

A. Work Release Criteria:

1. The Work Release Program criteria are as follows:
 - a. Sentenced to no more than two years total time.
 - b. All pre-trial work release requests must be initiated by the court.
 - c. Sentences must be resolved by the court.
 - d. No sentence can include pre- or post-release programs.
 - e. No federal inmates.
 - f. Record must be clear of all pending charges, outstanding warrants, and detainees.
 - g. Inmates bonded on current charges will be handled on a case by case basis.
 - h. Must agree to release any information pertinent for the evaluation for supervision while on the Work Release Program.
 - i. Must agree to abide by all program rules and regulations.
 - j. Must have in writing the approval of each sentencing court.
 - k. Inmates committed to the Albemarle-Charlottesville Regional Jail to serve a sentence who already have a job will be given priority in obtaining work release status.
 - l. Pending review and approval for work release status and awaiting procurement of employment, the inmate will be required to participate in the Inmate Workforce program.
 - m. Must be employed within a 35-mile radius of the jail.
 - n. Nelson County inmates will be handled on a case-by-case basis
 - o. Must have transportation to and from their place of employment. The Work Release Department will approve three people to provide transportation for each inmate and they must provide a copy of proof of driver's license, registration, and auto insurance. Inmates will not be allowed to drive themselves to and from work.
 - p. Must have employment that does not require driving.
 - i. Work release inmates are not allowed to drive.
 - q. Must not have an extensive criminal history.
 - r. Must not be convicted of the following charges:
 - i. Any sexually related offenses
 - ii. Abduction or kidnapping offenses
 - iii. Child related sex crimes
 - iv. Violent or brutal crimes
 - v. Crimes involving the use of a weapon
 - vi. Involvement in organized crime
 - vii. Escape or attempted escape from an institution or custody
 - viii. Distribution of any drugs
 - ix. Crimes showing a history or pattern of assaultive behavior
 - x. No domestic assaults within the last five years
 - xi. No more than two Failure to Appear convictions within the past year
 - xii. Parole violations
 - xiii. Fugitive from justice
 - s. Cannot have active protective orders.

- t. Cannot have any current federal charges.
 - u. No prior program failure during the current incarceration.
 - i. Prior program failure during prior incarcerations will be taken into consideration.
 - v. For all other sentenced inmates the Code of Virginia §53.1-131 provides that the administrator of a local or regional jail may authorize to assign inmates to work release programs.
 - i. When the superintendent is delegated that authority, the following procedures apply:
 - A. All sentenced inmates applying for work release will be screened prior to assignment to the program.
 - B. The work release supervisor or designee will review each inmate's record and make a recommendation to the superintendent regarding the inmate's disposition using the ICC review process.
 - B. The superintendent is the approval authority of inmate assignments to any and all work release program status.
2. Inmates who have a current history of or are currently taking any psychotropic medications will be reviewed and handled on a case by case basis.
3. Any inmate who has been found guilty of one Major Rule Violation or two or more Minor Rule Violations during his/her present confinement will not be eligible for the A-Custody or B-Custody inmate workforce, work release, or HEI for a period of 90 days from the date of the last conviction.
- a. Any inmate who is removed from A-Custody or B-Custody inmate workforce, work release, or HEI due to being convicted of a Major Rule Violation or two or more Minor Rule Violations will not be eligible to re-apply for a period of 90 days from the date of the last conviction.
 - b. The inmate can re-apply, and this would place his/her name back on the specific waiting lists upon submission of the paper or electronic Inmate Request form.

A. Home Electronic Incarceration Criteria

- 1.** The criteria for home electronic incarceration is as follows:
 - a.** Sentenced to 2 years or less on active sentence.
 - b.** All pre-trial Home Electronic Incarceration requests and approvals are initiated by the courts.
 - c.** State responsible HEI applicants that are initiated and approved by the court must additionally be reviewed and approved by the Virginia Department of Corrections.
 - d.** No sentence can include pre-release or post-release programs.
 - e.** No federal inmates.
 - f.** Record must be clear of all pending charges, outstanding warrants, and detainers.
 - g.** Inmates bonded on current charges will be handled on a case by case basis.
 - h.** Must have in writing the approval of each sentencing court.
 - i.** Must agree to abide by all program rules and regulations.
 - j.** Must agree to release any information pertinent for the evaluation for supervision while on Home Electronic Incarceration program.
 - k.** Live and work within a 35 mile radius of the jail, exceptions on a case by case basis.
 - l.** Nelson county inmates will be handled on a case by case basis.
 - m.** Must not have an extensive criminal history.
 - n.** Must not have been convicted of the following charges:
 - i.** Any sexual-related offenses.
 - ii.** Abduction or kidnapping offenses.
 - iii.** Child related sex crimes.
 - iv.** Violent or brutal crimes.
 - v.** Crime involving the use of a weapon.
 - vi.** Involvement in organized crime.
 - vii.** Escape or attempted escape from an institution or custody.
 - viii.** Crime for the distribution of any drugs.
 - ix.** Crimes showing a history or pattern of assaultive behavior.
 - x.** No domestic assaults within the last five years.
 - xi.** No more than two Failure to Appear convictions within the past year.
 - xii.** Parole violation.
 - xiii.** Fugitive from Justice.
 - xiv.** No active protective orders.
 - xv.** Federal charges.
 - xvi.** No prior program failure during the current incarceration.
 - A.** Prior program failure during prior incarcerations will be taken into consideration.

2. Inmates who have a current history of or are currently taking any psychotropic medications will be reviewed and handled on a case by case basis.
3. Any inmate who has been found guilty of one Major Rule Violation or two or more Minor Rule Violations during his/her present confinement will not be eligible for the A-Custody or B-Custody inmate workforce, work release, or HEI for a period of 90 days from the date of the last conviction.
 - a. Any inmate who is removed from A-Custody or B-Custody inmate workforce, work release, or HEI due to being convicted of a Major Rule Violation or two or more Minor Rule Violations will not be eligible to re-apply for a period of 90 days from the date of the last conviction.
 - b. The inmate can re-apply, and this would place his/her name back on the specific waiting lists upon submission of the paper or electronic Inmate Request form.
4. Any inmate who has been found guilty of no more than one Minor Rule Violation during his/her present confinement will not be eligible for participation in the A-Custody or B-Custody inmate workforce, work release, or HEI for 60 days from the date of the last conviction.
 - a. The inmate can re-apply, and this would place his/her name back on the specific waiting lists upon submission of the paper or electronic Inmate Request form.