

Fairfax County Board of Supervisors:

No Charge Volunteer Litter Control is a not-for-profit organization designed to assist localities with two vexing problems - the proliferation of litter, and their overburdened justice systems.

Litter is an unsightly mess. Every day, citizens of the Commonwealth encounter unsightly roadside garbage. It's disheartening that, in a state that has been blessed with such natural beauty, we have collectively allowed the situation to get to the point that it has now. Our roadsides, and especially our on and off ramps, have become de facto garbage dumps. The governmental effort at remediation has very clearly fallen short. This is a problem beyond just the eyesore that it is - it leads to a lack of pride in the area, a decrease in morale among the citizens. Garbage covered roadsides do not inspire folks to take care of their community.

The burden on our justice system has been well documented of late. We have far too many people charged with offenses, and the system is bursting at the seams. Minor crimes, committed by low-level, nonviolent offenders make up the vast majority of the time spent on misdemeanors in General District Courts. This requires judges, prosecutors, public defense attorneys, courtroom staff, police officers, sheriff's deputies, and more to spend hours of their time - all at taxpayer expense - shepherding minor criminals through the system. The intention, of course, is that these folks learn from their involvement in the justice system, get some sort of punishment, and never return. This is not the way it has played out. Instead, extensive research has demonstrated that involvement with the justice system has had the opposite effect, and has increased, rather than decreased, the recidivism of this population.

These parallel problems, which are the same in just about every jurisdiction, led the Commonwealth's Attorney in Augusta County to a solution. Rather than charge these low level, nonviolent offenders with crimes, which take months (or more!) to make their way through the system, they should instead be assigned to pick up litter. This is entirely voluntary on the part of the participant. They can decline and have their case go through the system as it normally would wherein they can contest the charge, or handle it in some other manner. If they agree, they may participate by picking up litter. If successful, they will be released from the program. The distinction between this and some other, similar programs, is that the successful participant is never charged with a crime. This is not a deferral or dismissed charge, the participant is never charged in the first place.

The program has been in place in Augusta for years now. Participants have picked up over 50 tons of litter, and significantly beautified the area. This has been incredibly popular among Augusta's citizens, regardless of ideology. There is even a litter hotline, wherein a citizen can report a place that needs to be cleaned up - and No Charge will send a crew and have it picked up in short order.

The participants in the No Charge program have benefited well beyond avoiding a criminal charge. They have found the dignity of work, have positively contributed to the community, and have, for the most part, not re-entered the system at a later time.

The success of the No Charge program in Augusta County has motivated the members to seek other localities that would benefit from the program. Fairfax is an excellent opportunity. There is a litter concern, of course, and there is also a diverse population, including communities who have traditionally been subject to overcharging by the justice system.

As previously mentioned, No Charge is not-for-profit. Therefore, there is no commercial interest at play. The goal at No Charge is to deliver a turnkey program, with all of the intricacies, nuances, and complications (including taking on the liability) and delivering it at a net savings to the locality. Thank you for the opportunity to present to this Board.

- Tim Martin, CEO of NoCharge VA, Augusta County Commonwealth Attorney