

ORDINANCE ESTABLISHING WABASH COUNTY INMATE WORK/WORK RELEASE PROGRAM

Whereas, I.C. 11-12-5 provides the county Sheriff may establish a program whereby persons who have been committed to the county jail upon conviction of a crime or adjudication of contempt may be required to:

1. perform general maintenance work and assist in providing other services essential to the administration of the facility or program; and
2. work on the public streets, highways, parks and other public lands, building or facilities within the county when such work is approved by resolution or ordinance of the board of county commissioners; and

Whereas, a county council may appropriate funds to establish the work program, and

Whereas, provided to establish a work program whereby persons who have been committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work, and

Whereas, a person is eligible for temporary release under this section unless the sentencing or committing court disapproves his release, and

Whereas, any earnings of a person employed under this chapter, less payroll deductions required by law and court ordered deductions for satisfaction of a judgment against that person, shall be collected by the county sheriff. Unless otherwise ordered by the court, the remaining earnings shall be distributed in the following order:

1. to pay state and federal income taxes and social security deductions not otherwise withheld.
2. to pay the cost of membership in an employee organization.
3. not less than twenty percent (20%) of the persons gross earnings, if that amount of the gross is available after the above deductions, to be given to that person or retained for him, with accrued interest, until his release or discharge.
4. to pay for the person's room and board provided by the county.
5. to pay transportation costs to and from work, and other work related incidental expenses.
6. to pay court ordered costs, fines, or restitution.

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Whereas, after the amounts prescribed in above are deducted, the remaining amount may be used to:

1. when directed by the person or ordered by the court, pay for the support of his dependents (if his dependents are receiving welfare assistance, the appropriate welfare department shall be notified of such disbursements); and
2. with the consent of the person, pay to his victims or others any unpaid obligations of that person; and

Whereas, I.C. 11-12-1 provides for the receipt of funds from any lawful source to establish and operate a program, therefore:

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WABASH COUNTY

That:

1. an inmate work/work release program is hereby established.
2. said program shall be administered by the sheriff.
3. persons committed to the county jail upon conviction of a crime or adjudication of contempt may be required to:
 - A. perform general maintenance work and assist in providing other services essential to the administration of the facility or program; and
 - B. work on the public streets, highway, parks, and other public lands, buildings or facilities within the county.
4. the county council may appropriate funds to establish the work program.
5. person/s committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work.
6. a person is eligible for temporary release under this ordinance unless the sentencing or committing court disapproves his release.
7. any earnings of a person employed under this ordinance, less payroll deductions required by law and court ordered deductions for satisfaction of a judgment against that person, shall be collected by the Sheriff in accordance with I.C. 11-12-5-3.
8. Funds shall be collected by the sheriff to pay for the person's room and board provided by the county.
9. funds collected as a result of this program shall be deposited in the county general funds.

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10. receipts deposited in said fund shall be administered by the county fiscal body.

11. this ordinance shall be in full force and effect upon passage.

Passed and adopted this 7th day of March, 1988.

Darle Dawes
Darle Dawes
Wabash County Commissioner

Dean Eppley
Dean Eppley
Wabash County Commissioner

John P. Schuler
John P. Schuler
Wabash County Commissioner

Witness:

Philip Hegel
Philip Hegel
Auditor, Wabash County

Whereas, an ordinance has been passed as established in I.C. 11-12-5 creating the Wabash County Inmate Work/Work Release program, and

Whereas, said program shall be administered by the sheriff, and

Whereas, persons committed to the jail upon conviction of a crime or adjudication of contempt may be required to:

- A. perform general maintenance work and assist in providing other services essential to the administration of the facility or program; and
- B. work on public streets, highway, parks and other public lands, building, or facilities within the county; and

Whereas, the county council may appropriate funds to establish the work program; and

Whereas, person/s committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work; and

Whereas, a person is eligible for temporary release under this ordinance unless the sentencing or committing court disapproves his release, and

Whereas, any earnings of a person employed under this ordinance, less payroll deductions required by law and court ordered deductions for satisfaction of judgment against that person, shall be collected by the sheriff in accordance with I.C. 11-12-5-3; and

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Whereas, funds shall be collected by the sheriff to pay for the person's room and board provided by the county; and

Whereas, funds collected as a result of this program shall be deposited in the county general fund; and

Whereas, I.C. 11-12-1 provides for the receipt of funds from any lawful source to establish and operate a program.

BE IT ORDAINED BY THE WABASH COUNTY COUNCIL

That:

1. an inmate work/work release program is hereby established.
2. said program shall be administered by the sheriff.
3. a person committed to the county jail upon conviction of a crime or adjudication of contempt may be required to:
 - A. perform general maintenance work and assist in providing other services essential to the administration of the facility or program.
 - B. work on public streets, highway, parks, and other public lands, buildings, or facilities within the county.
4. the Wabash County Council may appropriate funds necessary to establish and operate a work program.
5. a person committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work.
6. a person is eligible for temporary release under this ordinance unless the sentencing or committing court disapproves the release.
7. any earnings of the person employed under this ordinance, less payroll deductions required by law and court ordered deductions for satisfaction of a judgment against that person, shall be collected by the sheriff in accordance with I.C. 11-12-5-3.
8. funds shall be collected by the sheriff to pay for the person's room and board provided by the county.
9. funds collected as a result of this program shall be deposited in the county general fund.
10. the Wabash County Council elects to receive funds from this program as established under I.C. 11-12-1 to establish and operate said program.

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Passed and adopted this 7th day of March, 1988.

Gene Cooper
Gene Cooper
Wabash County Council

Clyde Lovellette
Clyde Lovellette
Wabash County Council

Roger Ranck
Roger Ranck
Wabash County Council

Leon Ridenour
Leon Ridenour
Wabash County Council

Joann Rauh
Joann Rauh
Wabash County Council

William Ruppel
William Ruppel
Wabash County Council

Ted A. Little
Ted A. Little
Wabash County Council

Witness:

Philip Hegel
Philip Hegel
Wabash County Auditor

ADV 1 time: March 10, 1988