

Alternatives to Incarceration Commission

June 2, 2010

Minot, ND

Good morning, Madam Chairperson and members of the Commission my name is Dell Horn and I am representing the North Dakota Community Corrections Association. We are an organization of 14 individual offices, covering 49 North Dakota counties.

The community recognizes that crime costs time, energy and dollars; this program is designated to provide a method by which the offender can pay some of these costs through community service ordered by the Court. Except for working off fines or restitution no monetary credit is given to the offender for the performance of his/her community service.

What is Community Service? Community Service is a part of the sentence which requires a criminal offender to perform productive, useful public service. Public Service is limited to: work performed for nonprofit agencies either public or private. Public service does include work for indigent elderly and disabled individuals. Community service is designed to require a criminal offender to pay a debt to society by working within the community. Community service programs provides visible and beneficial services to non-profit agencies: General cleanup of parks, ditches, cemeteries, nursing homes, city centers etc. have helped the cities and counties cut down on labor costs. Services have also been directed toward the elderly and disabled.

The Defendants also benefit by the program; if a work site finds the person valuable enough, they may offer them employment. It also gives Defendants self-esteem and motivation knowing that they took part in contributing to the welfare of others.

It is the goal of Community Service programs to help offenders become a more employable individual by developing work skills and work ethic. It has been noted before that individuals have become employed at their worksites after completion of community service. This is a benefit to both offenders and employers.

As you can see from the Community Service Report (12 reporting regions) for July 1, 2008 through June 30, 2009, 4,521 offenders completed 113,645 hours of community service and by industry standard saved North Dakota residents (8 hours of CS is equal to 1 day of Jail) 14205 days of jail or prison or about 3 days per offender. If a day of jail costs \$60 (state rate) then the savings to North Dakota residents is \$852,300. But these figures do not give the full value of

community service We are not taking into account the wages saved or the value of on the job training.

How are community service programs paid for? I have included information regarding the collection of court ordered community service fees. If you remember this is a fee that was started August 1, 2007 as \$50 per court ordered community service case. This fee was changed by the legislature for the current biennium to \$25 per court ordered community service case. As you can see a total of \$26,637.12 has been collected in the last 10 months. This compares to 11 months of collections in the 2007 fiscal year totaling \$26,312.

I have included information on what was collected by individual district courts for the mandatory domestic violence fee, the displaced homemaker fee and for the community service fee. As you can see the community service fee is surpassed easily by both fees. With the domestic violence fee at \$122,890.35 in 10 months and Community Service at 26,637.12 you can see the a large discrepancy exists. The community service fee is only ordered when community service is part of the court order and is eligible to be waived whereas the domestic violence fee is ordered for each court case and is not eligible for being waived (I believe).

The collection of this fee is dependent on a variety of factors such as: Judges Philosophy, a declaration of indigence, ability of offenders to pay fees/ability of Clerks and Judges to collect fees. These factors are in large part why Jamestown is collecting roughly 30% of the state's total while Devils Lake has collected only \$65 in the last 10 months.

Let us use information from 1999 to 2008 (10 years) for the Fargo regional office. Notice that 7 different sources of income are relied upon: program fees (offender paid), NDDOC (North Dakota Department of Corrections) grants, Cities, Counties, donations, and miscellaneous. This graph shows the wide variety of our resources but it also illustrates the efforts to which we have to expend energy and time towards funding our programs.

What the graph is not showing is the funds appropriated by the 2009 Legislature of \$380,000 for the biennium and how that impacts each regional office. This means that currently we have 8 different sources of income in which almost each source requires application and follow up. For example, I give testimony to 6 different County Commissions on how much community service was performed in their county versus the number of offenders and an explanation of how much money is being saved by the county.

Does anyone have any questions?

COMMUNITY SERVICE REPORT

For

July 1, 2008 through June 30, 2009

The Community Service and Restitution Programs were formed in 1993. The community service agencies established the North Dakota Community Corrections Association in 1995. Representatives from each agency meet at least three times during the year to support one another, have common training, work at developing goals and projects, share ideas and methods to better supervise/monitor offenders and provide for the seamless transfer of clientele from one community service agency to another.

During 2001 the Association established an internet web page, www.ndcommunityservice.org. The web page has been linked and can be accessed through either the ND DOCR's web page or our own address. The site provides information about the Association and each individual office, a glimpse at the office's history, the individuals served, the cost for the program and some information about work sites.

During the last fiscal year a grand total of 113,645 hours of community service were performed. These hours were completed by adult and juvenile offenders referred by municipal and district courts, probation officers in the Field Services Division and juvenile justice system. To calculate a dollar amount for the hours completed, we have used our standard rate \$7 an hour which, when multiplied out, gives the value of the community service hours for the year at \$795,515. There is no way to calculate the impact of labor done for the community from either the eyes of the community or the offender.

The annual total number of offenders may be slightly inflated, due to quarterly gathering of statistics, in that some offenders have worked in more than one quarter.

COMMUNITY SERVICE FEE COLLECTED BY REGION
FROM SENATE BILL 2243

Fees for August(collected in September) through June(collected in July)

8/1/07 to 06/30/08

August-February March-June Total

1	Willison	\$0.00	\$0.00	\$0.00
2	Minot	\$50.00	\$150.00	\$200.00
3	Rugby	\$1,050.00	\$1,050.00	\$2,100.00
4	Devils Lake	\$20.00	\$40.00	\$60.00
5	Cavalier County	\$0.00	\$0.00	\$0.00
6	Pembina County	\$39.00	\$0.00	\$39.00
7	Grand Forks	\$1,158.74	\$491.26	\$1,650.00
8	Dickinson	\$605.00	\$350.00	\$955.00
9	Bismarck(Rural)	\$220.00	\$200.00	\$420.00
10	Bismarck (Urban)	\$1,490.00	\$1,580.00	\$3,070.00
11	Wells County	\$200.00	\$250.00	\$450.00
12	Jamestown	\$6,635.00	\$4,140.00	\$10,775.00
12	Barnes County	\$0.00	\$100.00	\$100.00
13	Fargo	\$850.00	\$1,858.00	\$2,708.00
14	Sargent County	\$350.00	\$200.00	\$550.00
15	Richland County	\$1,475.00	\$1,760.00	\$3,235.00
Total:		\$14,142.74	\$12,169.26	\$26,312.00

\$26,312.00 divided by 11 months averages **\$2020.39/month**

12 months projection **\$28,704.00**

2 year projection **\$57,408.00**

FY 2009 Totals (7/1/08 to 6/30/09)

Site	# Offenders	# CS Hours worked	Ave # of CS Offender per month	Ave # of CS hours worked per month per Offender	Ave # of CS hours worked per month	Total P & P Offenders	Total Misd Offenders	Total Juvenile Offenders	Fiscal Collected	Non-Cash Value of CS hr. worked
Bismarck Rural	585	5,438	49	9	453	6	51	528	8,685	\$38,064
Bismarck Urban	411	8,341	34	20	695	120	288	1	16,475	\$58,387
Devils Lake	150	5,541	13	37	462	24	38	87	4,623	\$38,784
Dickinson	194	6,356	16	33	530	11	99	80	8,425	\$44,489
Fargo	1,200	33,622	100	28	2,802	75	961	125	63,865	\$235,352
										\$0
Grand Forks	417	12,760	35	31	1,063	99	316	2	55,422	\$89,322
Jamestown	585	15,365	49	26	1,280	40	504	44	29,353	\$107,553
Minot	297	7,326	25	25	610	73	173	44	15,826	\$51,279
Rugby	180	5,075	15	28	423	0	117	63	0	\$35,522
Valley City	0	0	0	#DIV/0!	0	0	0	0	0	\$0
Wahpeton-Richland	305	9,805	25	32	817	23	264	17	11,197	\$68,635
Wells County	26	545	2	21	45	0	11	15	510	\$3,815
Williston	171	3,473	14	20	289	14	79	75	12,390	\$24,313
TOTALS	4,521	113,645	377	25	9,470	485	2,901	1,081	\$226,771	\$795,512

MONTHLY STATE REVENUE REPORT											MONTHLY STATE REVENUE REPORT	
REPORT FOR MONTH & YEAR: June 2009 (collected in July 2009)											REPORT FOR MONTH & YEAR: March 2010 (collected in April 2010)	
NORTH DAKOTA STATE TREASURER'S OFFICE												
COUNTY	Community Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Communi ty Service	Community Service	TOTAL
1 ADAMS												0.00
2 BARNES									25.00			25.00
3 BENSON				50.00		15.00						65.00
4 BILLINGS									25.00			25.00
5 BOTTINEAU												0.00
6 BOTTINEAU												0.00
6 BOWMAN		175.00	75.00	25.00				75.00	25.00	25.00		400.00
7 BURKE												0.00
8 BURLEIGH	795.00	269.62	400.00	589.00	280.00	325.00	325.00	450.00	625.00		470.00	4,528.62
8 BURLEIGH												0.00
9 CASS		425.00	240.00	285.00	275.00	175.00			200.00			1,600.00
9 CASS	600.00						125.00		300.00		500.00	1,525.00
10 CAVALIER												0.00
11 DICKEY	280.00	330.00	25.00	25.00	100.00	25.00	125.00	50.00	165.00		335.00	1,460.00
12 DIVIDE												0.00
13 DUNN												0.00
14 EDDY	50.00	175.00	87.00	113.00	50.00	50.00	50.00	50.00	75.00		100.00	800.00
16 EMMONS	100.00		25.00	125.00	50.00				50.00		25.00	375.00
16 FOSTER	100.00		75.00	125.00								300.00

17 GOLDEN VALLEY											0.00
18 GRAND FORKS	186.00	134.00	125.00	75.00	80.00				50.00	5.00	655.00
18 GRAND FORKS						10.00					10.00
19 GRANT											0.00
20 GRIGGS	150.00	50.00			50.00	25.00	25.00				300.00
21 HETTINGER											0.00
22 KIDDER		50.00						25.00			75.00
23 LAMOURE	500.00	200.00	100.00	50.00	150.00	100.00	50.00	25.00	25.00	250.00	1,450.00
24 LOGAN					25.00						25.00
25 MCHENRY	250.00	100.00	125.00	75.00	47.50	32.50	67.50	75.00	115.50	27.00	915.00
26 MCINTOSH	50.00				25.00			50.00			125.00
27 MCKENZIE											0.00
28 MCLEAN											0.00
29 MERCER											0.00
30 MORTON	50.00	200.00	50.00		120.00		150.00	125.00	200.00	125.00	1,020.00
30 MORTON				75.00		75.00					150.00
31 MOUNTRAIL											0.00
32 NELSON											0.00
32 NELSON											0.00
33 OLIVER						50.00					50.00
34 PEMBINA											0.00
36 PIERCE	150.00		150.00		20.00	125.00		50.00	75.00	90.00	660.00
36 RAMSEY											0.00
36 RAMSEY											0.00
37 RANSOM	150.00	440.00	150.00	265.00	60.00	250.00	100.00	175.00	29.00	125.00	1,744.00
38 RENVILLE											0.00
39 RICHLAND	300.00	400.00	550.00	275.00	175.00	75.00	150.00	150.00	175.50	275.00	2,525.50
39 RICHLAND										75.00	75.00
39 RICHLAND											0.00
40 ROLLETTE											0.00
41 SARGENT	265.00	200.00	175.00	75.00	125.00	100.00	150.00	50.00	100.00	50.00	1,290.00
42 SHERIDAN											0.00
43 SIOUX											0.00
44 SLOPE											0.00
44 SLOPE									25.00		25.00
45 STARK					100.00		50.00				150.00
45 STARK	50.00								50.00	25.00	125.00

46 STEELE											0.00
47 STUTSMAN	450.00	210.00	125.00	75.00	300.00	100.00	200.00	170.50	204.00	84.50	1,919.00
47 STUTSMAN										75.00	75.00
48 TOWNER											0.00
49 TRAILL											0.00
50 WALSH		100.00		75.00			50.00		30.00	90.00	345.00
50 WALSH											0.00
51 WARD	150.00	125.00	225.00	260.00		100.00	25.00	230.00	45.00	200.00	1,360.00
51 WARD					165.00						165.00
52 WELLS		200.00	50.00		50.00						300.00
53 WILLIAMS											0.00
53 WILLIAMS											0.00
TOTAL BY TYPE	4,626.00	3,783.62	2,752.00	2,637.00	2,247.50	1,632.50	1,717.50	1,900.50	2,414.00	2,926.50	26,637.12

Bismarck Rural	McIntosh	Logan	Kidder	Emmons		Oliver	Sheridan	Grant	Sioux		\$650.00
Bismarck Urban	Burleigh	Morton									\$5,698.62
Devils Lake	Towner	Benson	Ramsey	Western 1/2 Nelson							\$65.00
Dickinson	Bowman	Billings	Adams	Slope	Stark	Hettinge	Dunn	Golden Valley			\$725.00
Fargo	Cass										\$3,125.00
Fessenden	Wells										\$300.00
Grand Forks	Grand For	Walsh	Steele	Traill	1/2 Nelson						\$1,010.00
Jamestown	Eddy	Foster	Stutsman	Griggs	LaMoure	Ransom	Dickey				\$8,048.00
Minot	Renville	Ward	Burke								\$1,525.00
Rugby	Pierce	McHenry	Bottineau	Rolette							\$1,575.00
Valley City	Barnes										\$25.00
Wahpeton	Richland										\$2,600.50
Willison	Williams	Divide	McKenzi	Mountrail							\$0.00

total 25,347.12

Sargeant Co.

1,290.00

26,637.12