

# Expanding the Community Court Model

Testing Community Court Principles in the Bronx  
Centralized Courthouse

BY SHANI KATZ

NOVEMBER 2009

## **Acknowledgements**

This study had been supported by grants from the following sources: The Bureau of Justice Assistance of the U.S. Department of Justice, the New York City Criminal Justice Coordinator's Office, the New York State Division of Probation and Correctional Alternatives, the New York State Unified Court System, the Daniel and Florence Guggenheim Foundation, the Glickenhau Foundation, and the Booth Ferris Foundation.

The author would like to thank all of the Bronx Community Solutions staff and stakeholders who helped make this research possible. In particular, the author would like to express gratitude to Aubrey Fox, Maria Almonte-Weston, Benjamin Smith, and Aeli Gladstein, who were always available to meet and answer questions. In addition, thanks to Mike Rempel from the Center for Court Innovation, who was instrumental in the implementation of this research, as well as offering comments on drafts of this report. Thanks to Greg Berman, Executive Director of the Center for Court Innovation, for his feedback on an earlier draft. The author is also grateful to the Honorable Judy Harris Kluger, Chief of Policy and Planning for the New York State Unified Court System, and to her Chief of Staff, Bruna DiBiase, for their helpful comments on an earlier draft.

We thank the New York State Division of Criminal Justice Services (DCJS) and the Division of Technology of the New York State Unified Court System (UCS) for providing electronic criminal record files. The authors are solely responsible for the final methodology and results obtained with the DCJS and UCS data.

Any opinions and interpretations are those of the author. They do not necessarily represent the official position or policies of the U.S. Department of Justice or the New York State Unified Court System. Please direct all correspondence to Shani Katz, Senior Research Associate, Center for Court Innovation, 520 8th Avenue, 18th Floor, New York, New York 10018, e-mail: [skatz@courts.state.ny.us](mailto:skatz@courts.state.ny.us).

## **I. Introduction**

Community courts are neighborhood-focused projects in the administration of justice. Their objectives typically include bridging the gap between courts and the communities they serve, restoring those communities (through community service, prevention programs, and other outreach efforts) and providing litigants with resources to deal with the problems that brought them to court in the first place (Feinblatt & Berman, 1997). The first community court opened in Midtown Manhattan in 1993, and many of the community courts that followed have been based on the Midtown model, which focuses primarily on quality of life crimes, such as vandalism, prostitution, drug possession and shoplifting. By the end of 2008, there were more than 60 operational community courts around the world, including 33 in the United States (Karafin, 2008; Henry & Kralstein, 2009). Although the literature is limited, studies have documented that community courts make increased use of community and social service sentences; make decreased use of short-term jail; elicit greater compliance with court orders; promote increased litigant perceptions of court fairness; and engage in a range of community outreach activities (see review in Henry & Kralstein, 2009).

The current study tests the effects of an effort to extend community court practices beyond the community-based courthouse and into a larger centralized court context. Bronx Community Solutions was created as an adaptation of the community court model, maintaining the same principles and objectives, but placed within a large criminal court in the Bronx, New York, which hears more than 80,000 misdemeanor and felony cases annually, spread across 40 courtrooms every day. Similar to the operations of a community court, Bronx Community Solutions provides judges with alternative sentencing options, such as community and social service for misdemeanor cases, with these options, as compared to the traditional approach, which in many urban courts tends to emphasize fines, short-term jail sentences, and conditional discharges (often with no conditions). Bronx Community Solutions also strives to have an impact on local communities in the Bronx, both through efforts at community engagement and restitution through community service.

This is the first study to examine Bronx Community Solutions (or any initiative of its kind in the United States). This study provides a much-needed look at the effects of community-court principles on the disposition and sentencing practices of a larger criminal court. After describing the Bronx Criminal Court and the initiative under investigation here, the study methodology and results are presented. Major findings are then summarized in a brief conclusion on pages 12-13.

## **II. Criminal Court Processing in the Bronx**

The number of misdemeanor cases processed annually in the Bronx is enormous. There were 48,054 and 51,093 misdemeanor arrests in the Bronx in 2004 and 2005, respectively (New York State Division of Criminal Justice Services, 2009). Of those convicted, 23% were sentenced to jail (up to one year) in 2004 and 20% were sentenced to jail in 2005.

In February 2004, then Chief Judge Judith S. Kaye implemented a court merger plan in the Bronx, which was designed to increase county efficiency, reduce the backlog of felony and misdemeanor cases, and create cost savings. Prior to the merger, misdemeanor cases were heard

in the local Criminal Court, while felonies were heard in the Supreme Court. The merger allowed both types of cases to be assigned across a greater number of judges. The merger began on November 9, 2004 (Newton & Etheridge, 2004).

In the newly formed Bronx Criminal Court, cases are arraigned within twenty-four hours of arrest in one of four arraignment court parts. Arraignment Parts One and Two (AR-1, AR-2) are the daytime arraignment parts, while Arraignment Part Three (AR-3) handles cases arraigned on weekday nights and Arraignment Part Four (AR-4) handles cases arraigned on the weekend. The majority of misdemeanor cases are disposed during arraignment, but if this does not occur, the case is sent to one of the eleven conference parts. If the case is not disposed in one of the conference parts, the case is sent to trial.

### **III. Early Implementation of Bronx Community Solutions**

Bronx Community Solutions is an initiative created by the Center for Court Innovation in collaboration with the Office of Court Administration, Bronx District Attorney, the Bronx defense bar, the Bronx Borough President's Office, and the New York City Criminal Justice Coordinator's Office. The initiative began in January, 2005, with the goal of applying community court principles and policies, including alternative sanctions in particular, to low level misdemeanor offenders throughout the Bronx. The intent of the initiative is to reduce short-term jail sentences and to increase public confidence by holding offenders accountable for their crimes, which includes an increase in compliance with court orders. In addition, the initiative involves community outreach, with efforts to reduce crime and to identify specific preferences and needs of various Bronx communities. These needs are met in part through the community service provided by Bronx Community Solutions participants.

Bronx Community Solutions officially opened in January, 2005, operating only in Arraignment Part Two (AR-2), which handles violations and misdemeanors, and received 154 cases in its first month. Starting April 1, 2005, Bronx Community Solutions expanded to Arraignment Part One (AR-1), the second daytime arraignment part. AR-1 handles misdemeanors and all female defendants. Beginning June 1, 2005, Bronx Community Solutions became responsible for handling all community service throughout the Bronx, and on August 1, 2005 began receiving cases from more than 40 court parts in the Bronx Criminal Division.

The initiative also assigned a full-time resource coordinator to AR-1 and AR-2, and assigned additional resource coordinators to AR-3 and AR-4 for partial coverage. The resource coordinators reviewed each defendant's criminal record, rap sheet, and any pre-trial interviews and made recommendations to the court on the defendant's eligibility for Bronx Community Solutions and appropriate alternative sentencing. The final decision regarding whether any individual participated in BCS was made via the plea bargaining process among the judge, prosecutor and defense attorney. Offenders with domestic violence cases and those defendants who were flagged as Operation Spotlight<sup>1</sup> were ineligible for participation in the initiative.

---

<sup>1</sup> Operation Spotlight is a citywide initiative that targets defendants with a misdemeanor arrest and who have at least two additional arrests within the preceding twelve months (one of which must be a non-felony).

For eligible defendants the judge imposed a sentence of a conditional discharge and specified the length of mandate, which included a certain number of days of either community service, social service, or a combination of both; the jail alternative to be imposed in the event that a defendant did not comply with their mandate; and the adjourn date by which time the defendant must have complied with the terms of their mandate. The defendant's placement into specific community service and social service programs was determined by Bronx Community Solutions staff, which not only allowed for a faster process in the courtroom, but also allowed for more individualized decision-making since intake staff had access to more extensive information about the defendant's individual needs. Prior to the initiative, placement into particular service programs was determined by the judge.

Following a sentence to Bronx Community Solutions, offenders reported to the program's intake office, located in the Bronx Criminal Court (upstairs from the sentencing court), to complete an intake assessment and ensure initial compliance. If the intake assessment was unable to occur immediately after sentencing, the offender was required to report to the intake office on the morning of the next available business day. The intake assessment was designed to match the participant's needs to the services available. The majority of Bronx Community Solutions participants were sentenced to less than seven days of programs and classes, though some participants received mandates of 8-29 days or 30 days or more. Community service hours were completed through projects in various Bronx communities and social service mandates were completed through group classes, such as job training, life skills, decision making and anger management. In addition, some Bronx Community Solutions participants received individual counseling sessions as a part of their social service mandate.

Previous research indicates that Bronx Community Solutions has been able to achieve higher compliance rates with community and social service sentences than was achieved previously in the Bronx Criminal Court. For example, in 2008, the community service compliance rate was 68%, which compares with an approximate 50% community service compliance before the implementation of Bronx Community Solutions (Center for Court Innovation, 2008).

#### **IV. Statistical Methods**

##### ***1. Research Design and Methodology***

This evaluation compared defendants arrested in the Bronx from August – December, 2004 (pre-implementation) to defendants arrested from August – December, 2005 (post-implementation). The dates were selected in order to capture a time period in which Bronx Community Solutions was fully operational in all arraignment parts. The sample included all misdemeanor arrests during the stated time period and excluded any felonies, Operation Spotlight or domestic violence cases. The data was collected from three sources and included demographic information, criminal history, current charges, disposition and sentencing information. The three sources of data were:

1. The Justice Center Application (JCA), a web-based data management and program monitoring system used by several specialized court projects in New York City, including Bronx Community Solutions;

2. The management information system for criminal cases handled throughout New York State (CRIMS), which included all sealed and unsealed case data for 2004 and 2005; and
3. The New York State Division of Criminal Justice Services (DCJS), which also included all court case data for 2004 and 2005, with a variety of specific data elements not available in CRIMS.

First, the data from the JCA was merged with CRIMS data. This merged dataset was sent to DJCS for matching, where DCJS matched cases to include more extensive court case data, and then stripped the data of any personal identifying information. The total Bronx Community Solutions sample was 2,657 cases. Related to problems in the matching process, certain information could not be retained in the final dataset and had to be statistically imputed.<sup>2</sup>

The data collected on alternative sanctions (community service and social service) in 2004 was not reliable due to limited data entry for community service sentences and no record-keeping of any social service sentences. To further create a representative dataset, alternative sanctions were imputed for cases in 2004. The imputations were calculated using a calendar analysis completed in 2006 for years 2004-2006. To assess changes in sentencing patterns before and after the implementation of Bronx Community Solutions, court calendars from AR-1, AR-2, AR-3, and AR-4 for October of 2004, 2005, and 2006 were collected, coded, and analyzed. These calendars list all cases that were heard in a given court part on a given day and indicate the outcome of the court appearance. The calendar analysis found that in 2004, 6% and 3% of cases received community service and social service sentences, respectively. Less than 1% of cases received both community service and social service sentences; therefore, we assumed that combined community and social service sentences did not occur in our 2004 case sample. This analysis led us to assume that there were 410 community service cases and 200 social services cases in 2004. After all matching and imputations were completed, the total dataset consisted of 30,177 cases – 15,138 from 2004 and 15,039 from 2005.

## ***2. Overview of the Analytic Plan***

This research project seeks to test whether the implementation of Bronx Community Solutions led to:

- An increase in the use of alternative sanctions (community service and social service).
- A decrease in the use of sentences, such as fines or time served, that do not involve the offender in an ongoing obligation.
- A decrease in the use of short-term jail sentences.
- A decrease in the total number of jail days sentenced.

---

<sup>2</sup> Due to errors in matching the data from all three sources, some cases with original Bronx Community Solutions data were lost. Propensity score matching was used to impute Bronx Community Solutions status to 1,352 cases. This exact number of cases were mandated to Bronx Community Solutions during the August – December, 2005 period, but could not be merged between the project database (JCA) and the two general criminal justice databases (CRIMS and DCJS). Because we knew the background characteristics of the unmerged cases, we were able to use propensity score matching techniques to identify cases of similar background in the general criminal court database and impute Bronx Community Solutions status to these cases (Rosenbaum & Rubin, 1983, D'Agostino & Rubin, 2000).

This evaluation focused on sentencing patterns in the Bronx, comparing outcomes at arraignment for defendants arrested on misdemeanor charges in the Bronx in August – December, 2004 (pre-implementation) and in August – December, 2005 (post-implementation).

Analyses were conducted to test the impact of Bronx Community Solutions on sentencing practices and outcomes for misdemeanor cases that were convicted at arraignment. Analyses were conducted to examine the predictors of sentencing. Specifically, the analyses examined the association between offender characteristics – criminal history, current charges, and demographics – and different sentences (alternative sanction, jail, or sentence with no ongoing obligation). For the year in which Bronx Community Solutions was fully operational (2005) analyses examined which offender characteristics were associated with receiving a Bronx Community Solutions mandate. Furthermore, for those sentenced to Bronx Community Solutions, the analysis examined which offender characteristics were associated with receiving a social service mandate compared to community service mandate.

## **V. Results**

The analysis examined misdemeanor defendants in the Bronx in August – December, 2004 and August – December, 2005. This section compares the defendant populations in 2004, the year prior to Bronx Community Solutions, and 2005, the year in which Bronx Community Solutions was fully operational (see Table 1). It is important to note that due to the restructuring of the court system in the Bronx in November, 2004, as previously discussed, we examined the outcomes for the pre- and post-restructuring periods for significant differences. There were significant differences only for the percentage of defendants sentenced to time served (see Appendix A).

### ***1. Defendant Profile***

Table 1 compares the baseline characteristics of defendants convicted at arraignment in the 2004 and 2005 samples.

- **Demographics:** In 2004 and 2005, the majority of defendants were older males. Overall, half of the defendants were black, slightly more than a quarter were Hispanic, and the others were white or from other racial/ethnic groups.
- **Criminal History:** In 2005, Bronx misdemeanor defendants had more extensive criminal records, including both arrests and convictions, than defendants in 2004. The majority of defendants had at least one prior misdemeanor arrest and the defendants averaged almost 10 prior arrests and just over five prior convictions.
- **Current Charges:** The analysis included the following arrest charges: drugs, property offenses, assault and fraud. For both years, more than a quarter of all defendants were arrested on drug charges.

Table 1: Defendant Characteristics and Top Charges in the Bronx

	Convicted at Arraignment - Intervention (2005)	Convicted at Arraignment - Comparison (2004)
Total (#)	11,798	10,955
Demographics		
Mean Age	33	33
Male	82%	83%*
Race		
Black	51%	49%**
White	11%	13%**
Hispanic	29%	26%**
Other	9%	12%**
Place of Birth		
USA	80%	77%***
Central or South America	17%	20%***
Other Country	3%	3%***
Current Charges		
Arrest Charges		
Drugs	40%	38%***
Property offenses	11%	10%***
Assault	7%	9%***
Fraud	11%	11%***
Other	31%	32%***
Conviction Charges		
Drugs	27%	27%
Property offenses	7%	7%
Disorderly Conduct	30%	28%
Other	36%	38%
Criminal History		
Mean Prior Arrests	10.8	9.2
Mean Prior Convictions	6.0	4.9
Any Prior Arrests	88%	84%***
Any Prior Convictions	38%	34%***
Any Prior Misdemeanor Arrests	82%	77%***
Any Prior Felony Arrests	70%	65%***
Any Prior Misdemeanor Convictions	58%	53%***
Any Prior Felony Convictions	45%	42%***

\*p <.05 \*\*p <.01 \*\*\*p <.001 (2-tailed test)

## 2. Impact of Bronx Community Solutions on Sentencing Outcomes

The analysis in this section focused on the comparisons of sentencing outcomes in 2004 and 2005. Table 2 displays sentencing results for all Bronx misdemeanor cases from August to December in both 2004 (pre- Bronx Community Solutions implementation) and 2005 (post-Bronx Community Solutions implementation).



### *Alternative Sanctions*

Table 2 presents sentencing outcomes for those cases convicted at arraignment. Conditional discharges with alternative sanctions increased significantly, from 9% in 2004 to 25% in 2005 ( $p < .001$ ). Within this category, sentences requiring social service classes increased significantly from 3% to 7% ( $p < .001$ ), community service combined with social service classes increased significantly from 0% to 6% ( $p < .001$ ), and community service alone also increased significantly from 6% to 11% ( $p < .001$ ). Overall, these results suggest that Bronx Community Solutions achieved its goal of providing courts with alternatives to traditional sentences.

### *Sentences with No Ongoing Obligation*

Table 2 presents sentencing outcomes for different types of sentences with no ongoing obligation — defined as a sentence of a conditional discharge with no conditions, unconditional discharge, fine or time served. The overall prevalence of sentences with no ongoing obligation decreased significantly from 2004 to 2005 (73% to 58%,  $p < .001$ ). Sentences resulting in a conditional discharge with no conditions or an unconditional discharge decreased significantly (from 43% to 32%,  $p < .001$ ), as did sentences resulting in a fine (from 20% to 16%,  $p < .001$ ). The data suggest that the presence of Bronx Community Solutions significantly decreased the number of sentences with no ongoing obligation from 2004 to 2005. Hence, more low-level offenders were held accountable through some form of ongoing sanction or obligation.

### *Jail Sentences*

As shown in Table 2, there was a small, but significant decrease in overall jail sentences from 2004 to 2005 (18% to 16%,  $p < .01$ ). One explicit goal of Bronx Community Solutions is to reduce reliance on short-term jail sentences, and for such sentences (30 days or fewer), there was a small decrease of 2% from 2004 to 2005 (non-significant). This finding suggests that, in its first year, while there may have been a small effect at the margins, the presence of Bronx Community Solutions did not demonstrably reduce the use of short-term jail sentences. A possible explanation is that during the first year of implementation many of the judges were not familiar with Bronx Community Solutions, and therefore did not utilize Bronx Community Solutions as an alternative to short-term jail sentences. Moreover, subsequent analyses found a consistent decline in overall and short-term jail sentences over a period extending from 2004 – 2008 (Katz, 2009).

### *Total Length of Jail Outcomes*

Table 2 presents data on mean days served in jail. A goal of Bronx Community Solutions is to reduce the total number of jail days served by non-violent offenders, which would in turn yield collective cost-savings. For those cases convicted at arraignment, the mean number of days served in jail decreased slightly and significantly from 2004 to 2005 (1.7 to 1.5,  $p < .05$ ). On an annualized basis, this latter result suggests that Bronx Community Solutions was reducing jail days at a rate of 4,061 days per year<sup>3</sup>.

---

<sup>3</sup> For purposes of estimating a change in annualized jail days that may be attributed to Bronx Community Solutions, we assumed a constant number of convictions at arraignment, averaging the available data between 2004 and 2005.

Table 2. Sentencing Outcomes

	Post-Intervention (2005)	Pre-Intervention (2004)
Total Convicted (#)	11,798	10,955
Total (#) Convicted at Arraignment	8,081	6,772
<b>Sentencing Outcomes<sup>1</sup></b>		
For those cases convicted at arraignment:		
Conditional Discharge/Alternative Sanction	25%	9%***
Community Service	11%	6%***
Social Service	7%	3%***
Both Community Service and Social Service	6%	0%***
Type Unknown	2%	0%***
Walks/No ongoing obligation	58%	73%***
Conditional Discharge with no conditions or		
Unconditional Discharge <sup>2</sup>	32%	43%***
Fine	16%	20%***
Time Served	10%	10%
Jail Sentences	16%	18%**
1 to 30 days	15%	17%
31 to 90 days	1%	1%
91 to 182 days	<1%	<1%
183 or more days	<1%	<1%
Straight Probation and other	<1%	<1%
<b>Jail Outcomes<sup>3,4</sup></b>		
Mean days served in jail		
For those cases convicted at arraignment	1.5 days	1.7 days*
For those cases sentenced to jail	9.0 days	9.8 days
Annualized days served in jail <sup>5</sup>		
For those cases convicted at arraignment	30,457.5 days	34,518.5 days
For those cases sentenced to jail	29,239.2 days	35,872 days

\*p <.05 \*\*p <.01 \*\*\*p <.001 (2-tailed test)

<sup>1</sup>There were 14 cases missing data for 2004 and 6 cases missing data for 2005.

<sup>2</sup>One (1) case was sentenced to an Unconditional Discharge.

<sup>3</sup>It is assumed that defendants served two-thirds of their jail sentence.

<sup>4</sup>When controlling for offender baseline characteristics the difference between 2005 and 2004 increases and the effect is significant at p<.001.

<sup>5</sup>The mean days served in jail is for the time period of August to December. In order to account for the remainder of the year, the annual average was generated by averaging the total number of convicted cases for 2004 and 2005, which was obtained from the New York State Division of Criminal Justice Services, multiplying that average by the rate of conviction at arraignment according to the current data and finally multiplying by days served in jail.

### 3. Predictors of Sentencing

The multivariate analysis in this section examined the predictors of sentencing outcomes, confirming and expanding upon the bivariate findings presented above.

Table 3 presents the results of the multivariate analysis that examined the predictors of receiving a jail sentence, and among those sentenced to jail, the predictors of receiving a longer period of incarceration. The results indicate that jail sentences were significantly less likely and less lengthy in 2005, after Bronx Community Solutions opened. Several of the other predictors were also significant. Older defendants were more likely to be given a jail sentence rather than an alternative sanction or a sentence with no ongoing obligation. Men were less likely than women to receive a jail sentence and more likely than women to receive a sentence with no ongoing obligation. Defendants who were arrested on drug charges were significantly less likely to receive a jail sentence than defendants facing other charges. Not surprisingly, defendants with prior arrest history were especially likely to receive a jail sentence. Finally, race was not a significant predictor of sentencing outcomes.

Table 3: Predictors of Sentencing Outcomes

	Outcome Measures: Analyzed with Logistic Regression Specification Except Where Noted		
	Sentence - Walk	Sentence - Jail	Days Served in Jail <sup>1</sup>
	Odds Ratio	Odds Ratio	Coefficients <sup>2</sup>
Total (#)	14,833	14,833	2,533
Post Implementation (2005)	0.536***	0.825***	-0.440***
Demographics			
Age	0.996*	1.012***	0.028***
Male	1.233***	0.768***	-0.210
Race			
Black	0.723***	1.207	-0.159
White	0.834*	1.160	0.170
Hispanic	0.574***	1.260	-0.039
Born in the USA	0.822***	1.107	0.424*
Drug Arrest Charges	1.353***	0.710***	-1.550***
Criminal History			
Number of Prior Misdemeanor Arrests	0.882***	5.581***	1.217***
Number of Prior Felony Arrests	0.709*	3.700***	1.568***

\*p <.05 \*\*p <.01 \*\*\*p <.001

<sup>1</sup> Amongst convicted cases sentenced to jail

<sup>2</sup> Linear regression

Drawing only on the 2005 sample, we then examined the predictors of receiving a mandate to Bronx Community Solutions. For these cases, we also had a particular interest in the predictors of defendants who were mandated to social service compared to defendants who were mandated to community service (see Tables 4 and 5).

Significant findings suggest that defendants sentenced to Bronx Community Solutions were more likely to be younger and less likely to male. Of those sentenced to Bronx Community Solutions, those who received a social service mandate, as opposed to community service only, were more likely to be older, female, arrested on drug charges and have an extensive criminal history.

Table 4: Predictors of a BCS mandate (of those convicted at arraignment in the 2005 sample)

	Mandated to BCS: Logistic Regression Odds Ratios
<b>Summary Statistics</b>	
Total Sample <sup>1</sup>	7,424
Total (#) Mandated to BCS <sup>2</sup>	957
Total (#) Not Mandated to BCS	6,467
<b>Demographics</b>	
Mean Age	0.984***
Male	0.591***
<b>Race</b>	
Black	1.060
White	0.958
Hispanic	1.089
Born in the USA	1.054
Drug Arrest Charges	0.963
<b>Criminal History</b>	
Number of Prior Misdemeanor Arrests	0.936
Number of Prior Felony Arrests	0.894

\*p <.05 \*\*p <.01 \*\*\*p <.001

<sup>1</sup> The total number of cases convicted at arraignment in 2005 was 8,081. There were 657 cases with missing data that were excluded from this analysis.

<sup>2</sup> The total number of cases mandated to BCS was 1,068. There were 111 cases with missing data that were excluded from this analysis.

Table 5: Predictors of receiving social service among BCS cases

	Bivariate Results		Multivariate Results
	Mandated to Community Service	Mandated to Social Service <sup>1</sup>	BCS Cases Mandated to Social Service: Logistic Regression Odds Ratio
Total (#) Convicted at Arraignment	8,081	8,081	8,081
Total (#) Receiving Service Mandate (among BCS cases) <sup>2</sup>	553	494	1,047
<b>Demographics</b>			
Mean Age	28	36***	1.044***
Male	86%	63%***	0.258***
<b>Race</b>			
Black	52%	52%	1.032
White	11%	11%	1.164
Hispanic	28%	31%	1.127
Born in the USA	82%	84%	1.436
Drug Arrest Charges	34%	51%***	1.782***
<b>Criminal History</b>			
Number of Prior Misdemeanor Arrests	0.76	0.87***	1.798**
Number of Prior Felony Arrests	0.62	0.72***	1.148

\*p <.05 \*\*p <.01 \*\*\*p <.001

<sup>1</sup> Received either Social Service or both community service and social service

<sup>2</sup> There were 21 BCS cases missing data on service mandates.

## VI. Conclusions

This impact analysis uncovered many differences between the time before Bronx Community Solutions opened, and the year in which it was implemented. The most notable findings are summarized as follows:

- **Use of Alternative Sanctions** – Conditional discharges with alternative sanctions, and the use of social service mandates in particular, increased substantially, suggesting that Bronx Community Solutions achieved its goal of providing courts with a wider range of sentencing options.
- **Sentences with No Ongoing Obligations** – During the post implementation year the percentage of sentences with no ongoing obligation significantly decreased. The reduction in sentences with no ongoing obligation suggests that low-level offenders were held accountable for their crimes through some form of ongoing obligation. Additionally, after the implementation of Bronx Community Solutions, compliance with court orders increased to 68%, up from 50% in the previous years.

- **Jail Sentences** – One goal of Bronx Community Solutions was to reduce reliance on short-term jail sentences. While there was a small (2%) decrease in both overall and short-term jail sentences (up to 30 days), the latter effect was not statistically significant. The analyses explained here represent the early days of Bronx Community Solutions; Subsequent analyses found a consistent decline in overall and short-term jail sentences over a period extending from 2004 – 2008.
- **Predictors of Sentencing** – Older defendants were especially likely to receive a jail sentence, while younger defendants were especially likely to receive alternative sanctions and sentences with no ongoing obligation. Men were more likely than women to receive sentences with no ongoing obligation while women were more likely to receive sentences of both jail and alternative sanctions. Defendants with a prior arrest history were especially likely to receive a jail sentence.
- **Mandates to Bronx Community Solutions** – Defendants mandated to Bronx Community Solutions were especially likely to be young and female. Of those mandated, defendants who received a social service mandate were older and more likely to be female, arrested on drug charges and in possession of an extensive criminal history.

There were several limitations to this study. First, the data was also limited in that it only included cases convicted in the arraignment court parts, and Bronx Community Solutions ultimately became a court-wide operation. Second, the data was collected during the early years of Bronx Community Solutions. We selected our time period of August – December, 2005 to capture the time period in which Bronx Community Solutions first became fully operational in all arraignment parts. However, though Bronx Community Solutions was operational in arraignment court parts, the buy-in, acceptance, and use of the program by the arraignment part judges may not have been as well-established as it subsequently became. A longer term analysis confirmed that the use of alternative sanctions rose substantially from 2004 – 2008 (by 16%), whereas the use of jail and sentences without an ongoing obligation declined by 7% and 9%, respectively (Katz, 2009).

This study provides evidence that a community court principles and practices can exist within a larger criminal court and can affect sentencing practices on a large scale. With continued support from court players and community partners, Bronx Community Solutions has become institutionalized within the Bronx Criminal Court and will continue to provide a wider array of service-based sentencing options than previously existed in the Bronx and in most criminal courthouses nationwide.

## References

D'Agostino, R.B. and Rubin, D.B. (2000). Estimating and using propensity scores with partially missing data. *Journal of the American Statistical Association*, 95(451), 749-759.

Division of Criminal Justice Services, Computerized Criminal History System (2009). Adult arrests Bronx County: 1999-2008. Retrieved February 13, 2009, from <http://criminaljustice.state.ny.us/crimnet/ojsa/arrests/bronx.htm>.

Division of Criminal Justice Services, Computerized Criminal History System (2008). Dispositions of misdemeanor arrests in Bronx County. Retrieved February 13, 2009, from [http://criminaljustice.state.ny.us/crimnet/ojsa/dispos/bronx\\_misd.htm](http://criminaljustice.state.ny.us/crimnet/ojsa/dispos/bronx_misd.htm).

Feinblatt, J. and Berman, G. (1997). *Community court principles: A guide for planners*. Center for Court Innovation, New York, NY.

Henry, K. and Kralstein, D. (2009). *Community court research: 2009 update*. Center for Court Innovation, New York, NY.

Katz, S. (2009). *Bronx sentencing outcome longitudinal analysis, 2004 – 2008*. Internal Memorandum, Center for Court Innovation, New York, NY, available upon request.

Kralstein, D. (2005). *Community court research: A literature review*. Center for Court Innovation, New York, NY.

Newton, Hon. B.J. and Etheridge, W.H. (2004). *Criminal court of the city of New York: Annual Report 2004*. New York, NY: State of New York Unified Court System. Retrieved January 21, 2009, from <http://www.nycourts.gov/courts/nyc/criminal/NYCCD-Annual-Report-2004.pdf>.

Rosenbaum, P.R. and Rubin, D.B. (1983). The central role of the propensity score in observational studies for causal effects. *Biometrika*, 70(1), 41-55.

Appendix A: Restructuring of the Court in the Bronx: 2004

	Pre-Restructure Period	Post-Restructure Period
Total (#) for Restructure Period (2004) <sup>1</sup>	10,172	4,966
Total (#) Convicted at Arraignment	4,511	2,261
Sentencing Outcomes <sup>2</sup>		
For those cases convicted at arraignment:		
Conditional Discharge/Alternative Sanction Walks/No ongoing obligation	51%	53%
Fine	20%	20%
Time Served	11%	8%***
Jail Sentences	18%	18%
Straight Probation and other	<1%	<1%

\*p <.05 \*\*p <.01 \*\*\*p <.001 (2-tailed test)

<sup>1</sup>There were 14 cases missing data.

<sup>2</sup>For purposes of this appendix, no attempt is made to estimate and distinguish conditional discharge sentences that do and do not involve alternative sanctions.