

Court & Community

AN INFORMATION SERIES ABOUT U.S. PROBATION & PRETRIAL SERVICES



U.S. Probation
& Pretrial
Services

COMMUNITY SERVICE

Consider the following:

EA work crew spends a week in a national forest, clearing trails and constructing campsites.

EA college student cares for and feeds autistic and wheelchair-bound children at a school for the disabled.

EA construction company builds a dike in a state wildlife refuge that has been ravaged by floods.

EA homemaker delivers meals to senior citizens and shut-ins at home.

EA heavy equipment operator grades roads, plows snow, and bulldozes sanitary landfill on an Indian reservation.

EEmployees of a software design company teach computer skills to middle school students in a low income neighborhood.

None of them gets paid. They are neither volunteers, Good Samaritans, nor community activists. They are people--and businesses--convicted of crimes and ordered by the court to perform community service.

What is community service? Community service is unpaid work by an offender for a civic or nonprofit organization. Public libraries, soup kitchens, recycling centers, literacy programs, conservation programs, and senior citizen centers all are likely recipients of community service.

In the federal courts, community service is not a sentence, but a special condition of probation or supervised release. In preparing a presentence report, which the court relies on in choosing a fair sentence, the probation officer may recommend that the court require community service. In fiscal year 2000, nearly 5,600 federal offenders were sentenced to probation or a term of supervised release with a community service condition, with courts ordering over a million hours of service.

The court requires that the offender complete a specified number of hours of community service (usually from 100 to 500) within a given time frame (usually not to exceed one year). For corporations--and sometimes for individuals--the court may designate a particular task to be completed rather than a certain number of hours to be worked. Businesses may be required to donate their employees' time and skills to community service projects.

Community service addresses the traditional sentencing goals of punishment, reparation, restitution, and rehabilitation:

† **Punishment** - Community service adds a punitive measure to probation. It restricts offenders' personal liberty and requires them to forfeit their leisure time.

† **Reparation** - Community service allows offenders to atone or "make the victim whole" in a constructive way.

† **Restitution** - Community service may be regarded as a substitute for financial compensation to individual victims or a form of symbolic restitution when the community is the victim.

† **Rehabilitation** - Community service fosters a sense of social responsibility in offenders and allows them to improve their self-image through serving the community. It also instills a work ethic and helps offenders develop interests and skills.

With a careful selection process, courts can use community service successfully with a wide spectrum of offenders: corporations and individuals, first offenders and recidivists, the indigent and the affluent, juveniles and senior citizens. But not every offender is a good candidate for community service. Persons who present a threat to the community are not eligible to participate. These include individuals with a current drug or alcohol addiction, a history of assault or sexual offenses, or serious emotional or psychological problems.

Courts look for offenders with personal and social stability, who are willing and motivated, and who have no criminal history of violence.

Probation officers play a vital role in making community service work. They work closely with the community organizations in which offenders are placed and with the offenders themselves. Officers promote the concept of community service, seeking agencies that are willing to take on offenders, supervise them adequately, and provide them with sufficient and suitable work. The agencies must be nonprofit, tax exempt, and not politically partisan. They must serve a valid need in the community. Officers make certain that agencies know how community service works and what it requires of them.

The officer's task is to assign to the community agency a responsible individual who can provide valuable services. In matching the offender to the agency, the officer's top consideration is the court's sentencing objective (Is the community service intended primarily to be a punishment? Or is the goal more to help the offender develop job skills?). Then the officer considers the offender's interests and abilities, as well as any potential stumbling blocks, such as a conflict with the offender's work schedule, child care problems, or a lack of transportation.

The officer meets with the offender and the agency to discuss expectations, confirm the work schedule and duties, and answer questions. The officer periodically visits the agency to monitor the offender's service and also resolves any problems. The officer also informs the court of the offender's progress—or lack of it.

Success depends on the offender's ability to accept the community service obligation and see it through. Sometimes, though, offenders do not comply with their community service order. If an offender is often late or absent, performs unsatisfactorily, or behaves unacceptably, the officer will take action. The offender may face sanctions ranging from reprimand to revocation.

If we translated community service hours into dollars—using minimum wage—the 628,000 hours served nationwide in fiscal year 2000 would have had a dollar value of more than \$3 million. As the chart on this page shows, community service brings benefits to the offender, the community, the victim,

<p>Community service gives OFFENDERS -</p>	<ul style="list-style-type: none"> ◦ A sanction that is less restrictive than prison. ◦ A sanction that allows them to meet their job and family commitments. ◦ The chance to give something back to society and to help others. ◦ An opportunity to get work experience, job skills, and references. ◦ A boost to their self-esteem.
<p>Community service gives THE COMMUNITY -</p>	<ul style="list-style-type: none"> ◦ Free labor. ◦ Services that oftentimes would not be available because of lack of funding. ◦ Saved taxpayer dollars that would otherwise go for prison costs. ◦ The chance to participate in the correctional process. ◦ An opportunity to change negative perceptions about offenders.
<p>Community service gives VICTIMS -</p>	<ul style="list-style-type: none"> ◦ A sanction that makes tangible demands of offenders. ◦ The satisfaction of knowing that offenders did not evade responsibility for their crimes.
<p>Community service gives THE COURTS -</p>	<ul style="list-style-type: none"> ◦ A fair and cost-effective sanction. ◦ A sentencing alternative that serves sentencing goals.

and the court. Community service offers a way for the offender to repay or restore the community. It is a flexible, personalized, and humane sanction. Community service is practical, cost-effective, and fair—a “win-win” proposition for everyone involved.