



Novel Courts Handle Low-Level Crimes Across US

By FENIT NIRAPPIL Associated Press

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In most courtrooms, spontaneous applause could get you thrown out.

But in this San Francisco court, it's expected — and strongly encouraged for the defendants.

Bowls of hard candy rest in front of the judge's bench, as a reward for the men and women making their weekly court appearances and attending group therapy. Almost daily, the judge awards one standout a \$5 grocery store gift card — while the gallery claps and cheers.

These scenes have played out thousands of times at the Community Justice Center, a novel, 4-year-old court system in the city's rough-edged Tenderloin district. It's one of about 40 community courts around the United States that tackle mostly low-level crimes in troubled neighborhoods using judges — not juries — to send defendants to drug treatment, shelter and social services, instead of handing down fines and time in overcrowded jails.

"We go to the root of the problems rather than just throwing them in jail," said the Community Justice Center's lone judge, Lillian Sing.

But it's not all carrots and no sticks. When obviously drunk or drugged defendants stagger into the courtroom, the judge swiftly sends them to jail for a few days to sober up.

"This is called tough love," Sing recently told one teary-eyed defendant as a deputy handcuffed him. "I don't want to see you die on the streets."



AP

Judge Lillian Sing applauds a defendant on the bench of the Community Court Tuesday, Sept. 18, 2012, in San Francisco.

While it's been difficult for researchers to determine cost savings by the courts, new studies suggest the courts are helping stem crime. An evaluation of Washington, D.C.'s community court by the Westat research firm found this summer that defendants who successfully completed diversion programs from 2007 to 2009 were half as likely to reoffend as similar defendants in a traditional court. (AP Photo/Ben Margot)

U.S. Department of Justice officials say community courts improve public safety by focusing on the crimes that are less high-profile but affect day-to-day life. They say the courts, along with similar rehabilitative courts, represent a shift away from judges just herding people through the system.

"Judges started figuring out they could help solve problems, so there was a switch to looking at outcomes instead of process," said Kim Ball, a senior policy adviser.

And unlike the thousands of specialized drug courts across America, community courts are designed to provide quicker, cheaper justice while improving life in specific neighborhoods or police precincts. Defendants perform community service in the neighborhoods where they broke the law. Taggers must paint over graffiti. And shoplifters are required to help distribute clothes to the poor.

The movement toward community courts began almost two decades ago in New York City, which established one in Midtown Manhattan to crack down on prostitution, graffiti and other street crimes.

The system has reached its "awkward teen years," after passing its experimental stage and steadily gaining acceptance, said Greg Berman, director of the New York-based Center for Court Innovation, a nonprofit that advises community courts using U.S. Department of Justice funding.

"We've seen these ideas which were derided and dismissed by many in the '90s as totally loopy and beyond the pale become, if not totally mainstreamed, more and more embraced by court systems and criminal justice systems across the country," Berman said.

States with community courts include Minnesota, Indiana, New Jersey, Connecticut, Virginia, Georgia, Texas, Tennessee, Utah, Colorado, Oregon and Washington.

Defendants often are brought into court and therapy several times a week, even for infractions such as sleeping on streets, aggressive panhandling and public urination.

These are low-level offenses for which, in the past, there may not have been any kind of response from the criminal justice system," said Williams College Professor James Nolan, who has studied rehabilitative courts across the world.

Famously tolerant San Francisco was late to embrace community courts. But the city, along with a handful of others, took the model to a new level by also using the court as an alternative for prosecuting more serious but nonviolent crimes, including vehicle theft and felony drug offenses.

The Community Justice Center opened in a nondescript building amid an uproar from some progressives, who feared it would disproportionately target the poor and homeless.

But criticism subsided as the court helped relieve the caseload clogging traditional courtrooms by handling 4,500 defendants since it opened. And the city has found it metes out swift justice, with defendants on average coming to court a week after they are cited, compared with 45 days for a regular court.

Police Captain John Garrity, whose district is served by the Community Justice Center, says his officers can focus more on serious crime because the court gets the lower level offenders into social services, where they leave less likely to reoffend than they are from short jail stints.



AP

Judge Lillian Sing gestures to a defendant on the bench of the Community Court Tuesday, Sept. 18, 2012, in San Francisco.

Most defendants see an on-site social worker who creates a treatment plan and connects them to nonprofits and group therapy. Each is expected to comply with the plan or risk getting kicked back to the traditional courthouse, where jail time is more likely.

"Incarceration is not always the answer," said San Francisco's district attorney and former police chief, George Gascon. "It often leads to a cycle of reoffending, especially at the low-level offenses."

While it's been difficult for researchers to determine cost savings, new studies suggest community courts are helping stem crime.

An evaluation of Washington, D.C.'s community court by the Westat research firm found this summer that defendants who successfully completed diversion programs from 2007 to 2009 were half as likely to reoffend as similar defendants in a traditional court.

Russell Canan, presiding judge of the capitol's criminal courts, attributes this to defendants getting more attention.

"The judges are engaging with defendants to see what kind of work they are doing, what their school situation is, what type of social services they need," Canan said. And then they coach and inspire them to make good choices.

Researchers studying a New York court have released similar preliminary findings. San Francisco's court is undergoing a study.

But critics of community courts say recidivism statistics are misleading because many the courts' defendants are low-level offenders, rather than career criminals.

"There's a point at which it's plain overkill," said Steven Zeidman, a law professor at the City University of New York. "We bring in all kinds of things that are so minor: riding on the sidewalk, three kids arrested for smoking one joint together, kids shoplifting a piece of candy."

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