

Muscatine County Alternative Sentencing Program

(a/k/a Weekend Work Crew, Jail Diversion Program)

Overview

Pilot program, and will be evaluated in the fall

Voluntary program allows eligible defendants to serve relatively short sentences by performing light clean-up work as part of a law enforcement-supervised work crew and serving electronically monitored home detention in lieu of jail. The program will operate from May to October on weekends

This is the only alternative sentencing program that will be allowed

Eligibility

Voluntary

Available on sentences of up to 10 days

Not available for crimes against persons, OWI 2d+

Requires special sentencing order language

Sentences will consist of whole days, in even numbers; partial day or hourly credit for time served will not be considered

Program will be available beginning May 1, 2010 through (approx.) October 31, 2010

Defendant must be able-bodied

Medical conditions require release from doctor

Procedures

At sentencing eligible defendants may request alternative sentencing program.

A mittimus date will be determined; prior to that date, defendant must have completed the ASP. If not, he must report to jail on the mitt.

A copy of the sentencing order will be sent to the jail administrator.

The jail administrator will advise the Court and the County Attorney of violations.

Costs

\$25 per day, paid at least 5 days in advance of the scheduled work.

\$10 per day late fee for return of monitoring equipment.

Duties Assigned

Work will include ditch, park and city street cleanup and other duties as determined by the Sheriff.

Work Rules

Participants will be under supervision from 7 a.m. Saturday morning until 7 a.m. Monday morning. Participants must abstain from the use of alcoholic beverages or illegal narcotics. When not on the work detail or while traveling to and from the jail participants will wear an electronic monitoring bracelet. You will be required to return to the Muscatine County Jail after 7 a.m. on Monday to have correction staff remove your bracelet and you will need to return the base unit issued to you in the same condition that you received it. Failure to report before midnight will result in an additional charge of \$10.00 for each additional day you keep the monitoring equipment.

You will be supervised by correctional officers while on work detail and will follow their orders and directions. Failure to follow orders, the use of prohibited substances (including a refusal to provide a specimen for testing) and any inappropriate behavior or unsafe acts will result in your immediate ejection from the program, and referral of your case to the County Attorney and the Court further action. Deputy Sheriffs may come to your place of residence or visit during your work detail and request chemical testing to determine your compliance with abstaining from alcoholic beverages and illegal narcotics.

Violations

Failure to comply with any of the rules concerning the ASP may result in defendant serving a standard jail sentence, termination from the program and prosecution for contempt of court, probation violation or escape.

Failure to report for ASP shall result in the forfeiture of the fee paid; the first failure to report for ASP as scheduled will not be considered a violation, as long as the participant has sufficient remaining time to complete the ordered sentence.

Community Service

For those who are experiencing difficulties in finding unpaid community service opportunities, the court may authorize their participation in the Weekend Work Crew, subject to availability of space. Such participants will pay \$5 per day for lunch, but will not be required to pay the supervision fee, nor be subject to electronic tracking and monitoring. Community Service participants must work in full day increments; All other work rules shall apply.

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