

# DOWNTOWN COMMUNITY COURT

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Downtown San Diego Partnership, 615 J Street, San Diego, CA 92101

## WHAT IS COMMUNITY COURT?

Community court is a nontraditional innovative approach to dealing with low-level misdemeanor offenders. Community courts typically provide offenders with an opportunity to "pay" their debt back into the community where their offense occurred.

The principles of a community court are three-fold. First, community courts hold offenders accountable to the community impacted by their crime. Second, community courts provide proactive intervention to assist in decreasing criminal behavior. Third, community courts encourage community involvement in the criminal justice process. Community courts use these principles to manage and deal with quality-of-life crimes that impede the growth of safe and clean communities.

Community courts are springing up across the country as a long-term solution to quality-of-life crimes. In fact, the Downtown San Diego Partnership has implemented a community court in downtown San Diego in partnership with the City Attorney's Office, the Office of the Public Defender, and the San Diego Superior Court. The Downtown Community Court also collaborates with the San Diego Police Department, the County of San Diego, and various social service agencies and downtown community members.

## WOW, SAN DIEGO HAS A COMMUNITY COURT!

The Downtown Community Court began operations on October 1, 2002 as a pilot project. The Downtown Community Court was

developed to address quality-of-life crimes occurring in the downtown area. This area consists of eight different neighborhoods known as Little Italy, Cortez, Core, Columbia, Marina, Horton, Gaslamp and East Village.

The crimes eligible for Downtown Community Court include disturbing the peace, petty theft, trespass, vandalism, graffiti, and possession of marijuana, drinking in public, urinating in public and open container. These crimes occur downtown and can negatively impact property values and impede healthy economic development in downtown San Diego.

The strategy of the Downtown Community Court is to reduce the number of quality-of-life crimes committed in the targeted area by requiring offenders to perform work service and make restitution to the downtown community where they committed the crime, while offering them dismissal of their cases within six months after successful completion of the court-ordered probation terms.

### **IF YOU ARE INTERESTED IN LEARNING MORE ABOUT COMMUNITY COURT CONTACT:**

**Tilisha Martin, MSW, JD**  
Community Court Coordinator  
(619) 234-8900  
[tmartin@downtownsandiego.org](mailto:tmartin@downtownsandiego.org)

## COMMISSIONER LEE C. WITHAM SITS ON THE BENCH FOR DOWNTOWN COMMUNITY COURT

The Downtown Community Court operates as part of the Misdemeanor Arraignment calendar (Department 1) in the Central Division of the San Diego Superior Court. Offenders who commit non-violent misdemeanor crimes in the downtown community are cited to appear for arraignment in Department 1 before **Commissioner Lee C. Witham**.

The Central Division of the San Diego Superior Court handles approximately 30,000 misdemeanor offenses per year. Misdemeanors are crimes punishable by six months or one year in county jail. According to Commissioner Witham, misdemeanor offenses have a tremendous impact on the public health, safety, and property interests of citizens, and because of the high case numbers, a great impact upon both police and court assets.

Commissioner Witham believes that certain misdemeanor crimes such as drunk in public, being under the influence of drugs, urinating in public, illegal lodging, graffiti, vandalism, or fighting in public deteriorate the quality-of-life in the downtown community.

Such crimes can be addressed through problem-solving courts like the Downtown Community Court. Commissioner Witham, without predicting the actual result, hope that the offenders ordered to the Downtown Community Court will use this experience as a means to re-enter the community as law-abiding citizens.



Although long-term results of the Downtown Community Court remain to be seen, the Court, Downtown San Diego Partnership, San Diego Police Department, Public Defender, and City Attorney are closely watching the results.

Commissioner Witham advises that the Downtown Community Court should remain limited in scope during the initial implementation phase while the court process is developed. Commissioner Witham also cautions that it would be wise to expect some setbacks, especially compliance by some program participants.



*Commissioner Witham graduated from San Diego State University with a Bachelor's of Science in Biology. He went on to graduate from the University of San Diego Law School in 1972. Commissioner Witham practiced as a Deputy District Attorney in San Diego County for ten years before transitioning to private practice in the areas of plaintiff's civil and criminal defense.*

*Commissioner Witham has been hearing misdemeanor cases periodically throughout the past ten years. He has also heard cases in Traffic Court and Small Claims Court. However, for the past three years, Commissioner Witham has been assigned exclusively to misdemeanor cases in the Central Courthouse at the San Diego Superior Court, primarily for arraignments and readiness hearings.*

***Thank you Commissioner Witham for taking the time to share your thoughts on the Downtown Community Court!***

As of March 1, 2003:

- 312 hours of community service have been court-ordered.
- 216 hours of community service have been "paid back" to the downtown community.

## "STRAIGHT TALK"

I'm sure all of you are wondering if the Downtown Community Court has had an impact on the community court participants. After the community court participants complete their court-ordered hours they are given a survey. Listed below are their responses to one of the survey questions.

➤ **What kind of impact, if any, did volunteering have on you?**

- *"Well, first of all, I have a greater appreciation for keeping our city clean. I got to see first hand the amount of work that goes into clean-up on a daily basis."*
- *"I am going to be very conscious of being law-abiding."*
- *"I appreciate very much what the Downtown San Diego Partnership does for our community."*
- *"I felt good about myself."*
- *"I didn't mind doing it."*
- *"It made me realize that my problems are small compared to the homeless."*
- *"I never want to do this again."*
- *"I need to work because I haven't for 20 years!"*
- *"Helping people...always a good thing."*
- *"Now I know what it is like to work hard and not get paid."*

## IN THE NEWS

On March 11, 2003, the Downtown San Diego Partnership, San Diego City Attorney, and San Diego Police Department held a news conference to announce the Downtown Community Court. The County of San Diego, Office of the Public Defender and San Diego Superior Court participated with community members and the Downtown Community Court Advisory Committee.

The purpose of the news conference was to make the public aware of this innovative new project that is operating in Downtown San Diego whose goal is to improve the quality-of-life in the downtown community.

## UPCOMING EVENTS

### LOGO CONTEST

The Downtown Community Court will be spearheading a logo contest in the near future. Students between the grades of 9 and 12 will be asked to create a logo design based on the mission statement for the Downtown Community Court.

The Downtown Community Court Advisory Committee will vote on the top three designs. The design chosen will be forwarded to a graphic artist for creation.

### WEB PAGE

The Downtown Community Court is planning to create a web page on the Downtown San Diego Partnership's website. This web page will have links to other sites as well as updated information about the progress of the Downtown Community Court.

### DID YOU KNOW...

The first community court in the United States was established in Midtown Manhattan, New York, in 1993.

**DOWNTOWN  
COMMUNITY COURT  
ADVISORY  
COMMITTEE**

*Kathy Bailey*  
San Diego Superior Court

*Susan Bower*  
County of San Diego

*Janice Dame*  
San Diego Superior Court

*Joan Dawson*  
San Diego City Attorney

*Paul Dyresen*  
San Diego Police Dept.

*Howard Greenberg*  
Trilogy Real Estate

*Jim Jackson, Chairperson*  
San Diego Rescue Mission

*Howard Kendall*  
San Diego Police Dept.

*Tilisha Martin*  
Downtown S.D. Partnership

*Stephen McCarthy*  
Equal Access

*Marcella Ordorica*  
San Diego City Attorney

*Robert Stall*  
Office of Public Defender

*William Stearns*  
Office of Public Defender

*Lee Witham*  
San Diego Superior Court

*Max Zaker*  
Downtown S.D. Partnership

Thank you to the Downtown Community Court Advisory Committee for your support and commitment in ensuring the continued operation and success of the Downtown Community Court.

## THANK YOU FOR YOUR TEAMWORK

The Downtown Community Court was created thanks to collaborative efforts of community members, downtown property owners, business owners, and government agencies. The Community Court Adhoc Committee met for over a year and a half conducting research, brainstorming ideas, and discussing the vision of the Downtown Community Court. Without the Committee's perseverance and commitment to developing and implementing such an innovative idea, the Downtown Community Court would not exist.

A "thank you" is in order to the Property-Based Improvement District and Commissioners Cox and Roberts of the County of San Diego. Without their monetary support, the Downtown Community Court would not have been implemented as planned on October 1, 2002. We appreciate their support and hope they will continue to assist the Downtown Community Court in maintaining its operations.

Also, the partners that took a leap of faith and entered into a Memorandum of Understanding deserve a "thank you." The Downtown San Diego Partnership, The San Diego Superior Court, the San Diego City Attorney, and the Office of the Public Defender agreed to assist in the design, development and collection of the data for the Downtown Community Court. Each partner has been a dedicated participant. Thank you for your commitment.

A "thank you" is in order for the San Diego Police Department who has deployed police officers to cite the crimes that are eligible for the Downtown Community Court. The San Diego Police Department has supported the principle that offenders need to be held accountable to the community. The police officers have been open to receiving training necessary to cite for the Downtown Community Court and we thank them for their cooperation.

A "thank you" is definitely in order to the Downtown San Diego Partnership Clean and Safe Program. This program has provided the tasks for the community court participants. Offenders have completed their community service hours by picking up trash, scraping graffiti, sweeping sidewalks, painting, and pulling weeds.

Finally, "thank you" to Zach Hurst of Hurst Enterprises for the creation of a unique database that is able to track the progress of the Downtown Community Court. The Community Court database is able to track numerous variables for statistical reporting. This information will be necessary to assist the Downtown Community Court with funding.

The Downtown Community Court is truly an example of the downtown community and government working together toward a common goal!