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**STANDARDS
FOR
COMMUNITY SERVICE PROGRAMS
IN
NEW JERSEY**

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Trenton, New Jersey**

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STANDARDS FOR COMMUNITY SERVICE PROGRAMS IN NEW JERSEY

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Introduction and History

Community service by offenders is being utilized as a sentencing alternative with ever increasing frequency. Offenders sentenced to community service work without monetary compensation at public or private non-profit agencies in the community. These offenders usually perform their community service during the evenings and on weekends to complete their sentences. The punitive aspect of a community service order is reflected in the imposition upon the time and freedom of offenders. While functioning in the traditional role as punishment, a community service order also directly benefits the public through the performance of services that may otherwise not be available.

As a community-based sentence, a community service order is relatively inexpensive compared to the costs of other penalties, such as incarceration. In this time of severe jail overcrowding and budgetary limitations, community service offers the courts and the public a viable, cost-effective means of punishment.

Community service is not a new concept. In 1972, the British Parliament authorized community service for convicted offenders. An experimental program was introduced in six (6) counties targeting primarily offenders who might have otherwise been sentenced to a short period of incarceration. In 1975, community service programs based upon this experimental model were authorized for operation throughout the United Kingdom.

The use of community service sentencing in the United States developed gradually in the 1970's. By 1979, community service programs were developed for use by many courts across the country. During this period, individual judges in New Jersey used a community service order to require an offender to perform some type of work in the community.

In 1979, with the enactment of the New Jersey Code of Criminal Justice, (L.1983, C.95) community service became a statutorily authorized disposition

for adults. As provided in N.J.S.A. 2C:43-2b(5), the court may sentence an offender to perform community-related service. Additionally, Chapter 45 of the Code of Criminal Justice authorizes the performance of community-related service as a condition of probation or suspension of sentence (N.J.S.A. 2C:45-1b[13]).

On January 12, 1982, Governor Thomas H. Kean signed into law an amendment to N.J.S.A. 39:4-50 (L.1981, C.537) providing stiffer penalties for persons convicted of driving under the influence of alcohol or drugs. This amendment included the community service sentence as an alternative to incarceration for second and subsequent offenders convicted of driving under the influence. The law stated:

...for a second violation [the offender]...shall be ordered by the court to perform community service for a period of 30 days...or may be sentenced to imprisonment for a term of not more than 90 days...[for] a third or subsequent violation, [the offender]... shall be sentenced to imprisonment for a term of not less than 180 days, except that the court may lower such term for each day, not exceeding 90 days, served performing community service....

On January 9, 1984, N.J.S.A. 39:4-50 (L.1983, C.444) was again amended, providing even more stringent penalties for the convicted second offender:

...for a second violation [the offender]...shall be ordered by the court to perform community service for a period of 30 days...and shall be sentenced to imprisonment for a term of not less than 48 consecutive hours, which shall not be suspended nor served on probation, nor more than 90 days....

The penalty for a third or subsequent violation did not change. This amendment became operative October 5, 1984.

Community service can also be required of a participant in a Pretrial Intervention (PTI) program. Guideline 3(k) of The Guidelines for Operation of Pretrial Intervention approved by the Supreme Court of New Jersey and effective December 1, 1982 states in part:

A restitution or community service requirement or both may be included as part of an individual's service plan....

Community service orders for juveniles have been used in New Jersey since 1976. In June of that year, the New Jersey Supreme Court held in State in the

Interest of D.G.W., 70 N.J. 488 (1976) that a just and fair order for restitution (including the concept of reparation) is valid and may be included as a condition of probation for a juvenile.

The New Jersey Code for Juvenile Justice (L.1982, C.77), signed into law July 23, 1982, specifically cites community service as a disposition for juveniles.

...If a juvenile is adjudged delinquent the court may order...that the juvenile perform community services under the supervision of [the] probation department...(N.J.S.A. 2A:4A-43b[10]).

Community service is also imposed through the Juvenile Conference Committees (JCC's) and Intake Service conferences, without a formal court hearing. Juveniles voluntarily agree to perform community service which, with the approval of the judge, is monitored either by the JCC or Intake Service.

In 1983, the legislature continued to include the community service sanction in legislation. On April 22, 1983, a law was enacted which allows the municipal courts to convert a fine to an order of community service for indigent offenders (N.J.S.A. 2A:8-31.1, L.1983, C.153). The legislature also amended N.J.S.A. 39:6B-2 (L.1983, C.141) whereby second and subsequent offenders convicted of operating a motor vehicle without liability insurance are mandated to perform 30 days of community service.

Thus, the laws of New Jersey provide community service as a disposition for a large percentage of the adult and juvenile offenders appearing in the courts of the state. Responding to the need for a statewide program to monitor these dispositions, the Community Service Programs in New Jersey were established in 1982. The New Jersey State Legislature, supported by strong lobbying from the New Jersey Association on Corrections, appropriated \$600,000 to help begin this statewide program. These state funds, along with a sizable contribution of county monies, were allocated to the probation departments in each county to administer the programs. Coordinated by the Administrative Office of the Courts (AOC), the Community Service Programs in New Jersey have supervised

over 25,000 community service offenders since the program's inception in September 1982.

The concept and structure of the Community Service Programs in New Jersey were developed by a committee of Chief Probation Officers and AOC staff. The goals of the Community Service Programs, as established by that committee, were:

1. To provide a cost-effective, viable sentencing alternative to incarceration, thereby offering some relief to already overcrowded jails;
2. To hold offenders accountable to the community for their actions, thereby promoting greater community confidence in the criminal justice system;
3. To offer needed services to the community in both the public and private non-profit sectors.

These goals remain as the operational direction for the Community Service Programs today.

While the generally accepted purposes of community service are punitive for the offender and directly beneficial for the community, the service may also provide a positive experience for the offender through working to help others. This positive experience can result in a change in attitude or behavior and thereby serve as a deterrent to future criminal involvement. The offender may also gain valuable work experience or occupational training through the performance of community service. In New Jersey's programs, a number of offenders have been hired by their placement agencies as a result of their community service work.

This viable sentencing alternative serves the criminal justice system and the public in both the near and long term. It is a meaningful disposition that provides punishment in the conventional sense. It serves as an adjunct to the traditional probation sentence, further providing the judge with the means to fashion a sentence best suited to the offender and the offense. Less costly than incarceration, the Community Service Programs also provide an additional financial benefit through the services performed by the offenders.

Through this highly visible community-based program, public involvement in and awareness of the criminal justice system can be heightened. By providing work sites for the performance of community service and on-site supervision of the offenders, the community is an active participant in the completion of a court order. In addition, the citizenry witnesses the symbolic restitution made by offenders in terms of the services provided through their labor. The community thereby experiences the courts and the probation departments in action, working in the interest of a better community.

Purpose and Organization of This Document

This document is based upon the "Proposed Model Standards and Guidelines for Community Service Programs in the Municipal and Superior Courts," dated April 12, 1982. The proposed model was developed by a committee of Chief Probation Officers and AOC staff to aid the newly-forming Community Service Programs based in the county probation departments. That model facilitated the creation of both a philosophy for community service and a basis for the establishment of practical program goals and objectives.

With the Community Service Programs in operation statewide as of January 1983, programs no longer sought guidelines to establish program direction or philosophy. Instead, the programs requested standards to make the basic operation of a Community Service Program uniform throughout the state. This document reflects the issues and problems most often raised during the first eighteen (18) months of statewide operations.

The Standards for Community Service Programs in New Jersey is a working model designed to guide the courts and probation in the use of community service sentencing. A standard is defined as a clearly articulated rule for decision making, a guide by which to evaluate behavior and performance. The standards found herein are presented to fulfill those definitions and thus provide direction for the utilization of community service. The standards in this report will appear in boldface type as in the following example:

STANDARD 1.1: ALL OFFENDERS SENTENCED TO COMPLETE COMMUNITY SERVICE SHALL BE REFERRED TO THE COMMUNITY SERVICE PROGRAM IN THE COUNTY PROBATION DEPARTMENT.

The numbering system reflects first the chapter number, then the standard sequence. Thus, all standards in Chapter One are prefaced by 1. and run consecutively.

Commentary further clarifying or explaining the standard will appear in small print below the standard. Section subheadings will be in capital letters

and underscored. The subheadings are included to facilitate reference by topic.

This volume is divided into two (2) chapters. Chapter I, entitled "Procedural Standards for the Courts," is directed to judges and court personnel and includes a description of the target population for community service and sentencing guidelines based upon the degree of offense. Chapter II, "Standards for the Community Service Program," is directed to the county probation department programs and their staff. This chapter describes basic program management requirements such as the interviewing, screening, placement and supervision of the offender. Basic information to guide statistical reporting is also included.

We wish to thank the Chief Probation Officers, the Community Service Program directors and coordinators, as well as the Assignment Judges and Trial Court Administrators, for their support, advice and counsel in the completion of this document. We invite our readers to comment on the document and ask that suggestions and opinions be provided for inclusion in future editions of Standards for Community Service Programs in New Jersey.

CHAPTER I

PROCEDURAL STANDARDS FOR THE COURTS

THIS CHAPTER SETS FORTH STANDARDS TO BE USED BY THE
COURT WHEN CONSIDERING SENTENCING AN OFFENDER TO
COMMUNITY SERVICE.

REFERRALS

STANDARD 1.1: ALL OFFENDERS OBLIGATED BY A JUDGE TO PERFORM COMMUNITY SERVICE SHALL BE REFERRED TO THE COMMUNITY SERVICE PROGRAM IN THE APPROPRIATE COUNTY PROBATION DEPARTMENT. PROGRAMMATIC EXCEPTIONS MUST BE APPROVED BY THE ADMINISTRATIVE DIRECTOR OF THE COURTS.

Commentary

The county probation department has been chosen to administer the Community Service Program because:

- (a) The probation departments are already equipped to monitor compliance with a court order and keep statistical records;
- (b) A mechanism to facilitate intercounty transfer of supervision exists within the ongoing operations of the probation departments;
- (c) Uniform program operations avoid competition for the work sites which will accept offenders to perform community service; and
- (d) Central control of program administration encourages uniformity of operations.

"Programmatic exceptions" to this general standard are defined as those programs which operate independently of the county probation departments. Examples would be the Atlantic City Detox Center, which supervises the offenders sentenced under 39:4-50 in Atlantic County, and the Union County Juvenile Community Service Program, developed and operated by the Union County Youth Service Bureau.

To ensure and maintain uniform and consistent program operations throughout the state, the uniform Municipal Court Orders (Appendix A, Page ii) are to be used by the municipal courts. This form is to be forwarded to the program promptly to initiate the community service process.

STANDARD 1.2: ALL REFERRED OFFENDERS WHO ARE APPROPRIATE FOR COMMUNITY SERVICE SHALL BE PLACED BY COMMUNITY SERVICE PROGRAM STAFF IN A SUITABLE WORK SITE FOR THE PERFORMANCE OF COMMUNITY SERVICE. (SEE STANDARD 1.1.)

Commentary

The county Community Service Program has established working agreements with local non-profit organizations to facilitate placement of offenders. Through these agreements, work sites have informed the Community Service Program of the number of offenders the site wishes to use as well as any exclusions or placement conditions insisted upon due to the nature of an offense.

It is therefore recommended that judges refrain from specifying a placement site at the time of sentencing. However, specifying the type of work preferred for the offender to perform would not inhibit the program's ability to find a suitable placement for the offender.

Another important placement issue to consider is insurance coverage. Only offenders placed by the Community Service Program are ensured of accident/medical insurance coverage while performing community service. Each county program has an insurance policy to cover all offenders under the jurisdiction of their program. Offenders not placed through the programs are not guaranteed this important coverage.

EXCLUSIONARY CRITERIA

STANDARD 1.3: THE FOLLOWING TYPES OF OFFENDERS SHALL BE CONSIDERED FOR EXCLUSION FROM COMMUNITY SERVICE UNLESS THE SENTENCING JUDGE, AFTER CAREFUL CONSIDERATION OF ALL FACTORS, DEEMS COMMUNITY SERVICE AN APPROPRIATE DISPOSITION:

- (A) OFFENDERS WITHOUT A STABLE PLACE OF RESIDENCE,¹
- (B) OFFENDERS WHO, BECAUSE OF A SERIOUS OR PROHIBITIVE WORK-RESTRICTING DISABILITY, WOULD BE UNABLE TO COMPLETE A COMMUNITY SERVICE TASK,²
- (C) OFFENDERS WHOSE CHRONIC ABUSE OF ALCOHOL AND/OR DRUGS WOULD RENDER THE COMPLETION OF COMMUNITY SERVICE IMPOSSIBLE,
- (D) OFFENDERS CURRENTLY OR PREVIOUSLY CONVICTED OF ARSON OR ASSAULTIVE OFFENSES AS WELL AS PERSONS WITH EVIDENCE OF CURRENT OR RECENT

¹This category may include transients living in motels, hotels or YMCA's. Offenders in residential treatment for extended periods of time may also be included in this category. These persons tend to be unreliable in attendance and, therefore, cause the site unnecessary problems by disrupting its operations. This can jeopardize the site's cooperation and may cause the site to withdraw from the program.

²Disabled persons are not to be excluded from community service merely because they are disabled. This category is listed to alert the courts and programs to the individual who may have a severe work-restrictive condition involving a physical or psychiatric disability that would preclude the completion of the community service task or would put either the client's health or well-being in jeopardy.

VIOLENT BEHAVIOR,³

- (E) OFFENDERS CURRENTLY OR PREVIOUSLY CONVICTED FOR ANY SEX OFFENSE AS DEFINED IN N.J.S.A. 2C:14-2, SEXUAL ASSAULT; N.J.S.A. 2C:14-3, CRIMINAL SEXUAL CONTACT; OR N.J.S.A. 2C:14-4, LEWDNESS.
- (F) OFFENDERS WHOSE ATTITUDE, BEHAVIOR, AND/OR LIVING OR EMPLOYMENT CIRCUMSTANCES WOULD RENDER THE COMPLETION OF COMMUNITY SERVICE HOURS UNLIKELY.

Commentary

Almost all offenders have the potential to be able to complete some type of community service sentence. The success of the program, however, is strongly linked to community acceptance and support. This support is shown by the number of agencies willing to function as a placement site for offenders.

The list given in Standard 1.3 reflects certain categories of offenders generally rejected by placement sites. This rejection is most often due to the nature of the offense, i.e., sex offenses or violent, assaultive offenses. The list also includes a general type of offender who may cause the site unnecessary problems by disrupting its operations and may, therefore, cause the site to withdraw its support from the program.

³For our purposes, "violent behavior" includes violent offenses. We define violent offenses as those involving unlawful force, deadly force or an offense causing serious bodily harm, as defined in N.J.S.A. 2C:3-11a, b and d.

2C:3-11. Definitions:

- a. "Unlawful force" means force, including confinement, which is employed without the consent of the person against whom it is directed and the employment of which constitutes an offense or actionable tort or would constitute such offense or tort except for a defense (such as the absence of intent, negligence or mental capacity; duress, youth or diplomatic status) not amounting to a privilege to use the force....
- b. "Deadly force" means force which the actor uses with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily harm....
- d. "Serious bodily harm" means bodily harm which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ or which results from aggravated sexual assault or sexual assault.

ADVISORY NOTE: Out-of-State Residents

When an offender is ordered to perform community service as the result of a conviction for driving under the influence (N.J.S.A. 39:4-50) or as a condition of enrollment in a Pretrial Intervention program, no formal mechanism exists for transfer of the case to another state.

In those instances where the offender, either adult or juvenile, has been adjudicated and received a formal commitment to a term of probation, supervision can be transferred through the appropriate Interstate Compact. Not all states, however, have the capability to enforce a court order for community service. Please be aware that some states refuse to accept supervision of a case with a community service order.

In some instances, these offenders are advised to locate their own placement in their area of residence and report their completed service hours to the New Jersey Community Service Program.

Two problems result from this approach:

- (1) The difficulty in accurately monitoring and enforcing compliance with the community service order; and
- (2) The difficulty in ensuring that there is accident/medical insurance to cover the offender while performing the court-ordered service.

The court should refrain from issuing a community service order for an out-of-state resident unless the court is advised that the order can be carried out. The court should contact its local county probation department to ascertain whether the court order can readily and willingly be enforced.

SENTENCING GUIDES

STANDARD 1.4: ONE (1) DAY OF COMMUNITY SERVICE IS EQUAL TO SIX (6) HOURS OF WORK.

Commentary

A majority of the legislation that includes a community service sentence has established that sentence in terms of days of service. Upon review, we found that some offenders were performing a 4-hour day, while others were performing a 6-, 7- or 8-hour day. In addition, we discovered that the placement sites were providing work on an hourly basis. To ensure consistency in sentencing throughout the state and to cooperate with placement site operations, the above standard was established.

STANDARD 1.5: WHEN IMPOSING COMMUNITY SERVICE SENTENCES, JUDGES SHALL BE GUIDED BY THE RECOMMENDED RANGES IN THE FOLLOWING TABLE.

TABLE 1

<u>ADULTS</u>			
OFFENSE TYPE	MINIMUM	<u>H O U R S</u> MIDPOINT	MAXIMUM
Municipal Ordinances	20	35	50
Petty Disorderly Persons	20	35	50
Disorderly Persons	40	70	100
4th Degree	60	130	200
3rd Degree	80	190	300
2nd and 1st Degrees	100	250	400
Pretrial Intervention	50	75	100
<u>JUVENILES</u>			
CASE TYPE	MINIMUM	<u>H O U R S</u> MIDPOINT	MAXIMUM
Juvenile Conference Committee	5	10	15
Intake Conference	5	10	15
Court (Informal/Formal Calendar Cases)	15	30	45

Commentary

The British model community service program, on which we have based much of our use of the community service sentence in this country, sets a 240-hour fixed limit on community services. This model program was designed primarily as an alternative sentence for offenders who may have been sentenced to a short period of incarceration. The figures in Table 1 are the recommendations of the program directors, based upon their knowledge and experience in operating a Community Service Program. The standards for sentencing presented here allow the punitive effect of a community service sentence to be impressed upon an offender, while allowing the offender to successfully complete the sentence within a

reasonable period of time. Additionally, statewide use of these standards avoids sentence disparity.

STANDARD 1.6: FOR THOSE CASES SENTENCED TO COMMUNITY SERVICE UNDER THE PROVISION OF N.J.S.A. 2A:8-31.1, WHERE FINES OR RESTITUTION IMPOSED IN MUNICIPAL COURT HAVE BEEN CONVERTED TO COMMUNITY SERVICE HOURS, ONE HOUR OF COMMUNITY SERVICE SHALL BE GIVEN FOR EVERY \$3.00 OF THE AMOUNT OF FINE OR RESTITUTION, UP TO THE 100-HOUR MAXIMUM PROVIDED IN THE TABLE FOR DISORDERLY PERSONS' OFFENSES (PAGE 5).

Commentary

The figure of \$3.00 per hour was based upon N.J.S.A. 2C:46-2, which defines the consequences of non-payment of fines or restitution. The court may order imprisonment that

...need not be equated with any particular dollar amount but it shall not exceed one (1) day for each \$20.00 of the fine....

As we use a standard of six (6) hours to equal one (1) day of community service, the hourly rate calculates to approximately \$3.00.

SUCCESSFUL COMPLETION OF THE PROGRAM REQUIREMENTS

STANDARD 1.7: OFFENDERS WHO SATISFACTORILY COMPLETE THEIR COMMUNITY SERVICE OBLIGATION ARE TO BE DISCHARGED FROM THE COMMUNITY SERVICE PROGRAM.

Commentary

The offender will remain under the supervision of the probation department if any conditions of probation remain outstanding and/or if the term of probation has not expired.

The total number of hours of service completed by each offender shall be recorded. The court shall be informed of successful completion via the Community Service Report (Form No. CS-06, Appendix A).

UNSUCCESSFUL FULFILLMENT OF THE PROGRAM REQUIREMENTS

STANDARD 1.8: OFFENDERS WHO FAIL TO COOPERATE WITH EITHER PROGRAM STAFF OR SITE STAFF AND/OR FAIL TO APPEAR AT EITHER THE PROBATION DEPARTMENT OR PLACEMENT SITE WILL BE RETURNED TO COURT.

Commentary

An offender who fails to cooperate by not performing tasks satisfactorily nor adhering to the rules set forth by the program or

the site shall be returned to court. Failure to perform tasks should not be a reflection of the offender's capabilities or skill, but rather reflect the offender's attitude and willingness to complete the tasks set forth by the placement site. A failure to cooperate is also a failure to meet the minimum weekly hours of service as stated in the Community Service Conditions and Release of Information. (See STANDARD 2.4.)

Two (2) missed appointments without an adequate explanation constitute a failure to appear.

The program director will advise the court of the program's recommendations regarding the offender in the notice returning the case to court. (See Community Service Report, Form No. CS-06, Appendix A.)

STANDARD 1.9: OFFENDERS WHO HAVE BEEN REJECTED FROM TWO (2) OR MORE PLACEMENT SITES SHALL BE RETURNED TO COURT.

Commentary

Placement sites can reject offenders upon their initial interview. Offenders are most often rejected at that time due to the nature of the offense. Sites may also dismiss or reject offenders who have behaved inappropriately or disruptively while in the process of working at the site.

Should an offender be returned to court as inappropriate after having been rejected by two (2) or more placement sites, it is recommended that the order for community service be removed by the court.

STANDARD 1.10: OFFENDERS ARE RETURNED TO COURT IN THE FOLLOWING MANNER:

- (A) OFFENDERS ENROLLED IN PTI WHO FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE REFERRED TO THE PTI DIRECTOR OR OTHER DESIGNATED OFFICER OR PERSON RESPONSIBLE FOR SUPERVISING PTI CASES WHO SHALL DETERMINE IF THE OFFENDER SHOULD BE RETURNED TO COURT FOR TERMINATION FROM PTI.
- (B) OFFENDERS GIVEN A COMMUNITY SERVICE ORDER BUT NOT PLACED ON PROBATION WHO FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE RETURNED TO COURT WITH A LETTER OF EXPLANATION.
- (C) OFFENDERS WHO ARE ON PROBATION AND FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE CHARGED WITH VIOLATION OF PROBATION (N.J.S.A. 2C:45-3) AND RETURNED TO COURT.

STANDARD 1.11: WHEN AN OFFENDER IS RETURNED TO COURT FOR AN UNSATISFACTORY PERFORMANCE, AS DEFINED IN STANDARD No. 1.8, IT IS RECOMMENDED THAT THE COURT CONSIDER SOME PUNITIVE SANCTION AND WITHDRAW THE COMMUNITY SERVICE ORDER.

Commentary

The offender who has failed to satisfactorily complete community service poses an unnecessary risk to the placement site and the program. Repeated failure is antagonistic to the sites and may cause them to withdraw their participation, thereby eroding fundamental community support of the programs.

CHAPTER II

STANDARDS FOR THE COMMUNITY SERVICE PROGRAMS

THIS CHAPTER ADDRESSES THE STANDARDS FOR BASIC OPERATIONS
OF THE COMMUNITY SERVICE PROGRAM IN THE COUNTY
PROBATION DEPARTMENT.

MANAGEMENT

STANDARD 2.1: THE COMMUNITY SERVICE PROGRAM SHALL DEVELOP AND MAINTAIN A CLIENT-TRACKING SYSTEM.

Commentary

A client-tracking system is necessary to ensure compliance with the community service order and to accurately monitor the client through the community service process of receipt from court, interview and screening, placement, performance of service, and dismissal from the program.

STANDARD 2.2: THE COMMUNITY SERVICE PROGRAM SHALL HAVE ACCIDENT/MEDICAL INSURANCE TO COVER ALL PARTICIPANTS PERFORMING COMMUNITY SERVICE UNDER THE JURISDICTION OF THE PROGRAM.

STANDARD 2.3: THE COMMUNITY SERVICE PROGRAM SHALL ADVISE THE COURT WHENEVER A SENTENCE DOES NOT APPEAR TO BE WITHIN THE RECOMMENDED GUIDES IN STANDARDS 1.5 (PAGE 5) AND 1.6 (PAGE 6).

Commentary

The guides in Chapter 1 are presented to ensure efficient program operations. As such, and recognizing judicial discretion, judges should be informed when they deviate from the stated guides. This process will reinforce consistent sentencing to community service statewide.

ENROLLMENT AND SUPERVISION

STANDARD 2.4: ALL OFFENDERS ARE TO BE INTERVIEWED AND SCREENED TO DETERMINE SUITABILITY FOR PLACEMENT IN THE COMMUNITY.

Commentary

The screening interview is the mechanism used to determine offender suitability for community service placement. The basic interview tools are: The *Intake Form* (Form No. CS-03, Appendix A) and the *Community Service Conditions and Release of Information* (Form No. CS-04, Appendix A).

(a) The *Intake Form* includes:

- (1) Demographic data on the offender used for case processing;
- (2) Information necessary for placement: interests, skills, employment hours, family obligations, access to transportation; and

- (3) Medical or personal problems that may interfere with the offender's ability to complete the community service obligation in a prompt manner.
- (b) The Community Service Conditions and Release of Information clearly and concisely outlines the offender's obligation to the program and the placement site. Program staff should review in depth the information on this form to ensure the offender's understanding of his/her obligations. The Conditions includes the following:
- (1) Notice that the offender is covered by accident/medical insurance while performing community service.
 - (2) The statement that the offender is to maintain the behavioral standards explained in the Conditions.
 - (3) The consequences of non-compliance, which may include the return of the case to court for another disposition that could include a sentence to a period of incarceration.
 - (4) The total number of hours to be performed, as well as a recommended minimum number of hours to be performed each week. The guidelines for the minimum number of hours to be performed each week are listed on Table 2 below:

TABLE 2

Case Type	Weekly Minimum Number of Hours
Juveniles	3
Employed Adults	6
Unemployed Adults	12
NOTE:	
(a) These minimums are <u>advisory only</u> . The program director retains the authority to adjust the minimum if a case warrants it.	
(b) Both the program and the offender are to agree upon the minimum number of hours to be completed per week.	

- (5) The signature of the offender, which indicates understanding and acceptance of the terms and conditions in

this document. A copy of this document is provided to the offender.

- (c) The Conditions also function as a release of information from the program to the placement site and the court.
- (d) Although the Conditions state that the offender is covered by accident/medical insurance, programs shall have the offender sign a medical information statement relating any allergies or existing medical problems. This statement shall be so worded as to function as a medical release of information form which can be used to verify the offender's report. See Appendix B for an example of a medical statement.

STANDARD 2.5: OFFENDER REPORTING SCHEDULES SHALL BE SET IN COMPLIANCE WITH EXISTING ADMINISTRATIVE POLICY AND SUPERVISION STANDARDS.

Commentary

Offenders sentenced to community service without being placed on probation are not required to report to the probation department after the screening interview and placement at work site.

Offenders placed on probation and PTI will report to the probation department on schedules imposed by the probation officer or pre-trial counselor in accordance with departmental policy.

PLACEMENT SITE MANAGEMENT

STANDARD 2.6: THE PROGRAM SHALL DEVELOP A FORMAL WORKING RELATIONSHIP WITH EACH SITE. THE RESPONSIBILITIES OF THE SITE, THE COMMUNITY SERVICE PROGRAM, AND THE OFFENDER SHALL BE CLEARLY EXPLAINED PRIOR TO OFFENDER PLACEMENT.

Commentary

The Working Agreement with Work Site (Form No. CS-01, Appendix A) outlines the basic responsibilities of the site and the program. This contractual agreement delineates the responsibilities of both agencies.

The responsibilities of the program include the following:

- (1) To provide an accident/medical insurance policy that covers all offenders with a community service order.
- (2) To complete a thorough screening of all offenders prior to referral for placement.
- (3) To send sufficient information on each offender to facilitate referral and placement at work site.

- (4) To designate a program staff contact person for the agency/site.
- (5) To conduct periodic site visits as staffing and time permits.
- (6) To inform the sites of potential inclusion in media releases.

The responsibilities of the site include the following:

- (1) To supervise the work of the offenders.
- (2) To send to the program a monthly report of hours completed and the attendance and conduct of each offender. This report is to be sent by the last day of each month.
- (3) To keep all information concerning the offenders strictly confidential.
- (4) To ensure that the use of offenders with a community service order will in no way reduce present staff nor preclude the hiring of additional personnel.
- (5) To designate an agency contact person through whom referrals will be made.
- (6) To give to each offender a clear explanation of site rules and expectations from the site contact or work supervisor.
- (7) To promptly dismiss an offender and immediately notify the program if:
 - (a) The offender appears to have taken alcohol or drugs prior to arriving at the site.
 - (b) The offender has committed an infraction of site rules.
 - (c) The offender is behaving uncooperatively or is repeatedly tardy or rude.

The site shall contact the program director and/or program staff with any problem or question about community service or an individual offender.

- (8) To inform the program about willingness to be identified as a placement site in media releases concerning community service.

STANDARD 2.7: THE OFFENDERS' PERFORMANCE AT THE PLACEMENT SITE IS TO BE MONITORED THROUGH MONTHLY REPORTS FROM THE SITE TO THE COMMUNITY SERVICE PROGRAM.

Commentary

Each program can determine how the information is to be obtained from the sites. A report form, indicating how many hours were

completed by each offender and rating each offender's work quality and attitude, has been used successfully by a number of programs to facilitate the gathering of this information. A sample form can be found in Appendix B.

STATISTICS

STANDARD 2.8: THE COMMUNITY SERVICE STATISTICAL REPORT (FORM NO. PR-26M, APPENDIX A) SHALL BE SUBMITTED MONTHLY TO THE ADMINISTRATIVE OFFICE OF THE COURTS NO LATER THAN THE 15TH OF THE MONTH FOLLOWING THE MONTH OF THE REPORT.

Commentary

The summary statistics to be kept are listed below:

- (a) All new offenders, by offender group;
- (b) All new hours ordered, by offender group;
- (c) All service hours performed each month;
- (d) All offenders who were discharged each month;
- (e) Total hours served by persons discharged each month who successfully completed the community service order;
- (f) Active cases--defined as the cases placed and working at a site; and
- (g) Inactive cases--defined as cases pending placement or pending court proceedings (having been returned to court).

SUCCESSFUL COMPLETION OF THE PROGRAM REQUIREMENTS

STANDARD 2.9: OFFENDERS WHO SATISFACTORILY COMPLETE THEIR COMMUNITY SERVICE OBLIGATION ARE TO BE DISCHARGED FROM THE PROGRAM.

Commentary

The offender shall remain under the supervision of the probation department if any conditions of probation remain outstanding and/or if the term of probation has not expired.

The total number of hours of service completed by each offender shall be recorded. (See Standard 2.7 and Standard 2.8, Section e.)

The court shall be informed of successful completion via the Community Service Report (Form No. CS-06, Appendix A).

It is recommended that the program establish a means for offender evaluation of the community service experience. A sample form for gathering this information is included in Appendix B.

UNSUCCESSFUL FULFILLMENT OF PROGRAM REQUIREMENTS

STANDARD 2.10: OFFENDERS WHO FAIL TO COOPERATE WITH EITHER PROGRAM STAFF OR SITE STAFF AND/OR FAIL TO APPEAR AT EITHER THE PROBATION DEPARTMENT OR PLACEMENT SITE WILL BE RETURNED TO COURT,

Commentary

An offender who fails to cooperate by not performing tasks satisfactorily or by not adhering to the rules set forth by the program or the site shall be returned to court. Failure to perform tasks should not be a reflection of the offender's capabilities or skills but rather reflect the offender's attitude and willingness to complete the tasks set forth by the placement site. A failure to cooperate is also failure to meet the minimum weekly hours of service as stated in the Community Service Conditions.

Two (2) missed appointments without an adequate explanation constitute a failure to appear.

The program director will advise the court of the program's recommendations regarding the offender in the notice returning the case to the court.

The Community Service Report (Form No. CS-06, Appendix A) shall be used to inform the court of the reasons for return of the case.

STANDARD 2.11: OFFENDERS WHO HAVE BEEN REJECTED FROM TWO (2) OR MORE PLACEMENT SITES SHALL BE RETURNED TO COURT,

Commentary

Placement sites can reject an offender upon their initial interview. Offenders are most often rejected at that time due to the nature of the offense. Sites may also dismiss or reject an offender who has behaved inappropriately or disruptively while in the process of working at the site.

Should an offender be returned to court as inappropriate after having been rejected by two (2) or more placement sites, it is recommended that the order for community service will be removed by the court.

STANDARD 2.12: OFFENDERS ARE RETURNED TO COURT IN THE FOLLOWING MANNER:

- (A) OFFENDERS ENROLLED IN PTI WHO FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE REFERRED TO THE PTI DIRECTOR, OR OTHER DESIGNATED OFFICER OR PERSON RESPONSIBLE FOR SUPERVISING PTI CASES WHO SHALL DETERMINE IF THE OFFENDER SHOULD BE RETURNED TO COURT FOR TERMINATION FROM THE PTI PROGRAM.

- (B) OFFENDERS GIVEN A COMMUNITY SERVICE ORDER BUT NOT PLACED ON PROBATION WHO FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE RETURNED TO COURT WITH A LETTER OF EXPLANATION.
- (C) OFFENDERS WHO ARE ON PROBATION AND FAIL TO SUCCESSFULLY COMPLETE THEIR COMMUNITY SERVICE HOURS SHALL BE CHARGED WITH A VIOLATION OF PROBATION (N.J.S.A. 2C:45-3) AND RETURNED TO COURT.

TRANSFER OF CASES

STANDARD 2.13: ALL OFFENDERS SHALL BE INTERVIEWED, IN PERSON OR VIA TELEPHONE, PRIOR TO ANY INTERCOUNTY TRANSFER OF CASE SUPERVISION BY THE COMMUNITY SERVICE PROGRAM STAFF.

Commentary

In order to facilitate transfer certain basic information must be obtained prior to transfer. (Indicated by an asterisk (*) on the Intake Form.) The Request for Transfer Form (Form No. CS-05, Appendix A) lists materials that should be included in a transfer package.

STANDARD 2.14: ALL INTERSTATE TRANSFERS OF PROBATION CASES WITH COMMUNITY SERVICE SHALL BE CONDUCTED THROUGH PROCEDURES ESTABLISHED IN THE PAROLE AND PROBATION COMPACT (ADULT) AND THE INTERSTATE COMPACT ON JUVENILES.

Commentary

Only those cases with a judgement of conviction or adjudication and a formal commitment to probation will be accepted for transfer through the Compacts.

Persons convicted under N.J.S.A. 39:4-50 for driving under the influence of alcohol or drugs (DUI cases) cannot be transferred through The Parole and Probation Compact UNLESS the offender received an order of commitment to probation.

The Community Service Directory for Interstate Compact Transfer provides a listing by state of community service programs. The directory includes the following information for each state:

- (1) If community services is an authorized disposition;
- (2) If the agency responsible for probation supervision can supervise a community service order; and
- (3) A contact person knowledgeable about community service in that particular state.

All interstate transfers of adult and juvenile probation cases are to be sent through the Probation Services division of the Administrative Office of the Courts. All materials and inquiries regarding Interstate Compact matters should be directed to:

Harvey M. Goldstein, Assistant Director for Probation
 Administrative Office of the Courts
 Richard J. Hughes Justice Complex
 CN-037
 Trenton, NJ 08625

Prior to interstate transfer, Community Service Program staff shall ascertain if community service is available in that state. Should community service not be available, the program staff should notify the court of origin regarding this issue.

In those instances where community service is ordered for out-of-state residents, offenders shall find their own placement at a public or private non-profit agency. (See "ADVISORY NOTE" following STANDARD 1.3 on Page 4.) The Director of Volunteers of that agency, or someone comparable, shall be asked to verify the placement to the Community Service Program director. This person shall, also, be requested to report the offender's hours served. Self-report shall be accepted only if verified by a designated agency contact person, such as the Director of Volunteers.

PUBLIC RELATIONS

STANDARD 2.15: THE COMMUNITY SERVICE PROGRAM SHALL KEEP THE PUBLIC INFORMED ABOUT THE PROGRAM'S SERVICE BY:

- (A) INITIATING AND MAINTAINING EFFECTIVE COMMUNICATIONS WITH ALL MEDIA IN THE COUNTY;
- (B) COOPERATING WITH REQUESTS OF THE MEDIA TO THE EXTENT PERMITTED BY LAW AND POLICY; AND
- (C) PRESENTING LECTURES TO PUBLIC GROUPS.

Commentary

The goal of a public relations campaign is to alert the public to the value and effectiveness of the Community Service Program. To that end, the Community Service Program is responsible for seeking media coverage to advise the community about the accomplishments of the program. One way of attaining this goal is through the issuance of press releases to the local newspapers. Another is to contact local cable television channels that offer community information programs. Of equal importance is public speaking engagements before service organizations and other public groups. (See STANDARD 2.17.)

STANDARD 2.16: THE COMMUNITY SERVICE PROGRAM SHALL KEEP ALL COURT PERSONNEL ADVISED ABOUT THE AVAILABILITY AND VALUE

OF A COMMUNITY SERVICE SENTENCE TO MAXIMIZE THE
APPROPRIATE USE OF THE COMMUNITY SERVICE ORDER.Commentary

Information given to court personnel shall include a statement about the offender's performance of the community service order. This includes notifying the court of both the successes and the failures of offenders given community service. The Community Service Report (Form CS-06, Appendix A) shall be used to give the court written feedback.

It is recommended that the Community Service Program director and/or staff arrange to speak at local meetings of municipal and superior court judges to keep them informed of Community Service Program operations and problems that may arise.

Probation department personnel shall be informed of the Community Service Program's functions. This will ensure that any recommendation to the court concerning a community service sentence will conform to program standards and objectives.

STANDARD 2.17: A CONTINUING PROGRAM OF SITE DEVELOPMENT SHALL BE
CONDUCTED BY THE COMMUNITY SERVICE PROGRAM.Commentary

With the increased use of community service sentencing, the need for on-going site development is critical. Continued program expansion necessitates increasing the number of placement sites available for use by the program.

Community support is, therefore, vital to the continuation of the program. This support can be fostered by a strong public relations campaign by the program.

At a minimum, the program should contact:

- (a) Potential public sites:
 - (1) Municipal, county, state and federal governmental agencies;
 - (2) Police and fire departments, first aid squads;
 - (3) School boards, hospitals, nursing homes; and
 - (4) YM-YWCA's, or YM-YWHA's, the Girl Scouts, the Boy Scouts, P.A.L.
- (b) Service organizations such as the Lions Club, Rotary Elks Club and Knights of Columbus.
- (c) Non-profit organizations.

APPENDIX A

THIS APPENDIX CONTAINS ALL FORMS ADOPTED FOR USE BY
THE COMMUNITY SERVICE PROGRAMS.

COUNTY PROBATION DEPARTMENT
COMMUNITY SERVICE PROGRAM
Working Agreement With Work Site

In its capacity as a non-profit organization or governmental agency, _____
(hereinafter referred to as the work site) agrees to consider
clients on referral from the Community Service Program for community service work.

Supervision of these clients will be provided by work site personnel. A monthly report of hours completed, attendance, and the conduct of referred individuals will be given to the program.

The Community Service Program agrees to screen all clients and provide sufficient information regarding the client to protect the interests of the work site. All information concerning the clients is confidential and will be safeguarded by the work site. The Community Service Program agrees to provide other assistance as needed to facilitate participation in the project.

The work site agrees to provide a safe working environment for the worker. Clear instructions will be provided which will enable the client to perform the community service task in a safe manner.

The Community Service Program provides accident/medical insurance for each referred client.

It is the mutual understanding of the Community Service Program and the above-named work site that involvement in this program will neither reduce the present staff nor preclude the hiring of additional personnel.

_____ This work site agrees to be identified to the media as a community service work site.

_____ This work site requests to be notified prior to being identified to the media as a community service work site.

Work Site Representative

Program Representative

Date

Date

Designated Site Contact Person

Name

Address

Mailing Address (if different)

Telephone Number

Commentary

The following forms are to be used by all municipal courts when sentencing offenders to community service. The form headed "Municipal Court Order" (AOC CS-02, Page iia) is used when sentencing an offender to perform community service. The two forms headed "State of New Jersey" (Pages iib and iic) are used when sentencing offenders convicted of driving under the influence of alcohol or drugs (N.J.S.A. 39:4-50).

The development of one uniform municipal court order is being studied by the Administration Committee of the Supreme Court Task Force on Municipal Courts. Until such time as a uniform order is issued, the following forms shall be used.

MUNICIPAL COURT ORDER

MUNICIPAL COURT OF _____ COUNTY OF _____

Summons or Complaint No.: _____
Docket No.: _____

vs.

Defendant

Whereas the defendant (plead guilty) (was convicted) on _____ for the offense(s) of _____ contrary to the provisions of N.J.S.A. _____ it is ORDERED that the above named defendant:

_____ Be placed on PROBATION for _____ (months) _____ (years) and comply with the standard conditions of probation pursuant to R. 3:21-7 of the Court Rules Governing Criminal Practice. (See reverse side.)

_____ Be placed on SUPERVISORY TREATMENT for _____ (months) _____ (years) under N.J.S.A. 24:21-27 (Conditional Discharge).

_____ Perform COMMUNITY SERVICE for a period of _____ (days) _____ (hours)

_____ Serve a JAIL sentence of _____. Starting: _____

_____ Complete an in-patient TREATMENT program at _____

_____ Pay a fine of \$ _____; Court costs of \$ _____; VCCB penalty of \$ _____

VCCB Penalty \$ _____ payable at the rate of \$ _____ per _____
_____ Through Probation _____ Direct to Court _____ Paid at Sentencing

Fine \$ _____ payable at the rate of \$ _____ per _____
_____ Through Probation _____ Direct to Court _____ Paid at Sentencing

Restitution \$ _____ payable at the rate of \$ _____ per _____
_____ Through Probation _____ Direct to Court _____ Paid at Sentencing

Restitution Beneficiary: _____
Name _____

Address _____

_____ Comply with other conditions of probation: _____
_____ The defendant's driving privileges are revoked for _____ (months) _____ (years).

It is further ordered that this community service is to be performed under the direction and supervision of the _____ County Probation Department.

Failure to comply with this order may be cause for returning this case to court for another disposition that may include sentence to a period of incarceration.

DATED: _____ JUDGE: _____

Defendant's Signature: _____ Date of Birth: _____

Address: _____

Social Security No.: _____ Telephone No.: _____

Driver's License No.: _____ Employer: _____

NOTE: Copy to: Court, Defendant and Probation

_____ County Probation Department

CONDITIONS FOR ADULTS ON PROBATION

You have been placed on probation by the Court for a period of _____ years. The Court, believing that you are capable of living a useful and law-abiding life in the community, has placed you on probation. Your being placed on probation is subject to your agreeing to comply, and your compliance with the conditions of probation provided below. If there is probable cause to believe that you have committed another offense or if you have been held to answer therefore, the Court may commit you without bail. You are required to notify promptly your probation officer if you are arrested at any time during the period you are on probation.

1. You will obey the law of the United States, and the laws and ordinances of any jurisdiction in which you may be.
2. You will report as directed to the Court or your probation officer.
3. You will permit the officer to visit your home.
4. You will answer promptly, truthfully, and completely all inquiries made by your probation officer and report any address or residence change to the officer.

If the change of address or residence is outside the county in which you are a probationer, you will advise your probation officer at least thirty (30) days in advance of such change.

5. You will cooperate in any medical and/or psychological examinations, tests, and/or counselling your probation officer recommends.
6. You will support your dependents, meet your family responsibilities, continue gainful employment, and promptly notify the officer when you change your place of employment or find yourself out of work.
7. You will not leave the State of New Jersey without permission of your probation officer.
8. You will not have in your possession any firearm or other dangerous weapon.

STATE OF NEW JERSEY

Municipal Court of _____
County of _____
(address)

Docket No. _____
Summons No. _____

ORDER

Imposing Penalty Provisions of
N.J.S.A.39:4-50 and Program Re-
quirements of the Intoxicated
Driver Resource Centers (IDRCs)

State of New Jersey

v.

Defendant

The defendant, _____, more fully described below, having been charged with a violation of N.J.S.A.39:4-50(a), on _____, 19 ____, and having been convicted of same on _____, 19 ____,
It is on this _____ day of _____, 19 ____ ORDERED that,

(COMPLETE AS APPLICABLE TO DEFENDANT'S SENTENCE)

1. Defendant shall pay a fine of \$ _____ and costs in the amount of \$ _____; and

2. Defendant shall be detained for a minimum of 12 hours during two consecutive days to be served as prescribed by the program requirements of the Intoxicated Driver Resource Centers. Defendant shall be notified by the IDRC/Bureau of Alcohol Countermeasures as to the place and time that the period of detainment will be served.

3. Defendant shall serve a term of imprisonment for _____ days to begin on _____, 19 ____ and to be served at _____, and

(Name and address of place of imprisonment)

4. Defendant shall serve a period of community service of _____, and:
(length of time)

It is further ORDERED that, Defendant shall be required to satisfy the screening, evaluation, referral and program requirements of the Bureau of Alcohol Countermeasures and of the Intoxicated Driver Resource Centers. Failure to satisfy such requirements shall result in a mandatory two day term of imprisonment in a county jail and a driver license revocation or suspension and continuation of revocation or suspension until such requirements are satisfied, unless stayed by court order in accordance with R.7:8-2 of the N.J. Court Rules or N.J.S.A.39:5-22.

Check this block if court waives per diem IDRC attendance fee.

Date: _____
Judge

I understand the consequences of failure to meet the requirements of the above referenced program. I further certify the following information is correct and acknowledge receipt of a copy of and understand this ORDER.

(Signature of Defendant)

(address) Driver License No. State

(zip) Date of Birth Eye Code Sex

Tele. No. () _____

cc: Court file
Defendant
County Probation Department
Division of Motor Vehicles, Bureau of Court Reports and Fines

STATE OF NEW JERSEY

Municipal Court of _____
County of _____

(address)

Docket No. _____
Summons No. _____

NOTICE TO DEFENDANT FOLLOWING
CONVICTION UNDER N.J.S.A.39:4-50(a)

(zip)
State of New Jersey

v.

Defendant

This is to inform you that as a person convicted of a violation of N.J.S.A. 39:4-50(a), operating or allowing operation by a person under the influence of liquor or drugs, that if you are convicted of driving while on the revoked list for a revocation imposed as a result of this conviction under N.J.S.A.39:4-50(a), you shall be subject to the penalties established by N.J.S.A.39:3-40 for that violation. Notwithstanding the other penalty provisions of N.J.S.A.39:3-40 for driving on the revoked list, the penalty for driving on the revoked list while under suspension for a violation of N.J.S.A.39:4-50(a) is a fine of \$500.00, an additional period of suspension of not less than one year nor more than two years and you may be imprisoned in the county jail for not more than 90 days.

This is to further inform you that as a person convicted of a violation of N.J.S.A.39:4-50(a), operating or allowing operation by a person under the influence of liquor or drugs, the penalties for a second offense under N.J.S.A.39:4-50(a), are a fine of not less than \$500 nor more than \$1000, and 30 days community service, and a term of imprisonment for not less than 48 consecutive hours, which term of imprisonment is not to be suspended or served on probation, nor more than 90 days and driver's license suspension for 2 years.

For a third or subsequent offense, the penalties are a fine of \$1000 and a term of imprisonment for not less than 180 days, except that the term of imprisonment may be lowered by up to 90 days serving community service and driver's license suspension for 10 years.

You have also been so informed concerning the above consequences orally in open court by the judge.

Date: _____

(Signature of Judge)

ACKNOWLEDGEMENT OF RECEIPT

I, _____, defendant, having been convicted of a violation of N.J.S.A.39:4-50(a) before the above referenced municipal court, hereby acknowledge receipt of a written notice of the penalties for driving on the revoked list while suspended for a violation of N.J.S.A.39:4-50(a) and also of the penalties for a second, third or subsequent violation of N.J.S.A.39:4-50(a). I have also been informed of these consequences by the judge orally in open court.

Date: _____

(Signature of Defendant)

cc: Court file

_____ COUNTY PROBATION DEPARTMENT

COMMUNITY SERVICE PROGRAM
INTAKE FORM

*Name: _____ *Date of Birth: _____ Age: _____

*Address: _____

How Long at this Residence: _____ *Home Phone No.: _____ Work Phone No.: _____

Means of Transportation: _____

Name, Address, Telephone Number & Relationship of Closest Relative: _____

Offense: _____ Court: _____

Judge: _____ Sentence: _____

*Health Problems/Allergies: _____

*Medications: _____

Any special problems (not indicated above) which might affect performance of Community Service: _____

Interests, Skills: (Check all appropriate.)

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Aide/Handicapped | <input type="checkbox"/> Electrical Skills | <input type="checkbox"/> Painting | <input type="checkbox"/> Visitor (Nursing Home) |
| <input type="checkbox"/> Animal Care | <input type="checkbox"/> Food Service | <input type="checkbox"/> Recreation Aide | <input type="checkbox"/> Young Adults |
| <input type="checkbox"/> Carpentry | <input type="checkbox"/> Health Service | <input type="checkbox"/> Senior Citizens | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Child Care | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Teaching | _____ |
| <input type="checkbox"/> Classroom Aide | <input type="checkbox"/> Library | <input type="checkbox"/> Telephone Work | _____ |
| <input type="checkbox"/> Clerical | <input type="checkbox"/> Maintenance | <input type="checkbox"/> Tutoring | _____ |
| <input type="checkbox"/> Crafts | <input type="checkbox"/> Music | <input type="checkbox"/> Typing | _____ |

Special Skills: _____

Religious & Community Organizations: _____

Present or Previous Volunteer Work: _____

Days & Times Available for Community Service Work: _____

*Must be included for client transfer.

_____ COUNTY PROBATION DEPARTMENT

COMMUNITY SERVICE PROGRAM
INTAKE FORM (Cont'd.)

*Name: _____ *Date of Birth: _____ Age: _____

*Address: _____

*Social Security No.: _____ *Place of Birth: _____

Sex: _____ Race: _____ Height: _____ Weight: _____ Color Hair: _____ Eyes: _____

Marital Status: _____ No. of Children: _____ Ages: _____

*PRIOR RECORD

Date of Arrest: _____ Place: _____

Charge: _____ Disposition: _____

On Probation Now: _____ Officer: _____

*Drug/Alcohol Problem: _____ Treatment: _____

*Psych./Emotional Problem: _____ Treatment: _____

EDUCATION

Grade Reached: _____ Attending School Now: _____ Hours: _____

Where: _____

G.E.D.: _____ Where: _____

*EMPLOYMENT

Employer: _____

Address: _____

Date Employed: _____ Salary: _____ Work Days & Hours: _____

Trade or Profession: _____

*Must be included for client transfer. Include additional prior record information on separate sheet.

COUNTY PROBATION DEPARTMENT
COMMUNITY SERVICE PROGRAM

Community Service Conditions and Release of Information

I, _____, having been (convicted of) (charged with) _____ in _____ Court, understand that I am required to perform _____ days, or _____ hours, of Community Service work.

I understand that as a participant in the Community Service Program, I am not an employee of the County and, therefore, am not entitled to employee benefits including Workmen's Compensation Coverage. I am covered by an accident/medical expense insurance policy. Notice of injury must be given to Community Service staff within 24 hours of the accident. I must provide verification that the injury was related to the performance of Community Service.

I agree to give the Community Service staff permission to release information about me to participating agencies. Community Service staff employees have the authority to assign me to a work site and to supervise the work performed. Community Service staff will be notified immediately of any change of job, residence, telephone number, or health condition. Inquiries from Community Service staff will be answered promptly and truthfully.

I am expected to perform a minimum of _____ hours of Community Service per week. I must report at the time assigned and notify the agency in advance whenever I am unable to appear for work. Any extended absence for illness will be documented by a physician's note.

While at the work site, I will be cooperative, courteous and reliable, and obey all rules and directions. I understand that I am not to report to a work site having consumed alcohol or used illegal drugs. I am responsible for ensuring that a record of Community Service hours is accurately maintained. Agencies will report my work progress to the Community Service Program and this information will be made available to the court.

I understand that failure to comply with the rules and procedures of the program and participating agencies may be cause for returning my case to court for another disposition that may include sentence to a period of incarceration.

The above has been explained to me and I have been provided with a copy of this document.

DEFENDANT

PROBATION OFFICER

DATE

REQUEST FOR TRANSFER OF COMMUNITY SERVICE CLIENT

_____ COUNTY, NEW JERSEY

TO:

RE: _____

DATE: _____

The above-mentioned appeared in _____ Court on _____ to be sentenced on the following charge(s):

At that time the client was ordered to perform _____ hours of community service.

Since the client resides at _____ (Telephone Number: _____), we are requesting that your county assume supervision of this individual. The client has been advised of his/her obligations regarding community service. The client has been informed that failure to cooperate fully may result in the return of this case to court. Enclosed are the following forms:

- _____ Municipal Court Order/Judgement of Conviction
- _____ Community Service Program Intake Form
- _____ Community Service Conditions and Release of Information
- _____ Presentence Report
- _____ Other _____

Please acknowledge receipt of the above-mentioned materials by returning a copy of this letter, signed and dated below. Thank you for your anticipated cooperation.

Respectfully yours,

cc: Client

Acknowledgement of Materials Received:

Date: _____

Signature

COMMUNITY SERVICE REPORT

TO: _____
FROM: _____ County Community Service Program
DATE: _____

RE: _____
Docket No.: _____
Charge: _____
Court Date: _____

PLEASE BE INFORMED THAT: (Check appropriate lines and fill in the blanks.)

____ Client has completed the community service requirement of _____ hours
at: _____
Client's performance was rated:

____ Client's performance in community service has been unsatisfactory because:

____ Client is inappropriate for community service because:

THEREFORE WE:

- ____ Are closing our interest in this case.
- ____ Recommend returning the client to court.
- ____ Recommend the following action: _____
- ____ Other _____

PLEASE ADVISE THIS OFFICE OF COURT ACTION.

Respectfully submitted,

Community Service Statistical Report

COUNTY _____

PART M

MONTH ENDING _____

19____ YEAR

REPORT OF COMMUNITY SERVICES SUPERVISION (Unit of Count - Cases & Hours)

Forward by 15th Day of Following Month to: Supervision Services Administrative Office of the Courts CN-037, Trenton, NJ 08625	SUPERIOR COURT				MUNICIPAL COURT			TOTAL
	PTI	CRIM.	FAMILY PART JUV.	CRIM.	DUI	MOTOR VEH.		
1. TOTAL FROM PREVIOUS MONTH								
2. <u>CASES ADDED THIS MONTH</u>								
a. Received from home county								
b. Transfer in - other county								
c. Transfer in - other state								
d. Transfer returned								
e. Total (sum a thru d)								
f. NEW HOURS ORDERED THIS MONTH (from a only)								
3. <u>CASES SUBTRACTED</u>								
a. Returned as inappropriate								
b. Discharged - hours completed								
c. Discharged-hours not completed								
d. Transfer out - other county								
e. Transfer out - other state								
f. Total (sum a thru e)								
g. TOTAL HOURS SERVED WHILE IN PROGRAM (from b only)								
4. <u>CASES REMAINING</u>								
a. TOTAL								
b. Inactive								
c. Active								
d. TOTAL HOURS SERVED THIS MONTH								
5. TOTAL PLACEMENT SITES AVAILABLE								

Administrative Office of the Courts
PR-26M
5/84

COMPLETED BY _____

TELEPHONE _____

COMMUNITY SERVICE STATISTICAL REPORT

Section 1. TOTAL FROM PREVIOUS MONTH--the figures are to be taken from Section 4, line "a" of the previous months report.

Section 2. CASES ADDED THIS MONTH:

- a. Received from home county: all cases received from own courts, JCC's or Intake Conferences.
- b. Transfer in - other county: cases transferred from another county.
- c. Transfer in - other state: cases transferred from another state.
- d. Transfer returned: all cases returned from other counties as "inappropriate" or "discharged - hours not completed".
- e. Total: sum of a thru d.
- f. NEW HOURS ORDERED THIS MONTH: reflects newly sentenced cases, therefore compute only from cases listed under "a".

Section 3. CASES SUBTRACTED:

- a. Returned as Inappropriate: all cases removed as a result of inability to place, or deemed inappropriate for placement by Program Director. This would occur before any hours were served.
- b. Discharged - hours completed: cases removed after performance of all hours ordered by court; including out-of-county, out-of-state cases.
- c. Discharged - hours not completed: cases removed having not performed all of the hours ordered by court; including out-of-county and out-of-state cases.
- d. Transfer out - other county: cases transferred to another county for supervision.
- e. Transfer out - other state: cases transferred to another state for supervision.
- f. Totals - sum of a thru e.
- g. TOTAL HOURS SERVED WHILE IN PROGRAM: from line "b" only; used to reflect hours ordered and successfully completed.

Section 4. CASES REMAINING:

- a. TOTAL: will reflect all cases under supervision on the last day of the month. (1 plus 2e minus 3f)
- b. Inactive cases: all cases not performing community service this month; including newly received cases and cases returned to court.
- c. Active: all cases placed at a site, performing community service.

Section 5. TOTAL PLACEMENT SITES AVAILABLE--reflects all sites available for use by the program. If possible also note sites in use for current month.

TOTAL AVAILABLE
TOTAL IN USE

PHYSICAL LIMITATION STATEMENT

As a condition of your court order, you are required to complete _____ hours of service for a public or private non-profit agency. You may be assigned to undertake a variety of tasks during the course of this service.

Assignment will be based upon your skills, interests, abilities, schedule and physical condition. In order to properly assign you, we require a precise description of any physical limitations, handicaps or disabilities you may have.

If you have any condition which limits your work ability in any way, please describe this condition and the manner in which you are restricted. (Continue on the back if necessary.)

Please list the name, address and telephone number of a physician who can verify the above.

NAME _____ How long have you been under this
ADDRESS _____ physician's care? _____

TELEPHONE NO. _____

I attest that the above statements are true to the best of my knowledge and AUTHORIZE the release to the _____ County Probation Department of all medical records or other information necessary to verify these statements.

APPENDIX B

THIS APPENDIX CONTAINS ADDITIONAL FORMS SUGGESTED FOR
USE BY THE COMMUNITY SERVICE PROGRAMS.
THEIR USE IS NOT REQUIRED.

COMMUNITY SERVICE PROGRAM

CLIENT EVALUATION

1. Did your Community Service worker explain the program clearly to you?
2. Were you satisfied with your placement? If yes, why? If no, why?
3. How many hours did you complete?
4. What type of work did you do?
5. Have you ever been placed on probation?
6. Did you prefer Community Service work over regular probation reporting? If yes, why? If no, why?
7. Did you feel comfortable at the work site? If yes, why? If no, why?
8. Did you cooperate with the placement agency by being prompt, working productively and following instructions?
9. I liked Community Service work because:

COMMUNITY SERVICE PROGRAM
CLIENT EVALUATION (Continued)

10. I disliked Community Service work because:
11. What do you think is the purpose of Community Service?
12. Which category applies to you? (Check one.)
- a.) PTL - Community Service _____
 - b.) Driving Under the Influence (DUI) - Community Service _____
 - c.) Juvenile - Community Service _____
 - d.) Superior Court - On Probation with Community Service _____
 - e.) Municipal Probation - Community Service _____
13. What did you learn from this experience?
14. Do you have any recommendations regarding the Community Service Program?

CLIENT'S NAME: _____