


**HOWARD COUNTY DEPARTMENT OF CORRECTIONS  
POLICY & PROCEDURE**

	<b>SUBJECT:</b>	Inmate Rights, Discipline and Services
	<b>P &amp; P #:</b>	H-730
	<b>TITLE:</b>	Placement on Work Release
	<b>EFFECTIVE DATE:</b>	April 8, 2020
	<b>REVIEWED BY:</b>	<i>Darlene Jolly</i> Darlene Jolly, Work Release/Reentry Supervisor
	<b>REVIEWED BY:</b>	<i>Andrea King-Wessels</i> Andrea King-Wessels, Deputy Director
	<b>AUTHORITY:</b>	<i>Jack Kavanagh</i> Jack Kavanagh, Director

**POLICY:** The Howard County Department of Corrections operates a Work Release Program for inmates approved, and/or ordered, by the Courts to participate as established by Section §11-715 of the Correctional Services Article of the Annotated Code of Maryland. The Department works closely with the Courts to ensure a program that is responsive to public safety.

**REFERENCE:** Correctional Services Article, Section §11-715, Criminal Procedure Article, Section §11-603, Criminal Law Article, Section §14-101; Maryland Commission on Correctional Standards – Adult Detention Center Standards .01 H, J; .06 A., and Justice Reinvestment Act of 2016.

**DEFINITIONS:** None

**PROCEDURES:**

I. Criteria for Placement on Work Release

A. An inmate may be recommended for work release in one of two ways.

1. The Court may order work release; or
2. The Director of the Howard County Department of Corrections may authorize work release, in accordance with the procedures herein.

B. Court-Ordered Work Release

1. In accordance with Section §11-715 of the Correctional Services Article, Howard County judges may order work release.
2. When an inmate is received with a Court Order for Work Release, or receives an order for work release while incarcerated, the Work Release/Reentry Supervisor shall review the order, complete a record check, review the inmate's adjustment and complete a Classification Assignment Sheet (form D-300a). A current conviction

for a Crime of Violence shall not be the sole basis for denying or delaying work release if a court order for work release is issued.

3. Should there be reason to warrant denial of work release, such as an outstanding charge or detainer, poor institutional adjustment or another reason, the Work Release/Reentry Supervisor shall prepare correspondence to advise the ordering Judge. The inmate shall not be placed on work release unless and until the Judge reaffirms the order that the inmate be placed on work release.

#### C. Court Recommendation or Request to Investigate

1. The Court may include on the commitment order a recommendation for work release, request for a work release investigation or otherwise transmit such a request. The Court Order for Work Release Investigation, HCDC Form H-730a, attached as Appendix 2, may be used for this purpose.

2. (It is understood with the Courts) that the Case Management Review (CMR) team may defer responding to a work release investigation until the team has sufficient information to make a recommendation. The CMR team will assess an inmate's risk/needs and make suitable program recommendations accordingly.

#### D. Detention Center Initiation of Recommendation to the Circuit Court

Detention Center staff may initiate a recommendation to the Judge for work release. The inmate must be recommended by a CMR action or as part of development of a case plan and approved by the Director. In cases where the inmate has a sentence of less than 60 days or an indeterminate sentence length, a CMR action is not necessary; the recommendation may be done by the Work Release/Reentry Supervisor using a Classification Assignment Sheet HCDC Form D-300a and approved by the Director.

## II. Work Release Investigation

- A. The following areas shall be investigated to ensure suitability of the inmate, the employer/job, and the transportation for participation in the Work Release Program.
  1. A complete investigation shall be conducted on the inmate by the assigned Work Release staff person to determine eligibility for acceptance in the Work Release Program. This investigation shall include the following:
    - a. Review of the inmate's institutional adjustment;
    - b. Verification of medical clearance;
    - c. Complete background investigation, which shall include:
      - (1) Motor Vehicle Record Check;
      - (2) CJIS Criminal History;
      - (3) Courts
      - (4) Warrant check;
      - (5) Review of any probation/parole cases to determine if any are in jeopardy of violation;
      - (6) Maryland Judiciary Case Search/Warrant Check

- d. Review of the inmate's basefile to check for outstanding charges, additional sentences and pertinent information; and
  - e. Clearance by the Medical Department to participate on work release.
2. The inmate may not have any other charges pending in any jurisdiction for a crime of violence as defined under §14-101(a) of the Criminal Law Article. Any other pending charge, to include violation of probation, which may result in a period of incarceration, also may make an inmate inappropriate for work release.
  3. The inmate may not have any escape convictions within the last ten (10) years. Inmates with more than one escape conviction will not be eligible for the work release program.
  4. An inmate convicted of and sentenced to a crime of violence as defined in the Criminal Law Article of the Annotated Code of Maryland (See Appendix 1 attached), to also include sex related and human trafficking charges, may only be recommended to the Court or Director as applicable for placement on work release if the inmate:
    - a. is within six (6) months of release (any exception to this shall be on a case-by-case basis and approved by the Director);
    - b. has satisfactorily completed recommended programs;
    - c. has no major rule violations within the previous 90 days (any exception to this requirement shall be on a case-by-case basis);
    - d. has had a psychological screening or psychological sexual evaluation (if applicable) which does not preclude the inmate for work release;
    - e. has been recommended for work release through CMR; and
    - f. must work a fixed job-site and be on GPS supervision unless otherwise approved by the Director or designee.
  4. An inmate convicted of domestic violence or handgun related charges must work a fixed job-site and be monitored by GPS supervision.

#### B. Results and Recommendations

1. For Circuit Court cases and where requested, a Work Release Investigation Results form may be completed by work release staff.
2. The Work Release/Reentry Supervisor shall forward the investigation results, along with a recommendation to approve or deny the inmate's participation on work release, to the Director for review.
3. The Director shall make the final decision to approve or deny the recommendation of the inmate's work release participation to the sentencing Judge as applicable.
4. As applicable, the Work Release/Reentry Supervisor shall forward the results of the investigation and recommendation to the sentencing Judge for disposition.

### III. Court-Ordered Restitution

- A. Any inmate with an active court order either post or current for restitution shall be required, as a condition of work release approval to make payments to the Division of Parole and Probation or other designated recipient. Room and Board Payments will be waived until restitution is paid in full.
- B. Work Release staff shall investigate Court and Division of Parole and Probation records to determine if restitution has been ordered by the Court.
- C. Work Release staff shall ensure that payments are made. The Work Release staff shall establish a restitution payment plan in accordance with the following order of deductions:
  - 1. Court-ordered child support;
  - 2. Restitution (at least 25% of earnings);
  - 3. Travel Expenses – work related;
  - 4. Room and Board Payments will be waived until restitution is paid in full;

#### IV. Employment Criteria

- A. An inmate may be placed in the Work Release Program prior to having approved work release employment. The inmate may be approved for a pass to search for employment. All employment must be approved.
- B. The Work Release/Reentry Supervisor/counselor shall ensure/verify that the following conditions and criteria are met prior approval of the inmate's employment.
  - 1. The job site(s) must be located within the State of Maryland.
  - 2. The employer must be able to guarantee the inmate a minimum of 15 hours of work per week.
  - 3. The employer must provide verification of Worker's Compensation Insurance for the inmate employee, (copy of the Certificate of Liability) or verified by the Workers Compensation Commission.
  - 4. The employer must provide the work release counselor with the inmate's Work Schedule.
    - a. Inmate's may work a maximum of six (6) days per week.
    - b. Inmate's may work a maximum of twelve (12) hours, including travel time, per day.
    - c. Any exceptions to the above must be approved by the Director, Deputy Director or designee in writing or via email.
  - 5. The employer must provide the Work Release counselor with information regarding the inmate's salary for verification to include:
    - a. Rate of pay, i.e. hourly wage, salary, which meets minimum wage standards;
    - b. Frequency of pay, i.e. weekly, bi-weekly, monthly;
    - c. Approved method of payment which may include:

- (1) Payroll Check;
- (2) Money Order;
- (3) Cash (tips); or
- (4) Employer Payroll Account

- d. Type of work and/or any special conditions for employment; and
  - e. Requirement that FICA/taxes be taken out and indicated on inmate's pay stub.
6. All information shall be recorded on a Work Release Employment Plan HCDC Form H-730e, attached as Appendix 6.

V. Employer Eligibility/Legitimacy

Only those businesses which meet the requirements set forth in this policy shall be approved as employers for inmates participating in the Work Release Program. Employment that does not meet the below criteria must be approved by the Director.

A. The Work Release/Reentry Supervisor or counselor may verify the validity of an employer by any of the below:

1. Better Business Bureau;
2. Chamber of Commerce;
3. Government Regulatory/Licensing Agency;
4. Law Enforcement Agency; and
5. Worker's Compensation Commission.

B. Inmates may not work for:

1. Employees of Howard County Department of Corrections or their immediate families;
2. Other Inmates;
3. Relatives (unless specifically approved as a case-by-case basis);
4. Any business whose validity cannot be verified as outlined above in Section IV. A.;  
or
5. Any job which is located outside of Maryland or includes any out-of-state travel.

VI. Orientation

Once an inmate has been approved for participation in the Work Release Program, the inmate and the approved employer shall be oriented to the rules, regulations, and procedures of the Work Release Program.

A. Inmate Classification/Orientation

1. The inmate shall be assigned to the appropriate housing unit by a classification action. Generally, male inmates will be housed in "Hendricks Hall" and female inmates will be housed in unit H-1. Other housing may be designated by the Deputy Director or above.

2. The Work Release counselor shall review all rules and regulations of the Work Release Program with the inmate.
  - a. The inmate must sign the Agreement for Work Release Program (HCDC Form H-730c, attached as Appendix 4), as agreement and understanding of these conditions.
  - b. A copy of the signed Agreement shall be given to the inmate and the original will be maintained in the inmate's work release file.

B. Employer Orientation

All approved employers shall receive a copy of the Work Release Employer Guidelines (HCDC Form H-730d, attached as Appendix 5). The employer must sign verifying receipt and understanding of the Work Release Employer Guidelines.

1. All signed receipts of Work Release Employer Guidelines shall be maintained in the Work Release file.

VII. Work Release File

- A. A Work Release file shall be established and maintained for all work release inmates. Each file shall contain the following:

1. Signed copy of the Agreement for Work Release;
2. Background Investigation Results;
3. Work Release Inmate Salary Disbursements;
4. Work Release Investigation Results, if applicable;
5. Proof of Worker's Compensation;
6. Photocopy of valid driver's license and proof of insurance of person providing transportation. If inmate has a valid driver's license, a copy of his/her driver's license, proof of insurance, and vehicle registration must be provided;
7. Copy of the Court Order for Work Release, if applicable;
8. Copy of any Court orders for restitution;
9. Any additional Orders of the Court;
10. Copy of Court Commitment;
11. Copy of Classification Assignment Sheet;
12. All schedules, including updates;
13. Copy of pay stubs and/or time sheets;
14. Copy of Intake Record;
15. Copy of any Victim Witness Notification;
16. Copies of any written correspondence between the inmate and staff;
17. Signed Work Release Employer Guidelines; and
18. Documented medical concerns (ex. diabetes, physical limitations, etc.).

- C. All Work Release files shall be maintained by Work Release staff during the inmate's participation on the program.

- D. Additionally, electronic records shall be maintained of routine employer and inmate contact, wage verification and general progress information.
- E. Upon the inmate's release or removal from the Work Release program, the Work Release file shall be combined with the Inmate basefile. Duplicate documents as well as criminal history documents shall be shredded prior to combining with basefile.

VIII. Supervisory Audit

The Work Release/Reentry Supervisor shall audit the Work Release files and/or available electronic records monthly to ensure compliance with the Work Release policies. The Work Release Supervisor shall inform the Deputy Director of any non-compliance.

IX. Directors Prerogative

The Director has the authority to revise/change a policy or post order as needed to meet the operational demands of the Department. As the changes are initiated, they may be communicated by an email, memoranda or in rare circumstances verbal due to unforeseen situations.

**ATTACHMENTS:** Appendix 1, Criminal Law Article, Annotated Code of Maryland, Title 14, Subsection §14-101.

Appendix 2, Court Order for Work Release Investigation, HCDC Form H-730a.

Appendix 3, Work Release Investigation Results, HCDC Form H-730b.

Appendix 4, Agreement for Work Release, HCDC Form H-730c.

Appendix 5, Work Release Employer Guidelines, HCDC Form H-730d

**RESCISSIONS:** HCDC Policy H-730 Placement on Work Release effective March 2, 2019, March 4, 2018, September 25, 2013, July 12, 2016.

**2017 Maryland Code Criminal Law**  
**Title 14 - General Sentencing Provisions**  
**Subtitle 1 - Sentencing**  
**§ 14-101. Mandatory sentences for crimes of violence**

**Universal Citation:** [MD Criminal Law Code § 14-101 \(2017\)](#)

- (a) "Crime of violence" defined. -- In this section, "crime of violence" means:
  - (1) abduction;
  - (2) arson in the first degree;
  - (3) kidnapping;
  - (4) manslaughter, except involuntary manslaughter;
  - (5) mayhem;
  - (6) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code;
  - (7) murder;
  - (8) rape;
  - (9) robbery under § 3-402 or § 3-403 of this article;
  - (10) carjacking;
  - (11) armed carjacking;
  - (12) sexual offense in the first degree;
  - (13) sexual offense in the second degree;
  - (14) use of a handgun in the commission of a felony or other crime of violence;
  - (15) child abuse in the first degree under § 3-601 of this article;
  - (16) sexual abuse of a minor under § 3-602 of this article if:
    - (i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and
    - (ii) the offense involved:
      - 1. vaginal intercourse, as defined in § 3-301 of this article;
      - 2. a sexual act, as defined in § 3-301 of this article;
      - 3. an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or
      - 4. the intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse;
  - (17) home invasion under § 6-202(b) of this article;
  - (18) an attempt to commit any of the crimes described in items (1) through (17) of this subsection;
  - (19) continuing course of conduct with a child under § 3-315 of this article;
  - (20) assault in the first degree;
  - (21) assault with intent to murder;
  - (22) assault with intent to rape;
  - (23) assault with intent to rob;
  - (24) assault with intent to commit a sexual offense in the first degree; and
  - (25) assault with intent to commit a sexual offense in the second degree.
- (b) Fourth conviction of crime of violence. –
  - (1) Except as provided in subsection (f) of this section, on conviction for a fourth time of a crime of violence, a person who has served three separate terms of confinement in a



correctional facility as a result of three separate convictions of any crime of violence shall be sentenced to life imprisonment without the possibility of parole.

- (2) Notwithstanding any other law, the provisions of this subsection are mandatory.
- (c) Third conviction of crime of violence. –
  - (1) Except as provided in subsection (f) of this section, on conviction for a third time of a crime of violence, a person shall be sentenced to imprisonment for the term allowed by law but not less than 25 years, if the person:
    - (i) has been convicted of a crime of violence on two prior separate occasions:
      1. in which the second or succeeding crime is committed after there has been a charging document filed for the preceding occasion; and
      2. for which the convictions do not arise from a single incident; and
    - (ii) has served at least one term of confinement in a correctional facility as a result of a conviction of a crime of violence.
  - (2) The court may not suspend all or part of the mandatory 25-year sentence required under this subsection.
  - (3) A person sentenced under this subsection is not eligible for parole except in accordance with the provisions of § 4-305 of the Correctional Services Article.
- (d) Second conviction of crime of violence. –
  - (1) On conviction for a second time of a crime of violence committed on or after October 1, 1994, a person shall be sentenced to imprisonment for the term allowed by law, but not less than 10 years, if the person:
    - (i) has been convicted on a prior occasion of a crime of violence, including a conviction for a crime committed before October 1, 1994; and
    - (ii) served a term of confinement in a correctional facility for that conviction.
  - (2) The court may not suspend all or part of the mandatory 10-year sentence required under this subsection.
- (e) Compliance with Maryland Rules. -- If the State intends to proceed against a person as a subsequent offender under this section, it shall comply with the procedures set forth in the Maryland Rules for the indictment and trial of a subsequent offender.
- (f) Eligibility for parole after age 65; exceptions. –
  - (1) This subsection does not apply to a person registered or eligible for registration under Title 11, Subtitle 7 of the Criminal Procedure Article.
  - (2) A person sentenced under this section may petition for and be granted parole if the person:
    - (i) is at least 60 years old; and
    - (ii) has served at least 15 years of the sentence imposed under this section.
  - (3) The Maryland Parole Commission shall adopt regulations to implement this subsection.

## Court Order for Work Release Investigation

Inmate Name:

Docket/Case Number:

Aliases:

Date Ordered:

Date of Birth:

Court:

Race:

Sex:

Judge:

Address:

Defense Attorney:

Phone Number:

State's Attorney:

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Judge

By: \_\_\_\_\_

\_\_\_\_\_  
Date:

Distribution:

White Copy – Court

Yellow Copy – Inmate Base File

## Howard County Department of Corrections Work Release Investigation Results

Name: \_\_\_\_\_ Number: \_\_\_\_\_ Judge: \_\_\_\_\_

Offense: \_\_\_\_\_ Sentence: \_\_\_\_\_

### Institutional Adjustment

Comments: \_\_\_\_\_

### Criminal Records Check

Outstanding warrants: YES \_\_\_ NO \_\_\_

Open Charges: YES \_\_\_ NO \_\_\_

Comments: \_\_\_\_\_

### Motor Vehicle History

Valid License: YES \_\_\_ NO \_\_\_

Suspended \_\_\_ Revoked \_\_\_

Comments: \_\_\_\_\_

### Employment

Employer: \_\_\_\_\_

Comments: \_\_\_\_\_

### Approval

\_\_\_\_\_  
Work Release/Reentry Supervisor      Date

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Denied

\_\_\_\_\_  
Director      Date

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Denied

Comments: \_\_\_\_\_

Howard County Department of Corrections  
Agreement for Work Release

Having accepted the Work Release Program offered me by the Circuit/District Court for Howard County and the Howard County Department of Corrections, I further accept the terms and conditions of the program as stated below, with a clear understanding on my part that any violation of these terms and conditions can result in my removal from the program and possible disciplinary action.

1. I shall reach my place of employment by the shortest and most direct route and in the least amount of time possible. Upon completion of each day's approved activities I shall immediately return to the Detention Center. Stops are prohibited unless specifically authorized by work release staff. I am not permitted to go to any residences/residential addresses without authorization from the Deputy Director or Director.
2. I will not leave the State of Maryland.
3. I will be issued a Safety vest to wear while walking to and from the Detention Center as deemed appropriate by work release staff.
4. I am only allowed a maximum of 12 hours away from the Detention Center to include travel time and may only work a maximum of six (6) days a week. Requests to be out of the facility for more than 12 hours must be approved by the Work Release Reentry Supervisor. My employer must provide verification of worker's compensation coverage and ensure that appropriate taxes are deducted from my pay.
5. I am not allowed to be employed or supervised by a family member, a parolee, or a probationer unless approved by Work Release Staff.
6. I am not allowed to have visits with friends or relatives while out in the community to include my place of employment.
7. I am not allowed to leave the job site, even for meals or breaks without Work Release staff approval.
8. If I need to miss work unexpectedly (illness, injury, etc.), I will notify Work Release Staff via Kiosk. I shall not be absent, from any approved day's work without the prior consent of Work Release staff. I will remain gainfully employed. If I am terminated from employment, I may face disciplinary action and possibly be removed from the work release program depending on the reason for termination.
9. I will not resign from my current job (quit) without discussing and obtaining approval from work release staff. I will provide at least a one-week notice of my intent to resign to my employer.
10. I shall be permitted to change employment only after my rent is paid in full, worked a minimum of 2-months, and having obtained prior approval from work release staff.
11. I shall turn in my uncashed, endorsed payroll check or other approved payment method to the designated Officer (Intake or Hendricks Hall) on the day I am paid. Paystubs are to be placed in the Work Release counselor box for review by staff. I am not allowed to have more than \$75.00 in cash total to include on my person or bunk area without approval of the Work Release Supervisor.
12. I shall not possess, bring or introduce onto the property of or into the Detention Center any property not specifically authorized, including but not limited to weapons, drugs, contraband (cigarettes, lighters, matches, vaping equipment, etc.).
13. I shall not purchase and/or operate a motor vehicle without having obtained the approval of the Work Release Staff. I will be required to have a valid driver's license, current insurance coverage and proper vehicle registration consistent with the law before operating a motor vehicle. I shall provide photocopies of drivers' licenses and verification of vehicle insurance of those individuals pre-approved to transport me while out in the community.

14. I shall not use or possess any alcoholic beverage or illegal substances to include medical marijuana.
15. I shall not use or possess any controlled dangerous substance or drug (including medical marijuana) unless prescribed for and/or approved by the Detention Center physician, and with prior notification of the Work Release staff.
16. I shall be prohibited from entering any contract to engage in business including, but not limited to, borrowing money, purchasing property or incurring debts or opening bank or charge accounts that is beyond the nature of my employment, without permission of the Work Release Counselor.
17. I shall conduct myself with respectability during my release from confinement, obeying all laws and regulations of those jurisdictions that I will be traveling through, and the community in which I am employed. I will notify work release staff of any encounters with law enforcement, including traffic stops, questioning and tickets/citations. I will also notify Work Release Staff of any up-coming court appearances to include civil, traffic, or criminal (sentence modification hearings).
18. I shall not have any unnecessary contact, to include no physical contact with any person including my family while on Work Release, and I will avoid whenever possible any contact or confrontation with those people of questionable character, subject to exception determined by the Work Release Counselor.
19. I shall be neat and clean while on Work Release as much as the nature of my employment permits. I shall assist members of any law enforcement agency whenever possible while still maintaining my constitutional rights. I shall not have any further privileges exceeding that which is provided to other Detention Center inmates with respect to housing, food, medical, religious and educational services.
20. I shall notify the Howard County Detention Center of any emergency problem that prevents my arrival at work, or return to the Detention center at my scheduled time. Any overtime or schedule changes must be requested by the employer between the hours of 8:30 a.m. and 3:00 p.m. Monday through Friday and approved by Work Release staff. During business hours, work release staff can be reached at 410-313-5271, 410-313-5211 or 410-313-5277. Prior to 8:00 a.m. and after 4:00 p.m., call the Shift Leader at (410) 313-5200, (410) 313-5233, or 410-313-5253.
21. I will notify and obtain permission from Work Release Staff if I need to keep a credit or debit card in my possession. I shall buy the necessary materials, clothing and/or equipment essential to my employment with the approval of the Work Release staff. I shall not make unauthorized purchases or conduct personal businesses while out in the community.
22. I shall submit to the following tests or examinations that may be requested by the Work Release Counselor/ Supervisor/Shift Leader: breathalyzer, urinalysis, or any other test or examination in conjunction to my continued participation in the Work Release Program. NOTE: A positive indication may result in the suspension/removal from the Work Release Program.
23. I shall be required to pay for any drug screening and confirmation testing when the confirmation is found to be positive.
24. All modes of transportation to and from the employment site shall have prior approval of work release staff. Any changes must be approved by Work Release staff.
25. If I drive my personal vehicle to work I must obtain prior approval, submit valid license, registration and insurance information, and park it on institutional grounds in the designated location. I must make certain that the vehicle is securely locked. At no time may a vehicle be left unattended on institutional grounds with the motor running or with the keys available. I am not allowed to transport any other persons nor allow anyone else to operate the vehicle without permission from the Director or designee. I will not store items that are considered contraband in my vehicle and I will limit the amount of items stored in my vehicle. If I

am unable to store work tools at my work-site, I may obtain permission from work release staff to store these tools in my approved vehicle. I shall provide an inventory list of tools to work release staff for approval. Furthermore, I agree to permit my personal vehicle to be subject to search at any time while on institutional grounds.

26. All medical needs will be handled and/or approved by the Detention Center medical section except those of an emergency nature. All medical emergencies will be reported to the Detention Center as soon as possible. Medical injuries that occur while working will be reported to Work Release staff immediately. All medical paperwork from outside providers will be brought back to the facility for work release staff and HCDC medical staff to view.
27. I will not have any contact with the victim(s) of my offense to include offense location or with any victims if I am on supervision in any other cases, if applicable.
28. I shall submit completed employment search verification forms (H-732a) each time I am permitted to job search.
29. I authorize the Work Release Program to deduct rent for my lodging at the Detention Center. This amount will be determined by Work Release staff and will be based on the amount I earn from employment. I will be advised of the daily rent rate by staff after my first paycheck. If I owe restitution, my rent will be waived until restitution is paid in full. I will only be allowed to retain money from my paycheck to cover travel expenses to maintain employment and basic hygiene items, not to exceed \$75.00 per week. This amount will be determined and approved by my counselor.
30. I may be required to wear a GPS device. I authorize the Work Release Program to deduct \_\_\_\_\_ per day for that device. I am responsible for the attached device and if damaged in any fashion determined to be my fault, I shall be required to pay replacement cost. I will not be allowed to depart the facility unless my GPS battery is fully charged. I may be required to return to the Detention Center if my battery is low.
31. I will return from work each day wearing only the work clothes necessary to perform my job. All other items (cell phones, tools, radio, gym bags, box cutters, etc.) must be left at work or in your vehicle, unless specifically authorized by the Work Release Counselor.
32. My signature below authorizes Howard County Department of Corrections (HCDC) staff to access payroll and time records maintained by my employer. In the event I am terminated from my employment, HCDC Staff will also have permission to collect my funds due after termination and apply these funds to cover any rent owed to the Detention Center.
33. I am allowed **one (1)** cell phone for work, travel and emergency related reasons only. My approved cell phone must be stored in the East Wing/Hendricks Hall Control Center or in my assigned locker if I'm housed in H-1 Unit. This phone must be pre-approved by work release staff. I will provide my cell phone number to my counselor and will allow access to my phone to HCDC staff for periodic review. While in the community, I will not access social media sites to include by not limited to Facebook, Twitter or my personal email without permission from work release staff. Any text messages, emails, or social media posts deemed inappropriate (i.e. threatening, harassing, sexual, etc.) by Detention Center staff may result in disciplinary action. I am not permitted to contact other inmates including those on work release.
34. I shall be permitted to use the kiosk in the Detention Center lobby for the sole purpose of depositing money into my account with the permission from work release staff. Work Release staff shall make documentation in the notes section of JMS. If granted permission, I shall notify the Upper Control officer upon entering the lobby of my intention to use the kiosk to deposit funds to my account. I fully understand that I am not allowed to deposit money to other inmate/detainee accounts.

35. I will demonstrate an acceptable work ethic and satisfactory job performance as deemed by my employer and work release staff. Reports of poor work ethic/job performance may result in disciplinary action and possible removal from the work release program.

36. Special Conditions/restrictions: \_\_\_\_\_  
\_\_\_\_\_

Further, I understand that if I fail to report for work or back to the Detention Center at the scheduled time, it will be considered a breach of these rules and I will be dealt with accordingly and may have a warrant issued for my arrest and charged with Escape from Confinement. I also understand my failure to abide by these guidelines could jeopardize any further participation in this program.

**Protection from Abuse**

Below is an overview of the Prison Rape Elimination Act (PREA) standards. PREA standards require that we inform you of our zero-tolerance policy for all forms of sexual misconduct and that it extends to you as well; to include sexual abuse and sexual harassment and to advise you of how to report such incidents.

**Avoiding Inappropriate Relationships**

**Under PREA standards, sexual misconduct between inmates and work release employers, supervisors and employees is illegal and can result in criminal and civil penalties. Such behavior is also a violation of HCDC policy.**

- Maintain healthy boundaries by keeping relationships professional, respecting others, being friendly but not friends.
- Do not engage in behaviors that lead to the appearance of an inappropriate relationship or that could develop into an inappropriate relationship, such as inappropriate touching, flirting, sending intimate letters or cards, making suggestive comments, arranging private meetings outside of the scope of the job responsibilities etc.
- Report immediately any inappropriate behavior observed and/or initiated by employers or employees.

**An investigation into sexual misconduct can result in criminal charges being filed against the perpetrator of the offense. Additionally, individuals making a false report of sexual misconduct may be criminally charged.**

**Reporting an Incident**

HCDC is requesting all work release participants to report immediately any knowledge, suspicion, or information regarding an incident of sexual misconduct. If you are a witness to any sexual assault or have suspicions of sexual abuse, sexual misconduct, or sexual harassment, please report it immediately. Contact HCDC's designated supervisor or on-duty shift leader immediately at 410-313-5200. All information shall remain confidential.

I hereby acknowledge that I have received a copy of the Agreement to Participate on the Work Release Program and I agree to all terms and conditions of same.

\_\_\_\_\_  
Inmate's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Work Release Counselor

\_\_\_\_\_  
Date

Distribution: Original - Work Release File  
Copy – Work Release Inmate Participant  
HCDC Form H-730c (revised 3/3/20)

**Howard County Department of Corrections  
Work Release Employer Guidelines**

\_\_\_\_\_  
Work Release Participant

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Date

These guidelines are provided to you so that you and the work release participant’s direct supervisor will thoroughly understand the rules governing the participant company, the participant, and the Department of Corrections. If you have any questions or concerns, you should call the Work Release Staff at (410) 313-5271, (410) 313-5211 or (410) 313-5277. In case of an emergency only, contact the on-duty Shift Leader at (410) 313-5200 (press 0) or 410-313-5233.

Work release participants should be given the same opportunities for work and advancement as your other employees. You must have a business license if required by law. You must maintain any necessary and appropriate insurance coverage.

**Notification**

You should notify the designated Department of Corrections staff at the institution if the participant is late, absent, resigns, departs early or otherwise leaves your place of business without authorization. Contact the police immediately in the event of any violations of the law, then notify designated Department of Corrections staff.

**Termination**

If termination becomes necessary, notify the work release staff of Howard County Detention Center (HCDC) prior to notifying the participant whenever possible. The designated Department of Corrections staff member will contact you to secure the participant’s final earnings or other payments. The participant signed an agreement authorizing the work release staff to collect any funds due after termination from employment should he/she be unable to collect pay.

**Wages**

You shall pay the participant directly by company check with attached paystub that indicates hours worked, gross pay, and all required deductions. You are required to pay time and one-half for overtime unless exempt in accordance with Maryland Wage Commission regulations. You shall not give advances or lend money to participants. Time records must be available for review by the work release staff in order to maintain the participant’s accountability. Work release staff are authorized to receive an inmate’s pay check directly.

**Transportation/Vehicle Use**

Participants are allowed with the permission of work release staff to drive as a function of his employment duties as well as to and from work, provided they display proof that they possess a valid driver’s license along with current automobile insurance. Under no circumstances will the inmate be allowed to operate a licensed vehicle on a public road, during the course of his routine job duties without possession of a driver’s license and authorization. Any travel that you provide shall be by the shortest route possible and shall not include any non-business related stops.



## **Worker's Compensation/Job Injuries**

You are required to have Worker's Compensation Insurance. Your signature below certifies that Worker's Compensation Insurance covers the company as required by law and that this coverage will remain in effect as required by law.

If the participant is injured on the job, you should refer or transport him/her to the nearest medical facility for treatment and notify staff of the participant's institution. Your insurance carrier is liable for medical expenses in such cases. The participant shall also be seen by the Department of Corrections medical staff to ensure that the inmate is being properly treated.

## **Protection from Abuse**

In 2012 the US Department of Justice set guidelines for Correctional officials to protect the people in their custody from any sexual abuse and sexual harassment. Below is an overview of the Prison Rape Elimination Act (PREA) standards. Included in these are for all work release supervisors who provide supervision to the Howard County Detention Center (HCDC) inmates. PREA standards require that we inform you of our zero-tolerance policy for all forms of sexual misconduct and that it extends to you as well; to include sexual abuse and sexual harassment and to advise you of how to report such incidents.

### **Avoiding Inappropriate Relationships**

**Under PREA standards, sexual misconduct between inmates and work release employers, and employees is illegal and can result in criminal and civil penalties. Such behavior is also a violation of HCDC policy.**

- Maintain healthy boundaries by keeping relationships professional, respecting others, being friendly but not friends.
- Do not engage in behaviors that lead to the appearance of an inappropriate relationship or that could develop into an inappropriate relationship, such as inappropriate touching, flirting, sending intimate letters or cards, making suggestive comments, arranging private meetings outside of the scope of the job responsibilities etc.
- Report immediately any inappropriate behavior initiated by an inmate.
- Report immediately any inappropriate behavior observed between inmates, other workers and/or the public.

**An investigation into sexual misconduct can result in criminal charges being filed against the perpetrator of the offense. Additionally, individuals making a false report of sexual misconduct may be criminally charged.**

### **Reporting an Incident**

HCDC is requesting all work release supervisors who will be supervising HCDC inmates to report immediately any knowledge, suspicion, or information regarding an incident of sexual misconduct. If you are a witness to any sexual assault or have suspicions of sexual abuse, sexual misconduct, or sexual harassment, please report it immediately. Contact HCDC's designated supervisor or on duty shift leader immediately at 410-313-5200. All information shall remain confidential.

**On-the-job Rules**

Work Release participants may **NOT**:

- leave the State of Maryland;
- be employed or supervised by a family member, a parolee, or a probationer unless approved by the work release counselor;
- have visits with friends or relatives;
- make unauthorized purchases;
- leave the job site, even for lunch, without Department of Corrections approval;
- conduct personal business; or
- use alcohol or controlled dangerous substances or quinine.

Any violations of the work release rules shall be reported to the work release staff at the institution.

**Overtime and Non-Scheduled Time**

1. Work release participants are allowed to be away from the facility for a maximum of twelve hours per day and may only work a maximum of six days per week.
2. Overtime and requests for work release participants to be out of the facility for more than 12 hours, non-scheduled hours or days should be requested by calling designated Department of Corrections staff at the institution as far in advance as reasonably possible.

**Disclosure of Criminal History**

As a work release employer, you are entitled to know the inmate’s current offense(s) and term of confinement. According to material in the inmate’s records, below is information regarding his/her sentence and current offense(s).

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By my signature below, I acknowledge that I have read and understand the Employer Guidelines.

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Howard County Department of Corrections  
Work Release Staff

\_\_\_\_\_  
Date

Darlene Jolly  
[Djolly@howardcountymd.gov](mailto:Djolly@howardcountymd.gov)  
410-313-5277  
Work Release/Reentry Supervisor

Stacy Graham  
[Ssgraham@howardcountymd.gov](mailto:Ssgraham@howardcountymd.gov)  
410-313-5211  
Work Release Counselor

Alaina Elam  
[aelam@howardcountymd.gov](mailto:aelam@howardcountymd.gov)  
410-313-5271  
Work Release Counselor

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## Howard County Department of Corrections

### Work Release Employment Plan

Date: \_\_\_\_\_

Inmate Name: \_\_\_\_\_ I.D.#: \_\_\_\_\_

Inmate Email: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Name and Address of Employer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Occupation: \_\_\_\_\_ Salary: \_\_\_\_\_

Pay:  Weekly  Bi-Weekly Day of Pay: \_\_\_\_\_

Supervisors Name: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Supervisors Email: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Alternate Supervisor's Contact Information: \_\_\_\_\_

Transportation: Form of Transportation: \_\_\_\_\_

Valid Driver's License  Yes  No

Valid Insurance:  Yes  No

Valid Registration:  Yes  No

The above information is true and correct to the best of my knowledge.

Notes: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Work Release Inmate Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Work Release Staff

\_\_\_\_\_  
Date

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