


POLICY TITLE: FURLOUGH PASS/FURLOUGH LEAVE PROGRAM		PAGE <u>1</u> OF <u>19</u>
POLICY NUMBER: 27.4		
CHAPTER 27: RELEASE PREPARATION		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: January 1, 1985	LATEST REVISION: December 1, 2017	CHECK ONLY IF APA [<input checked="" type="checkbox"/>]

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 3035.

II. APPLICABILITY

All Departmental Adult Facilities

III. POLICY

Participation in the furlough pass/furlough leave program provides prisoners with the opportunity to prepare for a successful reentry into the community following incarceration by allowing approved prisoners authorized absences from the facility under carefully prescribed conditions to arrange for housing, employment, education, or treatment; participate in education or treatment; and maintain and/or re-establish family ties. The furlough pass/furlough leave program allows a prisoner to participate in the furlough program on a day or overnight basis, to include weekends and holidays at home with the prisoner's family. Participation in this program is a privilege that may be afforded to prisoners who meet the established criteria.

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VI. PROCEDURES

Procedure A: Furlough Pass/Furlough Leave Program, General

1. All furloughs are granted at the discretion of the Department of Corrections and are considered a privilege, not a right.
2. A furlough is a temporary absence from the facility granted to a prisoner unaccompanied by facility staff. It may take the form of a furlough pass for up to six (6) hours or a furlough leave for more than six (6) hours.
3. If a prisoner is taken outside the facility by facility staff, it is a transport, not a furlough, and is governed by the applicable departmental policy.
4. Participation in a community transition release program (work release, education release or public service release) is not a furlough and is governed by Department (AF) Policy 27.3, Community Transition Program.
5. The Chief Administrative Officer, or designee, of each adult facility shall maintain a process that allows a prisoner who meets the eligibility criteria to apply to participate in the furlough program.
6. The process shall include, but not be limited to, the following:
 - a. application and screening for eligibility;
 - b. approval or denial;
 - c. conditions for prisoners while on furlough;
 - d. notifications;
 - e. monitoring through random contacts with prisoners while on furlough;
 - f. documentation; and
 - g. a system for evaluating furlough program effectiveness.
7. Furloughs may be granted for the following rehabilitative purposes:
 - a. to attend an interview, assessment or evaluation for housing placement, employment, education, or treatment;

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- b. to participate in an approved education or treatment program; or
 - c. for any other reason consistent with the rehabilitation of the prisoner that contributes to reentry planning as authorized by the Chief Administrative Officer, or designee.
8. Furloughs may also be granted to visit with family at an approved location. A furlough to visit with family must be in order to attend a significant family event, such as a graduation, birth of a baby or wedding; reconnect with a spouse, domestic partner, parent or child or family member who will be part of prisoner's support system upon release; or learn life skills needed for life in the community after a long-term incarceration.
 9. A furlough must be authorized for a specified location or locations within the State of Maine and for a specified period of time.
 10. All expenses incurred while on furlough are the responsibility of the prisoner, his or her family, sponsor, or other appropriate source.
 11. Transportation to and from the facility is the responsibility of the prisoner, his or her family, furlough sponsor, or other appropriate source.
 12. A furlough must be based on the prisoner's individualized case plan.
 13. The frequency of furlough passes may be as follows:
 - a. for a prisoner two (2) years to six (6) months from current release date, once a week; and
 - b. for a prisoner less than six (6) months from current release date, twice a week.
 14. The frequency of furlough leaves may be as follows for:
 - a. for a prisoner two (2) years to six (6) months from current release date, every sixty (60) days;
 - b. for a prisoner less than six (6) months and up to thirty (30) days from projected release date, once per month; and
 - c. for a prisoner less than thirty (30) days from projected release date, two (2) furloughs.
 15. Every prisoner granted a furlough shall be strip-searched upon his or her return to the facility.
 16. Every prisoner granted a furlough shall be given a drug test and an alcohol test upon his or her return to the facility.
 17. A prisoner shall not return from furlough with anything the prisoner did not take out with him or her (for example, clothing, footwear, jewelry, or publications) and all property brought back to the facility shall be searched.

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18. Except as specified below, a prisoner who fails to go to the location specified, fails to remain at the specified location during the specified period, or fails to return from a furlough by the specified time is an escapee and shall be referred to the appropriate criminal justice agencies for arrest and prosecution for the crime of escape, and if applicable, for a revocation of probation or supervised release for sex offenders.
19. If a prisoner becomes ill or injured or another unforeseen emergency prevents the prisoner from going to the location specified, remaining at the specified location during the specified period, or returning from a furlough by the specified time, the prisoner shall notify the facility as soon as possible for instructions.

Procedure B: Eligibility Requirements

1. A prisoner may not participate in a furlough unless the prisoner:
 - a. has no more than two (2) years remaining on the term of imprisonment, or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, Section 1253;
 - b. has served at least one hundred twenty (120) days of the term of imprisonment in a departmental facility;
 - c. is classified community custody; and
 - d. has no unresolved detainers, warrants or other legal holds pending.
2. In addition to the above eligibility requirements, a prisoner may not participate in a furlough to visit with family unless the prisoner has served at least one half of the term of imprisonment, or, in the case of a split sentence, of the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, Section 1253.
3. A prisoner who is serving consecutive sentences is not eligible to participate to visit with family until the prisoner has served at least one half of the time to be served on the combined sentences, after consideration of any deductions that the prisoner has received and retained under Title 17-A, Section 1253.
4. In addition to the above eligibility requirements, any prisoner who has been convicted as an adult with any sex offense may not participate in a furlough unless the prisoner is within six (6) months of his or her current custody release date, and, if male, has completed the intensive phase of a Department residential sex offender treatment program or, if female, the prisoner has successfully participated in a Department sex offender treatment program for at least one (1) year.
5. In addition to the above eligibility requirements, any prisoner who has been formally charged but not convicted as an adult with any sex offense may not participate in a furlough unless the prisoner is within six (6) months of his or her current custody release date, and, if male, has completed the intensive phase of a Department residential sex offender treatment program or, if female, the

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prisoner has successfully participated in a Department sex offender treatment program for at least one (1) year. The Department's Director of Classification may make an exception to the sex offender treatment program requirement and/or the requirement of being within six (6) months of current custody release date for a prisoner who has been formally charged but not convicted as an adult with a sex offense. If the prisoner has applied for an initial furlough pass or initial furlough leave, the facility Chief Administrative Officer, or designee, shall make a recommendation to the Department's Director of Classification regarding a possible exception to these requirements.

6. A prisoner must not have been found guilty of an A or B disciplinary violation within ninety (90) days, a C disciplinary violation within sixty (60) days, or a D disciplinary violation within thirty (30) days of the prisoner's application to participate in a furlough or anytime thereafter prior to the scheduled departure for the furlough and must not have a disciplinary matter pending at the time of application or scheduled departure.
7. A prisoner who has lost the privilege to participate in any community based program as a result of an interim reclassification following a finding of guilt of a drug or alcohol violation shall not be eligible to apply for a furlough for the time period specified at the reclassification.
8. No furlough may be granted if the prisoner is likely to have contact with a victim of the prisoner for domestic violence unless a waiver has been granted by the Commissioner, or designee, for visits between them.
9. No furlough may be granted if the prisoner is likely to have contact with a victim of the prisoner for a sex offense or child abuse committed when the victim was a minor, unless a waiver has been granted by the Commissioner, or designee, for visits between them.

Procedure C: Sponsor Requirements

1. In order for a person to sponsor a prisoner for a furlough pass, the person must be approved by the Chief Administrative Officer, or designee. An approved sponsor for a furlough pass must be a facility volunteer who has been cleared through the volunteer process and has completed training to include training specific to furlough passes or a family member.
2. In order for a person to sponsor a prisoner for a furlough leave, the person must be approved by the Chief Administrative Officer, or designee. An approved sponsor for a furlough leave must be a family member.
3. For purposes of this policy, family member means: spouse or domestic partner or the prisoner's parent, child, sibling, grandparent or grandchild, whether the relationship is natural, adoptive, foster or through marriage (step); other family member approved by the Chief Administrative Officer, or designee; a person that was primarily responsible for raising the prisoner, as verified by designated Department staff; or a person with whom the prisoner had a marital like relationship for at least one (1) year prior to the prisoner's commitment, as

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verified by designated Department staff through documentation (e.g., utility bill, rental agreement, etc.).

4. The sponsor must be at least eighteen (18) years old.
5. The sponsor may not be a departmental staff member.
6. The sponsor may not be a person who is currently charged with murder or a Class A, B or C criminal offense. The sponsor may not be a person who is currently charged with a Class D or E criminal offense, unless an exception has been granted by the Chief Administrative Officer, or designee.
7. The sponsor may not be a former prisoner, unless an exception has been granted by the Chief Administrative Officer, or designee.
8. The sponsor may not be a person under the current supervision of the Department in the community, unless an exception has been granted by the Chief Administrative Officer, or designee, and the Regional Correctional Administrator, or designee.
9. A sponsor may not be a victim of the prisoner for domestic violence unless a waiver has been granted by the Commissioner, or designee, for visits between them.
10. A sponsor may not be a victim of the prisoner for a sex offense or child abuse committed when the victim was a minor, unless a waiver has been granted by the Commissioner, or designee, for visits between them.

Procedure D: Furlough Pass

1. A furlough pass is a privilege granted to a prisoner for an authorized absence from the facility unaccompanied by staff. Except as set out below, a prisoner must always be accompanied by an approved sponsor.
2. The prisoner may be permitted to go on a furlough pass without a sponsor only if approved by the Chief Administrative Officer and only within the last six (6) months of the prisoner's current release date.
3. A furlough pass may be granted for up to six (6) hours.

Procedure E: Furlough Leave

1. A furlough leave is a privilege granted to a prisoner for an authorized absence from the facility unaccompanied by staff. The prisoner must always be accompanied by an approved sponsor.
2. A furlough leave may be granted for a period of time of more than six (6) hours up to twenty-four (24) hours for an initial furlough leave.
3. A furlough leave may be granted for a period of time of more than six (6) hours up to seventy-two (72) hours for subsequent furlough leaves unless a longer

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furlough leave is approved by the Commissioner, or designee.

Procedure F: Application and Approval Process for a Furlough Pass

1. A prisoner may apply for a furlough pass if he or she is minimum or community custody and will meet the time eligibility requirements set forth in Procedure B as of the proposed furlough date.
2. A prisoner who wishes to apply for an initial furlough pass must submit a completed Furlough Pass Application (Attachment A) to the facility's Community Programs Coordinator, or other designated staff, at least twelve (12) weeks in advance of the eligibility date for the initial furlough, unless otherwise allowed by the Commissioner, or designee.
3. For a subsequent furlough pass, if the furlough is requested for a sponsor who is a family member and who is different from the sponsor of a previously granted furlough, the request must be submitted at least twelve (12) weeks in advance of the proposed furlough date.
4. For a subsequent furlough pass, if the furlough is requested for the same sponsor as a previously granted furlough pass or the sponsor is a volunteer, the request must be submitted at least five (5) weeks in advance of the proposed furlough date.
5. If it is a subsequent furlough pass and it is an emergency, the Unit Team may allow the prisoner to submit a furlough request closer to the proposed furlough date.
6. The facility's Community Program Coordinator, or other designated staff, shall determine whether the Furlough Pass application has been submitted by the date required and the form is complete. If not, it shall be returned to the prisoner to submit a complete form in a timely manner.
7. The facility's Community Program Coordinator, or other designated staff, shall verify the contact phone number listed by the prisoner and enter the results into CORIS.
8. For an initial furlough pass or a subsequent furlough pass to a different sponsor, the facility's Community Program Coordinator, or other designated staff, shall determine whether the proposed sponsor and other persons with whom the prisoner is likely to have contact are prohibited from visits with the prisoner.
9. If not prohibited, the facility's Community Program Coordinator, or other designated staff, shall contact the proposed sponsor to find out if the person is willing and able to sponsor the prisoner while on furlough.
10. If the person is willing and able to sponsor the prisoner or has sponsored the prisoner on a prior furlough and has not indicated an unwillingness or inability to continue sponsorship, the facility's Community Program Coordinator, or other designated staff, shall notify the facility's Classification Officer, or designee, of the

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application.

11. The Classification Officer, or designee, shall review the prisoner's administrative record to screen for eligibility and ensure an electronic records check is conducted for any outstanding detainers, warrants or other legal holds or requests for notification from a criminal justice agency. If there is a request for notification from a criminal justice agency, the Classification Officer, or designee, shall notify the agency of the prisoner's possible furlough. The result of the records check and any response to a notification shall be entered into CORIS.
12. The facility's Community Program Coordinator, or other designated staff, shall determine if the prisoner is eligible for a furlough pass (including, in the case of an initial furlough pass, that the prisoner will be time eligible as of the proposed furlough date). If so, the facility's Community Program Coordinator, or other designated staff, shall forward the application to the Unit Management Team.
13. If the prisoner is not already classified community custody, a Department approved classification instrument shall be completed by the Unit Team to ensure that the prisoner is eligible for community custody.
14. If the prisoner meets all eligibility requirements (including, in the case of an initial furlough pass, that the prisoner will be time eligible as of the proposed furlough date) and if it is an initial furlough pass or a subsequent furlough pass with a different sponsor, the Unit Team shall determine whether the application should proceed for a review of the sponsor.
15. If approved for review of the sponsor, the Community Program Coordinator, or other designated staff, shall generate through CORIS and forward a copy of the Furlough Agreement (CORIS form) and shall also forward the Conditions of Furlough Program (Attachment B) and the Furlough Sponsor Rules (Attachment C) to the proposed sponsor.
16. Once the signed Furlough Agreement has been received back from the sponsor, the Community Program Coordinator, or other designated staff, shall conduct the review of the sponsor of the furlough pass and enter the results into CORIS. The review shall consist of:
 - a. criminal background check of the sponsor and of other persons with whom the prisoner is likely to have contact, if appropriate;
 - b. verification of transportation arrangements (including year, make, model, color and license plate number of the vehicle) and of a valid driver's license for the person providing transportation from and to the facility; and
 - c. consultation with the local probation officer, if it appears the probation officer may be familiar with the sponsor or other persons with whom the prisoner is likely to have contact.
17. At the time the sponsor is being reviewed, the Community Program Coordinator, or other designated staff, shall notify the Department's Office of Victim Services, the prosecuting attorney, the district attorney for the district in which the proposed

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furlough address is located, the Department of Public Safety, the sheriff for the county in which the proposed furlough address is located, and the police chief of any municipality in which the proposed furlough is located. In addition, if the prisoner might be allowed to go to a location other than the furlough address and it is in a different municipality or county, notification shall be made to the appropriate criminal justice agencies for that location.

18. If there is no sponsor review required because the sponsor was approved for a prior furlough, this notification shall take place when the application is first forwarded to the Unit Team.
19. Upon completion of the sponsor review (or if no review is required), the Community Program Coordinator, or other designated staff, shall bring the application to the Unit Management Team, provided the following requirements have been met:
 - a. the prisoner remains eligible for a furlough pass;
 - b. the length of time, dates and sponsor remain appropriate;
 - c. the signed Furlough Agreement form is on file; and
 - d. if the sponsor is a volunteer, the volunteer has been cleared through the volunteer process; has completed training, to include training specific to furlough passes; and has been approved to take the prisoner on a pass by the Chief Administrative Officer, or designee.
20. The prisoner's Unit Management Team shall make a recommendation on the furlough pass application to the Chief Administrative Officer, or designee, based upon the following factors:
 - a. prisoner's institutional adjustment;
 - b. any input from prosecutors and law enforcement;
 - c. prisoner's compliance with his or her individualized case plan;
 - d. criminal history;
 - e. history of revocation while on supervision in the community or of violations of conditions of release (bail);
 - f. safety of the public and the prisoner;
 - g. behavior, conduct and social attitudes of the prisoner;
 - h. prisoner's work record;
 - i. prisoner's mental and emotional stability;
 - j. prisoner's compliance with significant healthcare treatment recommendations and restrictions;
 - k. furlough pass location and sponsor;
 - l. prisoner's ability to be outside the facility without facility staff;
 - m. benefits which are likely to accrue for the prisoner or others if the furlough pass is granted, e.g., maintaining family relationships;

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- n. review of the sponsor;
 - o. any input from Victim Services;
 - p. any specialized assessment tool; and
 - q. any other relevant factors.
21. If the Unit Management Team recommends approval of the furlough pass, the Community Programs Coordinator, or other designated staff, shall complete the Prisoner Furlough Permission form in CORIS, including any special conditions recommended by the Unit Team, have it signed by the prisoner, and forward the completed form to the Chief Administrative Officer, or designee, for decision.
 22. If the decision of the Chief Administrative Officer, or designee, is to grant the furlough pass, and the requested furlough is an initial furlough pass, the completed information and the application shall be forwarded to the Department's Director of Classification, or designee, for review and approval or disapproval of the decision.
 23. Specific information about input from prosecutors, law enforcement, victims and Victim Services shall not be disclosed to the prisoner under any circumstances. A prisoner may be told in general that community sentiment was "negative."
 24. Approval for a furlough pass shall be withdrawn for a prisoner who does not continue to meet all the eligibility criteria up to the time of departing the facility.
 25. If a prisoner who has been approved for a furlough pass is transferred to a less secure facility prior to going on the furlough, the receiving facility may contact the Department's Director of Classification for permission to withdraw the approval pending a review by the Unit Team of the prisoner's adjustment to the receiving facility and any other pertinent factors. If permission is granted by the Director of Classification for a review by the Unit Team, the review shall take place within fourteen (14) days of the prisoner's transfer unless the Director of Classification specifies another time. After the review, the Unit Team shall recommend to the Chief Administrative Officer, or designee, whether to grant or deny the furlough.
 26. Except as set out in the paragraph above, approval for a furlough pass may be withdrawn at any time for any other reason at the discretion of the Chief Administrative Officer, or designee.
 27. Approval for a furlough pass may be withdrawn at any time for any reason at the discretion of the Commissioner, or designee.

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Procedure G: Application and Approval Process for a Furlough Leave

1. A prisoner may apply for a furlough leave if he or she is minimum or community custody and will meet the time eligibility requirements set forth in Procedure B as of the proposed furlough date.
2. A prisoner who wishes to apply for an initial furlough leave must submit a completed:
 - a. Furlough Leave Application (Attachment D) to the facility's Community Programs Coordinator, or other designated staff, at least twelve (12) weeks in advance of the eligibility date for the initial furlough;
 - b. Authorization for the Disclosure of Information for the Purpose of Investigation by the Department of Corrections, (Attachment E); and
 - c. Authorization for Disclosure of Substance Abuse Information Acquired in Connection with the Provision of Substance Abuse Services by the Department of Corrections found in Department Policy (AF) 11.2, Confidentiality of Prisoner Information (Attachment E).
3. For a subsequent furlough leave, if the furlough is requested for a location or sponsor different from that of a previously granted furlough, the request must be submitted at least twelve (12) weeks in advance of the proposed furlough date.
4. For a subsequent furlough leave, if the furlough is requested for the same location and sponsor as a previously granted furlough, the request must be submitted at least five (5) weeks in advance of the proposed furlough date.
5. If it is a subsequent furlough leave and it is an emergency, the Unit Team may allow the prisoner to submit a furlough request closer to the proposed furlough date.
6. The facility's Community Program Coordinator, or other designated staff, shall determine whether the Furlough Leave application has been submitted by the date required and the form is complete. If not, it shall be returned to the prisoner to submit a complete form in a timely manner.
7. For an initial furlough leave or a subsequent furlough leave to a different sponsor, the facility's Community Program Coordinator, or other designated staff, shall determine whether the proposed sponsor and other persons with whom the prisoner is likely to have contact are prohibited from visits with the prisoner.
8. If not prohibited, the facility's Community Program Coordinator, or other designated staff, shall contact the proposed sponsor to find out if the person is willing and able to sponsor the prisoner while on furlough leave.
9. If the person is willing and able to sponsor the prisoner or has sponsored the prisoner on a prior furlough and has not indicated an unwillingness or inability to continue sponsorship, the facility's Community Program Coordinator, or other designated staff, shall notify the facility's Classification Officer, or designee, of the

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application.

10. The Classification Officer, or designee, shall review the prisoner's administrative record to screen for eligibility and ensure an electronic records check is conducted for any outstanding detainers, warrants or other legal holds or requests for notification from a criminal justice agency. If there is a request for notification from a criminal justice agency, the Classification Officer, or designee, shall notify the agency of the prisoner's possible furlough. The result of the records check and any response to a notification shall be entered into CORIS.
11. The facility's Community Program Coordinator, or other designated staff, shall determine if the prisoner is eligible for a furlough leave (including, in the case of an initial furlough leave, that the prisoner will be time eligible as of the proposed furlough date). If so, the facility's Community Program Coordinator, or other designated staff, shall forward the application to the Unit Management Team.
12. If the prisoner is not already classified community custody, a Department approved classification instrument shall be completed by the Unit Team to ensure that the prisoner is eligible for community custody.
13. If the prisoner meets all eligibility requirements (including, in the case of an initial furlough leave, that the prisoner will be time eligible as of the proposed furlough date) and if it is an initial furlough leave or a subsequent furlough leave to a different location or sponsor, the Unit Team shall determine whether the application should proceed for a community investigation and site review. If it is a subsequent furlough leave to the same location and sponsor as a previously granted furlough leave, the Unit Team shall make a recommendation on the application as set out below without the requirement of another community investigation and site review.
14. If approved for investigation, the Community Program Coordinator, or other designated staff, shall generate through CORIS and forward a copy of the Furlough Agreement (CORIS form) and shall forward the Conditions of Furlough Program (Attachment B) and the Furlough Sponsor Rules (Attachment C) to the proposed sponsor.
15. If a furlough leave application is approved for investigation and the sponsor has returned a signed copy of the Furlough Agreement to the Community Program Coordinator, or other designated staff, the staff shall forward the application, the signed Furlough Agreement and the CORIS generated Request for Furlough Investigation and applicable attachments to the appropriate Regional Correctional Administrator, or designee, for a community investigation and site review. The Regional Correctional Administrator, or designee, shall ensure the community investigation and site review is completed within thirty (30) days.

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16. The community investigation and site review for a furlough leave shall be entered into CORIS and consist of the following:
 - a. review of the police report for the current crime(s);
 - b. community sentiment investigation;
 - c. criminal background check of the sponsor and of other persons with whom the prisoner is likely to have contact, if appropriate;
 - d. verification of transportation arrangements (including year, make, model, color and license plate number of the vehicle) and of a valid driver's license for the person providing transportation from and to the facility;
 - e. verification that the primary furlough leave location has a hard wired telephone;
 - f. determination whether the residence has adequate room for the prisoner; and
 - g. determination whether the environment of the residence is consistent with the prisoner's case plan and will not contribute to criminal behavior or other furlough violation.

17. At the time the application is forwarded for investigation, the Community Program Coordinator, or other designated staff, shall notify the Department's Office of Victim Services, the prosecuting attorney, the district attorney for the district in which the proposed furlough address is located, the Department of Public Safety, the sheriff for the county in which the proposed furlough address is located, and the police chief of any municipality in which the proposed furlough is located. In addition, if the prisoner might be allowed to go to a location other than the furlough address and it is in a different municipality or county, notification shall be made to the appropriate criminal justice agencies for that location.

18. If there is no investigation required, this notification shall take place when the application is first forwarded to the Unit Team.

19. Once the community investigation and the site review report is completed, the Regional Correctional Administrator, or designee, shall ensure the information is entered into CORIS, and the Community Program Coordinator, or other designated staff, is notified.

20. The Community Program Coordinator, or other designated staff, shall bring the application to the Unit Management Team, provided the following requirements have been met:
 - a. the prisoner remains eligible for a furlough leave;
 - b. the length of time, dates and sponsor remain appropriate; and
 - c. the signed Furlough Agreement form is on file.

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21. The prisoner's Unit Management Team shall make a recommendation on the furlough leave application to the Chief Administrative Officer, or designee, based upon the following factors:
 - a. prisoner's institutional adjustment;
 - b. input from prosecutors and law enforcement;
 - c. prisoner's compliance with his or her individualized case plan;
 - d. criminal history;
 - e. history of revocation while on supervision in the community or of violations of conditions of release (bail);
 - f. safety of the public and the prisoner;
 - g. behavior, conduct and social attitudes of the prisoner;
 - h. prisoner's work record;
 - i. prisoner's mental and emotional stability;
 - j. prisoner's compliance with significant healthcare treatment recommendations and restrictions;
 - k. furlough location and sponsor;
 - l. prisoner's ability to be outside the facility without facility staff;
 - m. benefits which are likely to accrue for the prisoner or others if the furlough is granted, e.g., maintaining family relationships;
 - n. community investigation and site review conducted by Adult Community Corrections staff, to include any victim impact considerations;
 - o. any input from Victim Services;
 - p. input from Adult Community Corrections;
 - q. any specialized assessment tool; and
 - r. any other relevant factors.

22. If the Unit Management Team recommends approval of the furlough leave, the Community Programs Coordinator, or other designated staff, shall complete the Prisoner Furlough Permission form in CORIS, including any special conditions recommended by the Unit Team, have it signed by the prisoner, and forward the completed form to the Chief Administrative Officer, or designee, for decision.

23. If the decision of the Chief Administrative Officer, or designee, is to grant a furlough, and the requested furlough is an initial furlough leave, the completed information and the application shall be forwarded to the Department's Director of Classification, or designee, for review and approval or disapproval of the decision.

24. Specific information about input from prosecutors, law enforcement, victims and Victim Services shall not be disclosed to the prisoner under any circumstances. A prisoner may be told in general that community sentiment was "negative."

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25. Approval for a furlough leave shall be withdrawn for a prisoner who does not continue to meet all the eligibility criteria up to the time of departing the facility.
26. If a prisoner who has been approved for a furlough leave is transferred to a less secure facility prior to going on the furlough, the receiving facility may contact the Department's Director of Classification for permission to withdraw the approval pending a review by the Unit Team of the prisoner's adjustment to the receiving facility and any other pertinent factors. If permission is granted by the Director of Classification for a review by the Unit Team, the review shall take place within fourteen (14) days of the prisoner's transfer unless the Director of Classification specifies another time. After the review, the Unit Team shall recommend to the Chief Administrative Officer, or designee, whether to grant or deny the furlough.
27. Except as set out in the paragraph above, approval for a furlough leave may be withdrawn at any time for any other reason at the discretion of the Chief Administrative Officer, or designee.
28. Approval for a furlough leave may be withdrawn at any time for any reason at the discretion of the Commissioner, or designee.

Procedure H: Medical Furlough Leave

1. If a prisoner is community custody, the prisoner may be granted a furlough leave to obtain necessary medical services without meeting any of the above eligibility, application, or other requirements, if approved by the Commissioner, or designee.
2. In addition, a prisoner who is not community custody may be granted a furlough leave to obtain necessary medical services, without meeting any of the above eligibility, application, or other requirements, if the prisoner has a terminal or severely incapacitating medical condition or will be incapacitated due to surgery and if the prisoner does not require security staff supervision while receiving the medical services, as determined by the Commissioner, or designee, in consultation with the Department's medical director.
3. If granted a medical furlough leave, the prisoner shall be reclassified minimum or community custody prior to going on the furlough, if not already so classified.
4. The prisoner shall be returned to his or her prior custody level upon the ending of the furlough leave. The prisoner may be returned to his or her prior custody level at any other time if determined appropriate by the Commissioner, or designee.
5. The Chief Administrative Officer, or designee, may terminate the furlough and require security staff supervision at any time if the prisoner's condition improves or for any other reason.

Procedure I: Furlough Documentation and Notification

1. If the furlough pass or furlough leave is denied or approval is withdrawn, the Community Programs Coordinator, or other designated staff, shall notify the prisoner and document the notification in CORIS.

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2. If the furlough pass or furlough leave is approved by the Chief Administrative Officer, or designee (and, if necessary, by the Department's Director of Classification, or designee), the Chief Administrative Officer, or designee, shall document approval on the Prisoner Furlough Permission form in CORIS. The Community Programs Coordinator, or other designated staff, shall make a copy of the Prisoner Furlough Permission form and forward both the original and the copy to the prisoner's Unit Manager.
3. If there are any special conditions for the furlough pass or furlough leave, they shall be specified on the Furlough Permission form, as well as Conditions of Furlough Program form.
4. At least fourteen (14) days before the prisoner's furlough pass or furlough leave date, the Community Programs Coordinator, or other designated staff, shall add the prisoner's name to the Furlough Pass/Furlough Leave List (Attachment F) and shall forward a copy of the list, once completed, to the Unit Manager, Central Control, admitting staff, facility health care staff, Office of Victim Services, the Regional Correctional Administrator, or designee, and the same criminal justice agencies that were initially notified of the furlough request. A copy of every furlough pass/furlough leave list shall be maintained by the Chief Administrative Officer, or designee.
5. If the furlough is an emergency and time does not permit written notice, the Regional Correctional Administrator, or designee, appropriate criminal justice agencies, and Office of Victim Services shall be notified as soon as possible verbally of the furlough. This notice shall include, but not be limited to, the name of the prisoner, place, time, and area the furlough is restricted to, and special conditions or unusual situation(s), if any.
6. If approval of a furlough pass or a furlough leave is withdrawn or the furlough is delayed, the Community Programs Coordinator, or other designated staff, shall notify the Office of Victims Services as soon as possible.
7. Prior to the prisoner leaving on the furlough pass or furlough leave, the Community Programs Coordinator, or other designated staff, shall meet with the prisoner to review the Conditions of Furlough Program and any special conditions and obtain the prisoner's signature on both the original and a copy of the Furlough Permission form.
8. The Community Programs Coordinator, or other designated staff, shall ensure that facility health care staff is notified to determine whether the prisoner needs to take any medication while on the furlough pass or furlough leave. If the prisoner does need to take medication, the health care staff shall provide the medication to the prisoner and shall provide instructions for the taking of the medication. The prisoner shall only be provided the amount of medication necessary for the duration of the furlough.
9. No earlier than the day prior to the prisoner leaving on the furlough pass or furlough leave, the Community Programs Coordinator, or other designated staff,

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shall check to ensure that the prisoner continues to meet all the eligibility criteria and shall initial the permission form indicating that the check has been made.

10. The Community Programs Coordinator, or other designated staff, shall ensure that at the time of pick-up for the furlough, the sponsor is given a copy of the Furlough Permission form.
11. Whenever a prisoner departs the facility on a furlough pass or furlough leave, designated facility staff shall make an entry in CORIS to include the date and time of the prisoner's departure and the name of the person who is picking up the prisoner. Whenever a prisoner returns from a furlough pass or furlough leave, designated facility staff shall make an entry in CORIS to include the date and time of the prisoner's return and the name of the person who is dropping off the prisoner. Designated staff shall ensure that appropriate changes are recorded to the internal facility prisoner count.
12. A copy of every furlough pass application and furlough leave application, whether or not processed, and every furlough permission form shall be maintained in the prisoner's Case Management Record.
13. All decisions made with respect to a furlough pass or furlough leave application, whether or not processed, and all meetings with the prisoner required under this policy shall be documented in CORIS.

Procedure J: Random Contacts with Prisoners on Furlough Leaves

1. Designated facility staff shall ensure that each prisoner on a furlough leave is contacted by telephone, and directly spoken to on a random basis, at least once per shift. If contact is not made, another contact attempt shall be made within fifteen (15) minutes.
2. If contact is not made after two (2) tries on any one shift, the staff shall immediately notify the shift commander, who shall notify the Chief Administrative Officer, or designee. The Chief Administrative Officer, or designee, shall determine what additional action, if any, should be taken.
3. If the Chief Administrative Officer, or designee, determines that the prisoner needs to be contacted in person, the Chief Administrative Officer, or designee, shall contact the Regional Correctional Administrator, or designee, or local law enforcement, whichever is closer, and ask them to check on the prisoner. After law enforcement or the probation officer has checked and reported back or if a check was not conducted within a reasonable period of time, the Chief Administrative Officer, or designee, shall make a decision at that time whether the prisoner is to be returned to the facility.
4. All contacts or attempts at contact shall be documented in CORIS.
5. In addition, any instance in which contact, as required in this policy, is not made after two (2) tries, reports shall be written by appropriate staff detailing all actions taken and the results of those actions.

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6. Instances of non-contact may result in suspension or restriction of furlough privileges as determined by the Chief Administrative Officer, or designee. It may also result in disciplinary action, revocation of probation or supervised release for sex offenders and/or criminal prosecution.

Procedure K: Termination or Extension

1. A prisoner granted a furlough shall be governed by the Conditions of Furlough, including any special conditions, as determined by the facility Chief Administrative Officer, or designee.
2. A prisoner’s failure to follow any rule or condition of the furlough may result in termination of the furlough or restriction or suspension of furlough privileges, as determined by the Chief Administrative Officer, or designee. It may also result in disciplinary action, revocation of probation or supervised release for sex offenders and/or criminal prosecution.
3. Regardless of whether a prisoner has failed to follow any rule or condition of the furlough, the furlough may be terminated at any time, for any reason, in the complete discretion of the Commissioner, or designee.
4. If a furlough is terminated, the Chief Administrative Officer, or designee, shall determine the appropriate means by which the prisoner returns or is returned to the facility.
5. The Chief Administrative Officer, or designee, may extend the authorized duration of a furlough in the event of an emergency (e.g., storm or other natural disaster, verified vehicle breakdown or road condition issue, verified prisoner or family medical emergency, facility lockdown or other facility emergency, etc.).

Procedure L: Appeals

1. A prisoner wishing to appeal denial of a furlough or withdrawal of an approval for a furlough may submit the appeal to the Chief Administrative Officer, or designee, within five (5) working days of receiving the decision. The Chief Administrative Officer, or designee, is the final authority for this appeal (no further appeals are allowed).
2. A prisoner wishing to appeal termination of a furlough or restriction or suspension of furlough privileges may submit the appeal to the Chief Administrative Officer, or designee, within five (5) working days of termination of the furlough or within five (5) working days of receiving the restriction or suspension decision. The Chief Administrative Officer, or designee, is the final authority for this appeal (no further appeals are allowed).
3. The Chief Administrative Officer, or designee, shall make a decision on an appeal within five (5) working days after receiving a timely prisoner appeal.
4. Upon review of the appeal, the Chief Administrative Officer, or designee, may:
 - a. approve the decision;

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- b. reverse the decision; or
 - c. modify the decision.
5. If the denial, withdrawal, or termination was by the Commissioner, or designee including a decision by the Department's Director of Classification to not make an exception under Procedure B.5, the appeal shall be submitted by the prisoner to that person and shall be decided by that person as the final authority for the appeal.
6. A copy of the appeal and the decision on the appeal shall be placed in the prisoner's Case Management Record.

VII. PROFESSIONAL STANDARDS

ACA

- ACI – 4-4442** **Written policy, procedure and practice provide that all inmates have access to a program of release preparation prior to their release to the community.**
- ACI – 4-4443** **Temporary release programs should include but not be limited to the following:**
- **written operational procedures**
 - **careful screening and selection procedures**
 - **written rules of conduct and sanctions**
 - **a system of supervision to minimize inmate abuse of program privileges**
 - **a complete recordkeeping system**
 - **a system for evaluating program effectiveness**
 - **efforts to obtain community cooperation and support**
- ACI – 4-4444** **Written policy, procedure, and practice include graduated release through a systematic decrease in supervision and corresponding increase in inmate responsibility as part of the classification program.**
- ACI – 4-4445** **Written policy, procedure, and practice provide for escorted leaves into the community.**
- ACI – 4-4447** **Written policy, procedure, and practice provide that consistent with the law of the jurisdiction, there is a system for providing notification to the registered victim(s) of a crime prior to any release from confinement of the convicted inmate and/or escape from custody. Follow-up notification to victim(s) occurs when escapees are returned to custody.**
- 4-ACRS-2A-11** **The facility has a system of accountability for offenders assigned to work and educational release, furloughs, and other temporary absences from the facility. The facility has a system for physically counting offenders. There are at least three offender counts daily. Staff monitor the movement of offenders into and out of the facility.**
- 4-ACRS-5A-14** **Each offender should be given gradual increased responsibility in the community prior to release, dependent upon his/her ability to accept responsibility.**
- 4-ACRS-5A-16** **Offenders have opportunities for involvement with family and participation in community activities before the final release.**

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