

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 325.00.04	Page 1 of 6
	Original Effective Date: 06/29/05	New Effective Date: 06/07/21
	Supersedes: 325.00.04	Dated: 07/01/18
	Administrator's Approval: Sarah Cooper, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 325 Temporary Release Under Supervision		
Subject: Inmate Drivers – Licensed Vehicles		

POLICY

The Division of Adult Institutions may allow inmates assigned minimum community custody to operate licensed State owned vehicles.

REFERENCES

Wisconsin Administrative Code Ch. DOC 302 – Inmate Classification, Sentence and Release Provisions

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Administrative Code Ch. DOC 306 – Security

Wisconsin Administrative Code Ch. DOC 325 – Temporary Release Under Supervision

State of Wisconsin Fleet Driver Policies and Procedures Manual

Documentation dated July 14, 2004 from DOA granting waiver for inmates to operate State owned vehicles

Offender Fleet Driver Policies and Procedures Handbook

National Safety Council Coaching the Van Driver Training and Video

DAI Policy 306.00.27 – Transportation of Inmates

34 U.S.C.A. §30301. Prison Rape Elimination Act of 2003

28 C.F.R § Part 115, et seq. National Standards to Prevent, Detect and Respond to Prison Rape

Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)

DEFINITIONS, ACRONYMS AND FORMS

DAI – Division of Adult Institutions

DMV – Division of Motor Vehicles

DOA – Department of Administration

DOC – Department of Corrections

DOC-1252 – Van/Motorcoach Driver Authorization

DOC-2300 – Offender Vehicle Use Agreement

DOC-2495 – Van Driver Training, Outline and Written Test

DOC-2570 – Inmate Offsite Review

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Drivers License – A Class D driver’s license issued by the State of Wisconsin. An occupational license, probationary license or out of state license is not considered a valid license under this policy.

High Profile Case – Sex offenders, lifers and cases which have received media attention or would prompt community scrutiny or sensitivity to the crime; including any crime that resulted in death. These cases include historical convictions, adjudications, read-ins and non-sex offender registry required cases that include sex offense behavior.

Licensed State Owned Vehicle – Any motor vehicle that is owned by the State of Wisconsin and licensed by the Division of Motor Vehicles and can be driven on public roads.

Minimum Community Custody– As assigned in WICS.

OWI – Operating While Intoxicated

PREA – Prison Rape Elimination Act

PROCEDURE

I. General

- A. DOA has issued a waiver which authorizes inmates in the custody of the DOC to operate State owned vehicles. Inmates operating state vehicles pursuant to this waiver shall be considered agents of the State of Wisconsin.
- B. Inmates shall not drive State owned vehicles that have municipal official plates (star plated vehicles).

II. Screening Process

The Warden/Superintendent/designee shall screen inmates using the DOC-2570 to determine whether they are appropriate for consideration as an authorized operator of State owned vehicles. The criteria that shall be considered includes, but is not limited to:

- A. The nature and seriousness of the inmate’s offense.
- B. The physical danger that the inmate might presently pose to the public.
- C. The inmate’s prior criminal record.
- D. The inmate’s risk of escape.
- E. Potential victim issues, including an inmate’s risk of sexual abusiveness as determined by the PREA risk screening tool.
- F. The inmate’s DOC conduct record.

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- G. The amount of time the inmate has served.
- H. The amount of time remaining before the inmate's anticipated release date.
- I. Completion of, and/or motivation to complete, programs prescribed to reduce risk to the public.
- J. Detainers or criminal cases pending against the inmate.
- K. Medical or psychological conditions which may adversely affect the inmate's ability to safely operate a vehicle or interact with the public.

III. Approval Criteria for an Authorized Inmate Driver

- A. Warden/Superintendent/designee shall request a detailed check of driving records for those inmates receiving further consideration. The request shall include the inmate's driver's license number, full name as written on driver's license, date of birth, gender, and date of current admission to DAI.
- B. Only inmates who meet the following criteria may be considered to operate State owned vehicles. The inmate shall:
 - 1. Be housed in a minimum security facility.
 - 2. Be classified as minimum community custody to operate a State owned vehicle on and off state grounds.
 - 3. Be categorized, based upon the PREA risk screening tool, as having no risk or, if anything, a risk of victimization. If an inmate who has a risk of abusiveness is the best candidate to operate a state vehicle, the facility shall document the ways in which potential risk to others will be mitigated. Unsupervised contact between those at risk of abusiveness and those at risk of victimization in/on DOC property is prohibited.
 - 4. Have a valid operator's license.
 - 5. Have a minimum of two years licensed driving experience as required by DOA.
 - 6. Submit the approved DOC-2570 to the DOC Fleet/Risk Management Office for High Profile and Life sentence cases.
 - 7. Have a significantly shorter time period in possession of a valid driver's license or driving experience in the community prior to incarceration compared to the incarceration period.
 - a. For example, a 20 year old inmate with four years of licensed driving experience at the time of incarceration and has been incarcerated for 23 years would be ineligible to drive a 15 passenger van without complying with III.B.7.b.
 - b. Inmates who meet the criteria in Section III.B.7 are required to:
 - i. Receive driver approval from the Warden/Superintendent.
 - ii. Successfully pass the driver test in a minivan.
 - iii. Complete driver duties in a minivan for a designated duration as determined by Warden/Superintendent/designee.

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- c. After the designated timeframe is successfully completed the inmate may be authorized to complete the 15 passenger van training and test.
 8. Have received and read the Inmate Fleet Driver Policies and Procedures Handbook.
 9. Have completed the DOC-2300.
 10. Have successfully completed van driver training, regardless of what type of licensed vehicle they will be driving.
 11. Have successfully completed some behind the wheel instruction when approved to drive at a new location.
 - C. Inmate shall not be considered under the following circumstances:
 1. Have two or more moving violations and/or at fault accidents in the last three years.
 2. Have a committing offense of sexual assault.
 3. Have a committing offense of homicide by use of vehicle.
 4. Have had any OWI convictions.
 5. Have been involved in a driving incident which resulted in bodily injury or the death of an individual.
 - D. No exceptions may be made to these standards without the prior written approval of the DOC Fleet/Risk Management Office and the DAI Administrator.
 - E. Authorization to operate a State owned vehicle:
 1. Approval of an inmate as a driver is at the discretion of the Warden/Superintendent/designee and/or Risk Management.
 2. Although an inmate may have met all of the above criteria does not entitle him/her to obtain approval to operate a State owned vehicle.
- IV. Approved Inmate Driver Requirements**
- A. Inmates approved as a driver shall complete and sign DOC-1252.
 - B. All inmate drivers shall successfully complete the DOC-2495 and receive approval to operate specific State vehicles.
 - C. Approved requests shall include the completed DOC-1252, DOC-2495, DOC-2300 and the DOC-2570 for High Profile cases and forwarded to DOC Fleet/Risk Management for final authorization.
- V. Driver Suspensions/Terminations**
- A. An inmate may receive a suspension of driving privileges pending any investigation of driving complaints or violations.
 - B. Warden/Superintendent/designee, DAI staff or DOC Fleet or Risk Management may suspend inmates' DOC driving privileges pending any type of investigation.

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- C. An inmate’s DOC driving privileges shall be terminated when the inmate no longer meets the criteria for approval as an authorized driver.
- D. The Warden/Superintendent/designee shall review all suspensions and may terminate an inmate’s DOC driving privileges.

VI. Ongoing Oversight of Inmate Driving Record

- A. A monthly DMV record check shall be performed on every inmate authorized to drive State owned vehicles. These records shall reflect traffic violations committed which may impact their eligibility to continue as an authorized driver.
- B. The checks shall be reviewed by the DOC Fleet Manager and a report shall be made available to all DOC facilities that utilize inmate drivers.
- C. Inmate drivers no longer in a driver position or no longer incarcerated shall be reported to the DOC Fleet/Risk Management office.

Administrator’s Approval: _____ **Date Signed:** _____
Sarah Cooper, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date: 00/00/00	DAI Policy Number: 325.00.04	Page 6 of 6
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 325 Temporary Release Under Supervision		
Subject: Inmate Drivers – Licensed Vehicles		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - 1.
 - a.
 - B.
 - C.

- II.
 - A.
 - B.
 - C.