Policy and Procedure #1.000

Policy Formation and Management

Authority: Wyoming Statute(s): 25-1-104; 25-1-105 ACA Standard(s): **ACI**- 4-4003; 4-4004; 4-4005; 4-4012; 4-4013; 4-4014; **2-CO**- 1A-05-R; 1A-07; 1A-09; 1A-15; 1A-16; 1A-17; 1A-18; 1C-17; 3A-01; 3C-01; 4B-01; 4C-01; 4D-01; 4E-01; 4F-01; 5D-01	**Effective Date:** March 15, 2016 **Revision/Review History:** 02/15/15 02/01/14 02/01/13 12/12/11 **Summary of Revision/Review:** Updates existing policy pursuant to annual review.
Cross Reference of Policy: P&P #1.005, *Organization and Delegation of Authority*; P&P #1.009, *Release of Information*; P&P 3.004, *Post Orders*	**Supersedes Existing Policy :**
Approved: R.O. Lampert — 3-8-16 Robert O. Lampert, Director — Date	

REFERENCE

1. **ATTACHMENTS**
   A. **WDOC FORM #162:** ***Policy/Program Comment Form***

2. **OTHER – None Noted**

I. PURPOSE

A. Policy Management Process. The purpose of this Policy and Procedure is to establish the process for managing the development, review, dissemination, implementation, training, audit, and revision of policy and procedures used by the Wyoming Department of Corrections (WDOC). This policy will be reviewed annually and updated if necessary. (ACA 2-CO-1A-05-R)

II. POLICY

A. General Policy. It is the policy of WDOC to provide staff with guidance in the operation of its divisions, facilities, central office, and all other components through a well-organized and uniform body of policy that is regularly reviewed, updated, and approved by the Director.

1. Policies shall convey Department philosophy, goals, and operational procedures, and shall provide a foundation for staff training and development.

i. Wardens shall formulate goals for their institution at least annually and translate them into measurable objectives. (ACA 4-4003)

ii. Staff shall participate in the development and review of organizational goals, objectives and policies and this participation shall be documented. (ACA 2-CO-1A-07)

a. Staff may use WDOC Form #162: *Policy/Program Comment Form* to provide feedback on Department policies.

2. Policies and procedures shall be developed with guidance from federal and Wyoming law, American Correctional Association (ACA) standards, and any relevant state or federal rules, regulations, or guidelines.

~~3.~~ New or revised policies and procedures shall be disseminated to designated staff and volunteers and, when appropriate, to offenders prior to implementation. (ACA 4-4014) Those policies affecting offender rights and responsibilities shall be made available to offenders. In addition to policies that affect offender rights, policies that do not jeopardize the security and safety of the agency are available through the agency's public website.

4. The policies and procedures for operating and maintaining the Department shall be published electronically on the Department's Intranet site and shall be specified in a manual that is accessible to all employees. Designated policies shall be made available to the public. The policy manual shall be reviewed at least annually and updated as needed. (ACA 4-4012; 2-CO-1A-16)

5. Each correctional facility and designated administrative units within the Department shall maintain and makes available to employees operating procedures that specify how policies are to be implemented. These procedures shall be reviewed at least annually and updated as needed. (ACA 4-4013)

i. Each Chief Executive Officer (CEO) is responsible for developing and maintaining an operations manual(s) that includes policies, operational standards and procedures, operational procedures, and other applicable rules and regulations of the Department. These manuals shall be available to all staff. Each manual shall be reviewed at least annually by the CEO or a designee and be updated as needed. (ACA 2-CO-1A-17)

B. **Policy and Procedure Office.** It is the policy of WDOC to develop and maintain its body of policies and procedures through the Policy and Procedure Office (PPO). The PPO shall be responsible for the management of Department policies in accordance with this policy. The development and dissemination of Department policies shall be in accordance with this policy and procedure and practice. (ACA 2-CO-1A-05-R)

1. Department employees shall participate in the formulation of policies, procedures, and programs as specified in this policy. (ACA 4-4004)

2. Other state agencies, contracted service providers, and related community agencies with which the Department has contact shall participate in policy development, coordinated planning, and interagency consultation as described in this policy. (ACA 4-4005)

III. DEFINITIONS

A. **Administrative Regulations:** The manual of regulations that existed prior to the establishment of the Policy and Procedure Manual. These regulations have been superseded by relevant policies and procedures or were otherwise rescinded.

B. **Director's Executive Order:** An order issued by the WDOC Director in the absence of policy or in response to an immediate issue. The order is binding but temporary, in effect for not more than one (1) year, and will either be discarded at the end of its applicable time limit or incorporated into policy and procedure. Executive Orders that modify existing policies identify such modifications on their faces.

C. **Effective Date:** The date a policy and procedure will be fully implemented.

D. **Implementation Officer:** Chief Executive Officers are designated as the implementation officer for their respective area of authority.

E. **Implementation Schedule:** The time frame for completing all tasks required for the full implementation of a policy and procedure.

F. **Operational Procedure:** A facility-level policy which is developed to implement a Department policy and procedure, consistent with the facility's specific mission, function, and offender population.

G. **Operational Standards and Procedures:** A division-level policy which is developed to implement a Department policy and procedure, consistent with the division's specific mission and function, or which provides administrative direction for an area within the scope of authority of the division.

H. **Policy:** A direct statement of the Department's official position on the conduct of business in accordance with accepted correctional standards; policy provides the basis for staff decisions and tasks in work situations.

I. **Policy Custodian:** A designated staff member who is responsible for the development, review, and revision of a particular Department policy.

J. **Policy Manager:** The position, under the Deputy Director, who is responsible for reviewing Department policy and procedure and managing the policy process.

K. **Policy Setting Committee (PSC):** A committee made up of the Division level administrators, the Deputy Director, Director, and Policy Manager. The role of the PSC is to identify priorities within the Department, make recommendations for policy development/review, and identify/assign policy custodians.

L. **Policy Work Group (PWG):** A working group whose members are appointed by the PSC or the policy custodian for the purposes of developing, reviewing, and revising specific policy(s) at the direction of the PSC.

M. **Procedures:** The activities and tasks which adhere to a Department policy; required steps for specific situations and delineation of the responsible personnel.

N. **Standard:** (*For this policy only.*) A benchmark for judging the quality of a correctional operation, including but not limited to standards adopted by the American Correctional Association.

O. **Warden's Directive:** (*Sometimes referred to as Warden's Memo.*) A memorandum issued by a warden to address a situation or practice which is in the best interest of their respective institution and provides further direction to the facility regarding implementation of policy. Warden Directives cannot change Department policy but may provide further direction consistent with policy.

IV. PROCEDURE

A. General Principles Guiding the Management of Policy and Procedure

1. WDOC Policy and Procedure represents the official administrative direction of the Department. The PPO shall maintain the official records of all WDOC Policies and Procedures and Director's Executive Orders as permanent Department records.

i. Director's Executive Orders may be used to establish or clarify policy but shall expire one (1) year from the date of issuance unless otherwise stated.

ii. Administrative Regulations (ARs) and Director's Directives (DDs) are older policies that have been rescinded or superseded by new policy. ARs, DDs, and previously approved Department policies shall be maintained by the PPO as permanent records of the Department.

iii. Wardens shall have the authority to establish Operational Procedures (OPs) for the management of the correctional facility. Each Warden's Office shall maintain the official records of that facility's OPs.

iv. Division administrators shall have the authority to establish Operational Standards and Procedures (OSPs) for the management

of their division. Each administrator issuing OSPs shall maintain the official records of OSPs issued under their authority.

2. Written policy shall delineate channels of communication for purposes of delegating authority, assigning responsibility, coordinating and supervising work. (ACA 2-CO-1A-18) All communications should specify that the delegation of authority be complete and consistent, timely and accurate, and cover what personnel need to know to understand and carry out their duties.

3. WDOC employees shall be encouraged to actively participate in policy and procedure development: by giving suggestions to their supervisors, by utilizing WDOC Form #162: *Policy/Program Comment Form*, by thoroughly reviewing specified sets of policies and procedures maintained in their work areas, and by participating in policy work groups to develop and/or revise policy and procedures.

4. The PPO is responsible for maintaining the official records of Department policies.

i. All policies shall be published electronically on the Department's intranet site. This electronic policy manual shall be available to all employees and should be consulted as the official policy manual of the Department.

ii. Each CEO shall designate an individual at their respective location to maintain a hard copy policy manual for that location. The hard copy policy manual shall serve as a back-up in the event the electronic manual is unavailable.

iii. Policies that are to be available to inmates and offenders may be maintained electronically or in hard copy.

5. Only the Director may authorize changes in policies and procedures, and then, only by way of the policy and procedure process. Director's Executive Orders shall not violate existing policy or American Correctional Association (ACA) standards, but may supplement existing policy or temporarily fill a policy void. Director's Executive Orders shall be distributed when received by Department facilities and offices.

6. Care shall be taken that no policy is promulgated that cannot be implemented and enforced.

7. Policy and procedure shall be based on federal and Wyoming statutes, ACA standards and other appropriate rules, regulations, guidelines, or standards. Applicable statues and standards shall be referenced in all policies and procedures. State or other policies, rules, regulations, guidelines, or standards relied on to inform or guide the Department policy shall be identified on the policy's face page.

8. All policy and procedures shall be reviewed annually unless there is cause to revise or delete the policy and its procedures prior to its annual review.

B. Organizational Units of Responsibility

1. Policy Setting Committee. The Policy Setting Committee (PSC) shall perform the following functions:

i. Reviewing, evaluating, revising, and/or recommending approval of all new WDOC policies and procedures;

ii. Considering and deciding upon proposals for additional policies or for modification of existing policies outside of the annual review process and, if approved, setting priorities for their inclusion in policy and procedure; and

iii. Designating Policy Custodians to assist in the development and review of policies.

2. Policy and Planning Manager. The Policy and Planning Manager is responsible for the following:

i. Developing, organizing and maintaining an electronic policy and procedure manual, which shall be accessible to all WDOC staff on the WDOC intranet site;

ii. Maintaining the Department policies and procedures for the WDOC;

iii. Maintaining a development/review process that ensures that all appropriate parties have input into relevant policies;

iv. Developing audit processes that effectively analyzes and monitors the application of WDOC policies and procedures;

v. Reviewing audit results with the Director, Deputy Director, Division Administrators, and appropriate staff;

vi. Keeping records of and tracking the stages of all Department policies and procedures;

vii. Developing and maintaining a schedule for annual review of all current Department policies and procedures, expanding the schedule to include new or revised policies and procedures;

viii. Reviewing all draft Department policies and policy revisions to ensure that laws, standards, and cross referenced policies are properly identified and that the policy is consistent with other Department policies; and

ix. Ensuring that all Department policies and procedures are reviewed at least annually in accordance with the review schedule.

3. **Role of Policy Custodian.** Policy Custodians are designated by the PSC. Policy custodians shall be responsible for reviewing and evaluating all current policies and procedures assigned to them at least annually from the effective date and making recommendations for any change to the policy. Policy custodians may also be designated to draft new policies, either individually or using a policy work group.

i. A policy work group may be formed to bring together individuals with content or other expertise that may assist in the development or review of a policy. Policy work groups may involve staff from across the Department.

4. **Role of All WDOC Staff.** All WDOC staff shall have the following responsibilities with regard to policies and procedures:

i. Reading all pertinent policies and attending training to understand the job duties that are required to properly execute policies and procedures, OPs, and OSPs;

ii. Performing assigned duties that are specified by policies and procedures, OPs, and OSPs;

iii. Submitting suggestions to their supervisor, the Policy Manager through the use of WDOC Form #162: *Policy/Program Comment Form*, or their CEO for improvements in the policies and procedures, OPs, and OSPs; and

iv. Cooperating fully with WDOC auditors of the policy and procedures.

5. Employees of other public or private organizations providing a service to the WDOC shall be required to follow the policies and procedures of the WDOC and shall be accountable to the administrative officer of the program in which they work. (ACA 2-CO-1C-17)

C. **Establishment of Policies and Procedures.** The Department shall establish those policies necessary to provide sufficient guidance for the routine and high risk functions of the agency. The Department shall have established policies and procedures for short- and long-range planning for the achievement of administrative and functional goals. (ACA 2-CO-1A-09)

1. **Security and Control.** The Department shall have agency policies that establish a combination of supervision, inspection, and accountability to promote safe and orderly operations that cover, at a minimum, the following: (ACA 2-CO-3A-01)

i. security;

ii. correctional officer assignments;

iii. patrol and inspection;

iv. use of restraints;

v. security equipment;

vi. control center operations;

vii. permanent log maintenance;

viii. current procedures; and

ix. contraband control.

2. **Offender Rights.** The Department shall have written policies that establish the WDOC's protection of the safety and constitutional rights of offenders and seek a balance between the expression of those rights and the preservation of order. These policies shall provide for the following: (ACA 2-CO-3C-01)

i. access to courts;

ii. access to counsel;

iii. access to law library;

iv. access to programs and services;

v. access to media;

vi. procedures that reasonably ensure the safety and well-being of offenders;

vii. procedures for searches;

viii. procedures for disciplinary actions;

ix. grievance procedures; and

x. freedom from racial, ethnic, gender, and religious discrimination.

3. **Classification.** The Department shall have written policy and procedure which provides that all offenders are classified into the most appropriate security and program level. These policies shall provide for the following: (ACA 2-CO-4B-01)

i. classification plans;

ii. classification status reviews;

iii. preparole progress reports; and

iv. special needs.

4. **Food Service.** The Department shall have written policy and procedure which establishes the agency's food service program. Written agency policy shall provide that all meals are nutritionally adequate and prepared and served in a manner that meets established governmental health and safety codes. These policies shall provide for the following: (ACA 2-CO-4C-01)

i. food service management;

ii. budgeting and purchasing;

iii. dietary allowances;

iv. menu planning;

v. special diets;

vi. health and safety regulations;

vii. inspections; and

viii. meal service.

5. **Sanitation and Hygiene.** The Department shall have written policy and procedure which establishes the agency's sanitation and hygiene program, which complies with applicable regulations and standards of good practice to protect the health and safety of offenders. Written agency policy shall provide that WDOC complies with applicable government regulations and standards. At a minimum, these policies shall cover the following: (ACA 2-CO-4D-01)

i. sanitation inspections;

ii. water supply testing;

iii. waste disposal;

iv. housekeeping;

v. clothing and bedding supplies;

vi. bathing and personal hygiene; and

vii. hair care services.

6. **Health Care.** The Department shall have written policy and procedure which establishes the agency's comprehensive health care services program, staffed by qualified health care professionals, which is available to all offenders. At a minimum, these policies shall cover the following: (ACA 2-CO-4E-01)

i. responsible health authority;

ii. personnel;

iii. health screenings and examinations;

iv. specialized programs;

v. specialized population;

vi. quality assurance;

vii. participation in research;

viii. death of offenders;

ix. facilities and equipment;

x. pharmaceuticals;

xi. levels of care;

xii. informed consent;

xiii. health record files;

xiv. notification of designated individuals; and

xv. AIDS and other communicable diseases.

7. **Social Services.** The Department shall have written policy and procedure which establishes the professional services necessary to meet the identified needs of offenders. Written agency policy shall provide for a wide range of social service programs. At a minimum, these policies shall cover the following: (ACA 2-CO-4F-01)

i. scope of services;

ii. program coordination and supervision;

iii. counseling;

iv. substance abuse programs; and

v. special needs offenders.

8. **Mail, Telephone, and Visiting.** The Department shall have written policy and procedure which establishes the agency's mail, telephone, and

visiting services for offenders. At a minimum, these policies shall include instructions concerning mail inspection, public phone use, and visiting practices. (ACA 2-CO-5D-01)

9. **Other Requirements for the Safe and Orderly Management of Offenders.** The Department shall have written policy and procedure which covers all other areas necessary for the safe and orderly management of offenders. Department policy shall cover all applicable areas identified in ACA standards for those institutions, offices, or programs seeking accreditation.

D. Policy and Procedure Development and Review.

1. The revision of existing policy or the development of new policy and procedure includes the following steps:

i. Revising existing policy or creating an initial draft of new policy, either as an individual or through a policy work group;

ii. Working with the PPO to ensure the draft is in proper policy format;

iii. Distributing the policy as a draft for comment as appropriate and making revisions as necessary;

iv. Development and/or modification of any forms to be used in conjunction with the policy and working with the PPO for the form development;

v. Final review by the Policy Manager, and assignment of an appropriate policy number;

vi. Preparing the final document for the Director's signature, obtaining the signature, and setting the policy's effective date;

vii. Notification to senior level staff and other designated staff, generally via e-mail and publication of the final policy; and

a. Senior level staff shall be directed to notify their staff as appropriate.

viii. The Policy Manager shall direct the new/revised policy to be placed on to the Department's intranet site and internet site, when applicable.

2. Where appropriate, the Director and designated staff shall consult with other agencies within the criminal and juvenile justice system and community service agencies in the formulation of agency policies and procedures. (ACA 2-CO-1A-15)

E. **Implementation and Training.** It is the responsibility of CEOs to implement promulgated policies within their respective facilities and offices.

1. Designated staff at the facility level shall make available to offenders the appropriate policies relating to offender rights and responsibilities.

2. Training of WDOC staff in the content of policies and procedures consists of the following steps:

i. Conducting training with all staff affected by the policies and procedures of the WDOC;

ii. Developing and maintaining records of training, including:

a. Training instructor;

b. Training subject;

c. Method of training;

d. Date(s) and times training was conducted;

e. Name(s) of staff trained and signature; and

f. Tracking of training.

F. **Audit of Compliance with Policies and Procedures.** The PSC shall develop a process to ensure compliance with policies and procedures. After implementation is complete, policies shall be audited periodically according to a schedule, but more frequently if necessary, to assess compliance.

1. The audit process shall be the prime means for assessing policy compliance at the operational level. Management reports based on qualitative and quantitative data may also be utilized to assess effectiveness of policies and procedures.

G. **Annual Review and Revision.** Annual review of all WDOC policies and procedures includes the following steps:

1. The Policy Manager shall notify the policy custodian of policies and procedures to be reviewed, based on the review schedule developed and maintained by the Policy Manager.

2. The PSC and/or policy custodian shall review the functional status of an ongoing policy. The review shall be based on information gathered from sources including the following:

i. Comments/recommendations received from staff;

ii. The audit process, which may serve as an indicator of whether certain sections of policy are dysfunctional or no longer needed;

iii. Changes in a particular facet of WDOC functioning, such as privatization of a function or the implementation of a new system;

iv. Changes in current correctional practice, federal and Wyoming law, accepted standards, correctional best practices, or historical precedent;

v. Other state agencies, contracted service providers, and related community agencies with which the Department has contact shall be consulted as appropriate to provide additional information/perspective; and/or

vi. Other information impacting the way in which a particular function will occur within the WDOC.

3. The PSC or policy custodian shall make written recommendation to the Director to renew the policy without revision, or present a draft policy for the Director's consideration that tracks all recommended changes. Such recommendations shall be provided to the Director within thirty (30) calendar days of assignment of the policy from the Policy Manager.

4. Policies that do not require revision may be updated by re-issue of signature page or by memorandum signed by the Director.

V. TRAINING POINTS

A. What are the types of policy that are authorized within the WDOC?

B. What is the official policy manual of the Department and how is it maintained?

C. What is the role of the Policy Setting Committee?

D. What is the role of the Policy Manager?

E. What is the role of a policy custodian?

F. How are policies to be implemented?