

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b>		
Standard Operating Procedures		
<b>Functional Area:</b> FACILITY OPERATIONS	<b>Reference Number:</b> IID03-0004	<b>Revises Previous Effective Date:</b> 3/01/05
<b>Subject:</b> RESIDENT PASSES AND LEAVES		
<b>Authority:</b> OWENS/HODGES	<b>Effective Date:</b> 8/01/09	Page 1 of 8

**I. POLICY:**

- A. Superintendents are authorized to grant passes and leaves to eligible residents who also meet or exceed the performance standards described in this SOP. Passes and leaves allow a resident to continue family and community contact, provide for a smoother transition from the Center to home, enable a resident to attend programs, and may serve as an incentive in the resident's adjustment and progress in the Center.
- B. Passes may be issued from one (1) to twelve (12) hours duration, with twelve (12) hours being the maximum number of pass hours that may be earned by Transitional residents. Activity passes may be granted to attend community programs and services such as AA/NA, DUI school, substance abuse groups, GED, medical services, vocational training, and college.
- C. The number of pass hours that a resident receives will correspond to his/her length of Center residency, and to the purpose and destination of the pass. A resident will not receive pass hours in excess of those for which he/she is eligible.
- D. A work-release resident may become eligible for pass a minimum of thirty (30) days after a Center assignment and only after they have been through orientation and classified, to work in the community by the Center Classification Committee.

**II. APPLICABILITY:**

All Transitional Centers

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**III. RELATED DIRECTIVES:**

- A. O.C.G.A.42-5-56
- B. Board Rules: 125-2-2-.01(d) and 125-2-4-.15., 125-3-4-.02
- C. GDC SOPs: IIA02-0002, IIB01-0005, VH46-0001

**IV. DEFINITIONS:**

- A. Resident: Any convicted person in GDC custody who is assigned to a Transitional Center.
- B. Work Release Resident: Any resident who has been assigned to the Transitional Center to participate in a work-release program.
- C. Maintenance Resident: A resident assigned to the Transitional Center to assist with the operational maintenance of the Center or of some other state facility.
- D. Sexual Offense: O.C.G.A. 42-5-56. As used in this Code section, the term "sexual offense" means a violation of Code Section 16-6-1, relating to the offense of rape; Code Section 16-6-2, relating to the offenses of sodomy and aggravated sodomy; Code Section 16-6-5.1, relating to the offense of sexual assault against a person in custody; Code Section 16-6-22, relating to the offense of incest; or Code Section 16-6-22.2, relating to the offense of aggravated sexual battery, when the victim was under 18 years of age at the time of the commission of any such offense, or a violation of Code Section 16-6-3 relating to the offense of statutory rape; Code Section 16-6-4, relating to the offenses of child molestation and aggravated child molestation; or Code Section 16-6-5, relating to the offense of enticing a child for indecent purposes, when the victim was under 16 years of age at the time of the commission of any such offense.
- E. Activity passes: Passes granted for community service or community programs such as AA/NA, DUI school, substance abuse groups, GED, vocational training, college, establishing a residence, doctors appointments,

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Department of Labor visits, and driver's license testing. These passes are related to case plan programming, disciplinary sanction and release preparation and may not count against the 12 hour pass limit.

**V. ATTACHMENTS:**

Attachment 1: Resident Pass Application and Authorization

Attachment 2: Resident Activity Pass Authorization Form

**VI. PROCEDURE:**

A. Eligibility: Passes will be issued on a weekly basis. Activity passes will be issued upon confirmation of need and by the resident's counselor or anyone designated by the Superintendent. The following guidelines govern the maximum number of weekly pass hours that a Work Release Resident may receive during his/her course of Center residency:

1. Minimum 30 days - 6 hours
2. 60 days - 9 hours
3. 90 days or more - 12 hours

**B. Restrictions on Resident Passes:**

1. Passes will be issued ONLY for the hours between 8 AM and 8 PM. Center staff will make random curfew checks by telephone. Exceptions may be made at the Superintendent's discretion.
2. Residents will not be authorized to split their pass over the course of a week if only eligible for six (6) hours.
3. Residents will be authorized to split their passes over the course of the week if eligible for nine (9) or more hours.
4. Residents will receive only one (1) pass (split passes are considered one (1) pass) per week, unless the Superintendent makes an exception and awards

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extra pass hours to individuals who have demonstrated extraordinary program performance.

5. Activity passes will be issued based on the operational hours of the location providing services. Any exceptions to time frame will be at the discretion of the Superintendent / designee.
6. Residents will not be authorized an activity pass for the purpose of visitation to family members residences.
7. While on any pass NO resident is authorized to partake of alcoholic beverages or to visit an establishment whose primary function is the sale of alcoholic beverages. No resident is authorized to use illegal drugs, remain where illegal drugs are being used, or remain in the presence of someone under the influence of illegal drugs. Upon returning from pass, residents may be required to submit to alcohol/drug testing.
8. NO resident is authorized to use medication or drugs while on pass unless prescribed by a licensed physician, and with the knowledge of the duty officer or shift supervisor.
9. NO resident will be granted any pass if it is felt that the resident's appearance in the community will result in adverse public relations or have a detrimental affect on the residents or his/her family. Residents not granted an activity pass but are in need of medical services shall be accompanied by Center staff to community medical services as governed by SOP IID03-0001, Transitional Security Procedures and Responsibilities.
10. A resident who has not fulfilled his/her program responsibilities is ineligible for any pass during that week.
11. Any person visited on pass must be a family member as defined in SOP IID03-0003, "Visitation" and must be on the resident's approved visitors list. See the special exception in VI.B.16 below. There must be a working telephone number at the residence.

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12. A resident who is HIV positive must inform his/her spouse of his/her condition. This can/will be verified by the counselor. (Reference VH42-0001 and VH78-0002).
  13. A resident will phone the Center staff, as directed, while on any pass.
  14. Residents will not be allowed to take passes with boyfriends/girlfriends/fiancée. Visitation will occur in the Center only.
  15. A resident who fails to return from pass at the specified time may be placed on escape and may face disciplinary and/or judicial sanctions. Any other infractions of pass guidelines of a less serious nature may, at the discretion of the Superintendent, also be subject to disciplinary action.
  16. A resident may take a pass with a "significant other," as defined under the conditions of SOP IIB01-0005, with the special approval of the Superintendent. For the purpose of taking pass, "significant other" does NOT mean boyfriend, girlfriend, or fiancée.
  17. Any inmate with a current or prior conviction for any sexual offense as defined in the Definitions Section of this SOP shall not be allowed visitation with any person under the age of 18 years unless such person is the spouse, son, daughter, brother, sister, grandson, or granddaughter of the inmate and such person is not the victim of a sexual offense for which the inmate was convicted. If visitation with a minor is restricted by court order, only the court issuing such order may grant permission for special visitation with the minor.
  18. Maintenance residents are NOT pass eligible.
- C. Travel Mileage on Pass: A resident will be allowed to travel the following distances from the Center according to the approved number of pass hours:
1. Maximum 6 hours - 30 miles

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2. Maximum 9 hours - 60 miles
3. Maximum 12 hours - 100 miles

In extraordinary cases, the Superintendent may authorize exceptions to the mileage restriction.

D. Authorization: Residents must request passes using the following procedure:

1. All requests for passes/leave will be routed through the assigned counselor, security, and assistant Superintendent for review before forwarding to the Superintendent for approval/disapproval.
2. The resident will present complete and accurate information on the "Resident Pass Application/Authorization Form" (Attachment 1) or the Resident Activity Pass Authorization (attachment 2). The resident is responsible for making arrangements/appointments before submitting an activity pass authorization form.
3. Specific directions to pass destinations may be required before the pass is authorized. The pass destination shown on the request form will be verified to ensure that the resident can reach his/her destination and return to the Center within the requested number of hours.
4. Residents who qualify for activity passes may be authorized transportation provided by an immediate/extended family member as defined by SOP IIB01-0005. The family members information must be placed on the activity pass form when it is submitted.
5. The Counselor will confirm/verify the information reported on any pass application/authorization form and note his/her approval/disapproval before forwarding the request to the Security Supervisor or Chief of Security.
6. Security will forward the pass form to the Assistant Superintendent/Superintendent for approval.

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7. Final approval/disapproval for the pass request rests with the Superintendent.
8. Passes may be canceled at any time at the discretion of the Superintendent.
9. A resident with an unresolved disciplinary report will not be eligible for a pass until the disciplinary is complete. Activity passes will be at the discretion of the Superintendent.
10. 10. Counselors will review all resident administrative files assigned to their respective caseloads to ensure compliance with section VI.B.16 of this SOP and make necessary corrections to the identified resident(s) visiting list(s). The review will be documented in the case notes section of SCRIBE.

E. Documentation:

1. All pass authorizations must be approved in writing prior to the date that the pass is to become effective.
2. A resident leaving the Center on pass will be issued a copy of the approved Resident Pass/Authorization form that will be kept on his/her person.
3. This form will be surrendered to the officer on duty upon the resident's return to the Center. This form will become a permanent part of the resident's file.
4. Each Center will maintain a pass log that specifies the resident's name, amount of pass granted, checkout time, and the initials of the officer on duty. The officer on duty will note all discrepancies in the log for possible administrative and/or disciplinary action.

F. Eligibility Restrictions for Work-Release Resident Passes:

1. A work-release resident is not eligible for passes if he/she is serving a sentence for murder in which:

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- a. The murder was committed by a person with a prior record of conviction for a capital felony. NOT ELIGIBLE
  - b. The murder was committed while the convicted person was engaged in the commission of another crime. NOT ELIGIBLE
  - c. The resident, by the act of murder, created great risk of death or injury to person(s) other than the victim. NOT ELIGIBLE
  - d. The murder was committed for the purpose of receiving money or other thing(s) of value (including "contract killings"). NOT ELIGIBLE
  - e. The victim was a judicial officer, former judicial officer, or other current/former criminal justice operative murdered in connection with his/her official duties. NOT ELIGIBLE
  - f. The resident committed murder or caused another to commit murder as an agent or employee of another person(s). NOT ELIGIBLE
  - g. The murder involved deliberate cruelty to or wanton abuse of the victim. NOT ELIGIBLE
  - h. The murder was committed against any peace officer, GDC employee, fireman or emergency-service operative while in performance of his/her official duties. NOT ELIGIBLE
  - i. The murder was committed while the convicted person was in or was escaped from lawful custody. NOT ELIGIBLE
  - j. The murder was committed to delay, prevent, or negate the lawful arrest/confinement of any person(s). NOT ELIGIBLE
2. Current or prior conviction(s) for sex offense. NOT ELIGIBLE

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3. Sentence involves felony conviction for violence against GDC personnel, law-enforcement officer, or member of judiciary. NOT ELIGIBLE

4. Current or prior convictions for a crime against a child. NOT ELIGIBLE.

G. Other Leaves for Transitional Center Residents:

1. Compassionate Visits are addressed in SOP IIA02-0002

2. Emergency Special Leave is addressed in SOP IIA02-0002

**VII. RECORD RETENTION:**

Upon completion, attachment 1 and attachment 2 will be placed in the resident's case history file. The case history file is maintained according to the official retention schedule for Transitional Center Case History Files.