

State of Iowa Department of Corrections Policy and Procedures

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Authority:

1. PURPOSE

To describe the procedures used by the Iowa Department of Corrections (IDOC) to furlough incarcerated individuals.

2. POLICY

It is the policy of the IDOC to provide rehabilitative services and treatment for incarcerated individuals confined in our institution. To assist in providing those services this policy provides guidelines for the operation of an incarcerated individual furlough program for emergency purposes or that is consistent with gradual release and correctional rehabilitative philosophies.

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3. DEFINITIONS – As used in this document:

- A. Immediate Family - An incarcerated individual's spouse, mother, father, sister, brother, child, grandparent, grandchildren, established legal guardian, or other who acted in place of parents and step or half-relation if the step or half-relation and the incarcerated individual cohabitated.
- B. Responsible Person - An individual on the incarcerated individual's visiting list of legal age and in the judgment of the staff, is a person of accountability, is able to think and act rationally, and is willing to facilitate the incarcerated individual's successful completion of furloughs within the furlough rules and facilitate the return of the incarcerated individual to the institution. A responsible person shall further mean an individual not now under indictment, sentence or conviction of an indictable public offense. Ex-felons shall not be permitted to act as responsible persons for furlough until the demonstration of three years' successful adjustment in the community after release from any supervision.
- C. Furlough - A period of time during which an incarcerated individual is allowed to leave the institution and go into the community unsupervised.
- D. See IDOC Policy **AD-GA-16** for additional Definitions.

4. PROCEDURES

- A. Furloughs
 - 1. The furlough program is to allow eligible incarcerated individuals to be released from the correctional facilities for emergency situations and other activities that are consistent with gradual release or rehabilitative objectives as approved by staff. Rehabilitative objectives include activities designed to further the reintegration of the incarcerated individual back into the community as a productive, law-abiding citizen.
 - 2. Furloughs are a privilege, not a right, and may be denied or canceled at any time for reasons deemed sufficient by the Warden. Reasons for denial or cancellation shall be given to the incarcerated individual. Upon request these reasons shall be in writing. If a furlough is canceled after approval, and the incarcerated individual is restricted from telephone usage, the institution shall notify the transporting authority.

3. Emergency family furlough may be considered in the event of a death or imminent death in the immediate family.
4. Emergency medical furlough may be considered for incarcerated individuals whose medical condition has deteriorated to incapacitation or comatose state.
5. All furloughs shall have the approval of the Warden, Director of Security Operations and the Deputy Director of Institution Operations.

B. Minimum Eligibility Requirements for Emergency Family Furloughs

1. Incarcerated individuals must be classified as and reside in minimum live out or minimum work out for a minimum of three months.
2. The following incarcerated individuals shall not be eligible for emergency furloughs:
 - a. Incarcerated individuals serving Class "A" and "B" felonies, sex offenses, have crimes with sexual components or a significant history of violence shall not be eligible for furlough.
 - b. Incarcerated individuals with detainers are ineligible for furloughs.
 - c. Incarcerated individuals who are suspended from their work assignment or confined to their housing area are not eligible.
 - d. Incarcerated individuals who escape from the institution, escape while on furlough, or commit a felony on furlough during the present commitment shall not be eligible for furloughs. An exception to this rule may be made when an incarcerated individual is authorized a parole, work release, or placed in a prerelease program.
3. Incarcerated individuals shall have sufficient funds to cover the cost of the furlough including transportation costs.
4. Furlough decisions are non-grievable but can be appealed through the classification appeal process.
5. Out-of-state furloughs are not permitted.

C. Approval Process

Staff shall verify all aspects of the furlough plan and eligibility requirements.

1. Each institution shall have written procedure describing the process by which the plan, once submitted by the incarcerated individual, is reviewed prior to the final decision by the Warden or designee and shall include time frames for submission.
2. The following information shall be considered in determining an incarcerated individual's readiness to meet furlough requirements:
 - a. Information contained in the plan.
 - b. Any recommendations received from local law enforcement in response to furlough notification.
 - c. Institutional performance including conduct, attitude, program participation, and overall adjustment.
 - d. Work reports.
 - e. Psychiatric/psychological information.
 - f. Nature of the instant offense.
 - g. Criminal history.
 - h. Any other information which may have impact on the successful completion of the furlough.

D. Furlough Plan Requirements

1. Law enforcement officials in the community to which the incarcerated individual plans to furlough shall be advised of the incarcerated individual's intention to furlough. Community input shall be taken into consideration during the approval process.
2. Incarcerated individuals taking furloughs are required to be under the supervision of a responsible person as defined in this policy. A responsible person may be required to have a pre-furlough interview with staff when requested and may be required to provide three character references.
3. The furlough plan must be submitted for approval and review before and after the furlough and shall include the following:

- a. Purpose of furlough. This shall include specific reasons and objectives for the furlough.
- b. Furlough destination. This is to include name, address, phone number, and relationship of the responsible person.
- c. A complete and adequate transportation plan including means of transportation with a person on the incarcerated individual's visiting list.
- d. Activity schedule is to include dates, times, phone numbers, and locations, law enforcement check-ins, estimated departure, arrival times, purpose of the activity, and any further information deemed necessary by the Warden or designee. Activity schedules shall be verified by staff prior to departure and after return. Unspecified or unaccounted time shall not be permitted.
- e. Names and relationship to all persons with whom the incarcerated individual shall be in contact.
- f. Whether or not the furlough residence is equipped with a call-forwarding device.
- g. Incarcerated individuals shall not be permitted to have married individuals of the opposite sex (other than immediate family members) as responsible persons unless both husband and wife are listed as responsible persons. Married incarcerated individuals shall not be permitted to have any individuals of the opposite sex (other than immediate family) as responsible persons.

E. Furlough Conditions

The following are minimum conditions and restrictions placed on incarcerated individuals during their absence from the institution while on furlough:

1. The incarcerated individual shall, in person, report to the local law enforcement agency upon arrival at the furlough destination, as indicated in the plan, and have law enforcement personnel sign the form including the date and time. Additional check-ins may be required in the plan.
2. Only one incarcerated individual on furlough shall be permitted at a residence at any given time. Exceptions may be made when the incarcerated individuals are immediate family members. Additional exceptions may be made only by the Warden or designee. Incarcerated

individuals are prohibited from participating in activities together on furlough unless specifically authorized in the plan.

3. The incarcerated individual and the responsible person shall be in the furlough residence from the hours of 10:00 p.m. to 6:00 a.m. Travel to and from the furlough destination is not permitted between the hours of 10:00 p.m. and 6:00 a.m. unless it is not feasible to reach the furlough destination from the institution by 10:00 p.m. or to reach the institution from the furlough destination without traveling during the restricted hours. This shall be reflected in the furlough plan.
4. Incarcerated individuals on furlough must be available for phone checks. Random phone checks shall be made to assure that the incarcerated individual is in the place of assignment designated in the furlough plan.
5. Unspecified or unaccounted-for time on furlough is not permitted. A maximum of five hours on any given day shall be considered for activities during which the incarcerated individual is unavailable by telephone during community visit furlough. Time away from a phone may be used to go to private businesses, churches, make law enforcement check-ins, or participation in approved treatment. These activities and locations must be listed on the furlough plan. Time away from a phone is not permitted during visits or recreation.
6. Incarcerated individuals on furlough are not permitted to use call-forwarding devices. The plan shall reflect whether or not the furlough residence is equipped with call-forwarding.
7. Incarcerated individuals are not permitted to drive motor vehicles while on furlough.
8. Incarcerated individuals are not permitted to hitchhike while on furlough.
9. Incarcerated individuals must abide by all laws and institution rules while on furlough. Incarcerated individuals may not enter establishments whose primary business is the sale of alcoholic beverages. Incarcerated individuals are prohibited from consuming any alcoholic beverages or controlled substances.
10. An incarcerated individual must call the institution to request permission for any change in the furlough plan. Calls received collect to the institution shall be charged to the incarcerated individual's account.

11. Furloughs for federal incarcerated individuals are subject to any additional rules and policies as outlined in the federal manual.
12. If the incarcerated individual returns to the institution from furlough during visiting hours, a visit may be requested.

Replaces Policy IN-V-44.

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