

## Prison Furloughs

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### Issue

Describe the prison furlough process.

### Summary

There are both laws and Department of Correction (DOC) directives regarding furloughs for prison inmates. The law authorizes DOC to grant furloughs for certain reasons for up to 45 days and establishes a penalty for failing to return from a furlough. The applicable DOC directive addresses related matters, including the types and duration of furloughs, eligibility criteria, and the process for requesting and granting a furlough.

According to DOC, in addition to the commissioner, the community release unit, the director of parole and community services, and the facility warden all have the authority to grant furlough requests. The department advises inmates when they are eligible for a furlough, but an inmate may also request a furlough using an inmate request form, which is available in all DOC housing units across the state.

DOC was able to provide calendar year 2017 statistics regarding re-entry furloughs. According to the department, there were 303 unique offenders granted re-entry furloughs during that time. The time the inmates spent on furlough instead of in prison saved a total of 7,545 bed days.

## Law Regarding Furloughs

The law permits the DOC commissioner, at his discretion, to grant temporary leaves from prison (furloughs) to inmates whom he reasonably believes will honor his trust. The commissioner may authorize the inmate, under prescribed conditions, to visit one or more specifically designated places for up to 45 days, provided the inmate returns to prison at the end of the furlough period. The commissioner may renew such furlough periods at his discretion ([CGS § 18-101a](#)).

Furloughs may be granted to permit the inmate (1) to visit a dying relative, (2) to attend a relative’s funeral, (3) to obtain medical services not otherwise available, (4) to contact prospective employers, or (5) for any other compelling reason consistent with rehabilitation. Any inmate who fails to return from a furlough commits 1<sup>st</sup> degree escape, a class C felony punishable by up to 10 years in prison, up to a \$10,000 fine, or both ([CGS § 18-101a](#)).

## DOC Directive

### *Types of Furloughs*

DOC [Administrative Directive 9.8](#) specifies three types of furloughs incarcerated inmates may request (see Table 1). (The directive also permits offenders who are out of prison in a community reentry program to request “reintegration” furloughs.)

**Table 1: Furloughs Permitted For Incarcerated Inmates Under DOC Directive**

Furlough	Description	Duration
Deathbed/ Funeral	Discretionary release to visit a dying relative or attend a relative’s funeral	Up to 72 hours (may be extended an additional 72 hours for an unforeseen legitimate extraordinary reason)
Medical	Discretionary release to obtain medical services not otherwise available	Up to 15 days (may be renewed as required)
Reentry	Discretionary release to an approved residence in the community for any compelling reason consistent with rehabilitation, prior to a planned discharge or release to discretionary parole supervision (inmates granted these furloughs generally report to a parole officer instead of returning to the correctional facility)	Up to 45 days prior to a scheduled discharge from incarceration or parole

## Eligibility

The DOC directive lists various reasons for which an inmate may be ineligible for a furlough, though for many of these criteria, there are exceptions (see Table 2 for examples).

**Table 2: Examples of Ineligibility Criteria and Exceptions**

Ineligibility Criteria	Exceptions
Guilty of intentional or direct assault on a DOC employee	Deathbed/funeral and medical or waiver by district administrator
Served less than 40% of the confinement length or 30 days, whichever is greater (at least 50% for a reentry furlough if serving a sentence of 45 days or fewer)	Deathbed/funeral and medical
Serving mandatory portion of a sentence for DUI or driving under suspension offense that was originally related to DUI	Medical (if authorized by commissioner)
Level 5 offender (highest security risk)	Medical
Offender with an overall risk level below 4 who is (1) incarcerated for a level 4 offense and (2) more than 12 months from his or her discharge or parole date*	Medical and reintegration
Pretrial and sentenced inmates with cases pending for which bond has not been posted	Deathbed/funeral and medical

\*(Overall risk level (1-5) is determined based on a variety of factors, including the crime committed. An offender may commit a level 4 offense, but based on other factors (e.g., discipline history), still have an overall risk level of 3 or less) ([DOC Directive 9.2](#))

When considering an inmate's eligibility for a furlough, the unit administrator or parole and community services director must consider:

1. public safety;
2. criminal history, including severity and patterns of violence, sex offenses, escape, institutional behavior, significant history of domestic violence, and security risk group affiliation;
3. program need or benefit including substance abuse, mental health status, and prior program participation or failure;
4. any record of victim concerns, including active restraining orders or victim notifications; and
5. any prior performance on community supervision.

The inmate generally must also have a verified reason for the furlough and an approved sponsor, transportation, and residence or destination. (The requirements differ for reentry furloughs.)

## ***Approval Process***

When an inmate requests a furlough, the unit administrator or designee must send a furlough sponsor questionnaire/agreement to the inmate's proposed sponsor to complete and return. The agreement must include the:

1. reason for the furlough,
2. reliability of transportation,
3. sponsor's identity and residence,
4. proposed furlough residence (which must be with the sponsor), and
5. suitability of the sponsor.

The sponsor must:

1. not be a DOC employee other than an immediate family member,
2. not be a co-defendant,
3. not have an outstanding criminal sanction or criminal justice supervision except immediate family,
4. be responsible and have a positive influence,
5. sign the agreement and agree to notify the facility of any violations, and
6. not be the inmate's victim, unless approved by the appropriate district administrator.

The unit administrator or designee may deny a furlough request and the inmate may appeal the denial. Otherwise, if the DOC commissioner authorizes the furlough, the administrator may approve the furlough request. Once approved, the inmate must sign a furlough agreement and generally must carry the agreement at all times while on furlough status. Failure to comply with the furlough agreement may result in disciplinary action, criminal prosecution, loss of furlough privileges, or any other appropriate action.

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