

**STATE OF VERMONT  
AGENCY OF HUMAN SERVICES  
DEPARTMENT OF CORRECTIONS**

**Directive: 371.03**

**Subject:** Classification & Furlough of Detainees

**Effective Date:** 12/30/02                      **Review and Re-Issue Date:**

**Supersedes:** 05/02/97                      **APA Rule Number:**

<b>Recommended for approval by:</b> Richard Turner, Director/Correctional Services		<b>Authorized By:</b> Steven Gold, Commissioner	
_____	_____	_____	_____
<b>Signature</b>	<b>Date</b>	<b>Signature</b>	<b>Date</b>

**1. Authority:**

1.1 28 V.S.A. §102 (8), 701b. (a)(b), 753, 759, 808.

**2. Purpose:**

2.1 The purpose of this directive is to outline procedures for the classification and furlough for detainees.

**3. Applicability/Accessibility:**

3.1 Anyone may have access to this directive.

**4. Directive:**

Classification- Detainees

4.1 Offenders in civil and criminal actions committed to the Commissioner pending prosecution shall be classified using the departments classification system within five (5) days of commitment, excluding weekends and holidays.

4.2 Once the FBI/VT check is available the security custody classification will be reviewed for possible placement at a community work camp or placement on furlough.

Classification / Designation – Detainees

4.3 Detainees may be transferred to the Caledonia Work Camp provided they meet work camp criteria and the court has indicated their presence will not be needed for a period of sixty (60) days and the court agrees to transport directly from the work camp.

4.4 Detainees held for misdemeanor crimes may be placed on furlough when there is a likelihood the person will appear in court. The Commissioner may impose additional conditions of release deemed necessary to ensure that the defendant will appear in court.

## Directive 371.03 Classification & Furlough of Detainees

### To be considered for furlough:

- 4.4.1. The individual has served sixty (60) days in detention status. However, this requirement may be waived in cases where the individual is known to the department or in cases of sixteen and seventeen year old misdemeanants.
- 4.4.2. The individual has ties to the community (family & residence stability). The individual agrees to reside in his/her home community.
- 4.4.3. The individual has \$500 or less bail.
- 4.4.4. The individual has no failures to appear on his/her criminal record in any jurisdiction. This does not include failure to appear which results from failing to pay a motor vehicle speeding ticket or similar motor vehicle offenses.
- 4.4.5. The individual agrees to abide by the conditions of release ordered by the judicial officer and any further conditions imposed by the Department of Corrections.
- 4.4.6. The prosecuting attorney and the judge have given consent to the furlough.
- 4.4.7. The furlough agreement has been explained by DOC staff and signed by the individual. The furlough agreement contains conditions of release ordered by the judicial officer and general and special conditions required by the department.

### 4.5 Furlough Supervision-Misdemeanant and Felon

- 4.5.1 The individual will be supervised by CCSC staff or CRSU staff when living in an area not covered by a CCSC.
- 4.5.2 The individual will be confined to his or her home similar to house arrest, with a tightly monitored schedule that may allow for work, court referred treatment sessions, meetings with legal counsel and court appearances.
- 4.5.3 The process for revocation of detainee furlough will be the same as the process used for revocation of sentenced offenders on conditional re-entry / furlough as described in directive 371.16 and directive 410.02.

## **Directive 371.03 Classification & Furlough of Detainees**

### **5. Training Method**

5.1. Each site manager will ensure all staff have read and understand this directive.

### **6. Quality Assurance Processes**

6.1. Each site manager will establish a local procedure.

### **7. Financial Impact:**

7.1 While furlough of detainees is not a usual practice, the cost savings is approximately \$15,000 - \$20,000 per inmate, per year for community supervision vs. institutional confinement.

### **References:**

Title 28 V.S.A.

### **8. Responsible Director and Draft Participants**

Ray Flum, Director of Classification

**States Attorney/District Court**

**Consent Form**

Furlough of Individuals during Pendency of Prosecution

Pursuant to 28 V. S. A., Chapter 11, Section 759, I hereby consent to  
the furlough of \_\_\_\_\_, who is charged with

\_\_\_\_\_.

\_\_\_\_\_  
States Attorney

\_\_\_\_\_  
District Judge