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**POLICY AND PROCEDURE**

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**.3401 PURPOSE**

The purpose of this policy is to describe the Community Volunteer and Community Leave Program. The Community Volunteer and Community Leave Program is a rehabilitative program designed to assist eligible offenders with reintegration back into society through supervised participation in community activities and other services and programs offered by Prisons and supplemented by citizen volunteers. The Community Volunteer and Community Leave Program shall be assessed annually by designated Reentry, Programs and Services and/or Prison staff.

**.3402 GENERAL**

Citizen volunteers are a unique and valuable resource for Prisons. As concerned “credible witnesses,” volunteers aid in developing public support for adequate correctional facilities and staff and bridge the gap between correctional facilities and communities.

**A. Definitions**

- (1) Community Volunteer – A volunteer authorized to provide services on a recurring basis. Community Volunteers are not authorized or permitted to take offenders outside of facility grounds. Approved volunteers will be issued a blue-colored (on-site) Community Volunteer identification cards.
- (2) Community Leave Sponsor – A volunteer authorized to take eligible minimum custody offenders outside of facility grounds and into the community for pre-approved activities. Volunteers must complete a one-month probationary period volunteering inside the prison facility before becoming authorized to take offenders outside of facility grounds. The probation period consists of volunteering at the facility once per week for a one-month period to acclimate the volunteer to offenders, staff and the environment. Approved sponsors will be issued a salmon-colored (off-site) Community Leave Sponsor identification card.
- (3) Transitional & Re-Entry Volunteer – A volunteer authorized to take eligible offenders housed at designated Re-Entry facilities into the community for pre-approved transitional and re-entry activities. Volunteers must complete a one-month probationary period of volunteering inside the prison facility before becoming authorized to take offenders outside of facility grounds. The probation period consists of volunteering at the facility once per week for a one-month period to acclimate the

volunteer to offenders, staff and the environment. The designated re-entry facility's facility head shall make the final approval determination for Transitional & Reentry Volunteers. Transitional & Re-entry Volunteers will be issued a salmon-colored (off-site) volunteer identification card.

- (4) One-Time Volunteer – An approved individual or group providing a one-time or special volunteer service. One-Time volunteers shall not be issued identification cards.
- (5) Control Facility – The facility initially approving a volunteer to provide services at their location. This facility has the approved application and other required documentation necessary for a volunteer to provide services. Each control facility is tied to a designated Prisons Region whereby approved volunteers could potentially provide services if approved to another facility within that designated Region.
- (6) Community Leave Pass – The facility-approved itinerary which allows a community volunteer to escort and supervise an approved offender into the local community.

#### B. Community Volunteer Coordinator

- (1) Each Facility Head shall designate a Community Volunteer Coordinator. The coordinator shall be responsible for coordinating and supervising the Community Volunteer and Community Leave Program, including recruiting, screening, interviewing, and training approved volunteers and maintaining volunteer files. The coordinator shall also be responsible for updating all volunteers on policy and procedure changes as they occur. The final approving authority for Community Volunteers is the Facility Head or designee.
- (2) The facility Community Volunteer Coordinator is the supervisory staff for all volunteers and volunteer activities.
- (3) The facility Community Volunteer Coordinator shall regularly communicate with volunteers, offenders, and staff to determine the efficiency of services being provided. The facility Community Volunteer Coordinator shall also provide appropriate support and guidance to each volunteer and address any issues which may arise.

#### (C) Volunteer Eligibility

- (1) Volunteers shall be citizens at least 21 years of age and of good moral character.
- (2) Volunteers shall maintain a professional demeanor and shall maintain appropriate boundaries when interacting with offenders. Volunteers are expected to exhibit needed pro-social behaviors to offenders and serve as role models for offenders.

- (3) Prospective volunteers shall complete a Community Volunteer Program Application (DC-345) or a DC-345A (the "One-Time Volunteer Activity form"). All applications must be signed by the prospective volunteer, the facility Community Volunteer Coordinator, and the Facility Head before an approved volunteer may begin training.
  - (4) A criminal background investigation shall be conducted on all volunteers providing services on a regular basis and a DCI check may be requested on any one-time volunteer at the discretion of the Facility Head. Volunteer applications shall include a DCI Record Request Verification form signed by the applicant and the Community Volunteer Coordinator. The criminal background investigation shall be completed before an identification card is issued. Investigation results shall be destroyed after review and acceptance.
  - (5) Each facility's Community Volunteer Coordinator shall ensure criminal background investigations are conducted on the facility's active volunteers every other year, and shall maintain a signed DCI form for each volunteer in a secure location.
  - (6) Individuals with criminal records may become eligible for volunteer service after one full year of unsupervised involvement in the community with no additional arrests. Individuals convicted of any sex offenses are prohibited from volunteering. Individuals required to register as sex offenders or sexually violent predators in this State, or any other state, are also prohibited from volunteering.
  - (7) An offender's immediate family members shall not provide volunteer services at the facility in which the offender is housed. An immediate family member is defined as parent, child, step-parent, step-child, sibling, grandparent, aunt, uncle, spouse (married or common law), nephew, niece, or in-law.
  - (8) Any person who has, or has had, a personal relationship with an offender at any time, including prior to the offender's incarceration, shall not provide volunteer services at the facility in which the offender is housed. Personal relationship includes but is not limited to any intimate, romantic, or unduly familiar physical contact, communication, conversation, or correspondence.
  - (9) Female volunteers are prohibited from serving as Community Leave Sponsors or Transitional & Re-Entry Volunteers for male offenders, and male volunteers are prohibited from serving as Community Leave Sponsors or Transitional & Re-Entry Volunteers for female offenders.
- (D) Employee Eligibility for Volunteer Service
- (1) Department of Public Safety employees are eligible to serve as Community Volunteers and the following requirements shall apply:
    - a. Employees shall clearly identify themselves as Department of Public Safety

employees on the volunteer application. Employees of the Division of Prisons shall not volunteer at the facility in which they are employed. Any employee who volunteers at a facility shall not have had a personal relationship with any offender at that facility as noted in sub-section .0605 (C) 7 and 8.

- b. Employees shall not serve as Community Leave Sponsors.
  - c. In accordance with the Fair Labor Standards Act, when serving as a volunteer, employees shall not perform the same duties they perform as part of their regular Department of Public Safety employment.
  - d. Current or former employees who have received disciplinary sanctions for violating agency sexual abuse or sexual harassment policies are prohibited from volunteering. Employees currently under investigation for violating agency sexual abuse or sexual harassment policies are prohibited from volunteering pending the outcome the investigation.
  - e. Failure to adhere to the above-listed requirements and guidelines may result in the employee's immediate dismissal as a volunteer and may also result in disciplinary action in accordance with the Department of Public Safety Disciplinary Policy and Procedures.
  - f. Former employees are eligible to serve as volunteers in any volunteer capacity unless the employee resigned or was terminated under the following circumstances:
    - i. Engaging in undue familiarity with an offender, including corresponding or communicating by phone, mail, electronic media (email, Facebook, Twitter or other social media) or other means (i.e. cards, letters, photos, etc.), or borrowing, lending, trading or exchanging anything with any offender (i.e. cards, letter, photos, etc.);
    - ii. Bringing contraband into a prison facility; or
    - iii. Any other act, misconduct or behavior that undermines facility safety or security or legitimate correctional goals.
- (2) Immediate family members of Department of Public Safety employees may be eligible to serve as community volunteers. Immediate family members are defined as parent, spouse, step-parent, child, step-child, sibling, in-law, aunt/uncle, niece/nephew, or grandparent. The following requirements shall apply:
- a. Immediate family members of Department of Public Safety employees shall

clearly identify themselves as such on the volunteer application.

- b. Immediate family members of Department of Public Safety employees shall not serve as volunteers at the facility in which their immediate family member is employed.
- c. Immediate family members of Department of Public Safety employees shall not serve as Community Leave Sponsors.

(3) Volunteers may only perform professional services (e.g. beauticians, tax preparers, marriage counselors, yoga instructors, dog trainer) if they are certified and/or have an active license issued by the relevant licensing authority. Volunteers who wish to offer professional services are required to provide to the facility Community Volunteer Coordinator proof that they are certified or licensed to perform these professional services on their initial application. Tutoring or sponsorship of a craft or hobby program is not considered a professional service.

(E) Interviewing and Screening Volunteers

The facility's Community Volunteer Coordinator or designee shall conduct an interview of each prospective volunteer. In addition, the coordinator shall assess the facility's needs and the individual applicant's skills and abilities to determine the applicant's suitability for volunteer services. Individuals interested in volunteering with Religious Services may be interviewed by the Chaplain or designated religious services staff.

(F) Training Volunteers

(1) Volunteers will receive at least a 2-hour orientation and training including but not limited to: PREA; a review of relevant Prisons policies, procedures and guidelines; and best practices for volunteering with the inmate population, including "Undue Familiarity Guidelines." Volunteers will also receive the "Volunteers Make a Difference Handbook." Orientation and training for new volunteers will be offered quarterly at a minimum and additionally as necessary. All volunteers shall sign an "Acknowledgement of Volunteer Training and Orientation Form," a copy of which will be maintained by the Community Volunteer Coordinator in the volunteer's file. Training guidelines include but are not limited to:

- a) Volunteer expectations, including volunteer best practices;
- b) PREA (to be updated annually);
- c) Undue familiarity with offenders, including corresponding or communicating by phone, mail, electronic media (email, Facebook, Twitter, or other social media, etc.), or other means (i. e. cards, letters, photos, etc.);
- d) Facility safety and security, including emergency procedures
- e) Rules and regulations concerning the handling of identification cards;
- f) Prisons Entrance and Exit Policy and Dress Code;
- g) Contraband, including what items may be taken in or out of the facility;

- h) Volunteer Privileged Communication Form (confidentiality of information); and
- i) Cell Phone and Tobacco Policy.

(G) Program Documentation

- (1) There shall be a signed Community Volunteer Program Application (DC-345) on file for all volunteers providing ongoing services and a signed DC-345A on file for all “One-Time” volunteers.
- (2) Each facility Community Volunteer Coordinator shall maintain a current list of all approved, terminated, and restricted volunteers. The facility Community Volunteer Coordinator shall also be responsible for notifying staff of changes to the volunteer list.
- (3) Facilities may discard volunteer applications from the file after one (1) year of volunteer non-participation, including disapproved applications and “One-Time” volunteer applications.

(H) Volunteer Placement

- (1) Volunteer placement shall be based on the volunteer’s interests, skills and capabilities, and on the needs of the facility.
- (2) A written description of volunteer assignments shall be available at each facility. At minimum, the description shall include volunteer duties and expectations, including the anticipated frequency and duration of the volunteer service. The volunteer and the facility Community Volunteer Coordinator shall each sign a copy of the volunteer assignment description indicating their understanding of the volunteer assignment.
- (3) Examples of volunteer placements include but are not limited to:
  - Counseling (individual, group, family)
  - Staff assistance (clerical, administrative)
  - Education (tutoring, teaching classes, vocational)
  - Religion (religious services, faith group services, scripture study)
  - Substance Abuse Programs
  - Arts and Crafts
  - Recreation
  - Transportation
  - Library assistance
  - Community Resource Council
  - Special Events
  - Transitional & Re-Entry Services (e.g., transportation to job interviews and NC Work Centers, transportation to DWI Assessments, housing searches, assistance with applications for identification, assistance with school

enrollment, and other transition and re-entry services.)

(I) Verification and Review of Community Leave Passes

(1) A facility must complete a site visit of at least 25% of its community leave passes per month. The Community Volunteer Coordinator is responsible for ensuring site visits are conducted to enhance public safety while approved offenders are participating in the community on approved passes. Site visits are to be conducted as follows:

- a. All offenders must be periodically checked by staff conducting a site visit.
- b. Over the course of a quarter, each offender must be checked by site visit.
- c. The facility Community Volunteer Coordinator shall select offenders to be checked by site visit.
- d. The passes shall be randomly selected and done in such a manner that neither the offender nor the volunteer discerns a pattern.
- e. These checks shall be done in person and must be documented in the case management comments section in OPUS on the web using comment note #78 (CV Leave Program).
- f. Documentation shall include date and time, name of staff making the site visit, name of the individuals contacted, and any problem areas or concerns that need to be addressed.
- g. The facility Community Volunteer Coordinator is responsible for maintaining accurate records of all passes taken for assessment purposes.

(2) Each time that an offender goes out on a Community Leave pass, the hours of participation shall be documented in OPUS.

(J) Offender Community Leave Eligibility

- (1) Offenders shall be infraction free for the last ninety (90) days prior to becoming eligible for community leave.
- (2) Assignment to the required minimum custody level shall not be the sole criteria for eligibility. An offender's overall behavior, his/her adjustment to prison, and the offender's participation in his/her case plan may also be considered prior to approving an offender for community leave.
- (3) Prior to the final approval of an offender for Community Volunteer Program participation, the IM06 screen (Victim County Conflict Screen) shall be reviewed for any victim conflicts relating to housing and community-based program participation. For additional information, refer to the Prisons Victim Services policy section D.0900.

## (L) Community Leave Regulations and Guidelines

- (1) Community activities approved for offenders shall be limited to those that serve to improve the offender's skills, develop responsible behaviors, or prepare the offender for successful reentry into the community.
- (2) Community leave passes are generally authorized on a one volunteer to one offender ratio. Transitional & Reentry Volunteers may be authorized to provide community supervision for two (2) level II or level III offenders housed at the designated Reentry facilities. This exception is noted below under Transitional & Re-Entry Volunteers sub-section (M)(1).
- (3) Community leave passes shall contain detailed descriptions of the activities the offender and volunteer will be participating in, including the nature, location, and duration of the activities.
- (4) Offenders on Community Leave Passes are prohibited from having any contact with immediate family members without prior written authorization from the Facility Head or designee. Immediate family members are defined as parent, child, step-parent, step-child, sibling, grandparent, aunt/uncle, spouse (married or common law), nephew/niece or in-laws.
- (5) Volunteers shall refrain from using alcohol, illicit drugs, and tobacco while sponsoring offenders in the community. Due to safety and security concerns, volunteers who use lawful prescribed medication which causes impairment (e.g., diminished alertness, sleepiness, drowsiness) or affects the ability to drive or operate machinery are prohibited from sponsoring offenders in the community.
- (6) Volunteers are prohibited from taking offenders to any location that has not been pre-approved by the Community Volunteer Coordinator.
- (7) Volunteers shall remain with the offender at all times during the outside activity and shall immediately report any offender misconduct, policy violations, or unauthorized behaviors to the Community Volunteer Coordinator and other facility staff.
- (8) Volunteers shall not exploit or take advantage of offenders under their sponsorship. Volunteers are prohibited from requesting, requiring, or expecting offenders to perform tasks normally associated with receipt of an hourly wage or salary. This prohibition does not preclude offenders from assisting with public service activities; however, all requests for offender participation in public service activities must be pre-approved by Facility Head and shall include:
  - i. Information about the organization (including type, structure, and nature of the organization's activities);
  - ii. Detailed information about the activity and type of service to be performed by



- offender, including the location and duration of the service or activity;
- iii. Information on how the activity or service is expected to improve the offender's skills, develop responsible behaviors, or prepare the offender for successful reentry into the community; and
  - iv. Detailed information about how offender will be monitored and supervised by the Community Leave Sponsor.
- (9) A form DC-142 ("Agreement for Extension of Limits of Confinement") shall be completed by each volunteer and offender participating in the Community Leave Program. A copy of the DC-142 will be retained in the Community Volunteer Coordinator's files, and the original DC-142 will be retained in the offender's facility file.
- (10) A form DC-260 ("Community Leave Passbook") shall be completed and issued to the offender each time the offender leaves the facility for community leave. The DC-260 shall be issued to the offender at the time of his/her departure from the facility and the offender shall keep the DC-260 on his/her person at all times. Offenders shall return the DC-260 to staff upon his/her return to the facility.
- (11) The facility Community Volunteer Coordinator shall brief the community volunteer sponsor and the offender about the conditions and restrictions of the community leave before the offender is permitted to go out on a community leave pass.
- (12) Community leave passes shall not exceed six (6) hours and volunteers shall promptly return offenders to the facility at the conclusion of the community activity.
- (13) Offenders may be approved for up to two (2) community leave passes per week (excluding Transitional/Re-Entry Volunteer passes).
- (14) Offenders on a community leave pass are required to return to the facility no later than 10:00 p.m.
- (15) Volunteers shall return offenders to the facility on time (the time indicated on the activity description submitted by the volunteer.) In cases of emergency or if a condition of the leave is broken, volunteers shall immediately contact the facility by telephone. Volunteers who fail to return offenders to the facility on time are subject to termination.
- (M) Transitional & Re-Entry Volunteers
- (1) At designated Reentry Facility locations, Transitional & Re-entry Volunteers can take out two (2) eligible minimum custody level II and III offenders simultaneously.
  - (2) In cases where an offender who is not housed at a designated Re-Entry facility

needs community-based assistance related to their transitional plan, an approved Community Volunteer at the offender's facility will be allowed to take the offender out to pre-approved locations to receive transitional and re-entry services as deemed appropriate by the Facility Head.

(N) One-Time Volunteers

- (1) Groups providing a one-time or special volunteer service shall complete the DC-345A ("One-Time Activity Application") form and the group leader shall provide the facility Community Volunteer Coordinator with a complete list of individuals participating in the activity. The facility Community Volunteer Coordinator shall also be responsible for informing the group leader of the volunteer eligibility requirements listed in section (c) Volunteer Eligibility and orientating the group on Prisons policies and procedures, and facility-level rules and regulations, including PREA, Volunteer Privileged Communications, and the Cell Phone and Tobacco policies. Each group member shall sign an Acknowledgement of Community Volunteer Training, Orientation and Refresher form, PREA acknowledgement, Volunteer Privileged Communication Form, and the Cell Phone and Tobacco policy before starting the activity/service.
- (2) The facility Community Volunteer Coordinator shall document the date of activity, the name of the group or organization, a description of the activity, and the number of offenders in attendance.
- (3) Groups or individuals providing one-time or special volunteer services are only permitted to volunteer once per year. Individuals or groups interested in on-going volunteer participation, shall complete and submit a DC-345 volunteer application for processing.

(O) Violations, Suspension and Termination of Community Volunteer & Community Leave Program Privileges

Citizen and offender participation in the Community Volunteer and Community Leave Program is a privilege not a right. The Facility Head has discretion to suspend or terminate the certification of a volunteer at any time. The Facility Head also has discretion to suspend or terminate an offender's participation in the program at any time.

- (1) Volunteers and offenders participating in the Community Volunteer & Community Leave Program are subject to the rules and regulations and conditions specified on the DC-142 ("Agreement for Extension of Limits of Confinement") form and any additional or special conditions imposed by the approving authority. Any offender violations of rules and regulations or conditions of community leave shall be considered as disobeying a direct order and will be handled through the disciplinary procedure.

- (2) Allegations of Community Volunteer misconduct or policy violations shall be immediately investigated and the investigation shall proceed as follows:
- a) The Community Volunteer shall be suspended from participation pending the outcome of the investigation of the allegations.
  - b) Investigations shall include an interview of the volunteer and the volunteer shall be permitted to submit a written response.
  - c) The results of the investigation shall be reviewed by the Facility Head and/or Region Director and the Facility Head or designee shall make a determination of the volunteer's status.
  - d) If the Facility Head determines a volunteer should be terminated, the Facility Head shall document the reason for the termination action in writing and a copy shall be given to the volunteer. The termination notice shall include notice of the volunteer's option to appeal the termination action. Volunteers who have been terminated may submit a written appeal to the Prisons' Assistant Director for Auxiliary Services. The Assistant Director for Auxiliary Services or designee shall review the appeal, make a final determination, and then notify the individual of the decision in writing.
  - e) If the volunteer is terminated, a Volunteer Dismissal Notification Form shall be included with the documentation to be submitted to the Region Office and the Office of Citizen Participation.
  - f) A copy of all documents pertaining to the investigation including statements, actions taken, and appeals shall be sent to the Region Office and the Office of Citizen Participation, and one copy shall be retained in the facility file.
- (6) Terminated volunteers are ineligible to volunteer in any Prison facility for three (3) years. After three (3) years, a terminated volunteer who wishes to volunteer again may submit an application for consideration of approval. Past violations may be reviewed as part of the consideration process. The final decision for approval or disapproval of the application is determined by the facility head.
- (P) Recognition of Volunteers
- (1) Efforts will be made by the Department of Public Safety to recognize outstanding volunteers and facilities should have an annual event to show appreciation to volunteers for the services they provided during the preceding year. Examples of recognition activities include presentation of certificates of appreciation and an informal reception at the facility or in the community.

## (Q) Volunteer Provisions

(1) Volunteers certified at one facility are **not** automatically certified to volunteer at any other Prisons facility. Volunteers certified at one facility may be permitted to provide services at another prison facility within their Control Facility Region after approval has been established between the facility Community Volunteer Coordinator at the Volunteer's Control Facility and the facility Community Volunteer Coordinator at the facility to be visited. The visiting facility should brief the volunteer on that facility's guidelines. Active volunteers currently providing services in their Control Facility Region are not required complete a new orientation and training or resubmit the standard volunteer forms (e.g., PREA acknowledgement and criminal background investigation) when providing services at the visiting facility. The volunteer's Control Facility shall ensure that the volunteer's approved application is updated annually and a copy is forwarded to the visiting facility. The facility Community Volunteer Coordinator is responsible for ensuring each volunteer updates their application and PREA form on an annual basis at the Control Facility.

## (R) Volunteer Provisions

- (1) Volunteer identification cards are the property of the Department of Public Safety, Prisons and shall be surrendered upon request.
- (2) Volunteer identification cards expire one year from the date of issue.
- (3) Volunteers are not employees of DPS. However, Volunteers are expected to abide by DPS policies and procedures. Volunteers are exempt from all provisions of the State Personnel Act and are not entitled to benefits under the laws governing Worker's Compensation Act, Chapter 97 of the General Statutes. Civil or criminal actions which may arise, or be claimed to have arisen, as a result of actions of volunteers are addressed under Chapter 143 of the General Statutes, Articles 31 (Tort Claims against State Department and Agencies) and 31A (Defense of State Employees, Medical Contractors and Local Sanitarians).



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Director of Prisons  
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Date