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THE KENT COUNTY WORK RELEASE PROGRAM

KENT COUNTY SHERIFF'S DEPARTMENT

Prepared by

JAIL LOCK/UP RESOURCE CENTER

JUNE 1986

NCJRS

OCT 3 1986

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Kent County Work Release

KENT COUNTY WORK RELEASE PROGRAM

KENT COUNTY SHERIFF'S DEPARTMENT

701 BALL AVE., N.E.

GRAND RAPIDS, MICHIGAN 49503

(616) 774-3111

SHERIFF: PHILIP HEFFRON

CORRECTIONAL FACILITY DIRECTOR: CAPTAIN WILLIAM TEN BRINK

PREFACE

This white paper examines the Kent County Work Release Program, a minimum security correctional facility for Kent County offenders.

It offers a close look at the internal workings of a successful and cost-effective minimum security county jail facility. It includes not only an analysis of how the program operates, but also a discussion of why it is successful, including an examination of the political dynamics surrounding the program.

This white paper is the third in a series of profiles of jail programs researched, written and distributed by the Jail/Lockup Resource Center. The research and original draft for this profile was provided by Jeffrey D. Padden and James W. Boyd of Public Policy Associates.

Kent County Work Release

PART I -- HOW IT WORKS

The Kent County Work Release Annex is a minimum security work release facility operated by the Kent County Sheriff's Department. The Annex is located on the third floor of a Salvation Army building, several miles from the county jail. The capacity of the Annex was recently expanded from 72 to 90 minimum security jail inmates. In March, 1986, the facility housed 77 inmates.

An Overview

The work release program was developed to allow certain select inmates to pursue employment or education while serving a jail sentence. This not only provides cost savings to the county, but also gives participating inmates the opportunity to improve themselves and be productive members of society.

Work release program participants at the Annex serve their sentence by residing at the Annex and working at paid employment in the community. Also, at any given time, a few Annex residents are on trusty status, through which they perform unpaid community service work for the Annex, the county, and the city.

Program participants are jail inmates. Many are transferred to the Annex after serving some time in the county jail. Most seek to enter the program after being sentenced to the jail; some are sentenced with a recommendation for work release from the sentencing judge. Participants are employed in the community, often at jobs they held before being sentenced to jail. Employed participants not only provide for their families by working, but also pay the county for a portion of room and board costs of living at the Annex.

The work release program at the Annex operated by the sheriff's department was originally housed in the county jail. In 1982, due in part to the pressures of county jail overcrowding, the need to reserve secure jail bedspace for more dangerous inmates, and because contraband was being brought into the secure jail by program participants, the minimum security work release program was moved from the jail to the Annex. The Annex is located within a building maintained and operated by the Salvation Army, with whom the Sheriff's Department enjoys a very good landlord-tenant relationship.

The Annex houses inmates in dormitory style, with generally 10 - 12 beds in each dormitory room. The facility also includes a television room, pool room, card room, bath, kitchen (also used to store urine being tested for alcohol and drugs), laundry room for trusties, officers' bath, officers' locker room, and a large multi-purpose visiting room. The Annex has a capacity of 90 beds, which represents an expansion from 72 beds in 1985 and 48 beds when the facility opened in 1982.

Kent County Work Release

The Annex is staffed by nine officers; one sergeant, who is the work release director; a full-time work release coordinator; and one half-time work release placement coordinator who concentrates on developing jobs for participants. The nine officers are assigned three to a shift, three shifts per day. The afternoon shift always has at least two officers on duty at the Annex. The officers are sheriff's deputies, and are of the same classification as corrections officers at the jail. The classification is parallel to that of road patrol officers.

Eligible Inmates

Inmates eligible for work release are persons sentenced to the county jail who have no outstanding hold from other jurisdictions. Eligible inmates must be employed, have an employer willing to hire, or be eligible for a position developed by the work release placement coordinator. Sentenced inmates must have at least five working days left on their sentence in order to participate in the program.

Inmate Screening Process

While virtually all sentenced inmates, including inmates sentenced for Friend-of-the-Court violations, are eligible to be considered for the program, those convicted of assaultive crimes undergo a more rigorous screening and approval process than do others.

In general, the screening process requires an eligible inmate to contact the work release coordinator by note or "kite." The coordinator confirms that the inmate is indeed eligible for consideration and then conducts an interview with the inmate. During this interview, the coordinator attempts to identify any issues that would lead the coordinator to believe that the inmate would not be a good candidate. This would include a current offense, prior history of criminal sexual conduct, or an escape risk. Evaluation of the inmate's criminal case history occurs during this process.

If after the interview the inmate is still eligible for consideration for work release, the work release coordinator verifies the inmate's employment opportunity, determines that the sentencing court has not precluded the inmate from participating in the program, and contacts the probation agent who conducted the pre-sentence report on the inmate for his/her recommendations. Based upon this information, the coordinator recommends to the work release director that the inmate be approved or denied work release participation. The director reviews each case and makes a final determination. Once approved by the director, an interview with the inmate occurs so that the inmate becomes familiar with program rules and guidelines before being transferred to the Annex. A transfer date is then established, and the inmate is moved to the facility by the sheriff's department the day before he begins work.

Kent County Work Release

Inmates with a current conviction, a history of criminal sexual conduct, assaultive offenses, or those under jail psychological supervision require in-depth assessment, including an examination by the jail inmate services staff and/or a psychological examination. For such inmates, final approval for participation can only be made by the jail administrator. Once approved, the process for transfer to the facility is similar to that for other inmates.

Pre-arranged work release occurs when the sentencing court indicates that a particular inmate should participate in the work release program. In such a case, the judge sentences an inmate to jail, with a recommendation for work release. The sentence includes a fixed date upon which the inmate must report to jail, usually several days in the future. During the interim period, the inmate contacts the work-release coordinator and schedules an interview. At the interview, the inmate is screened for consideration just as an inmate already in jail would be. Upon entering jail, the inmate is again screened by the jail staff through the classification process. If the inmate is ultimately approved for the work release program, he will be moved from the jail to the Annex within one day of entering the jail.

Judicial Role

For both pre-screened work release, and work release for inmates already in the jail, the sheriff's department retains the discretion to determine whether the inmate will actually be placed on work release. The sentencing judge is informed after the fact that the inmate has been approved for the program. The sheriff's department, however, will not place an inmate on work release if the sentencing court has precluded such participation, even if the inmate is otherwise eligible.

Inmates sentenced to jail as a condition of probation are screened through the same process as all other inmates. Thus, while recommendations from the probation officer are typically received by the work release coordinator prior to making a determination, approval of the probation officer is not required.

Employment

While the sheriff's department's policy allows for school release as well as work release, the vast majority of inmates in the program participate as work release inmates. For instance, in March of 1986, 66 of the 77 inmates in the Annex were work release inmates. Two were school release inmates, and the balance were trustees who perform unpaid work in the Annex, at the Kent County Airport, and for the City of Grand Rapids by washing police cars. Typical jobs of inmates include construction, manufacturing, and factory work. The work release director estimates that 60% - 70% of inmates participating in the program are employed in jobs they had prior to sentencing. The balance of work in jobs is developed by either the inmate or the work release coordinator after sentencing.

Kent County Work Release

The work release director estimates that about 50% of the inmates in the program are employed in minimum wage positions, while the other half earn an average of \$5 - \$6 per hour. Inmates can work either full- or part-time jobs. They are also allowed to work during the day, afternoon, or evening shifts, depending upon the requirements of the particular job.

Transportation from the Annex to the job is usually arranged by the inmate so that a relative, co-worker, or employer picks up and drops off the inmate at the Annex. Depending on the charged offense, inmates with driving licenses are allowed to drive from the Annex to their jobs.

Inmate Profile

In 1985, 393 inmates participated at the Annex. Staff estimates that the average time served in the program was about 30 days. Inmates included those convicted of criminal offenses and Friend-of-the-Court violations. The sheriff's department estimates that about 50% of the participants are convicted of driving-under-the-influence-of-liquor (DUIL) offenses; the balance have been convicted of crimes such as larceny, simple assault, or failure to meet child support obligations.

Neither females nor juveniles are housed at the Annex. There is a separate juvenile facility for young offenders, and a separate work release program for female offenders operated by a private contractor.

Inmate Discipline

Property and personal disputes are virtually non-existent at the Annex. Similarly, the vast majority of inmates participating in the program ultimately complete it. In 1985, of the 393 inmates participating, only 28 were returned to jail for disciplinary or other reasons. Only one inmate walked away from the program. According to the work release director, the strict adherence to disciplinary rules results from the fact that inmates would much rather serve their time in the Annex than in the county jail. It is less secure, they have more privileges, and inmates earn money so that they can support themselves and their families.

The director also gives high praise to the "level system", which assigns greater privileges to inmates who have shown a greater amount of responsibility. Thus, the more responsibility exercised by an inmate in terms of complying with rules, setting an example for others, and conforming to visiting rules, the more privileges the inmate receives, such as unrestricted television use at night, and all day visiting on Sundays. This system, according to the director, offers a "carrot" which induces inmates to comply willingly with rules.

An in-house urine screening system is used on a lottery and probable cause basis, so that most inmates are checked for

Kent County Work Release

alcohol and substance abuse. The use of the screening system has virtually eliminated the problem of inmates returning to the Annex after having used alcohol or drugs. Violators are typically returned to the county jail.

Cost Savings

In moving work release inmates from the county jail to the Annex, tremendous cost savings were realized. In 1985, the cost of housing an inmate in the Annex was \$17.87 per day. The cost of housing an inmate in the county jail was \$28.98, and the county pays \$25 - \$32 per day per inmate to house inmates in other county jails (79 such inmates in March, 1986). The average daily population of the Annex in 1985 was 63 inmates. Given the \$11 per day per inmate difference in costs between the Annex and the jail, the Annex saved the county \$253,000 that it would have spent to house the same inmates in the jail during 1985.

In addition, the county charges room and board for inmates in the Annex. Inmates with full-time jobs pay \$7 per day, or \$49 per week. Inmates with part-time jobs pay \$3.50 per day, or \$24.50 per week. In 1985, room and board payments by inmates generated \$100,000 - \$150,000 in revenue to the county.

Still another cost savings of the Annex is the unpaid work for the community contributed by the trustees. In 1985, trustees worked approximately 2200 days, performing unpaid community service work for the Annex, the county, and the city. At eight hours per day for 2200 days, the unpaid trustees gave nearly \$60,000 worth of free labor, if figured at minimum wage.

Liability

Liability for criminal or negligent acts of inmates has not become an issue. Criminal acts resulting in lawsuits have not occurred, mainly because of the rigorous screening and assessment process which ensures that only inmates likely to succeed in the program will participate. Personal injury or property damage lawsuits based upon the actions of inmates simply have not occurred. Worker's compensation claims are handled through the inmates' employers, and medical needs are addressed by the county jail medical staff or the inmate's employer if the inmate has medical coverage.

Jail Overcrowding and the Annex

While overcrowding in the jail was a motivation for establishing a separate, lower cost work release facility, it has not resulted in inappropriate inmates being placed in the Annex. In fact, the sheriff's department clearly views the Annex as a minimum security facility for appropriate minimum security inmates. Only properly classified, screened, and approved inmates are housed in the Annex, irrespective of the population of the county jail.

PART II -- WHY IT WORKS

The first section of this paper presented the mechanics of the Kent County Sheriff's Department Work Release Program. This section will explore the environment in which it was initiated and in which it functions today. It will address both the external environment of county politics, the media, and the public and the internal environment of the sheriff's department itself. Understanding how the program adapted to and shaped its environment will make the reasons for its success much more clear.

A successful program is not simply the result of a well-constructed organizational chart or procedure manual. Certainly, those technical components are essential elements to success, but they are not in themselves sufficient to assure success. Organizations do not operate in a vacuum. Instead, they are affected to various degrees by their environments. Good management, then, requires that this environment be taken into account in program development and operation. This principle applies especially to organizations which function in highly-charged political environments. Criminal justice is in precisely that position.

History

In order to understand fully the reasons for the success of the Kent County Sheriff's Department Work Release Program, it is necessary to understand its history. The program evolved from a previously existing work release program which, like many others around the state, had been operated out of the jail. The initial program, instituted in 1970, was quite successful. Two problems emerged, however, which caused it to be re-examined eleven years later.

The first was the pressure of jail crowding. During the period 1975 to 1981, the Kent County inmate population increased by one-third, from 404 to 538. Litigation against the sheriff focused this problem and demanded a careful examination of the use of all jail resources. Since jail cells had become a very scarce resource, they needed to be utilized on a priority basis with the most serious offenders having first call. In this environment, work release offenders became prime candidates for reassignment to a less secure setting, since they were operating on an "enforced honor system" already.

A second problem existed which also created momentum in the direction of removal of the work release program from the jail. Inmates in the program, who left the jail each day and returned after work, were smuggling contraband into the facility. This problem, common to many in-jail work release programs, has a consequence far more dangerous than the drugs which were being brought in. In some cases, inmates not involved in the program would pressure those who were to bring in contraband. The

Kent County Work Release

threats accompanying such pressure, against the inmates and even their families, could increase tension in the facility and lead to more serious problems.

Together the problems of crowding and contraband led the sheriff and his staff to the decision to find a site for the work release program away from the jail. This decision could not be implemented by the sheriff alone. It required approval by the Kent County Board of Commissioners. The sheriff needed to persuade these officials that it was wise, both in policy and political terms, to support a move to place inmates in the community. For at least three months prior to the first public discussion of the issue, the sheriff made quiet contact with key members of the Finance Committee of the Board of Commissioners to lay groundwork for the formal consideration. In addition, he spoke with judges about their willingness to utilize such a program.

The sheriff also utilized a pre-existing citizens advisory committee as a tool for building support for the new program. The committee, comprised of about a dozen influential members of the community, acted as a barometer of the probable response of others in the community and also became advocates for the program.

By the time the proposal was presented publicly, all of the "bases" had been covered. There was no organized opposition. Information was provided to the media through a press conference conducted by the sheriff. This step, which gave the media convenient access to first-hand information about the program, resulted in good coverage. Such coverage, of course, plays a key role in shaping public reactions.

There was one citizen group, the Garfield Park Neighborhood Association, which reacted to the reports by raising questions about the likely impact of the program on their community. Since they were well-organized and their membership included a member of the County Board of Commissioners, the group could have created serious problems had they decided to oppose the program. Recognizing this, the Sheriff personally attended a meeting of 40 members of the group to provide the same first-hand information he had made available to the media. He answered all questions candidly, but framed the program carefully. He made it clear that offenders placed in the program are only given one chance. As he put it, "There is no second chance. Offenders are dealt with fairly, but strictly." The group did not oppose the program.

The Current Environment

The Kent County Work Release program today enjoys virtually unanimous support in the community. The key actors in the criminal justice system, the County Board of Commissioners, the media, and the public continue to view the program as an asset rather than a compromise.

Kent County Work Release

As the gatekeepers of the criminal justice system, the judges play a crucial role. Recognizing this, the sheriff has worked hard to maintain their support. Consistent with the intent of the state's work release statute, the sheriff's department abides by the wishes of judges who prefer not to see certain offenders placed in the program. In every case, judges are informed that an offender has been approved for the program. Although it rarely occurs, any disagreement about the appropriateness of the placement is resolved in favor of the judge's position. As a matter of strategy, it is wise not to fight with a judge over a particular case. Their general acceptance of and support for the program is far more important than whether a particular offender is placed in the program.

The acceptance of the program by the judiciary is in sharp contrast to the criticisms of halfway-house programs operated by the state Department of Corrections. Apparently, judges perceive the county program to be much more controlled, in terms of screening and operation, than that of the state. This perception has led to changes in sentencing practices, with judges now sentencing to one year in the county jail rather than 18 months in state prison. This is despite the fact that an offender sentenced to prison would serve a minimum of 45 days behind bars, while the same offender sentenced to the work release program might never be held in 24-hour secure confinement. It appears that judges simply have more confidence in the county program.

The county prosecutor has also been supportive of the program. In fact, his staff rarely opposes placement in the program at the time of sentencing. It is important to note that victims have not objected either. Only a few have contacted the sheriff's department to inquire about an inmate in the program and, when the program was explained to them, any concerns they may have had were resolved.

Police officials and officers, as well as the Sheriff's own road patrol officers, have after expressing initial skepticism, become supportive. There were those who simply believed that offenders belong in jail and not in "a program." But the success of the program has resolved those concerns and built the base of support.

The perception of the program within the sheriff's department is revealed by the fact that assignment to the program is considered "good duty." It can be part of a career ladder for officers, as demonstrated by promotions of those who have directed the program.

After the isolated request for information from the neighborhood association mentioned above, there has been virtually no citizen concern expressed. Although media coverage has been infrequent since the inception of the program, the absence of criticism is significant.

Kent County Work Release

The broad base of support in the community and absence of criticism, as well as the program's record of success, has made it easy for the County Board of Commissioners to maintain their support. Cost effectiveness would mean little if commissioners perceived that public endorsement of the program would be politically damaging.

Conclusions and observations

The Kent County Sheriff Philip Heffron and his staff have done a masterful job of "framing" the program, demonstrating great skill and insight. The goals have been clearly articulated, blending punishment and rehabilitation themes. Since research has shown that the public expects both of these goals to be accomplished by the criminal justice system, this framing has no doubt helped to build the program's base of support. By representing the program to accomplish both, rather than one or the other of these goals, no segment of the community was left out. Those who desire rehabilitation and reintegration could see the obvious advantages of allowing offenders to work. Those who emphasize the need for punishment could see the strict limitations on freedom which are imposed on inmates.

The symbols, as well as the rhetoric, deliver the message. Corrections officers in the program come to work in uniform which tells the public that the program is jail, not an "alternative to jail." It appears that virtually all observers -- those in the criminal justice system, the media and the public -- are satisfied that the program is a legitimate and effective part of the Sheriff's corrections responsibility.

The problem of contraband in the old in-jail program could have been solved by simply terminating it. But the pressure of crowding, a desire to preserve a generally successful program, and an interest in providing appropriate punishment options seem to have worked against that simplistic reaction.

This more sophisticated approach has paid off in several ways. The work release program most certainly has allowed sentenced inmates to pursue employment, provided the county cost savings, and given inmates the opportunity to improve their lives. Virtually all of the current 77 inmates are employed, and these provide unpaid community service or attend school. Costs have been contained even as capacity has been expanded. In 1985, the cost advantage to the county over housing Annex residents in the jail was about \$400,000. Fewer out-of-county placements are required, and the Sheriff's political stock has risen.

What is perceived by some as a politically risky approach has been demonstrated to be a political plus by Sheriff Heffron and his department. He has kept criminals off the streets at a lower cost than would have been possible without the program, and he did not compromise public safety in the process.

Kent County Work Release

A key ingredient to the program's success is the sheriff's department's steadfast adherence to the policy that only appropriate inmates be housed at the Annex. By refusing to allow an overcrowded jail to "drive" the population of the Annex, and by ensuring that all participants are thoroughly screened and assessed for potential problems before being placed in the program, the department has given the program the opportunity to succeed at meeting its goals.

All of the principals involved with the program agree that a single incident of a serious crime committed by a work release offender could significantly damage the program. Therefore, a contingency plan for responding to such an incident needs to be in place. The plan should work through in advance such issues as who will speak to political leaders and the media (editors as well as reporters), what the tone of the reaction should be, and how efforts to prevent the incident will be described, and so on.

Prospects for Other Jurisdictions

The Kent County Sheriff's Department Work Release Program stands as a model for other jurisdictions which face problems of crowding or simply wish to create a fuller range of sentencing options. Both in terms of its operation and the way in which support for it has been built and maintained, it provides an example of creative and competent management. The program demonstrates that appropriate offenders can be housed in a facility less costly and less secure than a locked county jail without compromising public safety.

Given the fact that when properly operated and framed the program appeals to both conservatives and liberals because of its cost savings and its humane approach, it appears that this non-jail work release program could be replicated in many jurisdictions. Officials who consider such a program must, however, understand the need to lay careful groundwork for the development of the program. The investment of time and energy in such a process will pay handsome returns.

NOTE: Some of the figures stated in the cost savings section on page 6 have changed. For updated information for the fiscal year 1986, please contact the Kent County Sheriff's Department.