



PASSES AND LEAVES

POLICY.

It is the policy of the Deschutes County Adult Jail (DCAJ) and the Work Center (WC) to allow an inmate to take temporary leave from incarceration for certain reasons, but only with proper approval.

PURPOSE.

The purpose of this policy is to specify the reasons under which DCAJ and WC staff may grant passes and leaves, and the conditions that will apply.

OREGON JAIL STANDARDS: None

REFERENCES:

- ORS 137.520, Power of Committing Magistrate to Parole and Grant Temporary Release to Persons Confined in County Jail; Authority of Sheriff to Release County Jail Inmates; Disposition of Work Release Earnings
- ORS 137.635, Determinate Sentences Required for Certain Felony Convictions
- ORS 137.750, Sentencing Requirements Concerning Defendant's Eligibility for Certain Types of Leave, Release, or Programs
- ORS 162.175, Unauthorized Departure
- ORS 169.115, Temporary Leave

DEFINITIONS.

Leave. An inmate's approved absence from the jail for up to 10 days.

Pass. An inmate's approved absence from the jail for up to 24 hours.

Relative. The father, mother spouse, sibling, child or grandparent of the inmate. The Corrections Captain may broaden "relative" to include a domestic partner or surrogate parent on a case-by-case basis.

Responsible Person. A sober adult with no pending warrants or criminal charges.

Supervisory Authority Board (SAB). The State or local corrections agency or official designated in each county by that County's Board of County Commissioners or county court to operate corrections supervision services, custodial facility or both.

Transitional Supervision. A sentence of imprisonment under ORS 137.124 that falls under the Supervisory Authority of Deschutes County Sheriff. Under this statute an inmate may be granted the opportunity to participate in alternative incarceration while fulfilling the balance of their sentence (*Refer to Deschutes County Supervisory Authority Board Policy & Procedures*).

PROCEDURES.

SECTION A: GUIDELINES

- A-1.** Passes and leaves are a privilege, not a right.
- A-2.** The Corrections Captain or his designee may deny a pass or leave for any reason even if the inmate meets all eligibility requirement. Denials should include a reason why.
- A-3.** The Corrections Captain or Sheriff will be the approval authority for all passes (Exception: Temporary Check-Out Section E-1). Though a pass may be for up to 24-hours; it normally will be for 12 hours or less.
- A-4.** The Corrections Captain or Sheriff will be the approval authority for a leave. A leave may not be longer than 10 days.
- A-5.** An inmate going on a pass or leave should be released into the physical custody of a responsible person. A shift supervisor may make an exception for an inmate admitted to a hospital following a medical emergency. Any other exceptions must be approved by the Corrections Captain, Sheriff or designee.
- A-6.** The inmate and responsible person must arrange for all transportation needs.
- A-7.** The Corrections Captain, Sheriff or designee may extend a pass or leave.
- A-8.** The Corrections Captain, Sheriff or designee will not use passes and leaves as a way to reduce jail overcrowding.

SECTION B: MEDICAL PASSES AND LEAVES

- B-1.** An inmate may request a leave or medical pass to leave the jail to get specialized health care treatment at another facility that is not available in the jail. The inmate will turn in a

request to corrections health care staff on a Health Care Request Form No. 545.

- B-2.** To be eligible for a medical pass, the inmate must be:
- a. Sentenced.
 - b. Have a sentencing order that permits a pass or leave.
 - c. Be free of any holds, detainers, or warrants from any jurisdiction.
 - d. Not be considered a threat to society.
 - e. Not be considered an unauthorized departure risk.
 - f. Be free of a conviction on a charge of unauthorized departure, escape, or supplying contraband.
- B-3.** Corrections health care staff will determine if the inmate has a legitimate need for a medical pass or leave. If so, they will fill out a Request for Temporary Leave Form No. 306, and forward it to the shift supervisor. If not, they will inform the inmate and note the reasons for denial in the inmate's health care record.
- B-4.** Health care staff must be careful not to divulge any protected patient health information when filling out a Request for Temporary Leave Form. If the approval authority does not have enough information on the form to make an informed decision, the inmate will have to sign a Release of Information consent form to allow health care staff to provide more information. Health care staff will provide the consent form to the inmate.
- B-5.** Shift supervisors will determine if the inmate is eligible for the pass or leave. If eligible, the shift supervisor will fill out the Request for Temporary Leave form and forward it to the appropriate approval authority. If not, they will return the request to the inmate with the reason for denial.
- a. A shift supervisor may initiate a medical pass or leave for a sentenced inmate admitted to a hospital following a medical emergency. (*See [policy 10-8, Emergency Medical Care](#)*) Deputies will have the inmate sign the *DCAJ Form No. 306*, at the hospital. An inmate must be conscious and mentally alert to sign *DCAJ Form No. 306*. A deputy will also sign as a witness if arm or hand injuries hindered the ability of the inmate to sign his signature as it normally appears.
 - b. Depending on the inmate's length of care, the Corrections Captain or designee may approve a medical leave for the inmate.

SECTION C: SPECIAL PASSES AND LEAVES

- C-1.** An inmate may receive a special pass or leave to visit a seriously ill relative or to attend the funeral of a relative.
- C-2.** To be eligible for a special pass or leave, an inmate must meet the conditions listed

below. The Corrections Captain or designee may waive certain eligibility conditions. For a special pass needing waivers, The Sheriff or Corrections Captain is the approval authority. To be eligible for a special pass or leave, an inmate must:

- a. Be sentenced for at least 30 days. (waivable)
 - b. Have a sentencing order that does not prohibit a pass or leave.
 - c. Not have had a pass or leave within the last 30 days. (waivable)
 - d. Be classified medium or below.
 - e. Be free of any holds, detainers, or warrants from any jurisdiction.
 - f. Be free of a conviction on a charge of unauthorized departure, escape, or supplying contraband. (waivable)
 - g. Not be considered a threat to society.
 - h. Not be considered an unauthorized departure risk.
 - i. Pass a health screening.
 - j. Have an exceptionally good record of conduct. Inmates with any “guilty” formal disciplinary report within 120 days or more than one informal discipline report within 30 days of the pass request are *not* eligible.
- C-3.** An inmate will use an *Inmate Message Form No.103* to ask for a special pass or leave. The inmate will turn the request into the shift supervisor.
- C-4.** The shift supervisor will review the inmate’s record to see if the inmate meets the eligibility conditions with possible waivers. If so, they will forward the request to health care staff. If not, they will return the request to the inmate with the reason for denial.
- C-5.** Health care staff must give a health clearance on the inmate. They will also need to identify any medications that the inmate may have to take while away from the jail. The health care staff will forward the request to the Administrative Lieutenant or back to the inmate, as appropriate.
- C-6.** If the approval authority approves the request, he will assign a shift supervisor to fill out a Request for *Temporary Leave Form No. 306*. The shift supervisor will set the start and stop times and any special conditions for the pass or leave. He will base the times and conditions on what may best serve the inmate’s needs, protect the public, and meet the family’s needs.
- C-7.** The shift supervisor will send the completed form, with the request attached, to the approval authority.

SECTION D: RELEASE AND TRACKING PROCEDURES

- D-1.** The shift supervisor will determine which personal property the inmate may take on the pass or leave. If the pass or leave is for a residential treatment facility, staff will return all of the inmate’s personal property.

- D-2.** The release deputy will do the following:
- a. Run a criminal history check on the responsible person.
 - b. With the exception of releasing property as noted in *Section D-2* above, follow normal release procedure for releasing the inmate. This includes victim notification.
 - c. Have the responsible person sign the *DCAJ Form 306*, to agree to and acknowledge an understanding of his responsibilities.
 - d. Update the inmate's location in the Jail Management System (JMS) as being on a pass or leave.

SECTION E: TEMPORARY CHECK-OUT

- E-1.** If a law enforcement officer requests to temporarily take an inmate out of the facility, the shift supervisor will complete the *Temporary Check-Out Form No. 417*. The Corrections Captain and the captain of requesting agency will be the approval authority for a pass. In the absences of the captains, the Sheriff will be the approval authority.

SECTION F: TRANSITIONAL LEAVE

- F-1.** An inmate may be released from custody to serve the balance of jail time on transitional leave. The inmate meets criteria for transitional leave if they are serving a sentence of imprisonment that falls under the Supervisory Authority Board (SAB) of Deschutes County as specified in ORS 137.124 and meet the guidelines and are approved as stated in *Deschutes County Supervisory Authority Board Policy and Procedures*.
- F-2.** The corrections program deputy or programs supervisor will ensure compliance with SAB policy and completion of *Transitional Supervision Authorization Form No. 707*, prior to release from custody.
- F-3.** The SAB will be the approval authority for inmates to be released from custody on a transitional leave.

FORMS USED:

- Health Care Request Form No. 545
- Inmate Message Form No. 103
- Request for Temporary Leave Form No. 306
- Temporary Check-Out Form No. 417
- Transitional Supervision Authorization Form No. 707