

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT
PROBATION OFFICE

JAMES A. FETZER
CHIEF PROBATION OFFICER
U.S. COURT HOUSE
ROOM 725
450 MAIN STREET
HARTFORD 06103
203-722-2649

June 26, 1986
New Haven

U.S. COURT HOUSE
P.O. BOX 1335
NEW HAVEN 06505
203-773-2100
U.S. COURT HOUSE
ROOM 429
915 LAFAYETTE BLVD
BRIDGEPORT 06604
203-579-5707

Honorable William L. Wilkins, Jr.
Chairman, U. S. Sentencing Commission
1331 Pennsylvania Avenue, N. W.
Washington, D. C. 20004

Dear Chairman Wilkins:

This letter is being sent to you with the belief that the Commission would appreciate input from the field.

In recent months, I have become involved in the area of community service as a sentencing alternative. I have been amazed at what a flexible sentencing tool community service is. If the court desires to punish a defendant, the community service order can be tailored to that end. If however, the court wishes to obtain a form of restitution to the community, the court can construct the judgment to that goal.

A condition of probation requiring community service can be imposed where the court might order financial restitution, but the defendant lacks the means to make restitution. It can be used in a borderline case where incarceration might be appropriate, but the court is reluctant to impose a prison sentence.

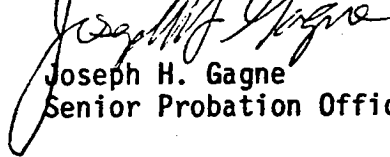
Community service is cost effective. A defendant remains in the community and supports himself and his family. He pays taxes and does his share to keep the economy going. The community also benefits by receiving service from the individual.

It would seem to be of great benefit to society if in all appropriate cases, community service were a standard condition of probation. I stress "appropriate" cases, because some individuals would not be acceptable individuals to perform community service. Included would be persons with active psychiatric or drug problems, and those with a history of violence. Any such condition should be flexible enough that it would not be automatically imposed in all situations, but only in all instances where the court/probation department felt the individual was an acceptable individual.

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I appreciate the opportunity for this input, and would welcome sharing further discussion of this topic with the Commission.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Joseph H. Gagne", written over the typed name.

Joseph H. Gagne
Senior Probation Officer

JHG/r

CC: CUSPO Fetzner
Hartford, CT