
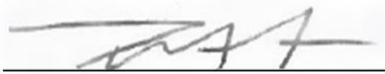


<b>POLICY TITLE: OFF-GROUNDS RECREATIONAL ACTIVITIES</b>		<b>PAGE 1 OF 4</b>
<b>POLICY NUMBER: 27.05 (AF)</b>		
<b>CHAPTER 27: RELEASE PREPARATION</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT of CORRECTIONS</b>	
	<b>Approved by Commissioner:</b> 	
		<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VIII</b>
<b>EFFECTIVE DATE:</b> <b>January 28, 2025</b>	<b>LATEST REVISION:</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

**I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

**II. APPLICABILITY**

All Departmental Adult Facilities except the Maine State Prison

**III. POLICY**

It is the policy of the Department of Corrections to provide staff supervised off-grounds recreational activities to approved minimum and community custody residents for the purpose of participating in positive activities within the community prior to their release.

**IV. DEFINITIONS**

1. Core programs – programs identified by a resident’s Unit Team as necessary to address high risk and criminogenic needs areas specific to the resident, e.g., education, substance use disorder treatment, domestic violence program, cognitive behavioral therapy, problematic sexual behavior treatment, etc.
2. Direct supervision – for purposes of this policy, when the staff providing supervision is monitoring a resident directly, e.g., staff is physically present (e.g., at the campsite, on the boat, etc.) and available to respond to a situation involving the resident immediately or the resident is in the view of staff.
3. Indirect supervision – for purposes of this policy, when the staff providing supervision is not monitoring a resident directly, but the resident is in the vicinity of staff (the resident is within hearing distance of staff).
4. Staff – for purposes of this policy, Department employee.
5. Security staff – for purposes of this policy, corrections officer, corrections supervisor, or correctional investigative officer (detective) or other facility law enforcement officer.

**V. CONTENTS**

Procedure A: Off-Grounds Recreational Activities, General

- Procedure B: Eligibility and Approval for Off-Grounds Recreational Activities
- Procedure C: Off-Grounds Recreational Activities, Supervision Requirements

**VI. ATTACHMENTS**

Attachment A: [Application to Participate in Off-Grounds Recreational Activity](#)

**VII. PROCEDURES**

**Procedure A: Off-Grounds Recreational Activities, General**

1. This policy applies to all off-grounds recreational activities in which adult residents are supervised by facility staff. It does not apply to recreational activities participated in by residents during furloughs.
2. Activities may include, but are not limited to, fishing trips, camping trips, hiking trips, trips to the beach, attendance at sporting events, museum visits, etc.
3. An activity may be participated in by one resident or by a group of residents. This may include residents from more than one adult facility.
4. An activity may involve a resident or residents leaving the facility and returning the same day or staying in the community for one or more overnights, including an activity lasting several days.
5. The activity requires the prior written approval of the Commissioner, or designee, who shall consult with:
  - a. the Department’s PREA Coordinator, or designee, with respect to safety arrangements for an overnight trip;
  - b. the Department’s Director of Operations, or designee, with respect to security arrangements for an overnight trip;
  - c. the Department’s Director of Victim Services, or designee, with respect to any activity where the public may be present.
6. If so approved, the facility Chief Administrative Officer, or designee, shall inform eligible residents of the opportunity to apply to participate in the activity and the deadline for applying.
7. An activity may be arranged with another State agency, e.g., Bureau of Parks and Land, Department of Inland Fisheries & Wildlife, etc., and, if so, there shall be a Memorandum of Understanding between the Department and the other agency.
8. If the activity will be taking place in a remote or other difficult to access area, the Chief Administrative Officer, or designee, shall ensure that suitable arrangements are made for staff supervising the activity to be able to contact, as necessary, the facility, another appropriate State agency, a law enforcement agency, and/or emergency medical services, as applicable.

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## **Procedure B: Eligibility and Approval for Off-Grounds Recreational Activities**

1. To be eligible to participate in an off-grounds recreational activity, a resident must:
  - a. be minimum or community custody;
  - b. have no detainers, warrants, or other pending holds preventing participation in a community program as set out in Department Policy (AF) 23.1, Classification System;
  - c. have completed or be actively participating in assigned core programs and be currently case plan compliant; and
  - d. not have been found guilty of a Class A or B disciplinary violation within ninety (90) days of submitting the application to participate in an off-grounds recreational activity or anytime thereafter prior to the occurrence of the activity and must not have a Class A or B disciplinary report pending at the time of submitting the application or the activity.
2. An eligible resident wishing to participate in an off-grounds recreational activity shall submit a completed Application to Participate in Off-Grounds Recreational Activity (Attachment A) to their Unit Team (UT) by the deadline for applying.
3. The UT shall ensure the resident is cleared by health care staff for participation in the activity, considering the nature, location, and duration of the activity, the resident's health, and the resident's medication needs, if any (including the legality and practicality of medication transport, storage, and administration if necessary, during the activity).
4. The UT shall also review the resident's PREA risk screening. If the resident is at high risk for sexual violence, they shall be deemed not eligible to participate in any overnight activity or any off-grounds recreational activity in which they are not kept separate from other residents. If the resident is at high risk of being sexually vulnerable, the UT shall determine whether it would be safe for the resident to participate in the activity.
5. If the resident is eligible, has been cleared by health care staff, and, if applicable, any PREA issue has been addressed, the UT shall consider all relevant information and make a recommendation to the facility Chief Administrative Officer, or designee, whether to allow the resident to participate in the activity. The Unit Manager (UM), or designee, shall document the recommendation on the application form.
6. Prior to making the decision on whether to approve the resident, the Chief Administrative Officer, or designee, shall consult with the Department's Director of Victim Services.
7. The Chief Administrative Officer, or designee, shall document the decision on the application form and notify the UM, or designee.
8. The UM, or designee, shall:
  - a. notify the resident of the decision; and
  - b. also document the decision in the Department's resident and client records management system.

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9. Approval may be withdrawn at any time for any reason at the complete discretion of the Commissioner, or designee, or the Chief Administrative Officer, or designee.
10. There is no appeal allowed of a decision to not approve a resident to participate in an off-grounds recreational activity or to withdraw approval for a resident to participate.

**Procedure C: Off-Grounds Recreational Activities, Supervision Requirements**

1. There shall be at least two (2) facility staff, who may be security or non-security staff as determined by the facility Chief Administrative Officer, or designee, present during any off-grounds recreational activity.
2. If there are more than eight (8) residents involved, there shall be at least one (1) staff for every four (4) residents.
3. The resident or residents shall be under the direct supervision of staff whenever circumstances reasonably permit. Otherwise, they shall be under at least indirect supervision at all times.
4. If an off-grounds recreational activity involves one or more overnights, staff shall maintain a safety watch throughout each night, which may be accomplished by one staff keeping awake for the entire night or by multiple staff taking turns being awake for several hours each during the night.
5. The staff shall perform out counts during an off-grounds recreational activity in accordance with applicable Department policy and facility practices. If a resident is unaccounted for, whether during an out count or otherwise, staff shall notify the facility Duty Officer as soon as possible.
6. At the conclusion of the activity and return to the facility, the supervising staff shall report to the Chief Administrative Officer, or designee, on the success of the activity. The staff shall also document the participation of each resident in the activity and any incident involving a participating resident in the resident and client records management system.
7. The Department's Director of Education, Staff Development & Training, or designee, shall ensure that all staff assigned to supervise residents receive training pertaining to this policy.

**VIII. PROFESSIONAL STANDARDS**

None

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