

DOES SENTENCING FELONY PROBATIONERS TO COMMUNITY SERVICE
AFFECT RECIDIVISM AND ECONOMIC SANCTION COMPLIANCE?:
A FOUR-YEAR LONGITUDINAL STUDY

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Preparation of this report was supported in part by
National Institute of Corrections Grant GY-2
to the Harris County Adult Probation Department.

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ABSTRACT

Proponents of community service sanctions contend that it fulfills the penal functions of retribution, reparation, and deterrence. In order to examine these assumptions, the effects of community service sentences on recidivism and compliance with economic sanctions (e.g., supervision fees, restitution fees, fines) were evaluated. A comparison study of probationers in standard supervision and those assigned to community service was conducted, using randomly selected felony probationers at risk for 48 months. While the findings showed no significant differences in law violation revocations, there was evidence that a higher percentage of persons sentenced to unpaid community service successfully terminated probation during the study period and paid higher restitution fees. Persons charged with miscellaneous crimes such as fraud, forgery, and credit card abuse did better when sentenced to community service than similar offenders subjected to standard probation supervision alone. Discriminant analysis also revealed that first offenders, whites and Hispanics, and those charged with drug and miscellaneous crimes were more likely to be sentenced to community service than standard probation supervision. The cost effectiveness of community service sentencing is presented, and guidelines for this form of restitution are discussed.

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EXECUTIVE SUMMARY

Proponents of community service sanctions contend that it fulfills the penal functions of retribution, reparation, and deterrence. In order to examine these assumptions, the Harris County Adult Probation Department's Research section evaluated the effects of community service sentences on recidivism and compliance with economic sanctions (e.g., supervision fees, restitution fees, and fines).

The study population consisted of 336 felony probationers, 102 of whom were ordered by the court to participate in a Community Service Option Program (CSOP) and 234 of whom were randomly selected from the population of probationers subject to standard probation supervision. All subjects were placed on probation between May 1984 and August 1984 and tracked for a minimum of four years.

Significant Findings:

1. Probationers convicted of drug related offenses and miscellaneous crimes such as fraud, forgery, and credit card abuse were more likely to be assigned CSOP than those probationers charged with theft or crimes against the person.
2. Probationers charged with crimes of theft were significantly more likely to fail on CSOP than those convicted of any other crime.
3. Among first offenders charged with miscellaneous crimes such as fraud, forgery, and credit card abuse, CSOP probationers had a higher success rate than Standard Supervision probationers. This was not found for those charged with crimes against the person, theft, or drug offenses.

4. There were no significant differences in recidivism (measured in law or technical violations) between CSOP and Standard Supervision cases.
5. The percentage of successfully terminated cases during the study period was higher for the CSOP sample than the Standard Supervision sample. However, there was no significant difference in average months on probation.
6. CSOP probationers paid 55% more in average total fees than Standard Supervision probationers (CSOP Mean=\$1599; Standard Probation Mean=\$1034).
7. The current monthly cost to the Probation Department for subsidizing CSOP probationers is \$4.51. The study findings showed that CSOP cases generated an average of \$20 more per month in total fees than Standard Supervision. This represents a net gain of over \$15 per month. In addition, the average monetary value of services performed per month by CSOP participants was \$63.

Major Recommendations:

1. Expand CSOP to include more probationers assessed restitution fees and those currently sentenced to jail who are convicted of non-violent crimes such as fraud, forgery, and credit card abuse.
2. Use CSOP as a mechanism to reduce the fees of economically disadvantaged offenders delinquent in fee payments by offering some financial credit for hours completed in community service.

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INTRODUCTION

Ordering offenders to perform unpaid community service as an alternative to prison began in Great Britain in the late 1960's (Bergman, 1985). It was first formalized in the United States in 1966, when California's Alameda County judges sentenced indigent women who violated traffic and parking laws to work in the community (McDonald, 1988a). Unlike other forms of restitution, such as cash payments made to victims or repayment made in the form of service to the victims, community service is "individually designed and the offender is placed at a site as an individual" (Galaway, 1988:4). Presently, the majority of states have legislation giving juvenile courts specific authority to order offenders to participate in community programs in lieu of incarceration or as a condition of probation (Lenhart, 1986). It is estimated that between 250 and 500 adult restitution and community service programs operate nationally (McDonald, 1988a). Such programs, whether operated by the courts, probation departments, or nonprofit private organizations, provide thousands of man-hours of service to agencies ranging from public hospitals to food banks.

Unfortunately, as Harris points out, "most accounts of program experience do not go much beyond reporting the number of persons who have been sent to programs, the proportion who completed their required hours... and similar descriptive information" (1987:3). The purpose of this study was to transcend the limitations of traditional research in this area through an analysis and comparison of the outcome of probationers sentenced and not sentenced to perform community service. The assumptions that community service sanctions fulfill the functions of retribution, reparation, and deterrence were examined within a large metropolitan jurisdiction (Houston, Texas). The impact of community

service operations on various economic sanctions, such as supervision fees, restitution fees, and fines was also examined.

LITERATURE REVIEW

Some criminal justice practitioners and scholars contend that the intrinsic value of community service is found in the work experience, job skills, and socialization opportunities gained by participants (Hendrickson, 1982; McDonald, 1988a). Others, while acknowledging the possibility of rehabilitative benefits, regard community service as a form of creative restitution, a mechanism to fulfill the functions of retribution and deterrence (Eglish, 1959; Newton, 1979; Nidorf, 1988).

Controlled studies assessing the effectiveness of community service orders (CSO) in reducing recidivism or jail populations are rare and inconclusive. An early longitudinal study in Great Britain found similar reconviction rates, after one year at risk, between offenders who participated in CSO and a group recommended for, but not given this option (Great Britain Home Office, 1976). A review of CSO in South Australia reported that most offenders liked the work, but the data indicated that CSO did not rehabilitate (South Australian Office of Crime Statistics Law Department, 1984). Controlled studies offer no evidence that such sentencing significantly reduces recidivism (McDonald, 1986b; Brownstein, Jacobs, and Manti, 1984).

Research findings in the United States suggest that the courts use community service sentencing as a means of reducing jail populations and as an additional sanction for persons not incarcerated (e.g., probation). For example, Umbiert (1981) ascertained that community service sentencing diverted 50 percent of offenders from jail. Another survey in England found that while CSO represents ten percent of probation caseloads, these orders have failed to make dramatic reductions in the prison population (National Association of Probation Officers, 1981). It should be noted that most evaluations are limited to misdemeanor offenders and short follow-up periods.

Since community service sentencing has important policy implications for incarceration decisions and supervision strategy of community based correctional programs, the authors undertook a four year follow-up evaluation of felony probationers ordered to perform community service

and those not participating in these programs. The analysis focused on the effects of community services on both recidivism and fee collections.

METHODOLOGY

Description of the Agency. The Harris County Adult Probation Department is the largest probation department in Texas. Located in Houston, the agency is responsible for the direct supervision of over 27,000 probationers, 53% of whom are felony offenders. By law, judges may order offenders to complete community service as a condition of probation while placed in a restitution center or supervised in the community (Texas Code of Criminal Procedure). In fiscal 1988, the Harris County Adult Probation Department allocated \$180,000 to the Houston Community Service Option Program (CSOP). CSOP received referrals from 22 state district criminal courts trying felony cases, 14 county criminal courts hearing misdemeanor cases, and 10 federal courts. Currently, CSOP manages a caseload of 3,400 persons performing community service restitution to 216 non-profit organizations in Houston and Harris County, Texas. Its annual budget is \$322,000. As of October 1988, nearly 3,800 persons have provided 312,000 hours of unpaid service to the community at an estimated value of \$1.1 million (Hendrickson, 1988).

Sample. The sample consisted of felony probationers processed by the Harris County Adult Probation Department between May 1984 and August 1984. Groups were created to provide information regarding the effects of community service sentences on recidivism and fee collections. Two groups served in this analysis: a 15 percent (N=234) randomly selected sample of total probationers subjected to only Standard Supervision, and all felony probationers (N=102) assigned to the Community Service Option Program in addition to Standard Probation Supervision during this period.

Analysis. Two levels of analyses were undertaken. The first consisted of discriminant analyses to identify variables which predicted group assignment (CSOP or Standard Probation) and probation outcome. The second analysis was at a descriptive level. Descriptive data were used to compare probation outcome of the CSOP and Standard Supervision Probation study samples. Both continuous and categorical variables were included. A total of nine predictors were used across all analyses.

The type *of* crime for which an offender had been granted probation was assigned four values: person (charge=1), theft (charge=2), drug (charge=3), and other (charge=4). A continuous variable represented the **number of prior felony convictions** a probationer had had.

The variables age, sex, **education**, and **race** were also included in the analyses. Age refers to the probationer's age at the time of the study. A dichotomous variable represented education: less than high school (education=0) and high school or more (education=1). The variable race had three values: black (race=1), white (race=2), and Hispanic (race=3).

Several variables were included to evaluate the outcome of probationers. The variable **outcome** was assigned eight values: under supervision (outcome=0), successful termination (outcome=1), transfer (outcome=2), unsuccessful termination (outcome=3), probation revoked due to a technical violation (outcome=4), probation revoked due to a law violation (outcome=5), absconder (outcome=6), MRP pending (outcome=7), and other (outcome=8). Those subjects with an outcome value of 0, 1, or 2 were classified as successful (**flag** =1), while those with one of the remaining five values were classified as unsuccessful (**flag** =0). To evaluate the impact of community sentences on economic sanctions, the amount of fees assessed and collected for four types of fees was examined: supervision, restitution, attorney, and miscellaneous fees and fines (e.g., child support, crime stoppers).

Three variables were specific to the CSOP sample and the analysis of this sample: **placement**, **community service hours**, and **marital status**. The variable placement refers to the organization in which the probationer was placed in fulfillment of his or her community service requirements. The categorization of placements resulted in ten values: hospital (placement=1), YMCA (placement=2), community center (placement=3), SPCA (placement =4), food bank (placement=5), other (placement=6), unknown (placement=7), Arthritis Foundation (placement=8), Harris County Adult Probation Department (placement=9), and thrift shops (placement=10). A continuous variable represented the number of community service hours a probationer had worked to date. The variable representing marital status had four values: single (mstatus=1), married (mstatus=2), divorced (mstatus=3), and widowed (mstatus=4).

FINDINGS ON FELONY PROBATIONERS AFTER FOUR YEARS AT RISK

Prediction of Community Service Assignment

A discriminant analysis was conducted to identify variables that predict whether a probationer was assigned community service by the court. The predictors included in this analysis were coded as follows:

1. Charge (person, theft, drug, and other conviction)
2. Prior felony convictions (continuous variable)
3. Education (less than high school and high school or more)
4. Race (black, white, and Hispanic)
5. Age (continuous variable)
6. Sex

The results of the two-group stepwise discriminant analysis yielded a significant discriminant function (Wilks' Lambda = .98, $p < .05$). The variables retained by the stepwise function were **charge**, **number of prior felony convictions**, and **race**. Table 1 shows the social and legal characteristics of the CSOP and Standard Supervision groups. Frequency analysis of the variable charge showed that 24.3% of personal offenders (N=37), 27.1% of theft offenders (N=177), 32.6% of drug offenders (N=86), and 47.2% of those convicted of other crimes, such as fraud, forgery, and credit card abuse (N=36), were assigned to CSOP. Therefore, it would seem that probationers convicted of drug related offenses and "other" crimes were significantly more likely to be assigned CSOP than those probationers convicted of crimes against the person and theft.

As a whole, the sample used for this project consisted of probationers with few prior felony convictions. However, the number of prior felony convictions was also found to be a significant predictor of CSOP assignment. Frequency analysis showed that probationers assigned CSOP tended to have fewer prior felony convictions. Over 93% (N=95) of the CSOP sample consisted of probationers with no prior felony convictions; 5.9% had one prior conviction (N=6), and 1.0% had two prior convictions (N=1). The Standard Probation sample consisted of 87.5% probationers with no prior felony convictions (N=203), 9.9% with one prior conviction (N=23), and 2.6% with three prior convictions (N=6). Therefore, probationers with fewer prior felony convictions were significantly more likely to be assigned CSOP than probationers with more felony convictions.

Table 1.Social and Legal Characteristics of Felony Probationers: Community Service Sample vs. Standard Supervision Sample.

Variable Name	Community Service		Standard Supervision	
	N	percent	N	percent
Number prior convictions				
0	95	93.1	203	87.5
1	6	5.9	23	9.9
2	1	1.0	6	2.6
Education				
Less than high school	45	44.1	109	46.6
High school or more	57	55.9	125	53.4
Charge				
Person	9	8.8	28	12.0
Theft	48	47.1	129	55.1
Drug	28	21.5	58	24.8
Other	17	16.7	19	8.1
Sex				
Male	85	83.3	184	78.6
Female	17	16.7	50	21.4
Race				
Black	24	23.5	93	40.3
White	58	56.9	99	42.9
Hispanic	20	19.6	39	16.9

Frequency analyses showed that 20.5% of blacks (N=117), 36.9% of whites (N=157), and 33.9% of Hispanics (N=59) were assigned to CSOP. Therefore, whites and Hispanics were more likely to be assigned CSOP than blacks.

Prediction of Probation Outcome for CSOP Probationers

A second discriminant analysis was conducted to identify the variables that predict whether a probationer assigned to CSOP was successful or unsuccessful. Probationers who had had their probation revoked or a motion to revoke pending for a technical violation, law violation, or

absconding were classified as unsuccessful. Persons who successfully terminated probation or were under supervision at the end of the **study** were defined as successful. The variables included in this analysis were coded as follows:

1. Charge (person, theft, drug, and other conviction)
2. Prior felony convictions (continuous variable)
3. Education (less than high school and high school or more)
4. Race (black, white, and Hispanic)
5. Age (continuous variable)
6. Sex
7. Placement (hospital, YMCA, community center, SPCA, food bank, arthritis foundation, Harris County Adult Probation, thrift shops, other)
8. Community service hours (total number of hours completed at time of study)
9. Marital status (single, married, widowed, and divorced)

The results of the two-group stepwise discriminant analysis showed that one variable was a statistically significant predictor of outcome. The variable retained by the stepwise function was charge. This variable yielded a significant discriminant function (Wilks' Lambda=.94, $p < .01$).

Frequency analysis of the retained variable showed that 33.3% of those charged with crimes against the person (N=9), 60.4% of theft offenders (N=48), 33.3% of drug offenders (N=27), and 17.6% of those convicted of other miscellaneous crimes (N=17), had an unsuccessful probation outcome. Therefore, it seems that probationers convicted of theft are more likely to fail in the Community Service Option Program than those convicted of any other crime.

Prediction of Outcome for Probationers Receiving Only Standard Supervision

The first six variables used in the prediction of success for CSOP probationers were used in a similar analysis of the Standard Supervision probationer sample. The results of the two-group stepwise discriminant analysis showed that three variables were statistically significant predictors of outcome for Standard Supervision probationers. The variables retained by the stepwise function were **race**, **sex**, and **education**.

These variables yielded a significant discriminant function (Wilks' Lambda=.94, $p < .01$).

Frequency analysis of the variable race showed that 39.4% of white probationers (N=99), 69.9% of black probationers (N=93), and 59.0% of Hispanics (N=34), had a negative probation outcome. Therefore, blacks and Hispanics were significantly more likely to be unsuccessful on Standard Probation. Frequency analysis of the retained variable sex showed that 48.0% of female probationers (N=50) and 56.5% of male probationers (N=184) had a negative probation outcome. Therefore, it would seem that men are significantly more likely to fail on Standard Probation than women. Frequency analysis of the education variable showed that 48.6% of probationers with less than a high school education (N=109) and 37.6% of probationers with a high school education or more (N=125) had a negative probation outcome. Therefore, probationers with less than a high school education were significantly more likely to fail on Standard Probation than those with an education of high school or more.

Probation Outcome: Community Service Sentences vs. Standard Probation Supervision

It was found that charge, race, and number of prior felony convictions were significant predictors of CSOP assignment. Therefore, the two study groups are clearly different with regard to these (and possibly other) variables, and cannot be compared directly. Due to this limitation, any conclusions made must take into account the exploratory nature of these data. The following information, however, is provided for descriptive purposes. The data has been limited to only those probationers with no prior felony convictions.

After a four year follow-up period, a higher proportion of first offender CSOP probationers successfully terminated probation compared to persons assigned to Standard Probation Supervision (CSOP=45.3%; Standard Probation=29.6%). These data are shown in Table 2. Additionally, a higher percentage of probationers subjected to Standard Supervision remained under probation supervision at the end of the study period compared to CSOP probationers (CSOP= 11.6%; Standard Probation=27.1%). Further analysis of successfully terminated cases only revealed that CSOP cases were supervised an average of 27.3 months, compared to an average of

28.8 months for Standard Supervision cases. Few differences were observed in recidivism or negative outcome. A slightly higher percentage of CSOP probationers had their probation revoked due to a technical violation such as failure to report, non-payment of fees, or positive drug test results, compared to probationers under Standard Supervision (CSOP=13.7%; Standard Probation=8.9%). Both groups had nearly identical law violation revocations (CSOP=23.2%; Standard Probation=25.1%).

Table 2.

Probation Outcome of First Offender Felony Probationers:
Community Service Sample vs. Standard Supervision Sample.

Outcome	Community Service		Standard Supervision	
	N	percent	N	percent
Under supervision	11	11.6	55	27.1
Successful termination	43	45.3	60	29.6
Technical violation revocation	13	13.7	18	8.9
Law violation revocation	22	23.2	51	25.1
Absconder	0		11	5.4
Motion to revoke pending	6	6.2	8	3.9
Total	95	100.0	203	100.0

Eleven probationers from the Standard Probation group absconded (5.4%), compared to none from the CSOP group. The CSOP group, however, had a higher percentage of motion to revoke probation pending than those subjected to Standard Probation Supervision (CSOP=6.2%; Standard Probation=3.9%).

It is interesting to note that when comparing the outcome of first offenders in the CSOP and Standard Probation samples, CSOP probationers fared better in only one charge category, “other”, which included persons charged with crimes such as fraud, forgery, and credit card abuse (See

Table 3). CSOP probationers in this category had a success rate of 82.4% compared to 61.1% for those in the Standard Supervision group. Probationers charged with crimes against the person, however, did far better in Standard Supervision than similar offenders subjected to CSOP (CSOP=66.7%; Standard Probation=83.3%). Also, Standard Supervision probationers charged with theft had a higher success rate than their CSOP counterparts (CSOP=40.0%; Standard Probation=46.1%). Little difference in success rate was found between CSOP and Standard Supervision drug offenders (CSOP=66.7%; Standard Probation=67.4%).

Table 3

Outcome of First Offenders: Community Service Sample vs. Standard Supervision Sample by Charge

Charge	Community Service		Standard Supervision	
	Success N percent	Failure N percent	Success N percent	Failure N percent
Person	6 66.7	3 33.3	20 83.3	4 16.6
Theft	18 40.0	27 60.0	53 46.1	62 53.9
Drug	16 66.7	8 33.3	31 67.4	15 32.6
Other	14 82.4	3 17.6	11 61.1	7 38.9

Community Service Option Program Activity

The types of community service placements used by CSOP for Harris County felony probationers varied. Analysis showed that the highest percentage of successfully terminated probationers were assigned to work at YWCA's (20.5%, N=9). Community centers (18.2%, N=8) and food banks (15.9%, N=7) ranked second and third, respectively. (See Table 4).

At the end of the study period, successfully terminated CSOP probationers completed an average of approximately 504 hours of service. Using the minimum wage rate of \$3.52 per hour, this represents a monetary value of at least \$1,774.08.

Table 4.Summary of Community Service Assignment and Hours Completed by Harris County Felony Probationers.*

Variable	N	percent
Placement		
YMCA	9	20.5
Community center	8	18.2
Food bank	7	15.9
Other	6	13.6
Hospital	5	11.4
Arthritis Foundation	3	6.8
SPCA	2	4.5
Harris County Probation	2	4.5
Thrift shops	2	4.5
Hours Completed		
50 to 120	8	18.2
121 to 240	12	27.2
241 to 600	11	25.1
601 to 1200	8	18.2
1200 or more	5	11.3

* Successfully terminated cases only.

Evaluation of Economic Sanctions in Community Service Sentencing

All felony probationers were subject to at least one of five possible economic sanctions: supervision fees, restitution fees, attorney fees, fines, and other miscellaneous fees (e.g., crime stoppers, court costs). For the purpose of this study, detailed data on each type of sanction were analyzed for successfully terminated cases in both groups. These results appear in Table 5.

Table 5Summary of Economic Sanctions Assessed and Paid: Successfully Terminated CSOP vs. Standard Supervision Felony Probationers.

Sanction Type	ASSESSED				PAID			
	<u>Standard</u>		CSOP		<u>Standard</u>		CSOP	
	N	M	N	M	N	M	N	M
Supervision Fees	69	\$ 424	44	\$ 416	69	\$ 424	44	\$ 416
Restitution Fees	13	\$1687	11	\$3629	13	\$1583	11	\$3574
Attorney Fees	14	\$ 403	2	\$ 467	14	\$ 298	2	\$ 200
Fines	23	\$ 877	12	\$1015	23	\$..695	12	\$ 631
Other	9	\$ 329	11	\$1042	9	\$ 153	11	\$ 432
<u>Total</u>	69	\$1159	44	\$1882	69	\$1034	44	\$1599

Virtually all cases were assessed a supervision fee of \$15 per month during the probation period. In that the amount paid is a function of supervision time, the average amount assessed and paid within each group was the same. Twenty-five percent of CSOP probationers were also assessed an average restitution fee of \$3629. This is compared to an average of \$1687 for the Standard Supervision probationers assessed this fee. This difference in restitution assessment is also reflected in the average amount paid (CSOP= \$3574; Standard Probation= \$1583).

Only five percent of CSOP cases were assessed attorney fees, compared to 20 percent of those subjected to Standard Probation Supervision. CSOP probationers were assessed a higher average attorney fee (Mean=\$467) than Standard Supervision probationers (Mean=\$403), but actually paid less than the probationers under Standard Supervision (CSOP Mean=\$200;

Standard Probation Mean=\$298). A third of the Standard Probation Supervision sample was assessed a fine compared to 27 percent of those sentenced to community service. Again, CSOP cases were assessed a higher fine (Mean=\$1015) than Standard Probation Supervision cases (Mean=\$877), but paid a lower average amount (CSOP Mean=\$631; Standard Probation Mean=\$695). In addition, a disproportionate number of CSOP cases were assessed miscellaneous fees compared to Standard Probation Supervision cases (CSOP=25%; Standard Probation=13%). The mean of these fees was higher for the CSOP sample (CSOP Mean=\$1042; Standard Probation Mean=\$329). In terms of average total fee payments of successfully terminated cases, CSOP probationers paid an average of \$1599 and Standard Supervision probationers paid an average of \$1034, a difference of 55 percent.

These differences in assessment and payment were attributable to type of crime and economic status of probationers. The CSOP population had a greater representation of offenders charged with non-personal crimes such as forgery, credit card abuse, and drug offenses. This population was also predominantly white and better educated, factors which contributed to their ability to earn money to pay fees and fines, as well as to pay for private rather than court-appointed attorneys.

DISCUSSION AND POLICY IMPLICATIONS

The purpose of this study was to correct the weaknesses of traditional descriptive studies in the area of alternative sentencing and provide an evaluation of the impact of CSOP on probation outcome and compliance with economic sanctions. With this purpose in mind, the ideal research design would allow each offender an equal chance of being sentenced to imprisonment, probation, community service, or a combination of community service and probation supervision. If persons sentenced to only community service consistently demonstrated lower recidivism and higher fees paid, a strong case could be made for accepting community service as a superior sanction. However, the non-random assignment of offenders to sanctions limits the comparisons that can be drawn between CSOP and Standard Supervision probationers. While the present study did

not allow for this degree of statistical control, characteristics which influence assignment to community service, and factors related to outcome within each study group were identified.

Is Community Service Sentencing More Rehabilitative than Standard Supervision? If recidivism or probation revocation is used as an indicator of rehabilitation, these findings contradict the argument that sentencing probationers to perform involuntary service in the community is more rehabilitative than ordering only Standard Probation Supervision. Using combined law violation and technical violation revocation rates, little difference in outcome was observed between CSOP and Standard Supervision cases (CSOP=36.9%; Standard Probation=34.0%). Given that probationers assigned to CSOP were more likely to be white, better educated, and charged with non-violent crimes, this was an unexpected result.

It is noteworthy that the type of crime with which a probationer was charged emerged as a significant predictor of outcome for the CSOP sample. CSOP probationers charged with personal, drug, and “other” crimes had a higher success rate than theft offenders. One possible explanation is that certain offenders (e.g. theft offenders) may be unable to cope with the additional economic sanctions and unpaid work requirements associated with the community service sentence. A comparison of probation success rates for first offenders in the two study groups also indicates that probationers charged with miscellaneous offenses such as fraud and credit card abuse do better in CSOP than in Standard Probation (CSOP=82.4%; Standard Probation=61.1%). Conversely, those charged with crimes against persons appear to do better under Standard Supervision than under CSOP (CSOP=66.7%; Standard Probation=83.3%). These results seem to suggest that CSOP may be more rehabilitative for certain types of offenders and not appropriate for others. Due to the limited number of cases used and a lack of statistical controls, no firm conclusions can be drawn without further research.

The analyses also revealed that a higher rate of CSOP probationers successfully completed probation during the study period than those subjected to Standard Probation Supervision (CSOP=45.3%; Standard Probation=29.6%). Differences in personal and legal attributes may have

contributed to this outcome, as well as the higher total fees assessed and paid by CSOP probationers.

Is Sentencing to Community Service Cost Effective? CSOP probationers who successfully completed probation supervision paid an average of \$565 more in total fees than their Standard Supervision counterparts. Although the administrative costs of CSOP must be taken into account, the revenue collected more than offsets the additional cost of CSOP administration. For example, the average CSOP successfully terminated case generated \$57 per month in total fees compared to \$37 for probationers not in this program. However, the current monthly cost to the probation department for subsidizing CSOP supervision is only \$4.51, representing a net gain to the community of over \$15. If the monthly monetary value of services performed by persons placed in CSOP is included (Mean=\$63), sentencing probationers to community service appears extremely cost effective and consistent with the restorative objective of restitution.

The Case for Expanding Community Service Sanctions. These results offer- strong support for expanding community service sanctions as an alternative to incarceration to selected felony offenders as well as to those sentenced to probation. Even if participation in community service programs does not affect recidivism, it may significantly reduce social costs related to incarceration and lengthy probation supervision. In that participation in community service had a positive impact on persons charged with economic crimes such as fraud, forgery, and credit card abuse, this option should be made more available to this group of offenders in lieu of jail or as an additional condition of probation.

If such sanctions constitute an additive penalty, however, without restorative benefits to the victims and the community, they may produce unintended negative consequences such as exploitation of offenders by the criminal justice system and voluntary agencies.

The Need for Safeguards. Since this form of restitution is attractive to non-profit organizations in need of inexpensive manpower as well as judges concerned about the “lenient” image of probation, specific guidelines are needed to safeguard against potential abuses. The following are recommended:

1. Develop objective screening procedures in selection process to prevent discrimination against individuals because of financial status or race. This is particularly important if participation in this program results in early discharge from probation or serves as an alternative to incarceration.
2. Institute fair and reasonable procedures to determine the type and duration of placement assignments to avoid exploitation of offenders. Since many offenders are ordered to pay multiple economic sanctions, working without pay may jeopardize employment and eliminate incentive to comply with conditions of probation. That is, if probation conditions become so intrusive or onerous, offenders may opt for incarceration. Jurisdictions experiencing jail overcrowding may be particularly vulnerable to this effect.
3. Use community service sentences as mechanisms to reduce fees of economically disadvantaged offenders delinquent in fee payments who face probation revocation. Offenders could earn financial credits for hours completed in community work. This would serve to provide probationers with a means of reparation and perhaps decrease the likelihood of probation violations.

The above guidelines, coupled with additional research to identify the offender populations who will most likely benefit from creative sanctions, will significantly strengthen public confidence and support for community based correctional programs.

REFERENCES

- BERGMEN, Howard S. "Community Service in England." Federal Probation, 39 (1): 43-46.
- BROWNSTEIN, H.H., S.F. JACOBS, and V.D. MANTI. 1984. Evaluation of the Suffolk County Community Service Program: An Alternative to Jail. Albany: New York State Division of Criminal Justice Services Office of Policy Analysis Research and Statistical Service.
- EGLASH, Albert. "Creative Restitution: Its Roots in Psychiatry, Religion, and Law." British Journal of Delinquency, 10: 114-119.
- GALAWAY, Burt. "Restitution As Innovation or Unfilled Promise?" Federal Probation, 53 (3): 3-14.
- Great Britain Home Office. 1977. Community Service Assessed in 1976. London: Her Majesty's Stationary Office.
- HARRIS, Kay M. 1987. "Future Issues in Community Service." Working for Justice. Boston: National Community Service Sentencing Association.
- HENDRICKSON, Kelly J. 1982. The Community Service Option Program. Inc. Houston: University of Houston (Master's Thesis).
- HENDRICKSON, Kelly J. Personal interview. October 25, 1988.
- LENHART, Gary M. 1986. "Design Considerations for Community Service Programs." Sentenced to Help Others. San Francisco: Office of Traffic Safety, State of California.
- MCDONALD, Douglas C. 1988. "Restitution and Community Service." National Institute of Justice Crime File Study Guide. Washington, D.C.: U.S. Government Printing Office.

- MCDONALD, Douglas C.. 1986. Punishment Without Walls: Community Service Sentences in New York City. New Jersey: Rutgers University Press.
- National Association of Probation Officers. 1981. Community Service Orders - Practice and Philosophy, Surrey, England.
- NEWTON, Anne. 1979. "Sentencing to Community Service and Restitution." Criminal Justice Abstracts, 11 (3): 435-468.
- NIDORF, Barry J. 1988. "Sanction-Oriented Community Corrections: Sales Job? Sellout? Or Response to Reality?" Perspectives, 12 (3): 6-11.
- OXLEY, P. 1984. Evaluating Rehabilitation Community Service Orders in South Australia: Adelaide: South Australia Office of Crime Statistics Law Department.
- Texas Code of Criminal Procedure, Sec. 6A, Art. 42.12.
- UMBREIT, M.S. 1981. "Community Service Sentencing - Jail Alternative or Added Sanction?" Federal Probation, 45(3): 3-14.