

Seattle Community Court

One Year in Review

March 3, 2005 – March 2, 2006

March 29, 2006

Project Update

It has been an exciting and rewarding first year. Through the hard work of our many partners, we have been able to give hope to some of our most desperate citizens. The Seattle Community Court serves "chronic public system users"—offenders who repeatedly commit low-level crimes, fail to comply with sanctions, fail to appear for Court, and use jail days when they could more effectively be rehabilitated through alternative strategies.

The numbers are impressive; in our first 12 months we served 260 defendants, who performed 1,825 hours of community service and made 419 social service contacts. Perhaps most importantly, only 13% of our defendants have re-offended. For the difficult individuals with whom we are working, this is remarkable and it speaks volumes about the effectiveness of the Community Court approach.

The success is about more than numbers; it is about hope and dignity. There have been so many lives changed by simply finding a court interested in helping rather than just punishing. Many times we have seen a spark and a change in a defendant when Presiding Judge Fred Bonner talks with him or her. It is particularly rewarding when defendants return, clean and sober, to thank the Judge for his help.

We are also happy to report that the United States Department of Justice has recognized our strong start by providing us with a two-year grant to help take our pilot program citywide. This is an exciting opportunity. We will be reconvening the Community Court Advisory Board to invite community partners to once again take part in laying the foundation for this next step. By definition, Community Courts rely on a collaborative effort between the criminal justice system and city leaders, the business and residential communities, county officials, service providers, and other community partners.

Background

Community Courts take a different approach to chronic social, human, and legal problems that are resistant to conventional solutions by holding low-level offenders accountable and providing opportunities for them to give back to the communities that have been violated. The problem-solving approach of community courts recognizes that individuals as well as communities can be victims of crime.

In the traditional court system, a pattern of non-compliance results in longer jail sentences, because the traditional system has limited tools and must rely on progressively longer jail sentences for defendants who are non-compliant.

By relying on therapeutic or restorative justice models, Seattle Community Court can be more effective at reducing the incidences of quality of life crimes, which create serious impacts on the commercial vitality, and livability of Seattle's downtown core, the focus neighborhood of the pilot. Community Court can also work to foster more effective stewardship of limited public resources through community work programs in lieu of jail for low-level offenders, while helping to address the underlying issues that drive repeat criminal behavior.

Many community courts around the country include first time offenders. These defendants are more likely to be successful because they typically do not suffer from the most severe drug or alcohol addictions that plague the more hardened population. Seattle intentionally chose to address the most difficult segment of the population. Jail is not a deterrent for these individuals, nor are they responsive to traditional probation sanctions.

It is not unusual for the typical Seattle Community Court defendant to be an individual struggling with a 20-year heroin or cocaine addiction. By devoting its resources to the most difficult cases, the Court consciously accepted that it would have a high failure rate. An individual with a two decade long drug habit is not likely to change his or her ways overnight.

Defendants who commit these crimes are "criminals" in the typical sense. However, they are also homeless individuals with severe problems such as drug or alcohol addiction or mental illness, which often drives their criminal behavior. Our traditional criminal justice model does not and cannot address these issues. Relying on jail as the sole sanction does not address the underlying problems that may be driving recidivism by this defendant population.

In this context, it is remarkable that the Court has thus far experienced a significant success rate. This is particularly true in light of the dearth of real treatment resources available to the Court's defendants. Based on this experience, it is prudent to expect that with more resources, delivered in a manner that engages and motivates individuals to take advantage of available services and supports, the Court could be even more successful.

Community Court Defendant Profile

Community Court defendants commit non-violent offenses such as theft, criminal trespass and prostitution, and repeatedly cycle through the criminal justice system. As noted, many are chronically homeless, have addictions to drugs and/or alcohol, suffer from mental illness, and consequently, many are unemployed. Data collected during the first year of operation will serve as a baseline for measuring comparative outcomes and will help us to better understand the complexity of serving this population.

Defendant Profile Data

- 315 defendants were scheduled for the Community Court calendar during the 12-month period (March 3, 2005 – March 2, 2006). Opt-outs, dismissed cases, and multi-jurisdictional¹ holds reduced the number of defendants who were ultimately mandated to community service and social service linkages to 260 (83%).
- 70% were male, 30% female, and the average age for men and women was 41.
- 44% of defendants were Caucasian, 25% African-American, 11% Native American, 10% Hispanic, 4% Asian/Pacific Islander, and 5% Other/Unknown.
- 68% of successful participants were homeless, compared to 55% in general defendant pool. This number is low because many of those who reported having housing had unstable, temporary housing with friends or family members. The average length of homelessness was 2 years.
- 90% were unemployed; the average length of unemployment was 3.4 years.
- 51% completed high school, GED, or some level of high school. 18% completed some level of college. Defendants on average completed 12th grade; the range was 3rd grade to a Master's degree.
- Veterans comprised 12% of the defendant pool; 4% were successful completers.
- 42% were charged with theft, majority were males, 17% criminal trespass, and 11% prostitution, females only.

Findings

- 28% or 73 defendants completed their Court sanctions.
- 43% or 112 defendants completed 1,825 hours (39%) of mandated community service, monetary value \$18,250. Work included private and public property graffiti paintouts; trash bags collected; trashcans emptied or serviced; alleys cleaned; and the assembly of 7,500 hygiene kits.
- 92% of successful defendants compared to 78% of all defendants needed DSHS benefits; of the total defendant pool 54% identified a need for Chemical Dependency services, 47% employment, and 25% Mental Health counseling².
- Successful participants completed a higher number of social service linkages, 3 on average, compared to the total defendant pool who completed an average of 1.7 linkages.
- \$108,168 in jail savings were realized by decreasing the time from arraignment to the Community Court hearing to 3 days; this compares to 19 days for traditional court cases.

¹ On several occasions, defendants were held on another jurisdiction's charge could not participate in the program because the lack of resolution on these additional charges did not allow release from custody; therefore these defendants were unable to perform community service or make necessary social service connections.

² The stigma attached to mental illness and the concern that reporting either of these health issues could lead to Court sanction for treatment may have resulted in under-reporting by all defendants

Eligibility

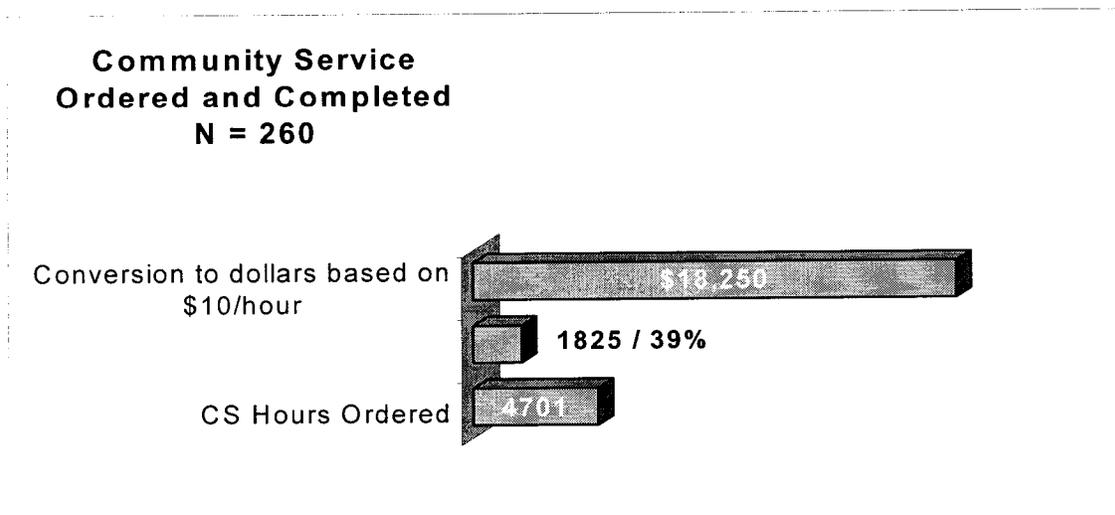
1. Commit theft, criminal trespass, prostitution, or other eligible offense;
2. Offense committed in focus neighborhood;
3. Defendants do not pose a present risk to public safety as determined by the City Attorney.

Focus Neighborhoods:

Lower Queen Anne	South Downtown Seattle
South Lake Union	Pioneer Square
Belltown	International District
Pike-Pine	First Hill
Central Business District	Capitol Hill

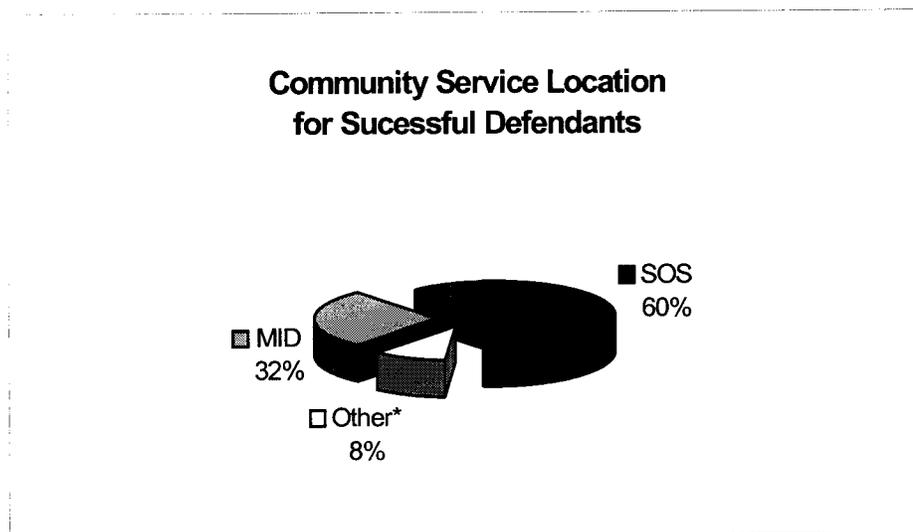
1. The Community Court geographic area contains a concentration of offenders who meet the pilot criteria for eligible charge type committed in the focus neighborhood.
2. The area coincides with the community work boundary of the Downtown Seattle Association (DSA) – Metropolitan Improvement District, one of two supervised Community Service sites. DSA provides financial support and analytic assistance to the project. Street Outreach Services, a second Community Service work site, is also located in the area.

Table 1. Community Service (CS) Ordered and Completed for All Defendants:



Monetary Value of Community Service Completed: \$18,250 (Number of hours * \$10/hour, the value the Court assigns when allowing Defendants to complete community service in lieu of fines)

Table 2. Where Did Successful Defendants Serve Community Service?



- **MID**- Metropolitan Improvement District
- **SOS**- Street Outreach Services
- **Other** includes Operation Sack Lunch, area Food Banks, and sites outside King County