

INTRODUCED: March 28, 2016

A RESOLUTION No. 2016-R027

To encourage and support the use of the community service alternative sentencing option by the criminal and traffic divisions of the General District Court of the City of Richmond and the criminal division of the Circuit Court of the City of Richmond for the purpose of allowing defendants to pay fines and costs through work on neighborhood improvement projects for City agencies.

Patrons – Mr. Agelasto and President Mosby

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 25 2016 AT 6 P.M.

WHEREAS, section 19.2-354(C) of the Code of Virginia (1950), as amended, allows the court to provide an option to any person convicted of a traffic infraction or a violation of any criminal law of the Commonwealth or of any political subdivision thereof, upon whom a fine and costs have been imposed, to discharge all or part of the fine or costs by earning credits for the performance of community service work before or after imprisonment; and

WHEREAS, the Council believes that the community service alternative sentencing option is a benefit for the City by providing for the payment of fines and costs that may not otherwise be paid, by providing additional workers for neighborhood improvement projects conducted by the Department of Public Works, the Department of Parks, Recreation and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: APR 25 2016 REJECTED: _____ STRICKEN: _____

Community Facilities, and other departments of the City of Richmond without additional cost to these City agencies, and by providing defendants with opportunities to receive job skills training and exposure to job opportunities;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City encourages and supports the use of the community service alternative sentencing option by the criminal and traffic divisions of the General District Court of the City of Richmond and the criminal division of the Circuit Court of the City of Richmond for the purpose of allowing defendants to pay fines and costs through work on neighborhood improvement projects conducted by the Department of Public Works, the Department of Parks, Recreation and Community Facilities, and other departments of the City of Richmond.

BE IT FURTHER RESOLVED:

That the Council hereby requests that, by July 1, 2016, the Chief Administrative Officer confer with the appropriate representatives of the aforementioned courts and the heads of appropriate City agencies and submit a report to the Council that recommends guidelines for City agencies in the use of persons convicted of a traffic infraction or a violation of any criminal law of the Commonwealth or of any political subdivision thereof to perform community service projects for a City agency.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *UBA*

FROM Joyce L. Davis, Council Policy Analyst *JLD*
Office of the Council Chief of Staff

COPY Parker Agelasto, 5th District Council member
Haskell Brown, Deputy City Attorney
Vincent Jones, Deputy Council Chief of Staff
Ida Jones, 5th District Liaison

DATE March 18, 2016

PAGE/s 1 of 3

TITLE: Resolution to Support Community Service Option with the City of Richmond

RECEIVED

MAR 18 2016

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an/a **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Council member Parker Agelasto

SUGGESTED STANDING COMMITTEE

Education and Human Services

ORDINANCE/RESOLUTION SUMMARY

This Resolution is to support the option for defendants of Richmond General District Criminal and Traffic Divisions; and Circuit Court Criminal Division to perform community service hours with departments of the City of Richmond to satisfy unpaid fines and costs owed.

BACKGROUND

This Resolution is to support the option for defendants of Richmond General District Criminal and Traffic Divisions; and Circuit Court Criminal Division to perform community service hours with departments of the City of Richmond to satisfy unpaid fines and costs owed.

Community service refers to service that is performed for the benefit of the local community used as an alternative to imprisonment, which may be required in lieu

of, or in addition to a criminal justice sanction, as a method of repaying a debt to society.

Community Service as a form of alternative sentencing can be performed by completing service projects in lieu of paying court fines and fees or restitution when accepted as a form of payment, as probation conditions ordered by the court and post-trial in lieu of jail time.

Defendants who owe fines to the Richmond courts will be offered the opportunity to perform community service as symbolic compensation and restitution to the court and the community in exchange for a prescribed number of hours of community service to compensate the fine amount.

Community Service Participants will perform assignments with City of Richmond Clean Up Campaigns and with the departments of Public Works, Parks and Recreation, to impact a more attractive and cleaner community, to enhance beautification projects by planting and cleaning up excess trash and debris for cleaner streets and parks to enhance neighborhood clean-up projects

Defendants with no history of violent offenses will be offered the opportunity to participate.

Community Service projects will be completed on public property and not on private property.

In accordance with Code of Virginia §19.2-354, a defendant convicted of a traffic infraction or a violation of a criminal law of the Commonwealth of Virginia, to pay a fine, restitution, and costs, after 30 days of sentencing, the court can order the defendant to pay such fine or costs in deferred payments or installments. Provisions of the Code of Virginia §19.2-354 (C) allows an option to any person upon who a fine and costs have been imposed to discharge all or part of the fines or costs by earning credits for the performance of community service work before or after imprisonment.

Through community service, offenders are able to take responsibility for past actions and repair the damage done by serving the community and can receive training, exposure to job opportunities and build their skill level while improving their own livelihood.

It is requested that by July 1, 2015, the City Attorney's Office and the Chief Administrative Officer in coordination with the Commonwealth's Attorney provide a report to direct the procedures, regulations and documents to facilitate the community service work assignments.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/sr