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Department of Corrections

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JOHN Q. HAMM
COMMISSIONER

July 3, 2023

ADMINISTRATIVE REGULATION **OPR: MEN'S AND WOMEN'S SERVICES**

NUMBER 441

INMATE DRIVERS

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for the operation of motor vehicles by ADOC inmates.

II. POLICY

It is the policy of the ADOC to allow certain inmates to independently operate motor vehicles subsequent to thorough screening.

III. DEFINITIONS AND ACRONYMS

A. **ADOC Vehicle**: A vehicle that is owned and maintained by the ADOC.

B. **Community Custody**: A level of management which is appropriate for inmates who may be placed in Security Level I institutions and are approaching the final stage of incarceration where intensive reintegration effort is warranted and/or who have demonstrated an ability to adjust to a semi-structured environment.

C. **Inmate Driver Review Committee**: A three (3) member committee, designated by the Warden/Designee that is responsible for reviewing information relative to an ADOC inmate's driving assignment.

D. **Job Placement Officer (JPO)**: An individual designated by the Facility Warden/Designee to supervise inmate drivers when the inmates are driving ADOC vehicles.

E. **Minimum-Out Custody**: A level of management which is appropriate for an inmate who may be placed in Security Level II institutions and may be assigned to jobs outside of the perimeter of the institution without the direct supervision of a Correctional Officer.

F. **Non-ADOC Vehicle:** A vehicle that is owned and licensed to a business for business purposes.

IV. RESPONSIBILITIES

A. The Warden/Division Director/Designee is responsible for:

1. Developing their institutional/divisional Standard Operating Procedures (SOPs), as necessary, for the implementation of this AR.

2. Chairing and designating the three (3) members of the Inmate Driver Review Committee.

B. The Inmate Driver Review Committee is responsible for:

1. Interviewing an inmate for driving assignments for ADOC Vehicles.

2. Approving an inmate to operate non-ADOC vehicles for a private employer.

3. Deliberating on an inmate's driving assignment revocation/ suspension.

4. Reviewing general public complaints on inmate drivers and rendering a decision of action.

C. The inmate is responsible for adhering to this AR and reporting to the Warden/ designee any unusual incidents or malfunctions of the vehicle.

V. PROCEDURES

A. An inmate that operates a motor vehicle shall have a valid Alabama Driver's license.

B. The Warden/Division Director/Designee shall request an inmate's driving record from the Staton Communications.

C. A classification assessment should be done to determine the inmate's escape potential. An inmate with a history of an escape/ recapture within the past ten (10) years is prohibited.

D. The Warden/Division Director/Designee shall ensure that the inmate's file is updated.

E. The inmate shall be briefed on AR 105, *Use of State Motor Vehicles,* and AR 310, *Accidents Involving ADOC Vehicles.* This information shall be recorded in the inmate's file.

F. If the job assignment requires a Commercial Driver's License (CDL), then the Warden/Designee shall ensure that the inmate:

1. Meets the Department of Transportation (DOT) requirements;

2. Meets the ADOC regulation requirements;

3. Meets the drug testing requirements.

G. The inmate shall sign an ADOC Form 441-A, *Agreement of Inmate Driver,* prior to the initial driving job assignment.

H. The JPO/Designee shall conduct a periodic examination of all inmate drivers' licenses to ensure that each driver's license is renewed prior to the expiration noted on the license.

I. ADOC Form 441-B, *Inmate Driver Checklist,* shall be used to evaluate compliance with the following:

1. The inmate must be classified as minimum-out or community custody.

2. The inmate may **not** be eligible if the inmate has been convicted of an offense that could evoke negative community reaction. **NOTE**: The Director of Classification may be consulted.

3. The inmate should be emotionally mature and stable as evidenced by inmate records and other documentation.

4. The inmate is **not** eligible if the inmate has had two (2) or more moving violations within the last five (5) years.

5. The inmate is **not** eligible if the inmate has been convicted of a Driving Under the Influence (DUI) offense.

6. The inmate must demonstrate proficiency in the operation of the vehicle.

7. The inmate is **not** eligible if the inmate has been convicted of vehicular homicide.

Note: The inmate must only operate vehicles within the state of Alabama.

J. Supervision of Inmate Drivers:

1. A staff member shall ensure that the inmate drivers are in possession of their driver's license prior to operating a vehicle. The staff member shall examine the license for current expiration date, restriction requirements such as corrective lens, CDL requirements, and ensure that the correct inmate is receiving the correct license. The staff member shall make an observation of the inmate to ensure that he/she is physically able to operate the vehicle.

2. The institutional control room shall maintain the inmate's drivers' licenses.

3. The inmate shall pick up his/her driver's license from the control room before departing the institution on the job assignment.

4. The inmate shall receive an explanation of the driving job assignment before departing the institution on the job assignment.

5. A staff member shall initially accompany a new inmate driver until he/she is familiar with the driving route.

6. A staff member shall periodically and randomly accompany drivers to monitor activities and inmate driving capability.

7. The inmate driver shall **not** make any non-business or personal errands while on the job assignment.

8. The inmate driver shall be searched prior to and upon return from the job assignment.

9. The vehicle shall be searched prior to and upon return from the job assignment.

10. If there is an excess amount of time or mileage above the anticipated time and mileage, the inmate shall provide an

explanation of the excess to the shift officer; and the shift officer shall complete an ADOC Form 302-A, *Incident Report.*

11. The vehicle shall be monitored via GPS which shall provide information of unauthorized stops, excessive speed and other traffic violations.

12. When the ADOC receives two (2) or more valid complaints from the general public within a two-week period regarding the inmate's driving job assignment, the inmate shall receive a sanction(s) in accordance with AR 403, *Procedures for Inmate Rule Violations.*

13. The Inmate Driver Review Committee shall convene upon receiving notification that the inmate has received a traffic citation from a law enforcement agency, is involved in an accident, or is otherwise found to be driving recklessly. The inmate's driving privileges shall be immediately suspended pending a review by the Inmate Driver Review Committee.

14. The Warden/Designee may reinstate an inmate's driving privilege upon recommendation of the Inmate Driver Review Committee.

15. The inmate shall be drug tested weekly.

16. The inmate involved in a vehicular accident shall be drug-tested, as soon as possible, after the accident.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. ANNEXES AND FORMS

A. ADOC Form 441-A, *Agreement of Inmate Driver.*

B. ADOC Form 441-B, *Inmate Driver Checklist.*

VIII. SUPERSEDES

This Administrative Regulation supersedes AR 441, *Inmate Drivers,* dated May 22, 2008, and any changes.

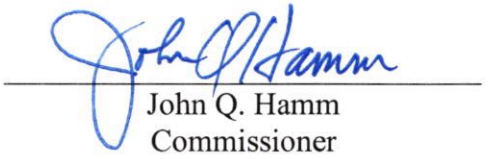
IX. PERFORMANCE

A. ADOC AR 105, *Use of State Motor Vehicle.*

B. ADOC AR 310, *Accidents Involving ADOC Vehicles.*

C. ADOC AR 602, *Drug and Alcohol Testing Policy for Commercial Driver's License (CDL) Drivers.*

D. ADOC Classification Manual.



John Q. Hamm
Commissioner

Alabama Department of Corrections

INMATE DRIVER AGREEMENT

Name: _____ AIS : _____

Institution: _____

Alabama Driver's License Number: _____ Expiration Date: _____

Initials:

_____ 1. I shall promptly proceed to the designated location(s) and return to the institution by the approved route. I am not authorized to leave the state of Alabama.

_____ 2. I shall not bring any contraband back to the institution or any items not taken out of the institution upon my departure.

_____ 3. I shall not stop the vehicle except at the designated locations along the approved route, nor will I pick up unauthorized passengers.

_____ 4. I shall observe all state laws and traffic regulations.

_____ 5. I shall operate the assigned vehicle in a safe manner at all times. I shall not abuse or misuse the vehicle that I operate.

_____ 6. I shall allow no other person to operate the vehicle at any time, unless I am instructed to do so by an ADOC officer.

_____ 7. I shall discourage waving, yelling, or any other type of unauthorized activity by the occupants of the vehicle.

_____ 8. I shall report any infraction(s) of the rules and regulations to the officer in charge of the institution promptly upon my return.

_____ 9. I shall not consume any alcoholic beverages.

_____ 10. I shall not consume any narcotics or other drugs not lawfully possessed by me.

_____ 11. I shall immediately contact the institution should any accident or unusual incident occur.

_____ 12. I shall surrender my driver's license to a designated staff member each time that I return to the institution or job assignment.

The above instructions and conditions have been read and explained to me; and, I do hereby agree to abide by these conditions.

_____ _____
(Inmate's Signature) (Date)

_____ _____ _____
(Staff Member's Signature) (Title) (Date)

Attach a copy of the inmate's Alabama driver's license.

ADOC Form 441-A – July 3, 2023

Alabama Department of Corrections

INMATE DRIVER CHECKLIST

Name: _____ AIS #: _____

1. ☐ Minimum-Out Custody. ☐ Community Custody.

☐ 2. No conviction for an offense that would evoke negative community reaction.

☐ 3. No escape or recapture within the last ten (10) years per institutional file.

☐ 4. Emotionally mature or stable.

☐ 5. No more than two (2) motor vehicle violations in the five (5) years (Attach NCIC listing).

☐ 6. No DUI conviction(s), past or present.

☐ 7. No vehicular homicide offenses.

☐ 8. Driver's license check by Staton Communications. (Attach Department of Public Safety report).

☐ 9. Test Drive (with Warden's permission).
Date completed: _____ Staff Member: _____

☐ 10. Briefing on the requirements of AR 105, *Use of State Motor Vehicles* and AR 310, *Accidents Involving ADOC Vehicles.*

****

ADOC Inmate Driver Review Committee:

Name:	Job Title:	Date:	Recommendation:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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_____ _____ _____ _____

Warden's Signature Date Approved Denied

ADOC Form 441-B – July 3, 2023