

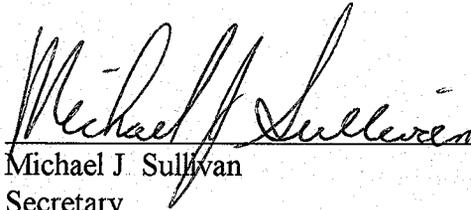
STATE OF WISCONSIN)
) SS
DEPARTMENT OF CORRECTIONS)

I, Michael J. Sullivan, Secretary, Department of Corrections, and custodian of the official records, certify that the annexed rules, relating to inmate secure work crews, were duly approved and adopted by the Department on November 26, 1997.

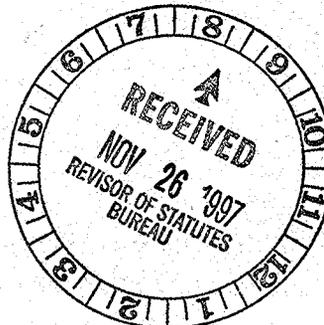
I further certify that this copy has been compared by me with the original on file in this Department and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Corrections
149 E. Wilson Street in the City of
Madison, this 26th day of November, 1997.

SEAL



Michael J. Sullivan
Secretary



PROPOSED ORDER OF THE
DEPARTMENT OF CORRECTIONS
CREATING RULES

The Wisconsin department of corrections proposes an order to create DOC 304, relating to the inmate secure work program.

Statutory authority: ss. 303.063, 227.11 (2)

Statutes interpreted: s. 303.063, Stats.

Analysis Prepared by the Department of Corrections

Sec. 303.063 (1), Stats. authorizes the Department of Corrections to establish a secure work program for inmates in which the inmates are assigned to work away from the grounds of the institution while appropriately restrained for security purposes.

Sec. 303.063 (2), Stats. requires that the Department of Corrections must promulgate rules specifying the procedures and regulations relating to the secure work program under (1) before it may implement such a program.

The proposed rule:

1. Provides that an inmate shall have a security classification of medium, minimum, or minimum community residential confinement in order to be eligible to participate in the secure work program.
2. Provides that intensive sanctions inmates who are sanctioned back to prison and probationers and parolees who are being held in custody as an alternative to revocation may be eligible to participate in the secure work program.
3. Provides that inmates otherwise meeting the requirements of DOC 304.04 may be assigned to the secure work program as a disciplinary disposition under s. DOC 303.72 (9).
4. Provides that the warden of the correctional facility to which the inmate is assigned or the warden's designee shall review the proposed assignment of the inmate to a secure work program, and that an inmate shall be allowed to participate in a secure work program only after the warden or the warden's designee approves the inmate's assignment.
5. Provides that a secure work crew may consist of a maximum of 12 inmates.
6. Provides that an inmate may be on any one secure work program assignment for a maximum of 60 work days and that an inmate may be assigned to several secure work program assignments during the course of the inmate's incarceration..

7. Provides that inmates participating in a secure work program assignment shall be restrained by individual chain leg restraints and may be required to wear electronic stun belts or utilize other security technology during the time they are outside the perimeter of the institution.

8. Provides that each work crew shall be supervised by at least 2 correctional officers, and that at least one of those officers shall be armed.

9. Provides that inmates in the secure work program may be assigned to work outside the secure perimeter of the correctional institution to which the inmate is assigned, and that work assignments may include roadside cleaning, snow removal, and construction projects.

10. Requires that inmates who are participating in secure work program assignments wear distinctively colored outerwear during the time they are outside the secure perimeter of the institution and that this outerwear shall be the outermost layer of clothing and that the outerwear shall be labeled "DOC inmate."

11. Provides that inmates who are assigned to secure work crews, who are not in disciplinary status, shall be paid compensated at an hourly rate unless serving a disciplinary sanction.

DOC 304.01 PURPOSE. The purposes of the secure work program are:

- (1) To provide inmates work opportunities while the inmates are appropriately restrained for security purposes.
- (2) To provide inmates opportunities to assume responsibility in work settings to prepare them for employment upon release to the community.
- (3) To fulfill the goals of public protection and reintegration of the inmate into the community.
- (4) To provide service to the community.

DOC 304.02 APPLICABILITY. This chapter applies to the Wisconsin department of corrections and adult inmates in its custody. It interprets s. 303.063, Stats. This chapter is adopted pursuant to the authority of s. 303.063 (2), Stats.

DOC 304.03 ORGANIZATION OF THE SECURE WORK PROGRAM. (1) An inmate is eligible to participate in a secure work program if the inmate meets the requirements under s. DOC 304.04.

(2) The warden of the correctional facility to which an eligible inmate is assigned or the warden's designee shall review the proposed assignment of the inmate to a secure work program. An inmate may participate in a secure work program only after the warden or the warden's designee approves the

inmate's assignment.

- (3) A secure work crew may consist of a maximum of 12 inmates.
- (4) An inmate may be assigned to any one secure work crew assignment for a maximum of 60 work days. An inmate may be placed on several secure work crew programs during the course of the inmate's incarceration.
- (5) Inmates participating in a secure work program assignment shall be restrained by individual chain leg restraints and may be required to wear electronic stun belts or utilize other security technology during the time they are outside the secure perimeter of the institution.
- (6) Each work crew shall be supervised by at least 2 correctional officers, and at least one of those correctional officers shall be armed.

DOC 304.04 ELIGIBILITY FOR SECURE WORK PROGRAM ASSIGNMENT. (1) An inmate is eligible to participate in the secure work program if any of the following apply:

(a) The inmate has a security classification of medium security, medium outside security with supervision, minimum security or minimum security-community residential confinement under s. DOC 302.12 (1) (c) to (f).

(b) The inmate is an intensive sanction inmate who has been sanctioned back to prison or is a probationer or parolee who is being held in custody as an alternative to revocation.

(2) Inmates who otherwise meet the eligibility requirements of this section may be assigned to the secure work program as a disciplinary disposition under s. DOC 303.72 (9).

DOC 304.05 SECURE WORK PROGRAM OPERATION. (1) An inmate participating in a secure work program assignment may be assigned to work outside the secure perimeter of the correctional institution to which the inmate is assigned.

(2) Work assignments may include roadside cleaning, snow removal, construction projects and community service projects.

(3) Inmates who are participating in secure work program assignments shall wear distinctively colored outerwear during the time they are outside the secure perimeter of the institution. Inmates shall be outfitted in distinctively colored garments to be worn as the outermost layer of clothing and the garments shall be labeled "DOC inmate."

DOC 304.06 INMATE SECURE WORK CREW PAY. Inmates assigned to secure work programs shall be compensated at an hourly rate unless serving a disciplinary sanction.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Wisconsin Department of Corrections

Dated: 11/27/97

By: Michael J. Sullivan

Michael J. Sullivan
Secretary

Seal:





Tommy G. Thompson
Governor

Michael J. Sullivan
Secretary

Mailing Address
149 East Wilson Street
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 266-2471

State of Wisconsin
Department of Corrections

November 26, 1997

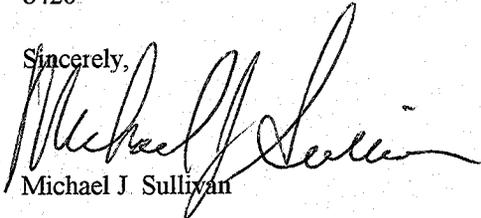
Bruce Munson
Revisor of Statutes Bureau
131 West Wilson Street, Room 800
Madison, Wisconsin 53703-3222

Dear Mr. Munson:

Pursuant to s. 227.20 Stats., the Department of Corrections submits a certified and uncertified copy of DOC 304, relating to inmate secure work crews.

If you have any questions, please contact Deborah Rychlowski, Office of Legal Counsel, at (608) 266-8426.

Sincerely,



Michael J. Sullivan

Attachment

