

WISCONSIN DEPARTMENT OF CORRECTIONS
Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.


Sarah Cooper
Name of Individual Certifying this Document/Proposed Document

Warden
Title

Sarah Cooper
Signature

06-08-2020
Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 302.00.05	Page 1 of 5
	Original Effective Date: 11/01/18	New Effective Date: 11/01/18
	Supersedes: N/A	Dated: N/A
	Administrator's Approval: Jim Schwochert, Administrator	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 302 Inmate Classification, Sentence and Release Provisions		
Subject: Inmate Request for Placement in DOC Contracted Facilities		

POLICY

The Division of Adult Institutions shall consider sheriff, superintendent at the house of corrections or tribal chief of police requests received for eligible Wisconsin Act 89 placement.

REFERENCES

Wisconsin Act 89 – An Act to renumber and amend 302.27; to amend 20.410 (1) (ab); and to create 302.27 (2) of the statutes; related to work release for inmates in the Department of Corrections Contracted facilities.

Wisconsin s. 302.27 – Contracts for temporary housing for or detention of persons on probation or prisoners

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

DAI Policy 309.45.02 – Inmate Trust System Deductions

DAI Policy 325.00.08 – Minimum Custody Inmates Offsite Authorization

DEFINITIONS, ACRONYMS, AND FORMS

BOCM- Bureau of Offender Classification and Movement

DAI – Division of Adult Institutions

DCC – Division of Community Corrections

DOC – Department of Corrections

DOC-1163 – Release of Information

MOU - Memorandum of Understanding

OCS – Offender Classification Specialist

PROCEDURE

I. Eligibility

A. Eligible inmates shall meet the following criteria:

1. Has 12 months or less to their adjusted release date.
2. Be classified as minimum or minimum community custody.
3. Not have pending charges or detainers.
4. Has not refused identified program needs.

DAI Policy #: 302.00.05	New Effective Date: 11/01/18	Page 2 of 5
Chapter: 302 Inmate Classification, Sentence and Release Provisions		
Subject: Inmate Request for Placement in DOC Contracted Facilities		

5. Approved for placement in the county jail by authorized DOC staff.
6. Approved for placement in the county jail by the sheriff, superintendent at the house of corrections or tribal chief of police.

II. Submission of Request

- A. An eligible inmate may submit a written request to the Warden/designee to request consideration for placement in accordance with Wisconsin Act 89 to the inmate's approved county of release.
- B. A social worker may submit a request for consideration to the Warden/designee on the inmate's behalf upon request.
- C. The Warden/designee shall review the appropriateness of the request and determine if the inmate meets the criteria for placement in accordance with DAI Policy 325.00.08.
- D. The Warden's decision to approve or deny the inmate for placement consideration is final.
- E. If the Warden supports the request they shall consult with the DOC DAI division contact to determine if an MOU is in place with the identified county or tribal jail.
- F. If no MOU exists, the DOC DAI division contact shall contact the county or tribal jail to determine interest in placement of an inmate in accordance with Act 89.
- G. The sheriff, superintendent at the house of corrections or tribal chief of police may request additional information from the assigned institution to evaluate the request.
- H. The inmate shall sign any applicable DOC-1163 forms to allow the sheriff, superintendent at the house of corrections or tribal chief of police access to information to evaluate the request.
- I. If after review the sheriff, superintendent at the house of corrections or tribal chief of police is interested in placement of the inmate he or she shall contact the Warden/designee of the facility the inmate is located at and request placement in the county jail.

III. Denied Requests

- A. Denied requests shall be forwarded to the inmate.
- B. The inmate shall not make another request for consideration within 6 months after the date of the denial.

DAI Policy #: 302.00.05	New Effective Date: 11/01/18	Page 3 of 5
Chapter: 302 Inmate Classification, Sentence and Release Provisions		
Subject: Inmate Request for Placement in DOC Contracted Facilities		

IV. Approved Requests

- A. The institution social worker will ensure that the agent of record, county of release and approved county or tribal jail placement all correlate.
- B. The Warden/designee, BOCM transportation coordinator and sheriff superintendent at the house of corrections or tribal chief of police shall arrange transfer per MOU.

V. Approved Jail Placements

- A. Upon approval and transfer to the designated county jail, classification custody assignment pursuant to Wisconsin Administrative Code 302 is waived.
- B. While located in the county jail the inmate is subject to jail policies and rules regulating visits.
- C. Counties shall immediately notify the DOC DAI division contact as specified in the MOU of:
 - 1. Any significant misconduct.
 - 2. Violation of county study/employment policies.
 - 3. Criminal activity.
 - 4. Unauthorized leave or flight from any of those study/employment activities.

VI. Employment, Educational and Program Activities for Jail Inmates

- A. Pursuant to WI s. 302.27 (2), the county may assume the responsibility for allowing inmates to engage in:
 - 1. Employment-related activities including seeking employment.
 - 2. Employment training.
 - 3. Working at employment.
 - 4. Performing community service work.
 - 5. Attendance at an educational institution.
 - 6. Attendance at office visits with Probation and Parole Agent.
- B. Prior to individual inmate placement in any work or education activities, counties shall consult with the DOC DAI division contact specified in their respective MOU. This shall include, but not be limited to, victim related issues.
- C. Funds delivered to DAI for the inmate at the jail shall be subject to DAI policy 309.45.02. Funds delivered to the jail for the inmate at the jail shall be subject to the terms of the MOU between the DOC and county jail, consistent with the county jail's assessment and remittance of funds to be paid towards court imposed financial obligations and/or other applicable fees.
- D. Other programs or job assignments may be made available to the inmate at the jail as jail resources and policy permits.

DAI Policy #: 302.00.05	New Effective Date: 11/01/18	Page 4 of 5
Chapter: 302 Inmate Classification, Sentence and Release Provisions		
Subject: Inmate Request for Placement in DOC Contracted Facilities		

1. Inmates shall not earn DOC wages for work or program assignments provided by the jail.
2. Program completions in the jail may not necessarily qualify as addressing criminogenic needs determined by DOC.

VII. Health Services

- A. Jails shall be responsible for the provision and costs of routine or emergency medical, mental health or dental service care.

- B. Requests may be made to DOC for reimbursement of extraordinary emergency medical, mental health or dental service care

VIII. Inmate Release from the Jail

- A. Reentry planning shall be coordinated between the DAI Social Worker and the DCC Probation and Parole Agent.

- B. Date of release shall be determined and coordinated with the jail by authorized DOC Record staff.

IX. Return to DAI Facility

- A. The county may request return of an inmate to a DAI facility at any time.

- B. The DOC may remove an approved inmate from a jail and admit to a DAI facility at any time.

- C. A re-classification hearing shall be initiated upon return to a DAI facility.

Administrator's Approval: _____ **Date Signed:** _____
Jim Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Wisconsin Women's Correctional System		
Original Effective Date: 11/01/18	DAI Policy Number: 302.00.05	Page 5 of 5
New Effective Date: 07/01/2020	Supersedes Number: N/A	Dated: N/A
Chapter: 302 Inmate Classification, Sentence and Release Provisions		
Subject: Inmate Request for Placement in DOC Contracted Facilities		
Will Implement <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval: Warden Sarah Cooper		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

DOC-0761 – Bilingual Interview Information Request Spanish English

DOC-2570 – Inmate Offsite Review

MWCC – Milwaukee Women's Correctional Center

TCI – Taycheedah Correctional Institution

REECC – Robert E. Ellsworth Correctional Center

WWCS – Wisconsin Women's Correctional System

RESPONSIBILITY

- I. Staff
 - A. Social Worker/designee
 1. Receive request and review all available information.
 2. Provide a recommendation on DOC-2570 for the Warden at TCI or Superintendent at MWCC and REECC.
 - B. Superintendent

Review the request and forward to the WWCS Warden with recommendations.
 - C. Warden
 1. Approve/deny DOC-2570.
 2. If approved, forward to the DOC DAI Division Contact in accordance with sections IV and V of DAI Policy.
 - D. Inmate
 1. Complete DOC-0761 with the following information:
 - a. Time to adjusted release date.
 - b. Classification as minimum or minimum community custody.
 - c. Any pending charges or detainers.
 - d. Any refused identified program needs.
 2. Submit completed form to the assigned Social Worker.