

Number: TBD
EFFECTIVE DATE: March 12, 2001

PROCEDURE STATEMENT

Policy Area: Supervision

Issue: Community Service

Action/Guidance: Offender Referrals for Community Service

Context: Community service is work performed by an offender for a non-profit, District of Columbia government agency, or neighborhood organization (“host agency”) in the District of Columbia (unless otherwise specified by the releasing and/or supervising authority) without monetary compensation. It is a constructive and valuable sanction available for use by a sentencing judge, paroling authority, or CSOSA (with respect to parolees only) that allows the offender to repay the jurisdiction where the offense was committed by providing much needed services. CSOSA’s priority is to place offenders in community service settings within their own neighborhoods in order to instill an imperative of community stewardship. **Note: CSOs supervising probation cases do not have the authority to independently levy community service as a sanction if the sentencing court did not include it in the judgment and commitment order. CSOs supervising parole cases may impose community service as a sanction, but not as a condition of supervision, without seeking special approval by the United States Parole Commission (“USPC”).**

I. Definitions:

- *CSO Community Service Referral Form* – This form (Attachment 1) serves as the offender’s notice of the community service orientation session. This form is to be completed legibly by the supervising CSO and forwarded to the Community Service Coordinator (“CSC”) along with the Community Service Contract **within two (2) working days** of the CSO’s receipt of a case with a community service special condition.
- *Community Service Contract* – This form (Attachment 2) serves as a formal agreement between the offender and CSOSA which sets forth the obligations and expectations of the parties as they relate to the performance of community service duties. This form is to be completed legibly by the supervising CSO and the offender and forwarded to the CSC along with the CSO Community Service Referral Form **within two (2) working days** of the CSO’s receipt of a case with a community service special condition.
- *Referral Notice for Community Service* – This form (Attachment 3) serves as the host agency’s notice of the offender’s community service placement and reporting instructions. This form is to be completed by the CSC and forwarded to the host agency **no later than 5 working days** prior to the offender’s scheduled reporting date for community service. **Note: In situations where the CSC is required to place multiple offenders with a single host agency, the CSC will not be required to submit an individual referral notice for each offender. Rather, the placement will be guided by the original authorizing document for community service placement (e.g. Memorandum of Understanding, Letter of Agreement, etc.).**
- *Community Service Activity Report* – This report (Attachment 4) chronicles the offender’s community service duties as they are performed. This form is to be completed by the host agency after each day of community service work performed by the offender and submitted **weekly** to the CSC.

II. Procedure:

A. Referral Process: Court-Ordered Community Service

1. Upon receipt of a case containing court-ordered community service hours, intake staff shall forward a copy of the judgment and commitment order to the SCSO for Community Service **within two (2) working days** in order to initiate the data recording process.
2. The SCSO for Community Service or designee shall record the following offender information into the Community Service Database:
 - a. Information to be Recorded Initially upon Receipt of the Commitment/Parole Order
 - Offender's name, race, sex, offense(s) of conviction, parole or probation designation
 - Docket number
 - Offender's PDID number
 - Offender's DCDC number
 - Number of community service hours ordered
 - b. Information to be Recorded upon Receipt of CSO Community Service Referral Form
 - CSO's name and unit assignment
 - Patrol Service Area ("PSA")
 - c. Information to be Recorded Following the Community Service Orientation and on an Ongoing Basis
 - Number of community service hours completed
 - Number of community service hours remaining
 - Offender's community service placement site and contact person(s)
3. Upon receipt of a case containing court-ordered community service, the supervising CSO shall complete and forward copies of the CSO Community Service Referral and Community Service Contract to the CSC **within two (2) working days** of receiving the case. This form must be completed for every offender with a community service special condition regardless of the offender's status (e.g., split sentence, treatment obligations, etc.). The CSO shall give the offender a copy of the CSO Community Service Referral Form and place a copy in the offender's file.
4. The CSC shall schedule a meeting for the offender to be oriented for community service placement (the orientation sessions may be in a group or individual setting). The CSC shall notify the supervising CSO of the date and time of the orientation session **no later than ten (10) working days** prior to the scheduled session. The CSO shall be responsible for communicating the necessary reporting instructions to the offender prior to the orientation session

B. Referral Process: Community Service as a Sanction in Parole Cases

CSOs supervising parole cases may impose community service as a sanction, but not as a special condition of supervision, without seeking approval by the USPC. The guidelines surrounding the imposition of community service as a sanction shall be outlined in a later version of this Procedure Statement.

C. Community Service Orientation Process

1. The CSC shall cover the following elements in the community service orientation session:
 - Purpose of community service
 - Types of community service referrals
 - Diversion: U.S. Attorney's Office
 - Diversion: Corporation Counsel
 - D.C. Superior Court (probation)
 - United States Parole Commission (parole)
 - Interstate Compact
 - Conditions of Community Service
 - Number of hours to be completed within the month
 - Time in which total hours are to be completed
 - Submission of progress report/time computation
 - Accountability/Responsibility to CSO and Community Service Office
 - Community Service Contract
 - Sanctions for non-compliance with community service obligations
 - Community Service Sites
 - Offender's responsibility
 - Site Responsibility
 - Site Referral Process
2. At the conclusion of the orientation session, the CSC shall direct the offender to sign the Community Service Contract. The CSC shall give the offender a copy of the Community Service Contract as well as a copy of the Referral Notice for Community Service.
3. Any failure by an offender to report to the community service orientation shall be documented and the CSC shall notify the CSO **within two (2) working days**.
4. CSOs shall sanction offenders according to the Schedule of Accountability through Graduated Sanctions (Attachment 5) for failing to attend a scheduled orientation. After the offender has been appropriately sanctioned for failing to attend a scheduled orientation, he/she may be re-referred for a subsequent orientation session **within 30 days from the date of the missed session, unless approval has been granted by the SCSO for Community Service**.

D. Community Service Placement Process

IMPORTANT NOTE: Community-Based Community Service Projects – Community Relations Specialists interested in obtaining the services of offenders for neighborhood-based community service activities/events in which CSOSA has participated in planning, coordinating, and/or organizing are required to inform the CSC (via e-mail) at least 30 working days from the date of activity in order to ensure adequate planning and scheduling time.

1. **No later than 5 working days** prior to the offender's scheduled reporting date for community service, the CSC shall forward copies of the following to the host agency: (a) Community Service Contract; (b) Referral Notice for Community Service; and (c) Community Service Activity Report.
2. The host agency point-of-contact shall update the Community Service Activity Report after each day of community service work by the offender. **At the end of each week**, the CSC shall collect the Community Service Activity Form from the host agency via fax and input the results into the Community Service Database.
3. The CSC shall make all offender community service placements from the approved list of agencies or programs. The agency priority is to place offenders in community service settings within their own neighborhoods in order to instill an imperative of community stewardship. The CSC shall make efforts to place the offender in a community service site within or near the PSA of the offender's residence.
4. The CSC will advise the supervising CSO of the community service placement for the offender **within two (2) working days of placement**. It is the responsibility of the supervising CSO to follow-up with the **offender** during scheduled supervision contacts (**not the host site**) to ensure that the required community service activities are occurring.
5. In the event that the offender fails to comply with the requirements of the community service order, fails to appear for the community service orientation, or fails to appear at the scheduled host site, the supervising CSO is to sanction the offender in accordance with the sanctions outlined in the Schedule of Accountability through Graduated Sanctions and demand compliance. In the event of continued non-compliance, offenders are to be sanctioned and/or referred back to the sentencing judge or USPC for a hearing.

Note: The supervising CSO and not the CSC is responsible for effectively addressing recalcitrant offenders who fail to comply with the special condition to complete community service (which includes attending scheduled orientation sessions). In order to facilitate the handling of noncompliant offenders, the CSC shall generate a list of all offenders failing to appear at scheduled orientation sessions and submit their names to the appropriate CSO for sanctioning.

6. The supervising CSO is responsible for advising the CSC of any change in the offender's supervision status or events that may affect the offender's community service placement (i.e., substance abuse, warrant action, arrests, etc.) **within two (2) working days** of notice of the status change. In addition, the supervising CSO shall

notify the CSC of the appropriate action to be taken regarding the offender's continued community service placement.

7. The CSC, in conjunction with the SCSO and Branch Chief for Community Service, shall be the principal representative for Community Supervision Services on all administrative matters relating to community service placement agencies and programs.
8. The CSC shall provide the supervising CSO a status update via e-mail **no later than five (5) working days** after the offender's satisfactory completion of the required community service hours along with copies of any documents forwarded by the host site which confirm the offender's completion of his/her community service obligations.
9. All offenders subject to community service are required to complete their community service obligations **within 12 months** from the date of orientation. All offenders are required to complete a minimum of 20 hours per month unless otherwise specified by the releasing authority.

III. Statutory Authority: Section 11233(b)(2)(B) of the National Capital Revitalization and Self-Government Improvement Act of 1997 ("Revitalization Act"), Pub. Law 105-33, 111 Stat. 712, D.C. Code § 24-1233(b)(2)(B) (1996 Repl., 1999 Supp.) (Director's authority); D.C. Code § 24-103 (1996 Repl.) (Probation's authority); 65 Fed. Reg 45, 885 (July 26, 2000) (to be codified at 28 C.F.R. § 2.85(a)(15) (USPC's authority).

IV. Procedural References/Supercedes:

- References: CSOSA Resource Directory
- Supercedes: N/A

Schedule of Accountability through Graduated Sanctions

Sanction Level					
		Level I	Level II	Level III	Level IV
Risk Level (Criminality)	Intensive/Maximum	<ul style="list-style-type: none"> • Daily Check-in with Supervision for 5 working days, and • If drug-testing violation, increase drug testing to 2x/wk and CIT Assessment 	<ul style="list-style-type: none"> • Attend Daily Sanctions Group for Two Weeks 	<ul style="list-style-type: none"> • 7 Days Residential Sanctions Facility, and • Continued stay at Residential Sanctions Facility for up to 30, 60, or 90 days; and/or • Return to community under electronic monitoring (30 to 45 days) or placement in inpatient treatment if warranted by substance abuse assessment 	<ul style="list-style-type: none"> • 14 Days Residential Sanctions Facility, and • Continued stay at Residential Sanctions Facility for up to 30, 60, or 90 days; and/or • Return to community under electronic monitoring (30 to 45 days) or placement in inpatient treatment if warranted by substance abuse assessment
	Medium	<ul style="list-style-type: none"> • CSO reprimand, and • If drug-testing violation, increase drug testing to 2x/wk and CIT Assessment 	<ul style="list-style-type: none"> • Attend Daily Sanctions Group for Two Weeks, and • Increase Supervision Level to Maximum (Next violation, Max/Int. – Level III Sanction) 		
	Minimum	<ul style="list-style-type: none"> • CSO reprimand, and • Increase Supervision Level to Medium (Next violation, Medium – Level II Sanction), and • If drug-testing violation, increase drug testing to 2x/wk and CIT Assessment 			

Note: Individualized treatment interventions will be provided as needed throughout the graduated sanctions continuum.

After 90 days of compliance, the offender returns to level one of the sanctions matrix per his/her risk level. If the offender's risk level has increased due to a previous sanction, the CSO may submit a request to his/her Supervisory Community Supervision Officer to consider lowering the offender to his/her previous level.