

# **ALTERNATIVE SENTENCING**

## **Avoid Jail**

**House Arrest · City Jail  
Plea Bargains  
Sentence Reductions**

### **ALTERNATIVE SENTENCING HELPS THE DEFENDANT AVOID JAIL**

**Alternative Sentencing** is a sentencing program that is an alternative to jail. The judge may use this alternative sentencing program to deliver an appropriate punishment and one the prosecutor will accept. The judge or prosecutor will accept not just any alternative sentencing program.

Finding the right **Alternative Sentencing** strategy that the judge and prosecutor will accept is the job of a knowledgeable and skilled attorney. **Alternative Sentencing** includes community-based programs, such as community service, work release programs, and graffiti clean up, as well as drug and alcohol rehabilitation programs. Keep in mind that Alternative Sentencing is punishment and must fit the crime.

### **Who is Eligible for Alternative Sentencing?**

- The defendants who have not committed the 'worst' crimes and do not have a mandatory sentence imposed on them
- Defendants who have not committed numerous crimes
- Defendants who have not committed a serious felony, with or without the use of a weapon
- Defendants who do not pose a risk to themselves or the community

### **Stay Out of Jail**

If you have been charged with a California crime, contact an experienced **criminal defense lawyer** to see if you are eligible for alternative sentencing.

# California Alternative Sentencing Programs

## ALTERNATIVES TO JAIL

- **Electronic Monitoring, House Arrest or Home Detention** – *House arrest, electronic monitoring, or home detention* are types of alternative sentencing that limit and/or monitor the defendant's mobility. The participant *is fitted with an electronic device* or ankle bracelet. This ankle bracelet monitors the whereabouts of the participant at all times. The participant may attend necessary functions, such as school, work, church, and other activities approved by the program's administrator. Electronic monitoring may be court-issued or the defendant may have to apply for it independent of the court with the help of a skilled attorney.
- **Work Release or Work Furlough Programs** – The participant in this program goes to a designated work site, usually on a daily basis, to perform physical labor. At the end of the workday, the participant is allowed to go home or to return to a housing dormitory facility other than county jail. Until the work release or work furlough program requirements have been successfully fulfilled, the participant is required to return to the work site the next day or as instructed.
- **Drug Courts** (Proposition 36) – Drug treatment options for drug users are an effective type of alternative sentence. This strict program includes random drug testing and can be successful for certain defendants.
- **City Jail or Private Jail** – This alternative sentencing program allows the defendant to continue working and complete the sentence on weekends in a private, city jail. Participants check themselves in on Friday afternoon and are released on Sunday afternoon. Specific eligibility requirements apply. Participants may be required to pay a fee for their weekend stays.
- **Diversion Programs** – The defendant is required to complete a series of drug educational programs for a period of 6 months. When the defendant completes all required classes and programs, charges may be dismissed. If all classes are successfully completed the conviction may be avoided altogether.
- **Sober Living** – The participants will be housed in a private facility geared mainly for defendants with alcohol abuse problems. Here, there will be individual and group therapy sessions, along with required house chores. House rules and curfews are enforced.
- **Community Service** - Participants are required to work in city organizations or perform clean up duties in and around the city.