

CR-sent
2-2-87



MSA

103197

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by
Michigan Sheriff's Association

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

WASHTENAW COUNTY COMMUNITY WORK PROGRAM
WASHTENAW COUNTY SHERIFF'S DEPARTMENT

Prepared By

JAIL/LOCKUP RESOURCE CENTER

March 1986

NCJRS

NOV 10 1986

ACQUISITIONS

WASHTENAW COUNTY COMMUNITY WORK PROGRAM

WASHTENAW COUNTY SHERIFF'S DEPARTMENT

2201 HOGBACK ROAD

ANN ARBOR, MICHIGAN 48104

(313) 971-8400

SHERIFF: RON SCHEBIL

PROGRAM DIRECTOR: DEPUTY DEWEY REEVES

ASSISTANT: JENNY RITZ MOULTON

DESCRIPTION:

What? The Washtenaw County Community Work Program, which began in 1980 with a federal grant through the Michigan Office of Criminal Justice, is a sentencing alternative for the district and circuit court judges which provides for punishment without the use of scarce jail beds.

Community Work Program participants serve their sentences by performing work in the community under the supervision of corrections staff or a recognized manager from the community. The Community Work Program is staffed by a corrections officer who serves as director, four assistant supervisors (3 males and 1 female), and a secretary. The program assigns, transports, and oversees the placement and performance of up to 45 persons a day. Participants in the Community Work Program are persons convicted of both felonies and misdemeanors.

The program participants provide service to any public or private agency in the county requesting enrollment in the program. It is estimated that the program accounts for about

7,000 inmate work days per year. At any given time, there are approximately 200 persons assigned to the program.

Typical work assignments are landscaping, clerical activities, and clean-ups for agencies such as the American Cancer Society and the Ypsilanti Women's Club.

Under the Community Work Program, a convicted offender is sentenced by the court to report to the Sheriff's Department at an assigned time and for a particular number of days. An interview is conducted with the offender on his/her first day so that a schedule for completion of the sentence may be met without causing unnecessary conflict with normal employment.

The central concepts of the work program are that the convicted offender lives at home, maintains his/her employment, cares for his/her own and family needs, and reports to the Sheriff's Department on the assigned times and dates for the completion of the sentence. The program is, therefore, in lieu of living at the jail and having the county pay for the inmate's keep.

Who? Placement on the Community Work Program may occur in several different ways. Most commonly, persons are sentenced directly to the work program and never spend time in jail after sentencing. While persons in this group have ranged from those being convicted of minor offenses and felonies, the predominant referrals are for misdemeanor offenses and first offenders.

People are sentenced to the work program from both district court and circuit court. Requests for work program sentencings also can come from the prosecutor, probation office, defense counsel and, in some cases, the offenders themselves.

Some work program participants are placed there after

having served some portion of their sentence in jail. Requests for placement of such individuals in the program have been initiated by the individuals themselves, their families, their employers, as well as the Sheriff's Department.

The program also facilitates juvenile offenders that were sentence from juvenile court as well as probate court.

How? The factors which are used in making determinations of work program assignments are:

1. Approval of the court.
2. No other outstanding warrants or charges that are pending.
3. Needs of the inmate (such as family obligations and employment).
4. Nature of the crime and the need for restraint or isolation from the community.

Referrals who are judged to be potentially assaultive or who may pose a risk to the community are not accepted.

Why? The benefits of the program are both social and economic. A recent analysis by the Sheriff's Department indicates that more than \$1 million of benefit is realized each year against a cost of \$100,000 for the program. The estimate of the benefit includes \$650,000 in county revenue by renting beds to other law enforcement agencies, \$300,000 in savings by having work program participants out of jail, and \$200,000 in work value by applying minimum wage against hours of work provided.

Social benefits are also realized by in diverting less serious

offenders from incarceration. This allows them to maintain jobs and family ties as well as to benefit from a structured work assignment. Services performed in the community also aids the agencies requesting work.

The program costs are approximately \$100,000 a year for staff salaries and operating expenses. Estimating an average daily participation of 20 inmates yields a work program cost of \$14 per day per inmate. This compares quite favorably with a \$50.00 per day cost for housing an inmate in the county jail.

DISCUSSION OF BENEFITS:

Using the figures provided by the Sheriff's Department for 1983, about 7,000 days of community work were performed by the individuals sentenced to the program. The monthly report for December 1985 indicates that 533 days of community work were performed. Assuming that December represents a typical month (probably a low month for the participants because of the season, etc.), 533 times 12 months would indicate 6,396 days of community work. In 1985 the cost per bed was about \$50 a day. Multiplying the 6,396 x \$50 yields \$319,800 in costs saved by these inmates staying outside the facility.

This cost analysis assumes that judges would have sentenced these offenders to jail if the community work alternative was not available. Since there is no accurate and efficient way to determine whether they would or not, it is conservatively estimated that if 60% of the offenders referred to the program would have been jailed, there would still be a potential savings of \$190,000. Therefore, it appears that the estimate of a

\$200,000 cost savings is reasonable.

Another point made about the program is that work performed by the offenders is an economic contribution to the community. Again using the December 1985 monthly report figures (533 days times 8 hrs/per day) yields 4,264 hours of work performed. Using \$3.35 per hour as a value for each hour of work performed, an economic impact of \$14,284.40 is estimated for December 1985. Again, assuming December as a typical month, multiplying that figure by 12 yields \$171,412.00 in annual benefit. Though some of the work performed might be trivial, it is clear that economic benefits can be expected by the work program participants doing tasks within the community.

The third economic benefit is the income received by the county through renting beds to other localities. It is clear that use of the community work alternative frees jail beds which the county can then use to produce income. In this case, the freed beds produce an income of approximately \$600,000.00 per year.

Although difficult to quantify, another economic benefit is that those persons sentenced to this program do not necessarily lose their jobs by being sent to jail. This has a long-range benefit of maintaining community employment and perhaps easing the burden on area social services.

PROGRAM OPERATION:

Placement. Placement in the community work program can occur in several different ways. Most persons are sentenced directly to the program and never spend time in jail after sentencing. District and circuit court judges place people in the program according to the individual's disposition, character, and prior record. Probation officers frequently request that an offender's sentence be served in the work program. In cases where probation is not involved, the pre-sentence investigators make the same request. Public defenders and private defense lawyers who are aware of the work program sometimes request this alternative on behalf of their clients.

Some offenders actually serving time in jail are moved into the program. In such cases, a careful background investigation is completed on each person requesting consideration for placement in the Community Work Program. The requirements that must be met before someone is accepted are:

1. The offender must have 30 or less days remaining on the original sentence.
2. The offender may have no more than two written reprimands for minor infractions while incarcerated.
3. The offender must have a letter from his employer guaranteeing his employment upon release from the Washtenaw County Jail. The letter must include the following:
 - a) The days per week that will be spent working for the employer. If the job does not have steady hours or days, this must be stated in the letter

along with how many hours per week will be guaranteed to the inmate. In this case, the days that the offender will be able to attend the work program;

- b) who will be the inmate's direct supervisor while at work;
 - c) the telephone number where the supervisor may be contacted, and;
 - d) where the offender will be working.
4. The offender must state where he/she will be living while assigned to the Community Work Program. The address ideally should be in Washtenaw County.
 5. The offender must include the name and telephone number of a person that may be contacted to confirm the inmate's future residence.
 6. The offender must have a recommendation from at least one department officer who believes that he has earned consideration for the Community Work Program.
 7. The offender must show a need for placement on the Program. Examples are family obligations, support payments, fines, and costs, etc.
 8. The offender must have no holds placed on him/her by other jurisdictions.
 9. All of the above must be confirmed by the director of the Community Work Program.
- A request which contains all of the information listed

above is presented to the judge who originally presided over the defendant's case. Upon the judge's approval, the inmate will be transferred to the Community Work Program and carried as an out-resident of the jail. By carrying the person as an out-resident, it is possible for the director of the community Work Program to remand the inmate to the jail to complete the sentence as straight time without requesting a warrant if the inmate violates the conditions of release to the program.

Supervision. The daily operation of the Community Work Program begins with the taking of attendance. A group attendance sheet is maintained on a daily basis and serves as the master roster of attendance. The list includes the names of the inmates in attendance, whether they arrived on time, and what they were assigned to do. The sheet is also used to maintain information concerning any vehicles used and the locations of the worksites.

Inmates are required to report to the program at 8:00 a.m. and are to work until 4:00 p.m.; any late arrivals are immediately sent home. When an inmate is reporting on the first day of the work program, all pertinent information regarding his/her sentencing and personal information is recorded. Policies concerning the program are reviewed and the program contract is signed.

During the week days, when the number of persons scheduled to work is low, inmates are generally assigned various tasks around the Washtenaw County Service Center or are delivered to other agencies that request assistance with projects. Attendance is generally higher on weekends, and the entire group is usually

assigned to jobs requested by the various agencies throughout the county. Work assignments usually vary each day.

Upon completing attendance, the supervisors deliver people to their assigned areas. During the week the supervisors move from area to area to monitor the participants. On weekends when the workers are kept in one large group, the supervisor stays with them during the entire day.

It is the responsibility of the supervisors to provide a lunch period (generally one hour) for the participants. The supervisors may return to the job sight and transport the participants to a fast food restaurant, or they may release them for lunch under the direction of the agency's supervision. Any participant who fails to return from lunch loses that day's credit towards his/her sentence.

Upon completion of the day's work, the offenders are released by the supervisor. Those who have completed their sentence are required to stay so that they may be given a release form which must be returned to the court. If they fail to return the release slip to the court, a warrant may be issued for their arrest for not completing the work program assignment. Attachment #1 details the process for program participation.

Records. Detailed records are vital to the accountability of the work programs. Records on individual inmates are maintained by a cross-index system. Group attendance records are maintained separately and are divided by month and year.

Upon reporting for their first day, individuals are assigned a work program number and booked into the program. The work program number is used to maintain the actual individual

files. The number is cross-indexed with a card file arranged alphabetically. The card includes the individual's full name, race, sex, date of birth, work program number, social security number and driver's license number. The card also includes a listing of each charge for which the individual has been sentenced to the work program. In addition, the card has the arraignment date, the court name, the presiding judge, the case number, the date the individual should start the work program and the total number of days the individual is to serve. A similar card containing only the individuals full name, race, sex, date of birth, work program number, social security number, driver's license number, and charge is filed in the records division of the Sheriff's Department. If the participant has a previous record, the card is attached to his master card.

A file is kept for each person attending the work program. Minimum records kept on file are: a rules and regulation contract, booking card (personal, sentencing and attendance information), and a copy of the court disposition. The rules and regulation contract is signed by both the individual and the booking officer and is an agreement that the individual will comply with the rules of the work program or be remanded to the county jail (See attachments #2 and #3). Individual attendance sheets are compiled from the group attendance sheets and help keep track of each person's progress towards completing their sentence. The information sheet gives a comprehensive background on the individual and is useful in locating delinquent individuals. These basic sheets are updated each time an individual appears on a new charge (See attachments #4 and #5).

Other information sheets are used as needed. Participants who are delinquent in starting or have not generated any activity within a 14-day period are called and/or sent a notice. Upon receipt, they are to contact the program or appear immediately or violation may occur. When violation occurs, a warrant request is submitted to the court. When the court issues a warrant, they notify the work program that a warrant has been issued.

After an individual has completed his/her sentence, a copy of the person's activity is recorded and stored in his personal file. All other cards are updated to reflect the completion. This allows the Sheriff's Department to maintain a permanent record for future reference.

Jobs Performed. Tasks that are completed by the work program inmates vary with each agency's request. The list of regular activities includes road side litter pick up for local governmental agencies, brush cutting for the Washtenaw County Road Commission, street sweeping in downtown Ypsilanti, landscaping for the Sheriff's Department, and clerical work. Other occasional duties are furniture moving, snow shoveling, painting, and construction.

Work is completed for both local governmental agencies and non-profit organizations. Private firms may purchase the services at a cost of \$50 per work hour with the profits going to the county drug rehabilitation program. Most work, though, is provided to local governmental or non-profit groups.

Equipment is usually donated by the agencies that use the work program labor. Normally an agency will donate a set of

tools, such as ten shovels, which are used to complete their project and are then retained by the program for future use. This way a stock of tools is accumulated which can be used on all jobs. It precludes any one agency from having the burden of paying for all of the tools needed to complete their project.

Transportation. Transportation used by the work program includes two vans and a pick-up truck. They are marked Sheriff's Department vehicles so that the public knows from where the workers are coming.

Liability. The issue of liability has been dealt with to the extent that the sheriff feels that since the offenders are sentenced to him, they are under the same situation as inmates within the jail or trustees who also perform work in and around the facility. During the period that they are on work assignment, it is felt that the participants are covered the same as if they were incarcerated.

History:

Washtenaw County constructed a new jail in early 1978 which was designed to respond to the problem of overcrowding in the old jail. It was recognized by the Sheriff that the new 275-bed facility could also be filled to the limit unless some alternatives were provided for the judges to sentence low risk and first offenders. Working with the prosecutor, the district and circuit court judges, the probation offices, and the Friend of the Court, a plan for the Community Work Program was developed.

Traditional work release in which the sentenced individual spends time in jail and is released only to go to work, had not proved successful. Many factors pointed to a need for an alternative beyond probation, but less than incarceration. For example, there were the security problems of contraband often brought back into the facility. In addition, many persons were removed from families, creating financial and social hardships on both the inmate and the family. Also, the cost of incarceration was unjustifiably high for these low-risk offenders.

In June 1980, a Law Enforcement Assistance Administration grant was awarded to pilot the project for fifteen months. Subsequent support has come from county funds.

FUTURE:

It is expected that in the immediate future the assistant supervisory staff of the Community Work Program will be in Class A uniforms (traditional sheriff uniform; brown and beige). This will enhance community relations, serve as an excellent public relations tool for the Sheriff's Department, and promote authority to the participants. The program will also implement utilization of "The Leading Edge Model 'D' Personal Computer," made available through grant funding to:

- a. develop and maintain efficient use of the current filing system.
- b. insure precise storage and correlation of all statistical information.

- c. access current status of all participants for evaluation of daily program load as well as flagging starting, delinquent, violated and completed participants.

Graphs and charts also have been recently implemented to track total performance as well as allowing the program to monitor itself.

It is anticipated that at some point in time, the personnel will be able to pre-determine attendance on a daily basis, allowing for increased expediency in designation of job assignments, as well as supervisory and vehicle needs.

FOR HELP CALL:

The program coordinator is available to assist other departments who may be interested in establishing a similar type of program. Agencies are invited by Sheriff Schebil to visit Washtenaw County and inspect the program operations. Deputy Reeves would also be able to spend some time assisting other communities in actually implementing a community work program. Arrangements for technical assistance should be made through Sheriff Schebil.