

**2011 SENATE APPROPRIATIONS**

**SB 2275**

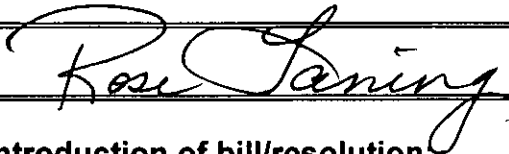
# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Appropriations Committee Harvest Room, State Capitol

SB 2275  
January 26, 2011  
13426

☐ Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution.

A bill to provide an appropriation for community service supervision grants.

### Minutes:

See attached testimony # 1 - 4

**Chairman Grindberg** called the committee hearing to order on SB 2275.

**Senator Wardner**, District 37, Dickinson

Bill Sponsor. Testified in favor of SB 2275.

This bill, SB 2275, which is a grant for community service and the supervision of individuals who are sentenced to community service. He gave a quick history and said this group was like an orphan – no one really wants them. A few sessions ago, they were in the corrections budget and when corrections cut their budget, they cut the community service and they were able to survive. The next session, they were given \$100,000 and get the rest out of fees except that didn't work too well because the people who are sentenced to community service people don't have any money to pay the fees. For four years, they got through and spent their reserves. They go into the community and get dollars from local political subdivisions and others who contribute. There is a big local match that goes along with this. Last session, OMB was the fiscal agent for them and they got missed in the budget this time. They've been in the budget in the past. This is for \$500,000. Last biennium, it was \$375,000 biennium.

**Rep. Clark Williams**, District 25, Wahpeton

Bill Sponsor. Testified in favor of SB 2275.

Testimony attached - # 1- Estimate For Possible Funding Reimbursement

He was principal at Wahpeton High School and took his tardy students to the park and do community service work. They picked up road ditches, but had to quit because of the liability – the insurance. This bill mirrors the same concept. In Richland County, it costs \$100/day to house a prisoner. Under this bill and the concept of community service, a judge could give someone 40, 60, 80 or 120 hours of community service if they are not a threat. The county has a block flat rate insurance to cover the liability. They have a community service officer that supervises them and they work for nonprofit groups. They work for 40 hours but only 35 are community service. The supervisor spends about 5 hours working with them through Job Service so they can become employable. It has a

price tag, but it makes good sense because they are not being housed and a possibility of getting off of WIC and getting off unemployment and a host of other programs. He handed out a sheet that was a formula from the last interim. There are columns that show the flat rate and by population relative to the entities that are using it. It's important and an economical bill. Please give this bill your favorable consideration.

**Senator Robinson** District 24, Valley City  
Bill Sponsor. Testified in favor of SB 2275.

He described a situation when his son was in community service. A few years ago, he was on the Alternative Corrections Committee and they talked about these concepts, in terms of intervention, prevention up front. We always pay the bill at the other end. This is a small investment with a big time return. When you're in community service, you're not only doing good things, but you have the opportunity to develop a relationship with a mentor – someone to go to and build a friendship with. Often that mentor becomes a reference for job employment after community service and a friend. This program has turned folks around and given them that second chance. The more money we put in these projects, the less money we have to put in from the budget. This is an investment in young folks who sometimes feel they have no place else to turn. He hoped the committee would see fit approve the program.

**Senator Wanzek** : How did you come up with breakdown of dollars per community?

**Senator Robinson**: There is a formula in place – others can speak better of this as to the formula. The \$500,000 is a lot of money but the return on investment is tremendous. When it knocks on your door, you are thankful it's there.

**Dell Horn, Lobbyist #185 , ND Community Corrections Association**  
Testified in favor of SB 2275.

Testimony attached - # 2 – Judges and Law Enforcement Experience packet

Testimony attached - # 3 – Letters of Support from different work sites.

Testimony attached - # 4 – Letters of Support from different directors

He is the current president of the ND Community Corrections. It was formed in about 1992 by various community action groups in the state and by the Department of Corrections and Rehabilitation (DOCR). In 2006, the DOCR reduced their funding to \$0 for this program. In 2007-2008 biennium, the legislature instituted a court ordered fee along with state appropriated funds of \$100,000 that was put in the DOCR budget. For the 2009-2010 biennium, the legislature reinstituted funding and put this program in the Office of Management and Budget for \$375,000. They are asking for a small increase of \$125,000 for biennium.

Court ordered community service is an alternative to incarceration. It does more for the offender than just give them an alternative of going to jail. It gives them an opportunity to change what they are doing, the way they view life, their small decision making skills that they don't see as wrong because that's the way they were raised.

The program tries to get them into the workforce and get them with someone that can give them an opportunity to reverse some thinking errors. When you become mentor, they follow what you are doing and what you have to say.

He highlighted how it saves the community money and gives the offender an opportunity to change. It's an unrecognized portion of this bill. If you do community service, you have to be covered under insurance, so his office provides the insurance. They save in incarceration costs. There were 125,325 hours of community service in 2010. There would be a savings to ND of almost \$2M.

He concluded his testimony and asked the committee for their favorable support.

**Senator Warner** asked how the organization started in these counties, like Williams County, is this grass roots coming up. Describe mix of agencies and how they originated.

**Dell Horn:** Each region is a little different and all probably started as grass roots. At some point, some counties have made a decision that they needed to be involved. He's in 6 different counties and each county contracts him to work in their counties. One region formed an advisory board and he answers to that advisory board. Some regions, it's the county commissioners and advisory boards. Each region makes a decision to what is best.

**Senator Warner** said you're more distributed in east than west, do you have a process where local people who have an interest can apply for these grants and join your organizations.

**Dell Horn:** We are open to anyone wanting to join. We would help them start up with the initial procedures needed. Certain counties have made a choice not to be involved in our association.

**Senator Warner** asked if they felt more comfortable having their budget in OMB would they rather be a line item in the Corrections budget.

**Dell Horn** said it's a double edged sword. I feel we should be in DOCR budget. Any alternative to incarceration should be in that budget, however, they have a process that they go through and determine what they consider more important than others and that's one reason the program got cut. He's happy to get funding with whatever budget they are added to.

**Senator Christmann** said you make compelling case for concept, but when you go to where the money goes, other than insurance, what do we need money for to have people work for nothing.

**Dell Horn:** They have certain overhead to maintain – some say they are short of staffing.

**Senator Christmann:** What do we need you for, if judge says to the offender that you will go to the landfill and work 300 hours of work in the next year and every month, you better

bring documentation that you worked 25 hours or you're going to jail. What do we need more people for?

**Dell Horn:** Some who break law have no respect for the law and do not follow through. We make sure community service is actually completed and followed through with the integrity of the program.

**Senator Robinson** said the oversight is so critical. There are individuals who are shining success stories. How many folks do we have in corrections that should be in a glorified community service program? Please touch on the formula.

**Dell Horn** said the formula is based on a base rate to each one of the regional offices of \$10,000. It's a figure we came up with that we feel each office needs that much to live. The rest of the money is divided up according to population. By sheer population, there will be offenders in Fargo than there will be in Wells County.

Concluded testimony.

**Bill Newman, Executive Director , State Bar Association of ND**

Testified in favor of SB 2275. No written testimony.

Most judges and the drug courts support this program.

No questions.

**Senator Grindberg** closed the hearing on SB 2275.

# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Appropriations Committee Harvest Room, State Capitol

SB 2275

February 17, 2011

Job # 14705 (Meter starting at 95:15)

☐ Conference Committee

Committee Clerk Signature

*Rae Tanning*

### Explanation or reason for introduction of bill/resolution:

A committee vote on SB 2275 for community service supervision grants

### Minutes:

You may make reference to "attached testimony."

**Chairman Holmberg** opened the hearing on SB 2275.

**Senator Wardner** said this bill provides funding for the community service programs throughout the State of ND. Last session their budget was in OMB and before that they were in corrections. They were overlooked and not put in the budget. Last biennium, they had \$375,000 that was appropriated to them. There are a lot of hard working people out there who are providing alternatives to incarceration. They provide worksites and make sure that the individuals do the activities they are assigned by the judge. They have to have a local match and this amount of money is divided between 15-16 entities split in two which is over two years. It's \$500,000 and would like the committee to pass it at that amount. I'm sure it's going to get cut in the House.

**Senator Wardner** moved Do Pass on SB 2275.

**Senator Krebsbach** seconded.

A Roll Call vote was taken. Yea: 9 Nay: 4 Absent: 0

Motion carried.

**Senator Wardner** will carry the bill.

# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Appropriations Committee Harvest Room, State Capitol

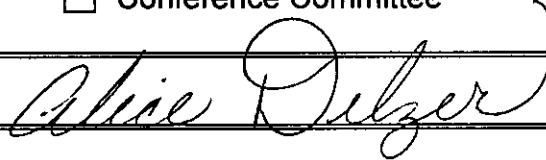
SB 2275

04-06-11

Job # 16380 (Meter 12.15-13.50)

☐ Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A discussion in full committee on SB 2275, Community Service Grants DO CONCUR; (Several Senate Bills were discussed briefly on this Job: 2006, 2019, 2022, 2275)

### Minutes:

You may make reference to "attached testimony."

**Chairman Holmberg** called the committee to order on Wed, April 6. Roll call was taken. All committee members were present. Tad H. Torgerson, OMB and Brady Larson, Legislative Council were also present.

**Chairman Holmberg:** SB 2275 was carried by Senator Wardner. That's a bill that dealt with the Community Service Supervision Grants. We passed it at \$500,000. The House made two changes. They didn't like \$500,000 and reduced it to \$375,000 and then they added a section that the funds that are appropriated under this section are considered ongoing funding and are to be part of the OMB's base budget as a separate line item for the 2013-2015 biennium.

**Senator Wardner:** Concur.

**Chairman Holmberg:** Any angst? I wrote DO CONCUR.

**Senator Wardner:** When they put it in that it is ongoing, that is a key thing and the individuals will be very pleased with that. And we've talked it over those community service people and so we're ok.

**Chairman Holmberg:** What I'm doing is I'm going to be turning these 3 bills (2006, 2019, 2275) in but I will hold on 2022 if you can get an answer back when we come back this afternoon on the meetings for those boards.

The discussion ended on SB 2275.

Date: 2-17-11  
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Wardner Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg		<input checked="" type="checkbox"/>	Senator Warner	<input checked="" type="checkbox"/>	
Senator Bowman	<input checked="" type="checkbox"/>		Senator O'Connell	<input checked="" type="checkbox"/>	
Senator Grindberg		<input checked="" type="checkbox"/>	Senator Robinson	<input checked="" type="checkbox"/>	
Senator Christmann		<input checked="" type="checkbox"/>			
Senator Wardner	<input checked="" type="checkbox"/>				
Senator Kilzer		<input checked="" type="checkbox"/>			
Senator Fischer	<input checked="" type="checkbox"/>				
Senator Krebsbach	<input checked="" type="checkbox"/>				
Senator Erbele	<input checked="" type="checkbox"/>				
Senator Wanzek	<input checked="" type="checkbox"/>				

Total (Yes) 9 No 4

Absent 0

Floor Assignment Wardner

If the vote is on an amendment, briefly indicate intent:



**REPORT OF STANDING COMMITTEE**

**SB 2275: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS**  
(9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2275 was placed on the  
Eleventh order on the calendar.

**2011 HOUSE APPROPRIATIONS**

**SB 2275**

# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Appropriations Human Resources Division Roughrider Room, State Capitol

SB 2275  
March 21, 2011  
15705

☐ Conference Committee

Committee Clerk Signature

*Julia Gage*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the office of management and budget for community service supervision grants.

### Minutes:

**Chairman Pollert** opened hearing. Clerk took role and quorum declared. Chairman Pollert opened hearing on SB 2275.

**Senator Rich Wardner**, District 37, Dickinson: Introduced bill as one of the sponsors of the bill. The community service programs have been a part of the state budget since 1993. They've been part of the corrections budget and then last biennium they were part of the Office of Management and Budget. About 2-3 sessions ago, corrections made a cut and they cut this program out of their budget. This past biennium, when it came time to work up the budget, they were missed. This is a standalone bill and not in the budget somewhere else. I believe this is a group of people who get out and make difference on the frontlines as far as the corrections system. When we talk about community service, we're talking about when judges sentence people to community service. The issue is that there isn't always follow through on individuals sentenced to community service actually completing the service, thus there needs to be supervision. This group makes sure the service gets done and fees are collected. This appropriation doesn't fund them. They have to go out and get matching dollars in the community in order to make their programs go. They do collect some fees, but keep in mind, that a portion of the people who get sentenced for community service can't afford to pay them. Last time, \$375,000 was their appropriation versus \$500,000 that is being requested this time. They have two people that are going to explain the program and they will answer some of the detailed questions.

**Chairman Pollert:** called for testimony in favor of SB 2275.

**Dell Horn**, President of the North Dakota Community Corrections Association: I am from Jamestown and there are seven different counties I represent. He introduced the members that were in the audience in support of SB 2275 to include Holly Neubauer, Darlene Lee, Deb Schuler, Pam Cantrell, Janelle Pepple, Jony Anderson, Nancy Keating, Dave Denich, Brenda Peterson, and Andy Horner (pg 3 of testimony - Dell Horn provided and presented written testimony in support of SB 2275, labeled as attachment **ONE**). We are divided into 14 regions. We have covered a majority of the counties in ND. There are four counties that

are not part of our association. Those four counties have some type of community service in their counties. A lot of individuals will contact a region that is close to that county and ask for help in organizing their community service.

**Holly Neubauer**, director of the Fargo Community Service Program: (testified in support of SB 2275), she provided and went over a graph, labeled as attachment **TWO**. This information indicates where the funding came from over the past several years (2005-2010). While the majority of the funding comes from program fees, that money is decreasing every year because sometimes referrals decrease and we do have some of our clients that cannot pay because they are indigent. We do ask that they come with something, rather than nothing because we do like to put that financial responsibility on the offender, however there are times we do have clients who simply cannot pay. We still would like them to complete their community service, follow through with the court orders so we continue to receive referrals through the courts. As far as Fargo goes, without this funding, I will have to seek other means to keep my budget in the black. The \$375,000 that we received last biennium as beneficial to my program, as it was to the NDCCA (North Dakota Community Corrections Association). The \$500,000 would be better, but we would accept \$375,000. Without any funding, programs may have to look at shutting their doors. Grants are a possibility, but grants are few and far between and they're different to come by. Fargo's community service supervision program does not receive any county or city funding, at this time. In 2004 we did receive some city funding, but the parameters have been changed as far as awarding grants and our program no longer fits those parameters. They are looking at arts and humanities and social services and they do not consider us social services.

She proceed to explain the second sheet of attachment **TWO**, which outlines the number of people that we have seen over the last year and gives a break down to each region (number of offenders, number of community service hours that they've worked, average number of offenders per month, fiscal amount that's been collect and the noncash value of the community service hours worked). This is to show the cost benefit.

**Representative Wieland**: in going back to the pie chart, can you tell us which percentage correlates to which funding source?

**Holly Neubauer**: Program fees represent 46% of the budget, NDDOC represent 11%, grants are 12%, the city is 2%, donations are 1%, miscellaneous funding would be 1%, the counties are 17% and Office of Management and Budget is 10%.

**Representative Wieland**: I'm surprised that the cities are only at 2%, especially with a letter from District judges supporting this program (attachment **FOUR**). Do most cities fall into that category in that they feel their responsibility is minimal when it comes to funding these programs?

**Holly Neubauer**: I feel that the cities and the counties, with all the other regions, do fund their local programs. I cannot speak to why the city of Fargo and Cass County has not funded the Fargo program in the past. I can guess that there are simply more requests than there are funds available. I don't feel anytime soon, with all the expansion going on in the DOC in the Fargo area, if I submitted a request that I would get funded.

**Representative Wieland**: do you apply, knowing that you might be turned down?

**Holly Neubauer**: Yes

**Vice Chairman Bellew:** is there any way we could get a list of those fees?

**Dell Horn:** I believe that ND Senate instituted an interim study to study those court ordered fees and the order in which they are presented. The Supreme Court would have a listing of those fees and where we fall. I believe there are 11 fees and we are listed as 9.

**Legislative Council:** I will get that for you.

**Vice Chairman Bellew:** if these offenders do not pay their fees, would they go to the county jail or state jail?

**Holly Neubauer:** it would be county jail.

**Representative Nelson:** you also had judges that didn't levy fines in the past and in your region, you had to raise more money from the private sector, than we've seen in that past. I think the 2010 pie chart would show a more accurate picture as to funding sources versus the chart you provided which is an average over the past 5 years. We also need to show that we aren't starting from 0, but rather from \$375,000. Has the \$375,000, for your region, been working and been able to provide you with what you need to stay in the black?

**Holly Neubauer:** Yes. I was flush for my budget this year. It was not a large amount, but it was more than a negative amount.

**Representative Nelson:** has there been any change from the judges in Cass County as to the commitment that ND made last session?

**Holly Neubauer:** Yes. I am seeing more referrals. I couldn't attest to the community supervision fee and whether that has created or generate more funds for me. They still do continue to waive that community service supervision fee because a lot of those clients tend to be indigent or at least in their position, they feel that they're indigent.

**Representative Kaldor** confirmed that the pie chart was the totals for the state and not solely for the Fargo area. He also confirmed that the NDDOC is from Dept of Corrections and that has been transitioned out to Office of Management and Budget.

Due to committee's request, **Holly Neubauer** provided the Fargo breakdown for funding sources, labeled as attachment **THREE**.

**Chairman Pollert:** are the program fees the fees indicated in the last paragraph of your testimony, Dell? The \$25 community service fee paid by the offender to the court and the \$50 community service program fee paid by the offender to the community service regional officer? Is that statewide?

**Dell Horn:** the \$25 is statewide and is the court ordered supervision fee. That money would be included in the NDDOC because that is money that is paid to the court system and from the court system it is transferred to the NDDOC. From there it is distributed out to the different regional programs. Each region gets back what is collect within their region. However, the amount that's collected is different in each region.

**Chairman Pollert:** so, you are saying the \$25 and \$50 is collected through the NDDOC and the NDDOC puts it out as grants to the 14 districts?

**Dell Horn:** The \$25 is the only amount that goes through the NDDOC and set out in grant form. It is still collected today. That money will be collected until everybody has paid their court ordered community service supervision fees, unless it will be waived by the judge (depending on financial stability of the offender).

**Chairman Pollert:** what about the \$50 fee? That stays in your local district for what you collect?

**Dell Horn:** Yes, that \$50 stays within the district that it was collected in. That would be the 46% in the pie chart.

**Chairman Pollert:** truthfully, that 46% does not reflect 09 and 10 and that is what we need to be looking at.

**Dell Horn:** Yes. You can look at the break down for 09 and 10 to get those numbers. The state has gone to \$50 and we recommend that each region collect a \$50 fee.

**Chairman Pollert:** what is your success ratio of collecting that (the \$25 and the \$50)? I'll ask the other regions this too. If I'm correct in the 07-09 biennium, did we do \$250,000 and then we tried to do a \$62 and then we heard that, that wasn't very successful so we drop the \$62 and then it went up to \$375,000 during conference committee...well, you can just answer the question.

**Dell Horn:** I believe the 46% is fairly solid across the board. It does show the past. We haven't changed our collection procedure so I don't believe that number would change per say. The amount might change due to referral factors and how many referrals come in. I don't have the exact number for success rate for collection in my region.

**Chairman Pollert:** just for those that are testifying, if your region has a different fee from \$25 and \$50, I'd like to know what that fee is and the reason it's different.

**Vice Chairman Bellew:** are these fees statutory?

**Dell Horn:** There is one statutory fee and that is the \$25 fee through the court system.

**Vice Chairman Bellew:** who sets the \$50 fee?

**Dell Horn:** The \$50 fee is what our individual programs have determined through policy through our board or who we answer to. It's not set by any state policy or institution.

**Vice Chairman Bellew:** you do have the ability to raise that fee, right?

**Dell Horn:** Yes. Each region has the ability to raise that fee and charge secondary fees to that. We are getting into muddy waters here, because you are talking about 14 different programs. I answer to a 22 person board, for instance, so it's not just me deciding what the fee is. In Wells County, the community service person is a county employee so the county commissioners would be setting that fee. As an association, we made a recommendation to all the regions that they charge this \$50 fee so that we could be uniform throughout the state, so that when somebody comes into my Jamestown office, I can say that in Williston they are going to charge you a \$50 fee to perform community service.

**Chairman Pollert:** in 07-09, when we did the \$250,000 and tried to do the fee, did you have the \$25 and the \$50 instituted at that time? Or were we trying to do the \$50, \$25 and the \$62? Was it a double up of fees?

**Dell Horn:** We did have a fee structure and it is similar to what it is now. Most of us have not raised our fees in quite awhile. There are some regions that determined they will not charge the \$50 and charge less. For the purposes of what we are doing today, the fee structure has not changed since the 07-09 biennium.

**Representative Nelson:** how did the \$375,000 work for your region?

**Dell Horn:** it made my program flush. At \$375,000 for this upcoming biennium, however I would NOT be in the black and would be in the red about \$1500.

**Representative Nelson:** why?

**Dell Horn:** Our board made some changes. We decided to upgrade some different things. I had hired a person that works up in my Carrington office and she required equipment. For this biennium, it would put us back.

**Representative Nelson:** our focus needs to be on getting to the right number. I'd like to know from each region how the \$375,000 is working for them.

**Chairman Pollert:** when I've got letters supporting SB 2275 from judges, I've written back, stating, when is it a state obligation and when is it a local obligation? If you aren't receiving the \$50, I'm going to have a difficult time supporting the \$500,000 appropriation. That means the counties need to be stepping up more.

**Representative Nelson:** on the conference committee, I would be disappointed if counties thought that there's not a role that they have in this. The state is not getting any of the work that's being done and it's the counties and cities that are getting the services. We don't want to provide too much so the counties and cities back off.

**Dell Horn:** for my region, we are funded from all 7 counties. I had one county commission that raises the amount it's giving. My municipality cut my budget in 2/3s due to municipality reasons; they don't have any money. All the county commissioners I have talked to want to support our program because they know it saves them money in incarceration costs. They know it gives back to the nonprofits. The reason that Stutsman County raised its amount is because the state did come forward with money last biennium.

**Chairman Pollert:** is the \$50 program fee that you are collecting in your district, fairly successfully?

**Dell Horn:** Yes, we collect over 90% of the fees that are owned by the offender.

**Chairman Pollert:** Legislative Council, do you have the history that I guessed on earlier about the \$250,000? I want to clarify those numbers.

**Legislative Council:** in 07-09, legislative assembly provided \$125,000 from the community service supervision fund and gave \$100,000 from the DOCR field services appropriation so it was \$225,000 and they were expecting to receive a local match of \$1 for every \$2 provided by the dept.

**Holly Neubauer:** in going back to the fees, in 07-09, I was not allowed to collect my program fee on top of the court mandated fee. With the reduction, I was able to collect these fees. Now, I collect 100% of my program fees (whether it's the full \$50 or at least some amount). We do not allow our clients to utilize our program without coming with something.

**Chairman Pollert:** you are referring to the \$50?

**Holly Neubauer:** Yes. She went over attachment **THREE** and highlighted 09 and 10. The JAIBG is block grant money for our juvenile population. We no longer use juvenile drug court through our office as we do not have a contract with them anymore. We do not use Youthworks out of school suspension any more.

**Representative Nelson:** what is the source of funds for the JAIBG block grant?

**Holly Neubauer:** I compete with LSS for that funding. We typically go back and forth every other year to receive that funding. I utilize it for my theft awareness and prevention class to juvenile first time offenders.

**Representative Nelson:** is it federal?

**Holly Neubauer:** Yes, it is federal and we present to the CCJEC and they decide who receives that funding.

**Representative Nelson:** what does it stand for?

**Holly Neubauer:** The Juvenile Accountability Incentive Block Grant

**Chairman Pollert:** is that something that every district can get part of?

**Holly Neubauer:** Federal dollars are distributed per county and your county commission has to make a request to receive those funds. I believe it is city and county and they lump them together and distribute them.

**Dell Horn:** in order to be eligible for that grant, we had to encompass 8 different counties to meet that \$10,000 (grant comes in blocks of \$10,000) so it is population based

**Chairman Pollert:** with your 7 districts, you could still co-op in with another district to try and get those dollars, right?

**Dell Horn:** Yes, you could bring them all in to get that funding, but it would have to be administered from 1 entity. We could not hire somebody to run that in each individual program. We couldn't subcontract that.

**Chairman Pollert** called for more testimony in support of SB 2275.

**Jony Anderson, Minot:** I want to add that a lot of times I get clients referred from parole and probation at an intermediate measure so instead of pulling them back into prison, they'll give them 50 hours of community service, for instance. That's where we represent quite a few of the clients is from this area. They just e-mail me the referral and then I get a hold of the client, letting the probation officer know when the client makes the connection and keep in contact with the officer regarding status of community service. I do get funding from Ward County and the city of Minot. The community service is for more minor crimes (DUI). We do Juvenile Drug Court as well.

**Chairman Pollert:** what is your success ratio on the program fee?

**Jony Anderson:** With city court, it's not that great because they are working off their fine. If they cannot afford to pay their fine in 30 days, they go do community service hours. The judge decides the dollar amount and divides it out regarding how many hours of community service they have to do. I don't release the hours unless the fee is collected thus they are more apt to get the fee in because they have the hours done. We have a quick turnaround on that part.

**Chairman Pollert:** county wise?

**Jony Anderson:** Delays are common with the county.

**Vice Chairman Bellew:** does the court give you a fee for taking the parole and probation clients?

**Jony Anderson:** We charge the client a fee.

**Representative Nelson:** do you get the JAIBG money?

**Jony Anderson:** No, the juvenile detention center gets that money every year

**Representative Nelson:** the federal money does go to Ward county, but you just don't get a piece of it?

**Jony Anderson:** Yes.



**Representative Nelson:** do you request it every year?

**Jony Anderson:** Yes we do. Because of the juvenile detention center and the county pays for that too...you have to get that money so it's other counties that you're also trying to get to come in with you and then they get part of that too – do a co-op.

**Representative Nelson:** It seems to me that you would have a good argument to get a piece of that.

**Jony Anderson:** with the 4 murders that took place, 3 were my clients and the one that was murdered last fall was also my client. We see a lot of people that most think we wouldn't see. The judge refers them and we do our best to get that stuff done for them.

**Chairman Pollert:** How are you doing, as far as being in the flush, black or red, with the \$375,000 that was given last biennium?

**Jony Anderson:** I work for an agency. Drug testing keeps us afloat as well as the victim impact panel for DUIs. For instance, last week there were 123 referrals for the DUIs and we had 73 that showed up. I turned the list back into the clerk's office the next day and then judges issue warrants for that.

**Chairman Pollert:** what do you charge for the drug test?

**Jony Anderson:** \$20 and we don't test unless we have that money – no payment/no show = positive drug test.

**Bill Neumann,** Executive Director of the State Bar Association of ND: The Bar Association supports the funding of community service supervision grants as community service is an extremely important sentencing alternative. ND taxpayers get a lot of bang for their buck with community service.

**Chairman Pollert:** when is it a state issue and when is it a local issue?

**Bill Neumann:** It's always a combination of state and local. If you were dealing with someone with a felony and therefore more a candidate for the penitentiary, it would be more of a state issue. But even you are dealing with someone charged with a misdemeanor, who is essentially a candidate for jail time; it's still partly a state issue because all of the courts in ND are all state courts. When judges get together and talk about sentencing, they talk about the goals. One of the goals is always to change the offender's behavior because you've taken a person on the cost side of the balance sheet and hopefully you've put them over on the revenue producing side where instead of requiring court time and police time, they're employed and paying taxes. Community service is one of the behavior changing options.

**Holly Neubauer:** I want to recognize the support letters that I've submitted (attachment FOUR) from judges who are strong advocates of this program. I believe that the rationale from their standpoint is because they send us so many referrals and we do charge a program fee and they are well aware of that. I do think, because we collect the fees, they think that that's enough to balance our budget. Perhaps we would get more funding if they were more aware of how we operate and what our budget looks like and the need for state and local funding. We plan on doing study with NDSU to look at the community corrections program in Fargo as a whole along with some others across the state to find out what the future of these programs are because sustainability of programs with money is the main concern. Hopefully, the results of that study will certainly have an impact on funding.

**Nancy Keating**, Bismarck: I get money from Burleigh and Morton counties. One of the things that they are interested in is do I get state support. My concern is that if I didn't that there's a good chance that the counties would decide that they do need to support me either. Secondly, in terms of collecting fees from clients, the fee collection is dependent on the client. If I send someone back for not paying the fee, the court doesn't necessarily do anything and that's dependent on the state's attorney deciding if they want to process that or not. The other thing is that you don't get the fees if the clients don't come in. What's helpful about having state and county support is you've got a bottom to your budget. There are things that you know that you can count on.

**Representative Wieland**: there's Bismarck rural listed. Is that included in Burleigh County then?

**Nancy Keating**: We have 1 1/3 people. We cover the south central district. The person that covers rural counties also has a huge juvenile caseload and probably does a lot more juveniles that she does adults. But we have been working with a lot of those counties and have been doing a regular contract with them annually.

**Representative Wieland**: you are talking about the south central rural area. Have there been any thoughts of merging those two organizations so that it might be more efficient?

**Nancy Keating**: We are merged. We are both part of Centre, Inc. so we share the office and expenses.

**Representative Wieland**: Aren't you getting funded separately, according to SB 2275?

**Nancy Keating**: Yes, that's true. It could just as well be considered one. We just left that on the list because we have two separate phone lines, we have separate caseloads, phone lines.

**Chairman Pollert**: do you have success in collecting the fees?

**Nancy Keating**: Yes. The hours are not released back to the court without that fee.

**Chairman Pollert**: do you have idea what percentage you are able to collect?

**Nancy Keating**: I have probation cases (felony) which takes my success rate down. It would be close to about 65%, generally speaking.

**Representative Nelson**: if you weren't there and community service went, would there be longer incarceration rates across the states? In your area, what percentage of your clients would be housed in state facilities versus in county?

**Nancy Keating**: I don't think I can answer that adequately. I do have people that have felonies reduced to misdemeanors if they do hours and hours of community service. Community service has a cost savings to both the county and state. In doing some research, at least 3 of the state agencies have concerns with underage drinking and we are the front line for a lot of the people. That's a big concern for the state. There is nobody but community service that deals with that the way we do and really try to get a hold of these people before they end up coming to the county or the state or need treatment or incarceration.

**Deborah Schuler**, Grand Forks: I want to give you figures about savings in state versus local. I work a lot with parole and probation in my region. There was a state statute put in place that the probation officers have about 6-7 options rather than revoke the client and send him/her back to the penitentiary. In 2010, we had 33 probation clients worked 5,322 hours of community services. Our sex offender specialist uses us in having the offender

work 40 hours community service/week until the offenders find a job. Last year, we had 8 drug court clients work 594 hours rather than have their drug court fail. We also had probationees work off their fees. Over the last year, 67 of my clients worked 7,481 hours, strictly for NDDOC.

**Chairman Pollert:** what is the success of collection of the fees?

**Deborah Schuler:** I collect about 98%.

**Andy Horner:** I have a few comments regarding equality between state, county and city in terms of funding. One of my judges said, we are enforcing and helping to enforce state laws. It is not a city or county thing. It is a big part of the state. We do collect 98%, but I am dependent on what we will be getting from the state because my numbers are off.

**Chairman Pollert:** do you have any other fees that are collected besides what's been brought forward today?

**Andy Horner:** We do the mandatory \$50. We do waive \$15 of it, so we are collecting \$35.

**Chairman Pollert:** how are you doing with the \$375,000?

**Andy Horner:** It would be very difficult. I am getting support locally. All the counties in my district are participating.

**Darlene Lee, Richland County:** our district judge orders individuals not paying child support, 40 hours of community service a week until they find a job. We have good turnaround on that. We are not spending state monies on supporting the families, welfare; we are assisting the counties and the state in getting these people back on their feet.

**Chairman Pollert:** do you have success collecting the fees?

**Darlene Lee:** We are about 78% because Richland County does support about half of our program. I collect a \$45, which is all that I am allowed. For those we cannot collect fees from, they are required to work an additional 8 hours of community service to pay those fees back.

**Chairman Pollert:** is there a turnover with the districts?

**Dell Horn:** it's fairly static. It's rewarding.

**Representative Wieland:** I've been comparing numbers that's being requested with the number of clients. What are these dollar amounts based on? What is the rational for all of the dollar amounts?

**Dell Horn:** the dollar amounts come about from each region getting a base amount of \$10,000 because we feel that, that would be fair for each region to allow for an operating budget. From there, it is based on census data thus Fargo would get more and distributed based on population.

**Representative Wieland:** total population or population of offenders?

**Dell Horn:** Total populations

Due to no further testimony in support or in opposition, **Chairman Pollert** informed testifiers that the bill would be voted on next week with clerk to notify them on the specific date. **Chairman Pollert** closed hearing on SB 2275.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

SB 2275  
March 28, 2011  
16053

☐ Conference Committee

Committee Clerk Signature

*Julia Yeife*

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the office of management and budget for community service supervision grants.

## Minutes:

**Chairman Pollert** opened hearing on SB 2275 and asked for proposed amendments.

**Representative Wieland:** I am proposing an amendment (attachment **ONE**), that would essentially reduce the general fund appropriation from \$500,000 to \$374,000. I have three basic issues that I would like to bring up for further discussion. In testimony we learned that Bismarck and Burleigh have combined and I asked the question of what we should do about that since it isn't fair to all the other regions in regards to the of \$10,000 all the regions get and split the rest of it based on total population, thus Bismarck region is getting two appropriations of \$10,000. I did leave the base amount alone, but I believe they need to address that by the time we have our next session so that it is fair because there are some groups that could use additional monies. I've left that up to them to make a proposal. The second issue is in order to prevent us from having a standalone bill submitted each time, I looked for a home to put this bill in. I spoke with Department of Corrections and Rehabilitation (DOCR) and they said they would prefer not to include it (even though it wouldn't be part of their base budget and would be a separate line item, give out as grants like we are currently doing). Thus by next session we need to find a home for this bill, unless Office of Management and Budget would agree to have it as part of their base budget. The third issue is about the amount of money and I am proposing to reduce the \$500,000 to \$375,000 which is what my amendment does. I make a motion to adopt this amendment.

**Representative Kreidt:** second

**Representative Metcalf:** what's the justification for reducing the money? Testimony told us that they are requesting more money to make their programs run smoothly.

**Representative Wieland:** we basically asked everybody the day during testimony if they are running adequately with the \$375,000 that was allocated last biennium, and with the exception of one region, all responded that the 375 was an adequate amount.

**Representative Metcalf:** I heard something different that day.

**Representative Nelson:** when and if this bill goes to conference committee, would they be able to discuss the two points that Representative Wieland brought up in conference committee?

**Representative Wieland:** I would prefer that the group (community service group) got together and decide how they should adjust that.

**Representative Nelson:** I think it's unfair to all the regions in the state that Burleigh county and Bismarck are getting a double up on a base payment when there is larger population centers i.e. Fargo and that would leave more money (\$10,000) to be distributed proportionately out to the other regions. Is that something that can be discussed in conference being that is not part of the amendment?

**Chairman Pollert:** isn't this run through Office of Management and Budget so it would be done through the Office of Management and Budget or would this bill be conference separately?

**Legislative Council:** it would be conferenced separately.

**Chairman Pollert:** okay. Because we are having this discussion here, this discussion would be pertinent to conference committee.

**Representative Nelson:** I think it's simply a waste of time for the people from the community service program to come here every session and justify their existence. We all know what the program is all about (how it serves the communities and the corrections process). I think it needs to be an ongoing appropriation.

**Representative Wieland:** I am okay with a substitute motion.

**Representative Nelson:** I would offer a substitute motion that Office of Management and Budget includes the community service supervision grants as a separate line item in their budget and that the Bismarck urban and rural be combined thus they only get one base funding allocation of \$10,000.

**Representative Metcalf:** second for discussion purposes

**Representative Kaldor:** if you combine the Bismarck urban and rural, is it your intention to still treat that on a population basis like the others? I assuming their allotment or grant would be based on the same data that's provided for all the others.

**Representative Nelson:** Yes, exactly. I am talking about the double up on the \$10,000 base payment thus the rest of the supervision grants would be distributed on the population as exists. Of the \$20,293 for Bismarck urban and \$10,667 for Bismarck rural, that would be reduced by \$10,000.

**Representative Wieland:** They would get a portion of that \$10,000 back just like everyone would. I would prefer that they are separate motions.

**Representative Nelson:** to clarify, it was two separate motions.

**Chairman Pollert:** do you want to rescind your second, Representative Metcalf?

**Representative Metcalf:** Yes

**Representative Nelson:** first motion: Bismarck urban and Bismarck rural would be combined on the base payment and they would no longer exist separately.

**Representative Metcalf:** second

**Representative Kaldor:** did we get an explanation of why that (Bismarck rural and Bismarck urban) was separated in the first place?

**Representative Nelson:** it's been like this since we started looking at this (3<sup>rd</sup> legislative session that we've reviewed this).

**Representative Kreidt:** I would imagine that this includes Mandan, so if we would do this, next time Mandan would come in separately and get the \$10,000 thus I would assume that Bismarck rural would be Mandan (Morton County) and we have two large communities.

**Representative Wieland:** now, they have the same office, same telephone number, and we were told that they basically merged during the last biennium, but they choose, as a group, to maintain as separately. You can't go on population here, as Fargo and West Fargo are combined as one. My preference is to allow the group to come up with their own formula and let them make up how they want to do this. The group has not been given the opportunity to discuss this yet and we should allow them to do so.

**Representative Kaldor:** in reviewing the testimony from SB 2275's hearing, Bismarck rural represents the counties of Sheridan, Oliver, Kidder, Logan, Macintosh, Emmons, Sioux, and Grant, while Bismarck urban consists of Burleigh and Morton counties (which includes the cities of Bismarck and Mandan). They serve different counties, even though they co-located in their operation, so I agree with Representative Wieland and we should let them decide this.

- Roll call vote taken on voice amendment (substitute motion - combining Bismarck urban and Bismarck rural), resulting in 3 yes, 4 no, 0 absent, thus motion failed and amendment not adopted

**Chairman Pollert:** next session, we would like the group to come forward with what the recommendations are.

**Representative Nelson:** the other motion I would like to bring forward is that we fund the community service supervision grants through the Office of Management and Budget in a special line item in an ongoing order, so this is considered an ongoing expense.

**Representative Wieland:** second

**Legislative Council:** it would be in their base budget as a separate line. If it's just a separate line, it wouldn't be in their base and they could choose not to fund it.

**Representative Kaldor:** in 2275, would Office of Management and Budget have a say one way or another because whoever introduced the bill put it in Office of Management and Budget?

**Office of Management and Budget:** we did not take a position on this and it was put in our budget out of a separate bill last session.

**Chairman Pollert:** it was granted out through the Office of Management and Budget

**Office of Management and Budget:** yes it was. We had a line of grants that we granted those out.

**Representative Nelson:** would it be better to add in the bill, after line 2, to continue the appropriation?

**Legislative Council:** I think it would be best as the motion on the floor states in that we would add a separate section to the bill that would specifically state that it is the intent of the legislature that this is ongoing funding. It should be included in Office of Management and Budget's base budget as a separate line coming into the next session. Thus, Office of Management and Budget would include it in their base and not see it as onetime funding.

**Representative Nelson:** that is my intention with my motion.

**Chairman Pollert:** re-enlighten me as far as your discussions with the association as far as this bill and the funding source for future biennia.

**Representative Wieland:** we didn't have a discussion as far as a funding source. I only dealt with them as having them make the decision as to how the funding was to be proportioned within their own group. I did not ask them which organization they would prefer to have it, although in the past, I have heard that they have appreciated the fact that it's in Office of Management and Budget rather than DOCR. It was funded differently. I had the discussion with the DOCR as I indicated previously.

**Representative Kaldor:** I'm troubled by this. I understand the association wanting it this way. This program actually has the effect of reducing incarceration costs which would be a DOCR issue. It's an orphan, but it relates directly to avoiding incarceration costs. I believe there should be language in here about a study during the interim to help determine what the best location is for this. I am okay with it in Office of Management and Budget for now, but I think there needs to be some discussions down the road and we should probably put it in this legislation so it does go into conference committee.

**Representative Nelson:** to go with the analogy that this is an orphan, the parents at one time was DOCR (Dept of Corrections and Rehabilitation) and they abandoned this child about three sessions ago. There was a change in philosophy. I don't know if the community service supervision grants program has the confidence level to go back to DOCR and ask for it to be put back in. I think Office of Management and Budget is a good home for it.

**Representative Wieland:** DOCR didn't drop it. They had actually been doing it. We had been putting a line item in and it was up to the DOCR to determine how much money went out. We were having some problems with that because it wasn't timely and there were some things there. It perhaps belongs in the Supreme Court which may be even better. I don't think we need a study, but rather a discussion and even have a discussion with the Supreme Court and the folks that run the program as they know the history of the program the best. Thus we could come up with something where we could make a change for next time.

**Representative Kaldor:** I don't disagree and just needed to hear a little bit of the rationale. I would also support the motion.

- Roll call vote taken on voice amendment (substitute motion – fund community service supervision grant through Office of Management and Budget in a special line item as an ongoing expense), resulting in 6 yes, 1 no, 0 absent, thus motion carried and amendment adopted

**Representative Nelson:** I move that we replace the \$500,000 appropriation with \$375,000 which is how amendment .01001 reads (attachment **ONE**)

**Representative Wieland:** second

**Representative Kaldor:** I would oppose this amendment on the basis of the information given to us and the avoided costs that are substantiated by this program. This is a good bargain for \$125,000 because it avoids costs in the millions of dollars in incarceration costs. I feel this is an appropriate budget. It seems to me that there are increasing numbers of individuals that were being monitored (rehabilitated) under this program thus justifying the expenditures. I would hope that we would resist the motion.

- Roll call vote taken on amendment .01001 (attachment **ONE**), resulting in 5 yes, 2 no, 0 absent, thus motion carried and amendment adopted

**Representative Wieland:** I move to a Do Pass on SB 2275 as amended

**Representative Nelson:** second

- Roll call vote taken on Do Pass as Amended on SB 2275, resulting in 4 yes, 3 no, 0 absent, thus motion carried. House Appropriations Human Resources Division recommends DPA on SB 2275 with **Representative Wieland** being assigned to be the carrier of the bill to full committee.

**Chairman Pollert** informed committee that they would reconvene tomorrow afternoon (March 29<sup>th</sup>) to work on SB 2014 and SB 2012. Chairman Pollert closed hearing on SB 2275.



# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Appropriations Committee Roughrider Room, State Capitol

SB 2275  
3/30/11  
16182

☐ Conference Committee

Committee Clerk Signature

*Meredith Tracholt*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the office of management and budget for community service supervision grants.

### Minutes:

You may make reference to "attached testimony."

**Chairman Delzer:** We'll discuss 2275 out of the Human Resources division. It deals with community service supervision grants, which deal with DOCR (department of corrections and rehabilitation).

**Representative Wieland:** This bill is in a separate form, because four years ago it was in the department of corrections; we had some difficulty getting the money out to the individual agencies, so we took it out of that budget and put it in a separate bill with OMB giving out the money. It went from \$200,000 in the DOCR budget to \$375,000 last biennium. The bill this time came over with \$500,000, which was an increase of 33%. There is amendment .01002 in your bill book. This amendment moves it back to the \$375,000, and takes the amounts down for each one of those agencies; and we put in legislative intent that the funds appropriated in section 1 of this act are considered ongoing funding and that the funds be a part of the OMB budget as a separate line item for the 2013-2015 biennium. I move the adoption of amendment .01002.

**Representative Pollert:** Second.

**Chairman Delzer:** We have a motion to amend SB 2275 with .01002. Discussion?

**Representative Kaldor:** I opposed this amendment in subdivision because going back to last biennium, the request was for \$500,000 at that time, and the justification for that is based upon the savings we accrue to corrections by utilizing this system and these service providers. Their workload does increase. While this is not a very significant difference in the grand scheme of things, they've been seeking this assistance at the original budget level for two biennia now. I hope the committee will reject the motion.

**Representative Wieland:** I don't remember them asking for \$500,000 last biennium. We only came down \$25,000 in the conference committee, so I think it was a \$400,000 request last time, but I could stand to be corrected. Secondly, these agencies also get other

funding. Some get \$25 for each person through the courts, some do not. They also apply for grants. The other thing is that we asked those who testified at the hearing about this amount, and all but one said the \$375,000 was adequate.

**Chairman Delzer:** Further discussion? Motion to amend carries by voice vote.

**Representative Wieland:** Basically, the amendment is the bill. I would just add that the Bismarck urban and rural areas are now pretty much combined. They fund with a base of \$10,000 and the rest is based on population. We did not touch that formula, but we did caution the group that maybe they want to take a look at that, because it isn't fair for Bismarck to get two base sums in there. We felt as a committee that they should do this particular formula, not us. I've been informed it is on the agenda for their spring meeting. We hope then by putting this in OMB as a separate line item that it would do away with the individual bill. I move Do Pass as Amended.

**Representative Pollert:** Second.

**Chairman Delzer:** We have the motion. Is this all handled through the courts and the local communities?

**Representative Wieland:** I believe that is true, and the DOCR, the last time we had it in there, I believe there was a \$200,000 line item for it. The courts also had a larger sum, either \$50 or \$75 court costs that would come to this. The judges were really objecting to that because there are a lot of fees that these folks already pay, and they felt that was too much. That's why it was reduced to \$25, and I believe that was last session.

**Chairman Delzer:** The only ones that pay it are those convicted, correct? It's not a court fee, but a conviction fee?

**Representative Wieland:** I believe that's correct.

**Chairman Delzer:** Further discussion? If not, we'll call the roll for a Do Pass as Amended on SB 2275. Motion carries 15-5-1. Representative Wieland will carry the bill. We'll stand adjourned.

Date: 3/28/11  
Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2615

House Appropriations Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number voice amendment

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Nelson Seconded By Rep. Metcalf

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert		<input checked="" type="checkbox"/>	Rep. Lee Kaldor		<input checked="" type="checkbox"/>
Vice Chairman Larry Bellew	<input checked="" type="checkbox"/>		Rep. Ralph Metcalf	<input checked="" type="checkbox"/>	
Rep. Gary Kreidt		<input checked="" type="checkbox"/>			
Rep. Jon Nelson	<input checked="" type="checkbox"/>				
Rep. Alon Wiedland		<input checked="" type="checkbox"/>			

Total (Yes) 3 No 4

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

\* Bismarck Urban and Bismarck Rural combined  
ON base payment

Motion Failed

Date: 3/28/11  
Roll Call Vote # 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

House Appropriations Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Voice amendment

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Nelson Seconded By Rep. Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert	✓		Rep. Lee Kaldor	✓	
Vice Chairman Larry Bellew		✓	Rep. Ralph Metcalf	✓	
Rep. Gary Kreidt	✓				
Rep. Jon Nelson	✓				
Rep. Alon Wieland	✓				

Total (Yes) 6 No 1

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

\* fund community service supervision grant through OMB  
in a special line item as an ongoing expense

Motion Carried

Date: 3/28/11  
Roll Call Vote # 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

House Appropriations Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Voice amendment

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Nelson Seconded By Rep. Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert	✓		Rep. Lee Kaldor		✓
Vice Chairman Larry Bellew	✓		Rep. Ralph Metcalf		✓
Rep. Gary Kreidt	✓				
Rep. Jon Nelson	✓				
Rep. Alon Wiedland	✓				

Total (Yes) 5 No 2

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Pg 1, line 6, Replace \$500,000 with \$375,000

Motion Carried

Date: 3/28/11  
Roll Call Vote # 4

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

House Appropriations Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Wiedland Seconded By Rep. Nelson

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert	✓		Rep. Lee Kaldor		✓
Vice Chairman Larry Bellew		✓	Rep. Ralph Metcalf		✓
Rep. Gary Kreidt	✓				
Rep. Jon Nelson	✓				
Rep. Alon Wiedland	✓				

Total (Yes) 4 No 3

Absent \_\_\_\_\_

Floor Assignment Rep. Wiedland

If the vote is on an amendment, briefly indicate intent:

Motion Carried

VR  
3/30/11  
1082

PROPOSED AMENDMENTS TO SENATE BILL NO. 2275

Page 1, line 2, after "grants" insert "; and to provide legislative intent"

Page 1, line 6, replace "\$500,000" with "\$375,000"

Page 1, line 12, remove lines 12 through 24

Page 2, replace lines 1 and 2 with:

"Barnes County	\$9,091
Bismarck (urban)	20,293
Bismarck (rural)	10,667
Devils Lake	10,747
Dickinson	12,683
Fargo	24,127
Grand Forks	19,803
Jamestown	13,883
Minot	16,194
Richland County	9,931
Rugby	11,657
Sargent County	8,086
Wells County	8,189
Williston	<u>12,149</u>
Total annual allocation	\$187,500"

Page 2, after line 2, insert:

**"SECTION 2. LEGISLATIVE INTENT.** It is the intent of the sixty-second legislative assembly that the funds appropriated in section 1 of this Act are considered ongoing funding and that the funds be a part of the office of management and budget's base budget as a separate line item for the 2013-15 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

**Senate Bill No. 2275 - Office of Management and Budget - House Action**

	<b>Executive Budget</b>	<b>Senate Version</b>	<b>House Changes</b>	<b>House Version</b>
Community service supervision grants		\$500,000	(\$125,000)	\$375,000
Total all funds	\$0	\$500,000	(\$125,000)	\$375,000
Less estimated income	0	0	0	0
General fund	\$0	\$500,000	(\$125,000)	\$375,000
FTE	0.00	0.00	0.00	0.00

**Department No. 110 - Office of Management and Budget - Detail of House Changes**

	<b>Reduces Funding for Grants<sup>1</sup></b>	<b>Total House Changes</b>
Community service supervision grants	(\$125,000)	(\$125,000)
Total all funds	(\$125,000)	(\$125,000)
Less estimated income	0	0
General fund	(\$125,000)	(\$125,000)
FTE	0.00	0.00

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<sup>1</sup> This amendment reduces funding provided by the Senate for community service supervision grants from \$500,000 to \$375,000.

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This amendment adds a section of legislative intent to provide that this funding is ongoing and that this funding be included in the Office of Management and Budget's base budget as a separate line item for the 2013-15 biennium.



Date: 3/30  
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

House Appropriations Committee

Legislative Council Amendment Number 01002

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Wieland Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

voice vote carries

Date: 3/30  
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2275

House Appropriations Committee

Legislative Council Amendment Number .01002

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Wieland Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Representative Nelson	X	
Vice Chairman Kempenich			Representative Wieland	X	
Representative Pollert	X				
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim		X
Representative Bellew		X	Representative Kaldor		X
Representative Brandenburg	X		Representative Kroeber	X	
Representative Dahl	X		Representative Metcalf	X	
Representative Dosch	X		Representative Williams	X	
Representative Hawken	X				
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson	X				
Representative Monson		X			

Total (Yes) 15 No 5

Absent 1

Floor Assignment Rep. Wieland

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2275: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2275 was placed on the Sixth order on the calendar.

Page 1, line 2, after "grants" insert "; and to provide legislative intent"

Page 1, line 6, replace "\$500,000" with "\$375,000"

Page 1, line 12, remove lines 12 through 24

Page 2, replace lines 1 and 2 with:

"Barnes County	\$9,091
Bismarck (urban)	20,293
Bismarck (rural)	10,667
Devils Lake	10,747
Dickinson	12,683
Fargo	24,127
Grand Forks	19,803
Jamestown	13,883
Minot	16,194
Richland County	9,931
Rugby	11,657
Sargent County	8,086
Wells County	8,189
Williston	<u>12,149</u>
Total annual allocation	\$187,500"

Page 2, after line 2, insert:

**"SECTION 2. LEGISLATIVE INTENT.** It is the intent of the sixty-second legislative assembly that the funds appropriated in section 1 of this Act are considered ongoing funding and that the funds be a part of the office of management and budget's base budget as a separate line item for the 2013-15 biennium."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2275 - Office of Management and Budget - House Action**

	Executive Budget	Senate Version	House Changes	House Version
Community service supervision grants		\$500,000	(\$125,000)	\$375,000
	\$0	\$500,000	(\$125,000)	\$375,000

Total all funds				
Less estimated income	0	0	0	0
General fund	\$0	\$500,000	(\$125,000)	\$375,000
FTE	0.00	0.00	0.00	0.00

**Department No. 110 - Office of Management and Budget - Detail of House Changes**

	Reduces Funding for Grants <sup>1</sup>	Total House Changes
Community service supervision grants	(\$125,000)	(\$125,000)
Total all funds	(\$125,000)	(\$125,000)
Less estimated income	0	0
General fund	(\$125,000)	(\$125,000)
FTE	0.00	0.00

---

<sup>1</sup> This amendment reduces funding provided by the Senate for community service supervision grants from \$500,000 to \$375,000.

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This amendment adds a section of legislative intent to provide that this funding is ongoing and that this funding be included in the Office of Management and Budget's base budget as a separate line item for the 2013-15 biennium.

2011 TESTIMONY

SB 2275

## ESTIMATE FOR POSSIBLE FUNDING DISBURSEMENT

REGION                      POPULATION    POPULATION PAY    BASE PAY    TOTAL ANNUAL INCOME

1. Willison	34,412	\$6,198	\$10,000	\$16,198
2. Minot	64,362	\$11,592	\$10,000	\$21,592
3. Rugby	30,770	\$5,542	\$10,000	\$15,542
4. Devils Lake	24,039	\$4,329	\$10,000	\$14,329
5. Grand Forks	91,091	\$16,405	\$10,000	\$26,405
6. Dickinson	38,365	\$6,910	\$10,000	\$16,910
7. Bismarck(Urban)	94,719	\$17,059	\$10,000	\$27,059
8. Bismarck( Rural)	23,442	\$4,222	\$10,000	\$14,222
9. Well County	5,102	\$919	\$10,000	\$10,919
10. Jamestown	47,250	\$8,510	\$10,000	\$18,510
11. Fargo	123,138	\$22,172	\$10,000	\$32,172
12. Richland County	17,998	\$3,241	\$10,000	\$13,241
13. Barnes County	11,775	\$2,121	\$10,000	\$12,121
14. Sargent County	4,336	\$781	\$10,000	\$10,781
<b>Total</b>	<b>610,799</b>	<b>\$110,000</b>	<b>\$140,000</b>	<b>\$250,000</b>

Request of \$500,000 for the 2011-2012 biennium divided by 2 years equals \$250,000 annually.

14 agencies provided with a base income of \$10,000 each

Balance of annual funds would be disbursed based on population of each area.



# STATE OF NORTH DAKOTA UNIFIED JUDICIAL SYSTEM

JUVENILE COURT  
Administrative Unit II

KAREN KRINGLIE, ESQ.  
DIRECTOR OF JUVENILE COURT  
SERVICES  
kkringlie@ndcourts.gov

P.O. Box 2806  
1010 SECOND AVENUE SOUTH  
FARGO, ND 58108-2806  
PHONE (701) 241-5866  
FAX (701) 241-5865

RITA HANNESSON  
COURT OFFICER III

TIM BITTNER  
NICOLE LEITNER  
JAMES GRIMLEY  
DAWN PETERS  
LUKE KALSOW  
SHEILA MUUS  
COURT OFFICERS

January 20, 2011

RE: NORTH DAKOTA COMMUNITY SERVICE PROGRAMS

Community Service Programs of North Dakota provide a valuable service for juvenile offenders and their respective communities throughout this state.

The chance for young offenders to give back to their communities is a vital part of any modern juvenile justice system. More than work takes place. Juveniles learn work skills, spend time with positive adults during the process and also have their time structured by the activity which further reduces crime. For the victims, it is a chance for healing as the community is repaid for wrongs done while valuable and often visible community improvements take place.

Without a funded community service program, our communities and our youth would suffer.

Please consider thoughtfully their request.

Sincerely,

A handwritten signature in cursive script that reads "Karen Kringlie".

Karen Kringlie, Esq.  
Director of Juvenile Court  
East Central and Southeast Judicial Districts

**Holly Neubauer**

---

**From:** Thomas Davies [TDavies@cityoffargo.com]  
**Sent:** Thursday, January 20, 2011 9:28 AM  
**To:** Holly Neubauer  
**Subject:** SB2275

Holly Neubauer  
Program Director  
RESTORE, Inc.  
115 N. University Dr.  
Fargo, ND 58102

Holly: I want to commend you for the fine job you have done in managing and operating the Community Service Program. We have utilized your program for years and it not only benefits the citizens of this community, but also enables those with limited or no income, to work off their fines and in that manner repay society for the offense.

I also want to thank you for running a program that constitutes a tool any Judge can use in alternative sentencing. Community Service in many cases can be used in lieu of jail--no cost to the taxpayer but effective as a tool of deterrence.

I support SB2275 as it relates to State funding and your programs. I hope we on the local level can continue the fine cooperation and success we've had over the years.

Judge Thomas A. Davies  
Fargo Municipal Court.





## State's Attorney

January 18, 2011

Birch P. Burdick

c/o Holly Neubauer  
Program Director  
RESTORE, Inc.  
115 North University Drive  
Fargo, ND 58102

### Assistant State's Attorneys:

Mark R. Boening  
Tracy J. Peters  
Leah J. Viste  
Reid A. Brady  
Kara Schmitz Olson  
Gary E. Euren  
Kimberlee J. Hegvik  
Cherie L. Clark  
Tristan J. Van de Streek  
Ryan J. Younggren  
Renata J. Selzer  
Tanya Johnson Martinez

### Victim/Witness Coordinators:

Brenda Olson-Wray  
Debbie Tibiatowski  
Lori Lawson

### Check Division/ Restitution:

Linda Workin  
Charlotte Eversvik

Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58108

PH: 701-241-5850  
Fax: 701-241-5838

### Re: Legislative Funding for Community Service Programs – Letter of Support

To Whom It May Concern:

I write this letter in support of renewed legislative funding for community service programs.

Not everyone charged with a crime requires incarceration. However, it is important to hold those who commit crimes accountable for their actions. It can also be valuable to capture their attention in order to deter them and others from committing future crimes. A court needs a spectrum of sentencing options that it can tailor to the crime, and community service is an important part of that spectrum.

Since well before I became Cass County State's Attorney in 1999, my office in conjunction with the courts has regularly utilized RESTORE, Inc. to oversee community service as either a primary sentencing directive, an alternative to incarceration or as one element in a combined sentencing structure. Community service oversight is not provided by a governmental entity for most misdemeanor crimes. Legislative funding is important to ensure that community service remains a viable alternative in the sentencing spectrum.

Yours truly,

Birch P. Burdick  
Cass County State's Attorney

BPB/lr

## Wahpeton Municipal Court

Don R. Krassin, Judge

120 South 1st Street  
Wahpeton, ND 58075  
701-672-0156

---

January 24, 2011

RE: Richland County Community Service

To Whom it May Concern:

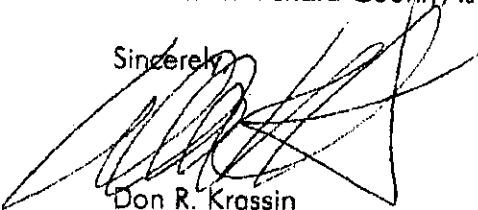
Richland County Community Service has provided a very valuable service to the Wahpeton Municipal Court.

It is essential that the Wahpeton Municipal Court has an alternative to jail sentences or fines. The Community Service Program provides that option.

In addition, the Richland County Community Service officer has provided extensive follow up and monitoring of defendants that have appeared in Municipal Court. This is very helpful to the court and also to defendants to make sure necessary court ordered matters are cared for.

I would urge the County Commissioners, the State Legislature and any others involved to ensure the authorization and adequate funding for community service programs, including the one in Richard County, is available.

Sincerely,



Don R. Krassin  
Municipal Court Judge

**LARRY LESHOVSKY**  
Sheriff

**GARY RUHL**  
Chief Deputy

**RICHLAND COUNTY**

**SHERIFF'S OFFICE**

(701) 642-7711  
Fax (701) 642-7720  
Law Enforcement Center  
413 - 3rd Ave. N.  
Wahpeton, ND 58075

January 21, 2011

To Whom It May Concern:

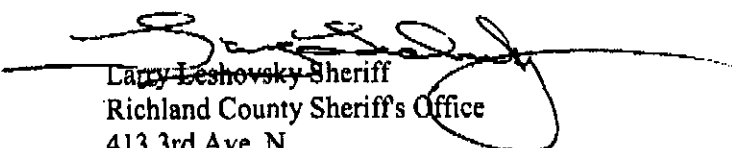
I write this letter in support of maintaining a North Dakota State budget that supports community service programs.

As the Richland County Sheriff I have worked with a community service program in our area for over 20 years.

I find this program offers alternatives to incarceration for many of the people who commit crimes. By using the community service program I find that businesses, those sentenced to serve and Richland County benefit. I believe our community service program helps individuals meet court ordered obligations and those persons do not become a financial burden for the county.

Please consider keeping dollars available for these most worthwhile community service programs.

Sincerely,

  
Larry Leshovsky Sheriff  
Richland County Sheriff's Office  
413 3rd Ave. N.  
Wahpeton, ND 58075

# STATE OF NORTH DAKOTA

DISTRICT COURT

SOUTH CENTRAL JUDICIAL DISTRICT

P.O. Box 1013

BISMARCK, NORTH DAKOTA 58502

GAIL HAGERTY  
PRESIDING DISTRICT JUDGE

(701) 222-6682  
FAX (701) 222-6689  
GHAGERTY@NDCOURTS.GOV

January 25, 2011

To Whom It May Concern:

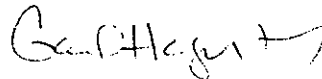
I support Senate Bill 2275, which provides funding for local community service agencies.

As a district judge, I have found that community service is a very valuable tool in sentencing and as a sanction in drug court. Because community service requires a commitment of time and effort, it takes the place of a jail sentence in some cases. Besides avoiding the cost of jailing a defendant, community service provides a benefit to the community, and usually to the defendant. It's an opportunity for a person who has violated the law to provide meaningful service and feel a sense of pride and accomplishment.

I'm one of the judges for an adult drug court in Bismarck. We regularly make use of community service as a sanction for minor violations of the drug court rules. We also use community service to fill the schedule of individuals who are unable to find employment.

If the supervision of community service was not done by Centre, Inc., it would not be available to me as a tool. We simply don't have the resources to arrange and monitor community service.

Sincerely,



Gail Hagerty  
District Judge



Lee A. Christofferson  
District Judge

Lori Schlieve  
Electronic Court Recorder

**State of North Dakota**  
**District Court**  
**Northeast Judicial District**  
524 Fourth Avenue NE Unit 10  
Devils Lake, North Dakota 58301-2490

Phone: (701) 662-1300



Fax: (701) 662-8539

January 21, 2011

Senator Ray Holmberg, Chair  
Senate Appropriations Committee  
North Dakota Legislative Assembly

Re: **SB 2275**  
**Community Service Grants**


Dear Chair Holmberg and other Committee Members,

I write this letter to support state funding of the 14 community service programs across the State of North Dakota and specifically, our Lake Region Community Service Program in Devils Lake. Started some 20 years ago, our program has now developed into a productive and useful method for adult and juvenile offenders to give back to the community. In addition, offenders learn valuable work skills and work ethic which can lead to employment. The public service agencies that host the offenders are both grateful and satisfied with the services provided by the juvenile and adult offenders assigned to them.

Our local program also conducts drug testing of both juvenile and adult offenders for the municipal court, state district court, and the Dept. of Corrections. This service is valuable to the courts to insure that defendants and juveniles being released will remain drug free until the next court appearance.

The State of North Dakota has provided funding of the programs in the past which has helped the programs survive. There is an enormous amount of return and goodwill for the money provided in the last biennium. I ask you to consider funding the numerous local programs once again. You are welcome to contact me if you have any questions about my letter. Thank you.

Sincerely,

  
Lee A. Christofferson  
District Judge

Jan 18 11 02:48p

DIK Municipal Court

7014567727

p.2



Robert A. Keogh  
Municipal Judge

**Dickinson Municipal Court**  
99 2nd St. East  
Dickinson, North Dakota 58601  
Phone: (701) 456-7726 or (701) 456-7770  
Fax: (701) 456-7727

Karen Buresh  
Clerk of Court

January 18, 2011

To Whom It May Concern:

The Municipal Court System would like you to know we collaborate with the Southwest Community Service Program. The Court refers many clients to the Southwest Community Service Program. Just to name a few of the clients we send over: "Minor in Consumption/ Possession of Alcohol", "Minor in Possession of Tobacco", and "Retail Theft. Other type of convictions may be allowed to do community service in lieu of their fines.

The Court strongly believes that the Southwest Community Service Program is very beneficial to the Southwest part of North Dakota. The feedback the Court has received from our clients has been excellent.

The Court knows that grant funding is a vital part of the Southwest Community Service Program and we support any and all grant funding available.

Sincerely,

A handwritten signature in cursive script that reads "Karen Buresh".

Karen Buresh  
Clerk of Municipal Court

# R.E.S.T.O.R.E. Inc.

## Community Corrections Program

115 North University Drive Fargo, ND 58102

Ph: (701) 239-0078 Fax: (701) 239-0197

Email: restoreinc@702com.net

### Board of Directors

#### **President**

Richard Warner  
MSUM

#### **Vice President**

Birch Burdick  
Cass County State's Attorney

#### **Secretary**

Carlos Perez  
Cass County Sheriff's Dept

#### **Treasurer**

Terry Lindemoen  
CPA

Barbara Breijland  
ND Parole and Probation

Rita Hannesson  
East Central Juvenile Court

Todd Thomson  
NODAK

Chris Nichtern  
Fargo Police Dept

Nicholas Bauroth  
NDSU

Robert Kaspari  
West Fargo Public School

Todd Pearson  
West Fargo Police Dept.

### Staff

Holly Neubauer  
Program Director

Traci Potvin  
Case Manager

Tuesday, January 25, 2011

My name is Holly Neubauer and I stand before you today in support of SB2275 for renewed legislation for ND community service programs. I am the Executive Director of the Fargo based community service program and current Vice President of the ND Community Corrections Association.

The ND community service programs holds the offender accountable for the crimes they have committed by placing them in unpaid positions to serve a specific number of hours to pay back their debt to society. By using non-profit work sites and attempting to match the skills and needs of the offender with the needs of the site, we not only serve the community, but we are also helping serve those non-profits. Not only does this benefit the community and the non-profit served, it benefits the offender in numerous ways. Specifically in that each offender can learn skills at a site they may not have otherwise learned. ND community service programs have had a number of offenders become employed by the very same site they provided community service to! In FY2010, ND community service programs served 4,177 clients who successfully completed 125,325 hours of community service. At a rate of \$8 per hour, the value of community service completed is \$1,002,600!

These programs provide the community with labor and involve the community in the justice system. Offenders can receive community service hours in lieu of jail time which reserves jail space for violent offenders. If a judge orders 100 hours of community service in lieu of 10 days jail, the offender is giving 100 hours back to the community and the county is saving over \$670 from having one offender complete a 10-day jail sentence!

The willingness of the community to work with the ND community service programs and the low-risk misdemeanor offenders allows these organizations to continue to provide alternatives to incarceration. We would like to continue to provide this option to the local Courts and our respective communities. Restorative Justice is built on a premise that Corrections has a purpose and that personal change is possible by repairing the harm to victims and the community. ND community service programs allow this idea to be carried out and give offenders the opportunity to make amends for their actions. We want to see offenders succeed and lead productive lives, not re-enter the system to become repeat offenders.

Respectfully submitted,

Holly Neubauer



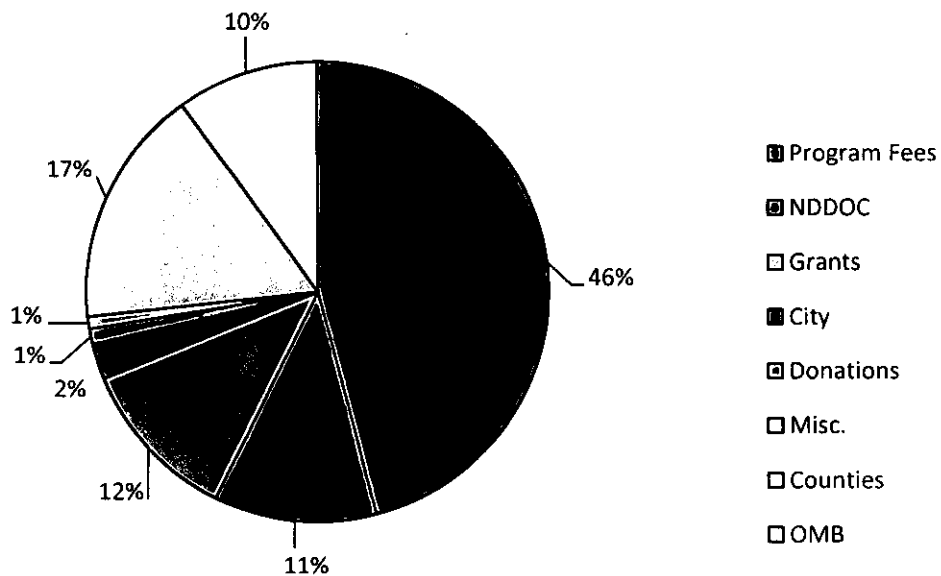
## STATEWIDE STATISTICAL REPORT

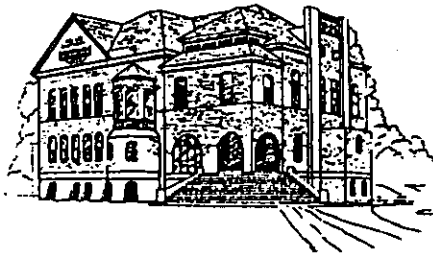
## Community Service Comparisons

	<u>FY 2010</u>	<u>FY 2009</u>	<u>FY 2008</u>	<u>FY 2007</u>	<u>FY 2006</u>	<u>FY 2005</u>	<u>FY 2004</u>
Total Offenders	4,177	4,453	5,361	5,531	5,115	4,639	5,243
Total Community Service Hours	125,325	113,647	132,700	141,846	134,054	137,468	147,785
Value of Community Service Hours (Based on \$8/hour 2010)	\$1,002,600	\$795,529	\$796,200	\$851,076	\$804,324	\$824,808	\$886,710
Average Number of Offenders Per Month in Community Service	348	371	447	461	426	387	437
Average Number of Hours Performed Per Month in Community Service	10,444	9,471	11,058	11,821	11,171	11,456	12,315
Total Number of Parole/Probation Cases	292	487	602	630	932	776	792
Total Number of MISD Cases	3,156	2,885	3,550	3,647	3,098	2,616	2,874
Total Number of Juvenile Cases	729	1,081	1,209	1,254	1,085	1,247	1,577

Totals for All	2005	2006	2007	2008	2009	2010	TOTAL
Program Fees	\$263,414.31	\$315,275.71	\$317,823.86	\$297,462.95	\$289,483.41	\$254,703.30	\$1,738,163.54
NDDOC	\$168,653.63	\$113,844.17	\$44,630.52	\$61,181.09	\$24,777.38	\$18,092.49	\$431,179.28
Grants	\$97,951.52	\$77,243.06	\$123,426.63	\$74,458.06	\$37,203.00	\$26,346.50	\$436,628.77
City	\$20,420.00	\$19,295.00	\$5,150.00	\$16,880.00	\$16,700.00	\$16,950.00	\$95,395.01
Donations	\$8,876.00	\$14,284.00	\$14,470.71	\$1,864.18	\$840.00	\$340.00	\$40,674.89
Misc.	\$3,970.00	\$17,610.68	\$1,038.00	\$7,743.00	\$1,188.00	\$852.00	\$32,401.68
Counties	\$74,977.52	\$88,714.38	\$127,651.76	\$131,038.50	\$117,425.00	\$96,824.00	\$636,631.16
OMB	\$0.00	\$0.00	\$0.00	\$0.00	\$187,500.00	\$187,500.00	\$375,000.00
<b>TOTALS</b>	<b>\$638,262.98</b>	<b>\$646,267.00</b>	<b>\$634,191.48</b>	<b>\$590,627.78</b>	<b>\$675,116.79</b>	<b>\$601,608.29</b>	<b>\$3,786,074.33</b>

## Totals 2005 - 2010





**Wells County**  
**911 Administration**  
**Risk Management/Community Corrections**  
P.O. Box 306  
Fessenden, North Dakota 58438 - 0306  
Phone: 701-547-3319; Fax: 701-547-2536  
e-mail: [jpepple@state.nd.us](mailto:jpepple@state.nd.us)

Dear Mr. Chairman and members of the Committee:

My name is Janelle Pepple and I am the coordinator for the Community Service Program in Wells County.

I ask for your support of SB2275 to ensure vital funding for community service program in North Dakota.

I work with both adult and juvenile offenders. I truly believe that court-ordered community service is an alternative to incarceration that offenders are fortunate to have. It provides a punishment for their crime, but it also provides them an opportunity to positively give back to the local communities.

I visit personally with each offender who comes into my office. We have a conversation about why they were in court and why they received their sentence. I visit with them about possible worksites and I am able to place them at a worksite where I know they have their best chance to succeed in completing their court-ordered sanction. I let them know what could possibly happen to them should they fail to complete their hours. I explain about responsibility and accountability and how actions have consequences. I check in with them routinely to see how things are going and if there are any problems, or concerns. I let them know that I want them to succeed and share in their sense of pride when they successfully complete their hours.

On the worksite side of the program, I work hard to establish and maintain quality worksites for my offenders. I let my worksite managers know a little bit about each offender and what they can expect from him or her. I want them to have a good experience working with community service. Most of my worksites actually call me to ask if I have anyone available when they have projects coming up. It is good to know that they appreciate the efforts the workers provide and that there is a need for the service. As you know, most organizations are seeing a decrease in volunteers, so community workers help fill a void.

Wells County certainly doesn't have the largest case load, but without the state funding, we could not generate enough money through our programs fees to keep the program operational. My judges, and juvenile court officers, support the program, my county commissioners support the program, and my law enforcement officials support my program. I ask the State of North Dakota support ALL community service programs by voting in favor of SB2275.

## Lake Region Community Service & Restitution Program

Andy Horner, Program Coordinator  
0722  
222 Walnut St W.  
Devils Lake ND 58301

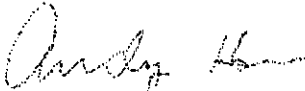
Telephone (701) 662-

Fax (701) 662-0707

Committee Chairman Ray Holmberg and Committee Members I am asking for your support of SB2275. We have 14 working programs in this state. Some programs are small offices like mine.

I am sure that they struggle to make a budget work the same way I do. We all collect fees from our offenders and most receive money from Cities and Counties they service. But with out this funding my program will no longer be able to provide services as it currently does. Included in this over 100 offenders in Community Service and more that 500 drug screens.

Don't let us fail because we don't have the state funding that we need.



Andy Horner  
Program Coordinator



## **Community Service North Dakota – Williston Region**

P O Box 2074, Williston, ND 58802-2074 ♦ Telephone 701-577-5345 ♦ Cell 701-770-3564  
National Guard Armory, 10 Main, Williston, ND 58801  
communityservice@co.williams.nd.us ♦ www.ndcommunityservice.org

January 19, 2011

The community service program in Williston has been quite busy due to the population of Williston growing. In the past year, we have had a lot of referrals from the ever expanding oil field, and having a hard time keeping up with all of the referrals from our Municipal court. There will not be an end to these growing referrals any time soon. This funding we receive is minimal compared to the price it costs to keep our doors open. Our program is currently without any benefits for the employees due to lack of funds.

Our program in Williston has been a great asset to the community. We have had several people rely on the community service program for the upkeep of the community and for helping out at various community events. It teaches our offenders responsibility and ownership for their crimes.

I believe our community service program has also been a great asset to the court systems, by giving the courts an alternative to jail. This is also saving our county funds. Our community service fees are minimal (\$40 per person) and are paid by the offender, not by the county.

In the past year we have had a drop in the number of repeat offenders to the community service program. As well, as seeing a declining number we have also given some of the worksites employment from the offenders who have worked at their sites. As we all know that has been an issue in the Williston area.

These funds are greatly appreciated and a great value to keeping the community service programs up and running. This program does a lot for our community and is greatly needed in the Williston area.

Thank you for your time,

Katie Gendreau  
Program Coordinator

## Southwest Community Service & Restitution Program

Toni Morasko, Program Coordinator  
1173 Third Avenue West Suite # 9  
Dickinson ND 58601

Telephone (701) 483-8500  
Fax (701) 483-8501  
email: scsrp2@ndsupremet.com  
www.ndcommunityservice.org

January 18, 2011

Dear Senator Rich Wardner

Here is a bit of information about the Community service program in SW North Dakota. The Southwest Community Service & Restitution Program (SCSRP) was established in 1994 as a 501(c)3 nonprofit organization. It provides the judicial system an alternative to incarceration for low-risk non-violent offenders. While the program serves both adult and juveniles, it is the juveniles referred to the program that are monitored the closest. Rather than being removed from their home and community and placed at high cost institutions surrounded by older and more experienced criminals, a court sentence of community service for young offenders, is by far the better choice.

Professor Bernard Schissel, a Sociologist from the University of Saskatchewan doing a study on alternatives to locking up at risk youth in North Dakota and Canada had this to say: "While some young offenders need to be in custody due to their violent crimes, for most youth, incarceration just makes them more likely to re-offend and commit more serious crimes. Sending a youth convicted of shoplifting to jail is a sure-fire way to create a hardened criminal." He states "The opportunities for rehabilitation are dwarfed by the opportunities to learn about crime."

The Community Service Program makes arrangements for offenders to work at non-profit or government agencies who give offenders respect, responsibility and encouragement. Offenders are provided apprenticeship-type work projects which teach them life and job skills. They have the opportunity for rehabilitation and to become civic minded law abiding citizens.

*Since the addition of juveniles into the program in 1996 in Southwestern North Dakota, over 2,550 juveniles finished their court ordered sentence. The number of adults referred to the program since its inception in 1994 is over 3,450. The number of hours worked by adults was 105,088, and another 55,956 hours were done by the juveniles, for a grand total of 161,043 hours. Multiple those hours by \$6.00 dollars, almost a million dollars or \$966,258.00 was donated back into SW North Dakota communities through work related projects.*

The Community Service program did a follow up survey of over 500 youth 18 and under, who completed their court sentence, 83% said appearing in court made them aware they were responsible for their actions, 94% said community service was a fair and effective punishment for the offense they had committed and would deter them from committing other crimes. Some even said "Community Service is better than Mom and Dad paying the fine".

Every single effort to help make the community service program a success is greatly appreciated. If we can keep one individual out of jail, the price of our investment in the program will have more than paid for itself. Thank you for your support of the program in the past. I sincerely hope we can continue to provide an alternative to incarceration to the judicial system for many years to come.

Sincerely,

Toni Morasko  
Program Coordinator



# SARGENT COUNTY SHERIFF'S DEPARTMENT

TRAVIS A. PAEPER, SHERIFF  
355 MAIN STREET SO. SUITE 6  
FORMAN, NORTH DAKOTA 58032  
(701)724-3302 OFFICE (701)724-3300 FAX

---

January 20, 2011

RE: SB 2275

Hello, my name is Brenda Peterson and I am writing this letter in support of the community service program in Sargent County as well as for the whole North Dakota Community Corrections Association. I have been the community service director here for the past six years. It has been very rewarding to be a part of this program. Our district judges regularly order community service hours with several different offenses and occasionally for delinquent child support cases.

Our North Dakota Community Corrections Association membership has greatly improved our community service program. Our database: <https://www.nd-cc.org/Login.aspx> allows us to transfer cases easily, as many offenders do not live in the region that the offense took place. We are able to standardize our fees and training which allows all of us to strengthen our programs and minimize confusion for offenders.

I have met several individuals that have greatly benefited from the hours they have worked. This service has allowed them to realize the amount of volunteerism that supports our small communities. Several have completed their hours successfully and have in the future volunteered at the same work sites.

Our county benefits through the community service program. This program allows us to save jail budget funds and helps to support our communities. We have several work sites that seek out community service workers. This allows several non-profit and government agencies to save funding for other budget needs.

This program has also inspired me personally. We have had several first time offenders realize they do not want to come back to court which has prompted them to make better decisions. Our county, like many agencies, has seen offenders do a wonderful job with their community service hours. This has created work experience as well as job references for these individuals.

I believe that community service is a benefit to everyone involved and thank you for your support.

Brenda K. Peterson  
Community Service Director  
Deputy Matron  
Sargent County Sheriff's Office



January 25, 2011

To Whom It May Concern:

Community Action Partnership – Minot Region (CAP) is a non-profit organization incorporated in 1975. The agency covers a seven county area in north central North Dakota. The mission of Community Action is to empower people to overcome poverty and attain self-sufficiency.

We would like to extend this letter of support for the Rehab Services Community Service Program. We had a wonderful opportunity to partner with this program during the 2010 holiday season.



One of Community Action's Christmas programs is a Toy Store in which eligible families can come in and pick out Christmas gifts for their children.

Several youth from Rehab Service's Community Service program, as well as the Coordinator partnered with CAP this year to set up the Toy Store.

Although setting up a Toy Store may not have been the first choice of projects for these young men, by the end of the set up, it appears as though they really had a feeling of giving back and helping others. The young men did a fantastic job organizing all of the toys and did it in record time! The place really looked neat and inviting when they were finished!



Please accept this letter as a sign of support and appreciation for the Rehab Service Community Service program.

CAP would very much look forward to partnering with this group again in the future!

Sincerely,

Willy Soderholm  
Executive Director

*Bottineau, Burke, McHenry, Mountrail, Pierce, Renville, Ward*

2020 - 8th Avenue SE • Minot, ND 58701-5035  
(701) 839-7221 • (800) 726-8645 • Fax (701) 839-1747 • TDD (701) 852-3028  
Email [agency@capminotregion.org](mailto:agency@capminotregion.org) • Website [www.capminotregion.org](http://www.capminotregion.org)

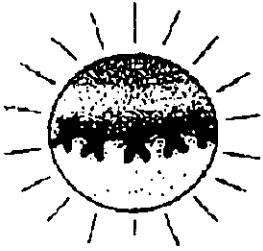




2011-01-19 09:11

SYB

4839499 >>



## Sunrise Youth Bureau

1340 West Villard, Suite A • Dickinson, North Dakota 58601  
(701) 483-9498

January 19, 2011

The Sunrise Youth Bureau works with young people under the age of 18 who have come in contact with the law or are experiencing personal, family or school problems. The Bureau's mission is to provide early intervention services to youth through the assessment and accountability. The Sunrise Youth Bureau staff meets with youth and their parents in order to determine what services and/or accountabilities are needed.

At the Sunrise Youth Bureau, one of our most widely used consequences for youth is community service. We believe that doing hours of community service can provide youth with a sense of responsibility for their actions. Community service is a consequence that we strongly hope youth will learn from.

The Southwest Community Service & Restitution Program is essential to our area. The Sunrise Youth Bureau has cooperated with this program for many years. With the increasing number of our clientele, we look forward to utilizing this program for many years to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Reisenauer'. The signature is stylized with large loops.

Amber Reisenauer  
Youth Advisor  
Sunrise Youth Bureau



Northlands  
Rescue Mission  
WHERE HOPE BEGINS

420 Division Avenue  
Grand Forks, ND 58201  
(701) 772-6609

January 24, 2011

To Whom It May Concern:

Northlands Rescue Mission works with many participants in the Community Service (CS) Program. The CS program is very beneficial to people that are in trouble with the law for a couple reasons: participants understand that their crimes do inflict an expense on the community and that it is important to pay back that expense. Also, to teach the participant the significance of work in general.

In 2009, the Mission logged over 3500 CS hours and we find that the CS staff is efficient and effective in their work with the CS participants. For these reasons we encourage you to continue and support the Community Service Program.

Sincerely,

**Myles Hogberg**

Northlands Rescue Mission  
420 Division Ave, Grand Forks, ND 58201  
(701) 772-6609 ext 208  
[myles@jointhemission.org](mailto:myles@jointhemission.org)



Northlands Rescue Mission  
*"Where Hope Begins"*

Check out ways you may partner with Northlands Rescue Mission on our website at:  
<http://www.northlandsrescuemission.org>

Join the Northlands Rescue Mission fan page on Facebook for regular updates on Mission events and urgent needs!

[www.northlandsrescuemission.org](http://www.northlandsrescuemission.org)

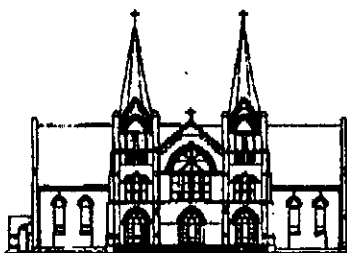


It is with great pleasure that I write a letter of support for the Williston Community Service Program. As one of the many work sites, we enjoy assisting the program with a place to have those that need to fulfill their community service hours.

This program helps us with the upkeep of our facilities. Workers are hard to find in the Williston area due to the Oil Boom. The individuals that are placed at our worksite are very helpful to our organization. They are always on time and work hard when they are here. We look forward to continuing working with the Williston Community Service Program in the upcoming years.

Sincerely,

Darin L. Krueger  
Director  
Williston Parks & Recreation  
1-877-602-3281  
[dkruegerwillistonparks@yahoo.com](mailto:dkruegerwillistonparks@yahoo.com)

**St. John the Evangelist**

Rev. Dale Lagodinski, Pastor

115 2<sup>nd</sup> Street North

Wahpeton, ND 58075-4505

Telephone 701-642-8982

Fax 701-642-

January 25, 2011

To whom it may concern:

It has come to my attention that the Wahpeton Community Service Program is being reevaluated and that its future funding may be in question.

I wish to speak on its behalf.

Some years ago, Saint John's was asked to consider participation as a host institution for individuals who needed to put in hours of community service. Initially, we had reservations and concerns. However, our experience with very few exceptions has been very positive.

While we are grateful for the benefit their hours of service, we are far more thankful for the many positive ways that participants have responded to being a part of us. Their stories are many, but one particular individual made a point of volunteering every Christmas long after his required hours of service were completed.

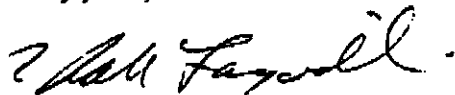
More than once individuals have returned to us later in their lives to let us know that their time here was significant in their growth to responsibility.

These positive outcomes far outweigh those occasional experiences which did not work out. Even in one of the failures, I recall encountering an individual who recalled her time with us and apologized for not having made better use of her opportunity.

In light of our history with Wahpeton Community Service Program, we strongly urge its continuation.

Programs which effectively contribute to the rehabilitation of offenders benefit the community in at least two ways. Less future public expense is incurred when recidivistic dysfunctional behavior is corrected. And, the community itself is strengthened by the positive contributions of a newly responsible citizen.

Sincerely yours,



Very Reverend Dale F. Lagodinski  
Pastor

- March 21, 2011  
- Attachment ONE

Dell Horn

Good morning Chairperson and Representatives, and thank you, for allowing me to speak to you today. My name is Dell Horn and I am the current President of the North Dakota Community Corrections Association. I am here on behalf of SB2275. This is a bill that Senators Wardner, Lyson and Robinson and Representatives D. Johnson, Sanford, and Williams have put forth to help local governments with funding of court-ordered community service programs.

To give you a little background information. In 2006, the Department of Corrections and Rehabilitation made a decision to reduce their funding of the Community Service programs to zero. For the 2009-2010 biennium the Legislature reinstituted funding for court-ordered community service in the amount of \$375,000 through the Office of Management and Budget.

What is court-ordered community service? Court-ordered community service is unpaid work for a Non-Profit business or government entity. Court-ordered community service is not used to provide a volunteer for a for-profit business nor is it used to take work away from individuals or businesses seeking to earn a living.

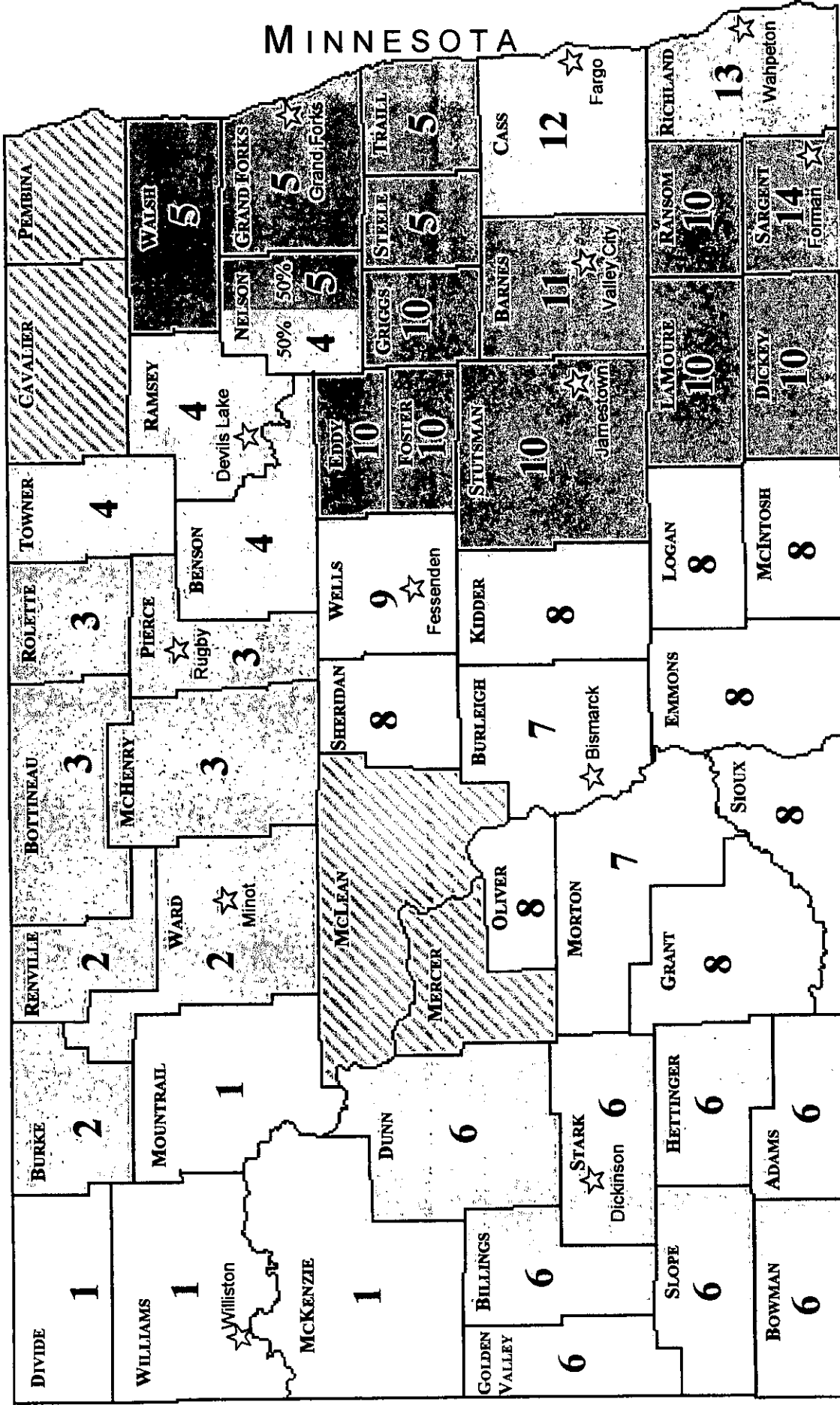
What does a community service program provide? We provide monitoring to the court in the form of ensuring that community service is completed within the timeframe outlined. We provide volunteer workers insurance for the offender while community service is being completed (this benefits both the offender and the worksite). We give surety to the court and community that community service is being completed in a consistent manner for all offenders and worksites.

What benefits can be seen from court-ordered community service? The offender: avoiding jail or prison, opportunity to change behavior and thought patterns, opportunity to learn work and life skills, opportunity to network and possibly become employed, and opportunity for changing of social mores. The community: opportunity to save money by reducing incarceration costs, reduced free time for the offender, opportunity for non-profit and government agencies save money in payroll and accomplish more work.

Community Service programs has had in the past a 3 stool in regards to funding: Local Governments partially fund 11 of 14 programs statewide, offenders pay fees in all 14 regional programs, and state government has partially funded programs either thru the Department of Corrections and Rehabilitation or the Office of Management and Budget. This a most effective strategy for funding as all three entities have a stake in a successfully run Statewide Community Service program. To quote Judge Gross of the Southeast Judicial District "If no community service organization is available in the offender's county of residence, that will make the ordering of community service problematic, at best, because continuity of service (enforcement) will be lost with no community service organization available to implement and enforce the community service ordered. I am concerned that in this situation, my duty to administer justice will be impaired as I will be unable to utilize the community service option in cases where it is appropriate and jail (with its attendant costs to counties) is not."

What are the cost benefits of community service? The community: \$25 community service fee paid by the offender to the court, \$50 community service program fee paid by the offender to the community service regional office, this saves somewhere about \$87 a day in incarceration costs or about \$1,362,909 per year, payroll benefits (\$8 per hour) for non-profits of about \$1,002,600 per year. As you can see this savings to the community in incarceration costs and payroll benefits is roughly about \$ 1,607,161 per year. This would mean a savings to the State of North Dakota about \$1,865,509 per year.

# NORTH DAKOTA



## NDCCA MEMBER REGIONS

- |                |                   |                     |
|----------------|-------------------|---------------------|
| 1. Williston   | 9. Wells County   | 13. Richland County |
| 2. Minot       | 10. Jamestown     | 14. Sargent County  |
| 3. Rugby       | 11. Barnes County |                     |
| 4. Devils Lake | 12. Fargo         |                     |
|                |                   |                     |

## NORTH DAKOTA COMMUNITY CORRECTION PROGRAMS

### **BISMARCK SOUTH CENTRAL RURAL**

McIntosh, Logan, Kidder, Emmons, Oliver, Sheridan,  
Grant, Sioux)

**Pam - (Member)**

Community Corrections Inc.

Centre, Inc. 100 6<sup>th</sup> Ave, SE, Mandan, ND 58554

1-888-650-8300 or 663-0953 Fax: 663-0918

[pamca@centreinc.org](mailto:pamca@centreinc.org)

### **BISMARCK SOUTH CENTRAL URBAN (Burleigh, Morton)**

**Nancy Keating - (Member)**

Central Dakota Community Service & Restitution

Centre, Inc.

100 6<sup>th</sup> Ave, SE, Mandan, ND 58554

Phone: 663-0951 Fax: 663-0918

[nancykeating@centreinc.org](mailto:nancykeating@centreinc.org)

### **DEVILS LAKE (Towner, Benson, Ramsey, Western ½ of Nelson & Northern 10% of Eddy)**

**Andy Horner - (Member)**

Lake Region Community Service & Restitution Program

222 Walnut Street, Devils Lake, ND 58301

Phone: 662-0722 Fax: 662-0707

[ahh@lrlec.org](mailto:ahh@lrlec.org) Cell 701-351-2100

### **DICKINSON (Bowman, Billings, Adams, Slope, Stark, Billings, Dunn, Hettinger and Golden Valley)**

**Toni Morasko - (Member)**

Southwest Community Service & Restitution Program

1173 3rd Avenue West, Suite # 9, Dickinson, ND 58601

Phone: 483-8500 Fax: 483-8501

[scsrp@ndsupernet.com](mailto:scsrp@ndsupernet.com)

### **FARGO (Cass County)**

**Holly Neubauer (Member)**

**Shauna Brustad**

**Traci Potvin**

R.E.S.T.O.R.E. Inc.

115 North University Drive, Suite 5,

Fargo, ND 58102

Phone: 239-0078 Fax: 239-0197

[hneubauer@702com.net](mailto:hneubauer@702com.net) Cell 218-329-3840

### **FESSENDEN (Wells County)**

**Janelle Pepple - (Member)**

Wells County Community Service

P.O. Box 306,

Fessenden, ND 58438

Phone: 701-547-3319 Fax: 701-547-2536

[jpepple@nd.gov](mailto:jpepple@nd.gov) Cell# 701-341-1489

### **FORMAN (Sargent County)**

**Brenda Peterson- (Member)**

S.C.C.S.P

355 MAIN ST. S, SUITE 6

FORMAN, ND 58032

PHONE 701-724-3302 FAX: 701-724-3300

[brenda.peterson@co.sargent.nd.us](mailto:brenda.peterson@co.sargent.nd.us) Cell 680-2040(personal)

### **GRAND FORKS (Walsh, Steele, Grand Forks, Traill, Nelson)**

**Deb Schuler - (Member)**

Chelsey Williams - Officer

Grand Forks Community Service & Restitution Program

311 South 4th Street, Suite 201

Grand Forks, ND 58201

Phone: 775-3403 Fax: 701-775-4121

[gfcsm@myvision.com](mailto:gfcsm@myvision.com) Deb's cell 701-740-3271

### **JAMESTOWN (Eddy, Foster, Stutsman, Griggs, LaMoure, Ransom, Dickey)**

**DELL HORN, DIRECTOR (MEMBER)**

Community Service Program

109 1<sup>st</sup> Street SW. PO Box 1246

Jamestown, ND 58402-1246

Phone: 952-2038

Fax: 952-2868

[dhorn@daktel.com](mailto:dhorn@daktel.com)

Cell 701-269-1599

### **MINOT (Renville, Ward, Burke)**

**Joni Anderson - (Member)**

Rehab Service/Community Service Program

112 2<sup>nd</sup> Ave Southwest,

Minot, ND 58701

Phone: 839-4240

Fax: 838-2621

[comserve@srt.com](mailto:comserve@srt.com)

Cell 701-721-8788

### **RUGBY (Pierce, McHenry, Bottineau, *unofficial* Rolette)**

**Dave Denich - (Member)**

Heart of America Community Service Program

P.O. Box 258,

Rugby, ND 58368

Phone: 776-2944 Ext. 8

Fax: 776-5707

[ddenich@state.nd.us](mailto:ddenich@state.nd.us)

Cell 701-208-0254

### **VALLEY CITY (Barnes County)**

**David Swenson - (Member)**

COMMUNITY SERVICE

PO Box 113

Valley City, ND 58072-0113

Phone: (701) 845-3110

Fax: 701-840-3100

[hccs@co.barnes.nd.us](mailto:hccs@co.barnes.nd.us)

Cell 701-840-7130

### **WAHPETON (Richland County)**

**Darlene Lee, Director (Member)**

Richland County Community Service

413 3rd Avenue North,

Wahpeton, ND 58075

Phone: 642-7721

Fax: 642-7730

[dlee@co.richland.nd.us](mailto:dlee@co.richland.nd.us)

Office Cell 701-899-2654

### **WILLISTON (Williams, Divide, McKenzie, Mountrail)**

**Katie Gendreau, Coordinator- (member)**

Community Service North Dakota- Williston Region

PO Box 2074 10 Main Street,

Williston, ND 58802-2074

Phone 701-577-5345 (office)

Fax: 774-8585

[communityservice@co.williams.nd.us](mailto:communityservice@co.williams.nd.us) Cell 701-770-3564

### **NDCCA Officers 2010 to 2012**

**Pres. Dell Horn**

**Vice Pres. Holly Neubauer**

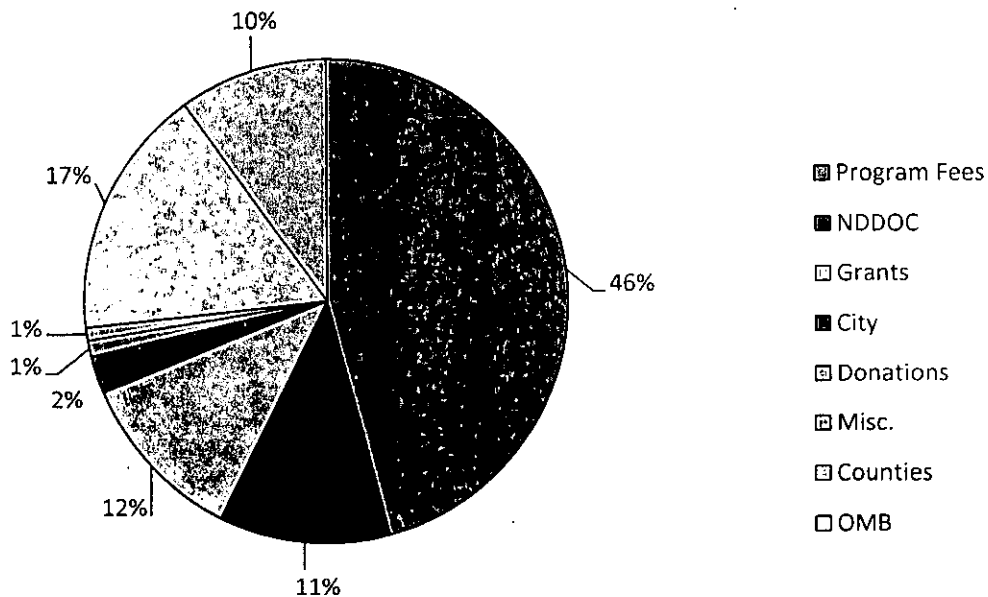
**Sec. Nancy Keating**

**Treas. Brenda Peterson**

- March 24 2011 Holly Neubauer  
 - SB 2275  
 - Attachment Two

Funding Sources	2005	2006	2007	2008	2009	2010	TOTAL
Program Fees	\$263,414.31	\$315,275.71	\$317,823.86	\$297,462.95	\$289,483.41	\$254,703.30	\$1,738,163.54
NDDOC	\$168,653.63	\$113,844.17	\$44,630.52	\$61,181.09	\$24,777.38	\$18,092.49	\$431,179.28
Grants	\$97,951.52	\$77,243.06	\$123,426.63	\$74,458.06	\$37,203.00	\$26,346.50	\$436,628.77
City	\$20,420.00	\$19,295.00	\$5,150.00	\$16,880.00	\$16,700.00	\$16,950.00	\$95,395.01
Donations	\$8,876.00	\$14,284.00	\$14,470.71	\$1,864.18	\$840.00	\$340.00	\$40,674.89
Misc.	\$3,970.00	\$17,610.68	\$1,038.00	\$7,743.00	\$1,188.00	\$852.00	\$32,401.68
Counties	\$74,977.52	\$88,714.38	\$127,651.76	\$131,038.50	\$117,425.00	\$96,824.00	\$636,631.16
OMB	\$0.00	\$0.00	\$0.00	\$0.00	\$187,500.00	\$187,500.00	\$375,000.00
<b>TOTALS</b>	<b>\$638,262.98</b>	<b>\$646,267.00</b>	<b>\$634,191.48</b>	<b>\$590,627.78</b>	<b>\$675,116.79</b>	<b>\$601,608.29</b>	<b>\$3,786,074.33</b>

Totals 2005 - 2010





# FY 2010 (7/1/09-6/30/10)

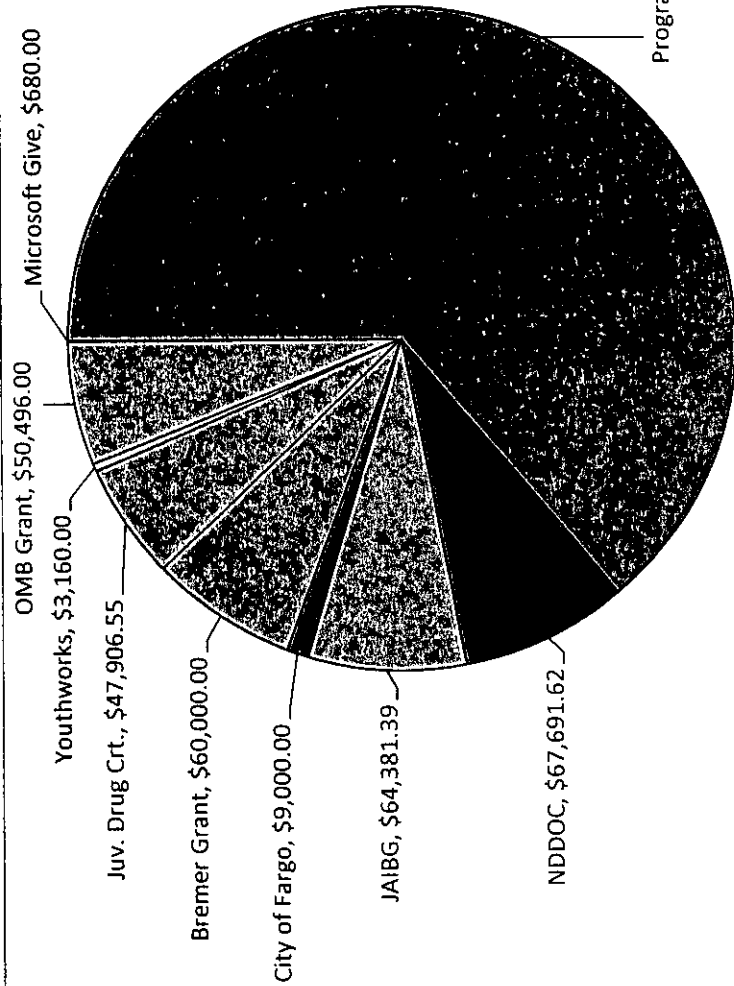
Site	# of Offenders	# CS Hours worked	Ave # of CS Offenders per month	Ave # of CS hours worked per month per Offender	Ave # hours worked per month	Total P & P Cases	Total Misd Cases	Total Juvenile Cases	Fiscal Collected	Non-Cash Value of CS hr. worked.
Bismarck Rural	223	4,868	19	2	406	2	20	201	\$6,900	\$38,944
Bismarck Urban	339	9,977	28	3	831	47	292	0	\$14,406	\$79,816
Devils Lake	88	3,908	7	4	326	5	18	65	\$2,712	\$31,264
Dickinson	139	5,360	12	3	447	4	81	54	\$5,710	\$42,880
Fargo	1,847	51,614	154	2	4,301	103	1,497	247	\$99,221	\$412,912
Fessenden	14	291	1	2	24	0	12	2	\$730	\$2,328
Forman	50	1,438	4	2	120	0	44	6	\$0	\$11,504
Grand Forks	351	16,147	29	4	1,346	81	270	0	\$56,240	\$129,176
Jamestown	366	11,155	31	3	930	1	334	31	\$19,670	\$89,240
Minot	251	6,411	21	2	534	40	183	28	\$13,184	\$51,288
Rugby	75	2,548	6	3	212	0	51	24	\$2,875	\$20,384
Valley City	50	2,018	4	3	168	0	50	0	\$2,965	\$16,144
Wahpeton	262	6,327	22	2	527	9	240	13	\$9,722	\$50,616
Williston	122	3,263	10	2	272	0	64	58	\$4,538	\$26,104
TOTAL	4,177	125,325	348	37	10,444	292	3,156	729	\$238,873	\$1,002,600

- Holly Neubauer  
 - March 21, 2011  
 - SB 2275

- Attachment  
 THREE

Funding Sources 2005-2010

FARGO	2005	2006	2007	2008	2009	2010	TOTAL
Program Fees	\$69,177.29	\$98,599.77	\$101,792.00	\$105,093.90	\$81,807.50	\$80,654.00	\$537,124.46
NDDOC	\$21,702.00	\$14,543.00	\$9,076.30	\$11,989.32	\$6,586.00	\$3,795.00	\$67,691.62
JAIBG	\$15,498.00	\$6,603.13	\$11,285.75	\$13,708.51	\$8,630.00	\$8,656.00	\$64,381.39
City of Fargo	\$5,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,000.00
Bremer Grant	\$0.00	\$0.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00	\$60,000.00
Juv. Drug Crt.	\$16,238.35	\$20,001.58	\$11,666.62	\$0.00	\$0.00	\$0.00	\$47,906.55
Youthworks	\$600.00	\$1,710.00	\$850.00	\$0.00	\$0.00	\$0.00	\$3,160.00
OMB Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$25,248.00	\$25,248.00	\$50,496.00
Microsoft Give	\$0.00	\$0.00	\$0.00	\$0.00	\$340.00	\$340.00	\$680.00
TOTALS	\$128,215.64	\$145,457.48	\$164,670.67	\$160,791.73	\$122,611.50	\$118,693.00	\$840,440.02



- Program Fees
- NDDOC
- JAIBG
- City of Fargo
- Bremer Grant
- Juv. Drug Crt.
- Youthworks
- OMB Grant
- Microsoft Give

- Holly Neubauer  
- March 21, 2011  
- SB 2275

- Attachment FOUR



State of North Dakota  
DISTRICT COURT  
EAST CENTRAL JUDICIAL DISTRICT  
CASS COUNTY COURTHOUSE  
BOX 2806  
FARGO, NORTH DAKOTA 58108  
(701) 451-6940

Honorable Frank L. Racek  
Presiding District Judge

Honorable Wickham Corwin  
District Judge

Honorable Douglas R. Herman  
District Judge

Honorable John C. Irby  
District Judge

Honorable Steven L. Marquart  
District Judge

Honorable Steven E. McCullough  
District Judge

Honorable Lisa K. Fair McEvers  
District Judge

Honorable Wade L. Webb  
District Judge

March 1, 2011

Re: Support for Funding Supervision of Community Service

To Whom It May Concern:

There are cases which come before the Court which are best suited, in part, for the order of community service as part of a criminal sentence. Quite often these cases are the least serious and non-violent offenses, especially when committed by first-time offenders. Community service can be an ideal sentence alternative either when a defendant has not the money to pay a fine, but has the time and ability to otherwise contribute to society. It can also serve as a superior cost-effective alternative to incarceration in the right type of case. However, without proper supervision of a community service sentence, and the assurance of compliance with the Court's Order, it is often not even worth ordering.

The Department of Corrections and Rehabilitation is not statutorily-mandated to supervise community service for Class B Misdemeanors (the least serious criminal offenses). Therefore, unless there is another adequately funded alternative to supervise community service in these cases, it is likely this vital tool in the judicial toolbox will not be able to be utilized to its utmost effectiveness.

It is my understanding that Senate Bill 2275 continues a long-standing recognition by the legislature of the value of proper role and need for supervision of community service in these situations. Accordingly, it provides funding to ensure that necessary grant funds are available to allow the Court to order community service, confident in the knowledge that the community service will be adequately monitored, supervised and reported to the Court. I urge you to support SB 2275.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to be "SEM", written over a horizontal line.

Hon. Steven E. McCullough  
District Judge

SEM



# STATE OF NORTH DAKOTA UNIFIED JUDICIAL SYSTEM

JUVENILE COURT  
Administrative Unit II

KAREN KRINGLIE, ESQ.  
DIRECTOR OF JUVENILE COURT  
SERVICES  
kkringlie@ndcourts.gov

P.O. BOX 2806  
1010 SECOND AVENUE SOUTH  
FARGO, ND 58108-2806  
PHONE (701) 241-5866  
FAX (701) 241-5865

RITA HANNESSON  
COURT OFFICER III

TIM BITTNER  
NICOLE LEITNER  
JAMES GRIMLEY  
DAWN PETERS  
LUKE KALSOW  
SHEILA MUUS  
COURT OFFICERS

January 20, 2011

RE: NORTH DAKOTA COMMUNITY SERVICE PROGRAMS

Community Service Programs of North Dakota provide a valuable service for juvenile offenders and their respective communities throughout this state.

The chance for young offenders to give back to their communities is a vital part of any modern juvenile justice system. More than work takes place. Juveniles learn work skills, spend time with positive adults during the process and also have their time structured by the activity which further reduces crime. For the victims, it is a chance for healing as the community is repaid for wrongs done while valuable and often visible community improvements take place.

Without a funded community service program, our communities and our youth would suffer.

Please consider thoughtfully their request.

Sincerely,

A handwritten signature in black ink that reads "Karen Kringlie".

Karen Kringlie, Esq.  
Director of Juvenile Court  
East Central and Southeast Judicial Districts



## State's Attorney

January 18, 2011

Birch P. Burdick

c/o Holly Neubauer  
Program Director  
RESTORE, Inc.  
115 North University Drive  
Fargo, ND 58102

### Assistant State's Attorneys:

Mark R. Boening  
Tracy J. Peters  
Leah J. Viste  
Reid A. Brady  
Kara Schmitz Olson  
Gary E. Euren  
Kimberlee J. Hegvik  
Cherie L. Clark  
Tristan J. Van de Streek  
Ryan J. Younggren  
Renata J. Selzer  
Tanya Johnson Martinez

### Victim/Witness Coordinators:

Brenda Olson-Wray  
Debbie Tibiatowski  
Lori Lawson

### Check Division/ Restitution:

Linda Workin  
Charlotte Eversvik

Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58108

PH: 701-241-5850  
Fax: 701-241-5838

### Re: **Legislative Funding for Community Service Programs – Letter of Support**

To Whom It May Concern:

I write this letter in support of renewed legislative funding for community service programs.

Not everyone charged with a crime requires incarceration. However, it is important to hold those who commit crimes accountable for their actions. It can also be valuable to capture their attention in order to deter them and others from committing future crimes. A court needs a spectrum of sentencing options that it can tailor to the crime, and community service is an important part of that spectrum.

Since well before I became Cass County State's Attorney in 1999, my office in conjunction with the courts has regularly utilized RESTORE, Inc. to oversee community service as either a primary sentencing directive, an alternative to incarceration or as one element in a combined sentencing structure. Community service oversight is not provided by a governmental entity for most misdemeanor crimes. Legislative funding is important to ensure that community service remains a viable alternative in the sentencing spectrum.

Yours truly,

Birch P. Burdick  
Cass County State's Attorney

BPB/lr

Holly Neubauer  
Program Director  
RESTORE, Inc.  
115 N. University Dr.  
Fargo, ND 58102

Holly: I want to commend you for the fine job you have done in managing and operating the Community Service Program. We have utilized your program for years and it not only benefits the citizens of this community, but also enables those with limited or no income, to work off their fines and in that manner repay society for the offense.

I also want to thank you for running a program that constitutes a tool any Judge can use in alternative sentencing. Community Service in many cases can be used in lieu of jail--no cost to the taxpayer but effective as a tool of deterrence.

I support SB2275 as it relates to State funding and your programs. I hope we on the local level can continue the fine cooperation and success we've had over the years.

Judge Thomas A. Davies  
Fargo Municipal Court.

SB 2275

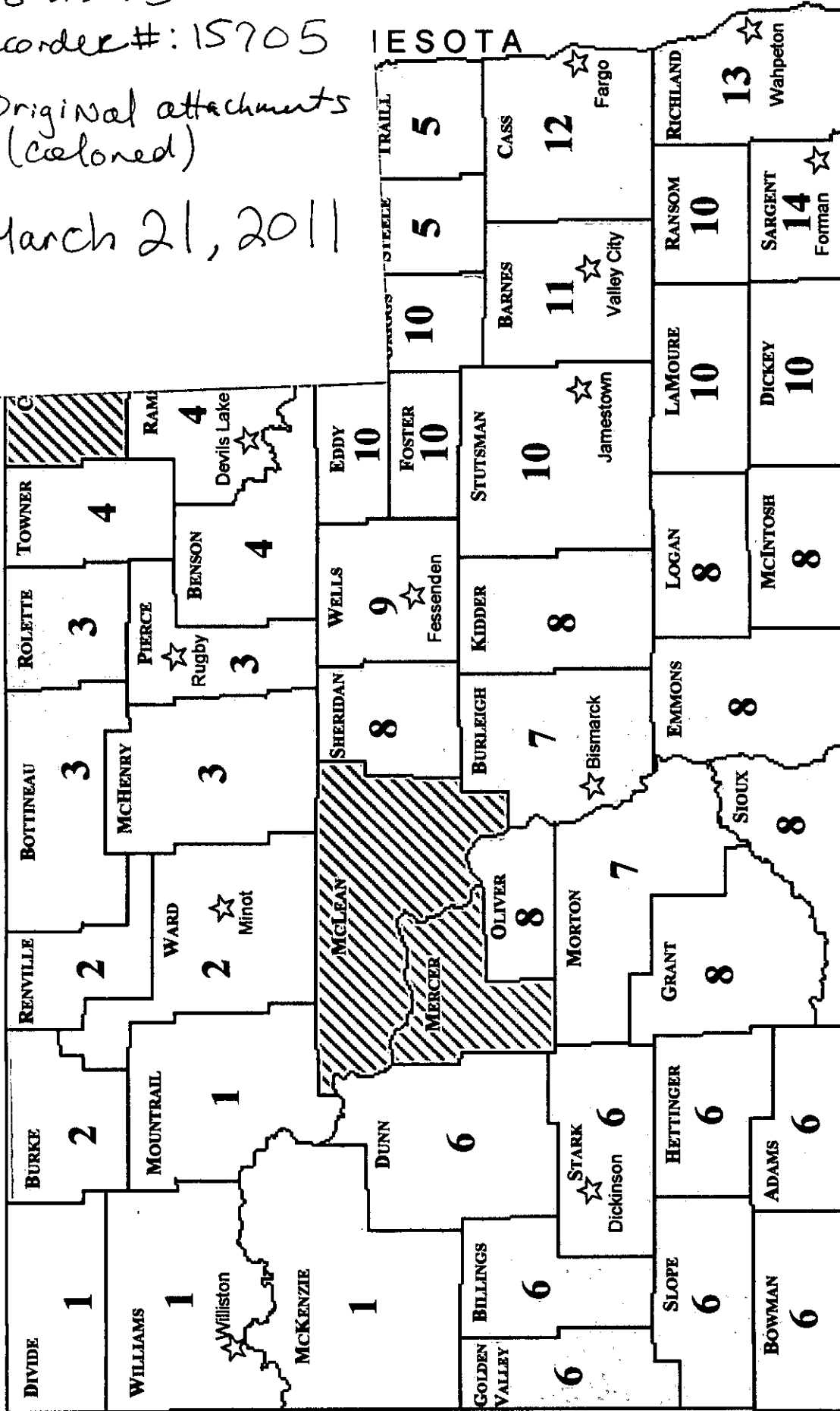
Recorder #: 15705

\*Original attachments  
(colored)

\*March 21, 2011

Attachment  
QNT

# NORTH DAKOTA



## NDCCA MEMBER REGIONS

1. Williston
2. Minot
3. Rugby
4. Devils Lake

5. Grand Forks
6. Dickinson
7. Bismarck Urban
8. Bismarck Rural

9. Wells County
10. Jamestown
11. Barnes County
12. Fargo

13. Richland County
14. Sargent County

## NORTH DAKOTA COMMUNITY CORRECTION PROGRAMS

### **BISMARCK SOUTH CENTRAL RURAL**

McIntosh, Logan, Kidder, Emmons, Oliver, Sheridan,  
Grant, Sioux)

**Pam - (Member)**

Community Corrections Inc.

Centre, Inc. 100 6<sup>th</sup> Ave, SE, Mandan, ND 58554

1-888-650-8300 or 663-0953

Fax: 663-0918

[pamca@centreinc.org](mailto:pamca@centreinc.org)

### **BISMARCK SOUTH CENTRAL URBAN (Burleigh, Morton)**

**Nancy Keating - (Member)**

Central Dakota Community Service & Restitution

Centre, Inc.

100 6<sup>th</sup> Ave, SE, Mandan, ND 58554

Phone: 663-0951

Fax: 663-0918

[nancykeating@centreinc.org](mailto:nancykeating@centreinc.org)

### **DEVILS LAKE (Towner, Benson, Ramsey, Western 1/2 of Nelson & Northern 10% of Eddy)**

**Andy Horner - (Member)**

Lake Region Community Service & Restitution Program

222 Walnut Street, Devils Lake, ND 58301

Phone: 662-0722

Fax: 662-0707

[ahh@lrlec.org](mailto:ahh@lrlec.org)

Cell 701-351-2100

### **DICKINSON (Bowman, Billings, Adams, Slope, Stark, Billings, Dunn, Hettinger and Golden Valley)**

**Toni Morasko - (Member)**

Southwest Community Service & Restitution Program

1173 3rd Avenue West, Suite # 9, Dickinson, ND 58601

Phone: 483-8500

Fax: 483-8501

[scsrp@ndsupernet.com](mailto:scsrp@ndsupernet.com)

### **FARGO (Cass County)**

**Holly Neubauer (Member)**

**Shauna Brustad**

**Traci Potvin**

R.E.S.T.O.R.E. Inc.

115 North University Drive, Suite 5,

Fargo, ND 58102

Phone: 239-0078

Fax: 239-0197

[hneubauer@702com.net](mailto:hneubauer@702com.net)

Cell 218-329-3840

### **FESSENDEN (Wells County)**

**Janelle Pepple - (Member)**

Wells County Community Service

P.O. Box 306,

Fessenden, ND 58438

Phone: 701-547-3319

Fax: 701-547-2536

[jpepple@nd.gov](mailto:jpepple@nd.gov)

Cell# 701-341-1489

### **FORMAN (Sargent County)**

**Brenda Peterson- (Member)**

S.C.C.S.P

355 MAIN ST. S, SUITE 6

FORMAN, ND 58032

PHONE 701-724-3302

FAX: 701-724-3300

[brenda.peterson@co.sargent.nd.us](mailto:brenda.peterson@co.sargent.nd.us)

Cell 680-2040(personal)

### **GRAND FORKS (Walsh, Steele, Grand Forks, Traill, Nelson)**

**Deb Schuler - (Member)**

Chelsey Williams - Officer

Grand Forks Community Service & Restitution Program

311 South 4th Street, Suite 201

Grand Forks, ND 58201

Phone: 775-3403

Fax: 701-775-0421

[gfc@invisimax.com](mailto:gfc@invisimax.com)

Deb's cell 701-740-3271

**JAMESTOWN (Eddy, Foster, Stutsman, Griggs, LaMoure,  
Ransom, Dickey)**

**DELL HORN, DIRECTOR (MEMBER)**

Community Service Program

109 1<sup>st</sup> Street SW. PO Box 1246

Jamestown, ND 58402-1246

Phone: 952-2038

Fax: 952-2868

[dhorn@daktel.com](mailto:dhorn@daktel.com)

Cell 701-269-1599

### **MINOT (Renville, Ward, Burke)**

**Joni Anderson - (Member)**

Rehab Service/Community Service Program

112 2<sup>nd</sup> Ave Southwest,

Minot, ND 58701

Phone: 839-4240

Fax: 838-2621

[comserve@srt.com](mailto:comserve@srt.com)

Cell 701-721-8788

### **RUGBY (Pierce, McHenry, Bottineau, unofficial Rolette)**

**Dave Denich - (Member)**

Heart of America Community Service Program

P.O. Box 258,

Rugby, ND 58368

Phone: 776-2944 Ext. 8

Fax: 776-5707

[ddenich@state.nd.us](mailto:ddenich@state.nd.us)

Cell 701-208-0254

### **VALLEY CITY (Barnes County)**

**David Swenson - (Member)**

COMMUNITY SERVICE

PO Box 113

Valley City, ND 58072-0113

Phone: (701) 845-3110

Fax: 701-840-3100

[bccs@co.barnes.nd.us](mailto:bccs@co.barnes.nd.us)

Cell 701-840-7130

### **WAHPETON (Richland County)**

**Darlene Lee, Director (Member)**

Richland County Community Service

413 3rd Avenue North,

Wahpeton, ND 58075

Phone: 642-7721

Fax: 642-7730

[dllee@co.richland.nd.us](mailto:dllee@co.richland.nd.us)

Office Cell 701-899-2654

### **WILLISTON (Williams, Divide, McKenzie, Mountrail)**

**Katie Gendreau, Coordinator- (member)**

Community Service North Dakota- Williston Region

PO Box 2074 10 Main Street,

Williston, ND 58802-2074

Phone 701-577-5345 (office)

Fax: 774-8585

[communityservice@co.williams.nd.us](mailto:communityservice@co.williams.nd.us)

Cell 701-770-3564

### **NDCCA Officers 2010 to 2012**

**Pres. Dell Horn**

**Vice Pres. Holly Neubauer**

**Sec. Nancy Keating**

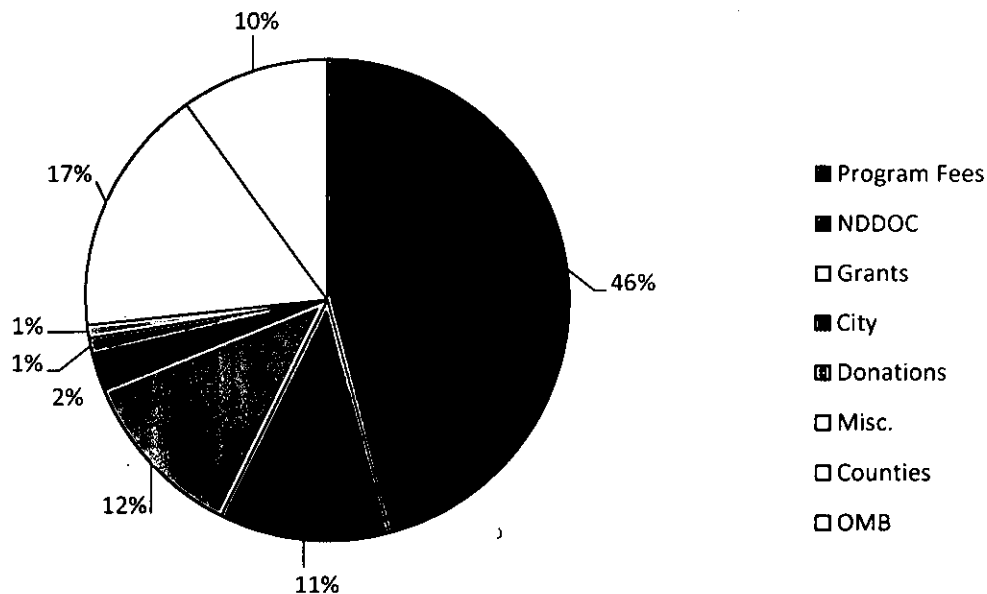
**Treas. Brenda Peterson**



- March 24 2011 - Holly Neubauer  
 - SB 2275 - Attachment Two

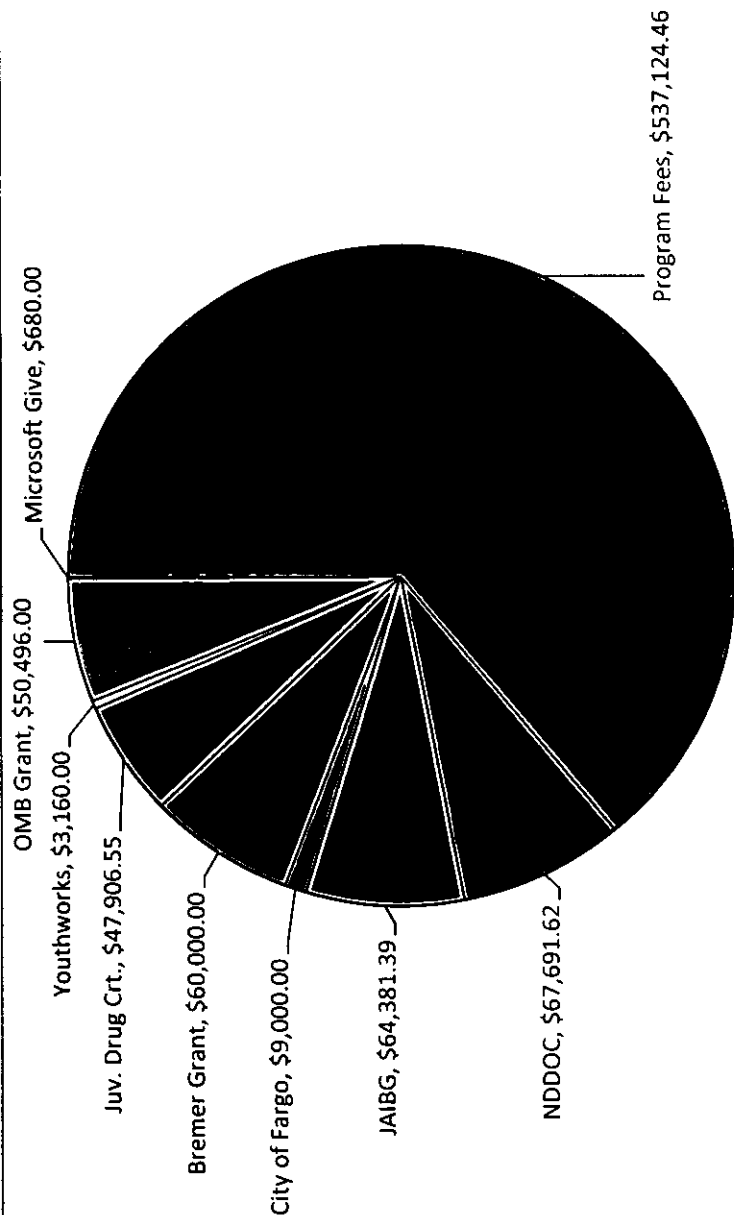
Funding Sources	2005	2006	2007	2008	2009	2010	TOTAL
Program Fees	\$263,414.31	\$315,275.71	\$317,823.86	\$297,462.95	\$289,483.41	\$254,703.30	\$1,738,163.54
NDDOC	\$168,653.63	\$113,844.17	\$44,630.52	\$61,181.09	\$24,777.38	\$18,092.49	\$431,179.28
Grants	\$97,951.52	\$77,243.06	\$123,426.63	\$74,458.06	\$37,203.00	\$26,346.50	\$436,628.77
City	\$20,420.00	\$19,295.00	\$5,150.00	\$16,880.00	\$16,700.00	\$16,950.00	\$95,395.01
Donations	\$8,876.00	\$14,284.00	\$14,470.71	\$1,864.18	\$840.00	\$340.00	\$40,674.89
Misc.	\$3,970.00	\$17,610.68	\$1,038.00	\$7,743.00	\$1,188.00	\$852.00	\$32,401.68
Counties	\$74,977.52	\$88,714.38	\$127,651.76	\$131,038.50	\$117,425.00	\$96,824.00	\$636,631.16
OMB	\$0.00	\$0.00	\$0.00	\$0.00	\$187,500.00	\$187,500.00	\$375,000.00
<b>TOTALS</b>	<b>\$638,262.98</b>	<b>\$646,267.00</b>	<b>\$634,191.48</b>	<b>\$590,627.78</b>	<b>\$675,116.79</b>	<b>\$601,608.29</b>	<b>\$3,786,074.33</b>

**Totals 2005 - 2010**



# Funding Sources 2005-2010

FARGO	2005	2006	2007	2008	2009	2010	TOTAL
Program Fees	\$69,177.29	\$98,599.77	\$101,792.00	\$105,093.90	\$81,807.50	\$80,654.00	\$537,124.46
NDDOC	\$21,702.00	\$14,543.00	\$9,076.30	\$11,989.32	\$6,586.00	\$3,795.00	\$67,691.62
JAIBG	\$15,498.00	\$6,603.13	\$11,285.75	\$13,708.51	\$8,630.00	\$8,656.00	\$64,381.39
City of Fargo	\$5,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,000.00
Bremer Grant	\$0.00	\$0.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00	\$60,000.00
Juv. Drug Crt.	\$16,238.35	\$20,001.58	\$11,666.62	\$0.00	\$0.00	\$0.00	\$47,906.55
Youthworks	\$600.00	\$1,710.00	\$850.00	\$0.00	\$0.00	\$0.00	\$3,160.00
OMB Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$25,248.00	\$25,248.00	\$50,496.00
Microsoft Give	\$0.00	\$0.00	\$0.00	\$0.00	\$340.00	\$340.00	\$680.00
TOTALS	\$128,215.64	\$145,457.48	\$164,670.67	\$160,791.73	\$122,611.50	\$118,693.00	\$840,440.02



- Holly Neubaum  
- March 21, 2011  
- SB 2275

- Attachment  
THREE

11.0566.01001  
Title.  
Fiscal No. 1

- Rep. Wieland - Attachment  
- March 28, 2011 ONE  
Prepared by the Legislative Council staff for  
Representative Wieland  
March 25, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2275

Page 1, line 6, replace "\$500,000" with "\$375,000"

Page 1, remove lines 12 through 24

Page 2, replace lines 1 and 2 with:

"Barnes County	\$9,091
Bismarck (urban)	20,293
Bismarck (rural)	10,667
Devils Lake	10,747
Dickinson	12,683
Fargo	24,127
Grand Forks	19,803
Jamestown	13,883
Minot	16,194
Richland County	9,931
Rugby	11,657
Sargent County	8,086
Wells County	8,189
Williston	<u>12,149</u>
Total annual allocation	\$187,500"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2275 - Office of Management and Budget - House Action**

	Executive Budget	Senate Version	House Changes	House Version
Community service supervision grants		\$500,000	(\$125,000)	\$375,000
Total all funds	\$0	\$500,000	(\$125,000)	\$375,000
Less estimated income	0	0	0	0
General fund	\$0	\$500,000	(\$125,000)	\$375,000
FTE	0.00	0.00	0.00	0.00

**Department No. 110 - Office of Management and Budget - Detail of House Changes**

	<b>Reduces Funding for Grants<sup>1</sup></b>	<b>Total House Changes</b>
Community service supervision grants	(\$125,000)	(\$125,000)
Total all funds	(\$125,000)	(\$125,000)
Less estimated income	0	0
General fund	(\$125,000)	(\$125,000)
FTE	0.00	0.00

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<sup>1</sup> This amendment reduces funding provided by the Senate for community service supervision grants from \$500,000 to \$375,000.