

## Survey to Chief APOs

**Issue: Work Release inmates and social media posting**

**Question: (from Somerset County)**

**Does anyone have a condition or a way to stop work release inmates from posting on social media? If so, what is the wording of the condition? (No posting? No smart phone use?) We have victim's and general public questioning why they are permitted to do so and would like to stop this practice.**

### Allegheny County

Neither Allegheny County Adult Probation nor the Allegheny County Jail has a policy surrounding the use of cell phones by alternative housing inmates.

### Carbon County

Does not and I agree with York County. This should be a prison issue.

### Dauphin County

Same as Lancaster. I've sent this query to our WRC Director.

Please see the email below and the attached policy from our Director of the Dauphin County's WRC program (see addendum):

Attached is our cell phone policy and procedure. This has been in effect for approximately 16 months now and we have had relatively few issues with this. The majority of our residents seem to understand this is a huge privilege and one they don't want to lose. It has also helped a lot of our residents in regards to their treatment and work as far as scheduling appointments, submitting hours for payroll, etc. as more and more employers and treatment providers have apps that allow them to access needed features. It also gives us another way to contact them in addition to our electronic monitoring. If anyone has any questions or wants to reach out to me further, that is fine. While this sounds like the opposite of the original inquiry, for the past several years it became very apparent to us in our WR program that cell phone access was occurring whether we permitted it or not (we previously just limited approval to those employers that requested their employees have a cell phone). I felt it was better for us to regulate it on our terms, and the President Judge agreed with me.

### Elk County

Same as York County

### Franklin County

Franklin County's Work Release program is overseen by Probation. Eligibility is determined by the Courts, while availability is determined by the Jail. Although our rules prohibit the use of cell phones and nicotine, this is hardly enforced, pretty much only when we get complaints from the employers or the public. Our WR rules were reviewed following the Koger ruling and the pandemic-related slowdown. We determined that WR is a court program, not a guaranteed

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but rather a privilege. If a rule is violated, they are issued a misconduct that the jail enforces. If they receive new charges and are on an IP sentence, we will violate them. I would absolutely love to give WR back to my jail if anyone has any ideas let me know!

Here is some draft language that may be used for rules:

- Personal use of electronic communication devices for non-work-related activities, such as personal calls or text messages, is strictly prohibited.
- Inmates are prohibited from creating, accessing, or maintaining social media accounts during their period of work release.

#### Indiana County

Very similar to Franklin County. One of our officers is a “work release administrator”

#### Jefferson County

Work Release Conditions address the Prohibited Use of Cell Phones as follows:

The use of cell phones is strictly prohibited by Work Release inmates. An exception may be granted for those inmates monitored by GPS, strictly for the purpose of calling the Work Release Coordinator. All cell phones are subject to search. Upon request, inmates must provide a copy of their monthly bill to the Work Release Coordinator, documenting all phone calls made and received.

#### Lancaster County

Work release is overseen by our jail, not probation. I will have to check on whether they have a “no social media’ and/or “no cell phone” rule while out for work release.

From the Work Release Administrator at Lancaster County Prison:

We do not allow work release participants to have their cell phones while on the work release program for the most part. If the employer informs us that a phone is necessary in the completion of their duties, we can make an exception. Social media is prohibited for all work release participants. These two topics are probably the most violated rules on the program as it is not hard to have a phone dropped off at work or on the way to work.

#### Lebanon County

Same as York County

#### Lehigh County

I am not aware of our prison having such a policy.

#### Westmoreland County

Same as York County

#### York County

Technically, would this need to be a policy of the jail since individuals on work release are technically incarcerated?



DAUPHIN COUNTY  
P E N N S Y L V A N I A  
**WORK RELEASE**

Matthew A. Miller, Director  
919 Gibson Blvd.  
Steelton, PA 17113  
Phone: 780-7002 Fax: 558-9672

**Dauphin County Work Release Center**

**Residents Cell Phone Policy & Procedure**

**Effective:** 07/21/2022

**From:** Matthew Miller, Director    **To:** All Work Release Employees and WR Residents  
Seble Getahun, Quality Assurance Supervisor

**Subject:** Residents Cell Phone Policy

**Purpose:** To appropriately regulate resident's approved use and possession of a cellphone.

**Scope:** This policy applies to Dauphin County Work Release Probation Officers and Work Release Residents of the Centers.

**Definitions:**

- A. Dauphin County: The County of Dauphin and The Dauphin County Board of Commissioners, President Judge, and the Employees of the Dauphin County Work Release center.
- B. Work Release Staff: All Work Release Probation Officers employed by the Dauphin County Work Release Center.
- C. Resident: An individual who is under the jurisdiction of the Courts sentenced by Magisterial District Judges and Court of Common Pleas Judges for criminal charges in violation of the criminal codes of Pennsylvania and individuals serving civil contempt sentences for non-payment of child support through the Domestic Relations Office. A resident resides in the WRC during his/her sentence and is released only for the purpose of work, community service, medical/treatment appointments, utility/grocery time, or religious privileges.

## **Policy Procedures:**

- A. A resident may request to have a cell phone while participating in the WRC by submitting an Open-Door Request Form, with the resident's cell phone number, to the director of the WRC or his designee in his absence. The director or designee shall review the request and determine whether to approve or deny the request.
- B. Approval to use and possess a cellphone is a privilege and may be forfeited if a resident fails to follow Work Release Rules, abuses the privilege, or violates local, state, or federal laws.
- C. Resident cellphone requests shall be denied if the Court has ordered the resident to not have any access to cellphone/electronics or internet capable devices due to the nature of the resident's charges or other specific reasons.
- D. Upon approval of cellphone requests, residents shall secure their cellphone in the foyer of the WRC in one of the clear storage lockers. Upon entering the foyer, the resident shall turn off her/his cellphone or place it in silent mode prior to securing the cellphone in the locker.
- E. Residents are only permitted to secure their cellphones in the WRC as indicated under Policy Procedure "D". Residents are not authorized to keep their cellphone at work, vehicle, and so on.
- F. Residents are solely responsible for the care and security of their cellphone. The Work Release Center assumes no responsibility for loss or damage of residents' cellphones.
- G. All keys will be secured inside the control center for storage and monitoring by WRC Probation Officers.
- H. Any resident approved to use and possess a cellphone is subject to have the cellphone inspected/searched for appropriate usage.
- I. Any resident found to be using the cell phone in an inappropriate manner will have their cell phone privileges revoked and they may be subject to further disciplinary action up to and including removal from the WRC or criminal prosecution, when warranted.
  - Viewing of pornography while participating in the WRC is strictly prohibited by any resident approved to use a cell phone.
  - Threatening others via phone calls or text messages while participating in the WRC is strictly prohibited by any resident approved to use a cell phone.
  - Accessing all forms of social media shall not be utilized to project the resident or the WRC in a negative manner. Any inappropriate use of social media may result in a resident's cell phone privileges being revoked and they may be subject to further disciplinary action up to and including removal from the WRC or criminal prosecution, if warranted.
- J. Utilization of a cellphone by a resident shall not negatively affect the resident's employment or treatment provider (if applicable). Inappropriate use of a cellphone and its applications during employment or treatment may result in a resident's cellphone privileges being revoked and they may be subject to further disciplinary action up to and including removal from the WRC.
- K. Residents are prohibited from lending, selling, or borrowing other residents cellphones. Residents shall inform WR POs if their cellphone is lost, stolen, has the phone number changed or is disconnected for any reason.
- L. The provisions of the Work Release Consent to Search Portable Electronic Devices Policy are supplemental and applicable in this policy.

## **Responsibilities:**

- A. When approving a resident that has Megan's Law registration requirements, the Director shall provide the cell phone number to Krissy Litzenberger, PO II, Sex Offender Unit, to update Megan's Law Offender Registry with the approved cellphone number.
- B. Upon the entry to and departure from the WRC, the resident shall request a key to the locker from the control center and secure/retrieve their cell phone in/from a specified locker number. The resident will obtain and return the key to the control center.
- C. Residents must provide passwords or passcodes to allow access to their phones to WRC Probation Officers upon request. If inappropriate usage is discovered, immediately stop going through the phone if it warrants confiscation and refer to the Consent to Search Electronic Devices Policy.
- D. Upon the Director's approval of a resident's cellphone request, WR POs shall make resident fill out and sign the Resident Cellphone Information and Acknowledgement Form, which includes name of resident, cell phone make, model, serial number, cellular phone number, passcode, pass code pattern, if applicable, read, sign and date the acknowledgement conditions for use and possession of a cellphone.
- E. WR POs shall scan and upload into WRITS the completed and signed Resident Cell Phone Information and Acknowledgement Form. WR POs shall also place a copy in resident's file.
- F. Residents agree to accept and take calls from the Work Release Center.
- G. When employers have more restrictive procedures regarding usage and possession of a cellphone than the provisions of this policy, residents are responsible to follow their workplace rules/policy regarding cell phone usage and possession during work hours.
- H. Residents are responsible to use their approved cellphone in a manner that does not violate WR rules, poorly reflect on the resident, or the Work Release Center.
- I. Unless confiscated for inappropriate use, residents are responsible to take their cell phones with them when discharged, or if they are remanded to the prison have their designated property pickup person retrieve the cell phone within 15 days from their discharge.
- J. Prior to receiving approval for cell phone usage, residents shall have previously signed the 'Consent to Search Portable Devices' page from the Work Release Intake/Out-Processing Checklist Packet.
- K. Resident shall not change cellphone device without prior approval from the director or designee. If approved the resident is responsible to fill out and sign the "Resident Cell Phone Information and Acknowledgement Form.

**RESIDENT CELL PHONE INFORMATION AND ACKNOWLEDGEMENT FORM**

Resident Name: \_\_\_\_\_

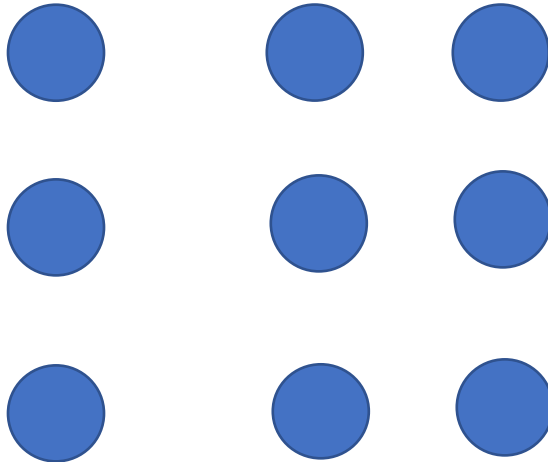
Cell Phone Make: (Apple, Samsung, etc.) \_\_\_\_\_

Model Name: \_\_\_\_\_ Serial Number: \_\_\_\_\_

Cellular Phone Number: \_\_\_\_\_

Pass Code: \_\_\_\_\_

Pass Code Pattern (if applicable)



**ACKNOWLEDGEMENT**

*I hereby acknowledge that I have read, or have had read to me, the above conditions for use and possession of a cellphone as a work release resident. I fully understand the policy procedures and resident's responsibilities outlined and agree to follow them.*

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date