201—40.13(904) Work release.

40.13(1) *Supervision.*

a. Persons committed to the director of the department and approved for work release by the board of parole will be supervised by a district department.

b. Residential facility intake procedures apply in accordance with subrule 40.11(2) and are not restated.

c. Work release clients may be eligible to participate in day reporting in accordance with department policy WR/OWI-19. Day reporting allows selected clients an opportunity to move from a residential facility to a home setting.

40.13(2) *Facility requirements.* The provisions set forth in rule 201—40.11(904,907,908,910) apply to this rule and are not restated.

40.13(3) *Earned time.* Earned time will be awarded in accordance with department policy.

40.13(4) *Continuity of operations.* The department will maintain contingency plans to ensure proper continuation of the program in the event of emergencies, including fire, tornado, chemical spill, or work stoppage.

40.13(5) *Visitation.* Visitation will be provided in accordance with department policy. Visiting privileges may be limited to the extent necessary for security or management reasons.

40.13(6) *Transportation.* Department staff may provide transportation in order to facilitate program objectives or for security purposes.

40.13(7) *Restitution plan of payment.* Restitution plans of payment will be established in accordance with Iowa Code chapter 910 and rule 201—40.5(904,907,910).

40.13(8) *Resident finances.* The department will maintain policies and procedures that ensure that all residents surrender their earnings to the facility in accordance with Iowa Code section 904.905. The department will provide for the proper accounting for the receipt and disbursement of resident earnings.

40.13(9) *Furloughs.* Furloughs for work release clients will be administered in accordance with department policy.

40.13(10) *Violations.* When disciplinary problems occur with residents who have been approved for work release but not yet placed, designated staff will determine whether the situation is serious enough to warrant further review by the board of parole.

a. For purposes of this subrule, designated staff means authorized persons from the district department, the deputy director, or the sending institution.

b. Work release violations may be classified as technical, minor, or major in accordance with department policy, depending on the seriousness and frequency. The classification will determine the sanction or range of sanctions to correspond with the violation(s).

c. Requests for temporary custody in a county jail or municipal holding facility may be issued by authorized staff of the department in those cases where the resident is considered dangerous, likely to flee or in serious violation of the work release program. The requests will be in accordance with Iowa Code section 904.908 and department policy.

d. Residents who are out of place of assignment are considered in serious violation of work release rules and possibly guilty of a felony under Iowa Code section 719.4. Escapes will be reported to designated authorities in accordance with department policy and critical incident policy.

40.13(11) *Reimbursement for transportation.* Transportation costs incurred due to a work release client escaping or absconding will be assessed against the work release client in accordance with rule 201—40.6(904,906).

40.13(12) *Transfers.*

a. Clients guilty of serious work release violations may be recommended for reclassification or transfer by a district department. Designated staff will determine whether the resident is to be transferred to a secure institution.

b. Transfers from one facility to another facility to a designated Iowa classification center may be allowed in special circumstances with the approval of the department.

40.13(13) *Discharge.* Under no circumstance will work release supervision extend beyond the expiration of a work releasee's sentence.

40.13(14) *Federal contracts for work release.* In order to qualify nonfederal work release clients for employment in the performance of federal contracts, under presidential Executive Order 11755, each district department will ascertain:

a. That the rate of pay and other conditions of employment will be at a similar rate and mode to others employed in like duties;

b. That employment of the work release client will not result in the displacement of other persons already employed, not be utilized where a surplus of labor exists, and not harm existing contracts; and

c. Representatives of affected unions will have been consulted.

40.13(15) *Home work release.*

a. Pursuant to Iowa Code section 904.901, home work release provides the opportunity in exceptional circumstances for qualified clients of correctional institutions to return to their homes.

b. Persons committed to the director of the department and approved for home work release by the board of parole will be supervised by a district department.

c. Home work release is additionally governed by the provisions of department policy CBC-RS-02.

This rule is intended to implement Iowa Code sections 904.901 through 904.909.

[**ARC 0791D**, IAB 11/25/26, effective 12/30/26]