

State of Iowa Department of Corrections

Policy and Procedures

Policy Number: WR/OWI-19
Applicability: DOC, CBC
Policy Code: Public Access
Iowa Code Reference: 904.901
Chapter 8: WORK RELEASE/OWI PROGRAMS
Sub Chapter: COMMUNITY BASED CORRECTIONS
Related DOC Policies: N/A
Administrative Code Reference: 201-43; 44; 47
Subject: DAY REPORTING
ACA Standards: N/A
Responsibility: Sally Kreamer
Effective Date: February 2021
Authority:

1. PURPOSE

To provide a Day Reporting program that would allow selected clients an opportunity to move from a residential facility to a home setting. This would provide more bed availability for clients waiting in prison for Work Release placement. The program would provide clients a closely supervised re-integration in the community, as a productive and law abiding citizen, prior to placement on parole or discharge.

2. POLICY

It is the policy of the Iowa Department of Corrections (IDOC) to allow selected Work Release clients to participate in a gradual release process from a residential facility. NOTE: Clients with a legal status of OWI Continuum are not eligible for Day Reporting as their release to an OWI program is authorized by **Iowa Code Section 321J**; therefore, there is no legal means to address violations should they occur while on Day Reporting.

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3. DEFINITIONS

- A. Curfew - Designated times when a client is not allowed to be absent from their approved housing.
- B. See IDOC Policy **AD-GA-16** for additional Definitions.

4. PROCEDURES

A. Eligibility Criteria

1. The client shall be adjusting satisfactorily in the program and progressing through the level system. The client must have demonstrated satisfactory adjustment.
2. There shall be verification, by District staff, that necessary family support is available in the dwelling where the client plans to reside. Consideration shall be given for a client to live with a non-family member when a significant relationship can be determined.
3. Consideration shall be given for clients to establish their own residence when other support is not available or there is a need for independent living.
4. The physical structure shall provide adequate space for the client and meet the basic health, safety and sanitation requirements. District policy shall define telephone communication and monitoring strategies (i.e. landline telephone requirement, cell phone use, GPS etc.)
5. The client must be actively involved in all recommended treatment programs and in compliance with case plan.

6. The client must have adequate transportation in order to meet their employment needs and the required contacts with the residential facility. (Also see IV-B-3 below.)
7. Registered victim(s) of clients shall be contacted prior to consideration for placement on Day Reporting.
8. Clients have a constitutional right to extradition. By agreeing and accepting placement on Day Reporting the client hereby waives any right to extradition to the State of Iowa from any state where they may be found. Clients will not contest any effort by any jurisdiction to return to the State of Iowa if expiration of the Iowa sentence has not occurred. Clients waive the right freely, voluntarily and intelligently.

B. Supervision

1. Clients who are approved for Day Reporting shall be supervised by the District in accordance with the current furlough monitoring practices.
2. Prior to placement in Day Reporting, clients shall complete a **WR/OWI-19 F-1, *Day Reporting Release Plan form***, detailing residential data, employment data, and a treatment schedule when appropriate. This shall be reviewed by the Case Manager and referred to the residential Manager/Designee for final approval.
3. At the time the client is reviewed for placement in Day Reporting, consideration must be given to the location of the residence and its' proximity to the residential facility. If travel distance would limit supervision and/or participation in the treatment programs the plan would be denied. Normally clients would only be allowed to participate in Day Reporting when their residence is located in the same community where the residential facility is located. However, consideration can be given for a client to reside in a location other than the same community when monitoring criteria can be met. Clients on Day Reporting may be assessed a supervision fee to be determined by the Judicial District.
4. When a work release client is approved for Day Reporting, the legal status will remain work release with a supervision modifier of Day Reporting. The PPO/Case Manager must also add IBOP Condition #23 - Comply with Day Reporting to the Client's Rules Packet. In the event violations occur on Day Reporting, see D-1 below for revocation procedure.

C. Monitoring

1. Clients shall be required to contact the residential facility (telephone/face to face) as determined by the residential facility Manager/Designee. In addition, collateral contacts shall be made each week to monitor the client's adjustment in the Day Reporting program.
2. The client shall be subject to urinalysis and breathe test on a routine basis.
3. Supervising staff shall conduct random curfew checks (face to face/telephone/electronic monitoring).
4. All client finances shall continue to be monitored by residential facility staff in the same manner as when the individual was actually residing in the residential facility.
5. Clients shall be required to contact the residential facility when they are going to be absent from their home/residence, except for their regularly scheduled work/treatment time. All activities away from the home shall be approved by residential staff. Normally, clients shall be allowed the same privileges while on Day Reporting that would be granted if they remained in the residential facility.

D. Violations

1. Violations for Work Release Clients while on Day Reporting are handled similarly to Parolees. Once an client is placed on Day Reporting, IBOP has jurisdiction over the case and the client cannot be removed from Day Reporting and returned to placement in the work release facility without a due process hearing with an Iowa Board of Parole Administrative Law Judge (IBOP ALJ). Therefore, discipline reports shall not be written on clients while on Day Reporting, but rather violations that occur should be documented in Residential Rule Incidents and add violation of IBOP Condition 23 - Comply with Day Reporting to be included in the Report of Violations. The supervising agent and their supervisor shall determine the seriousness of violations and whether a Preliminary Parole Violation Information (PPVI) should be filed, warrant obtained and a hearing scheduled. Furthermore, the supervising agent and their supervisor shall determine whether the client needs to be held in custody and the bond recommendation.
2. If a client absconds while on Day Reporting, the supervising agent shall file a PPVI and obtain a parole warrant.

E. Release

After the client has completed the expectations of the Day Reporting program, a Board of Parole Release Plan report shall be submitted to the IBOP for their review. This report shall contain supportive recommendations from the residential facility staff regarding the client's progress while in the program. If parole is not granted, the client remains on Day Reporting.