



Kern County Sheriff's Office **Policies and Procedures**

TITLE: WORK RELEASE PROGRAM			NO: J-3550
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 5, 2025	REVIEWED: 8/5/2025	REVISED: 8/5/2025	UPDATED: 8/5/2025

MISSION STATEMENT

The Kern County Sheriff's Office is committed to operating a Work Release Program that maintains the highest public confidence, credibility, and public safety.

POLICY

The Work Release Program (WRP) is an alternative to incarceration program. The program was established to promote the successful reintegration of law violators into society, and reduce jail population, by providing work skills for the participants. The program benefits the community by providing labor services to other county departments. The Work Release Program has been established as a component of the criminal justice system within Kern County and must work closely with the courts, probation, parole, and the detention facilities.

The Work Release Program allows participants who are referred by the court or released from custody to serve their sentences providing work/labor services for other county and city departments in lieu of incarceration. The Work Release Program strives to maintain work sites that are safe, secure, orderly and free from any conditions that create a hostile work environment for the supervisory staff, participants, general public, or any person with business at the worksite.

ELIGIBILITY OF COURT REFERRED APPLICANTS

To ensure that individuals accepted into the Work Release Program are compatible with the requirements, obligations, restrictions, and general goals of the program, the Kern County Sheriff's Office has established guidelines for the determination of an applicant's eligibility for the program.

Court Referred applicants consist of individuals referred to the Work Release Program by order of a judge of the Kern County Superior Court System. The Work Release Program staff will screen court referred applicants to determine their eligibility based on the guidelines below. The final decision on an applicant's acceptance into the program rests with the Sheriff or their designee.

The Courts have no authority to mandate the acceptance of individuals; however, the Work Release Program will accept referrals to the program by the Kern County Superior Court when the established eligibility requirements are met.

- Applicants must be able to perform manual labor.



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- Applicants whose medical or mental health history indicates they may be unsuitable will be ineligible unless a release is obtained from a physician, in accordance with Directive 1 of this policy.
- Applicants will be enrolled prior to their court ordered surrender date.
- Applicants are required to provide transportation to and from the worksite.
- Applicants may be ineligible if they have previously participated in and failed the Work Release Program.

ELIGIBILITY OF RELEASE FROM CUSTODY APPLICANTS

To ensure that individuals accepted into the Work Release Program are compatible with the requirements, obligations, restrictions, and general goals of the program, the Kern County Sheriff's Office has established guidelines for the determination of an applicant's eligibility for the program.

Release from custody applicants consist of individuals applying for the Work Release Program who are incarcerated in the Kern County Detentions Facilities, not directly referred by the courts. The Work Release Program staff will screen release from custody applicants to determine their eligibility based on the guidelines below. The final decision on an applicant's acceptance into the program rests with the Sheriff or their designee.

The Work Release Program will accept applications from individuals incarcerated in Kern County Detention Facilities. The reviewing deputy will examine the records of such applicants to ensure that the following requirements are met before the applicant is accepted into the program:

- The applicant must be within 18 months of his/her scheduled release date.
- The applicant can choose to fulfill their commitment through Work Release (up to 50 days).
- The applicant must have enrolled in all court ordered classes prior to eligibility.
- Credits for class participation must be requested from the courts 5 days prior to the applicant's eligibility.
- Applicants currently serving time for a violation of Work Release or Electronic Monitoring are ineligible.
- Applicants who have received a loss of 15 or more days of good time or have been a significant disciplinary problem while in custody may be declined.



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- EMP failures are ineligible.
- Applicants, whose medical or mental health history that indicates they may be unsuitable, will be ineligible unless a release is obtained, from a physician, in accordance with Directive 1 of this policy. Detentions medical staff will not be utilized to obtain a medical release for participation in the Work Release Program.
- The applicant is required to provide transportation to and from the assigned worksite.
- Applicants may be ineligible if they have a significant criminal history.
- Applicants may be ineligible if they have previously participated in and failed the Work Release Program.

INELIGIBILTY CHARGES FOR ALL WORK RELEASE APPLICANTS

Applicants who have been sentenced on charges that could have resulted in significant penalties are ineligible for the Work Release Program. The reviewing deputy(s) will examine the records of applicants to determine if ineligible charges exist.

Ineligible charges include, but are not limited to, the following:

- Sex crimes: PC 261.5(a) and 261.5(b) when the suspect is over the age of 20.
- Crimes involving sexual deviancy: PC 288(a), 289, 261, 261.5(c), 261.5(d), 262, 290, etc.
- All violent crimes, weapons charges, and gang related crimes will be reviewed for eligibility.
- When the applicant's court order stipulates, "No work release program allowed."
- Any charges can be reviewed by the Work Release Sergeant or Deputy for eligibility.

WORK RELEASE PROGRAM ENROLLMENT

Each participant who wishes to enroll into the Work Release Program will be required to complete an application prior to enrolling. This requirement applies to both court referrals and subject(s) who are incarcerated in a Kern County Detentions Facility. Kern County Sheriff's Office Deputies and Sheriff's Aides assigned to the Work Release Program will review all applications submitted by perspective participants. Each application will be reviewed to ensure each participant is suitable for the program



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The information provided in the application must be accurate, truthful, and will be validated by Work Release Program personnel. If any information provided by the applicant is found to be incomplete, inaccurate, or untruthful, the person may be excluded from the program for cause at the time the application is reviewed or at any time after their acceptance in the program.

If the subject(s) applying to participate in the Work Release Program meets the mandates, the application will be retained for a period of five (5) years and a letter sent to the applicant advising them of the acceptance of their application and their eligibility date. If the person does not meet the program requirements, the application will be filed and a letter sent to the applicant explaining the reason for the rejection of their application.

The Kern County Sheriff's Office Work Release Program has set rules of conduct (Attachment A) for Work Release participants. The Work Release Program will ensure the rules are enforced to maintain order and professionalism of the program. A clear set of guidelines for the participants to follow will be provided to them upon acceptance into the program. The participant will be required to sign an acknowledgement indicating they received the rules of conduct upon enrollment. Failure to comply with participant rules is grounds for removal from the program.

In order to ensure consistency for all participants, the following guidelines will be used in determining the number of days per week a participant will be scheduled to work. The program reserves the right to make changes in the number of days to be scheduled per week if there are extenuating circumstances in a particular person's situation:

- The decision to make an exception will take into account the validity of the person's needs. Acceptable reasons to deviate from the listed standards might include the participant's work schedule at their personal employment.
- Successful completion of part of the participant's commitment and a request to change the number of days scheduled each week, may be sufficient reason to modify the work schedule.
- If there is a need to modify the number of days per week outside the listed parameters, then an exception may be made.
- When exceptions are made, the reasons will be documented in the participant's file.

Participants who are "Court Referrals" to the program will be scheduled for the following number of days:



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- When the participant has less than 10 days to serve, every effort will be made to schedule the person to work at least 1 day per week.
- When the participant has less than 30 days to serve, every effort will be made to schedule the person to work at least 2 days per week.
- When the participant has 45 or more days to serve, every effort will be made to schedule the person to 5 days per week.

Participants who are confined to the Kern County Jail, considered to be “Release from Custody” participants will be scheduled for the following number of days:

- The participant will be scheduled to work five (5) days a week.
- After successful completion of part of the participant’s commitment, the Work Release Deputy assigned to oversee the participant may authorize a reduction in the number of days per week.

Directive 1: Medical Clearance

Participants who are accepted into the Work Release Program will be required to perform eight (8) to 10 hours of manual labor each day they are assigned to work. If the perspective participant has physical and/or mental health conditions that could potentially prevent them from performing the tasks within the program, the affected participant will require a release from a licensed medical professional to be accepted into the program. Work limitations may prevent applicants from participating in the Work Release Program.

Applicants with significant medical issues will be provided a “Physicians Evaluation/Release Waiver” (Attachment B) and be required to provide it for Work Release Program personnel. The participant may be disqualified from the program if one of the following exists:

- The participant’s medical condition cannot be validated.
- The medical condition will prohibit participant from working for over six weeks.
- The participant fails to provide the requested documentation regarding their medical condition.
- The participant fails to contact or maintain contact with Work Release Program personnel, as requested.



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- Participants not medically cleared for full participation within six (6) weeks of injury/illness will be medically disqualified.

REMOVAL FROM PROGRAM

The Work Release Program has a defined set of rules that must be followed by all participants within the program. A participant may be disqualified from the program for various reasons, including but not limited to the following:

- Non-compliance with the program rules.
- The findings or results of an unrelated criminal investigation.
- Poor performance history, medical absence history, or for failing to report to a worksite.
- Participant does not have a valid and verifiable reason for missing their assigned workdays.
- Not maintaining adequate contact with Work Release Program personnel.
- Failure to provide documentation requested by Work Release Program personnel.

PROGRAM CREDIT

The application for acceptance into the Work Release Program is based on the court commitment for a stated period of days. While in-custody and court credits may be applied prior to application, no good or work time credit shall be given to the participant upon entering or while on the program. Penal Code Section 4024.2 and 4019 prohibit such credits. Program credits are received on a day per day ration meaning that one day of program work equals credit for one day of commitment.

WORKSITE SAFETY

The Work Release Program will maintain worksites that are safe and free from injuries by implementing preventative measures whenever possible. All participants in the Work Release Program are required to wear an orange vest marked "WRP" on the back at all times while working. Injuries that do occur will be handled promptly, safely, and according to applicable policy and procedure.

In the event a Work Release Program participant is injured during the course of their work, the following protocol shall be adhered to:



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- Render appropriate first aid.
- Request emergency medical services via communication center if needed.
- Notify the Work Release Program sergeant.
- Notify contract agency supervisor.
- Complete incident or worksite report (Attachment C).
- Complete "Request for Medical Service" (found within workers comp packet) if participant needs medical treatment.
- Ensure injured participant fills out top portion of "Workers Compensation Claim Form."
- Forward the above forms to the Work Release Program sergeant.

The Work Release Program contracts with other county departments to provide worksites for its participants. If a participant is injured at the worksite of another county department, the following protocol shall be adhered to:

- Render appropriate first aid.
- Request emergency medical services via communication center if needed.
- Notify the Work Release Program sergeant.
- Notify contract agency supervisor.
- Complete incident or worksite report (Attachment C).
- The respective county departments will be responsible for completing any necessary workers' compensation forms, as well as following any other reporting procedures as directed by their policy.

WORKSITE SUPERVISOR TRAINING

In order to ensure worksite supervisors maintain worksites that are conducted in a professional and safe manner, training will be conducted covering the expectations and rules of the program. New worksites and/or new worksite supervisors will receive a one-hour orientation training class prior to participants being assigned under their supervision. The training will be provided by Work Release personnel where various topics will be discussed: the mission of the Work Release Program, roles of the Work Release Personnel, and the obligations of the worksite (contractor), as mandated by the contract. At a minimum, Work Release Personnel will discuss the following during the initial training:



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- Attendance and work requirements.
- Proper clothing and safety requirements.
- Aiding participants who are injured or ill, and subsequent reporting procedures.
- Maintaining a hostile-free work environment.
- Any limitations the participants may have with equipment and medical restrictions.

Upon completion of the orientation, Work Release personnel will be available to the worksite staff in order to address any questions or concerns. This orientation will provide the worksite staff information regarding how to successfully monitor participants who are in their care. Documentation that the orientation occurred will be filed at the Work Release Program Office.

DEFINITIONS

COMMITMENT: An order of the court sentencing a person to a specified term of incarceration.

COURT REFERRAL: Those participants who enter the Work Release Program directly from the court in lieu of incarceration.

DISQUALIFICATION: Notification; a generated letter forwarded to the court advising a participant has failed to satisfy program requirements.

MANUAL LABOR: Manual labor is defined as physical labor in both an indoor and outdoor working environment. Typical activities include janitorial duties, gardening and grounds maintenance, and washing vehicles. Participants must be able to perform activities that require pulling, bending, using gardening implements, and lifting up to 50 lbs.

PHYSICIAN'S EVALUATION/RELEASE/WAIVER: An official document signed by an applicant in order to allow the program access to the person's medical information. Medical information provided by the applicant will be used to determine the person's suitability to participate in the program.

PROGRAM CREDIT: A day of manual labor in lieu of a day of incarceration.

PROGRAM TIME: A minimum of 6 hours of work, but no more than 12 hours, will count toward one day of commitment.



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PROMISE TO APPEAR: A program document which obligates the participant to perform one day of program work for each day of commitment. This document specifically lists each day of work and the location at which the work is to be performed.

RELEASE FROM CUSTODY: Participants who enter the program after surrendering to incarceration.

RELEASE FROM CUSTODY WARRANT: A document issued by the Work Release Program as a warrant of arrest for a participant who is absconding from the program. This only applies to participants who are in the program as “release from custody.”

RETAKE ORDER: A document issued by the Work Release Program authorizing the return to custody of a participant for program failure.

ROSTER: A Work Release document which is sent to the worksite and completed by the worksite supervisor to document a participant’s attendance in the program.

TIME SERVED LETTER: Written notification made to the committing court which states that a participant has fully satisfied their commitment.

WORK: Manual labor that must be performed by the Work Release participant. Typical tasks include lifting up to 50 pounds, pulling, bending, utilizing gardening implements, janitorial duties, and washing vehicles.

WORK CREW: Groups of participants who meet at a designated location and are transported to a worksite.

WORKSITE: A physical location where participants are required to report to perform manual labor as assigned by the contract agency. The location may be where the participant reports or a location the participant is transported to, by the contract agency.

REFERENCES

PC 4019: Good and work credits as it relates to the work release program.

PC 4024.2: Authorization of a work release program and the associated work functions.



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PC 4024.3 Criteria relating to a work release program when the current jail population is at 90 percent.