



North Carolina Department of Correction

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Beverly Eaves Perdue
Governor

Alvin W. Keller, Jr.
Secretary

MEMORANDUM

TO: Senator Harry Brown Representative N. Leo Daughtry
Senator Thom Goolsby Representative W. David Guice
Representative Shirley B. Randleman

FROM: Jennie L. Lancaster, Chief Operating Officer

RE: Legislative Report on
Community Service Work Program
(Section 17.17. - Session Law 2007-323)

DATE: March 1, 2011

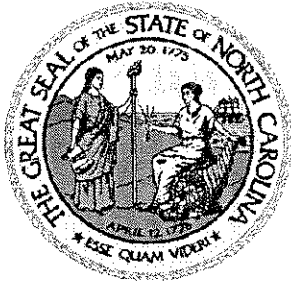
A large, stylized handwritten signature in black ink, likely belonging to Jennie L. Lancaster, the Chief Operating Officer mentioned in the memorandum.

Pursuant to Section 17.17 of Session Law 2007-323, please find attached the Department of Correction's Legislative Report on Community Service Work Program.

JLL:BSB/jbk

cc: Aaron Gallagher
John Poteat
Doug Holbrook
Kristine Leggett
Gov Ops Website
General Assembly Legislative Library





Division of Community Corrections

**LEGISLATIVE REPORT
ON THE
COMMUNITY SERVICE
WORK PROGRAM**

February 1, 2011

**Beverly Eaves Perdue
Governor**

**Timothy D. Moose
Director**

**Alvin W. Keller, Jr.
Secretary**

N.C.G.S. 143B-262.4 and Section 17.17 of Session Law 2007-323**COMMUNITY SERVICE WORK PROGRAM SECTION 17.17.**

The Department of Correction shall report to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by February 1 of each year on the integration of the Community Service Work Program into the Division of Community Corrections, including the Department's ability to monitor the collection of offender payments from unsupervised offenders sentenced to community service. The Department shall also report to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by February 1 of each year on the average caseloads of Community Service Work Program coordinators by district, division, and statewide. The report shall also include the money collected, the type and value of the work performed, and the number of offenders in the Community Service Work Program, by type of referral (i.e. parole, supervised probation, unsupervised probation or community punishment, DWI, or any other agency referrals).

I. Introduction

The Community Service Work Program (CSWP) receives offenders from the courts or from the Post-Release Supervision and Parole Commission, reviews the offender's history and places the offender at an agency in the community to perform work. Placements are made to government or nonprofit agencies. Community service hours are ordered as a condition of supervised probation, unsupervised probation or parole and also can be utilized as a supervision tool by the probation officer through the use of the delegated authority provisions of Structured Sentencing.

II. Integration of CSWP into DCC

During the 2001 session, the General Assembly transferred CSWP from the Department of Crime Control and Public Safety to the Department of Correction, Division of Community Corrections (DCC) effective January 1, 2002. Since that time, DCC has taken the necessary steps to integrate CSWP into DCC.

First, DCC implemented an automated information system, Community Service Automated System (CSAS), which affords more efficient recording and tracking of offender information, improved monitoring of fee collection and enhanced communication between CSWP coordinators and probation officers. During FY 2009-2010, numerous enhancements were made to the system to assist field staff, managers, and administration with assessing the efficiency of case monitoring.

During FY 2009-2010, CSWP coordinator positions continued to be included in the Division's position management practices. Lead coordinators in larger urban districts continue to assist management with supervision of the coordinators and administration of placement agencies. The coordinator's job title has been changed to Judicial Services Coordinator. The job responsibilities of the coordinator have been expanded to include court processing of offenders for both CSWP and supervised probation. The Department's move to one class of probation officer allowed reallocation of some officers, who were responsible for supervising lower level cases and for processing court cases, to the Judicial Service Coordinator classification.

III. Community Service Fee Monitoring

The Administrative Office of the Courts (AOC) provides data concerning the total collection of the community service fee.

For the FY 2009-2010, AOC indicated that **\$7,099,247.31** was collected for all cases. The community service fee amount was increased to \$225.00 during the fiscal year. Also, in July, 2009, AOC reviewed its priority list for distribution of funds received from defendants and classified the community service fee as "Costs due the State." (GS 7A-304(d)) As a result the community service fee was moved down the priority list for distribution of funds collected by the courts.

In unsupervised probation cases, CSWP coordinators continue to monitor the payment of all monies owed and report to local clerks of court. In some areas, clerks of court allow the coordinators to issue a show-cause order when the community service fee is part of court indebtedness and the fees are not paid as directed.

Fee collection data for FY 2009-10 from the CSAS is as follows:

UNSUPERVISED COMMUNITY SERVICE FEES		
CS FEE PAID: YES	26,274 OFFENDERS	72%
CS FEE PAID: NO	4,947 OFFENDERS	14%
CS FEE: WAIVED by Court	4,924 OFFENDERS	13%
CS FEE: STRICKEN by Court	357 OFFENDERS	1%

IV. Type and Value of Work Performed

Formulas to measure the value of work performed were developed by the Division of Community Corrections using NC Department of Labor categories and relative market value minimum payment rates. These categories provide an analysis of the cost avoidance savings that can be attributed to the program. The work type categories and their associated values are as follows:

- General Labor/Litter Pick Up \$6.15-\$7.25 per hour (minimum wage increased)
- Skilled Labor \$17.00 per hour
- Clerical \$11.00 per hour
- Professional \$20.00 per hour

The following chart provides a statistical breakdown of the work category and values for FY 2009-2010:

TYPE LABOR	# OFFENDERS	# HOURS COMPLETED	\$ VALUE
GENERAL/LITTER PICK UP	58,015	1,890,879	\$13,470,992
SKILLED	51	1,477	\$25,109
CLERICAL	1,323	47,261	\$519,431
PROFESSIONAL	71	1,957	\$39,060
Statewide	59,460	1,941,574	\$14,054,592

The data indicates that offenders working in CSWP placements completed approximately 1.9 million hours of work, providing an estimated value of \$14 million to governmental and nonprofit agencies.

V. Offender Populations & Type of Referral

The following tables provide a summary of the information available for FY 2009-2010:

Case Admissions by Unsupervised/Supervised Probation

Total Admissions: 65,591
Supervised 28,011 (43%)
Unsupervised 37,580 (57%)

Supervised Admissions by Punishment Type

Punishment Type	Percent	Total Admissions
Intermediate	31.98%	8,958
DWI	21.59%	6,048
Community	38.05%	10,656
Post Release	0.10%	28
Fair Sentencing Parole	0.11%	32
Out of State	.65%	182
Non-Judgment	7.47%	2,093
Other	0.05%	14
Total Admissions	100.00%	28,011

Unsupervised Admissions by Sentence Type

Sentence Type	Percent	Total Admissions
DWI	44.94%	16,890
Deferred Prosecution	23.42%	8,802
G.S. 90-96 (Conditional Discharge/Expunction)	1.19%	447
Prayer for Judgment	9.98%	3,749
Suspended Sentence	16.30%	6,126
Other	4.17%	1,566
Total Admissions	100.00%	37,580

Case Exits by Unsupervised/Supervised

Supervision Type	#Offenders: Completed Hrs	# Offenders: Did Not Complete Hrs.	# Offenders: Hrs. Stricken	Total Exits
Unsupervised	30,997	4,857	647	36,501
Supervised	17,476	9,131	1,517	28,124
Total	48,473	13,988	2,164	64,625

Admissions and exits do not equal because offenders admitted during the fiscal year may still be under supervision at the end of the fiscal year.

VI. Community Service Caseload

CSWP coordinator caseloads for FY 2009-10 on average were 114. The total offender population as of 6/30/10 was **24,505** (12,742 supervised and 11,763 unsupervised).

DCC continued to review all coordinator vacancies and reassigned positions as caseloads warranted.

FY2009-2010 CASELOAD AVERAGES (# OF CASES)**Community Service Caseload Averages as of 6/30/10**

DCC Judicial Districts	# of Coordinator Positions	Caseload Averages
Statewide	215	114
District 1	4	78
District 2	4	71
District 3	7	189
District 4	2	142
District 5	7	115
District 6	7	48
District 7	11	97
District 8	10	59
Division 1	52	96
District 9	3	182
District 10	18	105
District 11	7	83
District 12	6	108
District 13	5	91
District 14	13	85
District 15	8	101
District 16	9	85
Division 2	69	99
District 17	6	128
District 18	11	95
District 191	9	114
District 192	6	114
District 20	5	104
District 21	11	119
District 22	5	193
District 23	4	101
Division 3	57	118
District 24	2	186
District 25	4	174
District 26	14	141
District 27	5	225
District 28	5	148
District 29	4	185
District 30	3	115
Division 4	37	162

VII. CONCLUSION

The Community Service Work Program is fully integrated into the Division of Community Corrections. The integration of policies is complete and the automated system is operational. From FY 2008-09 to FY 2009-10, admissions increased by 1 percent. For that same period, the number of coordinators increased by 77 to assist with extra duties of court processing. The additional positions included 13 funded through the American Recovery and Reinvestment Act of 2009 (stimulus bill) and 64 were existing positions reclassified to Judicial Services Coordinator positions. The coordinators worked with 3,900 agencies across the state to provide meaningful placements for work hours and provided a monetary value to agencies of more than \$14 million. Considering that community service fees amounted to more than \$7 million, the total value of the program to the State of North Carolina was estimated to exceed \$21 million dollars.