

Sixth District Department of Correctional Services POLICY	Issue Date 11/01/91	Effective Date 02/05/19	Policy Number 2507-19
Subject <b>OUT-OF-STATE EMPLOYMENT</b>		Review Month December	Author 0135/0572/0655 (DGA/BMU/DRO)
Rescinds 2507-17	References DOC Policy WR/OWI 28		

**POLICY:**

As provided for in the Code of Iowa, a resident may be permitted to leave the State of Iowa as part of program. Out of state employment may provide an opportunity for successful transition to residents entering the community through stable gainful employment.

**PROCEDURE:**

1. For probation and parole (special statuses) residents in a residential facility:
  - A. The Residential Division Manager or designee may approve of out-of-state travel for employment purposes based on the following:
    - 1) The travel is required by the employer as a condition of employment;
    - 2) The resident has previously demonstrated responsibility in the program with respect to rule adherence and a positive employment record;
    - 3) The resident has not committed any heinous crimes or there is no evidence of serious problems in that community.
  - B. The Residential Division Manager or designee approves allowances to work only. Requests for temporary lodging or visitation in conjunction with the job are not approved. The maximum distance allowed is for the duration of legitimate paid work time and necessary travel time to and from the facility only.
  - C. Staff completes the Client Employment Information (2506B) confirming all relevant employment information (including distance of the employment site from the Iowa border) and travel itinerary.
  - D. The Residential Division Manager or designee ensures that the resident completes the entire intake process (2503) before allowing the resident to leave.
  - E. The Residential Division Manager or designee determines which out of state law enforcement authorities are notified about such plans.
  - F. The Residential Division Manager or designee ensures that applicable sections of Employment Policy (2506) are followed regarding out-of-state employment.

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**PROCEDURE:** (continued)

2. For work release/OWI status residents in a residential facility:
  - A. It is the policy of the Iowa Department of Corrections (IDOC), as provided for in Chapter 904 Section 901 of the Code of Iowa, that offenders may be permitted to leave this state as a part of Work Release/OWI program. However, in conjunction with such plans, several conditions are met.
  - B. Eligibility - In order to become eligible for out-of-state employment while on Work Release/OWI, offenders are assigned to a residential facility in a border city or be required to travel out of state by the employer. Furthermore, residential facility staff determines which offenders may be considered for out-of-state employment, based on job qualifications, work available and the absence of any significant potential problem areas.
  - C. Waiver Form - The residential facility Manager/Designee ensures offenders sign the standard WR/OWI Program Plan Addendum-Agreement for Out of State Employment form and it is properly witnessed by staff before allowing any offender to leave the state.
  - D. **WR/OWI 47 F-2**, Release Plan - Sets forth rules, regulations, terms and conditions governing an offender's WR/OWI Placement.
  - E. Mileage Limit - The maximum distance allowed for any out-of-state employment is 25 miles one way from the Iowa border. Any exception to this requires approval from Central Office WR/OWI Coordinator/Designee.
  - F. Time Limits - Offenders may be allowed to remain out-of-state for the duration of legitimate paid work time and necessary travel time to and from the residential facility only.
  - G. Notification to Law Enforcement - Notification to law enforcement authorities that an offender is released to their jurisdiction for the purpose of employment or programming.
  - H. The Residential Division Manager or designee ensures all standards and procedures are followed regarding out-of-state employment.
  - I. Out of State Employment:
    - 1) Staff determines which offenders may be considered for out-of-state employment, using the previous definitions and any other pertinent information available.
    - 2) The offender and authorized residential facility staff signs the WR/OWI Program Plan Addendum-Agreement for Out-of-State Employment form. All employment information is confirmed including distance of the employment site from the Iowa border before allowing the offender to leave the state of Iowa.

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**PROCEDURE:** (continued)

- 3) Law Enforcement Notification is completed with the law enforcement agency where the offender is employed before permission to leave the State of Iowa is granted.
- 4) Such plans are then implemented in strict accordance with Iowa Law and all applicable standards and procedures.
- 5) For Work Release/OWI status, residents in a residential facility refer to DOC Policy WR/OWI 28 (Out of State Employment).

BY ORDER OF:

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Bruce Vander Sanden, District Director