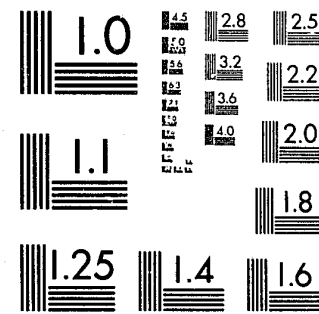


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WORK RELEASE: POTTER COUNTY'S EXPERIENCE WITH A NEW CORRECTIONS PROGRAM



TEXAS ADVISORY COMMISSION
ON
INTERGOVERNMENTAL RELATIONS

**WORK RELEASE:
POTTER COUNTY'S EXPERIENCE
WITH A NEW CORRECTIONS PROGRAM**

AN INTERGOVERNMENTAL BRIEF

91759

U.S. Department of Justice
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Texas Advisory Commission on Intergovernmental Relations

Prepared March 1983 by the
TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
PO Box 13206, Austin, Texas 78711 • 512/475-3728

About the Commission

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STAFF

Jay G. Stanford, Executive Director

RESEARCH

Robert Farley, Director
Jorge Anchondo
Catherine Harris
Becky Johnson
Lynn B. Polson
James B. Reed, Jr.
Mary H. Whiting
Art Ziev

PUBLICATIONS

Linda Diaz
Wanda Holliday
Janet Meyerdirk
Gilbert Selvera
Anne Souby
Anita Wilkins
Glenda Woolsey

ADMINISTRATION

Paula Nichols
Betty M. Williams

FOREWORD

Since 1975, the Texas legislature has authorized counties to establish work release programs for inmates. A work release program allows a prisoner to continue to work while completing a sentence. Work release is generally recognized as a community-oriented correctional program.

This report describes the work release program operated by the sheriff's department of Potter County. The report traces the initial development of the Potter County work release program and provides a description and evaluation of the program. The report concludes with some general observations of the Potter County work release experience that might help counties interested in establishing their own program.

The Texas House Intergovernmental Affairs Committee requested this report. The Commission thanks the Potter County Sheriff's Department for its cooperation in completing this study. Jay G. Stanford and José Jorge Anchondo of the Commission staff prepared this report.

March 1983
Austin, Texas

Bob Honts
Chairman

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SUMMARY

This report describes the work release program operated by the sheriff's department of Potter County, located in the Texas Panhandle. The report provides background information for other counties interested in establishing a similar program.

Work release allows selected prisoners sentenced to the county jail to earn income at a job in the community and return after work to the correctional center. This income helps defray costs of the program, support inmates' families, pay court costs and fines, and in some cases, provide restitution. Costs to the county for running the program are substantially less than maintaining prisoners in a conventional jail facility.

In 1975, the Texas legislature authorized the placement of prisoners in county jails to participate in work release programs (Tex. Crim. Proc. Code Ann. art. 42.03, sec. 5). Besides Potter County, a few other counties have instituted full-time work release programs. Some counties have also established programs that allow offenders to complete sentences on weekends.

The Potter County work release program began at the initiative of the sheriff and his staff. The sheriff obtained the cooperation of the district and county judges to sentence selected persons convicted of a crime (mainly a misdemeanor) to participate in the program. Besides a willing sheriff and cooperative judges and county commissioners, other important elements involved in the development of the program included a well-supervised and dedicated staff and the availability of jobs in the community.

A deputy sheriff serves as the program coordinator. Several other deputies provide support to the program.

The number of prisoners enrolled in the program fluctuates weekly. The participation has ranged as high as 35 percent of the total inmate population, or about 60 persons. The average number of participants is about 30.

Inmates work at a variety of jobs. Inmates have worked as mechanics, clerks, typists, counselors, cooks, oil field roughnecks, and construction workers. Some have obtained specialized training at a nearby technical institute before being placed in a job.

In 1981, inmates earned a total of \$167,204. Potter County disbursed slightly more than a third of this 1981 total amount earned for support of the inmates' families. Other types of disbursements included fines and court costs returned to Potter County, room and board, child support, and restitutions.

Potter County strives to make the work release inmates as self-sufficient as possible. Inmates on work release arrange for their own transportation to and from work and pay for their room and board, clothing, laundry, and medicine.

Almost all inmates on work release in Potter County live in a minimum security facility. Several female inmates live in medium security quarters.

Inmates must follow rules and regulations established by the sheriff's department. Inmates must agree to let the county pay for items listed in the judge's order from their earnings. Other rules relate to visitation, alcohol and drugs, personal appearance and housekeeping, and supervision.

Near unanimity exists among Potter County government officials that the work release program has succeeded. The program has brought the county considerable recognition from the surrounding region and the state.

Material in this report is based on interviews with Potter County officials including the sheriff, his deputies, a county court-at-law judge, a district judge, and the county judge. The Texas ACIR staff also visited the Potter County Correctional Center.

BACKGROUND

Rationale

The concept of community work first began in 1913 in Wisconsin. Many states have subsequently adopted their own version of "work release" or "work furlough." In 1969, the Texas legislature allowed the Texas Department of Corrections to establish a work furlough program.

Potter County applies the standard definition of work release to its program. Work release is generally recognized as a community-oriented correctional program. The program has several goals. The program strives to:

- effect gradual reintegration of offenders back into their communities;
- offer offenders the chance to partake in normal, significant activities in the community, though still incarcerated;
- allow the opportunity to recognize and rectify adjustment problems without any harm done to the community or the offenders; and
- enable offenders to continue to support their families or accumulate funds for the eventual day of release, thus gaining self-confidence in their ability to support themselves.¹

¹E. Eugene Miller, Jail Management (Lexington, Massachusetts: Lexington Books, 1978), pp. 95-96.

Advantages of Work Release

A work release program may offer some substantial advantages. A program may provide an alternative to confinement or probation, benefiting inmates needing close supervision but not total confinement. It may help an inmate keep a job or find employment rather than keeping the person out of the work force. The money the inmate earns helps support a family or children, thereby easing the burden on the family or social service agencies in the community. The inmate's earnings also may help to pay fines and court costs, and in some cases, make restitution. The county can also receive money to defray costs of the program.

INITIAL DEVELOPMENT

Potter County instituted a pilot work release/education program for selected county jail inmates in February 1975, and the main concept of the program has not changed. The program began with a few inmates and built up gradually. The work release program allows a prisoner in the county jail to work on a full-time or part-time job in the community and return after work to the correctional center.

The program began because the sheriff convinced several of the district and county judges to allow selected persons convicted of a crime (mainly a misdemeanor) to participate in the program. The

sheriff felt that an inmate would serve a more productive sentence by working. The work release program would allow an inmate to retain some self-esteem and responsibility. The sheriff also believed that an inmate's hometown surroundings would make the return to society easier after completion of the jail term. The sheriff and his chief deputy committed their department to provide close supervision of the persons assigned to this program. The sheriff required a personal commitment to the program's concept from personnel in his department who wanted to become involved in the work release program. In other words, the program's supervisory staff had to firmly support the idea of work release. The sheriff felt that extracting such a commitment from his personnel would spur greater dedication to the program and consequently increase its chances for success.

The sheriff and his chief deputy created the position of program coordinator. A coordinator still oversees the daily operation of the program. Job opportunities and the attitude of employers in Potter County also contributed to the successful implementation of work release.

DESCRIPTION OF THE PROGRAM

Administration

The sheriff and chief deputy provide substantial support and managerial advice to the program. The coordinator operates the program. Two deputies provide counseling support, and the department's bookkeeper handles all disbursements.

The coordinator's main duties include screening inmates who want to participate in work release, job development, personal counseling, employee relations, and general supervision of program participants. Besides dedication and commitment, the program coordinator needs to have at least three to five years "street" experience and possess good communication skills.

Participants

The program mainly accepts persons who have convictions for misdemeanor offenses such as hot check writing, burglary and theft, driving while intoxicated, nonpayment of child support, or possession of narcotics (usually first offense). The department screens out persons with any record of violent behavior.

The participants' sentences vary, although they usually do not exceed two years. Some inmates serve time on weekends only. The

program administrators recommend that a person participate in the program for one and one-half to two years to achieve the desired results.

Prisoners participate voluntarily in the program. Many prisoners petition their presiding judge to allow them to participate. The judges normally consult the work release staff before assigning someone to the program.

Number of Participants

The number of prisoners enrolled in the program fluctuates weekly, and sometimes daily. Some inmates may have jobs that last a short time. Others may leave the program because they complete their sentences. The participation rate has ranged as high as 35 percent of the total inmate population. The program has had as many as 50 to 60 participants and as few as 15 to 20 participants. The program probably averages about 30 participants per week. The smallness of the program (25-30 inmates) allows the sheriff's staff to supervise individuals closely and to maintain contact with their employment and personal situations.

Types of Jobs

Inmates work at a variety of jobs. Most of the jobs developed by the program coordinator fall into the manual labor or semiskilled categories, although the program has had some persons employed in skilled or technical jobs.

Persons who already held a job at the time of arrest more than likely would have the better-paying jobs in the program. Most of the inmates keep the same jobs they had before sentencing, but sometimes they change employment. Some inmates receive training at the nearby Texas State Technical Institute.

Inmates have worked as mechanics, clerks, typists, counselors, cooks, oil field roughnecks, and construction workers. The county has even employed some inmates to work as clerks at the county courthouse and as helpers in projects involving county facilities.

Some employers have shown reluctance to hire work release inmates because they dislike having a uniformed deputy come to their business location to check on the inmates. Others simply do not want inmates handling cash or dealing with the public. Other employers do not mind these factors and seek out work release participants for jobs. Until the recent stall in the Texas economy, the program had prospective employers waiting to hire participants.

Wages and Disbursements

The county compiles statistics on inmate income by weekly totals. In 1975 total earned income per week per inmate ranged from \$90 to \$200. In the three-month period of January-March 1982, the total earned income per week per inmate amounted to \$170. In 1981 inmates earned a total of \$167,204, and in 1982, a total of \$128,046.

Participants agree to turn over their paychecks to the sheriff's department. This allows the department to help inmates budget their funds and make essential payments. The sheriff's department disburses the money earned by the inmates on a weekly basis to families for their support and for other authorized purposes. In essence, the sheriff's department handles the inmates' money for them for several purposes:

- Ensure family or child support
- Provide restitution and court costs
- Defray costs of the program and accumulate, if possible, a financial cushion upon release

Disbursements fall into several categories, listed in Table 1, page 11. Since 1981, disbursements for family support have accounted for the largest percent share of total disbursements. Room and board payments and fines and court costs have shown a steady increase over the last several years. Except for fines, county tax sources would otherwise pay these prisoner support costs.

Table 1						
DISBURSEMENTS OF MONEY EARNED BY INMATES ON POTTER COUNTY WORK RELEASE PROGRAM, 1980-1982						
Type of Disbursement	Amount			Percent of Total Disbursements		
	1980	1981	1982	1980	1981	1982
Room and Board	\$ 18,565	\$ 20,819	\$ 27,337	52.0%	22.0%	24.3%
Fines and Court Costs	10,381	12,990	32,148	29.4	13.8	28.6
Restitution	2,239	3,121	1,690	6.3	3.3	1.5
Child Support	2,748	7,280	7,904	7.8	7.7	7.0
Family Support	N/A	50,184	43,323	N/A	53.2	38.6
Probation Fees	<u>1,375</u>	<u>N/A</u>	<u>N/A</u>	<u>3.9</u>	<u>N/A</u>	<u>N/A</u>
TOTAL DISBURSEMENTS	\$ 35,308	\$ 94,394	\$ 112,402	100.0%	100.0%	100.0%

11

SOURCE: Information provided by Potter County Sheriff's Department, November 1982 and February 1983.

Total disbursements grew by 45 percent between 1980 and 1982. The disbursements for room and board and fines and court costs represent money returned to Potter County. These amounts have also grown in the three-year period covered in Table 1. Disbursements for restitution and family support amounted to less in 1982 than in 1981.

Several factors influence the amount of wages earned and the types of disbursements. Wages earned depend on the duration of a job and the type of job held. A judge determines disbursements based on the need for family support, fines, court costs, and restitution.

In 1977 the legislature authorized the courts to order offenders placed on work release to pay for their room and board at the county jail. In Potter County this charge ranges from \$1.50 to \$5.00 per day, depending on the specifics of the court order.

Potter County strives to make its work release inmates as self-sufficient as possible. The sheriff feels that this policy serves a two-fold purpose. The county saves money due to reduced personnel costs as compared to regular confinement, and inmates become accustomed to assuming the increased responsibility they will need to carry when their sentences are complete.

Personal Costs

Transportation. The county requires that inmates provide their own transportation to and from work. Inmates may make arrangements with their families to get to work and back to the correctional center, which is located several miles from the main center of employment in the county. Some inmates may use their own cars.

Room and Board. As discussed earlier, inmates on work release pay for their room and board. The presiding judge determines the amount that inmates pay. This sum may or may not cover the actual costs involved with this item.

Clothing and Laundry Service. Inmates also pay to clean their own work clothes. The county has commercial clothes washers and dryers installed in its minimum security facility. Inmates purchase their own work clothes, as well.

Food and Medicine. Work release inmates eat at the county correctional center except on work days, when they are furnished with sack lunches. Inmates make payments to the county to defray part of the food costs. Generally, the work release participants receive the same food as the other inmates. Some of the inmates grow vegetables in a garden on the correctional facility grounds. Work release prisoners also pay for their own medical bills.

Facilities and Supervision

Probably no other correctional facility in the state has built its buildings as inexpensively as the Potter County Correctional Center. The county has constructed its buildings mostly of cinder block. The correctional center currently utilizes two complexes. One houses the minimum security prisoners and the other the medium security prisoners. Most of the work release participants live in the minimum security unit, which cost about one-half as much per square foot to build as the medium security unit. Staffing requirements for the minimum security unit are also minimal.

The county has a third complex under construction that will open in early 1983. The county has also saved money by using some inmate labor to build this third facility. Some inmates receive wages while others may accept deferred sentence time.

The sheriff served on the Texas Jail Standards Commission which familiarized him with jail design and planning. The sheriff successfully transferred this board experience to his own jail. The minimum security facility has a circular design that requires only one guard to monitor the inmates. The work release program coordinator has his office in the minimum security complex. Two religious pastors who serve as deputies offer the inmates counseling and also handle recreational activities. Female participants in the

Potter County work release program are housed in the medium security unit.

The program administrators do not view a minimum security facility as an absolute necessity for running a work release program. In their opinion, a program could operate from a high security facility with proper supervision.

Inmate Rules and Regulations

Persons on work release must abide by the rules and regulations established for the program by the sheriff's department. The report has already mentioned the rules relating to self-sufficiency. Other rules that inmates must conform to include (1) no visitation of family members before, during, or after work hours, (2) abstention from alcohol and drugs, (3) maintain daily (before going to work) neat and orderly sleeping quarters and personal dresser, (4) deliver payroll check to department bookkeeper, (5) maintain neat personal appearance, and (6) accept close supervision of sheriff's department.

EVALUATION OF THE PROGRAM

Near unanimity exists among Potter County government officials that the work release program has succeeded. The program has brought the county considerable recognition from the surrounding region and the state.

Sheriff's Department

The sheriff and his chief deputy express satisfaction with the program. They effectively communicate the program's goals to their assistants. They also have established amiable and smooth working relationships with the commissioners court and most of the district and county court judges. A county court-at-law judge collaborated with the sheriff's department in developing the application form for work release.

Several key elements cited by the chief deputy have played an important role in the success of the program. These include the commitment of the program to:

- screen participants adequately,
- build the self-confidence and motivation of enrollees, and
- help inmates readapt to society.

County Court-at-Law Judge

A county court-at-law judge stated other reasons for the program's success. He mentioned the sheriff's department's conscientious supervision and discipline of inmates and tenacious job development. This county court-at-law judge also noted some of the factors that influence his decision to place someone on work release. These factors include (1) the type of crime committed, (2) job retention for persons already employed, and (3) the recommendation of the sheriff's department regarding the inmate's chance of success in the program.

County Judge

The county judge stated that the commissioners court totally supports the program. He said that the public has received the program well because the prisoner has to assume responsibility for his actions by making restitution or providing some type of support. He also noted that the program has had good response from area employers.

GENERAL OBSERVATIONS

- The work release program is a simple and cost-effective way to handle prisoners who can qualify for the program.
- The Potter County Work Release Program has benefited because a participant has never committed a serious crime while at work. Everyone interviewed felt that the initial screening of the inmate by the sheriff's department significantly influenced this absence of crime.
- The commitment of department staff and cooperation of judges are key factors in the program's success. Cooperation and consideration exist not only among Potter County officials, but also among officials of surrounding counties.
- Probably not every county would be able to institute a successful work release program. A county would require an economic base to find jobs for the inmates and the law enforcement personnel to administer the program.

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Leslie Geballe, Committee Manager, Diversion and Inmate Programs, Blue Ribbon Commission on Criminal Justice, November 1, 1982.

Meg Wilson, Texas 2000, Governor's Office, November 1, 1982.

Betty Button, Texas Senate Human Resources Committee, November 5, 1982.

Cynthia C. Colella, Staff, US Advisory Commission on Intergovernmental Relations, November 19, 1982.

Interviews with Potter County Officials November 17, 1982

Sheriff's Office

T. L. Baker, Sheriff
Don L. Smith, Chief Deputy
Jerry Tinsley, Deputy, Work Release Coordinator
Yvonne Hanks, Bookkeeper

Other

Ben Bynum, County Judge
Richard P. Dambold, County Court-at-Law Judge
George E. Dowlen, District Judge

END