

Ocean County Department of Corrections

Community Work Program – Weekend Day Reporting



Program Handbook

Introduction

The Community Work Program-Weekend Day Reporting Program is structured to modify an offender's inappropriate conduct through supervised public work and strict accountability. The program allows offenders to serve their sentences as part of the Community Work Program in lieu of incarceration, thereby reducing the population within the main jail facility. Participants report to the Ocean County Jail where they are transported by Corrections Personnel to one of various work details (Public Works/Community Improvement Projects, etc.). At the end of each work day, participants are returned to the Ocean County Jail and allowed to return home. Participants continue to report day for day until their sentence is served. Participation in the program is a privilege which may be revoked for any violation of the Program Rules & Regulations. Any such violation will result in the immediate incarceration of the individual or the issuance of an arrest warrant pending further action by the sentencing court.

Program Admission

Any person convicted and receiving a county weekend sentence may be ordered by the sentencing court (Or by the Assignment Judge of the county in which the sentence was imposed) to participate in the Community Work Program – Weekend Day Reporting Program (Unless specified as ineligible – *see below*). The sentencing judge first reviews public safety considerations and then medical fitness for relatively heavy work assignments (The offender must disclose and explain any pre-existing medical condition) before ordering the offender to serve their sentence on the program. The sentencing court will forward the commitment papers and pertinent information to the jail at least 48 hours prior to the sentence start date. The information forwarded will include the participants name, date of birth, social security number, and race (minimal information required for checking criminal history to determine eligibility).

Inmates ineligible for Program participation

- Inmates with untried detainers for criminal offenses or immigration detainers.
- Inmates with current convictions involving arson offenses.
- Inmates with previous convictions for arson offenses, even if the current conviction is for an offense other than arson.
- Inmates with current or previous convictions for any crime involving a sexual offense or child molestation as set forth in 2C:14-1 et seq.
- Inmates with current or previous convictions for any crime endangering the welfare of children or incompetents which concerns sexual conduct which would impair or debauch the morals of the child or incompetent, as set forth in N.J.S. 2C:24-4 and N.J.S. 2C:24-7.
- Inmates with current or previous convictions for any crime involving the manufacture, transportation, sale or possession, with the intent to sell or distribute, of a “controlled dangerous substance” or a “controlled dangerous substance analog,” as defined in the “Comprehensive Drug Reform Act of 1986” P.L. 1987, c.106 (C.2C:35-1 et al.).
- Inmates with current or previous convictions for escape.
- Inmates with current or previous convictions for any crime involving the use of force or the threat of force upon a person or property including: armed robbery, aggravated assault, kidnapping, arson, manslaughter, and murder.

Administration and Operation Fees

All program participants will be charged processing and user fees to help defer the cost of administering and operating the program. For the first reporting day/initial processing participants will be charged a \$25 processing fee and a \$10 user fee, as are all inmates incarcerated at the jail. Thereafter participants will incur a \$5 user fee for each day they participate in the program, the same as if they were participating in the work release program.

Reporting Procedure

First Reporting Day/Initial Processing

Upon reporting to the program for the first time the inmate will be taken into the Jail facility for initial booking and processing. This initial reporting procedure will take place on Friday evenings at 6:00 PM. The inmate will remain incarcerated in the facility until the procedure is complete. After processing, the inmate will be released to return home until the next reporting day. The inmate will be processed by booking personnel, using the procedures outlined in Departmental Policy & Procedures (3.00). Those inmates that have been determined not to be eligible (Due to past criminal history or medical condition – *see Program Admission*) for program participation shall remain in custody, continuing to serve their weekend sentence, pending further action of the sentencing court. The sentencing court will be so advised.

The following will take place during initial processing:

- Commitment will be reviewed for validity, and any special sentence conditions.
- Inmate's background and personal information will be entered into the Booking computer system (CCIS).
- Inmate will be fingerprinted and photographed.
- An inmate photo ID card will be made.
- Inmate will be given a medical receiving screening.
- Inmate will receive and sign for a copy of the Program Rules & Regulations.
- Inmate's Criminal History, if any, will be reviewed to determine eligibility.

Reporting Time/Place

Inmates sentenced to serve their sentence on the program will report to the Jail Visitor's Entrance of the Justice Complex (at the end of Sheriffs Street, between the Justice Complex and the Courthouse) on Saturday and Sunday mornings at 7:00 AM. There they will be logged in and assigned to a work detail by the Community Work Program Officers. Once assigned, they will be transported to the work site, where they will work until the end of the day. Officers will return the inmates to the Justice Complex at approximately 4:30 PM. The inmates will then be allowed to return home until the next reporting day. This reporting process continues until the term of their sentence has been served. Those inmates who fail to report, report late, or are under the influence of drugs or alcohol when reporting are in violation of the terms of their sentence, they will be removed from the program, and remain in custody, continuing to serve their weekend sentence, pending further action of the court. The sentencing court will be so advised.

Dress Code

Attire

Community Work Program details are not pre-determined. On any given day work assignments can include roadside litter collection, painting, maintenance/repair, or light landscaping work. Program participants must wear proper clothing to assure personal health and safety. Shorts, Cutoffs, midribs, tank tops, miniskirts and the like are not permitted. Shirts, full length jeans or work pants and durable shoes/boots are required. Since most work assignments are outdoors, participants are expected to wear warm or cool, waterproof clothing as appropriate. There is no excuse for improper attire. Failure to dress appropriately is considered a program violation.

Safety Equipment

When required, all necessary safety equipment (Gloves, Safety Vests, Eye Protection, etc.) will be provided by the Department of Corrections. Participants are required to wear safety equipment as directed and return equipment undamaged at the end of each day.

Special Tools/Equipment

When work assignments require special equipment (Rakes, Shovels, Power Tools, etc.) such equipment shall be provided by the Department of Corrections. Participants are required to follow safe operating procedures for the equipment, and to return the equipment undamaged at the end of the assigned work detail.

Meals

Participants are required to bring their own bag lunch. Coolers and ice will be provided to preserve food until meal time. Appropriate, **disposable**, containers should be used for conveying food items.

Substance Abuse Testing

Breathalyzer and/or urine testing is conducted on a random basis to detect the use of alcohol or illegal drugs. Any program participant who tests positive or refuses to submit to such a test shall be considered in violation of the program. As such the violator will be returned to the Jail immediately, and shall remain in custody, continuing to serve their weekend sentence, pending further action by the sentencing court. The sentencing court will be so advised.

Authorized/Unauthorized Leave

Medical Excuses

Participants who have a medical condition which would temporarily preclude them from participating in the program must obtain prior approval from the sentencing court to be excused for medical reasons. Such approval is the purview of the court. Failure to do so will result in an Unexcused Absence (*See Below*).

Holidays

The weekend day reporting program is not cancelled for holidays, and participants should report as normal unless otherwise excused by the sentencing court. Participants who wish to be excused for a holiday or religious observance must obtain prior approval of the sentencing court. Failure to do so will result in an Unexcused Absence (*See Below*).

Inclement Weather

The Program does not ordinarily get cancelled due to rain, snow or other inclement weather. Participants should report as normal. However, should there be an emergency (such as may be declared by the Governor or other authority) participants may contact the Jail prior to reporting to determine the program's status. Failure to do so will result in an Unexcused Absence (*See Below*). The Jail can be contacted at (732) 929 – 2043.

Unexcused Absence

Any participant who fails to obtain prior approval from the sentencing court for any absence for any reason will be considered in violation of the program. As such the participant will be immediately returned to the Jail and remain in custody, continuing to serve their weekend sentence, pending appropriate disposition by the sentencing court.

Injuries

If a program participant is injured at a work site, the Officer on scene will arrange for appropriate medical attention. In addition, he will notify his immediate supervisor and prepare and submit an operations report detailing the incident.

Violation of Program Rules and Regulations

Weekend Day Reporting Community Work Program participants are required to follow all state and local laws as well as the rules and regulations of the Ocean County Jail and the Community Work Program. These rules and regulations are specified in the Inmate Rule Book and in the Handbook for Working Inmates (Located in the center of the Inmate Rule Book). Violation of these rules and regulations shall be a violation of the program, which will result in the participant being returned to the Jail and incarcerated, continuing to serve their weekend sentence, pending further action by the sentencing court. Below is a list of activity that is prohibited while participating in the program. The list is not all inclusive but details acts that are expressly prohibited.

Prohibited Acts

- Failure to disclose a pre-existing medical condition.
- Reporting late for program or unexcused absence.
- Violation of State or Local Laws.
- Failure to dress appropriately for a work assignment.
- Possessing any unauthorized food or beverage at a work site.
- Smoking in an unauthorized area.
- Refusing to obey an order of any supervisor or other staff member.
- Failure to perform assigned work, or to follow safety precautions, or use equipment properly.
- Being in an unauthorized area.
- Unauthorized use of telephones, televisions, radios, computers, or other electronic equipment.
- Receiving unauthorized visitors on a job site, or other unauthorized contacts with the public.
- Using abusive or obscene language.
- Destroying, altering, or damaging government property or the property of another.
- Theft.
- Possession of a weapon of any type.
- Failure to submit to a search.
- Assaulting or fighting with another person, or encouraging such conduct.
- Engaging in or encouraging any group demonstration.
- Possession or use of any alcohol, narcotic, or other drug.
- Refusal to submit to breathalyzer and/or urine testing.
- Indecent exposure or engaging in any sexual conduct.
- Lying or providing a false statement to any supervisor or staff member.
- Committing or attempting to commit any other act or transgression that would harm or endanger anyone, or affect public safety, or undermine the administration of the program.

Completion of Sentence

Sentence Calculation and Diminution Credit

Eligible sentenced inmates shall receive compensation in the form of remission of time from sentence. Inmates sentenced for non-payment of fines or DWI (39:4-50) are not entitled to earn any time off of their sentences. Any remission of time shall in no way interfere with the reduction for good behavior. Eligible inmates will earn time off their sentences in the amount of one day off for every five days worked. They can earn Minimum Custody credit in the amount of one day off for every ten days of participation on the program. The reduction for good behavior remains one day off for every six days served. The recording and maintenance of the inmates work records and diminution time will be the responsibility of the Officers assigned to the Community Work Program

Successful Completion of Sentence

Participants will be discharged upon completion of their sentence. The sentencing court will then be notified of the satisfactory completion of the sentence.

Removal from Program

Program participants may be removed from the program for violations of state or local laws, and or violations of the Rules & Regulations. Any violations will be investigated by a supervisory staff member and all appropriate reports filed. If the investigating supervisor determines there was indeed a violation, appropriate measures will be taken. This may include returning the inmate to the Ocean County Jail for detainment until heard by the sentencing court, or detainment pending criminal charges, or other action as may be deemed necessary by the Officer In Charge at the time. In each case a program violation will result in the removal of the inmate from the program. Once removed from the program, the sentencing court will be notified and the inmate will remain incarcerated, continuing to serve their weekend sentence, pending appropriate disposition by the court. The court may re-sentence the inmate to "Straight Time" or order that the inmate be returned to the program, or the court may take whatever other action it deems appropriate. Such disposition is the purview of the court.