



A Better Alternative to Fines and Fees? Community Service Mandates in the United States

Court-ordered community service, often consisting of short-term mandates to clean up public spaces or work in local organizations, has been a staple of sentencing practice in the United States since the 1960s. Despite this, there has been little study of how it's being used across the country. As more jurisdictions consider including community service as part of efforts to reform local justice systems, we wanted to know what kind of rules regulate its use and assess its potential to function as an alternative to fines and fees.

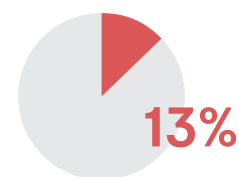
Our study draws on a survey we conducted of more than 600 lower-level criminal courts across the country.

What did we find?

1. Manual labor is by far the most common type of service work available to participants (three out of four courts). This is an obstacle to those unable to perform physical labor and contributes to the impression of community service as primarily a “make work” exercise. More than one-third of courts reported participants are asked to identify their own service provider and many courts lack

the infrastructure to effectively monitor compliance or the conditions of community service work.

Only 13% of courts reported running their own community service program



2. Three out of four courts say community service should function as an *alternative* to monetary sanctions and jail, but the practice on the ground looks different:

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courts reported using community service in addition to the imposition of fines and fees

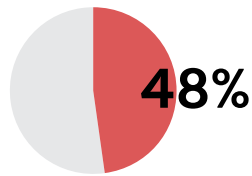
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courts responded that community service could be combined with jail sentences

3. The practice of participants “working off” fine and fees via community service is endorsed by three-quarters of courts, but we found no common standard for “converting” service

hours into payments with participants’ court debts often paid off at minimum wage. Along with being potentially exploitative, this leads to lengthy service mandates—a challenge for participants with full-time paid employment, caregiver roles, etc.

- 4. 48% of courts said they have no standards for determining mandate length



Our survey uncovered great variability in how community service is meted out—both across courts, and inside court systems themselves, with decisions often left up to the discretion of prosecutors and judges.

- 5. For failing to complete community service:



This undermines the potential of community service to act as an alternative sanction.

- 6. Defendants with prior convictions, mental health issues, or physical disabilities were most likely to be flagged by respondents as inappropriate or ineligible for community service, leaving them more likely to receive financial sanctions or jail.

Recommendations

With few exceptions, we found court actors already view reducing the impact of fines and fees to be an important aspect of community

service. However, realizing this ambition would require the further development and professionalization of the field.

- 1. **Build Evidence-Based Models.** The widespread use of community service provides a basis for generating the evidence-based models the field currently lacks. We view our survey results as an invitation to further research—on participant outcomes, case eligibility, responses to non-compliance, etc.—and the development of more common standards. At the moment, there is no definitive model of community service, with courts reporting a diverse range of eligibility standards and mandate lengths, and a largely ad hoc approach to the administration and oversight of service programs.
- 2. **Diversify the Offerings.** More non-manual work options—including those put forward by community members themselves and online and other meaningful alternatives—would make community service more accessible and increase its profile within the community.
- 3. **Standardize Fine-to-Work Conversion Rates.** The absence of such standards is placing an especially inequitable burden on low-income and otherwise already marginalized individuals and leading to onerously long terms of service work.
- 4. **Change the Perception.** Our findings suggest community service is often viewed as a “safe” sentencing option, one more appropriate for first-time offenses, young people, and those without physical or mental challenges. This limits the ability of community service to function as a true alternative to jail and monetary sanctions.

For More Information

Read the full report: courtinnovation.org/publications/community-service

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