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Revised: 05/09/18	

COMMUNITY SERVICE WORK POLICIES/PROCEDURES

I. Introduction

The Probation Department operates the Community Service Work (CSW) program to serve the offenders referred by the Superior Court and Probation Department. CSW records are maintained in an ACCESS database developed by Probation IT. The CSW program is coordinated by Administrative Office Professionals. The Project Manager in the Administrative Division provides management oversight. The program's purpose is to provide youthful and adult offenders the opportunity to perform valuable community service work as a consequence of their behavior.

II. Referral – Deputy Probation Officer (DPO)

- A. Clients may be referred to the program by their Deputy Probation Officer (DPO), either in compliance with Court Order, Truancy Court, or at discretion of their probation officer for violation of probation being held in abeyance.
- B. Clients shall be referred to the Program by their DPO by completing form Pro-46.
- C. Clients shall be advised by their DPO to report to the main Probation office reception desk in each area office to complete the mandatory program waiver of liability and enroll via the CSW Self Service Kiosk.
 - 1. Juvenile clients must report with their parent/guardian to complete the program waiver of liability.
 - 2. CSW Program pamphlets outlining the programs policies and requirements are available in the probation lobby.

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- D. Clients shall **NOT** be advised by their DPO to perform community service work on their own outside of the department's formal CSW program. Clients must be referred to Probation CSW for hours to be performed in Santa Barbara County, as well as other California counties and out of state. Failure to adhere to this policy exposes the Probation Officer, Department, and County to risk.
 - E. Clients in treatment who wish to do their assigned CSW at the treatment facility or as part of treatment may do so if the treatment facility is an approved CSW Program Worksite, or is willing to become an approved CSW Program Worksite prior to the start of CSW hours. (See CSW Worksites Section VIII or Probation Internet or Intranet.)
 - F. Enrollment in the program requires the following documents:
 - 1. Community Service Work Referral (Pro-46)
 - 2. Community Service Work Waiver of Liability
 - 3. CSW Program fee receipt indicating fee was paid. If client is receiving public assistance (AFDC, Cal Works, Medi-Cal, Food Stamps, SSI or General Relief), the program fee will be waived with adequate documentation. (See Section VI for fee schedule notice.)
- III. Referral - Superior Court
- A. Clients may be referred to the program by the Superior Court. The Judge may order the offender to perform CSW hours as a term and condition of his/her sentence or may order the defendant to complete CSW hours in lieu of ordered fines.
 - 1. Only the Court can convert fines to CSW.
 - 2. Fines converted to CSW are specified on the court order.

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- B. Clients shall be referred to the CSW program by the Court submitting a CSW Program Referral (SC-3040) with the number of hours and completion date.
 - C. Clients shall be advised by the Court to report to the main Probation office reception desk in each area office to complete the program waiver of liability and enroll via the CSW Self Service Kiosk.
 - 1. Juvenile clients must report with their parent/guardian to complete the program waiver of liability.
 - 2. A CSW Program pamphlet outlining the programs policies and requirements are available in the probation lobby.
 - D. Enrollment in the program requires the following documents:
 - 1. Community Service Work Program Referral (SC-3040)
 - 2. Community Service Work Waiver of Liability
 - 3. CSW Program fee receipt indicating fee was paid. If client is receiving public assistance (AFDC, Cal Works, Medi-Cal, Food Stamps, SSI or General Relief), the program fee will be waived with adequate documentation.
- IV. Program Completion
- A. Upon a client's successful completion of assigned hours, the Community Service Work (CSW) Coordinator will advise the Deputy Probation Officer (DPO) and Court in writing.
 - B. If a client fails to report to the assigned worksite by the report date, the CSW Coordinator will advise the DPO or Court and client. It is the client's responsibility to report back to the CSW Coordinator and request a reassignment.

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- C. If the client requests an extension to complete hours, he/she will be referred to the referral source (Court or DPO) for documented approval of extension.
 - 1. Clients who are Court-ordered to do CSW will need to obtain a status report from the CSW Coordinator and calendar themselves for Court to obtain an extension from the Court.
 - 2. Clients who are referred by their DPO will need to provide the CSW Coordinator with a Pro-46 from their DPO with the new data.
 - 3. The CSW Coordinator is not authorized to grant extensions. An extension fee will apply. (See Section IV for fee notice schedule.)

- D. All program completions shall be documented by the CSW Coordinator in writing, which will include the number of hours worked and if successful or unsuccessful completion.
 - 1. This form shall be forwarded to the referral source (Court or DPO).
 - 2. Only hours completed prior to midnight on the expiration date are counted for successful completion.
 - 3. Clients may not begin work at any worksite prior to assignment by CSW Coordinator and will not receive credit for hours worked prior to worksite assignment.

- E. An Impact report of completed or expired hours by client is available.

Go to:

Reports> Custom Reports> Adult > Client > CSW Summary

Or

Reports> Custom Reports> Juvenile > Client > CSW Summary

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Enter the clients PIN# and submit.

V. Failed To Apply (FTA) notices

- A. All referrals received from the Court or DPO are filed according to the expiration month and alphabetically until the client completes an application via the Self Service Kiosk. The referrals are matched with the client applications at the time of processing.
- B. Referrals received without subsequent applications are entered into the CSW Access database on the expiration date and closed as “Failed to Apply.”
- C. Failed to Apply Closing Notices are printed and forwarded to the referral source (Court or DPO).
- D. If the Court or DPO requires the client to apply for CSW after a FTA Closing Notice, a new referral (PRO-46 or SC 3040) must be submitted.

VI. Schedule of Program Fees

The Superior Court Executive Council authorized a new fee schedule on October 8, 2008. This new fee schedule became effective on January 1, 2009.

- A. The fee schedule for Adult clients is based on a fixed application fee of \$50 plus \$2 per hour of community service work ordered. Juvenile clients are not charged a fee for community service work per SB190 effective January 1, 2018. (See Attachment A)
- B. The conversion rate per hour is \$10.00.
- C. A fee waiver will be granted if the client is currently receiving public assistance defined as Cal-Works (formally AFDC), Medi-Cal, Food Stamps, SSI (Social Security Income) or GR (General Relief) and provides current proof.

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- D. Extension fees may only be waived by CSW Coordinator Supervisor for circumstances that are unusual and infrequent in nature.
 - E. Clients who are not receiving public assistance, but cannot pay CSW fees at time of CSW application, may pay their CSW program fees in installments.
 - 1. Clients who do not have RevQ accounts will need to complete the Ability to Pay paperwork, and are subject to an additional \$30 fee to establish a CSW account in Revenue Results.
 - 2. Clients with RevQ accounts may have their CSW fees added to their RevQ accounts if the referral from the Probation Officers states this.
 - F. CSW Program fees are not refunded.
- VII. CSW Procedure Manuals
- Each location desk has a procedure manual located in the CSW Coordinator binder. The manual describes the procedures for the case management of each client file, including the procedures of the automated CSW database in ACCESS, and the client enrollment via the CSW Self Service Kiosk.
- VIII. CSW Worksites
- A. Only Public and Private Non-profit organizations are approved as CSW worksites. Organizations may apply to be CSW worksites by completing the resolution and forms available on the Probation Department website on the internet.
 - B. Clients can only work at worksites pre-approved by the CSW Administrative Office Professional Supervisor and to which they have been assigned by the CSW Coordinator.

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- C. The worksite must have public liability insurance, which is described in the County Board Resolution #81-515 (See Attachment B). The worksite must abide by the requirements set forth in the resolution by submitting a signed copy of such agreement. The signed agreements are maintained in CSW program worksite files.

- D. The Deputy Probation Officer (DPO) is **NOT** to call CSW worksites regarding their client hours or progress. If a Deputy Probation Officer (DPO) needs a progress report regarding their client CSW hours, they need to contact the area CSW Coordinator.

ATTACHMENT A

NOTICE OF NEW FEE SCHEDULE COMMUNITY SERVICE WORK (CSW) EFFECTIVE JANUARY 1, 2009 (revised 05/07/2018)

Juveniles:

No community service work fee per SB190 effective January 1, 2018.

Adults:

\$50 Application fee plus \$2 per hour of community service work ordered
(waived with current proof of public assistance-CalWorks, Medi-Cal, SSI, GR)

\$50 Extension fee, Re-referral fee, Worksite change fee

\$30 ATP fee (Installment Plan)

Extension Fee: This fee applies when you are unable to complete the hours ordered by your completion date and will need to request an extension of time from the Court or Deputy Probation Officer. You will be required to pay this fee and request a status report from the CSW Coordinator.

Re-referral Fee: This fee applies when you are referred to CSW on a case that has been closed. The re-referral fee amount is based on the date the original case closed - \$50 if less than 30 days; if more than 30 days, you must pay the full CSW application fee based on the number of hours to complete.

Worksite Change Fee: This fee applies when your assigned worksite is changed due to failure to maintain work schedule, follow worksite rules and regulations, or upon client request.

ATP Fee: This fee applies when you wish to complete the Installment Plan application. If you are not eligible for the installment payment plan, this will be applied to your CSW application fee.

ATTACHMENT B

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

A RESOLUTION PROVIDING FOR)
ALTERNATIVE WORK SENTENCES) RESOLUTION NO. 81-515
AND ASSIGNMENTS FOR ADULT)
PRISONERS AND PROBATIONERS,)
AND FOR JUVENILE COURT WARDS)
AND MINORS UNDER SUPERVISION)
PROGRAMS.)

WHEREAS, rehabilitation of adult prisoners and probationers, juvenile wards of the Court, and juveniles under Probation Department supervision can, in proper cases, often be accomplished by assigning them to work for the benefit of the public; and

WHEREAS, Government Code Section 25359 authorizes the Board of Supervisors to provide that adult prisoners sentenced to the County Jail may be put to work under direction of a responsible person appointed by the County Sheriff on public grounds, ways and other places for the benefit of the public; and

WHEREAS, Penal Code Section 1203.1 provides that a Court or Judge thereof, in an order granting probation to adults shall have the same powers to require adult probationers to work as are provided in the Government Code Section 25359 for the Board of Supervisors for prisoners in the County Jail, at public work; and

WHEREAS, Welfare and Institutions Code Section 730 and 731 provide that the Juvenile Court may work juveniles adjudged wards of the Court under Welfare and Institutions Code Sections 601 and 602 for reformation and rehabilitation; and

WHEREAS, Welfare and Institutions Code Section 267, 256 and 258 provides that a Referee or a Judge of the Juvenile Court, or a Traffic Hearing Officer when appointed by the Juvenile Court, or a Traffic Hearing Officer when appointed by the Juvenile Court Judge, may require minors to work who are charged with any violation of

the Vehicle Code not declared a felony, or a violation of subdivision (m) of Section 602 of the Penal Code, or a violation of the Fish and Game Code not declared to be a felony, or a violation of any of the equipment and registration provisions of the Harbors and Navigation Code, or a violation of any provision of an ordinance of a city or county relating to traffic offenses, or a violation of Section 126 or 2716 of the Streets and Highways Code; and

WHEREAS, Welfare and Institutions Code Section 654 provides for a six (6) months programs of supervision by a County Probation Department of minors who are under or who are about to come under the jurisdiction of the Juvenile Court, in lieu of making such minors wards of the Juvenile Court and whereas such supervision programs may include work training assignments; and

WHEREAS, there are not sufficient openings in public agencies to employ the number of prisoners, probationers, juvenile wards and supervised minors who can appropriately be assigned to work for the public benefit; and

WHEREAS, many private nonprofit organizations are willing and able to provide such reformative and rehabilitative work, for the public benefit; and

WHEREAS, such rehabilitative work is deemed to be more in the public interest than incarceration in corrective institutions;

NOW THEREFORE, IT IS RESOLVED as follows:

1. The Board of Supervisors approves the concept of work sentences or assignments in lieu of institutional confinement for adult prisoners and probationers, juvenile wards and supervised minors in all cases where such disposition has been determined to be appropriate.

2. The Board of Supervisors recognizes that assignment to work for public agencies or for private nonprofit organizations for the public benefit, for prisoners,

probationers, juvenile wards, and supervised minors, will assist in rehabilitation, as well as benefit the public generally.

3. For the purposes of this resolution, the term "public agencies" shall mean and include all Federal, State and local governmental entities and their boards, commissions and committees, and the term "private nonprofit organizations" shall mean and include all nonprofit organizations and enterprises whether corporations, partnerships, joint ventures, individuals or otherwise whose nonprofit status has been officially recognized for State income or franchise tax purposes by the State Franchise Tax Board.

4. The Board of Supervisors respectfully requests that assignments to work for public agencies (other than the County of Santa Barbara) be made only upon condition that such agencies cover all such activities with public liability insurance in amounts equal or equivalent to \$500,000 single limit coverage. The Board of Supervisors further request that assignments to work for private nonprofit organizations be made only upon condition that such organizations cover all such activities with public liability insurance in amounts equal or equivalent to \$500,000 single limit coverage. All public agencies and nonprofit organizations shall agree to indemnify and hold harmless from any and all liability, including attorneys fees, arising from this alternative work sentences program.

5. This resolution is not intended to declare that any prisoner or probationer assigned to work for the County as provided by Labor Code 3363.5, and it is not the intent of this resolution to provide workers' compensation coverage for such persons.

6. That Resolution No. 79-359 is hereby revoked.

7. That certified copies of this resolution be forwarded to all Judges of the Superior Courts, Juvenile Court Referees, Judges of the Municipal Courts, the County Sheriff and the County Probation Department.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara,
State of California, this 10th day of November, 1981, by the following vote:

AYES: David M. Yager, Robert E. Kallman, William Wallace,
DeWayne Holmdahl, Harrell Fletcher

NOES: None

ABSENT: None

/s/ William B. Wallace
Chairman, Board of Supervisors
COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

ATTEST:
HOWARD C. MENZEL
COUNTY CLERK-RECORDER

By
Deputy Clerk-Recorder

APPROVED AS TO FORM:
KENNETH L. NELSON
COUNTY COUNSEL

By /s/ Kenneth L. Nelson

RESOLUTION NO. 81-515

I hereby acknowledge receipt of a copy of Resolution No. 81-515 and agree to abide by its terms and conditions. I certify that the below-named agency carries at least \$500,000 in liability insurance and that I am authorized to make this assertion and enter into this agreement on its behalf.

Name of Agency

Signature

Date

Position/Title