

# The Community Page

## Work Release: Second Chance or Free Ride?



**B**onneville County's new work facility is certainly no luxury hotel, but it is nice enough to not be a serious deterrent for serious crime. Work release—a relatively new program allowing inmates to go to work and attend school during the day and return to the facility at the end of the day—is clearly an improvement over previous systems. It costs the taxpayer fewer dollars per inmate, it allows inmates to do something productive during their sentences, and it eases the strain placed on our crowded prison and jail facilities, but recent events show it can be abused by well-meaning but misguided judges. Work release, after all, is intended for non-violent first-time offenders (usually those who've committed misdemeanors or minor crimes) and those who are nearing the end of lengthy sentences and want to integrate back into society. For those who've committed only minor crimes, work release makes theoretical sense.

Proponents of work release argue that it has been shown to reduce the rate of repeat offenses by first time offenders, especially drug-related cases. Comparing nearly 150 drug offenders then incarcerated with the same number of test case offenders placed in the prison alternative, the state of New York saw a much lower rate of repeat offense, and a savings of almost \$7 million dollars over the six-year program.

Unfortunately, some judges aren't limiting work release programs to misdemeanors and to non-violent first offenders. In June of this year, for example, Anival Zuniga escaped his work release program and, in a stolen Dodge Neon, led Nampa, Idaho, police on a high-speed chase. A Nampa Police Officer, at the time of the chase, described Zuniga as, "a dangerous person [...] use caution around him."



Zuniga

The question to be asked is not, "How did he escape?" but rather, "Why was 'a dangerous person' in the work release program to begin with?" Zuniga's rap sheet included weapons possession, theft and drug-related offenses.

More recently, a Caldwell judge convicted Aaron Hundersmarck, a 40-year-old former sheriff's deputy, of sexual battery and procuring prostitution in an incident involving a 16-year-old girl, and sentenced him to a year in prison, which the judge may allow him to fulfill through the work-release program. What rational judge would allow such a dangerous sex offender—someone who was previously entrusted with protecting others from dangerous criminals—to enjoy such freedoms?



Hundersmarck

Recently, Idaho Falls citizens and the prosecutor's office were shocked when local Judge Joel Tingey gave a convicted felon a very light sentence involving work release. Brooke Armstrong had just been convicted in one of the worst cases of embezzlement in the State's history, stealing over \$150,000 from three different employers over the past three years. Rather than sentencing her to 18 months in prison as the prosecutor had recommended, Tingey assigned her to four months in the work-release program. Observers of the court have suggested that was an effort to accommodate the request of his former law partner, Blake Hall. Hall had written to Judge Tingey stating that Hall and the Armstrong family were personal friends and, based on that friendship, asked his former law partner to be lenient in sentencing. Later, Hall actually attended Armstrong's sentencing hearing when her attorney reminded the judge of Hall's presence in the courtroom and of Hall's support of Armstrong.

It is not certain how much influence Judge Tingey's former law partner had on compelling him to hand Armstrong such a light sentence. Nonetheless, it appeared to many that Armstrong got off scot-free. It has been reported that Armstrong has since repeatedly violated the work-release program by visiting her own home, going shopping, driving around town and eating out at restaurants, none of which are normally allowed during work-release programs. The program doesn't seem to be working for her. Clearly, the light sentence of work release is not always the right thing for serious felons.

The program appears to work best when implemented with light offenders, such as those who have committed first-time drug abuse and misdemeanors, but, as the evidence shows, it isn't for everyone. Judges

with a disposition for placing offenders—violent and nonviolent, felony- and misdemeanor-committing alike—in work-release programs, are misusing a valuable rehabilitation tool. The wrong criminal will see this program as an opportunity to abuse the system, and will not see it as a deterrent to breaking the law.

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**Front row, left to right:** Lieutenant Laurie Abbott, Idaho Falls Mayor Jared Fuhriman, Bonneville County Sheriff Paul Wilde, and Bonneville County Commissioners Roger Christensen and Dave Radford gather for the ribbon cutting ceremony at the new Bonneville County Work Release Center.

## The Heart of the Wood Project



State Rep. JoAn Wood (R-Rigby)

When Representative JoAn Wood was assigned to the Joint Finance and Appropriations Committee of the State House of Representatives, she sought to better understand the budget for the Idaho Department of Corrections. After examining all of the records associated with this department, and working with an analyst, she was dismayed to see that, at that time, our corrections

program was little more than a warehouse to hold inmates until they complete their sentences—before they returned to the same circumstances from whence they came.

But Wood's frustration turned to deep sorrow as she grew more familiar with the situation. So many of the people in this program, she discovered, have come to see themselves as throw-away people because of abuse, neglect, or unwise choices in youth.

Visiting local drug courts, and seeing the outstanding results of that strictly-run but compassionate program, she began to seek something similar for those already incarcerated. In a personal but rather remarkable event, Representative Wood envisioned a program that would begin to address the inadequacies of the current incarceration program for those with drug addiction and mental health problems. Instead of a blight on the community, Wood sees offenders as capable of turning their lives around.

Of necessity, departments and officials in many areas have been employed in working out the details of the rehabilitation program, and Wood has been eager to welcome their involvement. Arrangements have been made with law enforcement, the judicial system, educators, health and welfare, the business community, and both state and county government. This amazing coalition has not only joined eagerly to see this program begin, but other areas of the state are now pursuing the same program for their neighborhoods.

Over the last fifteen years, and with the cooperation of many from the state and local law enforcement communities, the Idaho Department of Corrections, and the judicial system, she has finally seen the birth of the Wood Court Project, a cost efficient and reproducible model to address the growing dilemma.

The Wood Project is designed to provide treatment, perhaps for the first time for most offenders, as well as other necessary services to the participant whether incarcerated or living independently, including family involvement, which is a vital part of the program.

On July 14 of this year, as state, county and city officials gathered at a new secure facility on the grounds of the new Bonneville County Work Release Center, Representative Wood cut the ribbon, officially declaring her pilot project open for business—although the program itself had been functioning for three years already.

Used properly, this new facility should be an effective tool in helping people turn their lives around.