

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Transitional Center Selection Criteria and Process		
Policy Number: 215.01	Effective Date: 01/01/2014	Page Number 1 of 10
Authority: Owens/Jacobs	Originating Division: Facilities Operations	Access Listing: Level I: All Access

I. Introduction and Summary:

The selection for offender placement at a Transitional Center to include work release and long-term maintenance shall be based on established criteria as set forth by the Board of Pardons and Parole and as determined by Facilities Operations.

II. Authority:

- A. GDC Rules: 125-2-4-.04, 125-2-4-.09, 125-2-4-.18, 125-3-1-.02, 125-3-6;
- B. GDC-SOP: IID01-0001, IID03-0005, IIC02-0004, IIG01-0001;
- C. ACA Standards: 2-2135(3-4135, 3-4136, 3-4140), 2-2136(3-4135), 2-2138(3-4147), 2-2139(3-4150), 2-2140(3-4149)
- D. This policy was formerly SOP#IID01-0002

III. Definitions:

- A. **Work Release:** Assignment of an offender to a Transitional Center will be based upon pre-determined criteria. The selection of offenders for the work release program is needs driven; as identified by the current GDC assessment, offender history, employment instability, residential instability (problem residence), financial instability, and/or professional discretion. Such an offender is called a "work-release resident" upon assignment to a Transitional Center.
- B. **Parole Board Referral:** Referral is an assignment to a Transitional Center initiated by the State Board of Pardons and Paroles and upon approval by GDC. This type offender is also called a "work-release resident" upon assignment to a Transitional Center. The selection of offenders for the work release program is needs driven; as identified by the current GDC assessment, offender history, employment instability, residential instability (problem residence), financial instability and or professional discretion.
- C. **Maintenance Resident:** Offenders assigned to a Transitional Center to assist in the daily operation of the facility or other state agency maintenance.

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These offenders are not on work release status nor are they to participate in work release until eligible under the guidelines of this SOP.

D. Seriously Violent Felony: A crime listed in the Official Code of Georgia Annotated (O.C.G.A) 17-10-6.1(a):

1. Murder of Felony Murder
2. Armed Robbery
3. Kidnapping
4. Rape
5. Aggravated Child Molestation
6. Aggravated Sodomy
7. Aggravated Sexual Battery

E. Eligible Seriously Violent Offenders: Georgia Code O.C.G.A. 17-10-6.1 allows for an offender who is serving a sentence for the first time conviction of any serious violent felony to be considered for a transitional center during their final year of incarceration. These are the ONLY Seriously Violent Offenders that GDC may refer to a Transitional Center program.

F. M.O.R.E. Case: Max Out Re-Entry: A program to allow for a period of community supervision for offenders who would otherwise remain incarcerated until their Maximum Release Date.

G. Parole Remanded Case: Parolees facing revocation to a hard prison bed as a result of violating Parole Technical Conditions. All Community resources must have been exhausted.

IV. Statement of Policy and Applicable Procedures:

A. Transitional Center Preferred Criteria: The selection of the current GDCs for the Transitional Center program is needs driven. Offenders, who are eligible to be considered for assignment to the work release program at a Transitional Center, include:

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1. Financial Problems/Poverty
2. Residential Instability
3. Vocational/Educational Problems
4. First Time Violent Offenders/SB441 during final year of incarceration as identified in section III.E. above.
5. Professional discretion

Note: The prison classification Committee may exercise discretion to recommend denial or delay of a transfer to a Transitional Center at any time, based upon poor performance, adjustment, medical or psychiatric developments, safety concerns, or other factors that would prevent successful participation in either program.

B. The Referral Process:

1. Direct Parole Board Referrals: The State Board of Pardons and Paroles may periodically refer offenders who do not meet GDC criteria. The selection of offenders for the Transitional Center Program is needs driven:
 - a. as identified by the current GDC assessment
 - b. offender history
 - c. employment instability
 - d. residential instability (problem residence)
 - e. financial instability
 - f. professional discretion
 - g. Max Out Re-Entry Program (M.O.R.E.)
 - h. Remand to Transitional Center cases

Offenders referred by the Parole Board who do not meet GDC criteria will be reviewed by the Commissioner or his or her designee prior to placement at a Transitional Center. Department officials will communicate any selection criteria changes to the Board of Pardons and Paroles to ensure that Parole Board referrals mirror selection criteria.

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2. Prison Referrals: The selection of offenders to be referred to Transitional Centers is needs driven and identified as Transitional Center Preferred Criteria:
 - a. Financial Problems/Poverty
 - b. Residential Instability
 - c. Vocational/Educational Problems
 - d. First Time Violent Offenders/SB 441 during final year of incarceration as identified in section IV.E. above
 - e. Professional discretion

Offenders who meet the Transitional Center Preferred criteria will be considered for placement in a Transitional Center by their counselor.

- C. Case Management: The processes by which prison staff review an offender's file regarding eligibility are outlined below:
 1. Upon arrival to the permanent facility, the counselor, responsible for conducting the facility orientation (A&O process) or for conducting the initial interview, will review each arriving offender's file.
 2. Following a review of an offender's file, the counselor will determine if the offender is a first time violent offender (SB 441), a sex offender, and also has a need in the following categories: Financial Problems/Poverty, Residential Instability and/or Vocational/Educational Problems.
 3. If so, the counselor will add the activity "TC Preferred" to the offender's current plan in the Offender Programs application. The counselor will reference this action in the initial interview case note. This designation will serve as an indicator that the offender needs to be considered for placement in the work release program at a Transitional Center.
- D. Prison Classification Committee: After favorable review by the prison classification committee and the approval of the Warden, a recommendation will be sent to Offender Administration by using the Assignments Module in Scribe.

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Target TC Referral Date displayed in the Scribe Program queues shall be used as a guide for timely entry of TC assignment requests. Eligible Violent Offenders serving their FIRST TIME CONVICTION for a serious violent felony, should be considered for TC placement only if they are within 12 months of their maximum release date, have maintained a favorable institutional record, completed all required programming, and have no greatest disciplinary record for a minimum of 3 months.

- E. Central Office: Offender Administration staff is responsible for screening lists of potentially eligible offenders based on MRD, projected PIC dates, and tentative parole months as well as referrals from all other sources. Transitional Center Preferred criteria offenders with no more than fifteen (15) months and no less than twelve (12) months until any prospective release date may be eligible for transitional center consideration, except for Parole Board referrals or offenders that are past TPM. Target TC Referral Date displayed in the Scribe Assignment queues shall be used as a guide for timely placement.

Special consideration is to be given to offenders who are past TPM and are within 24 months of max out date for work release. If it is determined that an offender meets the Transitional Center preferred criteria, has no viable residence plan, is past their TPM, and is within 24 months of max out date, an assignment request is to be submitted immediately, stating the reason that the offender's name is being submitted. Offender Administration will be responsible for reviewing the documentation to ensure that SCRIBE documentation supports the assignment request.

- F. Work Release Criminal History Background:

1. Offenders serving life sentences will not be considered, except for Parole Board referrals.
2. Active felony detainees or special notifications on file will preclude placement.

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3. Sex offenders are eligible for TC placement. If a Sex Offender Psycho Educational Program (SOPP) need has been identified, successful completion of SOPP is required prior to TC placement. The Sex Offender Unit will enter the SOPP need in the programs module based on current sentence and current laws. Sex Offenders who committed their offense prior to June 4, 2003 are eligible for placement at any Transitional Center. Sex Offenders who committed their offense on or after June 4, 2003 are eligible for placement at Transitional Centers that meet registration requirements for residency restrictions as defined in OCGA 42-1-15, OCGA 42-1-16 and OCGA 42-1-17 (see SOP IIG01-0001). Electronic Registration via Scribe is not required by Center staff upon arrival of the offender; however, notification to the Sheriff's designee is required. Electronic registration and notification to the Sheriff are required upon the release of the offender. Transitional Center POC shall notify the local Sheriff's Office when a registrable sex offender enters the Transitional Center via the Transitional Center Notification form (Attachment 1). The Sex Offender Administration Unit in collaboration with Offender Administration will review all sex offenders referred to ensure the offender is placed at a Transitional Center that meets the offender's residential proximity requirements. Offenders determined to be a Sexually Dangerous Predator by the Georgia Sexual Offender Review Board will not be eligible. (Being deemed a Sexually Dangerous Predator while at a Transitional Center will result in immediate removal). Sex offenders must meet the following criteria:
 - a. Must have no greatest disciplinary record for a minimum of 3 months.
 - b. Must not have two (2) or more previous felony convictions or a criminal offense against a minor or a dangerous sex offense. NOTE: Failure to Register is not a sex offense.
 - c. Placement at the TC should not result in adverse public reaction.
 - d. Must have successfully completed SOPP, prior to referral.
4. Offenders serving sentences for arson will be screened on a case by case basis by Offender Administration staff upon referral based on the circumstances of

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the offense. An offender with more than one arson conviction will not be eligible.

- G. Escapes: Offenders who have been charged with escaped will be ineligible for Transitional Center placement for five years unless referred by the Parole Board. "Escape" is defined as having occurred from a hard facility (prison or PDC) and not a "walk away or abscond" from Transitional Center.
- H. Removals: Removals may be considered again for a transitional center after serving at least six (6) months with a clear record, except Parole Board referrals. NOTE: M.O.R.E program participant removals require joint decision with Superintendent, TC Coordinator, and M.O.R.E. Committee (Specialized Parole Officer assigned to TC, M.O.R.E Program Manager, M.O.R.E. Hearing Examiner, and Facility Operations Designee).
- I. Skills and Abilities: Selection of an offender to participate in the Transitional program will be made on a case-by-case basis. If an offender is not employable because of his/her care needs, the offender will not be placed in the Transitional program.
- J. Geographical Placement: When assigning offenders to Transitional Centers, Offender Administration is to give priority to offenders whose spouse and/or children live in that area. Eligible Violent Offenders should be placed in a TC within ten (10) miles of the host facility or closest state prison, except when referred by the Parole Board.
- K. Prison Review: Upon receipt of notification from Offender Administration of an offender's assignment to a Transitional Center, the Warden/Superintendent or designee will immediately review the offender's file for any recent performance or adjustment problems, medical or psychiatric developments, security level increases and program participation. A full background check will be run prior to transfer to ensure that the offender has no active felony detainers or special notifications. The Warden/Superintendent or designee will immediately advise Offender Administration of any problems identified.

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L. Offender Administration Review: Offender Administration staff will pull a data warehouse request for Eligible Violent Offenders and start reviewing them 15 months prior to release. If preferred criteria are met offenders will be referred to Transitional Center program within 12 months of max out at a TC where the host facility or nearest state prison is within ten (10) miles of the TC, except when referred by the Parole Board.

M. Criteria for Transitional Center Maintenance Residents:

1. The prison classification committee may recommend offenders for selection as maintenance residents. Offender Administration staff will review cases for placement at Centers based upon Department needs.
2. Security Classification: The offender must be medium security or below.
3. Offenders with eighteen (18) to forty-two (42) months remaining before Projected PIC date, TPM, or MRD may be considered as a maintenance resident. Special cases may be considered based on institutional need.
4. Maintenance residents approaching fifteen (15) months prior to Projected PIC date, TPM, or MRD will be reviewed by the assigned center's classification committee for placement in the work release program. When an offender is moved from Long Term Maintenance to Work Release, the respective center is to email Offender Administration advising of change in status. Offender Administration will in turn notify Victim Services.

N. Maintenance Resident Criminal History Background:

1. Offenders must not be serving a sentence for a crime which may result in adverse community reaction. Final determination will be made by Facility Operations and Offender Administration.
2. Offenders must not have been previously sentenced to death.

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3. Offenders must not have a sentence involving assault against any criminal justice/law enforcement employee or a disciplinary for assaulting or causing injury to any GDC employee.
 4. Offenders must not have two (2) or more previous convictions involving violence.
 5. Offenders must not have been sentenced for arson. Male offenders who are serving life sentences will not be considered until after their first Parole consideration (for the Governor's Mansion Detail only).
- O. Center Maintenance Prison Behavior Record: The offender must have no "Greatest Severity Offense" or "High Severity Offense" disciplinary reports for at least three (3) months prior to consideration. A history of numerous disciplinary reports may preclude assignment. The offender must not have had more than one (1) prior escape. If the offender has escaped, it must not have been within the last five (5) years. The circumstances of the escape may preclude assignment.
- P. Center Maintenance Skills and Abilities: The offender must possess the skills and abilities required to perform tasks assigned by the Center.
- Q. Parole Consideration, Governor's Mansion Detail: Offenders assigned to a Transitional Center for the purpose of working at the Governor's Mansion shall be closely monitored by Transitional Center staff during their parole consideration period. If a denial for parole is received, necessary precautions shall be taken and the Transitional Center Superintendent shall confer immediately with Offender Administration staff to determine if the offender should be reassigned to another detail or returned to a prison.
- R. Final Approval: All recommendations are subject to final approval by Offender Administration, Facility Operations Director or designee.
1. The Center will provide Offender Administration with specific documentation for requesting removal of the referral. If reasons are warranted, Offender

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Administration will notify the referring agency (if applicable) of plans to remove the offender from the Center.

2. Upon request, the reasons for non-acceptance will be provided to the offender by the Warden/designee.

V. Attachments:

Attachment 1 – Transitional Center Notification Form