

EXHIBIT D

GENERAL CODE

CHAPTER VI: PRISON LABOR WORK FURLOUGH PROGRAM RELEASE & WORK RELEASE PROGRAM FURLOUGH ARTICLESECTION 1 IN GENERAL

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~~Sec. G-VI 1.1 Labor on Public Works, Etc., Authorized; Exception~~ Work Furlough Program

~~Any or all prisoners confined in the County jail under judgment of conviction of a misdemeanor or as probationers, may be compelled to labor upon the public works, public grounds, roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed admissible for the benefit of the public; provided that no prisoner shall be compelled to so labor who may be physically unable to do so or whose safekeeping may be endangered thereby. The question of exemption from such labor for either cause mentioned shall be determined by the Sheriff of the County. “Labor upon the public works” as used in this section shall include among other things clerical and menial labor in the County jail.~~

On the basis of local employment conditions, the state of the county jail facilities, and other pertinent circumstances considered, the Board of Supervisors finds that the operation of a work furlough program as provided for in California Penal Code section 1208, is feasible. The Sheriff is designated as the officer who shall perform the functions of the work furlough administrator.

~~Sec. G-VI 1.2 Guard of Prisoners Who are Subject to Labor – Appointment; Supervision; Compensation~~ Work Release Program

~~Whenever there are, in the judgment of the Sheriff, three or more prisoners in the County jail subject to labor, as provided in the preceding section, the Sheriff may appoint some suitable and responsible person as guard who shall discharge the duties of this position in person. The guard shall be under the supervision of, and shall be responsible to, the Sheriff, and shall receive as and for ~~their~~ his compensation for services rendered under the provisions of this chapter the sum provided for such position, in Section A II 19.17 of the Administrative Code.~~

A Work Release Program is hereby authorized for all persons confined in jail pursuant to California Penal Code section 4024.4.

~~Sec. G-VI 1.3 Guard of Prisoners Who aAre Ssubject to Labor -- Delivery of and Responsibility Ffor Prisoners; When Prisoners Not Compelled To Labor~~Reserved

~~It is hereby made the duty of the guard appointed as provided by the preceding section to receive from the Sheriff on each and every morning when the Sheriff shall so order all the prisoners compelled to labor under the provisions of this chapter, and it is hereby made the duty of the Sheriff so to deliver them to the guard. From the time they are delivered to the guard until they are returned to the County jail, the guard shall be responsible for their safe keeping and custody; provided that no prisoner shall be taken out by the guard, or be compelled to thus labor, on Sundays or legal holidays or at any time when the weather be so inclement as to be detrimental to the health of such prisoner.~~

~~Sec. G-VI 1.4 Guard of Prisoners Who aAre Ssubject to Labor -- Hours of Labor; Return of Prisoners fFrom Labor~~Reserved

~~The guard shall call for and receive prisoners not later than 8:00 a.m. of each day on which labor is to be performed, enforce their conveyance to the place of labor as expeditiously as possible and compel them to labor continuously from the time of their arrival thereat, except for one hour at 12:00 noon for rest and lunch, until to such hour of cessation from labor as will permit their return to the County jail. The guard shall return prisoners to the County jail between at an hour not earlier than 4:45 p.m., and not later than 5:00 p.m., at which cessation the guard shall so return the prisoners, provided, that L labor may be discontinued during inclement weather at the option of the guard.~~

~~Sec. G-VI 1.5 Guard of Prisoners Who aAre Ssubject to Labor to Keep Daily Time Book; Monthly Report~~Reserved

~~The guard shall keep a time book showing daily the names of prisoners required to labor under the provisions of this chapter and the exact hours of labor performed by each. He They shall make and file with the Clerk of the Board of Supervisors a detailed verified report thereof at the end of each month.~~

~~Sec. G-VI 1.6 Lunch tTo bBe Provided~~Reserved

~~The Sheriff shall supply prisoners performing labor as provided by this chapter with sufficient suitable food for lunch at the expense of the cCounty.~~

~~Sec. G-VI 1.7 Locations and Manner of Performing Labor~~Reserved

~~The labor of prisoners as provided by this chapter shall be performed at such places and in such manner as the Sheriff and Board of Supervisors shall, from time to time, direct.~~

Sec. G-VI 1.8 Compensation for Labor -- Authorized Only as Provided by This Code Two Following Sections Reserved

~~No prisoner shall receive any compensation for his their labor performed under the provisions of this Chapter except as provided in this Code, by the two following sections:~~

Sec. G-VI 1.9 Compensation for Labor -- As Permitted by Section 1203.1 of California Penal Code Reserved

~~When a probationer is required to go to work and earn money for the support of his their dependents by the court granting probation as permitted by Section 1203.1 of the California Penal Code of the State, then such probationer shall receive as compensation for his their labor performed under the provisions of this chapter such sum as shall, from time to time be fixed by resolution by the Board of Supervisors, which earnings shall be applied and paid as directed by the Ccourt.~~

Sec. G-VI 1.10 Compensation fFor Labor -- As Permitted by Section 273H of California Penal Code Reserved

~~When any male person is sentenced to the Ccounty jail by reason of histheir conviction under the provisions of either Section 270, Section 270a, Section 270b, Section 271 or Section 271a, of the California Penal Code of the State and the court directs that such person so convicted shall be compelled to work upon the public roads or highways or any other public work in the Ccounty during the term of such sentence as permitted by Section 273hH of the Penal Code, then such prisoner shall receive as compensation for labor performed under the provisions of this Chapter the sum of two dollars for each day's work, for the support of their his wife spouse or children to be paid as the court may direct.~~

Sec. G-VI 1.2 Work Furlough Program Plan -- Feasible

~~On the basis of local employment conditions, the state of the county jail facilities, and other pertinent circumstances considered, the Board of Supervisors finds that the operation of a work furlough program as provided in California Penal Code section 1208, is feasible. & The Sheriff is designated as the officer who shall perform the functions of the work furlough administrator.~~

~~On the basis of local employment conditions, the state of the Ccounty jail facilities, and other pertinent circumstances considered, the Board of Supervisors finds that the~~

~~operation of a work furlough plan as provided in Section 1208, as amended, of the California Penal Code, is feasible.~~

~~Sec. G-VI 1.12 Work Furlough Plan — Established Reserved~~

~~That there is hereby established for the County, a work furlough plan as authorized by Section 1208, as amended, by the California Penal Code.~~**~~Sec. G-VI 1.13 Work Furlough Plan — Sheriff to be Work Furlough Administrator~~**

~~The Sheriff is designated as the officer who shall perform the functions of the work furlough administrator.~~

~~Sec. G-VI 1.14 Alternative Sentencing Program — Community Service Program Reserved~~

~~That there is hereby established an alternative sentencing program within the County of Nevada County to make available community service services for imposition by the courts. Said program shall provide Nevada County courts with a constructive alternative sentence to or in addition to that of fine or other incarceration. Said program further provides a probationer with the opportunity to donate constructive community service.~~

~~Sec. G-VI 1.15 Alternative Sentencing Program — As Permitted by Section 1203.1 of the California Penal Code Reserved~~

~~The Nevada County Alternative Sentencing program is hereby made available for court probationers as authorized by Section 1203.1, as amended, of the California Penal Code.~~

~~Sec. G-VI 1.16 Alternative Sentencing Program — As Permitted by Section 4017 of the California Penal Code Reserved~~

~~The Nevada County Alternative Sentencing program is hereby made available to prisoners, or to persons confined as a condition of probation and suspension of imposition of a sentence or imposition of execution of sentence as authorized by Section 4017, as amended, of the California Penal Code.~~

~~Sec. G-VI 1.17 Work Release Program Alternative Sentencing Program — As Permitted by Section 4024.2 of the California Penal Code~~

~~A Work Release Program The Nevada County Alternative Sentencing program is hereby authorized made available for all persons confined in jail pursuant to Penal Code as authorized by Section 4024.2, as amended, of the California Penal Code.~~

Sec. G-VI 1.17 Alternative Sentencing Program - As Permitted by Section 4024.2 of the Penal Code

The Nevada County Alternative Sentencing program is hereby made available for all persons confined in jail as authorized by Section 4024.2, as amended, of the California [Penal Code](#).

Sec. G-VI 1.18 Alternative Sentencing Program - Nevada County Probation Department to be Program Administrator

The Nevada County Probation Department, through its Chief Probation Officer, is designated as the officer who shall perform the functions of the Alternative Sentencing Program Administrator. As such, the department shall prepare standard forms for services and procedures, community service agency agreements, instructions for supervisors, application forms, request forms and other supporting documents.

Sec. G-VI 1.19 Alternative Sentencing Program - Guidelines

The guidelines for the Alternative Sentencing Program are as follows:

1. Alternative sentencing may only be imposed as a voluntary condition of probation. The probationer has no right to an alternative sentence. It is a privilege granted by the courts and supervised by the Probation Department. No one will be placed in the Alternative Sentencing Program prior to a screening interview and acceptance by the Probation Department. Alternative Sentencing Program screening and recommendation shall be made to the court prior to sentencing.
2. Agencies providing work for program participants will provide adequate liability insurance. Agencies will be screened by the Probation Department.
3. Probationers assigned to the Alternative Sentencing Program will report in person to the Probation Department within 24 hours. They will be assigned a program and given the name of the worksite supervisor and given a time and place to report.
4. Probationers shall not be assigned duties which are inappropriate because of physical limitations.
5. The probationer will report to the worksite supervisor at the assigned time and place. Worksite supervisor will explain all duties clearly to probationer to insure that the objectives of the program and the expectations of the worksite supervisor

are understood. A mutually agreed upon work schedule will be set up at this time, and it shall be reported to the Probation Department.

6. The probationer will provide his/her own transportation to and from the worksite. The probationer will report for work promptly and dressed appropriately.
7. Worksite supervisors and program participants will keep a record of hours served and will present them to the Probation Department upon completion of assigned hours. They will also be available to the Probation Officer upon request.
8. Worksite supervisors will inform the Probation Department immediately of any problems with participants. This shall include absences, unsatisfactory work, or poor attitude, and may result in referral to the court for appropriate action.
9. No probationer shall be absent from assigned work, except for illness, prior work commitment, or with prior approval of the Probation Officer and worksite supervisor. In cases of illness, the probationer is to notify the worksite supervisor as soon as possible. In cases of illness, the Probation Officer can require that the probationer provide a doctor's release.
10. Persons with a history of assaultive behavior, sex offenders, narcotics addicts, or other conditions which would make them a poor candidate for this program will only be considered if so ordered by the court.
11. No probationer is to report for work in possession or under the influence of any alcoholic beverage, illegal drug, or controlled substance. Violation of this condition will result in the matter being returned to court for possible revocation of probation.
12. Probationer shall be credited for one day of jail time for successful completion of ten (10) hours of community service. No good time or work credit apply to community service in lieu of jail time.
13. Placement in the Alternative Sentencing Program will be in lieu of a suspended jail sentence or fine. The probationer may be removed from the program and ordered to serve the remainder of his/her jail sentence. Such recommendation for termination will be reviewed at an administrative hearing. The probationer will be provided written notice of this hearing and his/her right to be present. The supervising probation officer will recommend if the program is to be terminated and the ordered jail sentence or fine begun. The actual reinstatement of any jail sentence can only be ordered by the sentencing court.