

Frequently Asked Questions

A list of frequently asked questions from the virtual town hall meeting held by the Wisconsin Department of Corrections on Wednesday, July 1 for work release employers is available below.

1. What criteria are you using to determine when you will be ending the suspension of work release, and will there be a phased approach considered? Does a vaccine need to be readily available?

The Department of Corrections (DOC) has applied the State Government Badger Bounce Back Plan framework to our own internal plans to slowly and safely return to our staff to normal operations. The State Government Badger Bounce Back Phases consist of the following:

- **PHASE I:** State office buildings partially reopen, but only for employees who do not have the ability to work from home and/or are providing services that Agency heads determine have limited alternatives in service delivery for the general public. Social distancing requirements are strictly enforced within the workplace, including in individual and shared workspaces. Remote work is highly encouraged, when appropriate and available. Gatherings of only 10 people or less are allowed.
- **PHASE II:** State office buildings are fully open for public-facing government services and general business, but remote work continues to be encouraged, when appropriate and available. Social distancing requirements continue to be strictly enforced, including in individual and shared workspaces. Gatherings of up to 50 individuals are allowed.
- **PHASE III:** The state workforce fully returns to normal work locations and restrictions on large gatherings are lifted.

The DOC is not sure how the phases will influence our decisions to safely return those in our care back to work release sites, however we will use the phased approaches to help guide our decisions. In Phase 3, the state workforce returns to normal and we hope to resume work release at least on some level during this phase. Whether or not we can safely resume work release on a smaller scale in phase 3 will continuously be reviewed. It is also important to note that the DOC will not solely use the phases to make determinations on resuming work release. Our agency will be looking at environmental factors to make decisions to return individuals back to work, but the decision will be driven by the virus and the data we receive. The virus itself will tell us when it is safe to resume normal operations

At this time, we are not using the availability of a vaccination to guide our decisions. We recognize there is no guarantee that a vaccine will be available, so part of our strategy will be to analyze the data and look for stabilization in our communities to help us decide when it is safe to resume normal operations.

2. Do you have a date of when persons in custody will be allowed to return to job sites?

As of today, there is not a date in place to resume work release. The state is using a phased approach, but many of the preventative measures will stay in place between phases. As it stands today, we hope to resume normal operations for work release in Phase 3, but as stated previously, DOC will not solely use the phases to make determinations on resuming work release. Our agency will be looking at environmental factors to make decisions to return individuals back to work, but the decision will be driven by the virus and the data we receive.

We remain committed to completing our mass testing efforts at all the centers to assess the current status of the virus among persons in our care. Testing has enabled us to identify asymptomatic carriers, which is crucial to reducing spread. Simultaneously, we are working to ensure we have proper areas to isolate and quarantine any individual that tests positive for COVID. Many of our center systems are not set up to properly medically isolate and quarantine individuals, and we are working in collaboration with our partner institutions to transfer individuals as necessary.

3. When persons in our care return to work release sites, what conditions will be required? Will DOC provide PPE for those in their care, or will it be a requirement of the work site to supply necessary PPE?

Our centers have already begun to reach out to work sites to gather information on what measures are in place by employers to safely receive work release participants in the future. Those efforts were a part of our phase one planning. Employers that have preventive measures in place may be considered more suitable for resuming work release than employers without such preventive measures in place. Examples of preventative measures we are hoping to see include, but are not limited to:

- Temperature Screenings
- Policies to direct staff who are sick to stay home
- Face masks provided to employees and persons in our care
- Enhanced cleaning and disinfecting
- Encourage frequent hand washing and have hand sanitizer available in common areas this section is for employers
- A policy to notify DOC when there is a positive staff case at the work site

To follow up on previous communication employers have had with work sites, DOC will be gathering more up to date information from employers to assist us in our decision making process. Employers should have received a survey following the town hall event.

4. How do the decisions related to work release, impact work study programs at the local technical colleges?

Many of the same benchmarks used for work release, will be used for study release as well. The DOC has a duty to keep the people in our care safe. We want to balance safety with ensuring the individuals in our care have opportunities to participate in meaningful programming and work training opportunities to help prepare them for their ultimate release. Some of the factors DOC will look at to make a determinations include:

- Number of students anticipated on campus in fall, 2020
- Identified instructional space, and social distancing plans
- Policy on wearing of face masks
- Face masks provided by the college
- Availability of hand sanitizer and hand washing stations
- Temperature Screenings being conducted for staff by the college
- Identified communication plan between the college and DOC regarding any positive cases of college staff and/or students

Our agency will be having discussions on the use of a regional approach, using environmental benchmarks to make our decisions on a case by case basis on when it is safe to resume normal

operations, but once again, the virus will likely tell us when it is safe to resume normal operations. We anticipate being able to resume some programming by phase 3.

DOC will be considering options for some type of blended instruction during phase 2, which could mean some online and some in-person learning. This will need to be evaluated on a case-by-case basis, and as resources allow. We will have to consider not only the education facility capabilities, but the technical abilities of DOC.

5. As things transition back to normal operations, what will the Department of Corrections do to ensure the safety of persons in our care moving from work sites, back to the institutions? Can persons in your care going to work release sites be quarantined from the rest of the incarcerated population?

The Department of Corrections' number one goal during this unprecedented health crisis has been the health and safety of our staff, the persons in our care and the public. Some of our safety measures to mitigate risk have included:

- Enhanced sanitation and cleaning protocols in facilities and transportation vehicles, including providing disinfectant and cleaning supplies for use by staff and persons in our care
- Increased quantities of hand soap for use by staff and persons in our care, and we are currently providing alcohol-based hand sanitizer for our institutions to be used in common areas
- Enhanced purchasing efforts for pandemic emergency supplies and personal protective equipment

We will continue many of these safety measures in place long term, until the threat of the virus is gone. The trajectory we are on right now within our state is not very encouraging, and the data shows the nature and uncertainty of this virus. We need to be responsive to the data, otherwise if we resume work release too quickly, we run the risk of having to pull back when there is another surge in cases.

Our successful mitigation of the spread of the virus in the facilities is directly related to our ability to isolate and quarantine the persons in our care who require such measures. At our intake facilities, for example, we take the proactive approach of quarantining anyone who comes in from the community. This minimizes the risk of spreading the virus from someone who may have become infected in the community, and could be asymptomatic. At our work release sites we don't always have the ability to quarantine and isolate persons in our care engaged in work release, and instead we work with our partner institutions when such measures are needed.

While it would be ideal to quarantine all populations that go out to the community, our center system is not set up to be conducive to this type of setting. We are able to use social distancing and take a number of additional safety measures, however are ability or inability to properly quarantine individuals coming in and out of the community will be a consideration in how we resume normal operations for work release.

6. What are the current practices amongst employers related to providing/requiring PPE for staff?

Many business throughout the state have taken extensive safety protocols. The Wisconsin Economic Development Corporation (WEDC) has translated those practices onto their website at WEDC.org. Those practices are a series of industry specific documents to help businesses take the necessary precautions to maximize safety, but continue to get back to business. These guidelines were reviewed by DHS to ensure best practices and WEDC is continually reviewing these to ensure they are up to date.

WEDC recognizes that businesses already take safety very seriously. This is engrained into the work they do every day. New safety guidelines resulting from this health crisis are a natural transition from practices already in place in most businesses. Considerations such as how to safely social distance on the work floor, or use PPE is being considered. WEDC is confident that employers will implement practices and precautions to safely resume normal work operations as needed throughout the state.

7. Once work release resumes, what will happen if a person in custody contracts COVID-19?

Currently with any notice of a confirmed case in an institution, the affected facility subsequently suspends administrative rules pursuant to Wisconsin Administrative Code Section 306.22. The suspension of administrative rules limits the movement of persons in our care, permitting only critical movement of individuals.

When work release resumes, and there is a confirmed positive case of COVID at the facility, this may have a direct impact on all participants at the work release site. DOC has developed quarantine and isolation measures as a result of this pandemic, using quarantine to separate and restricts the movement of people who were potentially or directly exposed to a contagious disease to see if they become sick, and isolating those that are confirmed positive or sick, experiencing symptoms related to the contagious disease from people who are not sick.

Work sites should expect to work with the DOC when there is a confirmed positive case from someone at their site to ensure DOC can take the proper precautions to mitigate the risk of further spread.

8. What do you see as the long term effects of suspending work release and programming, and how will DOC address those concerns?

Our top priority has been the health and safety of the persons in our care, our staff and the public. That said, we do recognize the impact our decisions have on employers and the workforce. Though we have instituted several preventative measures, we continue to seek ways to prepare our population for their eventual return to the workforce. We hope our employment and educational partners will continue to communicate with us as we navigate how to slowly and safely transition back to normal operations.

The DOC does understand that many businesses may have to find employees to fill their workforce while work release is suspended. While none of us expected to be in this position, and it is not ideal, we hope those employers know the DOC supports their decisions to do what is in the best interest of their companies. The DOC remains hopeful that we can maintain communication during this time, and keep our partnerships intact so that we may resume our working relationship in the future.

The DOC appreciates every relationship we have with employers and our educational partners. We know this is a difficult time for them as well and appreciate their continued patience and understanding as we navigate this unprecedented health crisis, and work to ensure those in our care, our staff and the public remain safe.

9. Are early releases being considered for appropriate candidates? Is there anything I can do as an employer to help someone release early?

The COVID-19 crisis has been an incredibly difficult time for many individuals, and there have been many questions about what early release mechanisms are available in response to the pandemic. It is important to note that the Department has little to no authority to release individuals in custody before their mandatory release date. There are limited exceptions where the DOC has authority on its own to grant an early release that does not require a petition to a court or another authority which include:

- **Certain Earned Release:** this can only be used for a person who is serving a sentence for a nonviolent offense if the sentence was imposed between 2009 and 2011 and the person is within 12 months of release from the confinement portion of their sentence.
- **Special Action Parole:** this can only be used to relieve overcrowding. This is only for people who are parole eligible and have not been convicted of an assaultive crime.

The Earned Release Program and the Challenge Incarceration Program are programs for adults in custody that can release people before their mandatory release date, however these additional release mechanisms require several important steps:

- A judge to first make the person eligible at sentencing
- The completion of certain programming
- Approval by the sentencing judge to be released through a hearing

Regardless of the limited options available to DOC, we continue to explore the available release options to all of those in our care, and have continued to move all processes forward and allow for any possible release in a timely manner. As an employer, you play a critical role in the reentry process and assisting in providing those in our care with the resources they need to be successful upon release. While you may not be able to help them release early, providing them with stable work and a livable wage is critical to their long term success. DOC is only one step in the reentry process. It takes community partnerships like yours to help individuals successfully reenter the community after incarceration, and stay successful.

10. During the DOC quarantine, are there any additional work readiness activities occurring or skills training for the inmates? Are there life skills classes?

While some activities and programming have been canceled, particularly our external programming, some programming is still running and has been modified to align with current social distancing recommendations. This includes some vocational skill training programs that are still operating when sites can do so safely.

As an agency we are continually working with all persons in our care on building daily cognitive based skill sets to better interact with others around them. Our agency works with persons in our care through programming and daily interactions to reinforce those skills through targeted practice.

In addition to programming and our daily interactions, persons in our care are also building many skills by their participation in institution-based jobs. Most persons in our care participate in a job where a variety of skills are learned. These skills include interviewing and going through the hiring process, working with a team, and receiving feedback from supervisors. These soft skills are critical to the future success of those individuals as they transition into the workforce upon release from incarceration.

During the health crisis, our center system continues to review the persons in our care for their eligibility for off-site work release, which includes participation in a pre-requisite cognitive based programming for employment.

11. Are there any DOC grants or special funding Technical Colleges can work with the DOC to apply for to help set up blended courses for the various DOC/WTCS partnerships? What about other resources available to employers?

While our agency is not aware of any grants available for employers or technical colleges, the Wisconsin Technical College system is always looking at opportunities to support trainings and instruction. It is worth noting the Department of Workforce Development (DWD) often has grant opportunities available, and our partners could contact DWD or look on their website for more information.

There is a lot of focus right now on supporting the various ways of training individuals who are incarcerated to reenter the workforce, and the DOC will assist in supporting these opportunities whenever possible. For additional resources, employers can visit the following page designed to provide the latest, best information on resources aimed at maintaining the vitality of the companies upon which our economy depends: <https://wedc.org/programs-and-resources/covid-19-response/>

12. When can we start screening new candidates eligible for the program?

At this time we do not have a definitive date to begin phone screenings for persons in our care to participate in work release. The DOC is in the process of collecting information and making determinations about what criteria will be used to resume such activities. Local work release centers will be in touch with employers when there is more information to share.

13. Where can I learn more information and obtain all the answers to my questions efficiently?

For more information related to this event and future town halls, please visit: <https://doc.wi.gov/Pages/TownHalls/TownHallsHome.aspx>