



# Virginia Department of Corrections

## Inmate Management and Programs

### Operating Procedure 851.3

#### *Community Re-entry Visits*

**Authority:**

Directive 851, *Inmate and CCAP Probationer/Parolee Visitation*

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### REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

### COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## **DEFINITIONS**

**Community Re-entry Visit** - Transportation of an inmate serving an active prison sentence into the community to facilitate access to community-based services that cannot be accomplished while the inmate is incarcerated in the correctional institution.

**Institutional Classification Authority (ICA)** - The institutional staff member designated to conduct inmate case review hearings.

**Multi-Disciplinary Committee** - A team of at least three institutional staff members from a range of disciplines within the institution, as designated by the Facility Unit Head or designee to review and evaluate the overall progress of an inmate for consideration for participation in a community re-entry visit; normally chaired by the Institutional Classification Authority or as designated.

## PURPOSE

This operating procedure establishes guidelines for request, approval, and supervision of inmates participating in re-entry programs in Department of Corrections (DOC) institutions whose special circumstances deem them appropriate candidates for community re-entry visits.

## PROCEDURE

- I. Re-entry Visits
  - A. Re-entry programs and services are offered to inmates who are nearing their discharge date to facilitate and support their release to the community. Inmates participating in the Intensive Re-entry Program may be provided the opportunity for a community re-entry visit if needed to facilitate access to services upon release.
  - B. Community re-entry visits
    1. Within the final 30 days of confinement, special circumstances may require that inmates with the need for community-based services upon their release be allowed to leave the facility to apply for services that will be required at release to facilitate a successful re-entry into the community. (4-ACRS-5A-14)
    2. Those services would be deemed by the Facility Unit Head and Chief P&P Officer to be vital to the inmate's successful re-entry, and unavailable without the release of the inmate to the community to apply or otherwise facilitate the services to be available upon the inmate's release.
    3. Community re-entry visits will be conducted under constant sight supervision of a P&P Officer who has completed a course in security training for non-custodial staff. (5-ACI-5F-04)
      - a. Community re-entry visits should be made available only to those inmates in the Intensive Re-entry Program with special, difficult re-entry cases that require an additional layer of release preparation to improve chances of successful re-entry and reintegration into the community. (5-ACI-5F-04)
      - b. Staff involved in the inmate's re-entry planning will determine at least 45 days before the expected discharge date if a community re-entry visit will be required.
    4. The need for a community re-entry visit will be communicated to the P&P Officer as designated by the Chief P&P Officer as soon as it is known.
    5. The designated P&P Officer will coordinate with the Facility Unit Head and the Chief P&P Officer to plan the community re-entry visit to occur during the last 30 days of incarceration.
    6. The community re-entry visit will be conducted before the last five days of the inmate's confinement to ensure availability of services upon release.
- II. Eligibility Criteria for Consideration for Community Re-entry Visits:
  - A. Assigned to Security Level 1 or 2
  - B. No convictions of crimes of a sexual nature
  - C. A release plan impediment that requires the inmate to be physically released from the correctional facility to apply for benefits, housing, or other community-based services; the following circumstances will be considered:
    1. Government benefits that require the inmate to apply in person.
    2. Personal appearance required to apply for housing, such as at a nursing home.
    3. Employment interviews as approved by the Multi-Disciplinary Review Committee. (4-ACRS-5A-20)
    4. Any other extreme and unusual circumstance, for which a community re-entry visit is the only means to meet a re-entry need as determined by the Facility Unit Head and Chief P&P Officer, based upon the inmate's unique situation or geographic locality.

D. Inmates should have achieved a high level of engagement in their case plan and their behavior has been exemplary.

### III. Suitability Criteria

A. Inmates who are determined to be eligible for a community re-entry visit must also be judged suitable based on positive institutional adjustment and appropriate, meaningful re-entry program participation.

B. Suitability criteria include, but are not limited to:

1. The degree of risk to the public as determined by a Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) risk assessment instrument and overall criminal history.
2. The inmate's behavior while incarcerated and during other periods of community-based supervision.
3. Escape history

### IV. Review and Approval Process

A. All relevant information will be gathered by the institutional Case Management Counselor or the P&P Officer designated by the Chief P&P Officer prior to submitting a written recommendation to the Multi-Disciplinary Committee utilizing the *Community Re-entry Visit Request 851\_F2*.

1. An Informal Classification Hearing as defined in Operating Procedure 830.1, *Institution Classification Management*, will be conducted to review and act upon the inmate's community re-entry visit request.
2. The Informal Classification Hearing will consist of the members of the Multi-Disciplinary Committee and will include the Re-Entry Senior P&P Officer.
3. A P&P Officer, as designated by the Chief P&P Officer of that P&P Office, from the inmate's sentencing P&P District will be included in the Multi-Disciplinary Committee reviewing the inmate's application. P&P participation in this process may be by conference call or other electronic real time means.

B. The *Community Re-entry Visit Request 851\_F2* will be completed using verified information and forwarded to the Facility Unit Head for review and approval or disapproval.

1. The Facility Unit Head will carefully consider all available information before making a determination as to the suitability of the inmate for a community re-entry visit.
2. The Facility Unit Head will consult with the appropriate Chief P&P Officer based on the inmate's home plan, discussing the inmate's special circumstances, and the need for the community re-entry visit.
3. Upon agreement of the Facility Unit Head and Chief P&P Officer that the requested community re-entry visit is necessary to meet established release requirements, the *Community Re-entry Visit Request* will be forwarded to the respective Regional Administrator for review.
4. If approved by the Regional Administrator, the Facility Unit Head and Chief P&P Officer will be notified and the Chief P&P Officer will notify the appropriate P&P Officer to plan and implement the community re-entry visit.

### V. Procedures for Conducting the Community Re-entry Visit

A. A P&P Officer designated by the Chief P&P Officer must escort the inmate on the community re-entry visit maintaining constant sight supervision. The P&P Officer must complete Non-Custodial Institutional training before conducting a community re-entry visit.

B. The P&P Officer will consult, as needed, the Facility Unit Head, Chief P&P Officer, Chief of Security, and Records Manager to arrange the transition visit.

1. Established procedures for inmate transportation will be executed by the Records Manager or designee, including creation of a *Gate Pass* in VACORIS; see Operating Procedure 050.3, *Facility Release*.

2. The community re-entry visit will be scheduled with the site to be visited to minimize wait times and to ensure that a location other than a public lobby is available for waiting if necessary.
- C. The inmate will be processed out of the facility as for other transportation including a strip search and being dressed in DOC issued release clothing and state shoes; see Operating Procedure 411.1, *Inmate Transportation*.
- D. Community re-entry visits will be conducted utilizing a state vehicle without security screening, preferably a sedan.
1. The vehicle will be equipped with two-way radio equipment capable of contacting DOC facilities, the Virginia State Police, or local law enforcement agencies or the P&P Officer will be issued a cell phone for communication with the facility.
  2. The P&P Officer must be provided with emergency response protocols and relevant facility and local emergency response agency numbers and contact information.
- E. The inmate will participate in the community re-entry visit without application of restraints (i.e., handcuffs, leg irons, etc.) during transportation and visit.
- F. The P&P Officer supervising the community re-entry visit must not be armed and no weapons will be transported in the vehicle.
- G. The P&P Officer supervising the community re-entry visit must take the most direct route to the approved location, conduct the essential business, and immediately return to the facility taking the most direct route.
1. The facility must provide bag meals, drinks, and any inmate medication needed during the community re-entry visit.
  2. No stops will be made for food, drinks, or to assist other motorists.
  3. The inmate will not be allowed to interact with the public other than as necessary to accomplish the purpose of the community re-entry visit.
- H. Upon return to the facility, the inmate will be processed back into the facility as for other transportation; see Operating Procedure 411.1, *Inmate Transportation*.
- I. In the event of attempted escape from custody by an inmate participating in a community re-entry visit, the P&P Officer will make every reasonable effort to prevent the escape.
1. Transporting staff must be knowledgeable of the Use of Force Continuum as defined and detailed in Operating Procedure 420.1, *Use of Force*.
  2. Non-force methods of control will be used whenever possible and the minimum necessary force will be used to gain control only when non-force methods have failed or are not appropriate.
  3. The P&P Officer may use verbal controls such as persuasion, advice, or warning to resolve the situation.
  4. If necessary, minimum physical force may be employed to gain control consistent with the staff members self-protection, defense of others, or in prevention of suicide.
  5. If the inmate escapes from custody, the P&P Officer must take note of the location, direction of flight of the inmate, and immediately call the facility Master Control Officer with the information.
  6. Upon receipt of this information, the Master Control Officer will immediately notify Facility Unit Head, or the Administrative Duty Officer and the escape must be reported by telephone to the Operations Logistics Unit Operations Center (804-372-4447).
  7. The emergency plan governing “escape from transportation” will be immediately implemented.

## **REFERENCES**

Operating Procedure 050.3, *Facility Release*

Operating Procedure 411.1, *Inmate Transportation*

Operating Procedure 420.1, *Use of Force*

Operating Procedure 830.1, *Institutional Classification Management*

## **ATTACHMENTS**

None

## **FORM CITATIONS**

*Community Re-entry Visit Request* 851\_F2