

 <p style="text-align: center;">ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 505.08	Page 1 of 8
	Effective Date: May 15, 2021	
	Distribution: B	
	Supersedes: 505.08 (3/15/18)	
Approved by: Tony Parker		
Subject: COMMUNITY SERVICE WORK PROJECTS		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 40-35-213, TCA 40-39-202, and TCA 62-6-102.
- II. PURPOSE: To establish uniform procedures for the provision of community service work.
- III. APPLICATION: To all Tennessee Department of Correction (TDOC) institutional employees, inmates, and privately managed institutions.
- IV. DEFINITIONS:
 - A. Community Service Crew: A specific group of up to 15 minimum direct or minimum trusty inmate workers assigned to provide services to the community, state, local, and federal government agencies, and not for profit organizations under either TDOC or agency supervision.
 - B. Community Service Hours: Amount of inmate work hours contributed to community service programs performed either on or off institutional property.
 - C. Community Service Program Coordinator: Institutional staff member designated by the Warden to coordinate, monitor, and report the monthly progress of all community service work crews assigned to a specific institution.
 - D. Community Service Programs: For the purpose of this policy, the provision of inmate workers to state, local, and federal government agencies and not for profit organizations (i.e., highway maintenance, construction, manual labor, public speaking, etc.).
 - E. Contract Monitor of Compliance (CMC): TDOC employee(s) authorized by the Commissioner to monitor contract compliance at privately managed facilities.
 - F. Contract Monitor of Operations (CMO): TDOC employee(s) authorized by the Commissioner to serve as the approving authority for specific actions occurring at privately managed facilities. In the absence of the CMO, the CMC assigned to that facility will serve that function. In the absence of both the CMO and CMC at privately managed facilities, the necessary notification/request for authorization will be made by telephone to the correctional administrator (CA). If the CMO is not reachable via phone, the CMC will be contacted. If both the CMO and CMC are unavailable by telephone, the CA shall be contacted for required authorizations or notifications.
 - G. Risk Needs Assessment (RNA) Tool: A validated risk/needs assessment instrument that utilizes motivational interaction and interview techniques to collect offender-specific information to more accurately identify crime-producing attributes of each inmate/offender/resident and to make more appropriate and productive recommendations for the inmate's level of programming

Subject: COMMUNITY SERVICE WORK PROJECTS

- H. Specialty Crew: Specific group of up to 15 minimum direct or minimum trusty inmate workers assigned to provide job skills; construction, fire fighting, mobile radio installation, etc to the community, state, local and federal government agencies and not for profit organizations under TDOC or agency supervision.
- I. Sex Offender: Any person who is subject to register as a sex offender or as a violent sex offender pursuant to TCA 40-39-202 et seq.
- J. Violent Offenses: As referenced in the *Classification User's Guide*, Appendix 6.
- K. Work Line: A group of minimum restricted or higher custody inmates working outside the secure confines of a facility under armed supervision.
- V. POLICY: The TDOC shall provide work crews to not for profit organizations and state, local, and federal government agencies whenever possible, based on the security and support needs of each institution as well as inmate availability.
- VI. PROCEDURES:
- A. General:
1. Wardens/Superintendents shall designate a staff member to coordinate community service/work line/specialty crews and projects. The community service program coordinator shall be responsible for ensuring policy compliance, monitoring, and reporting of all community service programs to the Assistant Commissioner of Prisons/designee.
 2. All facilities except those excluded by the Assistant Commissioner of Prisons, shall operate community service programs.
 3. Warden/Superintendent must submit an updated list of all specialty crews to the Assistant Commissioner of Prisons as needed. The Assistant Commissioner of Prisons must approve all specialty crews at a facility.
 4. At all privately managed institutions, the Contract Monitor of Operations (CMO) shall visit all community service work or specialty crew locations once a month. Documentation of the monthly visits will be placed in the Contract Monitor's monthly report.
- B. Inmate Eligibility:
1. Before being assigned or to continue to participate in a community service work project/detail, the inmate must have a current Risk and Needs Assessments (RNA) completed.
 2. Inmates with current and/or prior sex offenses, regardless of classification, or state of conviction are ineligible for community service work assignments, except for a work assignment to TRICOR or any TRICOR facility.

Subject: COMMUNITY SERVICE WORK PROJECTS

3. Inmates with non-violent offenses shall be given first consideration for placement on community service crews/specialty crews. Inmates assigned to transition centers and technical probation and parole violator programs may be placed on community service crews regardless of offense.
4. Inmates classified as minimum custody, regardless of the offense, must be within ten years or less of their expiration date to be eligible for assignment to community service work crews. Inmates with violent offenses may be considered for community service work crews (See Policy #404.07) or work line/specialty crews placement only after a thorough review of the following:
 - a. Custody level
 - b. Availability of inmates with non-violent offenses
 - c. Type of offense
 - d. Amount of time served on sentence
 - e. Fifteen years or less to release eligibility date (RED) regardless of custody level for work line placement. All inmates who are assigned prior to August 1, 2002, will be grandfathered.
 - f. Institutional disciplinary record
 - g. Institutional needs
 - h. Specialized skills
5. Inmates with violent offenses placed on community service or work line/specialty crews who will be performing community service work off of institutional property shall be approved for placement in writing by the Warden/Superintendent/designee. The institutional inmate jobs coordinator (IJC) shall maintain a copy of the approval in the inmate's job file (Volume 4, program file, of the inmate institutional record).
6. No inmate sentenced to life without parole shall be eligible for assignment to a work line crew working outside the secure perimeter of an institution.
7. Prior to placement of inmates with violent offenses on community service/work line/specialty crews, law enforcement agency notifications will be submitted in accordance with Policies #505.07 and #511.01.
8. It shall be the responsibility of the community work crew supervisor to ensure inmates assigned to community service crews are rotated to other community service crews once every six months. The rotations shall be documented in the post logbook. Inmates assigned to work line/specialty crews shall not be rotated unless directed by the Warden/Superintendent.

Subject: COMMUNITY SERVICE WORK PROJECTS

C. Supervision:

1. Supervision of inmate workers on community service/work line/specialty crews will be in accordance with the guidelines established in Policy #506.01. Minimum direct and minimum trusty ratios of inmates to staff should not exceed 15 to one. Armed work crews leaving institutional property for the purpose of community work projects require the prior approval of the Assistant Commissioner of Prisons.
2. Approval of non-TDOC inmate work supervisors will require appropriate training by TDOC privately managed facility personnel in regard to supervision requirements of inmates. This training shall also include how the agency will handle emergency situations involving inmate workers. A minimum of two hours of such training must be documented prior to supervising a crew, with in-service training as needed to be current.
3. Any situation concerning the safety and security of staff, community, or inmate crew, which may result in media attention, shall be reported in accordance with Policies #103.02 and #103.04.
4. Inmates will be kept away from the general public as much as possible. Inmate meals will generally be taken in areas not frequented by the general public. Inmates will not be taken to parks, interstate rest areas, etc., unless their work is in that area.
5. Officers/staff assigned to community crews will be rotated every six months unless written approval is obtained from the Assistant Commissioner of Prisons. Officers/staff assigned to work line and specialty crews will not be rotated. Officers/staff assigned to specialty crews will be reviewed by the Warden/Superintendent once a year.

D. Job Sites:

1. Non-TDOC agencies requesting community service/work line/specialty crews shall submit a written request to the Warden/Superintendent/designee specifying the following:
 - a. The type of work to be performed
 - b. The number of inmate workers needed, estimated time required to complete job, and if a permanent crew is being requested
 - (1) The number of inmate workers participating on any work project will be left to the discretion of the Warden/Superintendent/designee.
 - (2) The requesting agency is only required to send an initial letter requesting inmate workers on a permanent basis for inmate crews assigned to highway maintenance, street cleaning, and litter pick-up, regardless of work locations.
 - (3) For non-profit/local governments, the agency tax exempt number will be recorded on each request for service.

Subject: COMMUNITY SERVICE WORK PROJECTS

- (4) All requestors for inmate labor will be provided a training packet and are required to read and sign the packet verifying that they understand their responsibility in relation to the project and the inmates assigned.
 - c. The location and contact person
 - d. The materials/equipment supplied by requesting agencies or organizations
 - e. The transportation and meal arrangements
 - f. Supervision of inmates
 2. Materials, supplies, and specialized equipment required for any project would be the responsibility of the requesting agency or organization.
 3. All potential job sites shall be visited, when possible, and evaluated prior to the Warden's/Superintendent's/designee's decision to perform the requested work. Schools and agencies dealing with childcare requesting inmate work crews shall only be considered when schools/agencies are not in session (i.e., weekends, spring break, summer vacation, etc.).

Inmate crews shall not be placed on a work site at a school, day care, community center, or any site where minors are usually present unless the principal, county school superintendent, director, or supervisor has submitted a signed statement/letter to the Warden/Superintendent or institutional work line coordinator that he/she understands that minors or activities will not be on the premises while the work crew is present.
 4. The Warden/Superintendent/designee will notify the requesting agency or organization of intended participation, in writing, and a copy of the request and the decision shall be forwarded to the office of the Assistant Commissioner of Prisons /Designee.
 5. Emergency requests for services (i.e., natural disaster, clean-up, etc.) shall be handled on a case-by-case basis and shall require a follow-up letter providing detailed information and outcome to the Warden/Superintendent. The Warden/Superintendent shall forward copies to the office of the Assistant Commissioner of Prisons/Designee.
 6. Any community work project for non-profit agencies involving the use of inmates for construction/remodeling undertakings for which the total cost is \$25,000 or more on a per project basis shall be set forth in a written agreement with TDOC. Such agreement shall be in the form of a contract, an example of which is included with this policy. (Note: This is only a sample. Actual contract contents will vary depending upon agency and agreed terms)
 7. Only short-term projects for non-profit organizations of less than 90 days duration should be encouraged. Projects for non-profit organizations of a duration exceeding 90 days will require the approval of the Assistant Commissioner of Prisons /Designee

Subject: COMMUNITY SERVICE WORK PROJECTS

and must have a written contract in place if the total cost of the project is estimated to be \$25,000 or more. The Warden/Superintendent will determine the feasibility of a contract and, if a decision is made that a contract is necessary, will approve the contract and forward it to the office of the Assistant Commissioner of Prisons/Designee and TDOC Contracts Administrator for placement onto the server.

8. It will be the responsibility of the non-profit or government agency requesting the project (procuring agency) to have a coordinator familiar with local, city, county, and state building codes remain on site and provide instruction and direction to the crew supervisor.
9. On any project requiring a contract, the following statement shall be included: "The procuring agency shall comply with all local municipal, state and federal statutes, rules, regulations, or ordinances relative to the project."

E. Clothing and Safety Equipment:

1. All inmates assigned to community service crews and work lines/specialty crews will be given orientation prior to assignment.
2. Inmates assigned to service crews or work lines/specialty crews will be clothed in accordance with Policy #504.05. Orange baseball-style caps or orange toboggans and stenciled orange safety vests will be issued and worn at all times when crews are in plain view of the general public in addition to the protective wear outlined in Policy #504.05. The issuance of hard hats, orange if possible, for inmate workers on construction crews will be left to the discretion of the institution, but hard hats must comply with applicable TOSHA mandates.
3. Facilities shall request approval, in writing from the Assistant Commissioner of Prisons/designee for community service/work line/specialty crews requiring special apparel (i.e., non-stenciled clothing).
4. All community service/work line/specialty crews working on highways, interstates, rural roads, vehicular traffic ways, or other areas deemed appropriate by the institutional community service program coordinator shall follow state, local, and federal rules, regulations, and safety precautions, including those stipulated in Policy #112.02.
 - a. Signs will be placed on the vehicle or the road indicating the presence of a work crew. Wording for all signs requires the approval of the Assistant Commissioner of Prisons/Designee.
 - b. All litter and interstate crew vehicles shall have at least one orange flasher attached to the vehicle.
5. The work crew supervisor shall ensure all equipment needed to complete the assigned task (i.e., lawn mowers, chain saws, etc.) is in proper working condition and all safety devices are attached. Inmate workers will be provided a minimum of two hours of safety instructions before operating any equipment. This training shall be documented and maintained in the inmate's job file (Volume 4, program file of the IIR).

Subject: COMMUNITY SERVICE WORK PROJECTS

6. The Warden/Superintendent/designee shall ensure that personnel transporting inmates or operating specialized vehicles shall have appropriate authorization and vehicle operator licenses.

F. Jobs Assignments:

1. Job assignments, terminations, etc., will be completed in accordance with Policy #505.07. Inmates providing community service work on other than a community service crew will not necessarily perform under the "Community Service Worker" (CSWK) job title. Job titles shall reflect actual services provided according to job descriptions (i.e., stock clerk at a community food bank, etc.).
2. Pay will be based on the pay/skill level of the job title according to Policy #504.04.
3. Any job requiring specialized equipment may be conducted only by inmates who have completed training in their use, including safety precautions as outlined in Section VI.(E)(5) of this policy.

G. Reporting Requirements:

1. The Assistant Commissioner of Prisons/Designee shall develop a format for the reporting of community service activities. This report shall be submitted to the Assistant Commissioner of Prisons/Designee by the 10th day of each month for the preceding month.
2. Upon completion of each community service project, a Community Service Project Survey (CSPS) shall be completed by the receiving agency/organization, indicating their assessment of services provided. If the project is scheduled for an extended period of time, the survey will be conducted upon completion or no less than annually, whichever is first.
3. The monthly Inmate Activity Report shall be submitted to the Central Office Inmate Program Specialist in accordance with Policy #505.07. Differing reporting requirements may create apparent differences between this report and the report submitted monthly to the Assistant Commissioner of Prisons/Designee.

H. Monetary Reimbursement:

1. State, local, and federal government agencies and not for profit organizations shall negotiate written agreements for TDOC to provide community service program participation. These written agreements shall be in accordance with the guidelines established by the institution and requesting agency and shall include stipulations as to the applicability of the following:
 - a. Inmate pay
 - b. Meals
 - c. Transportation

Subject: COMMUNITY SERVICE WORK PROJECTS

d. Staff salaries and benefits

e. Supplies

2. State agencies shall be charged for expenses related to inmate work crews in accordance with the guidelines established by the TDOC.

VII. ACA STANDARDS: 5-ACI-7A-04 and 5-ACI-7A-07 (M).

VIII. EXPIRATION DATE: May 15, 2024