

Ordinance No. 00303

[Council meeting minutes of Feb 18 2003](#)

ORDINANCE NO. 303

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.32 of the Lakewood Municipal Code, relating to the Work Crew Program.

WHEREAS, in connection with the City of Lakewood criminal justice efforts and the City's responsibilities to prosecute offenders committing crimes within its jurisdictions, the City must contend with the financial impacts of jail costs as well as the need to assure that society is adequately protected; and,

WHEREAS, based upon the experiences of other jurisdictions, and based upon the City's utilization of a work crew program, it is appropriate to identify and establish the work crew program through ordinance, identifying criteria and establishing parameters within which that program will operate; and,

WHEREAS, the City of Lakewood has funded and provided facilities and equipment, as well as personnel, to operate a work crew program in the City, and so that there are clear guidelines as to its function, operation and utility, it is appropriate to identify those offenders who would fit and who would not fit within the program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Chapter 2.32 of the Lakewood Municipal Code, relating to the Work Crew Program, be and the same is hereby amended to read follows:

Chapter 2.32

Work Crew Program

2.32.010 Purpose.

The purpose of this chapter is to establish the program and its parameters by which offenders who would otherwise be incarcerated or obligated financially to the City of Lakewood pursuant to Order of the Municipal Court could perform routine work in and around the City, providing a value to the City and saving on the incarceration and other costs that would otherwise be incurred. (Ord. 216 ? 1 (part), 1999.)

2.32.020 Types of Work.

The work that the work crew shall be assigned to provide shall include those types of maintenance and upkeep tasks involving City facilities and infrastructure, including but not limited to painting buildings, performing ground maintenance and landscaping such as weeding, planting, raking, watering and such, cleaning up and removing trash and debris along roadways, cleaning public rights-of-way, providing maintenance and beautification at parks and recreation facilities, painting buildings and City facilities, providing landscaping services on City property, and any other similar labor-based activities that do not require much experience or training and that lend themselves to supervision through this type of program, and that do not impose risk of harm or injury to the citizens of the City of Lakewood. (Ord. 216 ? 1 (part), 1999.)

2.32.030 Work Crew Program.

The Work Crew Program shall include the following:

- A. Facilities, equipment and personnel to transport the assigned offenders to and from designated assignment locations in a vehicle owned and operated by the City.
- B. The Work Crew vehicle shall be clearly marked, identifying it as a Work Crew vehicle so that the vehicle is visible and identifiable to the public.
- C. The Work Crew work day shall consist of eight (8) hours per day, four (4) days per week, Wednesday through Saturday, unless other days are agreed by the parties, to accommodate for holidays or other circumstances as may arise.
- D. The Work Crew shall be ~~utilized~~ used for work sites and projects located in the City of Lakewood, with a priority of providing work services in the City of Lakewood to the fullest extent reasonably possible.
- E. The Work Crew ~~Supervisor-Staff~~ shall provide adequate supervision of the participating offenders at all times to ensure the safety of others.
- F. The participating offenders shall be screened to insure that they meet the criteria identified in Section 2.32.040 of this Chapter.
- G. The Work Crew ~~Supervisor-Coordinator~~ or other designated person shall provide monthly reports of all work done during the prior month, including detailing work sites, numbers of offender hours worked and Lakewood offender hours worked, and any other information reasonably related to the purposes of this program.
- H. Whenever a participating offender who has been assigned to the Work Crew program fails to show up for the Work Crew as assigned or otherwise fails to comply with the requirements of the work crew, or any reasonable requests of the Work Crew-~~Supervisor Staff~~, the City and its appropriate departments shall be notified as soon as reasonably possible, but in any case not later than twenty-four (24) hours after the failure to show up or comply. (Ord. 216 ? 1 (part), 1999.)

2.32.040 Criteria for Work Crew Participation.

In order to be eligible to participate in the City's Work Crew program, an offender shall have been initially screened and referred to the Work Crew Supervisor for final eligibility screening by the Municipal Court at the time of sentencing or sentencing review, after having been convicted of a criminal violation for which the offender would otherwise have to serve time in jail, and shall meet the following criteria:

- A. The Work Crew offender must be a low-risk offender.
- B. The Work Crew offender shall not have been convicted of, have a history of, or have been repeatedly arrested for any of the following:

Crimes against children

~~Felony crimes of violence~~

Sex offenses

Arson

~~One or more prior conviction(s) for any misdemeanor Domestic Violence or assault charge within in the previous three (3) years.~~

Criminal activity or conduct that indicates that an offender would not be appropriate for the work crew.

- C. The Work Crew offender may be rejected from this Work Crew program or any similar program for violation of Work Crew requirements or any inappropriate conduct.

(Ord. 216 ? 1 (part), 1999.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 18th day of February, 2003.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney