

<b>State of Vermont Agency of Human Services Department of Corrections</b>	<b>Title: Inmate Release Money</b>		<b>Page 1 of 9</b>
<b>Chapter: Facilities – General</b>	<b>#323.01</b>	<b>Supersedes #323, dated 2/02/1998 and #323.01, dated 8/05/2003</b>	
<b>Attachments, Forms &amp; Companion Documents:</b> 1. Request/Response for Release Money for Housing 2. Staff Request for Inmate Release Money for Housing 3. Request/Response for Release Money for <i>Other than</i> Housing			
<b>Local Procedure(s) Required:</b> No <b>Applicability:</b> All staff (including volunteers and contractors) <b>Security Level:</b> "B"- Anyone may have access to this document.			
<b>Approved:</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 40%; text-align: center;"> <hr style="width: 80%; margin: 0 auto;"/> <b>Robert D. Hofmann, Commissioner</b> </div> <div style="width: 20%; text-align: center;"> <u>July 3, 2007</u>  <b>Date Signed</b> </div> <div style="width: 20%; text-align: center;"> <u>July 17, 2007</u>  <b>Effective Date</b> </div> </div>			

## PURPOSE

The purpose of this directive is to set high standards and the eligibility requirements for the provision of release money for housing and other needs to inmates completing incarceration and being released to the community.

## POLICY

It is the policy of the Department of Corrections to assist inmates returning to the community, in the context of offender release planning. While the inmate is the key contributor to their successful re-entry, the issuance of release money by the Department can significantly assist their return to the community by filling financial gaps in the inmate's release plan. Release money will be granted only where there is a demonstrated need, and based on available resources. The issuance of release money must be viewed as a temporary measure to assist the inmate during initial community reintegration; consequently, linkages to other agencies must be established prior to release. Release money is an earned privilege and will not be considered an entitlement. The issuance of release money is at the sole discretion of the Department, and this determination is final.

## AUTHORITY

28 V.S.A. § 708(b).

## REFERENCE

Department Administrative Directives #371.05, *Offender Responsibility Planning* and #371.15, *Conditional Re-entry*.

## DEFINITIONS

Housing Coordinator: A Corrections' staff person who administers all Department-funded offender housing functions, including approval of release money.

## PROCEDURAL GUIDELINES

Inmates may request release money for a number of reasons. However, the Department provides release money primarily for housing costs, transportation, food, and clothing. There are different processes for granting money for housing and granting money for other needs.

The Department may grant release money to an inmate when other, more lasting alternatives have been exhausted. In all cases the inmate, with assistance from their facility Caseworker and Probation Officer, should first make attempts to receive financial assistance from other state agencies and non-governmental entities or formal transitional housing programs more appropriately established to provide such assistance. This would include collaborating with the AHS Field Services Division to explore any other resources that they may be able to access.

## RELEASE MONEY FOR HOUSING

### 1. Approval Considerations

There are a number of factors which the Department considers in reviewing requests for release money for offender housing after re-entry. Issuance of release money may include, but is not limited to, such factors as the following:

- a. An inmate should have served a minimum of twelve (12) continuous months of incarceration prior to their anticipated release date.
- b. An inmate should demonstrate that they can follow institutional rules by:
  - i. Having no record of any Major "A" disciplinary reports within the six (6) months prior to their anticipated release date;
  - ii. Having no record of any other major or minor infraction within the six (6) months prior to their anticipated release date, which was specifically the result of violence against a person or property.
- c. Release money is intended primarily for inmates who are transitioning to community supervision.
- d. Typically, such transitional housing would be in single living units rented by the week or month. Motel or hotel rooms designed for single night occupancy are not eligible for these funds.
- e. Case Plan (Offender Responsibility Plan)
  - i. An inmate must be actively involved in the development and implementation of their case plan. (See administrative directive #371.05, *Offender Responsibility Planning*.)

- ii. All elements of the case plan that involve action on the part of the inmate, and are within the inmate's control, must be progressing. This includes, but is not limited to, attendance at and engagement in meetings with their facility Caseworker and Probation Officer; attendance at and engagement in any required treatment or program services; and active participation in discussions with their Caseworker related to plans for life after release (employment, education, programming, etc.).
- f. Prior to recommending approval for a request for release money, the inmate's facility Caseworker and Probation Officer will assess the inmate's prior experience with community supervision in Vermont. If the applicant has a poor history with community supervision, the facility Caseworker will ensure that the inmate has addressed specific plans through their ORP to comply with rules prior to being granted release money.
- g. The facility Caseworker will assess progress in required treatment or other programs based on a written recommendation of the treatment and/or program services provider.
- h. Financial Criteria
- i. The inmate must demonstrate through their ORP a financial need for funds for housing.
  - ii. The inmate must demonstrate that they saved a portion of any funds they earned or acquired while incarcerated, to be used toward housing payments upon release.
  - iii. Successful applicants must also have demonstrated reasonable expenditure of their available funds while they were incarcerated.
  - iv. The inmate must also prepare a basic financial plan (as required by the Transition Planning section in the Offender Responsibility Plan) which indicates that there is a strong likelihood that they will be able to continue to pay for housing after the release money assistance ends.
  - v. Examples to demonstrate the above include bank statements, family/friend/governmental assistance, and income versus expenses (e.g., restitution obligations, child support payments, miscellaneous household expenses, etc.).

## 2. Exceptions

- a. If the inmate's facility Caseworker and Probation Officer agree that the individual should be considered for approval as an exception to the eligibility criteria (Section 1), or any other factors deemed appropriate by the Department, they will note this on *Attachment 2, Staff Request for Inmate Release Money for Housing*, obtain Superintendent and District Manager approval, and send their recommendation for approval to the Housing Coordinator. Decisions regarding exceptions are at the sole discretion of the Department.
- b. If the Superintendent and District Manager agree that the individual should be considered (as above in Section 2 a.) AND would benefit from approval prior to securing a residence, they will contact the Housing Coordinator for consideration of pre-approval.
- c. The Housing Coordinator will consider any exceptions to these criteria in consultation with the appropriate Department of Corrections Executive.

### 3. Request, Review, and Approval Process

a. The inmate must make a written request for release money to their facility Caseworker at least four (4) weeks prior to their anticipated release date. This lead time is necessary for review of the request by several staff and processing of the check if approved. The written request must document the immediate financial need. (See *Attachment 1, Request/Response Form for Release Money for Housing.*)

b. The facility Caseworker will:

- i. Review the written request within two (2) business days of receiving it from the inmate;
- ii. Determine if there is a verifiable need for financial aid that has not been met through the assistance of family, community members, or governmental/private agencies;
- iii. Review all other approval considerations per Section 1 of this directive;
- iv. Determine if any exception should be made per Section 2 of this directive;
- v. Approve or deny the request, except for residence approval, and complete the Response Form, *Attachment 1*;
- vi. If approved, contact the relevant Probation Officer with the proposed address for residence approval, and document this in electronic case notes.

c. The Probation Officer will:

- i. Ensure that the proposed housing has been investigated for approval of the residence within seven (7) calendar days of receipt of the request;
- ii. Notify the facility Caseworker immediately;
- iii. Document this in electronic case notes.

d. If the residence is approved, the facility Caseworker will:

- i. Complete the relevant sections of *Attachment 2, Staff Request for Inmate Release Money for Housing*, and give it to the Facility Superintendent for signature;
- ii. Fax the completed *Attachment 2* within one (1) business day after approval or denial of the residence to the Probation Officer for signature.
- iii. Document this in electronic case notes.

e. The Probation Officer, within one (1) business day of receiving the fax, will:

- i. Fill out the appropriate section of *Attachment 2* and sign it;
- ii. Give it to the District Manager to review and sign.

f. If the request is not approved, the Caseworker will provide the inmate a written response outlining the reasons. (See *Attachment 1.*)

g. Final recommendation approved by the District Manager with the completed *Attachment 2* will be forwarded by the Probation Officer to the Housing Coordinator within one (1) business day of District Manager approval and signature.

h. The Department Central Business Office will process a voucher for the check to be made out to the inmate within three (3) business days of receipt of the request approved by the Housing Coordinator. The State Treasurer's Office will process and mail the check to the appropriate Probation & Parole office, usually within two (2) business days.

i. Any exception to these timelines must be approved by the staff member's supervisor.

#### **4. Issuance of Release Money**

a. Once an inmate is released, field staff or approved volunteers will escort the offender to the landlord of the housing. There the State of Vermont check will be signed over to the landlord for payment by the offender to ensure that the money goes for the intended purpose. If multiple checks are issued, the process of signing over the State of Vermont check will be repeated each and every time housing is paid for by the offender. At no time is the offender to be left alone with the State of Vermont check, nor is any check obtained via this directive to be used for any other purpose but for direct payment for housing by the offender. (See *Attachment 3*.) The Probation Officer must document in electronic case notes the date and amount of the check which is signed over to the landlord.

b. Once the offender is established financially, the Probation Officer will consider reimbursement of release monies (whole or partial) to the State as part of the offender's case plan as a method to make amends.

#### **5. Return of Unused Release Money**

a. There may be cases when a check has been issued and mailed to the Probation & Parole Office, and for some reason the money is not needed by the offender. Examples include: the proposed residence falls through, other financial assistance becomes available after the request was approved, or the offender is not released on their proposed release date for a period of time which could make the check invalid.

b. In that case, the Probation & Parole Business Manager will mail the check to the Central Office Business Office for return to the State.

c. The Probation Officer will notify the District Manager and document the return of the check to Central Office in electronic case notes.

d. The Department has the discretion to review the amount or decision to grant release funds.

### **RELEASE MONEY FOR OTHER THAN HOUSING**

Disbursement of funds for other than housing will be a decision made by both the facility Caseworker and Probation Officer as part of case co-management. The Superintendent has the final authority.

If the request for release money is for financial assistance for non-residential services (transportation, clothing, food, etc), the Superintendent may approve and disburse funds through the following process. (See *Attachment 3, Request/Response Form for Release Money for Other than Housing*.)

1. The inmate must complete a written request to their facility Caseworker documenting their specific need for release funds and what other alternatives have been explored (*Attachment 3*). This request will be submitted as much in advance as possible prior to their anticipated release

date if possible. This lead time is necessary for review of the request and processing of the check if approved.

2. The facility Caseworker reviews and discusses the request with the inmate and the assigned Probation Officer, looking at the inmate's need, alternatives that have been explored, and the inmate's case plan, if relevant. If the Caseworker and Probation Officer approve the request, they sign it (*Attachment 3*) and give it to the Superintendent for review.
3. Once the Superintendent has reviewed and approved the release money, the Caseworker will take the necessary steps to ensure that the money is used by the inmate for the stated purposes. For example, if funds are needed for the purchase of clothing, personal items, items need for employment, or bus tickets, it would be appropriate for the Caseworker to directly purchase or pay for the needed service, in advance of the inmate's release, using facility financial procedures.
4. The amount of release money issued is at the discretion of the Superintendent.
5. If either the Caseworker or Superintendent denies the inmate's request, they will note that on the Request Form (*Attachment 3*) and return it to the inmate with the reason for denial.
6. A written copy of all transactions concerning the issuance of release money will be maintained in the offender's core file, and in appropriate financial files. The Caseworker will also document the transactions in the Department's electronic case notes.

## **TRAINING**

Local Superintendents and District Managers will ensure that their staff are aware of this directive and the requirements for utilization.

## **QUALITY ASSURANCE**

1. The Housing Coordinator/designee and Central Financial Resources Administrator will develop a monitoring system to monitor the release money budget, produce outcome data related to recidivism of offenders receiving release money, and ensure that the release money process is efficient.
2. Each facility Superintendent and District Manager will develop a monitoring system to ensure that eligibility criteria are adhered to (including uses of the exceptions to the eligibility criteria), and that the request and review process is appropriately followed. Such results will be submitted to the Housing Coordinator semi-annually to be analyzed and reported to the Community and Restorative Justice Executive.
3. The Quality Management Unit will provide technical assistance as requested.

**ATTACHMENT 1 - SAMPLE**

**REQUEST/RESPONSE FOR RELEASE MONEY FOR HOUSING**

**I. INMATE REQUEST** (*Inmate fills out*)

**TO:** \_\_\_\_\_ (*Caseworker*)    **FACILITY:** \_\_\_\_\_

**INMATE NAME:** \_\_\_\_\_    **DOB:** \_\_\_\_\_

**PROPOSED AMOUNT & PURPOSE OF RELEASE MONEY:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROPOSED ADDRESS UPON RELEASE:**

\_\_\_\_\_  
\_\_\_\_\_

**OTHER AGENCIES/INDIVIDUALS APPROACHED FOR RENTAL ASSISTANCE AND RESPONSE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My signature indicates that I understand that I am not automatically entitled to this money, and, if able in the future and according to my ORP, I am expected to reimburse the State. If I am returned to a prison facility, the money is the property of the landlord or the State of Vermont.

\_\_\_\_\_  
(*Inmate's Signature*)

\_\_\_\_\_  
(*Date*)

**II. STAFF RESPONSE**

**Request Approved:**  (*Check box if approved.*)

**Request Denied and Reason:** (*Check relevant reason.*)  **Residence not approved**

**Other financial assistance available**     **Other** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(*Facility Caseworker Name and Signature*)

\_\_\_\_\_  
(*Date*)

*Cc: Inmate Core File, Inmate*

**STAFF REQUEST FOR INMATE RELEASE MONEY FOR HOUSING**

**INMATE NAME:** \_\_\_\_\_ **DOB:** \_\_\_\_\_ **SS#\*** \_\_\_\_\_  
(\* The SS# must remain confidential. This form will not be copied except for the inmate core file, inmate, and Housing Coordinator.)

Supervising P&P Office Address: \_\_\_\_\_

Weekly Amount Requested: \_\_\_\_\_ or Monthly Amount Requested: \_\_\_\_\_

# of Weeks \_\_\_\_\_ (3 week max per request) or One month \_\_\_\_\_

**AMOUNT:** \_\_\_\_\_ separate check(s) @ \$ \_\_\_\_\_ /each

**Recommended for approval by:**

I have verified that this inmate (name) \_\_\_\_\_ has insufficient funds available for approved housing and has no community or family support to provide same.

\_\_\_\_\_  
*Facility Caseworker Name & Signature*    *Date*      *Facility Superintendent Name & Signature*    *Date*

**Exception:**

This is an exception to the eligibility criteria (See Section 2 of directive.) Reason for requesting exception: \_\_\_\_\_

**Approval:**

I agree that the need for housing assistance exists, and that the residence has been approved.

Proposed Address & Landlord Name: \_\_\_\_\_

\_\_\_\_\_  
*Probation Officer Name & Signature*    *Date*      *District Manager Name & Signature*    *Date*

\_\_\_\_\_  
*Housing Coordinator/Designee Signature*      *Date*

**Facility Site to charge:** \_\_\_\_\_ (To be filled out by Housing Coordinator)

**Request denied and reason:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*Housing Coordinator/Designee (Name & Signature)*      *Date*

**REQUEST/RESPONSE FOR RELEASE MONEY FOR *OTHER THAN*  
HOUSING**

**I. INMATE REQUEST**

**TO:** \_\_\_\_\_ (Facility Caseworker) \_\_\_\_\_  
**FACILITY:** \_\_\_\_\_ Date

**INMATE NAME:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

**PURPOSE OF RELEASE MONEY:** (Please check relevant boxes.)

- Food                       Clothing       Transportation  
 Household Items    Other \_\_\_\_\_

**AMOUNT REQUESTED:** \_\_\_\_\_

**OTHER AGENCIES/INDIVIDUALS APPROACHED & THE RESPONSE:**

**II. STAFF RESPONSE**

**Recommended for approval by:**

\_\_\_\_\_  
*Facility Caseworker* (Printed name & Signature) \_\_\_\_\_ Date

\_\_\_\_\_  
*Probation Officer* (Printed name & Signature) \_\_\_\_\_ Date

Approved                      Amount Approved: \_\_\_\_\_

Denied and Reason: \_\_\_\_\_

\_\_\_\_\_  
*Superintendent /Designee* (Printed name & Signature) \_\_\_\_\_ Date