



*State of North Carolina  
Department of Correction  
Division of Prisons*

Chapter: F  
Section: .3500  
Title: **Minimum Custody  
Highway Work Crews**  
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***POLICY & PROCEDURES***

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**.3501 Purpose**

To define minimum custody highway work crew operations in the Division of Prisons to insure public safety through the consistent application of operational standards.

**.3502 Policy**

The Division of Prisons as specified by annual agreement with the Department of Transportation provides minimum custody inmates for the purpose of litter control and light maintenance on public roads throughout the State. Every effort is made to insure the safety and welfare of citizens through the effective classification and assignment of minimum custody inmates for this program and through constant supervision of inmates by trained Correctional Officers. At the beginning of each fiscal year, the Department of Correction and the Department of Transportation reach an agreement that specifies the details pertaining to the deployment of work crews on the public roads. Crew designation for each facility is determined as part of the DOC-DOT agreement.

**.3503 Organization**

The Division of Prisons has organized minimum custody work crews into a configuration that is conducive to the level of supervision necessary to insure custody and security. A work crew will consist of a maximum of ten (10) inmates supervised by one (1) unarmed Correctional Officer. If the work site requires a higher level of supervision, a second correctional officer may be assigned as necessary to ensure proper supervision.

**.3504 Classification and Selection of Inmates**

- (a) Inmates considered for assignment to work crew duty will be closely reviewed to minimize the risk of escape or other management problems that might occur.
- (b) Inmates are recommended for assignment by the facility classification authority and approved by the facility superintendent or designee.
- (c) Selection Criteria. The following selection criteria apply to minimum custody inmates being used for work crews:
  - (1) All inmates selected for work are in the appropriate health grade so that they are mentally and physically capable of performing the work required.

- (2) Inmates shall not be considered for highway work who have a history of:
  - (A) one escape from armed supervision within the past five years; or
  - (B) more than two escapes from any classification within the past five years.
- (3) Inmates sentenced for serious assaultive crimes against persons or sexual crimes against persons are not selected for highway work until they have served 60 days in minimum custody. Note: Regardless of sentence, no inmate on a work crew will be allowed to work on property or roadway that is within a designated school zone. The work crew officer should ensure that no work is conducted in these areas by any inmate.
- (4) Exceptions to these selection and assignment criteria may be made as necessary and appropriate by the supervising Facility Head or designee.
- (5) Inmates must be able to hear, understand, and respond to verbal instructions.

### **.3505 Supervision**

- (a) Minimum custody work crews will be under the constant supervision of unarmed correctional staff.
- (b) To provide safe supervision of minimum custody work crews, the following guidelines will be complied with:
  - (1) The Correctional Officer will be equipped with pepper spray, handcuffs, portable radio and/or cellular telephone, and whistle.
  - (2) The Correctional Officer must always remain in the area of inmate supervision, either on foot near the inmates or in the van.
  - (3) Work crews are loaded, transported, unloaded, and fed utilizing the utmost precautions to insure security and safety.
  - (4) Correctional staff are prohibited from any activity that limits or distracts from their primary responsibility of providing constant supervision and insuring site safety.

### **.3506 Operations**

- (a) Work Crew Preparations
  - (1) The supervising Correctional Officer will inform the facility Officer-in-Charge of the location of the work site planned for that day, which will usually be on one of the facility's assigned routes for litter pickup.

- (2) The Correctional Officer will insure the work crew vehicle is thoroughly inspected for contraband and mechanically reliable prior to loading inmates.
  - (3) The Correctional Officer will insure that all communications equipment (i.e. radios, walkie-talkies, cellular phones) are in proper working order prior to loading the inmates.
- (b) Boarding Work Crew Vehicles
- (1) The Correctional Officer will call the roll of assigned inmates to board the vehicle. As each inmate is called, he moves forward and boards the vehicle. Inmates are properly identified to insure the correct inmates board the vehicle, and the count is communicated to Master Control or the Officer-In-Charge prior to leaving the facility.
  - (2) The Correctional Officer will verify each inmate's name on the work crew roster, conduct a final count after the vehicle is loaded and secure the vehicle door.
  - (3) The shift supervisor and the Correctional Officer will compare the final roster and count. A roster of the work crew inmates will be maintained at the facility and with the work crew.
  - (4) The Correctional Officer will verify the appropriate type and number of meals and beverages available for the work crew.
  - (5) The work crew vehicle will not be loaded or crowded with passengers and/or property to impair or restrict the proper and safe operation of the vehicle.
  - (6) If seat belts are available on the vehicle, the Correctional Officer will instruct all inmates to fasten their seat belts.
- (c) Traveling
- (1) The Correctional Officer is responsible for the safe transportation of the work crew.
  - (2) The laws of North Carolina prohibit transporting of inmates outside the state boundaries. Correctional Officers in those counties bordering other states will insure that these laws are not violated.
  - (3) Work crews shall travel to and from the designated work location by the most direct route. They should refrain from stopping at stores, restaurants, etc., except in cases of emergency.
- (d) Unloading at the Work Location
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- (1) Inmates on the work crew vehicle are instructed to remain seated until they receive instructions to unload.
  - (2) Prior to unloading, the Correctional Officer will inspect the unloading area for security and safety hazards. The Correctional Officer will insure the area can be worked safely and that the inmates can be supervised appropriately. Work sites that present a safety hazard to inmates, staff or the general public are not worked.
  - (3) Once the Correctional Officer determines the site is clear for work, he will set up the "Inmates Working" signs in the appropriate locations. This will be done according to the guidelines set forth in the Institute for Transportation Research and Education (ITRE) for "Work Zone Safety: Guidelines for Construction, Maintenance, and Utility Operations."
  - (4) The officer then unlocks the vehicle door and instructs the inmates to unload. Inmates will be counted as they unload
  - (5) The inmates are given their work assignments, receive personal protective equipment and are told to remain in position until instructed to move to the work site.
- (e) Reloading to Return to Facility
- (1) The officer collects and inspects the tools and personal protective equipment from the inmates and stores them on the vehicle.
  - (2) The unarmed officer counts the inmates.
  - (3) Roadwork signs will be stored on the vehicle.
- (f) Arrival at the Correctional Facility
- (1) The facility shift supervisor or other line officer supervises the unloading, count and complete search of all work crew inmates.
  - (2) The Correctional Officer will insure that the work crew vehicle is thoroughly inspected for contraband and mechanically reliable prior to the end of duty.
  - (3) The work crew officers report to the Officer-in-Charge any matters pertaining to the custody, discipline and welfare of the inmates, account for all prison property used by the work crew and unusual events.

### **.3507 Supervision During Work Assignments**

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## (a) General

- (1) Inmates in a highway work crew are kept sufficiently close together to allow for proper custodial supervision. The permissible spread of the work crew will vary according to the terrain and is left to the discretion of the Correctional Officer.
- (2) All inmates under a Correctional Officer's supervision will remain on the same side of the road whenever possible. The Correctional Officer(s) will be posted on the side of the road on which the inmates are working, or will follow the crew in the van.
- (3) Unless assigned to a fixed post (i.e., a stationary work site or seated in the van), Correctional Officers will remain standing except during temporary suspension of work or during the noon meal when they may be seated if conditions permit.
- (4) The Correctional Officer shall constantly evaluate the work site as work progresses and be alert for any conditions that may prohibit continuance of work.

## (b) Counts

- (1) Counts are made when inmates are loaded or unloaded, before and after lunch, and before and after each suspension of work for any reason.
- (2) In addition to these specifically required counts, the Correctional Officer is required to spot-check the total number of inmates present against the proper count and maintain an awareness at all times of the location of the inmates in their charge.

## (c) Food and Drink

- (1) While on their work assignment, inmates are given a short water break a minimum of once each hour or more frequently as weather condition requires.
- (2) At lunchtime, the Correctional Officer chooses an appropriate location for a thirty-minute lunch break. The work crew vehicle may be used for this purpose. Otherwise the inmates are kept sufficiently close together to allow for proper custodial supervision. The Correctional Officer shall eat when the inmates eat but will remain alert and keep the inmates under constant surveillance.
- (3) The Correctional Officer is responsible for insuring prior to departure from the facility an adequate amount of properly prepared and sufficiently varied food is available for the work squad. Non-pork and special diets are provided to qualifying inmates according to departmental policy.
- (4) In addition to ice water being provided, an appropriate beverage is provided with the noon meal.

- (5) All food scraps, leftovers and trash from the noon meal are to be returned to the facility for routine garbage disposal.

- (d) Smoking

There will be no smoking in any state vehicle by staff or inmates. While working there are no special breaks for smoking, but smoking is permitted if the Correctional Officer is satisfied smoking does not interfere with the work or create a fire hazard. Inmates at Smoke-Free facilities will not be allowed to possess tobacco or smoke.

- (e) Use of Toilet Facility

- (1) When an inmate requests to use the toilet facilities, if in the judgment of the Correctional Officer the vehicle is too far from the crew, the vehicle is moved closer. Inmates will never use natural areas/woods.
- (2) Staff will utilize the road squad toilet if they have to use a toilet. They will not use natural areas/woods. If staff have to use the toilet, inmates are positioned so that they cannot look into the toilet areas.

- (f) Emergencies

- (1) Escapes

- (A) There may be occasions where an inmate decides to escape custody by running or “walking off” the work site. The officer must take immediate action to address this situation, ordering the fleeing inmate to stop.
- (B) Whether the fleeing inmate is successful or is stopped, the work crew shall be ordered to cease work and to sit down.
- (C) The Correctional Officer shall report the escape by the quickest means possible to the Officer-in-Charge of the facility. The report will include the name of the escapee, location and time of escape.
- (D) The work crew shall be moved from the area of the escape and loaded onto the work crew vehicle as soon as practical.
- (E) The staff supervising the work crew will remain at the scene of the escape until assistance arrives and will provide all information pertinent to the escape.

- (2) Injuries to Inmates

- (A) Security precautions are followed during incidents involving inmate injuries:

- (B) The nature of the injury determines whether first aid is administered, the inmate is returned to the prison facility for treatment, transported immediately to the nearest medical facility for treatment or emergency medical services is called to respond. The decision concerning the initial medical response is made by the Correctional Officer.
  - (C) The Correctional Officer shall notify the Officer-in-Charge of the facility and request assistance with an inmate who has suffered major injury. If unable to contact the facility, the Correctional Officer contacts local law enforcement and emergency medical services to request assistance at the scene or at the emergency medical facility. If required to transport an injured inmate utilizing the work crew vehicle, the entire work crew is loaded on the bus as expeditiously as possible while observing standard security precautions.
- (3) Injuries to Staff
- (A) In most situations, there will only be one officer supervising the work crew. If he is injured, he should attempt to radio the facility or dial 911 on his cellular telephone for assistance. If he is unable to accomplish this or is completely incapacitated, it is permissible and encouraged for an inmate to use the telephone or vehicle radio to summon assistance. The inmates should move to a safe location near the vehicle and remain together until assistance arrives.
- (g) Discipline
- (1) Prohibited Activities
    - (A) Inmates assigned to work crews are not permitted to visit any person, to mail/receive letters or packages to give/ receive or sell any article.
    - (B) Inmates assigned to work crews are not to wave, yell, talk or communicate in any way with members of the general public or enter any building except in the line of duty. Inmates are not to use loud or boisterous language among themselves or engage in any conversation that is detrimental to the efficiency of their work.
  - (2) Infractions
    - (A) When an inmate assigned to the work crew commits an infraction, the Correctional Officer determines whether the infraction is so detrimental to prompt the immediate removal of the inmate from the road squad. In such

cases, the Officer-in-Charge shall be notified to send for the inmate. Otherwise, the Correctional Officer reports the offense at the end of the working day.

- (B) In event of mass disobedience, the Correctional Officer will immediately notify the Officer-in-Charge and return the inmates to the facility. He will summon help from the facility or local law enforcement if necessary.

### **.3508 Equipment**

(a) Communication Equipment

- (1) Each work crew vehicle is equipped with a two-way radio for communication between the crew members and the base station. Each work crew officer may also be equipped with a cellular telephone if alone.
- (2) Radio communications are for routine and emergency situations. Emergency communications are attempted first utilizing the prison frequency radio unless a more expedient means is immediately at hand.

(b) Personal Equipment

The following standard equipment is authorized for use by work crew officers:

- (1) OC Pepper Spray and Pepper Spray Holster
- (2) Handcuffs and handcuff case
- (3) Cellular Telephone
- (4) Portable Two-Way Radio
- (5) Whistle & Lanyard

(c) Other Equipment

Each work crew vehicle is equipped with other equipment as follows:

- (1) First Aid Kit
- (2) Water Cooler
- (3) Food container
- (4) Portable toilet with seat covers, germicide, Clorox wipes and rubber gloves
- (5) Highway work signs and traffic cones
- (6) Tools and safety equipment sufficient for the day's work
- (7) Hand wash facilities
- (8) Fire extinguisher rated ABC, minimum size of 10 pounds
- (9) Bloodborne Pathogen Kit
- (10) Eye Wash Kit

### **.3509 Weather Conditions**

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- (a) Work Crew inmates work under like weather conditions, as do employees of the Division of Prisons and Department of Transportation taking into consideration the requirement of supervision. Generally, inmates are not required to work if the chill factor is below 20 degrees Fahrenheit or if the temperature is above 95 degrees Fahrenheit. Unless an emergency exists, inmates are not to work in rain, sleet or snow to the extent that clothing becomes soaked.
- (b) The Officer-in-Charge of the facility is responsible for determining whether threatening weather conditions warrant holding work crews at the prison or delaying their departure until conditions improve.
- (c) The Correctional Officer is responsible for determining whether weather conditions warrant terminating work once work has begun. The Correctional Officer notifies the Officer-in-Charge of this decision.
- (d) In cold weather, the Correctional Officer shall permit inmates to warm themselves inside the work crew vehicle.
- (e) In hot weather the Correctional Officer will decide when rest periods and water breaks are needed to prevent inmates from suffering heat exhaustion and to safeguard their health.
- (f) When work is suspended temporarily because of weather conditions, the inmates are to be confined in the work crew vehicle or in the most practical alternative place available.

### **.3510 Safety**

- (a) Inmate safety while performing work crew duties is a primary responsibility of the Correctional Officer.
  - (1) Prohibited Work Activities
    - (A) Inmates perform only those work activities that do not present safety hazards.
    - (B) Inmates are prohibited from working over, beside, on or in water where inmates might reasonably drown if they were to fall in; unless life vests, ring buoys or a rescue skiff with standby personnel are provided. Recreational swimming is prohibited.
  - (2) Additional Safety Requirements
    - (A) The Correctional Officer will require inmates to wear hard hats when the work activity presents a risk of head injury by falling objects or by being struck by tools or equipment.

- (B) Inmates and Correctional Officers must wear safety vests when working roadside.
- (C) Inmates must wear steel-toed work boots and work gloves.
- (D) Inmates must wear safety goggles anytime the work activity presents a risk of foreign objects entering the eye.
- (E) When work crews find firearms or other items that cannot be lawfully possessed such as illegal drugs or weapons on the roadside, the Officer should move the inmates away from the items. The Officer will contact local law enforcement and provide them with the location of the items. If the work crews encounter other items that could be reasonably utilized by inmates as a weapon such as pocketknives the Officer should not allow the inmates to gain possession of the item.
- (F) The Correctional Officer will insure that the appropriate traffic warning signs are placed before the work site for safety purposes. When the work site is on four lane rural roads, freeways and expressways, signs will be placed on opposite sides of the road on the right hand shoulder of the roads at least 1000 feet up to one-half mile from the work site. When the work site is on a two lane rural road, one sign will be placed on the shoulder of the road at least 500 feet to 1000 feet from the work site. If practicable, the officer may follow the work crew in the work vehicle, acting as a visual presence and physical barrier. When following the crew, the officer should wear his seatbelt at all times. He should use his headlights, 4-way flashers, and the roof strobe warning light at all times. When he judges that it is more appropriate to park the vehicle, the Correctional Officer will insure that the vehicle is pulled completely off the roadway. Orange traffic cones will be placed at the front and rear and aligned along the length of the vehicle on the side of the vehicle nearest traffic. The vehicle will display its 4-way flashers and flashing strobe light on the vehicle roof as warning indicators to passing vehicles.

### **.3511 Training**

- (a) Each Superintendent who furnishes work crew inmates for road work will insure all Correctional Officers assigned to work crew duty have completed Basic Training and ITRE Work Zone Safety Training.
- (b) Documentation of participation in all applicable training programs will be maintained at the facility.

### **.3512 Other Requirements**

- (a) Inspection

- (1) The superintendent or designee of each facility furnishing minimum custody inmates for work crews should maintain regular contact with road squad staff and conduct regular unscheduled inspections of one or more road squads at least one time per month to assure compliance with prison policies. The superintendent should take a strong interest in this aspect of his facility; work crews are directly in public view and present unique safety concerns. Therefore, they should be steadily monitored by facility administration.
  - (2) Work Crew vehicles are inspected as part of the facility inspection program where it is stationed.
  - (3) Planned work sites and changes to work sites during the day are communicated by the Correctional Officer to the Officer-in-Charge each day.
  - (4) The Correctional Officer and/or Superintendent or designee may modify the work schedule/location based on safety and security issues.
- (b) Clothing
- (1) Inmates are dressed in clothing appropriate for the weather and their security classification.
  - (2) Steel toe work boots or steel toe rubber boots are worn for road duty.
- (c) Incentive Wage/Gain Time/Earn Time
- (1) Inmates assigned to work crews earn \$.70 per day incentive wage and #3 gain time/earn time.
- (d) Post Orders
- (1) Each superintendent who furnishes inmates for minimum custody work crews will establish post orders that address the requirements and operational issues of this policy.

 4-10-07  
Director of Prisons      Date

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