

Office of Alternative Sentencing and Release

August 26, 2021



Alternative Sentencing Programs

- Defensive Driving School
- Probation
- DUI Diversion
- Adult Drug Court
- Drug Testing
- Mental Health Pre-Trial Release
- Pre-Trial Release
- Community Corrections Program (CCP)
- Supervised Electronic Detention Program (SEDP)
- Active Work Release (AWR)

Pre-Trial Release

Madison County Release program for individuals in the Madison County Jail who are unable to make bond for non-violent charges. Alternative Sentencing acts as the bonding “agent” for the defendant until disposition of the case.

- Must be a resident of Alabama and have a residence.
- No more than two prior felony convictions.
- No prior FTA’s for misdemeanor cases.
- If the case is a drug charge or the client has a substance abuse issue the client will be placed on color code.
- Based on pretrial assessment tool (PAT) will report at minimum monthly to Community Supervision Officer until disposition of the case.
- If not employed, must be willing to obtain employment.
 - We will assist with employment options
- Bond certified and defendant booked into MCJ when not compliant.

Active Work Release

Allows sentenced inmates in the Madison County Jail the opportunity to work between the hours of 7am-5pm while serving the ordered sentence. If an inmate is not scheduled to be at work, they are in custody at the Madison County Jail.

- Employer must have liability insurance
- Employer must sign the employment packet that details (Work hours, location, wage, pay frequency and first pay ending date)
- Paycheck is mailed by employer to Work Release Office or is picked up by Work Release Officer
- Transportation must be approved in advance. If transportation cannot be approved or is not available AWR staff will transport to and from work.
- Inmate- must follow jail and all Work Release rules
- Inmate- must have a valid ID
- Inmate- will be searched every time they reenter the jail
- Inmate- will be eligible for a weekly allowance check, after first paycheck is receipte
- Inmate- will be randomly drug screened and will be required to pay for the test

Active Work Release (continued)

- If unemployed but employable AWR staff will assist with obtaining employment.
- Must have “May Apply for Work Release” on the commitment to jail.
- Eligible if the inmate is serving a sentence for Madison County, Huntsville City or Madison City.
- Not eligible if inmate is in jail on a non-sentenced case.
 - Option to make bond on non-sentenced charge and apply.
- The following charges do not qualify for work release: Murder, Kidnapping, Sex Abuse, Rape, Sodomy, Robbery 1st, Burglary 1st.

Active Work Release (continued)

- Due to Covid protocols currently AWR is operating a jail diversion direct pay. Inmates who have suitable housing, transportation and employment are placed on ankle monitor in lieu of being in custody.
- Inmates turn in paycheck and are drug tested as they would be on work release.
- Work site visits occur as they do with normal work release operations.

Community Corrections Program (CCP)

Department of Corrections program Via Alabama Community Punishment Act of 1991, as amended in 2003 & 2015 15-18-170.

- Participants **MUST** be preapproved prior to sentencing by meeting with CCP staff and providing a proposed home plan (another adult without criminal history). The preapproval process usually takes 1-2 weeks. If the client is in Madison County Jail, CCP staff will meet with the client at the jail to obtain this information.
- Client can be sentenced as a front-end, Split- Sentence, or Institutional Diversions (this includes Probation Revocations with **NO** Pending charges).
- Initially the client will report to CCP Officer weekly and the frequency will vary after completion of the ARAS assessment and compliance with the program and case management plan.
- Client will serve his/her entire sentence until their EOS date on CCP.
- Not eligible for Parole.

CCP (continued)

- Client will be on GPS electronic monitoring while serving their sentence.
- Cost of CCP is \$290.00 per month, this includes an amount to be applied towards court cost.
- Client will be on color code drug testing the entire sentence (frequency varies).
- Client will remain at their residence unless authorized to leave by the CCP Officer for employment, rehabilitative programs, appointments, etc.
- Client will have the opportunity to earn privileges such as time out, curfew, less frequent color code testing, less frequent reporting, GPS bracelet removal, etc.

CCP (continued)

- By Statute, the following charges are **not** eligible. Murder, Arson 1st, Robbery 1st, Rape 1st, Sodomy 1st, Kidnapping 1st Tracking in Controlled Substances, Sex Offenses involving a child as defined by 15-20A-4, Assault 1st.
- Institutional diversions require DA's Office approval, home plan, sentencing judge approval/amendment of transcripts, and DOC acceptance of transcripts.

Supervised Electronic Detention Program (SEDP)

GPS monitoring that is used by the courts as an extra condition of bond or as an extra sentencing condition.

- Setup Fee- \$140 (must be paid before unit is installed)
- \$70 per week.
- Report-in is scheduled weekly
- Must always be at residence unless authorized by officer.
- Work schedule must be approved in advance.
- Will always be on color code (frequency may vary)
- No need for landline. Device runs off cell signal.
- Device to be charged daily. An external charge battery is attached to the bracelet for 1-2 hours a day.
- May have pending charges
- Ordered by the Judge as a condition of bond or as a sentence.

Adult Drug Court

Felony, non-violent offenses are accepted for clients that are have substance abuse issues.

- Program is 12-18-months sometimes longer. Include: color code, weekly RI, twice a month court, weekly treatment (IOP, MRT, Inpatient).
- Client must pay \$500 program fee assessed, court cost and attorney fees while on the program.
- Can enter drug court not only as a sentence but as a transfer from MHC, or because of a probation revocation.
- If the client is in jail an Order from the court that the client to be assessed while in jail by Wellstone must be entered.

ADC (continued)

- Process for acceptance
 - ADA must approve drug court (application on DA website)
 - Client referred to ADC office for ARAS assessment (No fee)
 - If approved, defendant is referred to drug court treatment provider for assessment
 - Defendant **enters plea** and returns to office for processing appointment
- Accept transfer Drug Court clients from other counties including misdemeanors.

ADC continued

Requirements-

- Monthly court attendance
- Intensive Outpatient Treatment
- Weekly drug testing
- Weekly reporting

Sanctions-

Community Service Work
extra self-help meetings
Jail time

Questions

Questions???

Points of Contact

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