

(7) Termination from work release or study release shall be under s. DOC 324.13.

History: Cr. Register, September, 1981, No. 309, eff. 10-1-81; am. (intro.) and (2), Register, February, 1987, No. 374, eff. 3-1-87.

DOC 324.04 Eligibility for work or study release status. To be eligible for work or study release status:

(1) An inmate shall have a security classification of minimum as described in s. DOC 302.12 (1) (e). Upon initial assignment of an inmate to a security classification of minimum or upon transfer of an inmate from another state correctional facility, the superintendent of the state correctional facility where the inmate is assigned may observe the inmate in minimum security for 30 days to determine his or her adjustment to minimum security before the inmate becomes eligible for work or study release status. At the end of the 30-day period the superintendent shall inform the PRC of the inmate's adjustment;

(2) An inmate serving a life sentence shall have reached parole eligibility as defined in s. 304.06 (1), Stats.;

(3) An inmate with a record of escape or attempted escape shall be subject to the following additional eligibility requirements:

(a) An inmate convicted in court or found guilty under ch. DOC 303 of escape or attempted escape from a state correctional facility is ineligible for one year from the date the judgment is entered or a finding of guilty under ch. DOC 303 is entered; and

(b) An inmate received at a state correctional facility who has a concurrent or consecutive sentence for escape from a county jail is ineligible for one year from the date judgment is entered;

(4) An inmate whose prior work or study release placement has been terminated under s. DOC 324.13 for misconduct other than escape or attempted escape may be required by the PRC to wait up to 6 months from the date of termination before regaining eligibility;

(5) An inmate serving a sentence following revocation of probation, mandatory release or discretionary parole shall be subject to the following additional eligibility requirements:

(a) Except as provided in par. (b), a violator with or without a new sentence shall serve 6 months from the date of return to a state correctional facility before attaining eligibility, regardless of parole commission action or credit for time served in a county jail; and

(b) An exception to par. (a) may be recommended by the PRC for inmates who are within 6 months of mandatory release. The final decision as to eligibility shall be made by the classification chief.

History: Cr. Register, September, 1981, No. 309, eff. 10-1-81; r. and recr. Register, February, 1987, No. 374, eff. 3-1-87.

DOC 324.05 Procedure for application and approval. (1) An inmate may apply for work or study release status to the institution social worker or any designated staff member.

(2) The social worker or designated staff member shall review the inmate's application and shall report on the inmate's eligibility to the PRC of the state correctional facility where the inmate is assigned.

(3) The inmate shall be approved for work or study release status by the PRC before any further placement efforts can be undertaken.

(4) The program review procedure shall be that which is set forth under s. DOC 302.19 and this chapter. Any inconsistencies shall be resolved in favor of this chapter.

(5) PRC approval for work release or study release status shall be by unanimous vote. If a vote is not unanimous, the case shall be treated in accordance with s. DOC 302.19 (7).

(6) The inmate's physical and emotional condition shall be considered in making the decision. If the inmate needs medication, the PRC shall consult with the correctional health services staff and the clinical services staff before approving work or study release. The correctional health services staff and the clinical services staff shall state whether a work or study release placement is appropriate for the inmate.

(7) The criteria set forth under ss. DOC 302.14 (1), (2), (4), (5), (7), (9), (11), (12) and (13) and 302.16 (1) and (2) shall be considered in making the decision.

(8) Upon PRC approval, the PRC shall notify the state correctional facility's work release coordinator.

History: Cr. Register, September, 1981, No. 309, eff. 10-1-81; am. Register, February, 1987, No. 374, eff. 3-1-87.

DOC 324.06 Placement procedure. (1) Upon PRC approval for the program, the inmate shall meet with the work release coordinator to complete the application process. The application process shall include, in accordance with s. DOC 324.09, information about the inmate's financial obligations. If the application is for study release, the inmate shall apply for benefits as required under s. DOC 324.09 (1).

(2) Upon receiving PRC notification, the institution work release coordinator and appropriate staff shall, under s. DOC 324.09 (2), investigate the inmate's financial obligations and attempt to place the inmate in accordance with the requirements of s. DOC 324.07 or 324.08.

(3) The institution work release coordinator shall solicit work and study placements, shall maintain a list of all potential employers and educational facilities, and shall maintain a list of all placement openings.

(4) Before placement, the work release coordinator shall advise the employers or appropriate school administrators of their responsibilities to the inmates and the program. For placement in a county jail or halfway house, the sheriff or director of the halfway house must consent in advance to accept the inmate. Withdrawal of the consent terminates the placement. Determination of the costs and method of payment for room and board must be arranged prior to placement at the location.

(5) When a suitable placement is available for an inmate, the work release coordinator shall explain to the inmate the rules of work or study release. The work release coordinator shall inform the inmate of the results of the investigation of the inmate's obligations and shall make