



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	5.1.102 INMATE PARTICIPATION IN A LONG-TERM WORK PROGRAM	
Effective Date:	November 14, 2002	Page 1 of 5 and 2 Attachments
Revision Date(s):	August 16, 2007, January 5, 2017, June 19, 2020, June 15, 2021	
Reference(s):	DOC Policy 5.1.1	
Signature:	/s/ Jim Salmonsens / Warden	
Signature	/s/ Gayle Butler/ MCE Administrator	

I. PURPOSE

To allow for Work and Reentry Center (WRC) placement and work assignments outside of the fenced perimeter for long-term inmates to work in MSP Maintenance, MSP Warehouse, and Montana Correctional Enterprises (MCE).

II. DEFINITIONS

Administrative Review Committee – For the purpose of this procedure, the committee may consist of the Technical Correctional Services Bureau Chief, Deputy Warden, Associate Wardens, WRC Program Director, MCE Administrator and Agriculture Director, (or designees for any of these positions).

Disability – see DOC 3.3.15, *Americans with Disabilities Act (ADA) Offender Accommodations*, for the definition and an explanation of disability.

Long-Term Inmate – An inmate with a discharge date or parole eligibility date that is currently three years and beyond. Inmates should have a minimum of 25% or eight years of their sentence completed and have exhibited exemplary institutional adjustment.

Single Fenced Perimeter - The fence surrounding the Industries Compound at the MSP/MCE facility.

Unit Management Team (UMT) – The housing unit staff consisting of the Unit Manager, Case Manager(s), Sergeants and Security Technicians. The UMT at the WRC includes the WRC Director, Case Managers, Sergeants and Security Technicians.

Work Programs – For the purpose of this procedure means a work assignment for MSP or MCE inmates who live at the WRC.

Work and Reentry Center (WRC) – A 208-bed housing unit outside of the main Prison fenced compound, managed by MCE, where inmates working for MSP and MCE with job assignments outside the fence reside.

Work Supervisor -For the purposes of this procedure, is an employee who oversees, manages and supervises inmates in a work program.

III. PROCEDURES

A. Purpose of WRC Placement and Work Assignments Outside of the Fenced Perimeter for Long Term Inmates

1. Provide a productive means for long-term inmates, who have demonstrated exemplary institutional adjustment, to serve their sentence under appropriate supervision.
2. Provide a means for long-term inmates to learn additional job skills to assist in facilitating their return to the community.
3. Provide stability for work programs to ensure consistency in operations, as the majority of inmates living at the WRC are only at the facility for an average of 18 months.
4. Provide the long-term inmate with a sense of purpose.
5. Facilitate the long-term inmate's stable adjustment, from a secure setting to a pre-release setting.
6. Provide opportunities for long-term inmates to develop a positive work ethic and assume responsibility in a work setting.
7. To promote the most cost-effectiveness of programs through appropriate use of inmate work skills.
8. Provide a mechanism for assigning jobs to designated inmates who may otherwise not be eligible due to their classification level or length of sentence.

B. Inmate Eligibility Requirements

1. In order for an inmate to be eligible for placement at the WRC in a long-term work assignment the inmate will:
 - a. have had minimum II, minimum I or be eligible for an override from medium II custody to work outside the double fenced perimeter. This requirement must also be met if the inmate is housed in a contract facility;
 - b. have served at least 25% or eight years of their sentence. For example, an inmate with a 25-year sentence would have to serve at least 6.25 years of their sentence. An inmate with a 100-year sentence would have to serve at least 8 years of their sentence;
 - c. have no rule violations that fall under the mandatory reclass category in the last three years. All other major rule violations will be looked at on a case-by-case basis;
 - d. not have any warrants and/or detainers. Approval for interstate compact inmates from the sending state is required prior to placement of out of state inmate transfers in this program;
 - e. not have any medical restrictions or chronic illness that would cause the inmate to be unable to perform the essential functions of the assignment even with a reasonable accommodation. Reasonable accommodations will be made for inmates with disabilities desiring a long-term work assignment;
 - f. not have any pending court appeals;
 - g. show a commitment to change, i.e., be on a waiting list, participating in and/or completed recommended or court ordered programming. Sex Offender Program evaluations must be completed for sex offenders being considered for this program;
 - h. have worked a minimum of six months in any work assignment from the most recent admission into MSP;

Subject: INMATE PARTICIPATION IN A LONG-TERM WORK PROGRAM

- i. have positive work reports, be a self-starter, and be willing to learn and work independently (the latter excepting any reasonable accommodations required by the inmate's disability);
- j. agree to provide random UA samples, which will be taken at least once every two months by housing unit staff. The results of testing of these samples must be negative; a positive UA may result in disciplinary action and/or removal from the program;
- k. have positive housing unit reports for the last two years;
- l. have a high school diploma, GED, or HiSET, or be working towards a HiSET. This requirement shall be waived in cases in which a disability prevents or has prevented an inmate from obtaining or working toward a HiSET.; and
- m. have no record of escape or attempted escape from a secure facility in the past ten years.

C. Request/Screening/Selection Procedures

1. A work supervisor may request that an inmate be screened for placement at the WRC and assigned to a long-term work position by filling out a *Long-Term Worker Assignment Eligibility/Screening* Form (attachment A) and forwarding it to the MCE Administrator or designee for approval/disapproval. Any request that is disapproved must have the reasons documented in writing.
2. If approved by the MCE Administrator or designee, the request will be forwarded to and processed by the WRC Unit Management Team for screening based on the inmate eligibility requirements set forth in this operational procedure.
3. If the inmate meets the eligibility requirements his classification will be reviewed for potential overrides (if needed), or waiver of the override guidelines, and forwarded to the Administrative Review Committee.
4. When approved/disapproved by the Administrative Review Committee, the request will be forwarded to the Warden for final consideration and approval/disapproval.

D. Supervisor Responsibilities

1. Review the specific Inmate Job Description form with the inmate, explaining duties, safety rules, expectations, pay, work hours, etc.
2. Explain the provisions of the *Long-Term Inmate Work Assignment Contract* (attachment B) with the inmate. The inmate must agree to and sign the contract prior to final assignment.
3. Provide security and supervision in accordance with applicable MSP policies and procedures, including *MSP 3.1.100, Supervision of Inmates*, *MSP 3.1.11, Inmate Movement Control*, and *MSP 3.1.21, Inmate Count & Supervision*.
4. Monitor the inmate's work performance through daily supervision and completion of monthly work evaluations.
5. Keep track of the hours worked and submit the inmate payroll sheet to accounting.
6. Meet periodically (quarterly basis at a minimum) with WRC housing unit staff to discuss inmate's progress with the program.

Subject: INMATE PARTICIPATION IN A LONG-TERM WORK PROGRAM

7. Work with the WRC UMT to ensure that UA samples are taken in accordance with the criteria in this operational procedure. It will be the responsibility of the WRC UMT to have the inmates provide UA samples and to document the results.
8. Monitor and advise the WRC UMT of any abnormal behavior or problems that may develop with the inmate in the work area.
9. Complete and submit incident reports regarding any abnormal behavior or problems a long-term inmate is involved in. Reports involving behavior which constitutes a major rule infraction or higher will require the inmate to be held in from the job assignment until the issue is resolved. The supervisor must coordinate as needed with the WRC UMT.
10. Submit a written quarterly report of the activities, outcomes, and overall status of each inmate in this program to the Warden, Deputy Warden, MCE Administrator, WRC Director, and Technical Corrections Bureau Chief.

E. Removal from the Work Assignment

1. A supervisor may request the removal of an inmate from his job assignment by completing a Job Assignment/Removal form and forwarding it to the WRC UMT.
2. Reasons for removal may include, but are not limited to, loss of work, lack of skills required for the position, conflicting program requirements, mutual agreement between inmate and supervisor, refusal to work, poor work performance, rule violation, disrupting the orderly operation of the work crew, or failing to follow security, safety, and sanitation regulations.
3. Any decision for removal of an inmate from the long-term inmate work program must be properly documented.
4. Inmates currently assigned to a long-term inmate work program are not eligible for transfer to a regional or private prison facility.
5. Long-term inmates assigned to the same job for an extended period of time may be reviewed for job re-assignment on a case-by-case basis.
6. An inmate shall not be reassigned or removed from a long-term work position on the basis of the inmate's disability if a reasonable accommodation would allow the inmate to perform the job's essential functions. Efforts and discussions, including any discussions with the Offender ADA Coordinator, to provide reasonable accommodations shall be documented in the inmate's institutional files.

F. Work Assignments

1. Work assignment descriptions and postings shall not set criteria that would exclude an otherwise eligible inmate with a disability from being considered because of his disability unless such criteria are essential functions of the position that cannot be performed by a disabled person even with a reasonable accommodation.
2. All work assignment postings and announcements shall state that otherwise qualified inmates shall not be denied assignment due to their disability, that reasonable accommodations will be provided, and that inmates with disabilities should speak to their unit manager, unit case manager or the offender ADA Coordinator if they have questions about their eligibility. If a request for

Subject: INMATE PARTICIPATION IN A LONG-TERM WORK PROGRAM

accommodation is made, the inmate should be referred to the offender ADA Coordinator. Any discussion will be documented in the inmate's ADA file.

IV. CLOSING

Questions concerning this operational procedure will be directed to the Warden or applicable department manager/administrator.

V. ATTACHMENTS

Long Term Worker Assignment Eligibility/Screening Form

attachment A

Long-Term Inmate Work Assignment Contract

attachment B

MSP/MCE LONG-TERM INMATE WORK ASSIGNMENT ELIGIBILITY/SCREENING FORM

WORK ASSIGNMENT REQUEST (to be completed by work supervisor)

I am requesting that inmate _____ ID# _____ be considered for assignment to a position in the MSP/MCE long-term inmate work assignment program. This assignment will be outside the fenced perimeter on the _____ work crew, job assignment # _____

Justification for request:

Work Supervisor Signature

Inmate Signature

MCE /Administrator

INMATE ELIGIBILITY (to be completed by the Unit Management Team)

1. Custody Level: _____
Custody Over-Ride? Yes No

Comments: _____

Length of time in low side custody level: _____
Eligible for work outside the fence? Yes No
Eligible for work inside the fence? Yes No

Comments: _____

2. Served 25% or eight years of sentence? Yes No

Comments: _____

3. Mandatory reclass category rule violations within the last 3 years? Yes No

If yes, explain: _____

4. Detainer(s)? Yes No

5. Medical restrictions or chronic illness that would conflict with work requirements? Yes No Health Category _____

If yes, explain: _____

6. Pending court appeals? Yes No

If yes, explain: _____

7. Program Compliant? Yes No

If the inmate is currently on the waiting list or enrolled in a program, explain what the program status is: _____
If serving a sentence for a sex offense, explain in detail the inmate's SOP status: _____

8. Worked a minimum of six months in a MCE or MSP maintenance work assignment for outside the fence assignment? Yes No

Comments: _____

Worked a minimum of six months in any MCE or MSP work assignment inside the single fenced perimeter? Yes No

Comments: _____

Positive work reports? Yes No

Comments: _____

9. Does the inmate agree to provide random UA samples for testing? Yes No

10. Positive housing report for the last two years? Yes No

11. Does the inmate have a high school diploma, GED, or is he working towards GED? Yes No

Comments: _____

12. Does the inmate have any history of escapes or escape attempts during incarceration in a secure facility? Yes No

Comments: _____

WAIVER

I authorize the release of all medical, psychological, chemical dependency and criminal history information to the appropriate Criminal Justice System Personnel. I also consent to disclosure of my correctional status, institutional history, and criminal record as needed to properly process this report.

Inmate Signature: _____

Date: _____

Submitted by: _____

Date: _____

Unit Manager / Supervisor Signature

UNIT MANAGEMENT TEAM PRELIMINARY REVIEW / RECOMMENDATION

Recommend for long-term inmate work assignment? Yes No (if not write explanation below and return to Work Supervisor).

Reviewed by: _____

Preliminary Review Date: _____

Unit Management Team

Comments: _____

FINAL REVIEW

Approved Disapproved

Reviewed by: _____

Date: _____

TCSB Chief, MCE Representative, and Associate Warden

Reviewed by: _____

Date: _____

MSP Warden

Reviewed by: _____

Date: _____

MCE Administrator

Stipulations / Comments *(if any)*:

This report must be completed for all inmates that are being recommended for a long-term inmate work assignment.



MSP/MCE LONG-TERM INMATE WORK ASSIGNMENT CONTRACT

TO: _____ DOC ID#: _____ DATE: _____
Inmate's Name

You have been assigned a job as the _____ for the _____
(Job Title)
_____ and listed below are your duties, responsibilities
Department/Program
and information on your assignment.

1. Your main duties are as follows:
 - a. _____
 - b. _____
 - c. _____
2. Your pay will be \$ _____ per hour/day

Long-Term Inmate Work Assignment Rules & Regulations

1. Inmate is expected to exhibit exemplary behavior at all times.
2. Inmate must abide by all facility policy and procedures, housing and work-related rules.
3. Inmate must follow all instructions given by supervisor(s).
4. Inmate must only operate vehicles & equipment as authorized by their supervisor(s) and in accordance with the MSP/MCE driving permit system.
5. Inmate must be courteous and respectful toward staff/supervisors and other inmates at all times.
6. Inmate must set an example to be followed by other inmates on the work crew. Inmate may, on an as needed basis, be involved with training other inmate workers in conjunction with their work supervisor.
7. Inmate is expected to be meet reasonable work demands and requirements, be a self-starter and be able to work under general direction and supervision
8. Inmate must remain in assigned work areas at all times,.
9. Inmate must submit to random UA tests.
10. Inmate must maintain positive housing & work assignment evaluations.
12. Inmate is expected to immediately report any injuries, safety hazards, equipment problems, or work area issues to their supervisor.
13. Inmate will not receive any special privileges as a result of their inclusion in this program.

I have read the above rules and regulations and have discussed them as necessary with my supervisor. My compliance with these rules and regulations will determine my continuance in the long-term inmate worker assignment.

Inmate Name (Please Print) DOC ID#

Inmate Signature Date

Supervisor (or designee) Name (Please Print)

Supervisor Signature Date