

Community (*included in workbook)

1. **Community Court Research: A Literature Review* Dana Kralstein Center for Court Innovation. 2005

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RESEARCH

Community Court Research

A Literature Review

Written by

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2005

About the Author

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Acknowledgements

The author thanks her colleagues at the Center for Court Innovation, in particular Greg Berman, Mike Rempel, Adam Mansky, Julius Lang, and Alina Vogel, as well as Robert Weidner and Michele Sviridoff, for their guidance and feedback.

A Literature Review

Introduction

Nationally, there are 27 community courts in operation across the United States. The first community court opened in midtown Manhattan in 1993. Focusing on quality-of-life offenses (drug possession, shoplifting, vandalism, prostitution, and the like), the Midtown Community Court combined punishment and help, sentencing low-level offenders to perform visible community restitution and receive on-site social services, including drug treatment, counseling, and job training. The community courts that have followed in the Midtown Court's wake seek to achieve many goals, such as reduced crime, increased engagement between citizens and the courts, improved perceptions of neighborhood safety, and a greater level of accountability for low-level, "quality-of-life" offenders.

As yet, no consensus has emerged regarding how to best measure the goals of these programs, primarily due to the large variety of models adopted by different courts. To date, there are seven notable community court evaluations focusing on four community courts—Midtown Community Court, Red Hook Community Justice Center in Brooklyn, New York, Hennepin County Community Court in Minneapolis, Minnesota, and Hartford Community Court in Connecticut. This paper summarizes the basic findings from these evaluations.

While sharing similar goals overall, the four community courts studied have a variety of differences, both in the types of court cases they hear and in their programmatic emphasis. It comes as little surprise that a variety of methodologies have been used to evaluate community courts. The most common is some form of community survey (e.g, phone interviews, door-to-door surveys, focus groups) designed to measure community perceptions of community court success. This was the primary method of the two Red Hook studies (Moore 2004; Frazer 2005). In addition, the studies of Hennepin (Weidner and Davis 2000; Eckberg 2001), Midtown (Sviridoff et al—Phase One, 2000; Phase Two, 2001), and Hartford (The Justice Education Center 2002) included offender interviews or focus groups and utilized stakeholder interviews to gather the perceptions and opinions of court staff and treatment providers. The two Hennepin studies and both Midtown studies also gathered administrative/court data to do larger-scale quantitative analysis. As a result, Midtown and Hennepin, unlike Hartford, have been a subject of both process and outcome evaluations. The 2000 Hennepin and Midtown studies included cost-benefit analyses as well.

What follows is a review of what the literature tells us with regard to the community courts' success in meeting their primary goals—holding offenders to a greater level of accountability for quality-of-life crimes, increasing communication between the community and the criminal justice system, improving community perceptions of safety, increasing case processing efficiency, and reducing certain types of crimes in certain neighborhoods.

Holding Offenders Accountable

One of the original goals of the Midtown Community Court was to reduce the number of “walks” given out for quality-of-life crimes—sentences such as “time served” or a conditional discharge with no conditions. Midtown achieved this goal for all of the most common charges handled by the court—between 1 percent and 12 percent of Midtown offenders were given a “walk” for the top four charges compared to 23 percent to 55 percent of offenders whose cases were heard at Manhattan’s centralized criminal court. As such, offenders sentenced at the Midtown Community Court were at least twice as likely to receive a community or social service sentence as opposed to offenders sentenced in downtown Manhattan.

In addition to changing sentencing practice, the Midtown Court also sought to improve compliance with community-based sanctions. Researchers found that the Midtown community service compliance rate was 75 percent—about 50 percent higher than downtown, and the highest compliance rate in all of New York City.

Finally, the 2000 community survey in Hennepin reported that community members thought the most important feature of the community court was that compliance with community service sentences was closely monitored by the court (3.73 on a scale of 4.0).

Community Perceptions

Many community members in Midtown and Hennepin reported that they were willing to reallocate their tax dollars, or even pay more in taxes, to support a community court. In Midtown, 64 percent of respondents were willing to pay some amount of additional taxes to support a court with features like the Midtown Community Court. Of those willing to pay more in taxes, 52 percent were willing to pay up to \$100 extra per year.

In the 2000 Hennepin study, 66 percent of community residents who were surveyed were willing to reallocate their taxes, and 64 percent were willing to pay more in taxes to support a community court. Of those willing to pay more in taxes, 73 percent were willing to pay up to \$25 more annually in taxes. Significantly, those residents who had heard of the community court or who owned their residence were most likely to be willing to contribute to the court.

The 2005 study of Red Hook, Brooklyn reported that 76 percent of respondents had a positive feeling about having a community-based court in their neighborhood. Another Red Hook study, published in 2004, documented that those who lived in public housing or who identified as “black” had more negative perceptions of their community. A similar community survey was conducted in Hennepin in 2001 and

found that almost two thirds of respondents (65.6 percent) thought that the county was not harsh enough with criminals.

Processing Efficiency

The Midtown study documents speedier case processing in community court, as does the 2000 Hennepin study. In the first three years that the Midtown Court was open, the average arrest-to-arraignment time was 18.9 hours compared to 29.2 hours at the downtown Manhattan court. The Hennepin Court also achieved quicker case processing, even though more appearances were required before disposition. The average number of days from court filing to disposition was 78.9 for the Hennepin community court defendants, compared to 80 and 124 for the two comparison groups used in that study. However, from arraignment to disposition, the community court needed 6.4 appearances compared to only 3.2 and 4.2 for the comparison defendants. The authors of the Hennepin study speculate that the increased number of appearances in the community court are, in large part, due to the increased number of compliance monitoring appearances needed to hold offenders accountable.

Reduced Crime

The Midtown study is the only one to tackle the impact on crime in the community, documenting encouraging results: Prostitution arrests were down 56 percent and illegal vending arrests were down 24 percent following the opening of the community court. Data from ethnographic observations and individual interviews confirmed this drop in criminal activity. In addition, defendants who had completed at least 90 days of court-mandated drug treatment demonstrated a reduction in annual arrest rate over three years compared to prior to the Midtown intervention (2.3 annual arrests pre-Midtown versus 0.9 post-Midtown).

Cost-Benefit Analysis

The 2000 Hennepin study includes a comprehensive cost-benefit analysis. Overall, the community court was found to be more expensive than regular case processing, costing an additional net \$704.52 per case, but the authors noted that there are many additional benefits that cannot be quantified in monetary value to offset the costs. The only benefit that was included is the value of community service performed by defendants. Other benefits included the improved quality of life in the neighborhood and the improved quality and efficiency of decision-making due to increased information sharing.

The Midtown study includes a cost-benefit analysis, as well, but that analysis is, by the authors' own admission, limited due to lack of ability to quantify fully all benefits and costs. What the Midtown study did find, though, are significant monetary benefits to the court system—including approximately \$100,000 in reduced costs due to decreased pre-arraignment detention, \$500,000 in reduced costs due to reduced use of jail, \$570,000 in future reduced costs due to reduced prostitution arrests, and \$150,000 in benefits derived from the community service of defendants—for a total of approximately \$1.3 million annually.

Offender Perceptions

The Hartford study included interviews with offenders to document their perceptions of their experience. Overall, offenders thought the community court was a good idea (96 percent), that their sentence was fair (73 percent), that the community court was helping Hartford neighborhoods (83 percent), and that all people were treated fairly at the community court (61 percent). Similarly, the Red Hook community survey (Moore 2004) found that the majority (56 percent) of those who had had a case at the Justice Center reported a positive experience. The Hartford offenders also thought the prosecutor was fair (76 percent) and an overwhelming majority (91 percent) thought they were treated with respect by the judge. As is typical in Connecticut for misdemeanor cases, most defendants had no legal representation (79 percent). Many thought they needed a lawyer (84 percent).

The Midtown study included interviews with female prostitutes who had been arrested and brought to the Midtown Community Court. These women had both positive and negative comments about the Court. On the positive side, they commented that, compared to the traditional downtown court, the community court processed their cases quicker, the holding cells were cleaner, the food was better, and the staff more sympathetic. On the other hand, the women complained that the alternative sentences at Midtown made it more difficult for them to “work”; furthermore, many women mentioned that they would continue to engage in prostitution, but would move out of the Midtown catchment area. (In response the Midtown Community Court made several efforts to combat the potential “displacement effect.” Most notably, the Court now handles all prostitution arrests in Manhattan.)

Both Hennepin studies included offender interviews or focus groups. The 2000 study included a handful of semi-structured interviews with defendants who had been sentenced to community-based services. These four defendants felt that the community court gave them the opportunity and the help they needed to break out of the cycle of rearrest by linking them to needed services.

Stakeholder Perceptions

The 2000 Hennepin study included focus groups and interviews with stakeholders of the community court, including staff and treatment providers. The treatment providers in particular were pleased with the court’s linking offenders to services, holding them accountable, and locating key service providers in the same building.

In Hartford, staff felt that reacting strongly to quality-of-life crimes prevents future offenses because offenders know these actions are going to be taken seriously. Similar to Hennepin, Hartford staff liked the balance between punishment and help and thought accountability was important. Overall, Hartford staff thought the community court provides an “opportunity for a second chance” with “a client-centered” social service delivery system. The Hartford study also included interviews with staff that documented the implementation challenges and barriers in opening an innovative program within the criminal justice system.

Conclusion

As the community court model spreads across the country, it is important for the evaluation literature to catch up. There are several methodologies highlighted here, but, to date, no one single study has covered all aspects of evaluation—process evaluation, outcome evaluation, community impact survey, offender perceptions, and cost-benefit analysis. The Midtown and Hennepin evaluations come the closest but are now several years old. Future analysis should seek to give a more comprehensive picture of these complex projects.

References

Eckberg, Deborah, 2001, *Hennepin County Community Justice Project: Summary Report of Short-Term Evaluation*, Hennepin County District Court Research Department.

Frazer, M. Somjen, 2005, *Op Data, 2004: Red Hook, Brooklyn*, Center for Court Innovation.

Goldkamp, J., D. Weiland, and C. Irons-Guynn, 2000, *Developing an Evaluation Plan for Community Courts: Assessing the Hartford Community Court Model*, Crime and Justice Research Institute.

Malkin, Victoria, 2003, *Community Courts and the Process of Accountability—Means to What End?* (unpublished paper).

Moore, Kelli, 2004, *Op Data, 2001: Red Hook, Brooklyn*, Center for Court Innovation.

The Justice Education Center, Inc, 2002, *Evaluation of the Hartford Community Court*, The Justice Education Center, Inc.

Sviridoff, M., D. Rottman, B. Ostrom and R. Curtis, 2000, *Dispensing Justice Locally: The Implementation and Effects of the Midtown Community Court*, Harwood Academic Publishers, Amsterdam.

Sviridoff, M., D. Rottman, R. Weidner, F. Cheesman, R. Curtis, R. Hansen, and B. Ostrom, 2001, *Dispensing Justice Locally: The Impacts, Cost and Benefits of the Midtown Community Court*, Center for Court Innovation.

Weidner, R., and C. Davis, 2000, *Benefits and Costs of the Hennepin County Community Court—A Preliminary Analysis*, Institute on Criminal Justice, University of Minnesota Law School.

Center for Court Innovation

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In New York, the Center functions as the state court system's independent research and development arm, creating demonstration projects that test new approaches to problems that have resisted conventional solutions. The Center's problem-solving courts include the Red Hook Community Justice Center and the Midtown Community Court as well as drug courts, domestic violence courts, youth courts and mental health courts.

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