Program: Community Courts
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Abstract: Communities courts are neighborhood based judicial processes that are aimed to strengthen community relationships with the courts. Also they are trying to find and use other sentencing options to deter people from committing crime. They focus largely on “quality of life” crimes and misdemeanors. Similar court programs have been evaluated on crime solutions and they have been deemed effective. According to the evaluation of the East River Community Court, there are positive effects, recidivism rate was low and people were successfully completing diversion programs. Rochester could benefit from a community court to help the already established services in the Rochester community reach to a larger population.

1. Describe the Program or Strategy.

Community courts formed circa 1993, in New York City. They take the shape of community/neighborhood-based courts that address local problems and then try to fix them. One of their goals is to strengthen the court-community relationship within communities and to create new ones with business, restaurants, churches and schools. The courts role is more reactionary rather than responsive to crime. Community courts are searching for new ways to deter people from committing crimes and offer more economic and sensible ways to rehabilitate offenders while they also pay tribute for their crime against the community (http://www.courtinnovation.org/topic/community-court).

Community courts also are looking at increasing accountability for low level quality of life offenders. To do so, they have to have available different types of sanctions and services. Sometimes, an offender’s sentence may be community service, that way they can “pay” their debt back to the neighborhood that they hurt. Additionally, community courts are known for their wide-network of services on the premises of the actual courthouse. Agencies like social services, drug and alcohol programs are all located inside the actual building. The courts are linking the community members with the appropriate services to better serve them. Sometimes, an offender’s sentence may be community service, that way they can “pay” their debt back to the community that they hurt.
In many community courts, there are smaller or specialized courts, such as drug courts, alcohol court, domestic violence court, and mental health court. These courts allow certain offenders get the exact treatment they need.

The Midtown Community Court was the first court to be launched in the United States, in 1993. From October 1993, to 1994, the court heard over 11,959 arraignments of low-level crimes. Now there are several dozen-community courts in the United States and a handful of them abroad. The closest community court to Rochester is in Syracuse, NY. The rest are in New York City and surrounding borough.

2. **What types of crime are they intended to prevent or reduce?**

Most community courts focus on criminal cases that affect quality of life, such as: shoplifting, graffiti, illegal vending, and prostitution. Other courts look into a wider variety of cases; auto theft, low-level felony drug charges, and assault. Each community can tailor their courts responsibilities and which cases to hear, based on the needs of that community. For example, a community that has a high re-offending rate might want to focus on re-entry programs and ways to intervene in an offender’s lifestyle to help minimize the chances of reoffending.

Community courts also hope to increase community trust rates. Trust within a community is very important and lack of trust can be detrimental to a society. Lastly, they also are looking at cutting the cost-benefit analysis of taking smaller cases to the community courthouses. By using the community court dramatic cuts in costs have been made.

3. **Is the program or something similar reviewed on Blueprints for Violence Prevention (http://www.colorado.edu/cspv/blueprints/) or Crime Solutions (www.crimesolutions.gov)? Provide Citations.**

Unfortunately, Blueprints has not evaluated community courts but similar programs have been evaluated on crime solutions. The programs on crime solutions are; community family court (Rated effective), DUI/Misdemeanor courts, and treatment court (effective) (http://www.crimesolutions.gov/advsearch.aspx).

Many actual community courts have been evaluated by outside agencies. For example, the National Center for State Courts, evaluated the Philadelphia
Community Court and the District of Columbia Superior Court released a study about the East of the River Community Court (ERCC). More about these courts are later on in the review.

4. **Is there a clear theoretical foundation?**

According to authors, Jeffrey Fagan and Victoria Malkin, the theory behind the “problem solving” and community courts are that the criminal justice system is overloaded, ineffective and broken (898). Also, that the system has ignored those that feel the real effects of high crime, citizens and neighborhoods (897). The goal of community courts are to try to fix the problems in certain communities that are at risk.

Fagan and Malkin, discuss a certain theory behind the structure and process of community courts. However, first they dive into the idea of community justice and its historical relevance. There was a rise of crime and a rise of unsatisfied citizens that lead to a “crisis of legitimacy for legal institutions” (901). The reformers sought out a way to address local problems and create more efficient judicial forums. The court system was overloaded, and unable to respond to its large caseload, causing a need for a new type of justice. The high caseload was causing increasing incarceration levels, which were causing the system to be broken. Now, after many social, political and economic changes, community justice seeks to service a broken, unsafe community that is in desperate need of repair. It was crucial that community justice be apart of the court system rather than corrections or policing because it gives the judicial system more accountability. Community courts are a result of the community justice movement that spread across the United States. Finally, the community courts have used four different mechanisms to respond to issues and to establish their legitimacy; individualized justice, restorative justice, moral communication and creating partnerships (905-907).
5. Is there a direct, indirect or no clear theoretical link to crime reduction?

Some may say that there is a direct link to certain crime reductions as a result of community courts, when concluding from the evaluations. However, it is tough to say that there is a direct link to crime reduction from community courts because there are so many other factors that influence crime rates and recidivism. I would say that there is a direct theoretical link to crime reduction based on the ideas the community court embody, whether they are successful in reducing crime, again it is too hard to conclude with the little amount of data thus far.

6. Describe the logic model. Diagram it. How is it intended to reduce crime?

The community courts are acting as an intervening variable. They take care of the legal aspects of the crime first but then they show the offender the way to different services to receive more help to hopefully reduce his or her likelihood of re-offending. There overall goal is to achieve lower crime rates, lower recidivism rates and stronger relationships within the community.
7. **Does this program or strategy exist in this community? If yes, what agency is it run through? How long has it been in existence here? How is it funded?**

The closest Rochester has to a community court, are the specialized courts (drug court, domestic violence court, etc.) which are another form of the judicial process that helps link offenders to certain services based on the type of crime committed.

8. **Does it exist in other communities? If yes, where?**

Rochester, NY currently does not have a community court however; NY has about 5 of them. The closest community court is located in, Syracuse, NY. Community courts are spread all across the country and even abroad. They have spread like wild fire and they are increasing with success and popularity. Another popular community court that has been evaluated is Red Hook Community Court. Red Hook was launched in June of 2000 and it is located in southwest Brooklyn. Red Hook has on-site services and even has other programs, such as a youth court to help get young people involved in the judicial process. There overall goals are to decrease fear and improve public trust in government (http://www.courtinnovation.org/project/red-hook-community-justice-center).

9. **Does research exist on its effectiveness? Briefly summarize the conclusions. Provide Citations.**

Research does exist the effectiveness of community courts. Many judicial agencies have done their own evaluations of certain community courts like noted earlier. The Bureau of Justice Services, a subdivision of the Department of Justice, published a literature review on the research of community courts. Inside, they provided a table of the most notable community courts and the details of those evaluations. The details include, the citations, data source, method and results (http://www.courtinnovation.org/sites/default/files/documents/Community%20Courts%20Research%20Lit.pdf).
10. Provide a review of the research (At least two studies)

Philadelphia Community Court:

The Philadelphia Community Court was started as a result of an increase in “quality-of-life” crimes. The jails and prisons were also beginning to experience overcrowding and there was a need for alternative sentencing options. However, after the evaluation it is hard to establish that the results from the evaluation are of a direct result of the community court.

a. Research Design

The Philadelphia Community Court (PCC) evaluation was done to accomplish four goals; conduct a process evaluation of the PCC, conduct an outcome/impact evaluation, carry out a cost-benefit analysis of the PCC and lastly, to identify best practices for the court to enforce. The methodology had a few parts. First, there was a review of the process of the PCC based on the literature. Secondly there was an analysis of quantitative data from the community court and finally there were interviews with internal and external stakeholders. Therefore, there was a basic literature analysis and data evaluation taken place. There were no comparison groups or specific experimental designs.

b. Describe the Data

The data that was used came from many crime statistic databases, such as the PCC’s internal Forensic Intensive Recovery System (FIR) or the pre-trial arraignment systems (PARS). The source of the data depended on the type of research question being asked.

c. Summarize the Findings

Some of the findings were that community service was part of sentencing in almost all of the cases heard. At the end of 2007, the court had heard a total of 48,872 new cases since it’s opening in 2002. In 2007, there was a total of 78,569 hours of community service done.

Some of the results of the survey are that of the 69 alcohol offenders whose case went through PCC, 60% said the court impacted their drinking patterns and 43% said they found the court useful. These findings are just one of the many results that
have been concluded. For more findings please refer to the article written by Fred Chessman and David Rottman (http://pacrimestats.info/PCCDReports/EvaluationResearch/Completed%20Research/Courts/Specialty%20Courts/Outcome%20Impact%20Evaluation.pdf). It is important to note that the methodology for this study does not have a scientific

East of the River Community Court:

The phrase “East of the river” is vastly known in the Washington D.C criminal justice world. There are high crime rates, high poverty rates and many quality of life issues stemming from this geographic location. The East of the River Community Court was implemented in 2002 and presides over misdemeanor cases (except domestic violence cases). Unlike other judicial processes, certain defendants were eligible to participate in diversion programs and obtain access to the necessary treatment and educational services. In 2010, the D.C Superior Court funded a study to determine if the ERCC was effective or not.

a. Research Design

The study (conducted by Westat) totaled 4,046 defendants that participated in the ERCC from 2007-2009. The research questions being examined were; the rate of successful diversion completions and the reoffending activity in this area (D.C & Maryland). In order to determine how successful and effective the ERCC was with recidivism, the researchers compared a group of offenders who went through a diversion program with defenders who had not had any services. The two groups were matched by gender, age, race, criminal history, and severity of offense.

b. Describe the data

The data came from court records of the D.C Superior Court. The specific data within the records were; demographics, charge information, court proceedings, sentences and diversion program information. Westat then had to “clean up” the data and make it ready for quantitative analysis. The comparison group was made up of people who had committed similar crimes in the MPD 5th district. The data was then compared and analyzed to produce some promising results.
c. Summarize the findings

The study resulted in that misdemeanor drug charges were the most common charges the ERCC looked at. The overall reoffending findings are that, there is a substantially lower rate when compared to the control group (group who did not complete the diversion programs). If the case was still on going the defendant had a 60% lower reoffending rate than in the comparison group. Also, during the entire time of the study, the defendants who successfully completed the program were about 50% less likely to reoffend compared to the control group. For a more detailed report please refer to the following link (http://legaltimes.typepad.com/files/ercc-coverletter-and-evaluationreport.pdf).

11. How would you rate this program or strategy?
   a. Generally recognized as effective
   b. Good likelihood that it is effective
   c. Inconclusive
   d. Probably not effective
   e. Generally recognized as not effective
   f. Harmful or likely to be harmful

12. Explain your Rating

I decided to choose a rating of “Good likelihood that it is effective” because when researching the more scientifically done evaluations, conclusive findings are common. They are able to show recidivism rates and sometimes crime rates declining and so on. However, there is always the question, how much can the findings be explained by our variables. How do we know that crime is just at an all-time low for that month? Or that the offenders are not moving to other communities to commit crimes; to avoid the community court in their neighborhood. I do believe that community courts strengthen the relationship of the judicial process and the community. Offenders are being introduced to other types of services that are aiding in their rehabilitation. There are positives and shortcomings to any intervention strategy and I believe that community courts could do a lot of good to communities in need. However, if we had more scientific evaluations on them, we can evolve and change them as needed to be more effective.
13. One paragraph summary of the program, the findings and your recommendation.

Community courts are neighborhood based judicial processes that are aimed to strengthen community relationships with the courts and to find and use other sentencing options to deter people from committing crime. They focus largely on “quality of life” crimes and misdemeanors. The courts also spend a great deal of time and money introducing offenders to the appropriate services they need to correct the wrongs in their lives. Similar court programs have been evaluated on crime solutions and they have been deemed effective.

According to the evaluation of the East River Community Court, there are positive effects, recidivism rate was low and people were successfully completing diversion programs. Rochester could benefit from a community court to help the already established services in the Rochester community reach to a larger population. Maybe they could also help decrease the quality of life in some communities that are strained with certain crimes. Community courts are growing and they keep growing based on positive feedback. The key thing to remember is that they are designed specifically for certain communities.

References