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DCJS EVALUATION OF NEW RIVER  
COMMUNITY SENTENCING, INC.

NCJRS

NOV 15 1988

ACQUISITIONS

Produced by staff from the Planning and  
Evaluation and the Correctional Services  
Sections of the Department of Criminal  
Justice Services

May, 1988

## EXECUTIVE SUMMARY

The Department of Criminal Justice Services' (DCJS) evaluation of New River Community Sentencing, Inc. (NRCS) was conducted under DCJS's own mandate to evaluate all programs for which it has funding and oversight responsibilities and also under specific authority stated by the 1986-1988 Appropriations Act. The evaluation team made several monitoring visits to the offices of NRCS, attended two NRCS Board meetings, interviewed twenty-one persons including judges, commonwealth attorneys, probation workers, NRCS staff and work site supervisors, and compiled policy and workload information from periods coincident with the NRCS program and fiscal years. Central to the evaluation was a cost-benefit analysis using "hard" measures of NRCS program economic value.

Information was gathered on NRCS management and operational activities, the nature of and the distribution of NRCS workload, NRCS impact on the local criminal justice system, and NRCS community relations. The general findings of the evaluation are as follows.

### Management and Operational Activities

As currently operated, NRCS provides a sentencing alternative of proven benefit to the courts and law enforcement communities within its service area. The program enjoys widespread acceptance and approval by the area citizenry and is clearly offering services of benefit to offenders and their families. The development of an "employment services" component of the program is evidence of this fact. In addition, the agency has consistently surpassed the DCJS performance objectives set forth in the annual DCJS/NRCS contract.

As with any program that has grown rapidly over a short period of time, there are areas of management and operational performance that still need to be addressed or improved. The large case loads borne by the community service counselors, for example, have limited direct counselor-client contact and work site monitoring activity to a level that is less than optimal. If this continues, increased funding for additional counselors should be considered.

Review of the NRCS Policy and Procedures Manual revealed other areas of weakness. A set of more precise job descriptions is needed as well as a clearer description of the process used to conduct staff performance evaluations. This process should make use of clearly stated, mutually agreed-upon, performance-based evaluation criteria.

The evaluation team also recommends that NRCS establish a systematic process for training new as well as experienced staff members. New community service counselors should receive more "on-the-job" training and training modules should be developed that review the rationale and detail of agency policies and procedures. Also recommended are changes that will reduce NRCS reporting requirements and changes in the methodology for determining program economic value.

Because of the wide span of control between the NRCS Board and NRCS day to day operations, the evaluation team recommends development of a more formalized process of orientation for new Board members and new methods to assist the Board in its monitoring of staff activity.

Generally speaking, the evaluation revealed that NRCS enjoys an excellent reputation among criminal justice professionals in the New River area. The area judges and commonwealth's attorneys are particularly pleased with NRCS services and functions. There is a need, however, to clarify the relationship between NRCS and the activity of local Probation and Parole Offices. The evaluation team recommends that regular meetings between the staff of these agencies be held to identify issues and ensure the maintenance of a mutually supportive, complementary relationship.

#### Nature and Distribution of the NRCS Workload

Analysis of the NRCS caseload statistics revealed that NRCS staff supervised 1202 Community Sentence Orders (CSO) during the 1987 NRCS program year (June 1, 1986 to May 31, 1987). These CSOs were issued by judges in five General District courts (Criminal Division), two Juvenile and Domestic Relations courts, and five Circuit courts (Criminal Division). Ninety-three percent (93%) of all CSOs were issued by judges in the seven lower-level courts.

Although CSOs were issued to persons found guilty of approximately 100 different violations of the Code of Virginia, 56% of these CSOs were issued to persons found guilty of only seven of these offenses. Seventeen percent (17%) of all CSOs were issued to persons guilty of public drunkenness. The six other offenses were trespassing (9%), petit larceny (8%), shoplifting (7%), traffic offenses (5%), possessing alcohol under age (5%), and writing bad checks (4%). The average length of sentence ranges from 14 hours of community service per offense for public drunkenness to 251 hours per offense for forgery.

In program year 1987, 76% of all NRCS clients were males, 56% were below the age of 21, and 90% were white. This pattern varied only slightly between courts and jurisdictions. During this period, NRCS assigned 873 clients to 109 work sites. There was a relatively even distribution of clients and community service hours among the private non-profit, local governmental, and state governmental work sites. The work sites utilized most frequently were Radford University, Virginia Tech, the Christiansburg Town Public Works Department, and the Pulaski Salvation Army.

#### Program Impact on the Local Criminal Justice System

In the simplest terms, NRCS's impact on the local criminal justice system is a function of the number of persons diverted from the workload of other criminal justice agencies and the monetary benefits realized by such diversion. The evaluation revealed that during Fiscal Year 1987, NRCS

successfully diverted 544 individuals from further (post trial) contact with criminal justice professionals. As many as 131 of this group were diverted a second time during this period.

The number of CSOs supervised in FY 1987 was 1192 with an estimated 836 of these newly issued during this year. The total of 1192 is 55% more than the 767 CSOs specified as a service target in the FY 1987 NRCS/DCJS contract.

NRCS clients performed 30,670 hours of community service in FY 1987. In addition, 26 persons were diverted from jail, and one person was released early from active probationary supervision. One hundred and thirty-four (134) persons requested NRCS employment services, 77 of whom were sentenced to perform community service. Forty-one persons obtained jobs due, at least in part, to the efforts of NRCS employment counselors.

The evaluation team concluded that NRCS economic value should be measured by four reasonably hard measures of economic benefit. These measures produced a total program value for FY 1987 of \$180,754. The monetary value of the community service work performed is \$115,014, the savings in the cost to Probation and Parole officials of supervising probationers is \$15,408, the amount of jail costs saved is \$13,800, and the allowed wages earned by NRCS clients from jobs obtained through NRCS efforts is \$36,532.

In relation to program cost, NRCS produced a cost-benefit ratio of 1.00 (in cost) to 1.04 (in program economic benefit). This ratio indicates that NRCS generated an economic value greater than its annual cost to the taxpayers of the Commonwealth. It serves as evidence that NRCS is a cost-effective program.

It should be noted that the cost-benefit ratio is based on hard measures of economic benefit, measures that are relatively easy to classify as a program benefit, easy to obtain, and easy to verify. It does not consider program benefits that are less quantifiable, yet clearly exist. They include the value of community service beyond the set value of \$3.75 per hour, the economic benefit that accrues when NRCS clients purchase goods and services or pay taxes with wages earned in jobs obtained through NRCS employment services, and the savings in public assistance that occur when offenders are sentenced to community service rather than to jail. These also include the psychological benefits that accrue to NRCS clients who are developing new work habits and the satisfaction of citizens who know that offenders are contributing to the community.

### Community Relations

NRCS has engaged in a continuing public/community relations campaign to educate and inform the public of the appropriate and beneficial aspects of community sentencing. This campaign has resulted in press coverage that has effectively countered any potential resistance to the program. As a consequence, NRCS is accurately viewed as a positive and constructive program.

## ACKNOWLEDGEMENT

We would like to acknowledge and commend the cooperation, support, and valuable contributions of the New River Community Sentencing Program's Board of Directors, Executive Director, and staff in the conduct of this evaluation. Within this report we refer, on occasion, to the "Executive Director." Ms. Beth J. Wellington has been the Executive Director throughout the life of this program. She deserves much of the credit for helping to make NRCS a program which, in final analysis, we find to be a cost-effective, productive component of the criminal justice system in the New River area.

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## I. INTRODUCTION

This report presents the findings and recommendations of the Department of Criminal Justice Services' (DCJS) evaluation of New River Community Sentencing, Inc. (NRCS) which was conducted between December 1986 and October 1987.

### Funding History

Annual state funding of NRCS began on July 1, 1983. The first appropriation by the General Assembly was included in the Department of Corrections' (DOC) budget for the second year of the 1982-1984 biennium. The legislature transferred the funding and oversight responsibilities for the program to DCJS on July 1, 1986.

<u>Fiscal Year</u>	<u>NRCS Appropriation</u>	<u>Funding Agency</u>
1982-83	\$ 6,415*	DOC
1983-84	\$ 63,365	DOC
1984-85	\$117,365	DOC
1985-86	\$117,365	DOC
1986-87	\$173,785	DCJS
1987-88	\$185,115	DCJS

\*Funding for April, May, June, 1983

### Authority for Conducting the Evaluation

DCJS staff evaluate all programs for which the agency has funding and oversight responsibilities. In addition, the 1986-1988 Appropriations Act states specifically that DCJS is responsible for evaluation of NRCS.<sup>1</sup>

### Rationale and Basic Objectives of the Evaluation

Through the periods FY 1983-84, 1984-85, and 1985-86, DOC passed the appropriated monies through to NRCS but negotiated no contract, did no monitoring, and conducted no evaluation of NRCS.

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<sup>1</sup>See Chapter 643, Appropriations Act 1986-1988, Approved April 6, 1986, Item 496, Section 5, p. 175.

The evaluation reported in this document was the first evaluation of NRCS. The two basic objectives of this evaluation were to accurately describe NRCS goals and operational procedures and to assess the efficiency and effectiveness of the NRCS program.

Information was gathered on four aspects of program activity:

- (1) management and operational activities;
- (2) nature and distribution of the workload;
- (3) program impact on the local criminal justice system;  
and
- (4) program community relations.

#### Methodology of the Evaluation

In brief, the evaluation involved several monitoring visits to the offices of NRCS, attendance at two meetings of the NRCS Board, development of a written research design that was reviewed by the Executive Director and Board of NRCS, and interviews conducted with twenty-one persons between July 21 and July 30, 1987. Five NRCS staff members, two judges, two commonwealth's attorneys, and five probation and parole officers were among those interviewed.

Additional information about NRCS record keeping was obtained during the negotiation of the DCJS/NRCS contract for Fiscal Year 1987-88. Because of the need to obtain valid and reliable measures of program impact and economic viability, several modifications of NRCS reporting requirements were instituted in the course of this process.

#### Structure of the Report

The report is organized under four major headings:

NRCS Management and Operations  
Description and Distribution of the NRCS Workload  
Program Impact on the Local Criminal Justice System  
NRCS Community Relations

Information about the various components of NRCS operations and program impact are presented in subsections noted in the report Table of Contents.

## II. NRCS MANAGEMENT AND OPERATIONS

### Program Description

#### a. History

"Community service" is a sentencing alternative which allows offenders to perform a specified number of hours of unpaid work in public or non-profit agencies, usually in lieu of fines and costs, probation, and/or incarceration.

The use of community service as a formal sentencing option began in England in the 1960's and in the United States in the 1970's. At first, the community service option was used sparingly and usually only when judges felt that the talents of specially skilled or educated offenders should be used to the benefit of the community. In the late 1970's, community service programs began to proliferate in response to criminal justice system and public concerns with inmate idleness, high correctional costs, and prison and jail crowding. Such programs were established to broaden the range of sentencing options available to the courts so as to better address the offender who did not require imprisonment but who did deserve a sanction more meaningful than simple probation.

Alternative sentencing generally and community service specifically are aimed at salvaging the offender and compensating the victim or the community rather than at punishment or incapacitation. Alternative (non-incarcerative) sanctions are less stigmatizing and less disruptive of the offender's, and his family's, life. Such sanctions are of particular value for addressing the non-violent offender, the youthful offender experimenting with criminal acts but not yet entrenched in a criminal lifestyle, and those persons driven to criminal acts by extremes of poverty or problems of chemical dependency. It is also of particular value to those offenders who could "learn a lesson" but for whom incarceration is too severe while a probation sanction is not concrete or meaningful enough.

New River Community Sentencing, Inc. (NRCS) began as the Montgomery County Community Sentencing Project in June, 1980. The organization was both an outgrowth of the local community action agency's interest in working with offenders and a model project of the Young Lawyers' Conference of the Virginia State Bar.

The program is a true local initiative. The governing bodies of each of the jurisdictions in the NRCS service area have passed resolutions in support of the community sentencing program. Formal expressions of support have been extended by local judges, commonwealth's attorneys, probation and parole officers, and the defense bar.

The program has received national attention and recognition. The Young Lawyers' Conference, in recognition of its support and assistance to NRCS, earned a "special recognition" award in 1981 and a first-place award in 1982, from the American Bar Association. In the fall of 1987, NRCS was invited to send a team of key local criminal justice decision makers to participate in a national planning and policy development workshop on sentencing options sponsored by the National Institute for Sentencing Alternatives. The NRCS Executive Director, Ms. Beth Wellington, is a nationally recognized resource person regarding community service programs. The annual DCJS/NRCS contract recognizes her special knowledge and includes, as a contractual goal, the provision of technical assistance to locally-based criminal justice programs.

Initial funding for NRCS's activities was provided by an eclectic mix of resources - typical of locally-based initiatives in their formative period. By action of the 1983 General Assembly, funds were placed in the Department of Corrections' (DOC) budget to contract with NRCS to continue the Community Sentencing Project. Continued funding was made available to NRCS through an appropriation to DOC in FY 1983-84, 1984-85, and 1985-86. In FY 1986-87 and 1987-88, oversight responsibility and the appropriation in support of NRCS were shifted from DOC to DCJS. DCJS has established a contractual relationship, has regularly monitored the program, and (with this report) has concluded the first formal evaluation of the program.

b. Goals and Objectives

The NRCS Program, as initially conceived, was established to provide a program of supervised community service as a sentencing alternative to the courts (Circuit, General District, and Juvenile and Domestic Relations) of the Twenty-Seventh Judicial District. NRCS' services are presently available to the courts in the city of Radford and the counties of Floyd, Giles, Montgomery, and Pulaski.

The NRCS program objectives, as originally stated, were and are "to provide:

- (1) local judges with a cost-effective alternative to incarceration and misdemeanor probation;
- (2) offenders with a method of demonstrating their worth and contrition to other members of the community, while disrupting their lives as little as possible;
- (3) indigent offenders with an alternative manner to pay fines and costs;
- (4) Probation and Parole Departments with a method of releasing offenders who no longer require supervision, but who have not been able to comply with a court order to pay fines and costs or restitution to a public or non-profit organization.
- (5) public and non-profit organizations with a source of volunteers to supplement efforts of their paid staffs;
- (6) community members with information about the criminal justice system; and
- (7) community groups with assistance in developing locally-based criminal justice services."

c. Contractual Objectives: FY 1986-87

The contractual objectives are the specific performance objectives set forth in the annual DCJS/NRCS contract. They may differ from the above-stated program objectives where NRCS has instituted services beyond those anticipated by the original program objectives. For example, employment placement assistance has been a peripheral component of NRCS' efforts with offenders and a long-standing interest of DCJS. The NRCS/ DCJS contractual objectives, therefore, include a formal requirement for employment placement assistance. Following are the contractual or annual performance objectives of the FY 1986-87 contract.

1. Supervise 767 community service orders.
2. Assist 20 offenders in finding paid jobs.
3. Assist 3 groups in the development of criminal justice services.
4. Assist offenders' families with counseling, service referral, and job placement.
5. Involve community volunteers in the community service order program.
6. Provide and supervise internships for local college students in the community service order program.
7. Arrange community service placements for parolees who can be transferred from parole supervision.
8. Operate the program in such manner that the measured value of benefits (total of the worth of volunteer labor, the probation costs saved, the jail costs saved, and the wages earned by offenders) exceeds the program cost.

In summary, NRCS provides a sentencing alternative that is of assistance to the courts, is acceptable to the community, and is of benefit to the offender and his family.

#### d. Personnel and Organizational Structure

New River Community Sentencing, Inc. is a private non-profit corporation. The agency's personnel include a seventeen (17) member Board of Directors, an Executive Director, five (5) full-time equivalent positions for counselors, and one (1) FTE clerical position. One of the five (5) counselor positions is a Victim/Witness Counselor and is separately funded.

The Board of Directors is a strictly voluntary body. Board members receive no compensation, of a pecuniary nature, for their services. The Board is structured so as to include representatives from the judiciary, the bar (both defense and prosecution), the local probation and parole districts, area colleges, the Young Lawyers' Conference of the Virginia State Bar, the local Community Action Agency, and the community at large.

The Board is empowered to appoint the agency's Executive Director, to establish policies (personnel, program, and fiscal) and agency priorities, and to approve or disapprove sources of funding and major expenditures. The Board selects its own officers and conducts its business both as a full Board and through the work of four standing sub-committees - Executive, Finance, Nominating, and Personnel and Program. The Executive Committee may act in behalf of the full Board if time constraints or other circumstances so require.

The Executive Director is a funded position responsible for the day-to-day administration of the program, the supervision of staff, liaison to the Board and to DCJS, and community relations. The position requires organizational and supervisory skills, extensive knowledge of the criminal justice process, and creativity, especially in the development of funding and community support.

The Executive Secretary is the single full-time clerical position in the agency and therefore serves as receptionist, typist, file clerk, office manager, etc. This position requires proficiency in the full range of office skills. The position also requires good judgment given such concerns as client confidentiality.

The Victim/Witness Counselor is a single, separately-funded position and was therefore not considered in this evaluation. This position provides an additional staff member for agency initiatives and allows NRCS to more broadly address the identified needs of the community and the local criminal justice system.

The Employment Counselor has been a half-time position throughout the NRCS/DCJS contractual relationship. The Employment Counselor is responsible for job development and client placement. Offenders often have special difficulty obtaining employment; a significant percentage are unemployed or indigent at the time of the offense; some lose their jobs as a result of their criminal convictions. This employment service is a logical extension of the NRCS program.

Three and a half (3.5) FTE's are devoted to the community service program. This is the core of the NRCS program. These staff members help develop and maintain relationships with community work sites, help arrange and schedule placements for referred offenders, provide counseling and other assistance to clients, work directly with the staff of the courts, the bar, the local probation and parole office and, not least, maintain complete and accurate records of clients and casework.

The program also utilizes the services of volunteers and interns. All local universities and community colleges provide interns to assist in the operation of NRCS programs. Interns work under the direct supervision of a counselor. They are assigned a small caseload, to provide students with in-field experience and to provide clients with more frequent contact and supervision.

An organizational chart that outlines authority relations within the agency is presented on page 9.

### Staff Responsibilities and Daily Regimen

#### a. Community Service Counselor

Each of the community service counselors bears primary responsibility for one or two of the localities in the NRCS service area. The counselors attend sessions of General District Court and conduct intake interviews of offenders referred for community service. Referrals are also accepted from both Circuit and Juvenile and Domestic Relations Courts.

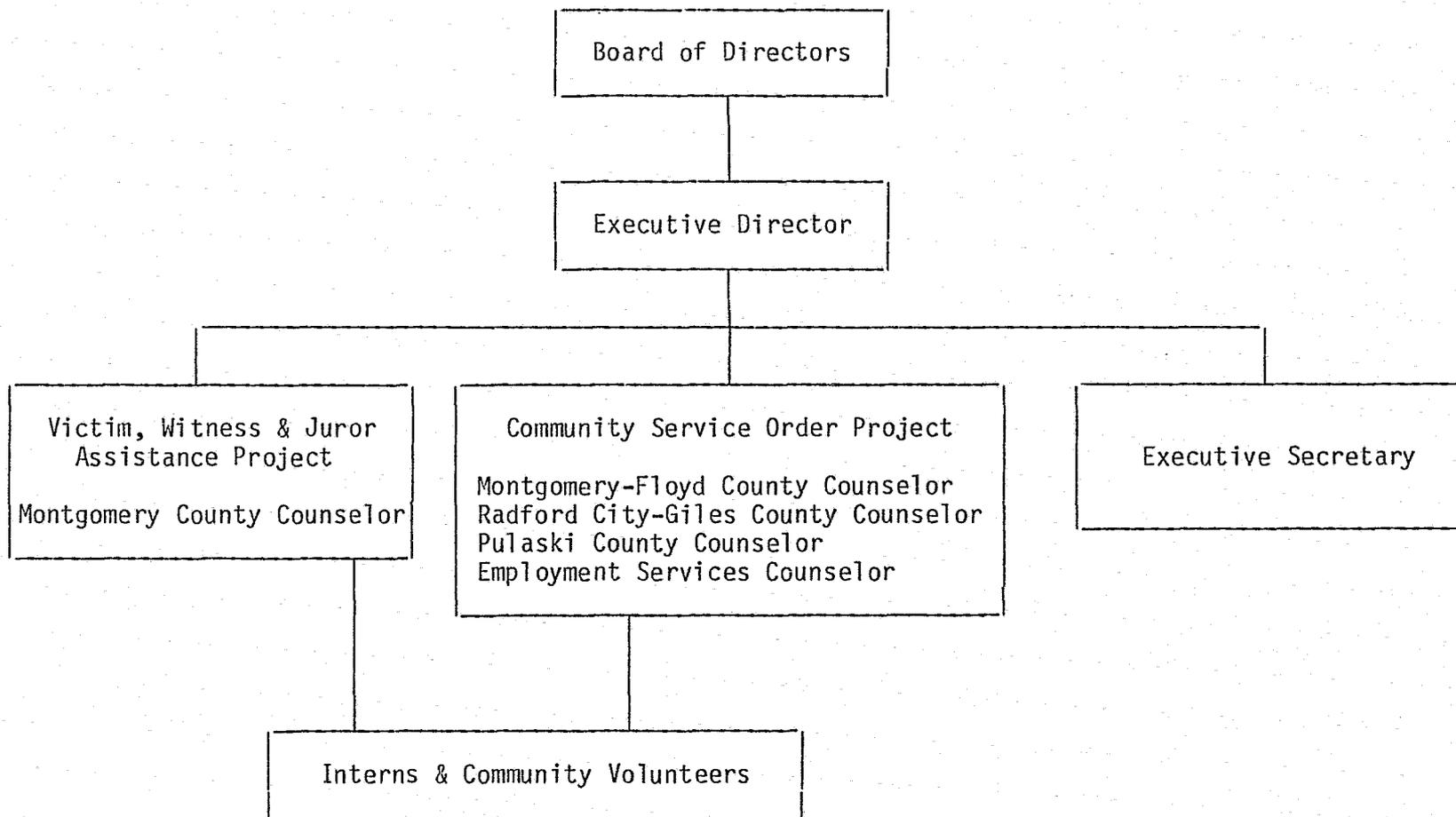
The counselors attempt to match offender skills, interests, and personality with the needs of a work site. They assist in establishing a work schedule, regularly monitor offender compliance and performance, address problems as they arise, and report back to the court upon completion of the community service sentence.

New clients comprise a large part of the counselors' workload as intake and placement activities are very time-consuming. The counselors average about 15 new cases per month. During an average quarter, the active caseload per counselor is over 100 community sentencing orders (CSO). While clients already placed with work sites are not usually as demanding of time as new clients, some established clients have problems of performance or scheduling that require counselors' time and attention. In all cases the counselors must be aware of client performance, maintain a good working relationship with the worksites, and keep thorough records for both court and program needs. As all NRCS staff, community service counselors attend staff and Board meetings, assist in the compilation and preparation of agency reports and funding applications, make occasional public presentations, and supervise volunteers.

It is a concern that direct client contact and on-site observation of client performance is limited. The concern is minor, however, because communication is maintained with

NEW RIVER COMMUNITY SENTENCING, INC.

Organizational Chart



worksite supervisors, because reporting mechanisms are adequate, and because direct contact does occur when problems arise. Practically speaking, unless caseloads are reduced through the addition of staff, the potential for increased direct contact and observation by the CSO counselors is limited. Given the large per-counselor caseloads and the numerous responsibilities of the counselor position, it is essential that the counselors possess good organizational and time-management skills.

b. Employment Counselor

The Employment Counselor is funded as a half-time position with the other .5 FTE used to employ a Community Service Counselor. The development of employment opportunities for NRCS clients is a specialized function as a significant percentage of clients have long-standing difficulties in locating or retaining employment, difficulties compounded by criminal convictions. While the Virginia Employment Commission (VEC) maintains an office in Radford and Pulaski, the VEC has no special capacity to address the particular employment problems of an offender population. Offenders tend to be less employable than other people because, on the average, they have a lower educational achievement level, poor work histories, lack of special skills or training, chemical dependencies, problems in responding to supervision and authority and, in many instances, a previous criminal record. Employment, however, remains the key vehicle by which a client may attain self-sufficiency, self-respect and the possibility of a non-criminal life style.

NRCS clients with an identified need for employment assistance are referred to the employment counselor by the community service counselors after intake. Referrals for this specialized placement assistance are also accepted from local correctional, law enforcement, and probation officials. Placement efforts begin concurrently with community service assignments or await the completion of community service obligations, as appropriate.

The employment counselor must maintain a working relationship with the VEC and have knowledge of the Jobs Partnership Training Act (JPTA) and employer tax credit programs. He or she regularly addresses civic groups, business groups, and potential employers regarding offender employment needs and the potential benefits of hiring ex-offenders. From these many contacts, the counselor builds and maintains a list of willing employers. The counselor screens referrals, assists with resumes and job

applications, and works with clients on problems of transportation, scheduling, and training. The counselor does, at least, monthly follow-up of placements to examine job retention and salaries and assists both clients and employers with client counseling regarding issues of performance.

While, to date, the contractual performance objective for employment services has been relatively modest (15 to 20 placements), a tremendous effort has been made to locate or develop placements, to match offenders with positions, and to do supportive follow-up. The NRCS Executive Director has applied any savings in program costs so that the hours of the employment counselor or counselors could be increased. The average number of hours expended on employment services during FY 87 was approximately 40 hours per week. Placements significantly exceeded contractual requirements during this period and, thus far, during the 1987-88 contract year. It is anticipated that the increased emphasis on employment services will be reflected in the 1988-89 NRCS/DJCP contract.

c. Executive Secretary

As the only clerical position in NRCS, the position of Executive Secretary is an especially demanding clerical position. The position requires good office management abilities, a broad range of clerical/secretarial skills, and a working knowledge of all facets of the community service program (and of the victim/witness assistance program).

The Executive Secretary serves as an administrative assistant to the Executive Director, provides clerical assistance to the counselors, and acts as secretary to the Board of Directors. Tasks include serving as receptionist, typist, records keeper, mail clerk, purchasing and billing agent, data entry clerk for automated records, and public information officer. Because of the Executive Secretary's frequent contact with offenders (and victims/witnesses), it is critical that this position be filled by an individual with good judgment, personal maturity, and a special sensitivity to issues of confidentiality and to the personal and social problems of NRCS clients.

d. Executive Director

As acknowledged earlier, the position of Executive Director has been held since the program's inception by Ms. Beth J. Wellington. Ms. Wellington has been the key to the agency's concept of operation, development and growth. While this is not to say that this program is wholly

dependent upon this single personality, it is critical that any Executive Director have an abiding belief in the program's goals and objectives and an especially good ability to "sell" the concept of community corrections to the community at large, to work sites, to criminal justice system professionals, and to funding sources.

Management of any organization or agency is generally a complex undertaking. Management of an innovative, multi-jurisdictional, non-profit, offender-service agency can be especially difficult. The maintenance of community acceptance of such a program requires an on-going and demanding public relations effort. Serving and satisfying the needs of a variety of criminal justice actors (judges, prosecutors, defense attorneys, sheriffs, probation officers, etc.), each with a different personality and each reflective of the particular sense of appropriate justice in a particular jurisdiction, requires special flexibility, sensitivity, and interpersonal skills.

Operation of a non-profit agency, dependent upon external funding, demands an ability to communicate effectively with local political patrons, members of the General Assembly and various legislative committees, and staff of the agencies (currently DCJS and previously DOC and other agencies and foundations) assigned responsibility for contracting, administration of funds, contract monitoring, and program evaluation.

While it can be said that NRCS has enjoyed a fair measure of success in dealing with offenders, any staff which continually works with such a difficult population will experience stress and frustration. Providing supervision to such staff requires an appreciation of the frustrations inherent in direct client contact, an experience-based understanding of the difficulties and demands of day-to-day operations, and a willingness to meet and consult with staff in order to deal with specific problems.

It should be acknowledged that transfer of funding responsibility from DOC to DCJS in 1986 placed some special demands on the Executive Director. The DOC "passed through" the total funding at the beginning of each fiscal year, set no contract, did little direct monitoring, and performed no evaluation. The DCJS requires a fully developed contract, disburses money quarterly on a pay-for-performance basis, requires quarterly reporting of program data and accomplishments, requires quarterly fiscal reports, and does regular monitoring through report assessments, frequent telephone contact, and on-site visits. In addition, the evaluation reported herein required some revisions in NRCS data

collection and reporting practices, some special data collection, and the occasional need to explain and instruct the evaluation team about various program concepts and operations.

In general terms, the Executive Director position requires a person with good knowledge of the local criminal justice system, planning skills, budgeting skills, group leadership abilities, grantsmanship, training skills, case management skills, public relations and public speaking skills, and an ability to successfully relate to individuals ranging from the most problematic of clients to locally elected and appointed officials.

Observation: It was not the purpose of this evaluation to evaluate staff. However, it must at least be noted that the evaluation team found the New River staff to be professional, articulate, and well qualified for their positions both by education and experience.

e. Board of Directors

The NRCS Board of Directors plays an important role in the operation of the agency. The Board and its committees meet at least quarterly to manage and review program activity. It became clear during the conduct of this evaluation that Board members are well informed on all major issues that effect the program. Their approval of staff efforts seems predicated on nothing less than satisfactory responses to their concerns. The Board has been instrumental in the development of a sound program design and in garnering acceptance of the program by members of the New River area's criminal justice system. Individual members have traveled to Richmond to address various groups regarding issues and concerns of the agency and have represented the Board at a variety of public functions and national workshops. The Board was active in reviewing the proposed methodology of this evaluation and expressed support of evaluation activity.

Operational Activities

a. Policies and Procedures

Review of the NRCS Policies and Procedures Manual reveals the document to be well written and comprehensive. The Manual clearly states the agency's purposes, defines staff and Board

roles and relationships, adequately addresses most personnel issues, and establishes a well-reasoned grievance mechanism for staff. Despite the extremely small size of the agency, a "career ladder" is established, by policy, for the counselors. This allows the agency to evaluate new staff in the entry-level position and recognize deserving staff with, at least, a one-step promotion. NRCS is to be commended for basing agency personnel policies on state personnel policies. This provides a built-in rationale for establishing salaries and fringe benefits, recruitment practices, leave practices, and standards of conduct.

Three sections of the Policies and Procedures Manual merit some additional attention and strengthening. (1) The job descriptions for counselors are overly generic. Little difference exists between the job descriptions for Counselor I and II, other than the fact that the Counselor II position requires more job experience and increased job proficiency. These differences relate more closely to merit increases within a position than to position upgrade. These descriptions should be modified such that a person assuming a Counselor II position would be expected to perform an additional set of responsibilities from those expected of a Counselor I. These added responsibilities should also be considered in the attendant job performance evaluation criteria.

(2) The "Training and Career Development" section of the manual briefly outlines an orientation to the agency, fails to address basic training, and refers to continuing training only in general terms. Staff interviews indicated a need for some measure of supervised on-the-job training and a need for some specific training on criminal justice process and jargon. It was generally indicated that staff are expected to work independently in the field as early as their second day on the job. While it would be difficult to provide extensive supervision and training in the field, it would be desirable to provide more substantial basic training and preparation for new staff before expecting them to work independently.

(3) The "Performance Evaluation" section of the manual is less than adequate. Absent a more detailed description of the evaluation process, a potential for arbitrary evaluation exists. Clearly defined and mutually agreed-upon, performance-based criteria for evaluation is required. Such criteria should be written for each job description and be made available to staff at all times. Any changes thereto should be made in writing and, to the greatest extent possible, be made with the consent of the Executive Director and the staff-person being evaluated.

b. Training

NRCS has, historically, operated with a minimal training budget. During FY 86-87, \$1,923 was budgeted for tuition reimbursement for continuing education but no funding was provided for staff training activities. Most formal (classroom) training for NRCS staff has been provided by the Department of Corrections. By cooperative agreement, NRCS employees may attend training courses offered by the DOC Academy for Staff Development. This usually includes most of the basic training offered to new probation and parole officers, as such training is readily transferable to the role performed by the NRCS community service counselors. To date, little other formal training has been available to these counselors.

Similarly, formal training opportunities for the Executive Director are also limited. Ms. Wellington is fortunate to have been selected, on two occasions, to attend federally supported, correctional management training at the National Academy of Corrections. In the fall of 1987, Ms. Wellington attended a NISA (National Institute on Sentencing Alternatives) sponsored workshop as part of a team of criminal justice professionals from the New River area.

Most training of staff is done informally in-house. The agency Policy Manual indicates that new staff will learn about agency goals, objectives and procedures through discussions with the Executive Director and fellow staff. In addition, it is stated that the Executive Director will make every effort to locate and utilize all opportunities for staff career-development training.

At present, new staff orientation consists of the discussions mentioned above plus one or two days "in the field" where the new staff member observes a fellow counselor interact with court personnel, probation officers, worksite supervisors, and clients. After such observation, the new staff member is expected to assume his or her full job responsibilities. This is not to suggest that additional help or supervision is unavailable because, in fact, NRCS office environment is very supportive. In the course of the evaluation it became evident that the existing staff orientation and training process is inadequate. Most likely, a new counselor will be unfamiliar with the adjudication process, court room terminology, the probation and parole process, and the nature of the NRCS counselor's relationship to judges, commonwealth's attorneys, court clerks,

probation officers, work site supervisors, and clients. Counselors must learn about the operational nuances of as many as four or five different courts.

Paperwork and record keeping requirements, while at first confusing to a new staff member, are quickly learned with the help of the other NRCS staff. In addition, little formal training is necessary regarding the goals and objectives of the agency. By virtue of the agency's small size, regular staff meetings, and staff attendance at Board meetings (a job requirement), a new staff member quickly becomes well-informed regarding the agency's purpose and soon takes an active role in the agency's business.

We conclude that because NRCS is a relatively new program that has grown rapidly, little time or resources have been available for the development of a staff training program.

To alleviate this shortcoming, a line item for training has been included in the proposed FY 88-90 NRCS budget. If approved, this money will be used to increase formal training opportunities for all agency staff. In addition, some in-house actions should be taken.

The evaluation team recommends:

1. that the Executive Director establish a systematic process for training new staff members. This process should provide adequate familiarization with the criminal justice process including lessons on courtroom terminology, and the roles and responsibilities of judges, clerks, probation officers, commonwealth attorneys and defense attorneys. It should also include a period of "field placement" that allows a trainee to observe or question probation officers, clerks and other criminal justice actors.
2. that the Executive Director develop a series of training modules that set forth and explain the agency policy and procedures which regulate agency/counselor interaction with court personnel, probation officers, worksite supervisors and clients. Other modules should address agency policy with respect to recordkeeping, personnel policies, etc. These modules should serve as the basis of training sessions for new or experienced staff members.

c. Monitoring Staff Activity

NRCS staff are expected to work responsibly and with a relatively high degree of independence. The amount and variety of agency work which falls to the Executive Director limits the opportunity for much "hands-on" supervision of staff. Most supervision is done in the office; little is done in the field. Because each counselor works in several courts, in several jurisdictions, and with numerous work sites, the necessary span of supervisory control is wide. Under such circumstances it becomes essential that staff are responsible and accountable.

A recent staff resignation revealed that, absent more direct supervision, it is possible for a staff person to operate with case records in some disarray and with significant, but unreported, problems developing in a caseload. Such is not typical of staff behavior but does suggest that more field supervision is in order. It is recommended that the Executive Director spot check case records on a regular basis and occasionally and randomly accompany staff during a day or partial day of work. The Executive Director has indicated that a formal method for monitoring the status of case records will be established.

The NRCS Board of Directors is one step further removed from day-to-day operations. They must rely on good staff work and accurate reporting by staff and the Executive Director to remain aware of operational activities and concerns. While the Board seems to be well served by the operational staff, increased involvement by the Board should be encouraged. New Board members should be provided a formal orientation to the agency and each Board member should be encouraged to, at least annually, spend part of a working day in the company of an NRCS counselor.

d. Record Keeping and Reporting

Individual records are maintained on each client that include (1) an intake form that records a client's work history, skills, interests and education, (2) a community service contract that specifies the amount of community service to be performed, (3) a final report to the judge (and probation and parole office if applicable) that lists the worksite of record, the hours worked, an assessment of the client's work habits, and the client's demographic characteristics. The records of any cases returned to the court for non-compliance also include a contact log and copies of any correspondence.

There has been some confusion about the specific information and reports DCJS requires for purposes of monitoring and evaluating the NRCS program. This arose, in part, because NRCS had already initiated a reporting system prior to the time the General Assembly transferred NRCS funding and oversight responsibilities to DCJS. In lieu of specific requirements from DOC, NRCS sent reports to DOC that reflected NRCS work activity during its program year of June 1st to the following May 31st. After the above-mentioned transfer, however, DCJS encouraged and then required that NRCS compile work statistics on the basis of the NRCS/DCJS fiscal year, July 1st to the following June 30th. This was considered essential because program funds are disbursed on a quarterly basis coincident with the quarters of the fiscal year.

The confusion also arose because of two other reasons. First, DCJS staff were initially unfamiliar with the details of the community sentencing process. This made it difficult for DCJS staff to interpret some of the data being reported by NRCS and, at times, led DCJS staff to request information from NRCS that was either unavailable or, in some instances, non-essential.

Secondly, DCJS requires NRCS data that is more specific than that previously supplied to DOC. DCJS monitoring and evaluation responsibilities require the development of valid and reliable measures of program workload and program economic impact. In the case of NRCS, DCJS requires a count of the new and "carried-forward" community service orders (CSOs) supervised during the fiscal year as well as information on the total number of CSOs completed or closed for other reasons. The latter information is needed to determine if an offender has been successfully "diverted" from the normal criminal justice process. In addition, DCJS requires measures of program economic benefit that are clearly linked to NRCS program activity. There has been some difference in opinion (especially in the area of calculating NRCS savings in the cost of probationary supervision) on what should or should not be counted as program-generated economic value. The evaluation team concluded that, while the softer measures of program value should be acknowledged and reported, only the harder, more verifiable measures should be used as the basis for determining annual program value. All of the measures are discussed in Section IV of this report.

During the course of the evaluation, NRCS and DCJS staff negotiated the provisions of the FY 1988 DCJS/NRCS contract. NRCS agreed to send DCJS four quarterly reports based on fiscal year quarters. These reports, which cumulate data across quarters, provide basic workload, program value, and employment services information. NRCS also agreed to send an "Annual Statistical Addendum" that would update, as necessary, any of the fiscal year totals reported in the fourth quarterly report

plus inform DCJS about new or deactivated work sites, client demographic characteristics, program media coverage, and technical assistance efforts. The FY 1988 contract increased the specificity of the workload and program value information reported and reduced the total and type of information reported. While useful for the purposes of the evaluation, DCJS will no longer require a regular accounting of supervised CSOs by type of offense or the details of the distribution of community service hours to work sites.

Information obtained during the evaluation has allowed DCJS to refine its reporting requirements even further. Thus, as a consequence of the evaluation, there are some minor reporting changes to be recommended for inclusion in the FY 1989 DCJS/NRCS contract. These are denoted by asterisks (\*) in the listing of required data elements that follows.

e. Content of Reports Required by DCJS

FOUR CUMULATIVE QUARTERLY REPORTS

These reports (to be mailed to DCJS no later than the last day of October, January, April and July) catalog program activity across quarters of the fiscal year. The reports are cumulative rather than quarter-specific to allow for the on-going data correction process that results because NRCS staff regularly learn that some clients have finished their CSOs in a previous quarter. This lagtime is a consequence of paperwork delays between work sites and courts.

The following information is to be reported in the quarterly reports:

- (1) total CSOs supervised, year to date;

By type of court and locality, the following:

- (2) total CSOs carried forward on July 1;
- (3) total new CSOs, year to date;
- (4) total CSOs completed, year to date;
- \* (5) total CSOs closed for reasons other than completion of the original contract, reasons reported, year to date;
- (6) value of total hours of community service (@ \$3.75 per hour), year to date;

NOTE: In determining the value of community service hours worked, only hours actually worked during the current fiscal year should be totalled. Thus when considering the hours worked by NRCS clients who began community service work in a previous fiscal year but who complete their CSO in the current fiscal year, only those hours performed in the current year should be included in the current fiscal year's total.

- \*(7) total clients who have completed CSOs, year to date;

Based on the total completed CSOs to date, the following:

- (8) value of fines and costs paid off by community service, year to date;
- (9) total clients diverted from jail, year to date;
- (10) value of jail costs saved (method of calculation set forth in Section IV), year to date;

NOTE: The value of jail costs saved should be calculated using the assumption that NRCS clients would, in all but a few cases, earn "good time" while incarcerated. This method of calculation should be used to determine the amount of jail savings included in any measure of program value (see Section IV).

- \*(11) total clients removed from probation officer caseloads due to community service, (method of calculation set forth in Section IV), year to date;
- (12) value of savings in the cost of supervising probationers, year to date;

NOTE: Savings in the cost of supervising probationers should be credited to measures of program value only when there is reason to believe that a probationer/NRCS client has been dropped from a probation officer's active caseload as a result of community service (see Section IV).

In addition, the following:

- \*(13) total persons requesting NRCS employment services, year to date;
- \*(14) total NRCS clients requesting NRCS employment services, year to date;

- \* (15) total persons hired following request for employment services, year to date;
- (16) total NRCS clients hired following request for employment services, year to date;
- \* (17) total six-month wages of persons obtaining jobs through NRCS employment services, year to date;
- \* (18) value of wages earned in jobs obtained through NRCS employment services (method of calculation in Section IV), year to date;

NOTE: Because a large percentage of the people who obtain jobs through NRCS employment services are not doing community service, and because the linkage between job attainment and NRCS employment counseling is not always causal, only 50% of the wages earned in these jobs should be credited to any measure of program value (see Section IV).

- (19) total program value, year to date (#6+#10+#12+#18).

#### ANNUAL STATISTICAL ADDENDUM

This report (to be mailed to DCJS no later than the last day of September) provides corrected fiscal year totals of items initially reported in the fourth quarterly report as well as information only needed annually.

It should contain the following information:

- (1) all necessary information to improve the accuracy of information contained in the fourth quarterly report;
- (2) total clients by race, age and sex;
- (3) a list of new work sites with an accompanying description of each work site, the types of jobs that clients will perform, and the dates of the relevant memorandums of understanding;
- (4) a narrative listing all media references, stories or reports about NRCS activity that occurred during the fiscal year; and
- (5) a narrative describing any technical assistance provided during the fiscal year.

f. Liaison with Other Criminal Justice Actors

During the course of this evaluation, a representative cross section of criminal justice professionals in the New River service area were interviewed to determine their relationship to and opinion of the NRCS program. While a few interviewees expressed reservations about the program, and others made suggestions for improving agency operations, the vast majority of expressed opinions were positive.

Interviews with local judges indicated that most had some initial reservations about the program. Those interviewed felt the program concept and design were good but they chose to withhold judgement of the program until they had had an opportunity to observe the program's implementation and practice over time. All have now had an opportunity to appraise the program and each judge interviewed expressed the opinion that the program is well operated and provides a valuable and appropriate sentencing option. Judicial appreciation of the program is reflected in steadily increasing utilization of the community sentencing option.

Interviews with local attorneys revealed a consistently high opinion of the program. Most expressed a real appreciation for the availability of a sentencing option more meaningful than unsupervised probation but less severe than incarceration. Those interviewed, both prosecution and defense, indicated that they have suggested community service sentences when appropriate and that judges are open to consideration of this type of sentencing option.

The probation and parole (P&P) officers interviewed expressed generally positive opinions of the NRCS program but also voiced some concerns. The roles of NRCS counselors and P&P officers are similar. Their jobs overlap primarily when offenders are referred to NRCS and to P&P from the circuit courts. Given the similarity of roles, a complementary working relationship is essential. The P&P's concerns were voiced constructively and possible potential solutions or approaches to these concerns were suggested.

The probation officers suggested that there is a need to clarify the relationship between NRCS and P&P responsibilities and functions. For example, in one jurisdiction, some confusion exists regarding who (P&P officer or NRCS counselor) should obtain the community service order from the court. They indicated a sincere willingness to schedule

regular meetings between key NRCS and P&P staff to resolve such concerns, clarify roles, and maintain a complementary relationship. The P&P interviews also indicated that P&P would like regular reporting with regard to client performance in the community service program. It was also suggested that NRCS staff training include a brief internship with P&P. This would increase the NRCS staff's understanding and appreciation of P&P requests for progress reports and other documentation. Such an internship could dovetail with efforts to strengthen NRCS basic training. Prior to completion of the evaluation, NRCS initiated contact with local P&P officials and requested joint staff meetings to address these issues.

Offenders sentenced by the courts to community service are placed at worksites by their NRCS counselors. The worksites are public (state or local) agencies or non-profit agencies. Examples of possible worksites for NRCS clients include VPI & SU Buildings and Grounds (state), the City of Christiansburg Department of Public Works (local), and the Pulaski Salvation Army (non-profit). Worksite supervisors are employees of the worksite, not employees of NRCS. These supervisors track the number of hours worked by offenders, evaluate the client's work performance, report to NRCS regarding the satisfactory completion or performance of the client's community service obligation, or advise the NRCS counselor of problems of attendance or performance. Therefore, while such agencies are not typically a part of the criminal justice system, their relationship with this program has made them critical actors in alternative sentencing in the New River Valley.

Several work site supervisors were interviewed regarding the NRCS program. Their opinions of the program were positive. Each person interviewed seemed to have had difficulties with one or several NRCS clients with regard to attendance, attitude, or performance, but each indicated that such was the exception rather than the rule. Generally, the court-referred clients were productive and cooperative. While few of the clients possessed any special skills, most of the available work was simple, manual labor such as washing windows, cutting brush, cleaning roadsides, painting dumpsters, etc. Some work site supervisors registered concerns about inconsistent availability of community service workers or about worksite/ community service client schedules that did not quite mesh. Each person interviewed valued the services obtained and most felt good about being involved in a "helping" program. Some worksite supervisors reported hiring NRCS clients for full-time paid positions upon completion of their community service obligation. One worksite supervisor reported utilizing 59 NRCS clients (through the FY 86-87 program year) for a total of more than 2500 hours or the equivalent of 1.25 FTE. Each of those interviewed reported a constructive relationship with NRCS staff.

## Current Issues

### a. Future Funding

Court utilization of the NRCS Project has increased each year over the preceding year. By contract, NRCS was to provide services to 767 referred offenders during FY 1987. In fact, NRCS placed 1202 clients at community service work sites during this period. Because NRCS has no control over the number of offenders assigned to the program, community service counselor caseloads are increasingly difficult to manage. NRCS has a legitimate need for an additional counseling position and a part-time clerical position.

NRCS has proposed a budget of \$255,542 and \$276,528 for the two years of the 1988-90 biennium. This budget would support the addition of 1 FTE counselor and a part-time clerical position. The added staff would enhance NRCS's ability to monitor worksite activity and improve the incidence of client/counselor contact. The budget would also pay for staff training, increased insurance rates, and normal cost increases (inflation). This request does not appear unreasonable. As the judiciary continues to develop appreciation for and trust in the community service sanction, referrals to NRCS will continue to increase. The DCJS evaluation indicates that NRCS provides a cost-effective sentencing alternative that enhances the system of criminal justice in the New River Valley. There is every reason to believe that additional funding for NRCS is justified.

For the current year (FY 88), DCJS only requested level funding for the NRCS operating budget. In its addendum budget, however, DCJS requested a 5.5% increase in funding for NRCS as an "inflation factor." This would only pay for level operations and does not consider the steady increase in court referrals to NRCS. It is the position of the evaluation team that the NRCS funding request is appropriate and should be given positive consideration.

### b. The "Liability Crisis"

Skyrocketing liability insurance costs over the last several years have become a matter of national concern. Virginia, through the efforts of the Tort Reform Committee, is examining the problem. Among the programs hardest hit by increased insurance costs are offender based programs, NRCS among them.

Despite having made no past claims against its liability insurance in 1987, NRCS received just one response to a request for proposals (RFP) for insurance coverage. That coverage was offered at a cost 1000% above last year's cost of coverage. While NRCS has now obtained reasonably priced insurance (only 50% above last year's cost), there is concern that the cost of liability insurance may become prohibitive. Work sites also have become increasingly concerned about issues of liability and costs of insurance coverage. Unless action can be taken to limit liability concerns, work sites may terminate their relationship with NRCS and other community service programs. Some have already done so.

c. Relationship to CDI Programs

CDI programs provide for the diversion of sentenced non-violent felons and misdemeanants from prison or jail terms. CDI is an alternative sentencing program. NRCS is, likewise, an alternative sentencing program. NRCS clients are also non-violent felons and misdemeanants. They are usually sentenced to the payment of fines and costs, and/or unsupervised probation, and occasionally, to short jail and prison sentences. In the case of offenders referred to NRCS in lieu of jail or prison sentences, NRCS is a diversion program saving expensive correctional resources. In the case of offenders referred to NRCS in lieu of fines and costs, NRCS provides court services by helping to enforce those sanctions.

The two programs serve similar purposes but have somewhat different target populations. The program types should not be viewed as mutually exclusive but should be seen as mutually supportive, addressing the broad spectrum of convicted offenders from those sentenced to prison to those sentenced to fines and costs. Given the positive findings of this evaluation of NRCS services, development of such services in other jurisdictions may be appropriate. CDI, although currently constrained from working with offenders not sentenced to prison or jail, would seem the logical agency to provide NRCS-type services in other jurisdictions of the state. NRCS would be the logical agency to provide CDI type services within its own jurisdiction, should those be needed.

### III. DESCRIPTION AND DISTRIBUTION OF THE NRCS WORKLOAD

#### Distribution of Community Service Orders (CSO) by Court and Jurisdiction

During the 1986-87 program year (June 1, 1986 to May 31, 1987), the NRCS staff supervised 1202 community service orders (CSO) that were handed down by the judges presiding in the twelve courts that assign offenders to the NRCS program.<sup>2</sup> Table 1 shows the distribution of these orders among the various courts and jurisdictions.

Eighty-nine percent (89%) of all CSOs were issued by the five general district courts. If the CSOs issued by the two juvenile and domestic relations courts are added, this figure increases to 93%. Clearly, the NRCS program is having its greatest impact as a sentencing alternative for persons guilty of the less serious criminal offenses. In program year 1986-87, only 7% of total CSOs were issued by circuit courts.

The courts located in Montgomery and Pulaski counties and Radford City issued 95% of the 1202 CSOs issued in the program year. The CSOs issued in the general district courts of these jurisdictions account for 86% of this total. Given that the population of these counties and city constitutes 80% of the NRCS area of service, these figures are not surprising. Though NRCS has expanded service to the courts of Giles and Floyd counties, program impact has remained centered in the jurisdictions closest to its offices in Montgomery County.

#### Distribution of CSO's to Offense Categories

Table 2 presents the distribution of CSOs by court and by type of offense. Only offenses which accounted for one percent (1%) or more of the 1202 CSOs are listed in the table. The data indicates the type of offense or offender most likely to be sentenced to community service.

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<sup>2</sup>Since completion of the report, NRCS reported that 7 CSOs were issued by the courts in Grayson County during FY 86-87, 5 by circuit court and 2 by the general district court. No related offense, work-site or demographic information was reported. As of December 23, 1987, 5 of these CSOs were completed or terminated. NRCS will not receive new CSOs from Grayson County courts in FY 87-88. However, NRCS' staff has provided technical assistance to Grayson County officials on how to operate a NRCS-type community sentencing program to complement their Community Diversion Incentive program.

Table 1: Distribution of the 1202 Community Service Orders Issued Between June 1, 1986 and May 31, 1987\*

	<u>MONT. GEN. DIST. COURT</u>	<u>PULAS. GEN. DIST. COURT</u>	<u>RAD. GEN. DIST. COURT</u>	<u>GILES GEN. DIST. COURT</u>	<u>FLOYD GEN. DIST. COURT</u>	<u>TOTAL ORDERS</u>	<u>PERCENT OF TOTAL</u>
Number of Orders:	376	357	306	32	4	(1075)	89%
	<u>MONT. JUV. D. R. COURT</u>	<u>PULAS. JUV. D. R. COURT</u>					
Number of Orders:	3	36				(39)	3%
	<u>MONT. CIR. COURT</u>	<u>PULAS. CIR. COURT</u>	<u>RAD. CIR. COURT</u>	<u>GILES CIR.. COURT</u>	<u>FLOYD CIR. COURT</u>		
Number of Orders:	30	29	5	19	5	(88)	7%
TOTAL ORDERS:	<u>409</u>	<u>422</u>	<u>311</u>	<u>51</u>	<u>9</u>	<u>(1202)</u>	
PERCENT:	34%	35%	26%	4%	1%		100%

\*Based on information provided in the NRCS "Progress Report" covering the period June 1, 1986 to May 31, 1987.

Table 2: Community Service Orders by Court and Type of Offense

June 1, 1986 to May 31, 1987\*

GENERAL DISTRICT COURT

	<u>MONT. COUNTY</u>	<u>PULAS. COUNTY</u>	<u>RAD. CITY</u>	<u>GILES COUNTY</u>	<u>FLOYD COUNTY</u>	<u>SUB- TOTAL</u>
Public Drunkenness:	39	119	47		1	(206)
Trespassing:	57	22	19	2		(100)
Petit Larceny:	64	11	18	2	1	(96)
Shoplifting:	27	49	4	3	1	(84)
Traffic Offenses:	17	14	18	5		(54)
Poss. Alc. Under Age:	27	6	27			(60)
Bad Check:	8	20	20	4		(52)
Destr. Pub/Pri. Prop:	12	10	9	1		(32)
Disorderly Conduct:	3	13	15			(31)
Possess False ID:	27		3			(30)
Fraud:	6	4	5	3		(18)
Drug Possession:	3	6	8	1	1	(19)
Assault and Battery:		9	13	1		(23)
Noise Violation:	6	2	16			(24)
Urinate in Public:	15	1	5			(21)
Drive Under Influence:	9	8				(17)
Forgery:			1			(1)
Other Assaults:	4	4	2	1		(11)
Grand Larceny:	1					(1)
Breaking and Entering:			2			(2)
OTHER OFFENSES:	51	59	74	9		(193)
TOTAL:	<u>376</u>	<u>357</u>	<u>306</u>	<u>32</u>	<u>4</u>	<u>(1075)</u>

Table 2 Continued

CIRCUIT COURT

	<u>MONT. COUNTY</u>	<u>PULAS. COUNTY</u>	<u>RAD. CITY</u>	<u>GILES COUNTY</u>	<u>FLOYD COUNTY</u>	<u>SUB- TOTAL</u>
Public Drunkenness:						
Trespassing:		2				(2)
Petit Larceny:		1		2	1	(4)
Shoplifting:						
Traffic Offenses:	1	1				(2)
Poss. Alc. Under Age:						
Bad Check:				1		(1)
Destr. Pub/Pri. Prop:		1				(1)
Disorderly Conduct:						
Possess False ID:						
Fraud:	10			2		(12)
Drug Possession:	2		2		1	(5)
Assault and Battery:		1	1			(2)
Noise Violation:						
Urinate in Public:						
Drive Under Influence:		1				(1)
Forgery:	4	7		3		(14)
Other Assaults:	2	1		2		(5)
Grand Larceny:	3	6		2		(11)
Breaking and Entering:	3	3		3		(9)
OTHER OFFENSES:	5	5	2	4	3	(19)
TOTAL:	<u>30</u>	<u>29</u>	<u>5</u>	<u>19</u>	<u>5</u>	<u>(88)</u>

Table 2 Continued

JUVENILE AND DOMESTIC RELATIONS COURT

	<u>MONT. COUNTY</u>	<u>PULAS. COUNTY</u>	<u>SUB- TOTAL</u>	<u>CSOs ALL COURTS</u>	<u>PERCENT OF TOTAL ORDERS</u>
Public Drunkenness:				206	17%
Trespassing:		3	(3)	105	9%
Petit Larceny:	1	1	(2)	102	8%
Shoplifting:		1	(1)	85	7%
Traffic Offenses:		4	(4)	60	5%
Poss. Alc. Under Age:				60	5%
Bad Check:				53	4%
Destr. Pub/Pri. Prop:		2	(2)	35	3%
Disorderly Conduct:				31	3%
Possess False ID:				30	3%
Fraud:				30	3%
Drug Possession:		5	(5)	29	2%
Assault and Battery:		3	(3)	28	2%
Noise Violation:				24	2%
Urinate in Public:				21	2%
Drive Under Influence:		1	(1)	19	2%
Forgery:	1	1	(2)	17	1%
Other Assaults:				16	1%
Grand Larceny:		3	(3)	15	1%
Breaking and Entering:		1	(1)	12	1%
OTHER OFFENSES:	1	11	(12)	224	19%
TOTAL:	<u>3</u>	<u>36</u>	<u>(39)</u>	<u>1202</u>	<u>100%</u>

\*Figures based on NRCS "Progress Report" covering the period from June 1, 1986 to May 31, 1987.

Although CSOs were issued to persons found guilty of approximately 100 different violations of the Code of Virginia, 56% of these CSOs were issued to persons found guilty of just seven of these offenses. Public drunkenness was the offense most likely to draw a sentence of community service. Seventeen percent (17%) of all CSOs were issued to persons guilty of this offense. The six other offenses were trespassing (9%), petit larceny (8%), shoplifting (7%), traffic offenses (5%), possessing alcohol under age (5%), and writing bad checks (4%).

#### Average Length of Sentence to Community Service

Table 3 presents the average length of sentence to community service (in hours) ordered by the general district courts of Montgomery and Pulaski Counties and the City of Radford for the offenses most likely to bring such a sentence. The data reveals a good deal of variation in sentence length both within and between criminal offense categories. The circumstances of cases, even those within a given offense category, vary such that this wide range in average sentence length is produced.

Among the twenty offenses most likely to bring a sentence of community service, shoplifting draws the longest average sentence (86 hours), and two non-traffic, alcohol-related offenses draw the shortest average sentence (14 hours for public drunkenness and 28 hours for possessing alcohol under age). When alcohol and vehicle operation are linked (as they are under the definition of the offense driving under the influence (DUI)), the average length of sentence increases to 112 hours.

Table 3 also shows that less frequently committed but more serious offenses draw the longest average sentences to community service. Narcotic drug possession (100 hours), forgery (251 hours), assault (97 hours), grand larceny (101 hours) and breaking and entering (147 hours).

#### NRCS Client Demographic Profile

Because some NRCS clients (especially those found guilty of public drunkenness) are sentenced to community service several times a year, there is a disparity between the number of community service orders issued and the actual number of persons assigned to NRCS supervision. In the 1986-87 NRCS program year, for example, 968 persons were issued 1202 orders to perform community service. The demographic profile of these persons is presented in Table 4.

Table 4 indicates that, at the time of intake, 90% of all NRCS clients were white, 56% were below the age of 21, and 76%

Table 3: Average Number of Hours per Community Service Order  
by Type of Offense: June 1, 1986 to May 31, 1987\*

	<u>MONT. GEN. DIST. COURT</u>	<u>PULAS. GEN. DIST. COURT</u>	<u>RAD. GEN. DIST. COURT</u>	<u>AVE. HOURS PER OFFENSE ALL TWELVE COURTS</u>	<u>NO. OF OFFENSES ALL TWELVE COURTS</u>
Public Drunkenness:	30	8	16	14	(206)
Trespassing:	49	35	59	49	(105)
Petit Larceny:	60	107	60	66	(102)
Shoplifting:	52	110	63	86	(85)
Traffic Offenses:	22	89	66	59	(60)
Poss. Alc. Under Age:	26	25	30	28	(60)
Bad Check:	55	32	37	38	(53)
Destr. Pub/Pri. Prop:	86	47	58	66	(35)
Disorderly Conduct:	21	27	94	59	(31)
Possess False ID:	51		32	49	(30)
Fraud:	150	91	43	87	(30)
Drug Possession:	140	93	73	100	(28)**
Assault and Battery:		41	83	66	(28)
Noise Violation:	24	16	15	17	(24)
Urinate in Public:	19	36	44	25	(21)
Drive Under Influence:	78	146		112	(19)
Forgery:			67	251	(17)
Other Assaults:	93	39	110	97	(16)
Grand Larceny:	50	54		101	(15)
Breaking and Entering:		225	90	147	(12)

\*Based on information presented in the NRCS "Progress Report" covering the period June 1, 1986 to May 31, 1987.

\*\*One case (2080 hours) omitted to prevent skewing.

Table 4: NRCS Demographic Profile

June 1, 1986 - May 31, 1987\*

	<u>MONT. GEN. DIST.</u>	<u>PUL. GEN. DIST.</u>	<u>RAD. GEN. DIST.</u>	<u>MONT. CIR. COURT</u>	<u>PUL. CIR. COURT</u>	<u>SEVEN OTHER COURTS</u>	<u>NUM. ALL COURTS</u>	<u>% ALL COURTS</u>
RACE								
White	92%	81%	95%	83%	86%	92%	(871)	90%
Black	5%	19%	4%	13%	10%	8%	(84)	9%
Hispanic	1%						(4)	
Asian	2%		1%				(7)	1%
Am. Ind.				4%	4%		(2)	
Total No:	<u>349</u>	<u>227</u>	<u>242</u>	<u>30</u>	<u>29</u>	<u>91</u>	<u>968</u>	<u>100%</u>
AGE								
16-21	71%	30%	69%	20%	18%	51%	(539)	56%
22-44	27%	64%	30%	80%	82%	44%	(398)	41%
45-54	2%	5%	1%			2%	(22)	2%
55-64		1%				3%	(8)	1%
Over 65							(1)	
Total No:	<u>349</u>	<u>227</u>	<u>242</u>	<u>30</u>	<u>29</u>	<u>91</u>	<u>968</u>	<u>100%</u>
SEX								
Males	80%	74%	78%	40%	69%	77%	(738)	76%
Females	20%	26%	22%	60%	31%	23%	(230)	24%
	<u>349</u>	<u>227</u>	<u>242</u>	<u>30</u>	<u>29</u>	<u>91</u>	<u>968</u>	<u>100%</u>

\*Based on information provided in the NRCS "Progress Report" covering the period June 1, 1986 to May 31, 1987.

were males. This pattern varies only slightly between courts and jurisdictions. Among the general district courts, the most obvious deviation occurs in the demographic statistics from Pulaski County. NRCS clients from this court are proportionately more black (19%), older (70%), and female (26%) than clients from the two other general district courts that provide the bulk of NRCS clients.

Another variation is evident in the comparison of general district versus circuit court data. NRCS clients from the Montgomery and Pulaski County circuit courts are older than clients from the general district courts of these jurisdictions. Because circuit courts handle the less frequent, more serious offenses that young persons are less likely to commit, this finding is not surprising. This age difference does not hold for clients from the Radford City circuit court, though this is most likely an artifact of the small size of this group.

One other difference of interest is the preponderance of women (60%) among NRCS clients from the Montgomery County Circuit Court. According to the NRCS Executive Director, this is due to the large number of welfare fraud offenders sentenced to NRCS. It also may be an artifact of the small size of this group.

#### Assignment of NRCS Clients to Work Sites

An examination of work site information contained in the NRCS "Progress Report" for June 1, 1986 to May 31, 1987, shows that NRCS staff assigned 873 clients to 109 different work sites in this twelve-month period. Because some NRCS clients work at several work sites in the course of completing their sentence, the number 873 must be considered an estimate, albeit a very good estimate, of the actual number of clients that were assigned. In addition, several work site sponsors provide NRCS with a number of work site locations. For example, both Virginia Tech (VPI & SU) and New River Community Action, Inc. place NRCS clients in six separate work site locations. Each of these twelve work sites are counted in the total of 109 work sites.

On occasion, NRCS will allow a client to arrange community service work at a mutually agreeable work site located away from the New River area and closer to the client's home. Consequently, eight clients were assigned to six work sites located as far away as the cities of Richmond, Fairfax, and Virginia Beach.

Each of the 109 work sites was assigned to five categories depending on whether it was a (1) private, non-profit, (2) local government related, (3) state government related, or (4) church related organization. The few that did not fit into these categories were placed in a category labeled "other". Table 6 presents the distribution of work sites, clients and community service hours to these categories.

Table 5 indicates that there is a roughly-even distribution of work sites, clients, and hours to the private, non-profit, local governmental and state funded work site categories. The most notable deviation is the fact that only 18% of all work sites are state funded yet these work sites account for 33% of all clients and 31% of all hours. This can be explained by the heavy concentration of clients and hours accounted for by Virginia Tech and Radford University, both state funded organizations. One hundred and seventy-nine (179) clients (32% of total clients) were assigned to work sites located on the grounds of these universities, and 25% of the total community service hours performed at all work sites were performed at these work sites.

The top ten work sites ranked by hours of community service performed on location are as follows:

<u>WORK SITES</u>	<u>COMMUNITY HOURS PERFORMED</u>
Radford University	3168 hours
Virginia Tech Building and Grounds Department	2527 hours
Christiansburg Town Public Works Department	2426 hours
Salvation Army (Pulaski)	2183 hours
New River Community Action, Inc. (SHARE)	1943 hours
Radford City Landfill	1434 hours
Giles County Landfill	1386 hours
Virginia Tech Bookstore	1258 hours
Virginia Mountain Housing	1197 hours
Radford City Police	913 hours

Table 5: NRCS Work Sites, Clients, and Community Service Hours by Type of Work Site\*

<u>TYPE OF WORK SITE</u>	<u>No. of Work Sites</u>	<u>%</u>	<u>No. of Clients Assigned</u>	<u>%</u>	<u>Community Service Hours Worked</u>	<u>%</u>
Private Non-Profit:	38	35%	313	36%	11,650	35%
Church Related:	10	9%	17	2%	780	2%
Local Gov't. Related:	36	33%	246	28%	10,408	31%
State Gov't. Related:	20	18%	292	33%	10,440	31%
Other Work Sites:	<u>5</u>	<u>4%</u>	<u>5</u>	<u>1%</u>	<u>389</u>	<u>1%</u>
TOTALS:	109	100%	873	100%	33,667	100%

\*Based on the work site information presented in the NRCS "Progress Report" covering the period June 1, 1986 to May 31, 1987.

#### IV. PROGRAM IMPACT ON THE LOCAL CRIMINAL JUSTICE SYSTEM

##### Introduction

The NRCS program provides judges with a sentencing alternative to incarceration or probation and with a method by which offenders can work off court costs and fines. It also relieves jail officials from having to deal with offenders who, except for the existence of NRCS, would be assigned to their workload. In addition, NRCS aids probation officers when a probationer has met all the conditions of probation except the payment of court costs and fines. Such persons can be ordered by the court to do community service as a means to satisfy these costs and fines. When this occurs, the probationer can be removed from the probation officer's caseload with a resultant savings in the total cost of probationary supervision.

Aside from program impact on the local criminal justice system, NRCS provides the community with manpower for community service projects and helps unemployed clients find jobs. The community benefits as the wages earned from this employment is used to purchase local goods and services, pay taxes, and reduce welfare payments. NRCS also has an impact when its personnel share their technical knowledge of community service programming with other persons and groups.

Some of the impact of the NRCS program is difficult to measure. The psychological benefits that accrue to NRCS clients who are developing new work habits and the satisfaction of citizens who know that NRCS clients are contributing to the community, for example, are two impacts that are difficult to quantify. There are also measures that appear to be appropriate for measuring program impact that, when all is known, are inappropriate. The level of NRCS client recidivism is one of these measures.

##### Why Client Recidivism is Not an Appropriate Measure of Program Impact

There are several reasons why the level of recidivism of NRCS clients should not be used as a measure of program impact. First, the caseload of each NRCS counselor and the caseload turnover rate are too high for the type of counselor-client interaction that might impact on the client's propensity to recidivate. During the months of June through August, 1987, for example, NRCS counselors had an average caseload of 183 community sentence orders (CSO) to supervise. CSOs were completed or closed at a per counselor rate of 61 orders and new orders were added at the rate of 66 cases. Because of this workload, counselors rarely deal with clients on a one-to-one basis for any period of time.

Secondly, NRCS is not treated by local judges as a program whose goal is to reduce recidivism. Judges view NRCS, rather, as a means to prevent jail overcrowding, reduce jail and probation costs, excuse or satisfy imposed court costs and fines, and prevent the financial hardships that result when a family income-earner is incarcerated. Judges frequently sentence offenders to community service whom they have every reason to believe, especially when sentencing alcohol and drug abusers, will be before the court in the future. To make judgment about the program on the basis of recidivism, therefore, would be unwarranted.

In addition, there is not sufficient data on the recidivism of persons who commit the type of offenses likely to draw a sentence to community service. Thus even if NRCS staff were to collect recidivism information on their particular clients, there would be no benchmark from which to make necessary comparisons.

In the simplest of terms, the measurement of the NRCS program's impact is a function of the number of persons diverted from the workload of other criminal justice agencies and the monetary benefits realized by this diversion. In the sections below, monetary and non-monetary measures of program impact are discussed and corresponding values are generated from data based on NRCS staff activity during fiscal year 1986-87. This data was provided by NRCS especially for the DCJS evaluation. In Section IV, a cost-benefit analysis is presented using those monetary measures considered to be the most valid and reliable.

#### Non-Monetary Measures of NRCS Program Impact

- a. Number of Successful Diversions from the Criminal Justice System: 544

When persons are sentenced to community service, it is not certain that they have been diverted from the criminal justice system until they have fulfilled all the conditions of their sentence. In fiscal year 1986-87, 676 CSOs were completed due to the fulfillment of these conditions. Given that 968 persons accounted for the 1202 CSOs handed down during the 1986-87 program year (a ratio of 1 to 1.24), it can be estimated that 544 persons accounted for these 676 CSOs and, thus, that 544 persons were successfully diverted from the criminal justice system (at least as regards the offense in question). As many as 132 of these persons were successfully diverted a second time during FY 1986-87.

Another 148 CSOs were terminated or designated by NRCS as "complete" for reasons other than fulfillment of the conditions set forth in CSOs. These reasons are as follows:

<u>Reason</u>	<u>CSOs</u>
Client paid off obligation	48
Judge reduced sentence	8
Client left area	1
Client incarcerated	5
Client's probation revoked	9
Client died	1
Client physically disabled	3
Client did not comply	<u>73</u>
	148

Only 87 (11%) of the 824 CSOs or cases that were terminated in FY 86-87 were closed because the client re-entered the criminal justice system (5 due to incarceration, 9 because probation was revoked and 73 because the client refused to comply with the conditions of the CSO). NRCS reported that 50 persons accounted for the 73 CSOs terminated for non-compliance. The extent to which criminal justice system actors had to become reinvolved with sanctioning these offenders is unknown.

NRCS reports that among the estimated 544 persons successfully diverted are 26 persons diverted from jail and one person who was released early from probation status.

b. Total Hours of Community Service Performed: 30,670

The total hours of community service performed by NRCS clients in FY 1986-87 was 30,670. This figure is calculated from time sheets submitted by the work site supervisors. It includes the hours of clients who completed their community service during this period as well as hours of clients working toward such completion.

c. Total Community Service Orders Supervised (CSOs): 1192

The basic unit of work for the NRCS program is the court-initiated community service order (CSO). The number of CSOs supervised annually is calculated by adding (1) the number of CSOs carried over on July 1 of the fiscal year and (2) the number of new CSOs ordered during the fiscal year. Unfortunately, because NRCS was still in transition from "program" to "fiscal" year reporting, no count of the new CSOs issued in fiscal year 1987 was available. NRCS did report, however, that the total number of CSOs supervised in FY 1987 (both new and "carried-forward" CSOs) was 1192. Given the number of CSOs carried forward on June 1, 1986 (388) and those carried forward on July 1, 1987 (356), it is estimated that the number of new CSOs in FY 1987 was between 804 and 836.

The total of 1192 CSOs is 55% more than the 767 CSOs specified as a service target in the FY 1986-87 NRCS/DCJS contract. The figure is somewhat deceptive, however, if used as an indicator of counselor caseload. From quarter to quarter, about one third of the active CSOs are closed and an almost equal number of CSOs are newly added. In the first quarter of FY 1987-88, for example, a total of 556 CSOs were supervised. Of this number, 354 had been carried forward on July 1, 1987 with 202 added during the quarter. During the same period, 189 CSOs were deactivated (148 completed and 41 closed for other reasons). The 3.5 counselors, therefore, had an average caseload of as many as 159 CSOs or as few as 105 CSOs in this quarter. We should add that first quarter caseloads are lower than other quarters because employment is higher in the summer months, and many university students do not reside in the New River area during these months.

d. Number of Persons Requesting NRCS Employment Services: 134

Since August 1, 1986, NRCS has employed one and sometimes two part-time employment counselors. NRCS offers employment services to persons sentenced to community service as well as to persons referred by probation and parole officers, sheriffs, and others. These services usually involve matching client skills to those required on available jobs and help with setting up job interviews. Very little job training or interview preparation training is done. During the 1986-87 program year, NRCS employment counselors made 24 presentations to civic groups and employers, and contacted 417 potential employers in the NRCS program area. Of this latter group, 120 employers had job openings and 20 actually hired NRCS referrals.

NOTE: During FY 1986-87, the need for employment services lead the Executive Director to allocate more staff hours for these services, than the number implied by the .5 FTE position so budgeted. Consequently, the number of FTE positions allocated for the supervision of CSO's was actually less than the 3.5 budgeted. Although inevitable, this increased the caseload pressure on the CSO counselors beyond that alluded to in section c. above.

In FY 1986-87, 134 persons requested employment services, and 41 obtained jobs due, at least in part, to the efforts of NRCS employment counselors. The first six months wages of these persons totaled \$73,063. Of the 134 persons requesting services, 77 were clients sentenced to community service.

In FY 1987-1988, the employment counselors will concentrate on the development of additional employers for Pulaski clients, provide direct services such as application and interview training, and increase NRCS communication with Probation and Parole officials.

- e. Number of Work Sites Recruited, Utilized or Cancelled: 52, 109, 1

During the 1986-87 NRCS program year, NRCS clients were assigned to 109 different work sites (see "Progress Report: June 1, 1986 to May 31, 1987). Many other work sites were available. NRCS reported that 172 work sites were carried forward on July 1, 1986, with 52 new work sites added during FY 86-87 ("Annual Statistical Addendum-Supplement," December 11, 1987). While only one work site was deactivated during this period, the recent concern about who is liable if a NRCS client is injured or injures someone else (or their property) while under work site supervision is expected to increase this number during FY 87-88.

#### NRCS Economic Impact: Fiscal Year 1986-87

A program's economic impact is measured in terms of costs and benefits. Annual program cost, for example, is measured by using NRCS budget figures. The cost of operating the NRCS program in FY 1986-87 was \$173,785. Although this figure does not reflect the cost of the time and energy expended by NRCS board members, student interns, worksite supervisors and volunteers during this period nor variance in actual program expenditures between the years of the 1986-88 biennium budget, it does provide a realistic measure of total program cost.

There are a wide range of potential measures of program economic benefit (value). Below is a listing of these measures according to whether the benefit is directly or indirectly attributable to the existence of NRCS.

DIRECT ECONOMIC BENEFIT MEASURES:

- A. jail costs saved by offender diversion to NRCS;
- B. economic value of the community service work performed;
- C. savings in the cost of supervising persons on probation due to their diversion to NRCS;
- D. wages of NRCS clients who have obtained employment through the efforts of NRCS employment counseling;

INDIRECT ECONOMIC BENEFIT MEASURES:

- A. value of the fines and costs excused by community service;
- B. value of community-service work beyond the \$3.75 per hour established by the court;
- C. earned wages of NRCS clients for the period they would have been incarcerated had the NRCS program not been in existence;
- D. savings in public assistance costs from placing offenders who are family income earners in NRCS rather than in jail; and
- E. savings to the Court that accrue because NRCS clients work off court fines and costs.

These measures are, to some degree, "soft" in that each evokes rational argument as to why the calculated value produced by each measure either over or under estimates the true monetary value of the program effort being assessed. The measures classified as "direct" measures of program value, however, have been judged sufficiently "hard" and, thus, suitable for inclusion in a global measure of program monetary value. These four measures will be used to generate a figure of NRCS economic value (benefit) for FY 1986-87. The direct and indirect measures are discussed below.

## Direct Measures of NRCS Economic Benefit

### a. Jail Costs Saved: \$13,800

NRCS produces economic benefit when it diverts a person from jail. Sheriffs in the NRCS area estimate that jail costs \$30.00 per inmate per day. Annual savings are, thus, calculated on the basis of the number of days NRCS clients (who completed their community service in FY 1986-87) would have been incarcerated had the NRCS program not existed.

The number of days of incarceration is determined by adding all the days of the jail sentences that the court suspended or took under advisement in lieu of the completion of community service. For FY 1986-87, this added to 687 days.

The number of days is then multiplied by .67. This provides consideration of the fact that, in all but a few cases, the NRCS client would have earned "good time" at the minimal rate prescribed by Section 53.1-116 of the Code of Virginia but not a maximum rate that requires "exemplary conduct" while in jail. The number that results is then multiplied by \$30.00 to determine annual savings. Annual savings for FY 1986-87 totaled \$13,800 ( $687 \times .67 = 460$  and  $460 \times \$30.00 = \$13,800$ ).

### b. Monetary Value of Community Service Work: \$115,014

This measure is calculated by multiplying the number of hours of community service worked by NRCS clients during FY 1986-87 by \$3.75. This calculation yields a figure or value of \$115,014. The decision to value an hour of community service at \$3.75 was made by the judges sitting in the jurisdictions of NRCS's area of operation. These judges use this figure when determining the hours of work required to excuse the payment of court costs and fines. Additional hours beyond those needed to excuse or satisfy costs and fines may be added to a person's sentence depending on the severity of his or her offense.

The softness of this measure lies in the fact that the value of the labor performed in an hour of community service may be higher or lower than \$3.75. Most work sites use NRCS clients to perform tasks such as cleaning, picking up trash, mowing lawns, painting, washing cars, etc. There are good reasons to believe that this type of work is often worth more than \$3.75 per hour. The City of Radford, for example, estimates that, including fringe benefits, the value of a laborer is in excess of \$5.00 per hour. In lieu of a study to determine the actual value of community service work, DCJS will abide by the opinion of the local judges.

c. Savings in the Cost of Supervising Probationers: \$15,408

Prior to the evaluation interviews, it was assumed that a substantial portion of NRCS economic value would be the savings incurred in the cost of supervising offenders who, had NRCS not existed, would be placed on active probation and put on the caseload of local probation officers. The savings would result from any of three sets of circumstances:

First, an offender is placed on active probation and also sentenced to community service. NRCS counselors and worksite supervisors track or monitor this probationer/NRCS client to such an extent that the probationer does not have to be tracked or monitored by the assigned probation officer. The savings generated are the same as the cost of supervising a single parolee or probationer for one year.

Second, an offender is sentenced to community service in lieu of probation. Though he or she is not actually assigned to the caseload of a probation officer, it is assumed that such offenders would have been, had NRCS not existed. It makes sense, therefore, to credit NRCS with an economic benefit for keeping such people off the active caseload of local probation officer. The actual amount of savings would also be based on the annual DOC cost of supervising a single parolee or probationer.

Third, an offender on the active caseload of a local probation officer remains on this caseload only because he or she has no means to work off court-imposed costs and fines. The offender has served at least one-half of his or her term of probation and has met all other conditions thereof. The probation officer and a NRCS counselor petition the court to set a term of community service sufficient to excuse the outstanding fines and costs. Upon completion of this term, the judge releases the offender from probation status and the offender is dropped from the workload of the probation officer. As before, NRCS would be credited with an economic benefit based on the annual cost of supervising a parolee or probationer. NRCS assumes this credit to be valued at the cost of 18 months of such supervision.

Our discussion with NRCS counselors, probation officers and judges has lead us to conclude that, in all but a few cases, NRCS generates savings in the cost of supervising probationers only under the third scenario. The probation officers from the two Probation and Parole Districts that overlap the NRCS operational area maintain that their work is not reduced when an offender placed on active probation is also sentenced to community service. They argue that,

although there is a new NRCS pathway to investigate if a probationer fails to check in, there is no measureable reduction in the amount of work required to track or report on such a probationer. The assumption that NRCS monitoring reduces that required by the probation officer, therefore, is not supported, and a subsequent savings in probationary supervision does not occur.

In addition, local district court and juvenile and domestic relations court judges (who provide NRCS with 92% of their clients) rarely, if ever, place offenders on active probation, that is, on the active caseload of a probation officer.<sup>2</sup> While a judge may tell an offender "you are on probation," what the judge means is "... you are being observed by the court so that if you are arrested on another charge during the course of (the next six months, year, etc.), you will be summoned, and the sentence I am presently suspending or holding under advisement, will be imposed." Thus, when NRCS is assigned offenders from these courts, there is no reason to assume that a savings in the cost of supervising probationers has occurred.

Only when community service is performed by a probationer in lieu of paying costs and fines, and is, thereby, dropped from active supervision, does a NRCS-related savings in the cost of such supervision occur. When this happens, DCJS has agreed that NRCS should be credited with a savings valued at the cost of supervising a parolee or probationer for eighteen months. Given that the FY 1986-87 per capita cost of supervising parolees and probationers was \$856.00, this amounts to \$1,284.00 per client.<sup>3</sup> In FY 1986-87, NRCS reported that one client completed his or her community service and was removed from the active caseload of a probation officer. Twenty-three other clients completed their release from probation.

There is never a quid pro quo agreement that a probationer will be released from active probation status upon completion of community service. Because the court may or may not decide to release a probationer who has completed community service and because such a release may be due as much to the fact that the probationer has served one-half of his or her term of probation without incident, only 50% of the 24 cases that could eventuate in a savings in the cost of supervision will be used as the basis for calculating the savings attributable to

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<sup>2</sup>NRCS staff reported that in Giles, Grayson and Floyd Counties (which provide NRCS with less than 2% of NRCS lower court clients), the judges will occasionally assign offenders to the active caseload of probation officers. Probation officers in these localities do not have the large caseloads that officers do in the other NRCS localities.

<sup>3</sup>Figure based on FY 1986-87 Adult Community Corrections budget and the average monthly caseload of probationer and parole caseload. Obtained from Mr. John Lunsford, Executive Assistant to the Deputy Director of the Adult Community Corrections Division of DOC.

the existence of NRCS. This savings amounts to \$15,408 (24 divided by 2 = 12 and 12 times \$1,284 = \$15,408). This figure will be included in the global measure of FY 1986-87 NRCS monetary value.

Portsmouth and Harrisonburg started similar misdemeanor projects shortly before New River Community Action established its community sentencing program. Upon state funding, these two jurisdictions elected to add probation staff to supervise community service orders. Ms. Beth Wellington, NRCS Executive Director, believes that on the basis of this fact, an evaluation of NRCS cost effectiveness might address the savings that result from not having to place all NRCS community service workers in the New River Valley under probation supervision.

d. Wages of NRCS Clients: \$36,532

The fourth direct measure of program value is the wages earned by NRCS clients from jobs obtained through the effort of NRCS employment counselors. This measure is soft because the employment status of persons likely to be NRCS clients changes frequently. In addition, it is never certain whether a job obtained following a client's request for employment services was obtained as a consequence of such services. These factors suggest that the earnings from these jobs may not qualify as a direct measure of program monetary value.

Despite these factors, however, it is our judgement that the importance of NRCS efforts to help clients obtain jobs warrants the partial inclusion of job earnings as a measure of program monetary value. NRCS counselors have worked hard to contact potential employers and obtain reliable information about job opportunities. While the Virginia Employment Commission, New River Human Resources, and Highland Placement Services offer minimal services to NRCS offenders, only NRCS specializes in placing this particular group.

NRCS currently reports the first six months wages of all persons obtaining jobs following their request for employment services. Because of the softness of the data, only 50% of the total wages reported will be included in the global measure of program value. For FY 1986-87, this amounted to \$36,532 (\$73,063 divided by 2).

NRCS 1986-87 Cost-Benefit Ratio: Fiscal Year 1986-1987

The four "direct" measures of program benefit yield a total program value of \$180,754 for FY 1986-87. This results in a cost-benefit ratio of 1 to 1.04 (\$180,754 divided by the program cost of \$173,785).

The NRCS program cost-benefit ratio of 1 to 1.04 indicates that in FY 1986-87, NRCS generated an economic value greater than its cost to the taxpayers. This ratio provides evidence that NRCS is a cost-effective program.

It should be noted that the cost benefit ratio is based on hard measures of economic benefit that, if anything, tend to understate the program's value. The value of client labor is set at a relatively low \$3.75 per hour; the savings in jail costs assumes that the client will earn "good time" while incarcerated, and only 50% of the wages earned by NRCS clients are credited to program value. In addition, the savings to commonwealth's attorneys, defense attorneys and court personnel who would have to deal with many of these offenders if NRCS did not exist was not factored into program value. Thus, even when a set of reasonably stringent criteria for calculating program value is used, NRCS generates a total economic value greater than its monetary cost.

#### Indirect Measures of NRCS Monetary Value

##### a. Value of Fines and Costs Excused

In FY 1986-87, \$30,136 in court-imposed costs and fines were excused or paid off via community service. This allowed court officials to remove these costs and fines from their ledgers; something they often cannot do because persons such as those most frequently sentenced to community service often do not pay costs and fines. This program benefit, though laudatory, is not included in the global measure of program monetary value because it is already subsumed in the value of community service hours worked (direct measure B). A court-imposed fine and cost is excused as a simple consequence of a client completing his or her required hours of community service. As noted above, these are credited to the program at a rate of \$3.75 per hour.

##### b. Value of Community Service Work Beyond the Hourly Rate of \$3.75

It is important to acknowledge that the value of community service is often more than the \$3.75 per hour rate set by the local judges. Though this rate is \$.40 more than the federal minimum wage, it is lower than the value of hiring a day laborer in the private labor market. Work sites such as Radford University, Virginia Tech Building and Grounds Department, and the Christiansburg Town Public Works Department would have to pay at least \$5.00 in wages and benefits to obtain labor comparable to that which they obtain from NRCS.

During the 1986-87 NRCS program year, these worksites accounted for 8121 hours or \$30,453 worth of community service at the \$3.75 hourly rate. Had the supervisors at these work sites hired non-NRCS laborers to do this work, it would have cost them at least \$40,605 at a rate of \$5.00 per hour. The

indirect benefit to these worksites, therefore, is \$10,152, the difference between the value granted them by their use of NRCS clients and the actual private labor-market value. Until a comparison of the labor rates in the NRCS-area jurisdictions is made, there are no hard figures to justify an increase in the hourly value of community service work on the basis of prevailing labor costs.

Conversely, there is no hard evidence that persons sentenced to community service work as hard as laborers who receive cash for their effort. There is no easy method of assessing NRCS client work productivity. Until such an assessment is made, however, there will be insufficient justification for including this "indirect" benefit in the global measure of NRCS monetary value.

c. & d. Wages Earned by NRCS Clients Who Would Otherwise Have Been Incarcerated and Savings in the Cost of Public Assistance

The last two indirect measures of NRCS program monetary value are the wages earned and family public assistance foregone because an offender is sentenced to community service rather than being incarcerated. Community service work can be done outside of regular working hours. Family income is thus maintained and the need for public assistance circumvented by the existence of NRCS. Unfortunately, there is no way to reliably predict or measure the monetary value of these potential wages or savings. Calculation of each would require knowledge about NRCS client employment status and employability, factors affecting the client's family income, and the likelihood of the client earning "good time" while incarcerated. The data problems which must be overcome are too great and, thus, no measure of these benefits will be attempted.

e. Savings to the Court That Accrue When NRCS Clients Work off Court Fines and Costs

When NRCS clients complete their CSOs and simultaneously work off court imposed fines and costs, court officials can remove these debits from their ledgers. If it were not possible to remove these debits, the clerks, deputies, Commonwealth Attorneys, and judges would have to bear the cost of securing their payment. Since this cost is eliminated, a savings occurs.

V. NRCS COMMUNITY RELATIONS

Community service sentencing, appropriately utilized, can be a cost-effective sanction that permits punishment commensurate with the offense in a manner that is of benefit to both the offender and the community. The general public has, traditionally, been distrustful of community-based criminal sanctions. For this reason, NRCS has engaged in a continuing public/community relations campaign to educate and inform the public of the appropriateness and the benefits of community sentencing.

The NRCS Board of Directors was deliberately structured so as to include members from a cross-section of the criminal justice system and the community at large. The Board members often have occasion to speak, both formally and informally, regarding the value and importance of community sanctions. Because the Board members are highly respected members of the community, their opinions "carry weight" and contribute significantly to community acceptance of the program.

NRCS staff are encouraged (and required by job description) to make public presentations regarding the program. The agency position is to take advantage of opportunities to address social, civic, and church groups regarding the program. The agency also makes press releases and encourages press coverage of the program.

To date, this policy of open communication and public education has resulted in excellent press coverage that has effectively countered any potential, ill-informed resistance to the program. NRCS should continue its positive and constructive community relations campaign.

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