have read or have had read to me the above contract. I fully understand the above contract and will abide by the conditions outlined in the contract.**

\_\_\_\_\_  
**Inmate's Signature**

\_\_\_\_\_  
**OID #**

\_\_\_\_\_  
**Date**

**APPROVED BY:** \_\_\_\_\_

**Work Assignment Coordinator/designee**

\_\_\_\_\_  
**Date**