



KANSAS DEPARTMENT OF CORRECTIONS

A Safer Kansas through Effective Correctional Services

KATHLEEN SEBELIUS, GOVERNOR

ROGER WERHOLTZ, SECRETARY

LONDON STATE OFFICE BUILDING - 900 SW JACKSON
TOPEKA, KANSAS - 66612-1284
Telephone: 785-296-3317
Fax: 785-296-0014

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Policy Memorandum¹

This Policy Memorandum Issuance # 08-09-005

Effective Date Upon Issuance Expiration Date Upon Reissuance of IMPP²

 Addresses subject matter for which an IMPP will be forthcoming and assigned to Chapter(s) of the IMPP manual.

 Amends or modifies existing IMPP(s) #

 X Elaborates on the contents of IMPP(s) # 11-108

 Is for Staff Only X Is for Both Staff and Inmates.

This policy memorandum is being issued as an expository briefing with regard to the purpose of certain provisions extant within this IMPP. In point, the provisions of the IMPP regarding furloughs, whether job or emergency, are applicable only to inmates participating in the work release program.

09-11-08

Secretary of Corrections

Date: _____

¹ Note: To keep your IMPP Manual current, please place this Policy Memorandum in your manual at the appropriate location. If the memorandum addresses subject matter for which an IMPP will be forthcoming, place this issuance before the first IMPP in the Chapter indicated. If the memorandum addresses an existing IMPP, the issuance should be placed in front of the existing policy, just after any relevant statement(s) of annual review. If this memorandum is for both staff and inmates, it shall be immediately posted.

² Unless another Policy Memorandum or IMPP on this subject is issued, the requirements contained herein have no force and effect after the indicated expiration date.

INTERNAL MANAGEMENT POLICY & PROCEDURES

STATEMENT OF ANNUAL REVIEW

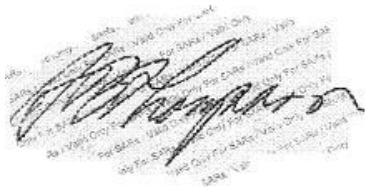
IMPP # 11-108

Title: Job and Emergency Furloughs

The above referenced Internal Management Policy and Procedure (IMPP), issued effective **12-05-05** was reviewed during **September 2007** by the KDOC Policy & Regulation Review Panel. At the time of this annual review the Policy & Regulation Review Panel determined that: no substantive changes and/or modifications to this IMPP are necessary at this time, and the IMPP shall remain in effect as issued on the above stated date.

The next scheduled review for this IMPP is September 2008.

This statement of annual review shall be placed in front of the referenced IMPP in all manuals.





04-14-08

Policy and Procedure Coordinator

Date

KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 11-108	PAGE NUMBER 1 of 3
		SUBJECT: DECISION MAKING: Job and Emergency Furloughs	
Approved By:  Secretary of Corrections		Original Date Issued:	04-20-84
		Current Amendment Effective:	12-05-05
		Replaces Amendment Issued:	01-07-95

POLICY

Inmates may, under limited circumstances, be eligible for job or emergency furloughs of up to 48 hours, excluding travel time. The purpose for the job or emergency furlough shall be verified by departmental staff. Emergency furloughs shall be limited to one furlough per emergency. Job and emergency furlough decisions shall take into consideration the public safety and applicable state law.

Any exception to this policy must be approved by the Deputy Secretary of Facility Management.

DEFINITIONS

Emergency Furlough: A furlough designed to allow an inmate to visit seriously ill members of the immediate family or to attend the funeral of an immediate family member.

Immediate Family Members: For purposes of this policy, immediate family members are limited to parents, step-parents, siblings, step-siblings, children, step-children, spouse, grandparents, or any person who filled the role of parent de facto with respect to the inmate, as confirmed by a review of the social history.

Job Furlough: A furlough of 48 hours or less (excluding travel time) designed to assist an inmate in securing employment after having been granted parole.

PROCEDURES

I. Job Furloughs

- A. To be considered for a job furlough an inmate shall:
1. Have been granted parole by the Kansas Parole Board if release is controlled by an indeterminate sentencing structure;
 2. Be within thirty (30) days of the projected release date if release is controlled by a determinate sentencing structure;
 3. Meet all other applicable eligibility criteria for a programmatic furlough, per IMPP 11-111; and,
 4. Have a pre-arranged job interview scheduled.

II. Emergency Furloughs

- A. To be considered for an emergency furlough, the inmate shall:
1. Have been in the custody of the Secretary of Corrections for at least two (2) years:

- a. Time spent on parole or post incarceration supervision shall be considered as time in custody of the Secretary of Corrections.
 - b. Any inmate who does not meet the two (2) year custody requirement may, if eligible for a programmatic furlough, apply for a programmatic furlough under emergency conditions, providing that all criteria for a programmatic furlough are met as established by IMPP 11-111.
2. Have minimum custody status and have been continuously classified as minimum custody for at least 120 days prior to the proposed furlough;
 3. Have a suitable sponsor;
 4. Have no class I or class II disciplinary convictions within the last 90 days; and,
 5. Have a verified family emergency as stipulated in section II.B. of this IMPP.
- B. If an immediate family member is severely ill, then the inmate may be approved for either:
1. A bedside visit in the hospital or residence of the affected immediate family member; or,
 2. The opportunity to attend the funeral of the immediate family member.
- C. The time limitation and the limit of one furlough per emergency shall be clearly explained to the inmate by a member of the unit team at the time that the application for an emergency furlough is submitted.
- D. Prior to approval of an emergency furlough, the illness or death of the inmate's immediate family member shall be verified by facility staff through a reliable authority (e.g. physician, hospital administrator, or mortician).

III. Submission, Approval and Notification Procedures

- A. Inmates meeting the criteria established for a job furlough or an emergency furlough, and desiring a job or emergency furlough, shall submit an application for furlough, as included with IMPP 11-111, through their unit team.
- B. Designated facility staff shall review the application and verify suitability of the sponsor. Verification of the sponsor shall be accomplished in the following manner:
1. The designated staff member shall telephone the parole director or designee in the region where the proposed sponsor lives and provide the necessary information regarding the sponsor.
 2. The parole director shall assign a parole officer to confirm the sponsor's address and to provide any other information that might be helpful in determining suitability.
- C. The warden or designee may grant a job or emergency furlough provided that all criteria established in section I.A (Job Furlough) or section II.A (Emergency Furlough) are met and the warden or designee feels the furlough is in the best interest of the inmate and/or the community.
- D. In the event the furlough is approved, the following notification procedures shall be carried out prior to the inmate's release to the furlough:
1. Upon final approval of the furlough, the designated facility staff shall ensure that the approved furlough sponsor has been informed of each and every condition of the furlough and has specifically acknowledged the same in writing.

2. The warden or designee shall notify the following individuals by telephone;
 - a. The Deputy Secretary of Facility Management or designee;
 - b. The parole director or designee within the parole region of release;
 - c. The sheriff and county or district attorney in the county where the furlough is located; and,
 - d. The city police in the city wherein the furlough is located.
- E. If applicable, compliance with the victim notification requirements of IMPP 05-108 shall be met by the staff member designated responsible for such notification.

IV. Furlough Conditions And Violation Actions

- A. All inmates granted furlough under the provisions of this policy shall comply with all conditions established by the Order of Furlough, per IMPP 11-111.
- B. Violations of the conditions established by the Order of Furlough or deviation from the approved furlough plan shall be a Class I offense.
 1. Violation of any federal, state, or local laws or ordinances shall be cause for prosecution in a court of law in addition to any disciplinary action taken.
- C. In response to violations of the conditions of furlough coming to the attention of departmental personnel during the course of a furlough, action may be taken in accordance with the applicable provisions of IMPP 11-111 as it pertains to departmental actions.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff, inmates and parolees and those entities who are contractually bound to adhere to them. They are not intended to establish state created liberty interests for employees, inmates or parolees, or an independent duty owed by the Department of Corrections to either employees, inmates, parolees, or third parties. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

KSA 75-5210 e, 75-5260, 75-5267
KAR 44-5-113, 44-12-1301
IMPP 05-108, 11-111
ACI 3-4389, 3-4391, 3-4392

ATTACHMENTS

None.