

1990

Court Community Service
County of Oakland

Annual
Report

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COURT COMMUNITY SERVICE DIVISION
for the
COUNTY OF OAKLAND
Annual Report

January 1, 1990 - December 31, 1990

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U.S. Department of Justice
National Institute of Justice

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COURT COMMUNITY SERVICE DIVISION STAFF

a. John Paul Jones, Ph.D., Chief
Licensed Psychologist

a. Clerk III
Margaret Miller

a. Deborah J. McAleer, M.A., C.S.W.
Probation Officer Supervisor

a., d. Daniel P. Brock, M.P.A.
Probation Officer/Coordinator Supervisor

Linda Gurevich, B.S.N., C.R.N.
Garden Officer
Community Service Garden

Coordinator Aides

Coordinator Aides

District Court Cases

Circuit Court Cases

c. Britt
Haas

c. Mark
Harrison

a., c. Sandra
Ruthenberg

b., c. Alexandra
Black

b., c. Lisa
Cornelli

b., c. Angela
Hawkins

b., c. Lyle
Sartori

CODE

- a. - County paid, full time
- b. - Michigan Department of Corrections Grant
- c. - University Intern paid
- d. - Supervises the work of all community service interns and handles a caseload of Community Service offenders.
- e. - Volunteer/Field Study

The data for this annual report was manually collected by Daniel Brock, Pam Agelink, Britt Haas, Sandra Ruthenberg, Alexandra Black, Lisa Cornelli, Mark Harrison and Angela Hawkins. The Community Service Garden Addendum was prepared by Deborah McAleer. The Chief Probation Officer extends his appreciation to them and to Jean Logan and Kathy Taylor of the Word Processing Center for typing this manuscript and Dave Martin for the printing of this report.

EXECUTIVE SUMMARY

In Oakland County, offenders perform community service to a variety of governmental, non-profit, public and private agencies without remuneration. These offenders are ordered to make restitution to society by contributing to their communities. This role as "helper" rather than "helped" brings these offenders closer to being responsible members of their communities.

The idea of having people who commit crimes work in the communities without remuneration is now a world-wide movement. Oakland County has been using this approach since the early 1970s. Community service is but one tool in the judge's sentencing tool kit. It has proven worthwhile!

52nd District Court judges and Circuit Court judges continue to have a favorable reaction to the program as shown by the number of people that they have sentenced to it. In 1990, 1511 offenders were referred to complete community service hours. Governments and local communities benefited by the 72,069 hours of work that was done by offenders, valued at \$715,040. Of the offenders placed at work sites, 71 percent complied with their orders and \$61,472 was recouped through work service from 314 indigent offenders who could not comply with the court-ordered payments. All "capable" offenders are held responsible for either the payments or an equivalent service to government or the local community. This serves to enhance the integrity of the courts and to increase the real collection of monies from those offenders who can afford to pay, but claim indigency.

In lieu of serving various jail sentences, which totaled 2,709 jail days, 213 offenders were ordered and completed community service work. Sentencing these offenders to community service work in lieu of incarceration saved \$155,307.

One value of this program is that it provides offenders with job training and exposure to employers, work performance evaluations, and opportunities for paying jobs. Those offenders who have clandestine employment are disclosed after confrontation with the community service program, making collections possible. In 1990, 48 offenders who terminated with this program obtained employment. There was \$25,885 collected from such individuals as "good faith" payment prior to a "successful" release from the program. An additional \$11,501 was collected from District Court offenders in the way of community service oversight fees and another \$5,228 was collected from garden fees paid by offenders.

In our efforts to put offenders to work in the community in lieu of incarceration, this division operated a Court Community Service Garden for the last two years. Selected jail-bound offenders were sentenced by our courts to work in the garden preparing the soil, planting vegetables and flowers, weeding, and harvesting the crop. The vegetables were donated to the Oakland County Jail for inmate feeding, and the flowers were donated to the Oakland County Hospital Facility. See the Addendum to this report for a detailed breakdown of garden activities, accomplishments, and a cost/benefit analysis.

ACKNOWLEDGMENTS

Appreciation must be extended to numerous individuals who, through their efforts, support and donations, have made the Court Community Service Garden of Oakland County a success! The planning, development, implementation, and operation of the garden have indeed been a **community effort**.

The garden would have remained a concept had it not been for the support of the 52nd District Court and the Oakland County Circuit Court. During our first program year (1989), the courts ordered 64 offenders to the garden. In 1990, 89 jail-bound offenders were ordered to the garden in lieu of serving jail time. It is anticipated that the Courts will order approximately 100 jail-bound offenders to work in the garden in 1991.

Mr. Tom Lepping, Chief of Grounds Operations, provided us with invaluable technical assistance. He drew up job specifications on the Port-A-Jon facility. He also ordered and delivered the unit to the garden. His work crews are always there for us if we need any special spraying or cutting to enhance the beauty of the garden area.

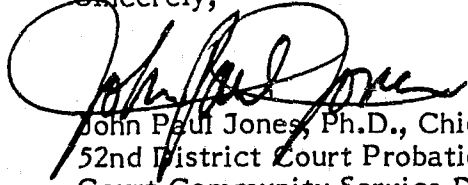
Sheriff John Nichols is recognized for his continued support of the garden project. Special appreciation goes to the deputies who delivered the produce to the jail cook, Sharon Polk, and Captain Carl Matheny, who increased security patrols at the garden.

We extend our appreciation to the following individuals and companies who reduced program costs by their generous donations: Bordine's Nursery; Erb Lumber; Peals Produce; Frank Schuller, Master Gardener; Michael Hanafee, Master Gardener; Jack Brohl, local farmer; and Linda Gurevich, Garden Officer. Contributions included seedlings, plant stakes, annuals and various garden supplies.

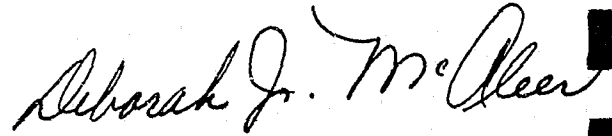
This program would not have succeeded if it were not for the technical advice of the Office of Cooperative Extension Service. Dr. Wayne Nierman's staff, Greg Patchen, and Betty Gay were the on-site trouble-shooting consultants in 1990. Pest problems, fertilizer and irrigation needs were resolved through their efforts. Master Gardeners through the Office of Cooperative Extension Service participated in this project by giving on-site advice to the Community Service Garden Officer and the defendants working in the garden. These volunteers contributed a total of 985 hours. The following Master Gardeners donated hours of work to the garden project in 1990: William Beal, 32; Pat Boczek, 40; John Demeter, 5; JoAnn Falarek, 12; Joseph Findklin, 93; Lou Ann Goldblatt, 55, Kirsten Hale, 73; Michael Hanafee, 70; William Hood, 120; Barry Johnson, 233; Carol Downing-Loverdiere, 27; Diana Maxam, 4; Mark Samul, 41; Frank Schuller, 152; Sean Strubble, 25; and Hank Szlenkier, 3.

We are proud to present the Eleventh Annual Report of activities which continues to demonstrate the merits of a community service sentencing division. We are proud of our continuing accomplishments!

Sincerely,



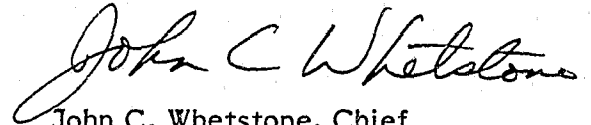
John Paul Jones, Ph.D., Chief
52nd District Court Probation and
Court Community Service Division
Oakland County



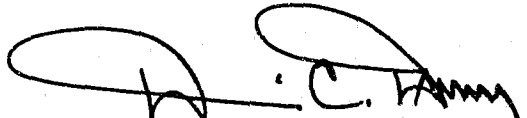
Deborah J. McAleer, M.A., C.S.W.
Probation Officer Supervisor
52nd District Court Probation and
Court Community Service Division
Oakland County



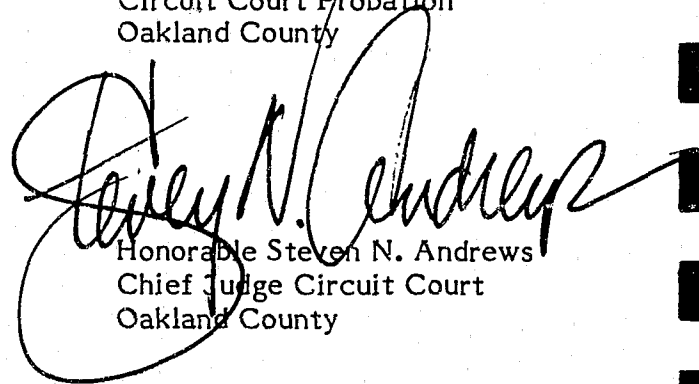
Daniel P. Brock, M.P.A.
Community Service Coordinator
Court Community Service Division
Oakland County



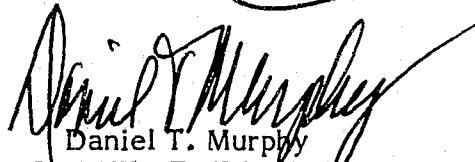
John C. Whetstone, Chief
Circuit Court Probation
Oakland County



Honorable Dennis C. Drury
Chief Judge 52nd District Court
Oakland County



Honorable Steven N. Andrews
Chief Judge Circuit Court
Oakland County



Daniel T. Murphy
COUNTY EXECUTIVE
Executive Office
Oakland County

JPJ:ms

STATISTICAL HIGHLIGHTS

Program's Impact on Jail Space -- 59,822 Jail Days Saved, Valued at \$3,080,029

Selected incarcerated non-dangerous offenders are released/diverted from the Oakland County jail on a Community Service Work Order to County government and non-profit agencies, turning a non-productive and stagnating existence into a worthwhile community service contribution. Likewise, selected offenders are given Community Service Orders as an alternative to the traditional jail sentence, providing more jail space for the "serious" offenders.

During the period January 1, 1979 through December 31, 1990, 2,299 offenders completed Community Service Orders in lieu of serving various jail sentences, totaling 59,822 jail days not served (includes garden jail days). Sentencing these offenders to Community Service in lieu of incarceration saved tax dollar expenses in the amount of \$3,080,029.

Program's Impact on Collection of Court-Ordered Monies -- \$201,506 Collected from Defendants Classified "Indigent"

The overall impact of a Court Community Service Program on the collection of Court-ordered monies is to make all "capable" defendants responsible for either the payments or an equivalent service to County government or the local communities. The program confronts defendants by operating as a "screening system." It helps to identify the true indigent from the assumed indigent. This procedure serves to both enhance the integrity of the Courts and to increase the collection of monies from those defendants who can afford to pay, but choose to report "indigency" for self-benefiting reasons.

During the period September 1, 1982 through December 31, 1990, defendants referred to Community Service because of "indigency" paid a total of \$201,506 or an average of \$2,015 per month.

Program's Impact on Defendant's Employability -- 434 Offenders Employed

The program provides a structured and systematic procedure which confronts the defendants alleged inability to find employment, exposes the offender to potential employers and provides the offender with job training, performance evaluations and an opportunity for success!

During the period January 1, 1979 through December 31, 1990, 46 "indigent" Community Service defendants obtained paid employment as a direct result of completing a Community Service Order.

During the same period of time, 388 "indigent" defendants obtained paid employment after referral to the program, but prior to starting Community Service work.

On average, three (3) offenders obtain employment each month as a result of their exposure to community service work.

Program's Impact on Non-Profit Agencies — \$6,667,389* of Services Contributed

The program provides free supportive help to Oakland County Government and a variety of non-profit agencies throughout the County. Agency representatives report substantial dollar savings in needed services that would generally not be done, if it were not for the Community Service Worker (offenders); e.g., painting, general repairs, clerical, aide to the retarded.

During the period January 1, 1979 through December 31, 1990, 7,571 individuals convicted (or charged) with civil, misdemeanor, or felony offenses contributed 737,169 work hours of Community Service. This represents an average of 97 community service hours per offender. In total monetary value, this represents over \$6,667,389 of services contributed, or an average of \$881 of work service given by each offender.

**Program's Impact on Feeding Jail Inmates — Vegetables, Pumpkins, Herbs and Flower -
- Donated, Valued at \$28,775**

The Community Service **Garden** was developed to provide District and Circuit courts with an alternative sentence for selected jail-bound offenders. These offenders cultivate the soil, plant the seeds, weed the two-acre garden and harvest the crop to work off their sentence to incarceration.

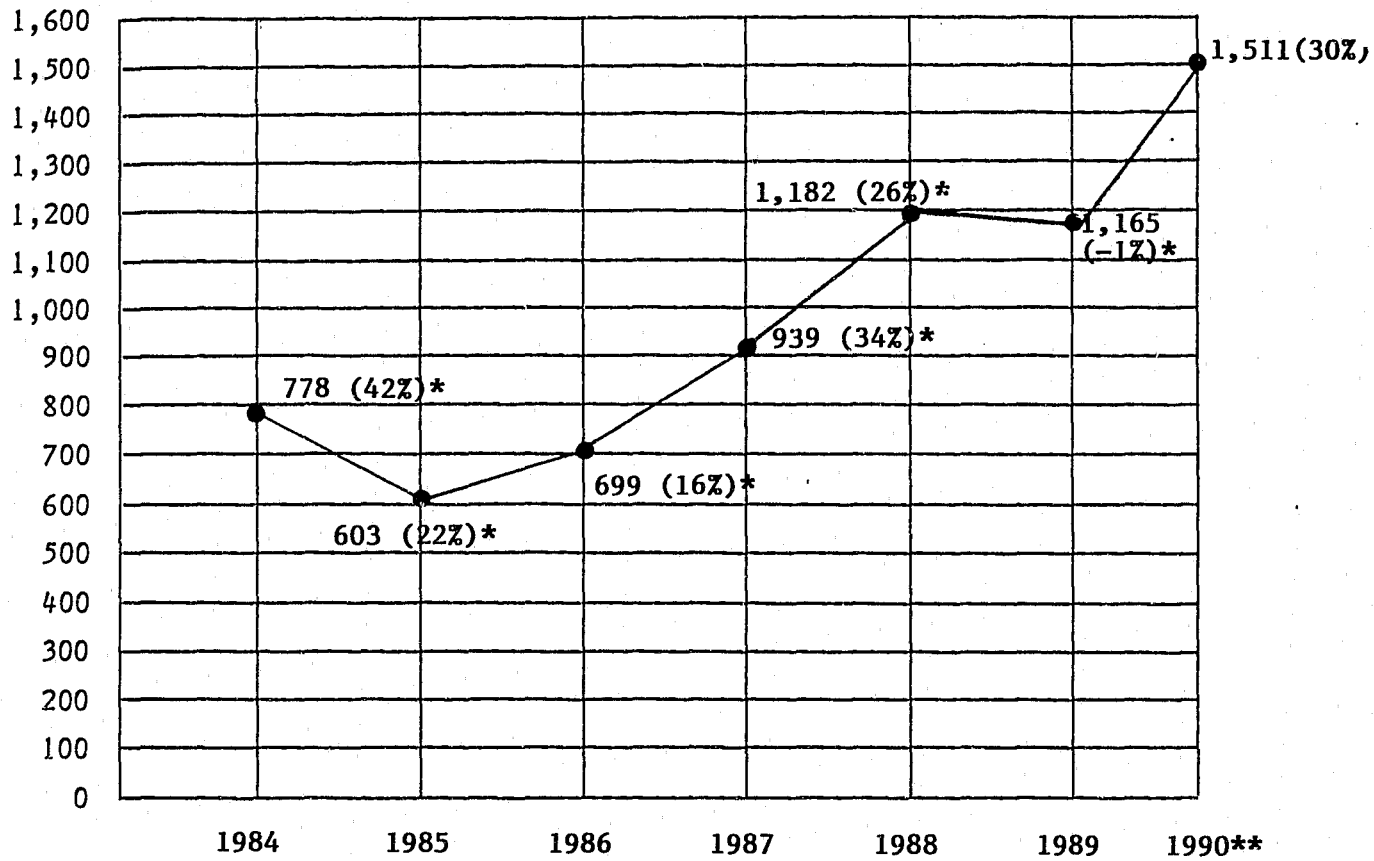
During the first two years of program operations (1989 and 1990), 88 offenders worked in the garden in lieu of serving various jail sentences, totaling 1,055 jail days not served and tax dollar savings of \$59,379.

During this same period, these offenders grew and harvested 1,475 bushels of vegetables, 621 pumpkins, 363 bunches of herbs and 22 bunches of flowers with a retail value of \$28,775.

The cut flowers are donated to the Oakland County Hospital Facility.

*See Objective 2 for formula used to compute the approximate monetary value of Community Service work.

COURT COMMUNITY SERVICE PROGRAM TRENDS OVER SEVEN YEARS



*Percentage of increase/decrease over preceding year.

**January 1 through December 31, 1990: 42 percent (631 cases) are Circuit Court criminal docket referrals; 58% (879 cases) are 52nd District Courts, Divisions I and III criminal docket referrals; and one case was referred from the Reimbursement Division.

NOTES: During the above years, 6,876 defendants were referred to the Court Community Service program (annual \bar{X} = 982 cases).

The Statistical Data Appendix (Section II - X) shows that all Circuit Court Judges and 52nd District Court Judges (Divisions I and III) are sentencing cases to Community Service.

ACCOMPLISHMENT OF OBJECTIVES, 1990 (JANUARY 1 - DECEMBER 31)

OBJECTIVE 1: Place no fewer than 1,000 offenders in Community Service activities by December 31, 1990.

Progress: Over FY-1990, 1,435 offenders were interviewed and (1,105) placed in work sites.

As depicted by the frequency distribution below, the average monthly referral intake was 126 cases.

The average monthly referral rate for 1990 increased by 30% over 1989.

Circuit Court Criminal 1990 referrals increased from 524 to 631 cases (20%) over 1989; District Court 1990 referrals increased from 641 to 879 cases (37%). Reimbursement Division referred one case in 1990.

**TOTAL MONTHLY REFERRALS BY
CIRCUIT COURT (CRIMINAL),
DISTRICT COURT (CRIMINAL) AND REIMBURSEMENT DIVISION**

<u>MONTH</u>	<u>CIRCUIT CRIMINAL</u>	<u>DISTRICT CRIMINAL</u>	<u>REIMBURSEMENT DIVISION</u>	<u>TOTAL REFERRED</u>
January	48	36	0	84
February	44	41	0	85
March	56	63	0	119
April	48	72	0	120
May	63	65	1	129
June	56	70	0	126
July	73	73	0	146
August	63	80	0	143
September	53	79	0	132
October	43	86	0	129
November	41	102	0	143
December	<u>43</u>	<u>112</u>	<u>0</u>	<u>155</u>
TOTAL	<u>631</u> (42%)	<u>879</u> (58%)	<u>1</u>	<u>1,511</u>

OBJECTIVE 2: Provide 75,000 hours of Community Service to participating agencies over FY-1990.

Progress: Offenders provided 72,069 hours of service to the community as follows:

- Circuit criminal docket cases (n=294 defendants, \bar{X} =127 hours) worked 37,362 hours.
- District criminal docket cases (n=551 defendants, \bar{X} =62 hours) worked 34,369 hours.
- Reimbursement Division cases (n=1) provided 68 hours.

The following formula is used to approximate the monetary value of these hours of community service work to the community:

$$\text{volunteer hours} \times \text{average wage} + \text{fringe benefits}$$

In Oakland County Government, the 1990 cost of an entry-level custodial worker was \$6.89 wage plus 43.2 percent benefits.

Based on the above figures, and using Oakland County's schedule of cost for entry-level custodial laborer, **the value of services received by the community from Court-ordered Community Service workers is:**

Hours received	72,069
X wage	\$ 6.89
+ fringe benefits	<u>43.20%</u>
TOTAL VALUE 1990 COMMUNITY SERVICE RECEIVED =	<u>\$ 711,067</u>

Refer to Statistical Data, Section VI which shows types of agencies employing the services of Court-referred Community Service workers and Section VII which depicts the types of services being provided by these Community Service workers.

\bar{X} = The statistical average.

OBJECTIVE 3: Achieve 75 percent success rate* of Community Service workers during FY-1990.

Progress: Of the 1,235 cases terminated from Community Service during 1990, 71 percent completed their assignments in full or partially, terminating successfully, e.g., obtained paid employment and/or paid balance of monies owing. (See Tables.)

Circuit Court Criminal cases (n=306) achieved yearly success rate	59%
District Court Criminal cases (n=538) achieved yearly success rate	79%
Reimbursement Division case (n=1)	100%

Tables 1, 2 and 3 depict status of offenders involved in Community Service since January 1, 1990 as of December 31, 1990 for Circuit Court; 52nd District Court, Divisions I and II; and Reimbursement Division.

*Rate of success determined by: Dividing the sum of the first three categories listed for Circuit Court and the first four categories for District Court under E and the four "unsuccessful" categories falling under terminated cases into the sum of the first three/four categories (see Tables 1, 2 and 3).

OBJECTIVE 4: To provide for a means of payment of Court ordered monies by the indigent offender through hours of service to the community.

Progress: Court ordered monies of \$61,472 were recouped through 15,368 hours of service to the community approved by the Circuit and District Courts, and successfully completed by 314 indigent offenders. (1990 representative compensatory hours at \$4/\$5* per hour.)

*The 52nd District Court Bench and the Circuit Court Bench approved an increase from \$4 to \$5 effective August 6, 1990.

Circuit Court Criminal Docket*

Court Costs (n=121, \bar{X} = \$237)	\$ 28,667
Appointed attorney fees (n=100, \bar{X} = \$145)	14,451
Restitution to the "public purse" (n=6, \bar{X} = \$90)	<u>542</u>
TOTAL MONIES RECOUPED THROUGH SERVICE	<u>\$ 43,660</u>

District Court Criminal Docket*

Probationary Oversight fees (n=48, \bar{X} = \$208)	\$ 10,009
Community Service oversight fees	00
Appointed attorney fees (n=7, \bar{X} = \$116)	809
Psychological Evaluation	00
Restitution to the "public purse" (n=1, \bar{X} = \$50)	50
Alcohol Assessment fee	00
Fine and costs (n=31, \bar{X} = \$215)	<u>6,674</u>
TOTAL MONIES RECOUPED THROUGH SERVICE	<u>\$ 17,542</u>

Reimbursement Division*

Appointed attorney fees (n=1)	\$ 270
Blood test fees (n=0)	<u>00</u>
TOTAL FEES RECOUPED THROUGH SERVICE	<u>\$ 270</u>

*Any variances between Reimbursement's and Community Service's reported amounts are due to differences in office practices.

\bar{X} = The statistical average.

Courts are providing the optional sentence of Community Service at the time of sentencing as a condition of probation supervision as follows:

The defendant shall pay \$_____ (Court Costs; attorney fees; probationary oversight fees; support payments, etc.) at the rate of \$_____ per month or, **if indigent**, participate in the Court Community Service Program.

Frequently, without the optional sentence of Community Service, the Courts have been inclined to waive Court ordered monies because of the offender's indigent (assumed or real) status. Courts continue to order those defendants who appear to be indigent or nearly indigent to participate in the Court Community Service Program in lieu of monies. Inasmuch, all "capable" defendants are responsible for either the payments or an equivalent service to the local communities. This serves to both enhance the integrity of the Courts and to increase the real collection of monies from those defendants who can afford to pay, but claim indigency.

OBJECTIVE 5: To provide the Circuit and District Courts an alternative to incarceration and save the expense of confinement of 4,000 jail days.

Progress: In lieu of serving various jail sentences, 213 defendants were ordered and completed Community Service, which equaled 2,709 jail days. Sentencing these defendants to Community Service in lieu of incarceration saves dollar expenses as follows:

*Circuit Court saved no jail days (n=0 defendant)

District Court saved 2,128 jail days (n=134, defendants, ^c \bar{X} = 16 days)

Community Service Garden saved 581 jail days (n=79 defendants, ^c \bar{X} = 7 days)

TOTAL JAIL DAYS NOT SERVED	2,709
^a Per day, per inmate, jail cost	X 57.33
^b Total 1990 dollar savings	<u>\$ 155,307</u>

*Either the Circuit Court does not specify on the order that community service is in lieu of jail time or the court does not use community service work in lieu of jail very often.

In addition to this saving^b, the Court Community Service Program diverted numerous defendants who defaulted in Court ordered payments from the expensive appointment of attorneys and the alternative avenue of Court hearings (violations of probation for failure to pay Court costs, restitution, appointed attorney fees; etc.). Previous to the Court Community Service Division, the cost of Court appointed attorneys remained the responsibility of tax dollars as such cost was often uncollectible from defendants claiming indigency. It is recognized and accepted that the Court Community Service Program provides to the Circuit and District Courts an alternative means of enforcing Court monetary orders, short of imposing costly jail sentences. This sentencing practice is very worthwhile to pursue, especially with present and predictable future jail and prison overcrowding problems, as well as, a demand for tax relief from the citizens.

It is not uncommon for the Courts to grant the optional sentence of Community Service at the time of sentencing as a condition of the sentence as follows:

It is ordered that the defendant complete ___ hours of Community Service work as arranged and verified by the Court Community Service Program or serve ___ days in the Oakland County Jail

Friend of the Court defendants, who are cited on contempt charges, may be given the following options:

It is ordered that the respondent be referred to the Court Community Service Division for the County of Oakland to arrange to work a total of ___ hours, if **indigent**, or pay \$___ or in default thereof, serve ___ days in the Oakland County Jail.

^aOakland County Jail Prisoner cost per day, Jeffrey Pardee, County Budget Division, February 28, 1991.

^c \bar{X} =The statistical average.

OBJECTIVE 6: To develop and provide the District and Circuit Courts with a Community Service Garden in which selected jail-bound offenders can work off their sentence of incarceration.

Progress: Our second year of operating a Community Service Garden (1990) for the courts of Oakland County was a success!

- o 89 offenders were ordered by the courts to work in the garden.
- o 73% of the offenders complied with the order and were not incarcerated.
- o 3,098 garden work hours were completed by offenders.
- o 581 jail days, valued at \$33,309 (computed at \$57.33 per day) were waived in lieu of garden hours worked.
- o \$22,124 (retail value) of vegetables were harvested and donated to the Oakland County Jail.
- o \$5,228 in revenue was collected from garden fees paid by offenders.
- o \$47,795 in benefits were realized from the garden, after expenses.
- o See Addendum of this report for a detailed breakdown of garden activities, accomplishments, and a cost/benefit analysis.

OBJECTIVE 7: Maintain a structured and systematic procedure which confronts the offender's alleged inability to pay Court ordered monies, provide job training and exposure to employers, work performance evaluations and opportunities for paying jobs.

Progress: During 1990, 48 offenders of the 1,229 offenders terminated from Community Service obtained paid employment.

Four offenders were hired by the Community Service agency where they completed Community Service work or were hired elsewhere because of the Community Service agency's recommendation of them.

After referral, but prior to starting Community Service work, 44 offenders obtained paid employment.

Numerous clandestine employments have been disclosed by defendants after confrontation with the Community Service Order. Disclosure makes wage assignment possible.

OBJECTIVE 8: Collect \$15,000 in Community Service oversight fees by December 31, 1990.

Progress: A total of \$11,501 was collected from 230 defendants during 1990 (\bar{x} = \$50).

The purpose of this collection program is to help offset the cost of operating a community service program. The 52nd District Courts (Divisions I and III) order a \$25 per month fee as a condition of the Community Service Order. Truly indigent defendants are authorized to work additional community service hours in lieu of actual payments.

OBJECTIVE 9: Increase the yearly total amount of "Good Faith" payments collected from \$21,987 to \$25,000 by December 31, 1990.

Progress: A "good faith" payment is required prior to a "successful" release from the Court Community Service Program of all defendants who report the ability to begin making the Court ordered payments. Circuit Court cases showed a decrease in "good faith" payments of (21%) and District Court cases showed an increase of (18%):

Circuit Court (n=96, \bar{x} = \$165)	\$ 15,898
District Court (n=43, \bar{x} = \$232)	9,987
Reimbursement Division (n=0)	<u>00</u>
TOTAL "GOOD FAITH" PAYMENTS COLLECTED	<u>\$ 25,885</u>

OBJECTIVE 10: Provide consultation to participating agencies as requested.

Progress: Evaluative and consultative visits were made to 29 agencies. In addition, numerous informal consultations were done by telephone with many sites.

OBJECTIVE 11: Maintain the total number of participating agencies between 240 and 260.

Progress: At year's end, the number of nonprofit private and public agencies/organizations participating in the Court Community Service Program was 253. The flexibility of Community Service and the locations and nature of participating agencies, make placement of Community Service workers throughout the tri-county and distant state areas possible. Roughly 70% of the agencies are located in Oakland County, 24 percent in Wayne County and the remaining 6 percent are located outside of Oakland and Wayne Counties.

Past annual reports have listed all of the agencies/organizations that accept community service workers from us. To economize and reduce the cost of this report, the listing has been discontinued.

OBJECTIVES 1991

1. Place no fewer than 1,200 offenders in Community Service activities by December 31, 1991.
2. Provide 75,000 hours of offender community service to non-profit agencies over 1991.
3. Achieve 75% success rate in completing assignments during 1991.
4. Provide for a means of payment of Court ordered monies by the indigent offender through a Court Community Service Program.
5. Provide the Circuit and District criminal Courts an alternative to incarceration (in appropriate cases) of defendants and save 3,000 jail days by December 31, 1991.
6. Provide the District and Circuit Courts with a Community Service Garden in which selected jail-bound offenders can work off their sentence to incarceration.
7. Maintain a structured and systematic procedure which confronts the offender's alleged inability to pay Court ordered monies, provide job training and exposure to employers, work performance evaluations and opportunities for paying jobs.
8. Develop and maintain a community service oversight fees account and collect a monthly fee from defendants under a District Court Community Service Order (these defendants are not on probation). Collect \$15,000 by December 31, 1991.
9. Increase the yearly total amount of "Good Faith" payments collected from \$25,885 to \$29,000 by December 31, 1991.
10. Provide consultation to participating agencies as requested.
11. Maintain the total number of participating agencies between 240-260.
12. Increase the yearly total number of criminal cases referred from District Courts from 879 to 925 cases by December 31, 1991.
13. Increase the yearly total number of criminal cases referred from Circuit Court from 631 to 700 cases by December 31, 1991.
14. Increase the total number of jail-bound criminal cases referred from District and Circuit Courts to the Community Service Garden from 89 to 95 cases during FY 1991.
15. Increase the yearly total number of cases referred to Community Service from 1,600 to 1,720 (8%) cases by December 31, 1991.

STATISTICAL DATA

I. Caseload - Community Service
01/01/90 - 12/31/90

SOURCE, NUMBER AND % OF EACH COLUMN'S TOTAL

	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>	<u>REIMBURSEMENT DIVISION</u>	<u>TOTAL</u>
Interviewed 01/01/90 through 12/31/90	581 (92%)	853 (97%)	1	1,435 (95%)
*Did not report for interview	50 (8%)	26 (3%)	0	76 (5%)
TOTAL	<u>631</u>	<u>879</u>	<u>1</u>	<u>1,511</u>
Defendant unqualified for program (medical problems or potentially dangerous)	21	12		33

*Many of these cases are subsequently re-referred to the program, interviewed, and successfully complete assigned work.

The statistical data presented below (Sections II-IV and VI-X) include only those cases of official "terminated" status as of December 31, 1990. It does not include the 285 currently being placed at a work site ("process"), or the 384 still working on their Community Service assignments ("active") or the 47 cases being closed out ("inactive").

II. Breakdown by Court, Judge, number cases terminated from Community Service, and percent of total terminated

<u>JUDGES CIRCUIT COURT</u>	<u>CRIMINAL CASES AND % TERMINATED</u>	
Anderson	28	5%
Andrews	42	8%
Breck	52	10%
Cooper	30	6%
Gage	79	15%
Gilbert	22	4%
Howard	10	2%
Kuhn	24	4%
Mester	55	10%
F. X. O'Brien	16	3%
J. N. O'Brien	24	4%
Schnelz	62	12%
Sosnick	60	11%
Templin	5	
Transfer-in cases	<u>29</u>	5%
TOTAL	538	

<u>JUDGES DISTRICT COURT</u>	<u>CRIMINAL CASES AND % TERMINATED</u>	
Batchik	121	17%
Bulgarelli	64	9%
MacKenzie	164	24%
Nelson	234	34%
Sheehy	23	3%
Shipper	90	13%
Transfer-in cases	<u>1</u>	
TOTAL	697*	

*128 defendants (18%) were convicted of retail fraud.

*266 defendants (38%) were convicted of drunk driving.

III. Breakdown by Court, probation officer, cases terminated from Community Service, and percent of total terminated

<u>CIRCUIT COURT PROB. OFFICERS*</u>	<u>CASES AND % TERMINATED</u>	<u>CIRCUIT COURT PROB. OFFICERS</u>	<u>CASES AND % TERMINATED</u>
Abraham	30 6%	C. Ingles	17 3%
Anway	23 4%	J. Ingles	4
Asch	1	Kachmar	8 1%
Bazner	20 4%	Kowatch	21 4%
Bieniewicz	4	Kozak	29 5%
Birkhead	11 2%	Lampman	22 4%
Booker	5	Leach	8
Campbell	12	Longe	3
Derr	20 4%	Maurin	29 5%
Fredericks	11	Maynard	21 4%
Garrity	22 4%	Mullin	24 4%
Genovese	3	Nowak	10
Goins	12	O'Kelly	4
Grandberry	1	Perrott	24 4%
Grosman	28 5%	Radzilowski	33 6%
Guy	35 7%	Robes	4
Hack	9	Sheets	25 5%
Harrington	2	Wilkie	3
		TOTAL	538**

*Only probation officers who were assigned case supervision are reported herein.
 **29 transfer-in cases listed by probation officer.

<u>DISTRICT COURT PROB. OFFICERS</u>	<u>CASES AND % TERMINATED</u>	
Abatt	60	9%
Aiello	47	7%
Crane	48	7%
Doyle	45	6%
Ervin	56	8%
Gitzen	42	6%
Goldsworthy	5	1%
Rupe	45	6%
Szlenkier	42	6%
Thorns	85	12%
Vail	44	6%
CSO**	<u>178</u>	26%
TOTAL	697*	

*One transfer-in case listed by probation officer.

**A Community Service Order (CSO) can be made by the Court when the Court does not wish to impose probation, but does want the defendant to complete a specified number of community service work hours.

Reimbursement Division Case Terminations by Court of Original Jurisdiction

Circuit Court - 1.

IV. Circuit and District Court's case termination average per probation officer

	<u>CASES TERMINATED</u>	<u>YEARLY AVERAGE PER P.O.</u>
Circuit Court Probation	538	19
District Court Probation	<u>697</u>	63
TOTAL	1,235	

V. Proportion and reason cases referred to Community Service

	<u>SOURCE, CASES AND % OF EACH COLUMN'S TOTAL</u>			
	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>		<u>REIMBURSEMENT DIVISION</u>
Court Costs	246 (32%)			
Appointed Attorney Fees	238 (31%)	18	2%	1
Alcohol Assessment Fees		1		
Restitution "public purse"	7	1		
Probationary Oversight Fees	69 (9%)	155	15%	
Fines and Costs		125	12%	
Probation Special Condition (treatment), in addition to any monies owed.	208 27%	599	56%	
*In lieu of jail sentence	<u>1</u>	<u>164</u>	15%	
**TOTAL	769	1,063		1

***The % of cases that successfully comply with a Community Service Order in lieu of incarceration are:**

Circuit Court Criminal	0% (n=0)
District Court Criminal	81% (n=154)

**Figures do not correspond with total number cases terminated since many criminal offenders are approved for Community Service for more than one reason; e.g., monies and special condition.

VI. Types of agencies accepting Community Service workers

Many agencies provide services which overlap the arbitrary categories established below:

Hospitals and medical: convalescent hospitals, rest homes, public health, etc.

Education: schools, colleges, adult education, etc.

Child care facilities

Cultural: libraries, art, music, etc.

Rehabilitation and counseling services: (residential and day programs) emotional, physical, correctional, addictive programs, etc.

Multi-purpose social service agencies: Red Cross, volunteer bureaus, social services, YMCA's, YWCA's, Boys' Clubs, Neighborhood Youth Centers, etc.

Ecology: environmental protection, animal care, recycling, etc.

Miscellaneous: parks, city government, churches, senior and handicapped citizens, recreational, etc.

VII. Types of services provided by Community Service workers

These figures are approximate, since many agencies use one community service worker in several capacities.

Approximately 56% of Community Service assignments are maintenance work, 18% staff aids and 16% clerical.

Maintenance - skilled and unskilled; simple repairs, janitorial, household work, recycling, painting, animal care, etc.

Clerical - skilled and unskilled; typing, filing, collating, addressing, etc.

Staff Aide - assisting professional staff, such as medical work, community organization, interviewing, counseling, planning, etc.

Hospital Aide and Friendly Visitor - primarily convalescent hospitals and rest homes.

Recreation Aide - youth work primarily.

Child Care, Tutor, Teacher Aide

Artistic Work - scrapbooks, serving for agencies, serving needy families.

Aid to Handicapped - retarded, blind, physically disabled, the aged, etc.

Security Function

Food Service - assisting with preparation and serving of meals.

Mechanical - skilled engine repairs, carpentry, electrical, and plumbing.

VIII. Nature of Offense

Of the cases referred from Circuit and District Court's criminal docket, 33 percent were for property type offenses (Larcenies, B & E's, UDAAs, U & P, Welfare Fraud, Embezzlements, Destruction of Property, etc.). Crimes against the person made up 6 percent of the referrals (Manslaughter, Criminal Sexual Conduct, Assaults, Robberies, Arson, etc.) Drug and alcohol related offenses (use, possession, delivery, manufacture, O.U.I.L., etc.) were 29 percent of the referrals. The remaining 32 percent included driving offenses and other law violations (Disorderly Conduct, Doing Business without a License, Escape from Lawful Custody, Loitering, Perjury, Speeding, D.W.L.S., etc.).

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
___ Absconding Bond	1	
___ Accosting & Soliciting		
___ Accessory after the fact to a felony	1	
___ Aiding & Abetting	1	
___ Aggravated Assault	3	3
___ Allowed Unlicensed to Drive		1
___ Animal Cruelty and Running at Large		
___ Annoying Phone Calls		2
___ Armed Robbery		
___ Arson	2	
___ Assault and Battery	4	32 (3%)
___ Assault and Battery on a Police Officer		
___ Assault With Intent to do Great Bodily Harm Less Than Murder	2	
___ Assault With Intent to Rob While Armed		
___ Attempt Accessory After Act		

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Attempt Alteration of Driver's License		
— Attempt Murder		
— Attempt Preparation to Burn		
— Attempt Robbery		
— Breaking and Entering Coin Operated Device		
— Breaking and Entering a Motor Vehicle	40 (7%)	1
— Breaking and Entering (ODH and Gen.)	53 (9%)	
— Bribery of a Public Officer		
— Burning Property Less/O \$100	2	
— Bringing Narcotics in Prison		
— Careless Discharge of Firearm	3	
— Careless Driving		
— Carrying a Concealed Weapon	20 (3%)	
— Child Cruelty/Torture	3	2
— Cigarette Tax Action Violation		
— Common Law Incitement		
— Computer Fraud		
— Conspiracy to Bribe Public Officer		
— Conspiracy to Burn Property Under \$50		

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Conspiracy to Commit Armed Robbery		
— Conspiracy to Commit a Misdemeanor	1	1
— Contributing to the Delinquency of a Minor		10
— Criminal Sexual Conduct	12	
— Cruelty to Animals		1
— O.U.I.L.	11	196 (20%)
— O.W.A.I.		112 (11%)
— D.W.L.S.	2	65 (7%)
— Defective Equipment		10
— Defrauding an Innkeeper		
— Delivery of Controlled Substance	30 (5%)	
— Delivery of Marijuana	4	
— Destroy and Remove State Property		1
— Discharge of Fire Arm Without Malice		3
— Disobeyed Traffic Signal		4
— Disorderly Conduct		26 (3%)
— Disturbing the Peace	1	11
— Driving W/Expired License		1
— Driving W/No Lights		
— Driving Without Plates		1
— Drug Paraphernalia		8

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Doing Business w/o License		
— Embezzlement by Agent	17 (3%)	4
— Embezzlement Over \$100	28 (5%)	
— Embezzlement Under \$100		10
— Entering Without Breaking	4	
— Escape From Lawful Custody		2
— Extortion	1	
— Failed to Yield		1
— Failure to Display Driver's License	1	1
— Failure to have Safety Inspection		
— Failure to Obey Police Officer's Signal	3	4
— Failure to Present Pistol for Safety Inspection		
— Failure to Return Rented Property		2
— Failure to Stop at a Personal Injury Accident	1	7
— Failure to Use Care & Caution		
— False Application for Driver's License		
— False Police Report		7
— False Pretenses Over/Under \$100	8	2

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Felonious Assault	21 (4%)	1
— Felonious Driving	7	
— Felonious Operation of Watercraft		
— Fishing Without License		1
— Fleeing & Eluding		3
— Forgery	5	
— Fraudulent Use of Credit Card	6	1
— Fraud Innkeeper		
— Furnishing Alcohol to Minors		4
— Grand Theft		
— Gross Indecency Between Males		
— Harboring Minors/Contributing		
— Habitual Offender	1	
— House Party Ordinance Violation		4
— Illegal Entry		10
— Illegal Fireworks		
— Illegal Parking		
— Illegal Possession of Deer		
— Improper Lane Usage		1
— Improper Use of Registration Plates		1
— Incite Another to Commit an Assault With Intent to Maim		
— Indecent Exposure	1	3

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>		<u>DISTRICT COURT</u>	
___ Interfere with Water Meter			1	
___ Joyriding				
___ Kidnapping	1			
___ Keeping Gambling House				
___ Larceny by Conversion				
___ Larceny of Gasoline				
___ Larceny From Person				
___ Larceny From Motor Vehicle	6			
___ Larceny From a Building	41	(7%)		
___ Larceny From Vacant Building	3			
___ Larceny Over \$100	25	(4%)		
___ Larceny Under \$100			76	(8%)
___ Leaving Scene of Prop. Accident				
___ Littering				
___ Loitering			4	
___ Malicious Destruction of Property	19	(3%)	29	(3%)
___ Malicious Use of Communication System				
___ Maintaining a Drug House	1			
___ Manslaughter	3			
___ Manufacture Drugs	3			
___ Medicaid Fraud				
___ Minor in Possession			2	

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
___ Misuse of Public Monies		
___ Molesting/Disturbing Workers		2
___ Negligent Homicide	3	
___ Negligent Operation of Water Vehicle		
___ No Account Check	5	5
___ No Operator's License		2
___ No Proof of Insurance		2
___ Non-Child Support		
___ Non-Sufficient Funds Check	2	16 (2%)
___ Obstructing Officer in Line of Duty	2	2
___ Obstructing by Disguise		
___ Obstructing Vehicular Traffic		3
___ Obtaining Controlled Substance by Fraud	1	
___ Obtaining Money Under False Pretenses		3
___ Open Intoxicants		6
___ Operating Chop Shop		1
___ Operating Food/Alcohol Establishment W/O License		
___ Operation of Unregistered Vehicle		
___ Operating Vehicle Off the Roadway		2
___ Parking Tickets		
___ Perjury	1	

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Placing of Explosives With or w/o Damage		1
— Possession of Burglary Tool	2	1
— Possession/Consumption of Alcohol		
— Possession of Controlled Substance	45 (8%)	2
— Possession of Credit Card Without Consent of Holder	1	
— Possession of Firearm in Commission of a Felony		1
— Possession of Fireworks		1
— Possession of Forbidden Weapon		1
— Possession of Hunting Knife		1
— Possession of Marijuana/ Controlled Substance	3	26 (3%)
— Possession of Molotov Cocktail	1	
— Possession of Stolen Motor Vehicle With Intent to Transfer Title		
— Possession of Stolen Property	2	6
— Possession of Wild Game		
— Possession With Intent to Deliver		
— Probation Violation		14

SOURCES, CASES AND %

<u>OFFENSE</u>	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>
— Prostitution	1	
— Prowling		1
— Receiving and Concealing Stolen Property	33 (6%)	13
— Reckless Driving	2	6
— Reckless Use of Firearm		2
— Resisting Arrest	11	5
— Restricted Use of Pesticide Application		1
— Retail Fraud	34 (6%)	144 (15%)
— Revoked License		3
— Safe Breaking	1	
— Simple Assault		1
— Simple Larceny		6
— Speeding		2
— Storage of Communication Equipment in Residence		
— Switching Price Tags		
— Tampering With Motor Vehicle		1
— Tampering With Registration of a Meter/ Vehicle Title		
— Threatening Phone Calls		1
— Ticket Scalping		

OFFENSE	SOURCES, CASES AND %	
	CIRCUIT COURT	DISTRICT COURT
— Trespassing		15 (2%)
— U.D.A.A.	13 (2%)	
— Use of Controlled Substance	1	2
— Unarmed Robbery	3	
— Unlawful Use of Controlled Substance		1
— Unlawful Use of Firearm		
— Unlawful Use of Plate		
— Urinating in Public		
— Uttering and Publishing	15 (3%)	
— Use of Marijuana		
— Welfare Fraud	4	
— Window Peeper	—	—
*TOTAL	588	974

*Figure may not correspond with total number cases terminated since some criminal offenders have been convicted of more than one offense.

IX. Number of Hours Assigned

Of all Circuit Court criminal docket referrals, 86 percent are required to complete between 50 and 249 Community Service hours. Eleven percent of Circuit Court cases are required to complete in excess of 250 hours. District Court's criminal docket Community Service orders range from 10 to 299 hours with 94 percent of the orders requiring 20 through 149 hours.

Courts are encouraged to make Community Service orders at least 50 hours to allow for a training/benefit ratio to the participating agency. In 1990, two percent of the orders were for less than 50 hours.

<u>HOURS ASSIGNED</u>	<u>SOURCE, CASES AND % OF EACH COLUMN'S TOTAL</u>		
	<u>CIRCUIT COURT</u>	<u>DISTRICT COURT</u>	<u>REIMBURSEMENT DIVISION</u>
1 - 9			
10 - 19	1	5	
20 - 49	16 (3%)	71 (10%)	
50 - 99	112 (21%)	467 (67%)	
100 - 149	172 (32%)	118 (17%)	
150 - 199	99 (18%)	14 (2%)	1
200 - 249	81 (15%)	15 (2%)	
250 - 299	16 (3%)	7 (1%)	
300 - 399	11 (2%)		
400 - 499	11 (2%)		
500 - 699	12 (2%)		
700 - 999	4		
1,000 - Above	3		
TOTAL	538	697	1

X. Sociological Data

To reduce the cost of this annual report, detailed sociological data on sex, ethnic background, age, occupational, educational and marital status have not been illustrated. A detailed breakdown of sociological data has been a feature of past annual reports and the percentages of defendants falling under specific categories has shown little variance from year to year; e.g., number of blacks v.s. whites referred to community service; number of males vs. females, etc. Because this department does not have a computerized system for collecting data, all data must be collected manually by laboriously reviewing each case file. Hence, many hours of labor have been saved by reducing the amount of data presented.

Past annual reports have demonstrated that seventy-five percent (75%) of the combined referrals from Circuit and District Courts' criminal dockets are men. Thirty percent (30%) of all referrals are of minority background (Black, etc., excluding females). The majority of cases referred from both the Circuit (75%) and District (66%) criminal dockets are under the age of 26 with half (46%) under 21. Breakdown by occupation has shown that most (75%) Court referrals are low-income, unemployed, students, or physically or emotionally disabled. Only one fifth are employed and frequently of an unskilled nature. Approximately one half (64%) of referrals are single and forty-one percent (41%) have obtained less than a high school education.

TABLE 1
CIRCUIT COURT - CRIMINAL DOCKET

	<u>CASES</u>	<u>PERCENT</u>
A. Process (Being placed in Community work assignment)	110	13
B. Active (Still working on assignment)	198	23
C. Inactive (Being closed-out)	21	2
D. Terminated cases - 1990	<u>538</u>	62
TOTAL	<u>867</u>	
E. Breakdown of terminated cases:		
<u>Successfully</u> completed all agreed hours	205	38
<u>Successfully</u> completed percentage of agreed hours and/or made "good faith" payment(s)	62	12
<u>Successful</u> - Obtained paid employment prior to starting Community Service work and made "good faith" payment(s)	39	7
<u>Valid reason</u> - Released from program prior to working (e.g., medical problem)	18	3
<u>Unsuccessful</u> - Failed to interview with Community Service Coordinator and thus not placed.	78	14
<u>Unsuccessful</u> - Failed to interview with work agency and thus not placed.	53	10
<u>Unsuccessful</u> - Released from program prior to working (e.g., didn't show for work, new arrest).	53	10
<u>Unsuccessful</u> - Released from program after working (e.g., inappropriate attitude, unacceptable attendance or behavior).	27	5
<u>Not acceptable for placement</u> - predictively a risk and/or inappropriate behavior.	3	
TOTAL	<u>538</u>	

Community Service workers yearly success rate 59%.

TABLE 2

52ND DISTRICT COURTS, DIVISIONS I, II AND III CRIMINAL DOCKET

	<u>CASES</u>	<u>PERCENT</u>
A. Process (Being placed in Community work assignment)	175	16
B. Active (Still working on assignment)	186	17
C. Inactive (Being closed-out)	26	2
D. Terminated cases - 1990	697	64
TOTAL	<u>1,084</u>	<u>100%</u>
E. Breakdown of terminated cases:		
<u>Successfully</u> completed all agreed hours	483	70
<u>Successful with reservations</u> - Completed all hours but failed to pay monies and/or complete treatment	20	3
<u>Successfully</u> completed percentage of agreed hours and/or made "good faith" payment(s)	37	5
<u>Successful</u> - Obtained paid employment prior to starting Community Service work and made "good faith" payment(s)	5	1
<u>Valid reason</u> - Released from program prior to working (e.g., medical problem).	12	2
<u>Unsuccessful</u> - Failed to interview with Community Service Coordinator and thus not placed	28	4
<u>Unsuccessful</u> - Failed to interview with work agency and thus not placed.	72	10
<u>Unsuccessful</u> - Released from program prior to working (e.g., didn't show for work, new arrest).	22	3
<u>Unsuccessful</u> - Released from program after working (e.g., inappropriate attitude, unacceptable attendance or behavior).	18	3
<u>Not acceptable for placement</u> - predictively a risk and/or inappropriate behavior.		
TOTAL	<u>697</u>	

Community Service worker yearly success rate 80%

TABLE 3

REIMBURSEMENT DIVISION

	<u>CASES</u>	<u>PERCENT</u>
A. Process (Being placed in Community work assignment)	0	
B. Active (Still working on assignment)	0	
C. Inactive (Being closed-out)	0	
D. Terminated cases - 1990	1	100
TOTAL	1	
E. Breakdown of terminated cases:		
<u>Successfully</u> completed all agreed hours	1	100
<u>Successfully</u> completed percentage of agreed hours and/or made "good faith" payment(s)		
<u>Successful</u> - Obtained paid employment prior to starting Community Service work and made "good faith" payment(s)		
<u>Valid reason</u> - Released from program prior to working (e.g., medical problem).		
<u>Unsuccessful</u> - Failed to interview with Community Service Coordinator and thus not placed		
<u>Unsuccessful</u> - Failed to interview with work agency and thus not placed.		
<u>Unsuccessful</u> - Released from program prior to working (e.g., didn't show for work, new arrest).		
<u>Unsuccessful</u> - Released from program after working (e.g., inappropriate attitude, unacceptable attendance or behavior).		
<u>Not acceptable for placement</u> - predictively a risk and/or inappropriate behavior.		
TOTAL	1	100%

Community Service worker yearly success rate 100%

ADDENDUM

MEMORANDUM

DATE: May 24, 1991

FROM: Deborah J. McAleer, Probation Officer Supervisor

TO: John Paul Jones, Chief Probation Officer

SUBJECT: COURT COMMUNITY SERVICE GARDEN

Our second year of operating a Community Service Garden for the courts of Oakland County was a success! The garden started operation in May and ended in early October 1990.

In 1990, we operated a garden located on Oakland Avenue with approximately two acres of tillable ground. We will expand the size of the garden to three or four acres in 1991.

I will now present a summary of the garden's activities, accomplishments, and expenditures:

	<u>1989</u>	<u>1990</u>
1) Number of offenders referred:	64	89
52nd District Court	62	88
Circuit Court	2	1
2) Number of offenders who worked in the garden one or more hours:	50	79
3) Number of offenders who completed all of the hours ordered by the court:	31	57
4) Number of offenders who complied with the court order but were unable to complete their hours at the garden due to medical problems, transportation problems or term of probation expired shortly after the garden season ended. (These offenders were transferred to regular Community Service Program.):	6	3
5) Number of offenders who were referred and were compliant but will finish hours in next garden season:	5	2

	<u>1989</u>	<u>1990</u>
6) Number of offenders who failed to comply with the court order:	20	22
Number of offenders who failed to complete the intake interview with Garden Officer:	4	7
Number of offenders who failed to show at the garden for the first day of work:	9	1
Number of offenders who failed to continue worker after first or subsequent days at the garden:	7	14

(1990 Data: Five of these offenders have Violation Hearings pending before the court; one offender was violated and ordered to complete more hours than originally ordered through the regular community service programs; five offenders were incarcerated; three have Bench Warrants out for their arrests; one case is pending action by the probation officer and one case was appealed.)

	<u>1989</u>	<u>1990</u>
*Success rate of offenders placed at the garden:	65%	73%
Number of garden hours worked by offender:	2,249	3,098

*Rate of success is determined by: Dividing the **sum** of offenders that appear at numbers 3 and 4 by the **sum** of offenders that appear at numbers 3,4, and 6 above.

The Community Service Garden was made available to all four divisions of the 52nd District Court and the Circuit Court. Strongest support for this sentencing alternative came from the District Court Judges. Given the success that the garden experienced, greater use of this sentencing option can be expected in 1991.

NUMBER OF OFFENDERS REFERRED BY JUDGE, COURT AND YEAR

JUDGE	COURT	1989	1990
Honorable Michael Batchik	52-1 D.C.	26	26
Honorable Harold Bulgarelli	52-1 D.C.	2	21
Honorable Brian MacKenzie	52-1 D.C.	28	14
Honorable Ralph Nelson	52-3 D.C.		8
Honorable James Sheehy	52-3 D.C.	2	1
Honorable Robert Shipper	52-3 D.C.	4	18
Honorable David Breck	6th Cir. Ct.	1	
Honorable Fred Mester	6th Cir. Ct.	1	
Honorable Robert Templin	6th Cir. Ct.		<u>1</u>
TOTAL:		<u>64</u>	<u>89</u>

NUMBER OF GARDEN HOURS WORKED

Sixty-four percent (64%) of all offenders were ordered to complete between 20 and 75 garden hours. Ninety percent (91%) were ordered to complete between 5 and 100 hours.

<u>HOURS ORDERED</u>	<u>DISTRICT COURT</u>		<u>CIRCUIT COURT</u>
5 - 19	16	(18%)	
20 - 49	35	(40%)	
50 - 75	22	(25%)	
76 - 100	7	(8%)	
101 - 125	6	(7%)	1
126 - 150	1		
360 - Above	1		
TOTAL:	<u>88</u>		<u>1</u>

***1990 OPERATING EXPENSES**

Ground Prep./FM & O Charges	\$ 1,462.16
Replacement Tools	137.50
Irrigation Expansion Parts	295.86
Seed	111.44
Fertilizer/Fungicide	279.47
Miscellaneous	<u>186.50</u>
TOTAL EXPENSES:	\$ 2,472.93

*Port-A-Jon was purchased by the County for \$7,230.00. It is the responsibility of FM & O, but user (Garden Project) pays for maintenance, cleaning, transportation, and licensing costs. These maintenance costs are shown in FM & O charges and miscellaneous charges. (See Appendix C for breakdown of costs.)

SECURITY

The Community Service Garden operated during the 1990 season without any theft or destruction of equipment, threats or fights, or walk-aways.

SUPERVISION

The offenders were supervised by a Community Service Garden Officer. The officer was hired as a part-time, 1,000-hour, non-eligible position. The officer was always present at the garden when the offenders were working.

COUNTY BENEFITS

	<u>1989</u>	<u>1990</u>
Number of jail days waived in lieu of garden hours completed: (Court Orders specified garden hours or jail days. See Appendix A.)	474	581
Value of jail days saved @ \$57.33 per day: (Oakland County Jail prisoner costs per day, Jeffrey Pardee, Budget Division, February 28, 1991)		\$33,309
Value of the vegetables harvested and donated to the Oakland County Jail: *Retail Value: Wholesale Value: (Appendix B lists the kinds of vegetables grown, amount produced, and wholesale and retail values.)		\$22,124 \$14,723
Revenue collected from garden fees: (Offenders were charged a fee of \$10.00 per garden day** to help cover the costs of operating the garden. Eighty-four percent (84%) of the fees were collected.)		\$ 5,228

*Retail value equals average price of produce per Felice's Quality Market.
 **A garden day equals five hours.

COST BENEFIT ANALYSIS OF THE GARDEN

	<u>1989</u>	<u>1990</u>	
Garden Fees collected:	\$ 4,238	\$ 5,228	
Retail Value of vegetables:	6,651	22,124	
Value of jail days saved:	26,070	33,309	
	<u>\$36,959</u>	<u>\$60,661</u>	COUNTY BENEFIT
Garden Officer's Salary	\$ 9,659	\$ 9,298	
Fringe Benefits:	1,115	1,085	
Operating Expenses (on-going costs)	7,363	2,483	
Capital Outlay (one-time set-up cost)	4,533		
	<u>\$22,670</u>	<u>\$12,866</u>	Garden Program Cost
Total County Benefits:	\$36,959	\$60,661	
Total Garden Program Cost:	- 22,670	- 12,866	
TOTAL BENEFITS:	<u>\$14,289</u>	<u>\$47,795</u>	

After expenses, the Community Service Garden generated benefits in the amount of \$47,795 for 1990. The garden should be even more cost effective now that it has a permanent home. We will have some replacement costs for lost or worn out tools, etc.

Master Gardeners from the Oakland County Cooperative Extension Services' office assisted the Garden Officer in educating the offenders on gardening fundamentals. Sixteen Master Gardeners provided a total of 985 volunteer hours. These individuals are a necessary component in this program and contribute significantly to its success. (Appendix D)

APPENDIX A

NAME Gerald		ADDRESS (MAILING OR POST OFFICE) Blvd, Waterford, MI		PHONE
PRESENT HONORABLE Michael Batchik		IN SAID COUNTY AT 52-1 DISTRICT COURT Walled Lake		DATE 5-25-89
PLEADED GUILTY XXXX	BEEN FOUND GUILTY	CHARGE Disorderly Person		
ARRESTING AGENCY/OFFICER White Lake/Harris		OFFENSE DATE 10-25-88	DATE OF BIRTH 5- -64	DRIVERS LICENSE NUMBER 460 275

IT IS ORDERED AND ADJUDGED THAT THE SAID DEFENDANT SHALL BE PLACED ON PROBATION UNDER THE SUPERVISION OF

OAKLAND COUNTY DISTRICT COURTS PROBATION
OAKLAND COUNTY SERVICE CENTER
ADMINISTRATION ANNEX II BLDG.
1200 NORTH TELEGRAPH ROAD
PONTIAC, MICHIGAN 48053

PHONE: 858-0021 CALL IMMEDIATELY FOR AN APPOINTMENT TO REPORT TO PROBATION OFFICER

FOR THE PERIOD OF:

MONTHS	YEARS	COMMENCING DATE
COMMUNITY SERVICE ONLY		5-25-89

80 hours	COMMUNITY SERVICE ORDER
GARDEN	

UNDER THE FOLLOWING CONDITIONS:

- 1. Probationer shall not, during the term of his or her probation, violate any criminal law of any State, or any ordinance of any municipality in the state.
- 2. Probationer shall not, during the term of his or her probation, leave the State without the consent of the Court granting his or her application for probation.
- 3. Probationer shall make a report to the probation officer, in person and in writing, monthly, or as often as the probation officer may require. Report as directed by probation officer.
- 4. Probationer shall notify probation officer of change of address or change of work status and shall follow reasonable advice of the probation officer.
- 5. Pay fine and costs in the sum of \$ **\$55** to the court (Receipt # _____) by **August 25, 1989**
- 6. Pay probationary oversight fees in the sum of \$ _____ to Oakland County District Court Probation at the rate of \$ _____ per month.
- 7. Pay Court appointed attorney fees in the sum of \$ _____ to the Court Reimbursement Division, Oakland County, 1200 North Telegraph Road, Pontiac, MI 48053.
- 8. Make restitution in the sum of \$ _____ to Oakland County District Court Probation at the rate of \$ _____ per month. Restitution collected shall be paid to the victim(s) upon the Chief Probation Officer's authorization.
- 9. SPECIAL CONDITIONS OF THE COURT:

80 hours community service or 20 days OCJ (in garden at \$10 days)
\$55 fines by August 25, 1989
Atty fees: to be notified

I have read the foregoing order of probation and hereby consent to the terms thereof:

May 25, 1989
Date

Defendant's Signature

Judge

Michael Batchik

CMT

Wileden-Cullen Co., Inc., Lansing, MI 48091 (517) 372-0770

Approved, SCAO

ORIGINAL - COURT
COPY - SUBJECT

STATE OF MICHIGAN 52/1 JUDICIAL DISTRICT JUDICIAL CIRCUIT	ORDER TO SHOW CAUSE	CASE NO. 88-005'
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Court address 1010 E. West Maple, Walled Lake, MI 48088 Court telephone no.

Plaintiff(s) White Lake	v	Defendant(s) Gerald
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TO: Respondent
Gerald

Blvd
Waterford, MI 48054

At a session on 9/19/89 Date Judge MICHAEL BATCHIK P. _____ Bar no. _____ presiding:

IT IS ORDERED:

1. You appear on October 4, 1989 Date at 2:30 Time p. m.

- the court address above.
- at courtroom number _____
- _____

2. You show cause why you should not be held in contempt of court
- a judgment should not be entered against you
 - your case should not be dismissed
 - other:

for the following reasons:

FAILURE TO COMPLETE COMMUNITY SERVICE - GARDEN

Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

A copy of this order shall be served personally by mail upon respondent at least _____ days before hearing.

9/19/89
Date


Judge/Magistrate MICHAEL BATCHIK

NAME Susan		ADDRESS (MAILING OR POST OFFICE) Kin Pontiac, MI 48055		PHONE
PRESENT HONORABLE Brian W. MacKenzie		IN SAID COUNTY AT 52-1 DISTRICT COURT City of Walled Lake		DATE 04-17-89
PLEADED GUILTY XXX	BEEN FOUND GUILTY	CHARGE owai - suspended/revoked ops-2nd		
ARRESTING AGENCY/OFFICER OCSD (Lizenby)		OFFENSE DATE 09-21-88	DATE OF BIRTH 0	DRIVERS LICENSE NUMBER 325 77E

IT IS ORDERED AND ADJUDGED THAT THE SAID DEFENDANT SHALL BE PLACED ON PROBATION UNDER THE SUPERVISION OF

OAKLAND COUNTY DISTRICT COURTS PROBATION
 OAKLAND COUNTY SERVICE CENTER
 ADMINISTRATION ANNEX II BLDG.
 1200 NORTH TELEGRAPH ROAD
 PONTIAC, MICHIGAN 48053

PHONE 858-0021 CALL IMMEDIATELY FOR AN
 APPOINTMENT TO REPORT TO PROBATION
 OFFICER

FOR THE PERIOD OF

MONTHS 12 (twelve)	YEARS	COMMENCING DATE 04-17-89	50 hours	COMMUNITY SERVICE ORDER
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UNDER THE FOLLOWING CONDITIONS.

- 1. Probationer shall not, during the term of his or her probation, violate any criminal law of any State, or any ordinance of any municipality in the state.
- 2. Probationer shall not, during the term of his or her probation, leave the State without the consent of the Court granting his or her application for probation.
- 3. Probationer shall make a report to the probation officer, in person and in writing, monthly, or as often as the probation officer may require. Report as directed by probation officer.
- 4. Probationer shall notify probation officer of change of address or change of work status and shall follow reasonable advice of the probation officer.
- 5. Pay fine and costs in the sum of \$ 300.00 by October 17, 1989 to the court (Receipt # _____) by _____
- 6. Pay probationary oversight fees in the sum of \$ 300.00 to Oakland County District Court Probation at the rate of \$ 25.00 per month.
- 7. Pay Court appointed attorney fees in the sum of \$ _____ to the Court Reimbursement Division, Oakland County, 1200 North Telegraph Road, Pontiac, MI 48053.
- 8. Make restitution in the sum of \$ _____ to Oakland County District Court Probation at the rate of \$ _____ per month. Restitution collected shall be paid to the victim(s) upon the Chief Probation Officer's authorization.
- 9. SPECIAL CONDITIONS OF THE COURT:

DISTRICT COURT PROBATION
RECEIVED
 APR 18 1989

outpatient counseling per probation officer
 no drinking and driving
 \$65.00 PSI fee, within 30 days
 license suspended 6 months
 50 hours Community Service - C/S Garden (\$10.00) per day in lieu of 30 days OCJ

I have read the foregoing order of probation and hereby consent to the terms thereof.

Date 4/17/89

Defendant's Signature

Brian W. MacKenzie
 Judge

mkn Brian W. MacKenzie

APPENDIX B

1990 VALUE OF PRODUCE

VEGETABLES	No. Bushels	No. Head/ Bunches	Wholesale* Value	Retail* Value
Cabbage	31 1/2	378	\$ 133.87	\$ 200.65
Carrots	12		204.00	306.00
Collards	35		210.00	294.00
Cucumber	30 3/4		15.00	461.25
Cauliflower	15	375	180.00	270.00
Beans - Green	54 1/2		831.12	1,246.41
- Yellow	20 3/4		415.00	622.50
- Pole	10		165.00	247.50
- Lima	9		153.00	229.50
Beets	39 3/4		636.00	954.00
Broccoli	75 3/4	1,893	1,590.75	2,386.12
Eggplant	6 3/4	162	18.00	121.50
Kale	78 3/4		413.43	619.76
Melons	17	255	255.00	382.50
Onions	6 1/2		69.87	104.78
Pears	1 1/4		43.75	65.62
Peppers - Green	62 3/4		862.81	1,293.90
- Yellow	22 1/4		333.75	500.62
- Hot	14 3/4		221.25	331.87
Pumpkin		71	108.00	162.00
Radishes	31		434.00	651.00
Spinach	17		204.00	306.00
Squash - Zucchini	66 3/4		734.25	1,101.37
- Yellow	21		252.00	378.00
- Buttercup	10 1/2	166	84.00	126.00
- Acorn	11 1/2	184	92.00	138.00
- Butternut	14	238	119.00	178.50
Sunflower Seed	1			59.76
Swiss Chard	19		228.00	342.00
Tomatillo	1 1/4			124.37
Tomato - Large	266		2,660.00	3,990.00
- Cherry	205		1,260.00	1,890.00
Turnips	56		896.00	1,400.00
TOTAL - VEGETABLES	1,264		\$13,822.85	\$21,485.48
HERBS				
Dill		16	\$ 80.00	
Basil		200	150.00	
Thyme		15	15.00	
Mint		14	14.00	
Sage		30	30.00	
Chives		7	7.00	
Parsley		72	72.75	
Bernette		9	9.00	
TOTAL - HERBS		363	\$ 377.75	\$ 572.50
**TOTAL FLOWERS		22	\$ 44.00	\$ 66.00
GRAND TOTAL	1,264	385	\$14,244.60	\$22,123.98

* - Average price of produce per Felice's Quality Market

** - cut flowers donated to Oakland County Hospital Facility

APPENDIX C

BREAKDOWN OF 1990 COSTS

May 1990	- Plow Site, Deliver & Spread Fertilizer	\$ 684.00
07/11/90	- FM & O Haul Irrigation Pipe	106.16
08/16/90	- Make & Install Steps for Port-A-Jon	256.44
	Purchase Trailer License for Port-A-Jon	18.49
09/20/90	- Mow Weeds & Spray Round-Up	223.83
09/26/90	- Winterize Irrigation	52.51
10/29/90	- Pump Out & Move Water Tank	107.56
11/08/90	- Winterize Port-A-Jon	13.17
April-July	- Seed Purchase	111.44
May-August	- Expansion & Replacement Part for Irrigation System	295.86
May-August	- Tool Replacement & Repair Cost	137.50
July-August	- Fertilizer/Fungicide	279.47
May-August	- Miscellaneous Costs, e.g., toilet paper, cleaning supplies, band aids, officer's badge, etc.	<u>186.50</u>
TOTAL:		\$ 2,472.93

APPENDIX D

**NUMBER OF HOURS
VOLUNTEERED AT GARDEN
BY MASTER GARDENERS
IN 1990**

William Beal	32
Pat Boczek	40
John Demeter	5
Joanne Falarek	12
Joseph Findling	93
Louann Goldblatt	55
Kirsten Hale	73
Michael Hanafee	70
William Hood	120
Barry Johnson	233
Carol Downing-Loverdiere	27
Diana Maxam	4
Mark Samul	41
Frank Schuller	152
Shawn Strubble	25
Hank Szlenkier	<u>3</u>
TOTAL:	985

cc: Deborah J. McAleer
Linda Gurevich