



PHILADELPHIA COMMUNITY COURT EVALUATION FINAL REPORT: OUTCOME/IMPACT ANALYSIS AND UPDATE ON PROCESS EVALUATION

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Project Description

Planning and Development of the Community Court¹

In the 1990s, the Center City District of Philadelphia began experiencing an increase in the number of what are generally termed “quality-of-life” crimes, such as vandalism, prostitution, disorderly conduct, and minor thefts. City and justice system officials recognized that because of jail and prison overcrowding, insufficient alternative sentencing options, and the need to focus limited resources on more serious crimes, quality-of-life crimes were a low priority for law enforcement and had become virtually decriminalized. As described in early community court planning documents, offenders arrested for quality-of-life crimes were routinely released on non-cash bail, frequently failed to appear for their next court dates, and often committed additional crimes. Those defendants who did appear in court were generally given straight probation and, therefore, were quickly back on the street with minimal supervision because of the lack of jail and prison space and any other appropriate sentencing alternatives. At the same time, it was also recognized that the underlying causes of many quality-of-life crimes were behavioral in nature. According to statistics provided by the Pew Foundation and cited by the Coordinating Office for Drug and Alcohol Abuse Programs (CODAAP) (now known as the Addiction Services Division of the Department of Behavioral Health) in program planning documents, it is estimated that at least 80% of individuals who commit these types of minor offenses have drug and alcohol involvement and an overlapping 20% have mental health treatment needs. If left unaddressed, these underlying problems likely contribute to a cycle of re-offending and “revolving-door” justice. Finally, it was concluded that the net effect of the increase in quality-of-life crimes and the insufficient law enforcement and judicial system response was to discourage businesses from locating in Center City and dissuade citizens from doing business there.

¹ Excerpted from the Process Evaluation.

Interest in creating a community court to address these challenges began in the mid-1990s when city leaders and members of the business community in Philadelphia became aware of the success of New York's Midtown Community Court in addressing similar problems, reducing quality-of-life crimes, and increasing confidence in the criminal justice system. The Executive Director of the Center City District (CCD), accompanied by an Assistant District Attorney and other city leaders, visited the Midtown Community Court in order to assess its feasibility for Philadelphia and to determine the necessary ingredients to successfully establish a community court in Philadelphia. A Steering Committee was established by the CCD consisting of business and residential groups, social service agencies, and representatives of the local criminal justice system. This began what would become an approximately seven-year process of information-gathering, planning, and development, from the exploration of the idea in 1994-1995 to the implementation of the Community Court in 2002. The business and residential groups were represented by John Binswanger, President of The Binswanger Company; Michael Dean, Esq., a partner in Wolf, Block, Schorr & Solis-Cohen; Patricia Harner of the Rittenhouse/Fitler Square Townwatch; Daniel Segal, Esq., a partner in Hangley, Aronchick, Segal & Pudlin; and Jon Sirlin, Esq., counsel to the Apartment Association of Greater Philadelphia.

It is not unusual for community courts and other problem-solving courts to engage in a relatively extensive planning process prior to implementation. By definition, problem solving courts represent a dramatic shift from business-as-usual. It takes time to build a collaborative environment across agencies and service providers with different perspectives, interests, and roles in the criminal justice system and achieve consensus on the goals and objectives of the program as well as the routine of day-to-day operations. Community courts are especially complex because of the variety of

stakeholders involved, and the need for extensive involvement of the community in the initial stages of planning and development.

The planning process for the Philadelphia Community Court (PCC) involved a series of meetings with representatives from the community. The CCD held a meeting on June 30, 1998, with representatives of residential associations in Center City to provide an overview of the Community Court initiative. The organizations invited included the Police District Advisory Committee, Center City Residents' Association, Society Hill Civic Association, Pine Street Townwatch, Northern Liberties Townwatch, Washington Square West Civic Association, Queen Village Neighbors Association, Old City Civic Association, and Logan Square Neighbors Association. As a follow-up, a CCD representative offered to meet with the boards of each of the organizations to further explain the purpose of the Court. Presentations were made to the boards/membership of the Society Hill Civic Association and the Center City Residents' Association, both of which voted to support the project.

As the boundaries of the PCC expanded to include additional police districts — and neighborhoods — the PCC created the Community Advisory Panel (CAP), with representatives from community organizations in each of the ten police districts. The first meeting of CAP was held March 10, 2005.

Unlike other community courts, the impetus for the PCC did not come from the court system, but rather the Center City District. In fact, although there were two judges on the initial Steering Committee, it is not clear how actively involved the court system was in the early planning stages or how supportive it was of the concept. However, in the late 1990s, the individual who would eventually become the Community Court Coordinator began to meet with the Steering Committee and individual members of the judiciary to move the process forward. The development of the initial Memorandum of Understanding (MOU) among the various agencies and the Operational Plan took

three and a half years before being completed in July 2001, according to the Community Court Coordinator. One stakeholder described the process as “tortuous.”

This contrasts with other community courts that were established with the full and active involvement of the courts from the earliest planning stages. The peripheral rather than central role of the court system in the genesis of the PCC has had a lasting impact on the way the PCC is perceived within the Municipal Court (referred to as the First Judicial District of FJD) as a whole.

One of the primary concerns of the court system during this process was ensuring an adequate number of cases to justify the assignment of a full-time judge. To address this issue, a decision was made to increase the number of Police Districts included in the catchment area (i.e., the Police Districts from which the PCC received referrals) from the original five Districts—the 6th and 9th in the Center City District as well as the 3rd, 17th, and 23rd — to ten Districts, adding the 1st, 4th, 16th, 18th, and 22nd.² In addition, it was decided that the Community Court would, at least initially, handle trials for all summary offenses, including those for summary offenses committed outside of the delineated catchment areas; that is non-community court cases. Despite the fact that this was considered a temporary arrangement at the time and contingent on the caseload, the inclusion of non-community-court cases on the calendar of the PCC continues to this day.

Of course, the court system was not the only entity with concerns about various aspects of the proposed Community Court’s purpose, jurisdiction, and operations. For example, while some in the Police Department were described as interested in the concept because of frustration with the cycle of arresting/citing the same, often young, individuals for the same offenses again and again, the program would require the police to renew and refocus their efforts on minor offenses. Because of the “revolving door” nature of the system prior to the PCC, police were described as reluctant to even

² The police department has merged the 22nd and 23rd as well as the 3rd and 4th Districts, though these mergers have not changed the catchment area of the PCC.

make an arrest on these types of offenses. One stakeholder also described some officers as simply more interested in pursuing more serious and “exciting” offenses. To address these concerns, meetings were held with police officers in the various districts to educate them on the goals and objectives of the program, the importance of enforcing quality-of-life offenses, the potential benefits, and the procedures for bringing offenders to the Court and other operations. These sessions were conducted by the Court Coordinator and the current Police Liaison for the PCC, Jerry Philipp, a retired police department supervisor in the 9th District, who began working with the planning process 18 months before the Court opened. Mr. Philipp also served as the initial supervisor of the PCC holding area. As an incentive to the police, the PCC developed a weekly report for the districts which superimposes the number of arrests in each district on a map of the ten districts.

The planning process also involved locating an appropriate facility for the Court. With \$1.2 million in funding from the Legislature, the Court was able to secure and renovate space in a building at 1401 Arch Street in Philadelphia. The Court is located on the second floor of the building, which also houses probation and pre-trial services. The space includes a reception area, police holding area, a courtroom and robing room for the judge, and offices for personnel, including program managers and community service and social services staff. In the last year, the Court was able to obtain child care services for PCC participants from another agency, Self, Inc., located in an adjacent building. In return for these services, the PCC makes contributions of diapers and other incidentals. The main concern expressed by staff about the PCC’s facilities is the lack of adequate space to provide more services on-site; for example General Education Development (GED) classes, Alcoholics Anonymous/Narcotics Anonymous (AA/NA) meetings, and counseling sessions.

In July of 2001, the Philadelphia Court of Common Pleas, the Philadelphia Municipal Court, the District Attorney, the Defender Association of Philadelphia, the Philadelphia Police Department,

the Philadelphia Sheriff's Office, and the Center City District entered into a Memorandum of Understanding (MOU) and agreed to an Operational Plan for the Philadelphia Community Court. The Operational Plan defined the following objectives for the Community Court:

- (1) Reduce the number of quality-of-life crimes;
- (2) Develop a system of supervised community service so those who are convicted can repay the communities they have harmed;
- (3) Influence the nature and degree of recidivism among those who commit quality-of-life crimes by addressing their underlying behavioral problems through social services;
- (4) Reduce the volume of cases in the criminal justice system by assigning low level offenders to diversionary programs; and
- (5) Effectively punish repeat offenders and bring offenders before the Court for punishment or treatment in classes of low level crimes.

According to the Operational Plan, to meet the stated objectives, the Community Court would:

Provide a venue where quality-of-life offenses could be heard and disposed expeditiously; establish sentencing options that emphasize community service to be carried out immediately and actively monitored to increase the likelihood of completion; and place social service assessment, treatment, and case management services on site.

On February 2, 2002, seven months after agreement to the MOU and Operational Plan, the PCC began operations. According to various stakeholders, the presiding judge was not identified until shortly before the Court opened. It was mostly on-the-job training, although the judge did visit and observe the Red Hook Community Justice Center in Brooklyn, New York after she began presiding over the Court.

The Community Court has now been in operation for more than eight years. As of the end of 2007, the Community Court has heard a total of 45,872 new cases since its implementation in 2002, including 37,209 summary offenses and 8,273 misdemeanors. Participants had completed 340,590 hours of community service, valued at more than

\$1,875,800, and the Court had collected more than \$1,439,800 in fines and costs. Almost \$26,000 in restitution had been paid to victims. As would be expected, the program has changed and developed over time. It has undergone changes in judges and staff, although it still retains a number of personnel that were present at the start and some who were even involved in the planning process. Due primarily to the expansion of the original boundaries, the caseload quickly achieved a level to justify and sustain a full-time judge for five days a week. Most notably, the program has formed partnerships with more outside agencies and added a number of ancillary services and programs for the clients. These and other developments, as well as continuing challenges, are discussed in subsequent sections of the report.

The purpose of the research project was to assess the effectiveness and efficiency of the Philadelphia Community Court (PCC) in achieving its stated objectives. Our goal was to provide a comprehensive evaluation of the PCC. To realize this goal, we sought to accomplish four objectives: (1) to conduct a process evaluation of the PCC; (2) to conduct an outcome/impact evaluation of the PCC; (3) to conduct a cost-benefit analysis of the PCC; and (4) to identify best practices for community courts based on the PCC experience, develop a performance measurement system for the PCC, and to assess the generalizability of the PCC model to other courts in Philadelphia and other regions of Pennsylvania. The information collected and processed for the process evaluation assessed the extent to which the PCC was implemented with fidelity to the critical elements of the community court model (see Casey and Rottman, 2005) and whether it was implemented as intended by its designers. The process evaluation also contained a series of recommendations designed to help the PCC improve its performance.

The outcome/impact evaluation was designed to address the following research questions:

1. Has the Community Court been effective in reducing quality-of-life crimes in the targeted Police Districts? Are the target offenses being disposed of in the Community Court?
2. Does participation in the PCC produce better outcomes than participation in a relevant counterfactual condition?
3. Does participation in the PCC reduce the probability of re-offending of participants compared to that for offenders participating in a relevant counterfactual condition? Does the PCC also produce other important impacts (e.g., employment)?

Among the techniques used in the outcome/impact analysis were an interrupted time series analysis of arrest trends for target offenses in the catchment area of the Court, and an ethnographic component designed to document changes in street-level conditions in the catchment area of the court, particularly those related to the establishment of the Court. A planned multivariate survival analysis to determine whether participation in the PCC reduces the probability of re-offending was determined to not be feasible at this time.

Literature Review

To date, only four community courts have been subjected to rigorous evaluations: the Midtown Community Court (Sviridoff et al, 2000, 2002), Hartford Community Court (Goldkamp et al, 2001; Justice Education Center, 2002; Weidner, 1999; Weidner and Davis, 2000), Hennepin County, Minneapolis (Hennepin County District Court Research Project, 2001), and Red Hook Community Justice Center in Brooklyn, New York City (Frazer, 2005; Moore, 2004). The findings from those evaluations have recently been summarized by Casey and Rottman (2005) and Kralstein (2005).

Overall, the general community court model emerges from these evaluations with largely positive marks both in the outcomes achieved and the levels of satisfaction with those outcomes

among various stakeholder groups. However, it is rare that there is relevant data from more than two of the four courts from which to develop definitive conclusions on important topics such as recidivism or costs relative to benefits. Some tentative conclusions can be offered on how community courts compare to traditional courts that process the same types of cases and offenders.

First, sentencing patterns change in the desired direction toward carefully monitored non-custodial sentences. Second, compliance with community service and short-term treatment is increased. Third, the proportion of defendants referred to social and treatment services is higher. Fourth, community courts are not viewed by offenders as a “soft” option. Fifth, there is some evidence (largely from Midtown) of a displacement effect that drives quality-of-life offenders into parts of the city not served by the community courts. Sixth, residents of areas served by community courts support the general concept and specific components of a community court, although relatively few are aware of the court’s existence. Seventh, community courts expend greater costs per defendant but also confer important benefits on the criminal justice system and on communities.

It is noteworthy that despite these positive evaluations the community court model has been slow to expand relative to other problem-solving court models despite its early start (1993). Twenty-one such courts were identified in 2003 (Casey and Rottman, 2003, p. 16) and 27 in 2005 (Kralstein, 2005). Indeed, much of the growth in community courts is taking place outside of the United States, notably in England, Scotland, Australia, and South Africa.

Project Scope and Methodology

Process evaluation: The methodology for the process evaluation included a review of program documentation provided by the PCC, analysis of quantitative data from the PCC's internal database Forensic Intensive Recovery System (FIR) and the City's Pre-Trial Arraignment System (PARS), and interviews with internal and external stakeholders conducted during site visits in June 2007 and April 2008. A list of the individuals interviewed and their agency/organization affiliation is included in Appendix A of the Process Evaluation. At the request of the Court, NCSC also undertook an investigation of police and participant no-shows in Court. The process evaluation also included a comparison of the PCC to key ingredients of community courts in general, as articulated by Casey and Rottman (2004).

Outcome/Impact Evaluation: While the process evaluation provided valuable information about the operation of the PCC, it could not address whether the PCC had an influence on its participants and/or the jurisdiction which it serves. Further, we wanted to be able to attribute any changes that we observe in participants and the catchment area (i.e, the Police Districts served by the PCC) of the Court to the effect of the PCC and not some other "confounding" explanation (e.g., a general increase or decrease in crime in Philadelphia). The questions about program effects and attribution were addressed by the outcome/impact evaluation. The outcome/impact evaluation addressed the following research questions:

1. Has the Community Court been effective in reducing quality-of-life crimes in the targeted police districts? Are the target offenses being disposed of in the PCC?
2. What are the outcomes for participants of the PCC? Does participation in the PCC produce better outcomes than participation in a relevant counterfactual condition?
3. Does participation in the PCC reduce the probability of re-offending of participants compared to that for offenders participating in a relevant counterfactual condition? Does the PCC also produce other important impacts (e.g., employment)?

Several approaches were taken to address these research questions. To address the first question, an interrupted time series analysis of arrest trends for target offenses in the catchment area of the court was conducted. Monthly arrests for Community Court-eligible offenses between May of 2000 and September of 2008 in the PCC catchment area, as well as in a comparison area, with comparable population and demographic characteristics were obtained from the Philadelphia Police Department. The catchment area was expanded twice during 2003; however, arrests for the Police Districts added in 2003 are included in the PCC arrest data throughout the series.

We hypothesized that arrests for eligible offenses would significantly increase after the hiring of a police liaison in May of 2004, whose responsibilities included coordination, training, and maintaining ongoing communication with the Police Department. The hiring of the liaison was intended to increase police confidence in the PCC by assuring officers that their arrests would result in offender sanctioning, which was often not the case prior to PCC, and by the provision of services to offenders in need, so as to break the cycle of repeated arrests.

To determine whether such an increase in arrests in the PCC catchment area represents a genuine break in the level and/or slope of the arrest trend, rather than a random fluctuation, the Zivot-Andrews unit root test was employed to locate a break in the data. A model of arrests including a structural break in May 2004 was then estimated in order to test the statistical significance of the break. Please see Appendix A for details on the methodology.

A second technique was also employed to address the first research question, *ethnographic analysis*. To better understand the context of the Philadelphia Community Court and its impact on the neighborhoods and citizens it serves, the National Center subcontracted with Professor Ric Curtis, Chair of the Anthropology Department at John Jay College to conduct

ethnographic research in the area. Professor Curtis had performed a similar analysis for the evaluation of the Midtown Community Court in the mid-1990s. The ethnographic component of the evaluation was designed to provide insight into the daily lives of street offenders and share their opinions and perspectives on the Community Court and its impact on the neighborhood and individual behaviors. In brief, the research team led by Professor Curtis used Respondent Driven Sampling (RDS) to recruit a statistically representative sample of potential offenders/community court clients by taking advantage of intra-group social connections to build a sample pool. In the end, the research staff recruited a sample of 210 people – 107 sex workers and 103 people who had been arrested for drinking in public – to participate in interviews conducted at the Arch Street United Methodist Church, located across the street from the Philadelphia Community Court in October 2007.

All potential research subjects were first asked to consent to participate in the study. To preserve their confidentiality (participation could not be anonymous because RDS relies on research subjects referring each other to the study), research subjects were allowed to orally waive written documentation of their informed consent to participation in the study.

There is much that the researchers would like to know about the attitudes, orientations and behaviors of sex workers and public drinkers, especially as it relates to the Philadelphia Community Court, but given the relatively large number of research subjects that the project targeted and the limited amount of time to conduct the ethnographic study, the research team used a brief questionnaire that attempted to gain a broad view of their lifestyles with additional questions that focused on their experiences with the police and the courts. The interviews for sex workers (55 questions, plus follow-ups; Appendix BE, in the process evaluation) covered the following domains: 1) *demographic characteristics* (including race/ethnicity, age, living

situation); 2) *market involvement* (including age of initiation, location of work, and number of customers); 3) *network size and characteristics* (including information about pimps and customers); 4) *health and social service history and needs* (including information about Sexually Transmitted Diseases (STDs) and drug use history); 5) *experience with the police* (including number of arrests and types of charges); and 6) *experience with the courts* (including number of appearances, charges, positive or negative outcomes, and subsequent behavioral or attitudinal changes). The questions asked of public drinkers (45 questions, plus follow-ups; Appendix BF in the process evaluation) were essentially the same as those asked of the sex workers, but rather than asking about sex work as their source of income, it asked about “hustling” and other types of work. It also asked about their drinking behavior (what kind of alcohol, when and where they drink, with whom, etc.). The approach and methodology for conducting this component of the evaluation is described in detail in Appendix B, in the process evaluation.

To address the second research question, the NCSC team developed and pre-tested pre- and post-tests to assess changes in attitude by the participants of the two classes offered internally by the PCC, Treatment Readiness and Anger Management. These tests were administered to all participants of these classes between 6/3/08 – 2/12/09 (611 and 131 participants in the Treatment Readiness and Anger Management classes, respectively). Mean scores for the pre- and post-tests were compared using a t-test for related samples.

Addressing the third research question became problematic due to deficiencies in the PCC database. Some background on the PCC database is helpful. During the planning phase of the project, following the model established by the Midtown Community Court, the PCC Coordinator obtained a federal grant from the Bureau of Justice Assistance (BJA) to do what was later recommended in the NCSC process evaluation; that is, “development of an integrated case

management system that is tailored to the Court's specific needs and provides information on all of its components and processes" (See Recommendation #11, in Appendix B). However, before that process could be initiated, the Police Department made the automation of all summary offenses in PARS a condition of its participation in the project. The First Judicial District (FJD) was not able to fund the work, and permission was received from BJA to use the federal grant to incorporate summary offenses into PARS.

Thus, the PCC began operations in 2002 without an integrated case management system, and subsequently began the process of adapting the database used by its social service provider, Public Health Management Corporation's (PHMC) Forensic Intensive Recovery (FIR) program. The FIR database already was being used by the PCC social service staff to enter program data, and the plan was to produce a modified version that would include all PCC data. Rather than enter the arrest and disposition data in real time, the FJD proposed a daily data download from its mainframe to the FIR database. The latter process, however, encountered a number of lengthy delays, not the least of which was the conversion of the entire FJD database by the Administrative Office of Pennsylvania Courts to the statewide Common Pleas Court Management System (CPCMS). As a result, the daily download was not implemented until after the NCSC data request, and the arrest and disposition data was entered by hand from the daily court records.

Given this context, the NCSC team attempted to select a random sample of offenders processed by the PCC between 2003 and 2004 to address the third research question. Such a sample was selected, but it was eventually determined that the selection process was potentially biased, with the result that we could not guarantee that the sample was representative of all offenders. It was discovered that the variable that was used to select the sample was missing for

a significant number of participants. Repeated efforts to select using different variables also produced different numbers of PCC participants during the sampling frame. Cases from later years, (because the NCSC team had attempted to expand the database to include cases from 2007 to make the data more timely) were lacking everything in the database but case notes. An unknown number of earlier cases also included only case notes.

Consequently, the NCSC team had no confidence that a truly random sample had been drawn. Unfortunately, the deficiencies in the database did not become obvious until NCSC had spent considerable time and effort preparing the database for analysis.

Subsequent investigation revealed that PCC staff charged with data entry responsibilities found the FIR database to be unwieldy and had subsequently failed to enter relevant data in the appropriate fields of the database but had instead opted to record information about the case in the “note” fields of the database, rendering database queries a near impossibility.

While apparently some data entry had occurred prior to 2006, subsequent to 2006 the data fields were essentially empty. This turn of events was known by neither the programmer from the PHMC who selected the sample nor by the PCC Coordinator. Since the original sample was drawn, the PCC Coordinator reports that the criminal justice fields in the PCC have been populated as the result of a large scale data migration from the Common Pleas Court Management System (CPCMS) database, which contains offense and conviction information about all felony and misdemeanor cases heard in the Philadelphia Municipal Court. The coordinator also reports that the data entry situation was corrected with data now being entered into appropriate fields rather than in the case notes field.

Efforts were also made to select a comparison group sample of offenders arrested for PCC-eligible offenses but who were arrested in districts adjacent to, but outside of the PCC

catchment area, using CPCMS. During this effort, it was learned that using CPCMS to select a comparison group of Summary Offense Offenders was not feasible. This is because the Personal Identification Number (PID), required to track offenders' criminal history, is not issued to summary offense offenders unless they were fingerprinted at the time of their arrest. Summary offense offenders are not typically fingerprinted. This situation was troublesome for the evaluation given that around 80% of the offenders admitted to the PCC were arrested for summary offenses.

It does seem feasible that a comparison sample of misdemeanor offenders could be selected from CPCMS. However, given the lack of confidence that the NCSC team had in the randomness of the sample of misdemeanor offenders to which the comparison group would be matched, this option was not pursued.

Cost Efficiency Analysis: Without recidivism data, any cost-efficiency model would be incomplete. Consequently, this analysis was not formally pursued.

Detailed Findings and Analysis

Process Evaluation

Detailed findings from the process evaluation are contained in a separate report (Durkin, Cheesman, Maggard, Rottman, Sohoni, and Rubio, 2008). A brief survey of major findings from the process evaluation follows. The PCC has jurisdiction over all non-traffic summary offenses (except underage drinking) and non-violent misdemeanor offenses committed in ten Police Districts in Philadelphia. The Court's catchment area covers an area of 26 square miles with a population of more than 420,000. Summary offenses include minor criminal offenses such as disorderly conduct, obstructing the highway, harassment, and first-offense shoplifting. These offenses are generally enforced by citation and punished by fines. In addition to summary

offenses, certain misdemeanor offenses such as vandalism, prostitution, theft, disorderly conduct, and drug possession may be prosecuted in Community Court with approval from the District Attorney's office. Defendants appear in court on either the day of arrest or the next business day. During the court hearing, a defendant who agrees to plead guilty or no contest is sentenced to community service, counseling or classes such as anger management, fines, and/or evaluation for drug or alcohol treatment. After the court hearing, the defendant undergoes an intake interview and evaluation with social services staff. The court monitors compliance with sanctions and mandated treatment and services; upon successful completion of the assigned program, defendants may have their charges withdrawn. For defendants who plead not guilty, summary offense trials are held at the Community Court and misdemeanor trials are transferred to traditional court. Sanctions for summary offense convictions in Community Court are similar to those offered to defendants who plead guilty.

In 2007, the PCC heard a total of 8,679 new cases. Summary offenses represented 77% of the total; the remaining 23% were misdemeanors. The vast majority of misdemeanor charges were drug offenses. About one-third of summary offenses involved alcohol; disorderly conduct, obstructing the highway, retail theft, loitering, and public urination cases were also common. The majority of sentences involved community service. Between 2005 and 2007, defendants sentenced to community service completed a median of 24 hours of service, and 71% completed their assigned hours. In 2007, 2,568 defendants were screened to determine if they were in need of drug or alcohol treatment or other services. Misdemeanor defendants were screened more frequently than persons charged with summary offenses: 78% of misdemeanor defendants, but only 15% of summary offense defendants, received screenings. At sentencing, 153 defendants were ordered to undergo more comprehensive drug and alcohol assessments.

Failure to Appear: One element essential to the success of community courts is the support and “buy in” from both the community and police officers. One way of gauging police officer support is by observing whether an officer appears in court for cases scheduled for trial. High Failure to Appear (FTA) rates may indicate that officers do not see the value of community courts, and that appearing in Court for a low-level offense is not viewed as a high priority. A high FTA rate among arresting officers also undermines the Court’s authority and can have a detrimental impact on a participant’s perception of the Court. Additionally, when officers fail to appear, charges may be dropped resulting in not only a lack of offender culpability, but also a missed opportunity to provide the participant with needed services.

Data received on FTA rates for the Philadelphia Community Court (see Figure 1) show the police officer was present in less than half the cases that appeared in the Court from July through September 2008. While the Court does not send out summons for all cases, this only accounted for 11% of cases. The majority of officers simply did not appear in Court, making the failure to appear rate quite high at 45%. As shown in Figure 2,³ of those cases where the officer failed to appear, the most common reason, representing 20% of failure to appear cases, was that the officer’s presence was required in another court room. A large portion of officer absences (27%) can be attributed to the officer being on vacation or out sick; however in 18% of failure to appear cases the reason for the officer’s absence is unknown and in 10% of cases the officer was late to Court.

³ Percentages in Figure 2 do not total 100% due to rounding.

Figure 1

Percent of Cases by Officer Presence in Court

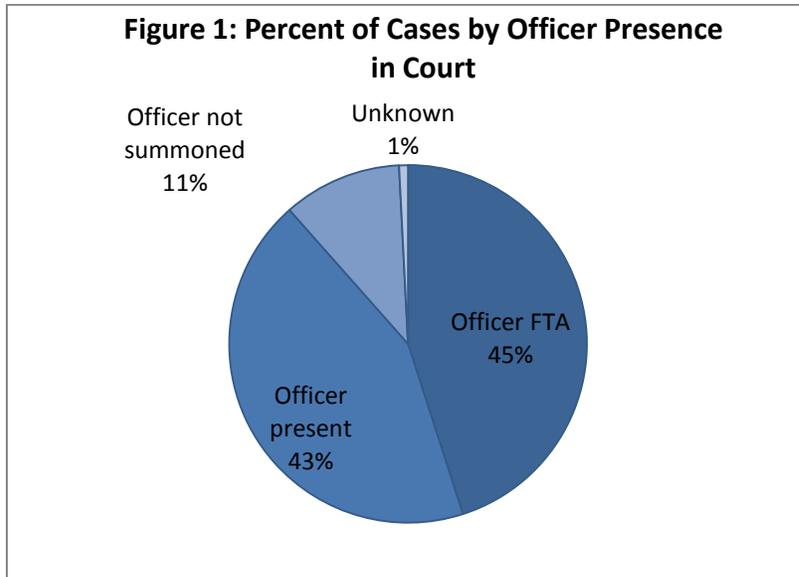
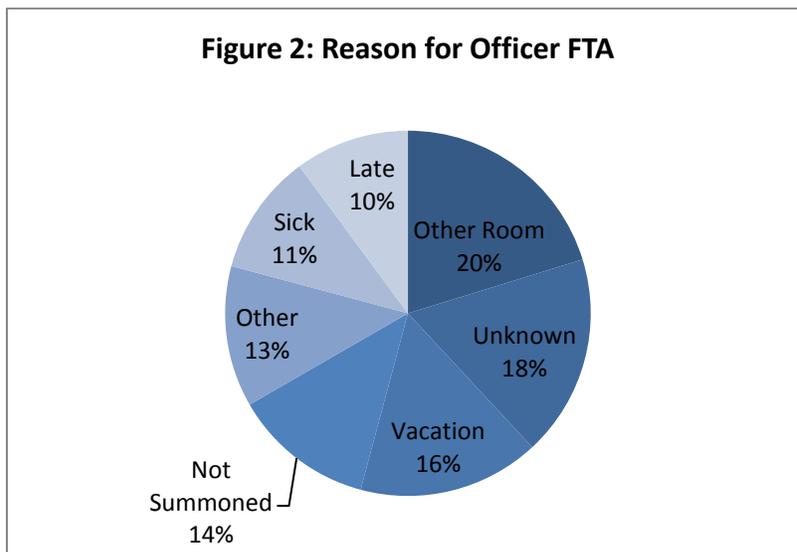


Figure 2

Reason for Officer Failure to Appear



The appearance rate for participants in the Community Court who requested trials (a relatively small percentage of PCC cases) is also troubling, with 35% failing to appear. While

this may reflect an attitude of ambivalence on the part of the participant, it also shows that there is a high likelihood that either the officer or the participant will not be present for any given case. The obstacle of getting both a participant and police officer present for a case creates an environment where the Court's success is seriously hampered. While it is promising that a large portion of officers and offenders do appear in Community Court, it is evident that efforts need to be taken to reduce the failure to appear rates among police officers.

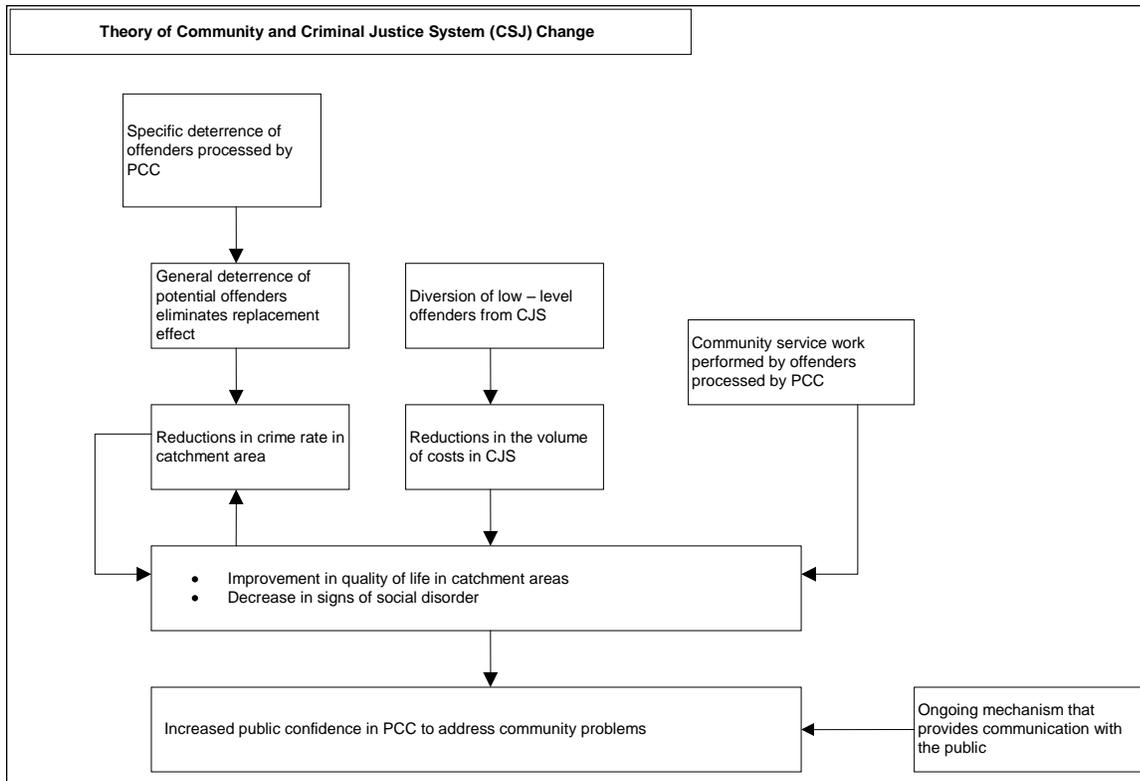
Comparison to Key Elements of Community Courts: In order to provide some perspective on the descriptions and discussions contained in previous sections of this report, and highlight some additional issues, the following compares various practices in the Philadelphia Community Court to a set of common practices and key elements of community courts delineated in a 2004 article, *Problem Solving Courts: Models and Trends*, written by Pamela Casey and David Rottman of the National Center for State Courts. The key elements were based on a systematic review of literature describing the objectives and practices of operational, documented community courts across the nation. The key elements are not intended to be strict standards for operation, but only a framework for analysis. There is no fixed model or formula for community courts though there are some widely agreed upon best practices.

Dual Commitment to Changing the Lives of Individual Offenders and the Quality-of-Life in Communities

The Community Court's commitment to changing the lives of offenders as well as the quality-of-life in the neighborhoods that it serves is evident in its stated goals and objectives. It is also evident in the sentences imposed by the Court, which combine treatment and services and sanctions, with a strong emphasis on community service. The logic model below describes the theory of how individual offender change and community change are linked.

FIGURE 3

THEORY OF COMMUNITY AND CRIMINAL JUSTICE SYSTEM (CJS) CHANGE



Increased Court Time and Resources Devoted to “Minor” Misdemeanors

As discussed in Section I, one of the primary reasons for exploring the feasibility of establishing a community court in Philadelphia was the perception that quality-of-life crimes were a low priority for law enforcement and had, in essence, become virtually decriminalized. Offenders who were arrested for quality-of-life crimes were routinely released on non-cash bail and frequently failed to appear for their next court dates. Those defendants who did appear in court were generally given straight probation and, therefore, were quickly back on the street with minimal supervision.

Clearly, the Community Court represents an improvement over this scenario. Procedures are in place for the timely appearance of both summary and misdemeanor offenders in the Court. As one respondent noted, the immediacy of referral and appearance in the Court sends the message that “something is happening now, rather than later.” Offenders are held accountable for their offenses, however minor, through the imposition of sanctions at the first appearance, including community service, fines and costs, and, as warranted, restitution to the victim. Clients return to Court for status hearings to monitor completion of requirements. In addition to court resources, offenders who plead guilty in the PCC have access to an array of treatment and social services.

Community Service and Other Alternative Sanctions Replace Jail and Fines

Community service is part of the sentence in virtually all PCC cases. There are currently 15 regular community service sites and several auxiliary sites, and there is reportedly no problem securing assignments for clients. The Community Service Coordinator works with clients who have special issues—mental health, homeless, medical—to find suitable assignments and tries to accommodate those clients who have concerns, based on race, ethnicity, or other factors, about the neighborhood in which they work.

The Court rarely uses incarceration as a sanction, but it will impose court costs and fines. It was reported that incarceration is rarely used in summary offense cases in Philadelphia. One respondent noted that while misdemeanor cases disposed under Section 17 of the Drug, Device and Cosmetic Act in the PCC receive a drug and alcohol evaluation and treatment services, those cases would probably receive the same sentence at the FDC, but the evaluation and treatment services would be more difficult to arrange. Clients may also be ordered to pay restitution if a

victim (individual or agency) is involved in the offense, and the District Attorney requests restitution in the case.

Access to a Comprehensive Package of Treatment and Social Services through a Mix of Government and Nonprofit Agencies

Through its now long-standing partnership with the Addiction Services Division of the Department of Behavioral Health, which subcontracts with the PHMC's FIR program, the Community Court has been able to maintain a well-functioning, on-site, drug and alcohol treatment program since its implementation. The Social Services Unit has the capacity to conduct comprehensive drug and alcohol assessments in a timely manner. Standard instruments are used for the evaluations, including the Addiction Severity Index (ASI), which is noted for having an extensive body of research establishing its validity, reliability, and utility for diverse populations. Treatment referrals include detox programs, intensive inpatient and outpatient care, and short- and long-term residential care. Although staff reported some delay in securing placements and accessing services, it was not described as a significant problem. Case management protocols are in place, and it appears that clients are effectively monitored.

The Community Court has recognized the need to respond more broadly and effectively to an increasing number of clients who have mental health issues. Mental health services have always been made available, primarily through the Court's Nursing Center, which is staffed via PHMC by a Public Health Nurse who has a background in psychiatric nursing. However, the Court has expanded its efforts in this area in the last several years. Efforts to secure case management services has not met with success so far, though the Court staff have received cross-training and now has back-up services from the Department of Behavioral Health. The Program Manager has actively pursued relationships with other agencies and organizations that can serve

as a resource in the area, such as the Mental Health Association. Similar efforts have been made to address the needs of the homeless. The Program Manager has reached out to the shelter system, Project Home, and homeless advocacy organizations. The PCC now has a homeless advocate available upon request for court sessions.

The PCC also provides referrals for a variety of other non-treatment services. Using a standard form, clients are assessed for a broad range of needs/services: housing/shelter, job training and/or placement, literacy classes, other education, medical insurance, welfare, IDs, and others. The Program Manager is responsible for assisting the clients to locate the agency and community resources that fit their needs. For example, GED classes are provided through the Probation Department.

The program has always recognized that, because of the nature of the offenses that come to the Court, a significant portion of the clients would be at-risk for HIV/AIDS and other sexually-transmitted diseases. Educational/safety planning services and treatment referrals for these clients, primarily sex workers, are provided through the Nursing Center. Recently, the Court has expanded its efforts in this area with the addition of services from Blacks Educating Blacks About Sexual Health Issues (BEBASHI), a full service HIV/AIDS case management agency based in Philadelphia. BEBASHI offers a six-month program that focuses on addressing the needs that put a client at risk for HIV/AIDS and offers free HIV testing and counseling on HIV/AIDS and STD transmission and avoidance of risk.

The Court does appear to have access to a comprehensive package of treatment and social services and is increasingly engaging a variety of government and nonprofit agencies and organizations to provide those services. However, some respondents would like to provide more services on-site. Drug testing, GED classes, AA/NA meetings, and counseling were specifically

cited, but, in general and if space allowed, a number of respondents would like to see the PCC become more of a full-service center. Some staff would like to see more options for clients who require assistance with transportation to access services, including the possibility that the program would provide transportation to participants requiring services that are off-site. Currently, clients are provided tokens for public transportation to some services or to return to the PCC for evaluations and other matters.

Immediacy in Start of Community Service (CS) and Treatment Programs

The goal of the community service program is to have clients begin their assignment as soon as possible. Clients meet with the Community Service Coordinator after their first appearance in Court and receive an assignment. Originally, the program envisioned that clients would start the next day after their appearance in court; however, due to a lack of clear data on this measure, the average amount of time between appearance in Court and the start of work could not be reliably calculated. Data indicate that 25% of PCC clients commence community service assignments within 7 days of conviction, 50% within 33 days, 75% within 112 days, and 95% within 226 days.

The PCC is very interested in reducing the interval between sentencing and the commencement of community service. The Court faces a couple of obstacles to accomplish this. Some staff would like to see more options for clients who require assistance with transportation to access services, including the possibility that the program would provide its own transportation to services that are off-site. Despite staff efforts to encourage timely completion of this part of their sentence, defendants procrastinate and presume that they have until their next court date to complete community service.

Second, sanctions are rarely imposed for failure to complete community service according to schedule. The judges have been reluctant to impose an additional penalty (such as additional community service) on defendants who appear at their status hearings without having completed their community service. Instead, they generally admonish the client and give him or her a new court date.

Of course, the goal of the program is to also have clients begin treatment as soon as possible. Drug and alcohol assessments are usually conducted the same day or the day following appearance in Court. The time between evaluation and treatment recommendations has reportedly been reduced from 14 to 10 days in 2008, to 10 days in 2009, and to 9 days in the first half of 2010. The process of obtaining insurance coverage adds some time to the process, although it was estimated that approval was generally obtained within three or four days. Staff reported that there were delays in securing placements for services. Unfortunately, FIR data was incomplete and did not permit calculation of the time period between sentencing and the commencement of treatment.

Offender Compliance with Sentence Conditions Strictly Monitored

Procedures are in place to monitor the completion of community service hours and payment of fines, costs, and restitution. Clients who provide documentation that they have completed the terms of their sentence 30 days prior to their status hearing will receive a waiver of appearance, if approved by the Assistant District Attorney. If clients have not completed the terms of their sentence by the time of their status hearing, the judge may impose a sentence which may include a term of probation or incarceration or the judge may defer the case to allow the client to complete their mandated requirements—community service or paying fines, costs, or restitution.

Case managers in the Social Services Unit monitor the progress of clients who are referred to treatment services. The case manager checks to make sure that initial appointments are kept, receives monthly progress reports from the providers, meets with each client, and prepares case notes on a monthly basis.

Noncompliance with Sentence Conditions Strictly Sanctioned

Overall, noncompliance with sentence conditions is not strictly sanctioned. If clients have not completed the terms of their sentence by the time of their status hearing, the judge may impose a sentence which may include a term of probation or incarceration or the judge may defer the case to allow the client to complete their mandated requirements. However, according to respondents, cases are generally deferred and set for another status hearing. In some instances, the clients may be given additional community service hours to complete, but incarceration is rarely used as a sanction. The lack of real consequences and penalties for non-compliance is a concern for some stakeholders.

Extensive Inventory of Information on Defendants Gathered

Through Expanded Intake Interviews and Access to Other Criminal Justice Databases

The Community Court collects and records a variety of information on clients through its pre-court screening process, and, when referred, drug and alcohol evaluations and social service assessments. The Court also has access to the Common Pleas Court Management System (CPCMS) and can check state-level and national criminal history databases. As discussed in Section II of this report, however, the issue for the Community Court is not the capacity of the program to collect information, but the lack of an integrated case management system that allows for immediate and shared access to that information. The FIR system serves the purpose of documenting the treatment, social services, and community service components of the Court and

tracking the progress of cases on these elements. However, it does not allow for adequate documentation and tracking of the court process.

Mechanisms that Provide Ongoing Communication with the Community

Some stakeholders expressed the view that the Community Court has more of a connection with both the larger community and their clientele now than in the past. This was attributed to the program's increased attention to non-treatment services and efforts to provide other assistance, such as the child care center. Examples of the Court Coordinator, Program Manager, and other members of the PCC staff meeting with (or speaking to) community groups and agencies were also cited.

The PCC created a Community Advisory Panel (CAP) with representatives from community organizations in each of the court's ten Police Districts (e.g., the Center City Residents' Association). The first meeting of the CAP occurred on March 10, 2005. The CAP meets every two months. According to CAP members interviewed by project staff, PCC staff typically present statistical information about PCC operations, as well as crime in the catchment area of the court at each meeting. In turn, CAP members make recommendations to the PCC with regards to strategies for improving court operations and addressing emerging crime issues.

The Community Court also publishes a quarterly electronic newsletter, the *Community Court Quarterly*. It includes an update on the number of new cases heard, the number of individuals evaluated and receiving services, the hours of community service performed and the monetary value of those services, the amount of fines, costs, and restitution collected, the number of individuals completing court-mandated treatment and long-term treatment, and the number of visits to the Nurse. The figures reflect the period from the implementation of the program to

date. It may also include information on specific PCC programs, profiles of staff, profiles of clients, and other information on developments and activities.

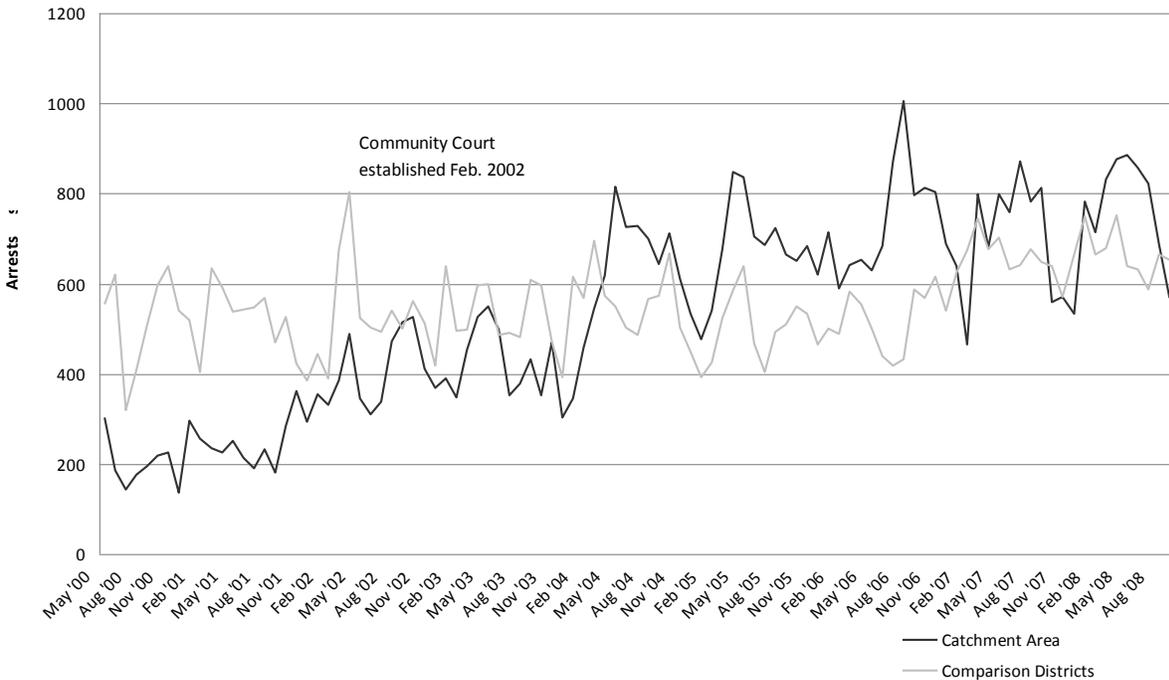
Outcome/Impact Evaluation

Interrupted Time Series: Philadelphia police officers were reportedly reluctant to make arrests for quality-of-life offenses before the PCC was established. Possible explanations for this reluctance to arrest include:

- The “revolving door” nature of the criminal justice system meant that the officer was likely to re-arrest the same person for the same offense within a short period of time
- The police simply preferred to pursue more serious and interesting cases.

To encourage police to make more frequent arrests in PCC-eligible cases, PCC planning committee representatives met with police officers in the catchment area before the Court was opened. After commencing operations, the PCC also began providing weekly reports of arrest statistics for covered offenses to each Police District. In May of 2004, the PCC hired a Police Liaison whose responsibilities include coordination, training, and maintaining ongoing communication with the police department.

FIGURE 4. MONTHLY ARRESTS FOR COMMUNITY COURT-ELIGIBLE OFFENSES IN PHILADELPHIA COMMUNITY COURT CATCHMENT AREA AND COMPARISON AREA



Notes: Arrest data for PCC catchment area include all districts in catchment area as of 2009. Data before March 2002 do not include citation arrests.

Figure 4 displays the volume of arrests for Community Court-eligible offenses between May of 2000 and September of 2008 in the PCC catchment area, as well as in a comparison area with comparable population and demographic characteristics. The catchment area was expanded twice during 2003; however, arrests for the police districts added in 2003 are included in the PCC arrest data throughout the series.⁴ Whereas arrests in the comparison area appear to

⁴ It was necessary to compare trends in a uniform set of police districts because the addition or deletion of a district or districts at any point in time would have a dramatic effect on the trends. This may have been misinterpreted as a PCC effect rather than a change in the districts under comparison.

fluctuate around a relatively stable mean, arrests in the PCC catchment area exhibit a slight upward trend. Interestingly, arrests in both the catchment area and the comparison area temporarily spiked after the establishment of the PCC in February of 2002. This increase may have resulted from a general publicity effect associated with the PCC's opening that made police officers more aware of the need to make arrests for quality-of-life offenses.

Another sharp increase in arrests occurred in the catchment area around May 2004, when the Police Liaison was hired. This increase, however, appears to be more permanent. Moreover, it does not appear to be accompanied by a simultaneous increase in arrests in the comparison area. Whereas before the hiring of the Police Liaison, arrests were consistently less frequent in the catchment area than in the comparison area, after May 2004 the volume of arrests in the catchment area was generally greater than the number of arrests in the comparison area. The hiring of the Police Liaison therefore appears to coincide with a sustained increase in arrests for PCC-eligible offenses in the catchment area. To determine whether the May 2004 increase in arrests in the PCC catchment area represents a genuine break in the level and/or slope of the arrest trend rather than a random fluctuation, the Zivot-Andrews unit root test was employed to locate a break in the data, as described in Appendix A.

First, a Zivot-Andrews unit root test was executed to verify that the data are trend-stationary and to identify the most likely break point. Because the Zivot-Andrews unit root test is capable of modeling only a single structural break, we limited the data series to time periods after February 2003 to prevent any break associated with the establishment of the PCC from overwhelming the hypothesized break associated with the hiring of the Police Liaison. Using the method of minimizing the Bayesian Information Criterion (BIC), a lag length of two was

selected.⁵ The model included variables representing breaks in both the level and the slope of the trend. All observations other than the first and the last in the series were considered as possible break points. The minimum value of the test statistic is -6.272 and occurred in May 2004. The null hypothesis of a unit root is rejected at the .01 level, leading to the conclusion that the arrest data were trend-stationary with a structural break in May 2004.

Finally, ordinary least squares were used to estimate a time-series model of monthly arrests in the catchment area including the break variables, coded to reflect a break in May 2004, a trend variable, and two lagged values of arrests. An alternate model was also estimated which included only a break in level and not a break-in trend. Table 1 displays the results. In neither model do the break variables appear statistically significant.

TABLE 1. ESTIMATED EFFECTS ON MONTHLY ARRESTS IN PHILADELPHIA COMMUNITY COURT CATCHMENT AREA

Variable	With Breaks in Level and Trend	With Break in Level Only
Dummy for break in level	35.01 (0.59)	70.34 (0.19)
Dummy trend for break in trend	-4.17 (0.16)	---
Trend	5.15 (0.07)	1.41 (0.11)
y_{t-1}	0.58 (0.00)	0.59 (0.00)
y_{t-2}	-0.08 (0.53)	-0.09 (0.47)

Source: Author's calculations based on arrests for covered offenses in Philadelphia Community Court catchment area, March 2002 – September 2008. Model estimated using OLS. P-values are in parentheses. n=77.

⁵ See Gideon E. Schwarz, *Estimating the dimensions of a model*, 6 ANNALS STAT. 461 (1978).

Outcome/Impact Evaluation: Ethnographic Analysis:

The complete ethnographic analysis is presented in its entirety in Appendix B of the process evaluation. The following are highlights from this report.

Interview data: Demographics of the sample

Among the 210 interviews that were completed, 102 were with drinkers (including 9 females) and 108 were with sex workers (including 11 males) (see Appendix BI, Table 1, in process evaluation). The sample was nearly 75% Black (and African American) (n=149), with the majority of the remainder, White (n=52). The absence of significant representation by other groups (only 4 Latinos) suggests that there is largely a bifurcated population of drinkers and sex workers in Philadelphia. But there were differences between the drinkers and the sex workers: drinkers were 82% Black (84/102), while the sex workers were only 60% Black (and 36% White). In terms of education, many had completed 12 years, but nearly half did not finish high school (n=92). A few subjects had some college.

Residence patterns

The majority of the subjects were from Pennsylvania (n=149). Aside from the generic “Philadelphia,” “North Philly” was the most frequently mentioned place (n=15), but a considerable number of subjects were from “other counties” in Pennsylvania (n=18) and from out-of-state (n=35), while only a handful were born outside of the U.S. (n=5).

In terms of their current residence (see Appendix BI, Table 2, in process evaluation), respondents were spread throughout Philadelphia, but about one-quarter of them said that they lived in a “shelter” and another 32 said that they were “homeless.” Among those who provided an area of the city where they currently live, the most frequent response, again, was “North Philadelphia” (n=30). Among those who said that they lived with someone else, a relative, especially a sister, was often mentioned. A large number of respondents (n=87) had been living

in their current address for less than 5 years, but 25% of the sample (n=52) had been living there for less than one year.

Drug and alcohol use

Poly drug use was prevalent among both drinkers and sex workers (see Appendix BI, Tables 5-9, in Process Evaluation). By definition, drinkers used alcohol, but more than half of the sex workers (n=57) also reported using alcohol. In addition, 43% of the sample said that they smoked marijuana, 32% said that they smoked crack, 31% said that they used cocaine, 20% said that they used pharmaceuticals (e.g., Xanax, Klonopin, Oxycontin, and Zoloft), and 11% said that they used heroin. Self reports by drinkers and sex workers about how much they spent on drugs and alcohol varied considerably (see Appendix BI, Table 10, in process evaluation), but nearly 20% said that they spent more than \$100 per day on drugs. More often among crack smokers, the response was, “as much as I can afford.” It was impossible to verify how much money the research subjects actually spent on a daily basis, but if it were anywhere near what some of them estimated, then their engagement with the informal economy would have to be substantial to sustain that level of consumption.

Health and social services

The majority of respondents said that they had seen a doctor in the last year (n=198), most often for a “checkup” or an “HIV test” (see Appendix BI, Table 11, in Process Evaluation). Some stigmatized health-related behaviors did not elicit the uniform responses that might have been expected. For example, when asked about condom use, only 36% of the respondents (n=75) claimed that they used them “all of the time.” Not surprisingly, a significant number of respondents, including 42 of the 108 sex workers, said that they had previously contracted a sexually-transmitted infection, like gonorrhea, syphilis, chlamydia, Hep-C, and HIV (see Appendix BI, Table 12, in Process Evaluation). Other health problems cited by respondents

included chronic diseases like asthma, diabetes, high blood pressure, and a variety of psychiatric diagnoses. Despite the apparent abundance of health problems cited by respondents, many of them had recently seen a doctor, with their last visit measured in months rather than years, but significantly, most of the respondents also seemed isolated from social service providers who might be in a position to help manage some of their chronic problems. Most said that they had never been approached by a social service agency offering assistance (n=156). When that did happen, drug treatment was often the service that was offered, and it was most often offered by some kind of court or the foster care system.

Court involvement

Many respondents reported that, over the years, they had multiple cases (see Appendix BI, Table 16, in Process Evaluation) in a variety of courts in Philadelphia, including the Philadelphia Community Court, the Criminal Justice Center (CJC), and the court “at City Hall.” The study did not ask whether respondents understood the difference between the Community Court and other courts that existed in Philadelphia, but it seemed clear that very few of them saw any difference at all, except that the Community Court was located in a different building. When asked where their most recent case had been heard (see Appendix BI, Table 17, in Process Evaluation), only 24 respondents (11%) said that it was at the Philadelphia Community Court. The most frequent site mentioned was the Criminal Justice Center (CJC), where 44% (n=92) of the most recent cases had been heard. When asked if they had ever had a case at the Philadelphia Community Court (see Appendix BI, Table 18, in Process Evaluation), 129 subjects (61%) said “no,” and only 33% (n=69) said “yes.” A few subjects said that they did not know the Philadelphia Community Court existed.

Experiences with the Community Court and changes in attitudes, orientations and behaviors

Even though most subjects never had a case at the Philadelphia Community Court, it seems clear that it was known to many drinkers and sex workers: of the 69 subjects who had a case at the Court, only 10% (n=7) said that “none” of their friends knew about it, while 28% (n=19) said “all” of their friends knew about the Court (see Appendix BI, Table 19, in Process Evaluation). Like other courts, one frequent complaint lodged against the Community Court was that the lines that seemed to characterize getting into and through the Court discouraged some people from attending their scheduled appearances. Several respondents said that they grew impatient with the lines and simply walked away from their court date (see response to Recommendation #7 in Appendix B).

The project recruited *active* drinkers and sex workers, so it was no surprise that among the 69 subjects who had been to the Community Court at least once, 22 (32%) were frank in telling the researchers that the Court had no impact upon their drinking behavior or patterns of sex work, but 41 of them (60%) said that they did change in some way (see Appendix BI, Table 20, in Process Evaluation). This finding is tempered by the suspicion that some subjects offered socially desirable responses to this question. For example, one drinker who said that he had been arrested “about five or six times” and that his last arrest had been three months earlier, noted that he had only been to the Community Court once, for a “loitering” charge in 2006. But when asked how he had changed as a result of that experience, he said that he was a “more respectful (sic) person...towards the officers of the City...and myself.” Another drinker who had been to the Community Court three years earlier for “drinking in public” and “loitering” said that to avoid the police and courts, he tried to “stay to myself” and “not get drunk.” But even though he said that he had changed his behavior and that “I don't try to get drunk, and I'm very like mindful

of the people I hang with or the people that's in my company,” his current court case (not at the Community Court) for drug possession and an “open container of alcohol” suggested otherwise.

Most of the drinkers who said that their recent interactions with police and the courts had led them to alter their behavior described moving from public to private domains to continue drinking and using drugs. For example, one drinker who said that he no longer drank outside as an outcome of his experience with the Community Court, was not troubled by the prospect of doing community service as part of his sentence, but the “court costs” they imposed on him and his friends (i.e., those who have no money) was a reason to avoid drinking outside:

Oh, yes, I've changed, it ain't worth no \$146 dollars! I sit right in front a my door, in the house [to drink]. You better know that's right, if that don't make a person change, they gotta problem. Mostly *all* of [my friends know about the Court], 'cause mostly all of 'em done *been* there. They the ones that *warned* me. But...you know, I didn't think I was gonna be the one they came after. [But the fine], that's what gets 'em, Community Services ain't nothin'.

But many drinkers who were homeless did not have a private place where they could drink. For them, avoiding the police and the courts was a bit more challenging, and they were forced to constantly move their activities in time and space to avoid problems. As one drinker explained:

I went in and I seen the judge; they gave me a citation, a fine, and they gave me Community Service. Now, [to avoid the police] I try to not frequent that area where they target at, that's what I do. Try to change my location, and my hustle, you know, whatever. And the drinkin', yeah. It's called stickin' and movin'.

In some cases, the changes appeared to be more than simply the displacement of problematic behaviors from public to private domains, especially for those who had been to the

Community Court more than once. These respondents generally said that, "I don't hang out on the street anymore," "I keep quiet," "I stay inside," and clearly, they wanted to avoid the Community Court as much as possible, but they genuinely seemed more disconnected from the streets and their problematic associates than had been the case before their visits to the Community Court.

Among those who seemed chastened by their visit to the Court was a 39-year old African American sex worker from North Philadelphia who said that she had lived "on the street" for the last five years. She said that she had not been arrested for prostitution (she picked up customers in bars and clubs and did not work the street), but rather, had been arrested for "fightin' and drinkin'" and had appeared at the Community Court three months earlier. She received a sentence of "community service" and said that she had altered her behavior to avoid returning: "Cause I ain't tryin' to go back. [I'm] tryin' to not walk down the street wit' a open beer."

A male sex worker who said that he had a long history of arrests for prostitution, drinking in public, urinating in public, smoking crack and a variety of other offenses, noted that, in the past, he generally avoided going to court at all, but that he had recently been to the Community Court "three or four times." The last time that he went there, he said that "they gave me a fine," for "some stupid stuff." And yet, despite saying that he usually did not go to court after his many arrests in the past, he also said that he had begun to change the way that he conducted himself, noting that, "I don't street-walk no more. I'm scared. I don't wanna go to jail. I'm gettin' too old." Perhaps he was simply aging out of crime, but the increased attention that the Community Court gives to those who are repeat offenders suggests that other factors may also be responsible.

Since the project recruited *active* drinkers and sex workers, drinking and/or using drugs was expected, but many subjects said that the increased scrutiny of their lives by the Community Court had made it very difficult to continue drinking and using drugs in ways that they had in the past. One drinker, for example, noted that he had stopped carrying “paraphernalia on me” and stopped “smokin' out in public.” He added that, “I'm on probation and I don't go around with the stuff,” and he went on to explain that he had,

...three retail and one possession [charge related to drugs]. Those four cases, I got a year probation for each one of 'em. Plus, fined \$710, which I have to pay something every week, or once a month, at least. That was in 2005. Now, I keep a low profile.

Probation is not a sentencing option for the PCC so the FJD may have blurred with the PCC in the minds of some respondents, a theme that will repeat itself throughout the interviews. It is troublesome that the PCC is virtually indistinguishable from the FJD in the minds of many offenders.

Some respondents reported changes in how they “work” or conduct themselves as an outcome of their experiences with the Court, but their own reported arrest record did not necessarily validate that view. For example, one male drinker with a long arrest record (arrested “eighty” times) talked about his desire to get a job and stop doing drugs and drinking, but he also said that he had been shot and arrested only “two weeks” prior to being interviewed. Like other respondents who had been through the court system in Philadelphia, his view was that the system was unlikely to help him.

Two weeks ago, I got shot at Broad and Dauphin Street. I had two bags a rocks and I swallowed 'em, so they hit me with destruction of evidence... Yeah, I put 'em all down my throat.

I changed the way [I hustle] since I got shot... [but the Court's assistance was] unhelpful. 'Cause we don't ask 'em...after we come out from incarceration, why won't y'all help us with jobs, 'cause a lot of us don't have the skills, you know? And the judge agreed wit' us, especially me. And my PO said, 'Okay, I'm a help him get in electrician school. He still hasn't lived up to his end of the bargain.

Finally, there was a clear difference along gender lines between the sample of drinkers (the majority of whom were male) and the sample of sex workers (primarily female) in their narratives about whether they had changed as a result of their experience(s) at the Community Court. Female sex workers with children, for example, often found themselves far more entangled with the criminal justice and child welfare systems than males, and these additional burdens and the greater leverage that the City had over them as compared with the men, appears to have led them to prioritize and make decisions based upon different contingencies. One female sex worker, previously arrested twice for shoplifting, indicated that she'd changed, but in her view, "I didn't change for *that*, [the Community Court], I got *kids*."

Perceptions of Fairness at the Community Court

Of the 69 respondents who had a case at the Philadelphia Community Court, the researchers heard a variety of opinions about how they and their acquaintances had been “treated” there (see Appendix BI, Table 21, in Process Evaluation). Many offered no opinion on this topic, but slightly more than a quarter of them (26%) said that they had received “fair” treatment, while one fifth (20%) said that they had received “unfair” or “poor” treatment.

Among those who reported that the court had treated them fairly, several mentioned that if they had gone to a different court, the outcome might have been jail rather than the fine and community service they received at the Community Court. And they clearly preferred to avoid jail. For example, a 25-year old African American male drinker who had been arrested three times said that he had been to the Philadelphia Community Court twice.

Shoplifting. I went there for stealing a f***ing newspaper a couple a years ago. They gave me community service. They could be lockin' motherf***ers up, for real. They let you ride, with that community service. [So community service is better than the jail-time?] It's a joke.

A similar theme of easier treatment at the PCC was echoed by a 27-year old sex worker, who said that she had “absolutely not” changed the way that she worked as a result of her experience with the PCC, but that she and other sex workers believe that the Court is “fair” because, “He [the judge] drops a lotta stuff, but you usually get stuck with something, but he knocks things off. If you did it, you did it, you know, you gotta pay the price, most people realize that.” One drinker who said that he had been to the Community Court three years earlier, noted that he and his associates thought that the Community Court “was all bull-crap,” and yet, because they generally had not received jail time, “most of 'em, they act like, ‘Well, I coulda’ got more, so....,’ they are reasonably satisfied.”

In addition to the generally lighter sentences that some subjects said were handed out by the Community Court as compared with other courts in Philadelphia, another advantage, according to some subjects, was that the Community Court was more flexible in sentencing than other courts. For example, a 46-year old African American drinker from Center City who said that he spends “\$15 to \$20 a day” on alcohol, noted that his most recent arrest had been in

August, 2007, for “public drunkenness.” He said that he had been arrested a total of 5 times for a variety of charges, but for his most recent arrest, he went to “day court” (the Community Court), where he got a “fine (\$100) and community service (40 hours)” for his second visit to the Court (the first public drunkenness charge resulted in a fine of \$75 and 20 hours of community service). Despite the increased penalties he received, his opinion about the Court was that it was fair, and more important, it would “work with” defendants like himself who appreciated the flexibility in sentencing that he experienced at the Court:

All my friends and associates know about the Community Court. [They say] that

it's really fair. It is really fair. It's really, like, prompt. To me, it's really fair.

They all say it's fair because they give you that shot, to do, like, a ‘lil less and pay the fine. Even if you don't have the money to pay, you'll get an extra 10 hours of community service. So they work with you, yeah. They real fair, yeah. [The assistance they offer at the Community Court is useful] because they give you a lotta referrals to some other things, about Alcohol Anonymous, whatever, and stuff like that. Referrals to where you can go do your community service, how you can do it. And then, plus, how you can break your payments down, or whatever, and stuff, if you really don't have the money.

Most subjects who said that the Community Court was “unfair” did not elaborate very much on what they meant by that, but aside from the widespread perception that the criminal justice system is stacked against poor people and that there was little that they could do to fight their case in Court, some respondents complained about their inability to pay fines that were imposed by the Court, and they saw that as unfair. Another complaint voiced by several subjects was that the Court was unfairly extracting unpaid labor from them. For example, one 39-year

old African American sex worker from North Philadelphia said that she and other sex workers felt that the treatment that they received at the Community Court was “unfair,” but when pressed about what was unfair, she noted that “we ain't gettin' paid for community service.” The idea that community service represented the extraction of “unpaid” labor from them by the City was a theme that several cynical respondents sounded: rather than seeing community service as a sentence imposed upon them as individuals, some saw it as a ploy by a cash-strapped city to “get over” and avoid paying for menial, but essential jobs that would otherwise be paid for out of the City budget. Another drinker who expressed annoyance with the “court costs” fine and the community service that he was required to perform, put it this way:

That's exactly what it is, Community Court. Basically, for 24 hours of community service, [I] was cleanin' up in Center City. And \$146 fine...for a dollar-and-a-quarter can a beer. [*laughter from interviewer*] Yeah, that's how I felt about it... They gotta get rich some kinda way.

Assistance Offered through the Community Court

In recruiting subjects into the study, the research team sought *active* offenders, and thus, it seems unlikely that people who had desisted from criminal activities as the result of their experience(s) with the Philadelphia Community Court would have been recruited into the study sample or that the Court would have much of a history of successfully offering help to them. As poignantly noted by one female sex worker with multiple arrests for prostitution and robbery: “Yeah, they'll help you [the court]. But that help is only helpful sometimes, if you want it to be helpful.” Still, of the 69 respondents that had a case at the Philadelphia Community Court, 44% (n=30) said that assistance offered through the Community Court had been useful to themselves or their friends (or *could* be useful) (see Appendix BI, Table 22, in Process Evaluation), and

there were a few respondents who represented potential success stories, like a male drinker who had been arrested "at least four times" for "robbery and disorderly conduct," and "at least twice, for public drunkenness." When asked whether the help that was offered through the Community Court had been useful, he responded:

I don't get high anymore. Right now I been goin' to outpatient treatment... and I'm currently a student at community college. Yes, I'd say [the Court's assistance was helpful] ...it's helped me turn myself around, get back on my feet, back on solid ground.

Yet, what may objectively appear by the courts to be "useful" assistance, may not necessarily be perceived in the same positive light by those who use the system, despite positive behavioral changes they might have reported. This is clearly illustrated by the comments made by a female sex worker whose community court sentence was "an Anger Management class" [due to shoplifting]. She noted that, as a result of her experience with the Court, "I watch my mouth — it's not even worth it — now people look at me sideways, I don't even care, you know? I let it go." Yet when asked if the assistance offered by the Court was "useful in any way," her response was, "Not really."

A considerable number of the 69 subjects (41%) said that the assistance that was offered at the Community Court had not been helpful to them or their friends. For example, one male drinker, with a long arrest record (reportedly "80" arrests, most recently, "two weeks" prior to the interview), expressed frustration with a system that purported to help. Another male drinker with a long history of arrests for drugs and alcohol (30 in total reported) depicted his inability to rehabilitate himself as the fault of a system that makes it difficult for someone to succeed.

Like they don't offer you no, like, *programs* or nothin' like that. Especially if you're not workin', like, often, how you gonna pay that...that court fee. And then they lock you back up when they *know* you're not workin' and you're on Welfare. [Yet, it's] not so easy [to get over on the system]. 'Cause they're...they're an authority figure. You know, and you're tryin' to get over and get yourself cleaned up.

Among the subjects who reported utilizing services available through the Community Court, drug or alcohol treatment was most frequently mentioned (n=13). Yet the substance abuse treatment that was cited by some as being helpful did not seem to be nearly enough to make a real difference, as illustrated in the comments made by one drinker who expressed frustration with the Court and his own failed efforts to avoid what had become a vicious cycle: “I try to use less drugs, because I really don't wanna go back to jail. Once, they sent me to a drug program, but they didn't really send me long enough. I stayed there for sixty days.”

One sex worker who had been arrested twice, most recently three months prior to the interview, noted that her experience at the Court had changed her, but she also sounded ambivalent about her experience with the Community Court: on one hand, she did not seem to like the frequent visits to her probation officer and the community service sentence she had to complete, but she recognized that both of those factors had allowed her to reduce her drug use and thereby reassert greater control over her life:

I got caught with drugs, you know, when I was prostitutin' and they gave me six months to a year. I have to go to community services every day and then go report to the P.O. over there at 14th & Archer, over there. [Has the Court been useful?] I go to rehab to get my life together. If I didn't use drugs, I wouldn't be

out there prostituting to try and make money to get the drugs, you know? And sometimes the drugs eat you up. Yes. It's useful. It keeps...makin' me not have to do certain things. I haven't stopped doin' it completely, but I'm slowed down at it, 'cause most a my time goes to community services and stuff like that.

A female drinker, despite arrests for "public drunkenness, twice," also reported the benefits from help she'd gotten when the Court provided her with access to much needed resources to deal with her drinking.

Yeah [help was useful] because they give you a lotta referrals up to some other things, [like] Alcohol Anonymous, whatever, and stuff like that. ... then, plus, how you can break your payments down, or whatever, and stuff, if you really don't have the money.

Another drinker who said that the drug treatment offered by the Community Court was helpful, did not talk about it as an effective way for him to confront his substance use problems, but rather, as a way to avoid the stiffer penalties that he might have otherwise faced for his crimes:

[Was the assistance at the Court useful?] I think so, I think it is. 'Cause they had me; when I came in there for [drug] possession, they combined [the charges] all together, and then I had to see the counselor here to go to a program or somethin'. And then they also gave me community service, I had to do a certain number of hours.

In addition to drug treatment, there were several other "services" mentioned by a few subjects that were available through the Community Court, including housing and job training. For example, one female sex worker with "about seven [arrests]," convicted "twice [for] prostitutin'," also reported assistance from the PCC, in finding temporary housing. "Yeah [the

Court's assistance was useful]. That's how I got in the shelter where I'm at." A male drinker who said that he had been to the Philadelphia Community Court "two times" not only reported that he was no longer "drinkin' in public," but that the Court had "offered to send me to get some computer training, and job placement."

"Getting Over" on the Community Court

In many courts, there is a perception that defendants can sometimes remain somewhat anonymous and that their adherence to the conditions of their sentences will not be closely tracked by the criminal justice system. Of the 69 respondents who had a case at the Philadelphia Community Court, 71% said that "getting over" on the Court was "not easy," "hard," or "very hard," while only 19% said that it was "somewhat easy," "easy," or "very easy" (see Appendix BI, Table 23, in Process Evaluation). Perhaps because of their difficulty in *gaming* the system at the Community Court, most subjects gave very terse answers to whether it was possible to do so. For example, one female sex worker who was sentenced to "probation" clearly did not believe that it was easy to avoid the Court's penalties. As she noted, "They put me on a year's probation for assault. So it ain't too easy [to get over]." A female drinker who was placed on probation by the Community Court said that she now actively tries to avoid the police and going back to court:

I would say...not so easy [to get over on the Court] because they check the information you give 'em. Like, you doin' your community time — the first time — and you gotta get a slip with the number of hours signed by that person or company, non-profit organization. And they can ask you at any time for a urinalysis, you know, if you was gettin' high.

Similarly, a male drinker, who had been sentenced by the Community Court earlier in the year, receiving "...a [\$148] fine, and 24 hours' community service" [for] "trespassing," and "drinkin' in

public," said that it was impossible to avoid a sentence given out by the Community Court, "because it still hangs over your head until you pay it."

A few subjects said that hiring a private lawyer was another way to beat charges at the Community Court, but most did not have the resources to do that. In addition, only three subjects said that it was possible to "get over" by "lying," but otherwise, it was hard to beat the system at the Community Court. One female drinker, convicted "twice for drinkin' and twice for possession of narcotics...marijuana," pointed out that there is a strategy to "getting over" on the system: "It's about lyin'. And, you know, I believe they know...you lyin'. It's just the fact that you can manipulate through your community service hours and whatever, and stuff like that." It is significant to note that her account about *gaming* the system did not describe escaping the charges, but rather, trying to play the system to manipulate the sentence that she received.

PCC On-Site Class Outcomes: The goal of the PCC is not only to enforce sanctions for criminal behavior, but to help provide comprehensive services that address the underlying causes of that criminal behavior. One of the resources utilized in this comprehensive approach is the use of on-site classes. There are currently two classes that can be court-ordered, one relating to drug treatment readiness and the other to anger management.

Drug Treatment Readiness Class

The drug treatment readiness class is conducted five days a week by the Behavioral Health Educator, and focuses on basic drug and alcohol education, recognition of problematic chemical abuse, availability of treatment, and recovery. While there was a decline in attendance between 2006 and 2007, preliminary 2008 numbers suggest that the number of participants attending in 2008 will exceed the number for 2007. To help assess the impact that the class has on participant attitudes, surveys were administered before and after class that asked participants a

number of questions related to their drug/alcohol use. A total of eight questions were asked, and participants were asked to rate themselves on a scale of one to five, with one indicating none at all and five indicating very much.

The results show that after completing the treatment readiness class, participants showed significant changes in attitude toward their drug/alcohol use and the assistance available to overcome drug/alcohol use. As seen in the Table 2, participants, on average, not only rated their problem with drugs/alcohol significantly higher after completing the class, but they also gave significantly higher ratings to their drug/alcohol use contributing to why they were sent to Philadelphia Community Court, their use of drugs/alcohol affecting the people they care about, and their drug/alcohol use contributing to problems in their life. Additionally, the average score that participants gave in response to both how much they would benefit from assistance in overcoming their drug/alcohol use and how they would rank their knowledge of resources in assisting them to overcome drug/alcohol use significantly increased. The results also showed that participants felt more prepared to reduce their use of drugs/alcohol after completing the class than before they started. This is a promising finding that the attitude changes apparent after class completion may translate into actual behavioral changes as well.

An open-ended question was also included on the survey where participants were able to write comments both before and after the class. These comments also reflect the findings above that positive attitudinal changes resulted from the class. Before taking the class, participants overwhelmingly commented that they did not have a drug/alcohol problem. Before class comments included such statements as, "I'm not a drug addict & I don't drink," "I am not addicted to drugs," and "I only smoke occasionally." In contrast to these comments, participant comments after completing the class were largely positive and indicated that the class was

beneficial and provided the participant with a greater knowledge of drug/alcohol addiction and how to overcome it. Some comments that reflect this sentiment include, “I actually realize that I did have a small but controllable addiction that I believe I can stop” and from another participant, “I learned what I do has an effect on not just me, but my friends and family.”

Table 2
Treatment Readiness Class Results

Question on Survey	Mean Before Class	Mean After Class	Change in Mean
How much of a problem do you have with drugs/alcohol?	1.91	2.01	.196*
How much do you think your drug/alcohol use contributes to why you were sent to the Philadelphia Community Court?	2.73	3.04	.310*
How much do you think your drug/alcohol use affects the people that you care about?	2.08	2.43	.355*
How much do you think your drug/alcohol use contributes to problems in your life?	1.94	2.28	.341*
How much would you benefit from assistance in overcoming drug/alcohol use?	2.55	2.89	.342*
How would you rank your knowledge of resources to help assist you in overcoming drug/alcohol use?	3.14	3.50	.356*
How prepared do you feel to try to reduce your use of drugs/alcohol?	3.32	3.54	.212*

* Difference in means is statistically significant. N = 611

Anger Management Class

The anger management class is another treatment option that the PCC can order, and it is conducted on site by the Behavioral Health Educator two days a week. A similar survey to that

used in the treatment readiness class was utilized before and after the class to determine whether the class impacted the participants' attitude about their anger problem. Seven questions asked the participants to respond on a scale of one to five, with one indicating none at all and five indicating very much, and an eighth question asked the respondent for any additional comments or feedback.

As shown in Table 3, results from the survey indicated that, overall, the anger management class had a positive impact on participants' attitudes related to their anger management issues. In particular, participants showed significant change in their attitudes about the effects of their anger with significantly higher scores given to questions related to how much anger contributed to why they were sent to the Philadelphia Community Court, how much anger affects the people they care about, and how much anger contributes to other problems in their life. Additionally, the average score participants gave in response to how much they would benefit from assistance in overcoming their anger and how they would rank their awareness of the resources available to assist them in overcoming their anger was significantly higher after completing the class.

Table 3**Anger Management Class Results**

Question on Survey	Mean Before Class	Mean After Class	Change in Mean
How much control do you have over your anger?	3.92	4.07	.151
How much do you think your anger contributes to why you were sent to the Philadelphia Community Court?	2.67	3.04	.368*
How much do you think your anger affects the people that you care about?	2.35	2.85	.496*
How much do you think your anger contributes to other problems in your life?	2.14	2.48	.339*
How much would you benefit from assistance in overcoming your anger?	2.79	3.24	.452*
How would you rank your awareness of what resources are available to assist you in overcoming your anger?	3.22	3.57	.352*
How prepared do you feel to try to control your anger in the future?	3.92	4.13	.214

* Difference in means is statistically significant. N = 131

Conclusions: In-house Class Outcomes

Based on the findings above, it is clear that the drug treatment readiness and anger management classes are having a considerable, positive impact on participants' attitudes. While there has been a decline in attendance of the anger management class, it is clear from the findings that the class can have important effects on the attitudes of those who participate. It is important to note, however, that these findings can only show the immediate effect of the class on attitudes, and there is no way of knowing the long-term attitudinal changes, or whether these translate into actual behavioral changes. It may be worth pursuing additional study in this area to

determine long-term effects of the classes, because findings of actual behavioral change would further validate the importance of these classes.

Outcome/Impact Evaluation: Recidivism: Unfortunately, the data supplied to NCSC on program participants was missing key data elements such that a comprehensive comparison of recidivism between PCC participants and the counterfactual comparison group (offenders processed in the FJD) was not possible. Indeed, a comparison of recidivism rates of summary offenders (who constitute about 80% of PCC participants) is not possible (using automated records) given that the Common Pleas Court Management System (CPCMS) does not routinely record a Personal Identification Number (PID) for these offenders. Such an identifier is required to obtain offenses prior, and subsequent, to the current offense, which is necessary for a recidivism analysis.

A recidivism comparison between misdemeanants convicted in the two courts (i.e., the PCC and the FJD) is feasible, but was precluded by the large amount of missing data supplied to NCSC by PCC and lack of confidence in the representativeness of the sample. However, a study of recidivism of misdemeanants convicted in the PCC was conducted by Sarah Allen and Stu Schulman, public defenders that work at the PCC and have kept meticulous records of this group of offenders (S. Allen (personal communication to Stuart Schuman and Ellen Greenlee, March 17, 2009)). They examined recidivism of offenders who completed all of the conditions of their sentence between January 1, 2007 and December 31, 2007, reporting an overall 9% recidivism rate, with lower rates reported for offenders that were required to complete a program. Cases removed from the PCC before completing all of the terms of their sentence reported a higher 17% recidivism rate.

To put these reported PCC recidivism rates in perspective, data on the recidivism of the counterfactual comparison group are needed. In lieu of such data, comparisons can be made to other recidivism rates reported in other studies of community courts. The Midtown Manhattan Community Court study (Sviridoff, Rottman, Ostrom, and Curtis, 2000) is the only one to tackle the impact on crime in the community, documenting encouraging results: Prostitution arrests were down 56%, and illegal vending arrests were down 24%, 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).

As of November 2002, the Hartford Community Court had graduated 142 women from the pilot Prostitution Protocol program. Only 44 of the 142 graduates have returned to the Court on a charge of prostitution, a recidivism rate of 31%, significantly below the national recidivism rate for prostitutes not receiving any treatment, which is over 90% (according to the Paul & Lisa Program, national leaders in prostitution protocol development⁶).

Cost Efficiency: Data on important components of a comprehensive cost efficiency analysis were lacking (e.g., recidivism rates of PCC participants and comparison group members) but some data on benefits was available. Specifically, data on community service performed by PCC participants was available although there is no comparable data from the FJD. There is no doubt that any costs associated with the PCC are offset to an unknown extent by the value of community service performed by PCC participants. As reported in the process evaluation, the Community Service Coordinator of the PCC tracks the number of community service hours

⁶ <http://www.paulandlisa.org/index.htm>

assigned and completed, and this information is entered into the FIR database. It was reported that, as of April 2008, there was an overall 60% completion rate. Data from the FIR database for the period 2005 through 2007 indicated a 71% completion rate, with participants completing a median of 24 hours of community service. As of the end of 2007, a total of 340,590 hours of community service have been completed by Community Court clients since the beginning of the program. Table 4 shows the monetary value of the completed community service by year as calculated based on the prevailing minimum wage for each year.⁷ Completed hours rose dramatically in the third year of operations, have remained high, and increased by 10% from 2006 to 2007. At the end of 2007, the value of the community service was calculated to be more than \$1.8 million.

Table 4

Monetary Value of Community Service by Year

Table 4: MONETARY VALUE OF COMMUNITY SERVICE BY YEAR		
YEAR	NUMBER OF COMPLETED COMMUNITY SERVICE HOURS	MONETARY VALUE
2002	18,410	\$94,811.50
2003	35,400	\$182,310.00
2004	69,470	\$357,770.50
2005	67,603	\$348,155.45
2006	71,138	\$366,360.70
2007	78,569	\$526,407.80
Total	340,590	\$1,875,815.95

⁷ The minimum wage during the period 2002 to 2006 was \$5.15 per hour. As of January 1, 2007, the minimum wage increased to \$6.25 per hour and again to \$7.15 per hour as of July 1, 2007.

Limitations

- Data were lacking on some important outcomes including:
 - Percent of participants that complete all court-ordered requirements;
 - Percent of participants that complete court ordered services;
 - Re-offense rate during participation;
 - Percent of participants that are discharged before completing all requirements;and
 - Results from drug testing, where appropriate.
- The sample of PCC participants drawn for the outcome/impact analysis was discovered to be non-random, which opens the possibility that the sample was biased in an unknown direction.
- A comparison sample of misdemeanor offenders from the FJD was not drawn, because the matching process would have sustained possible bias in the PCC sample of misdemeanor participants.
- It was also discovered that using the CPCMS to select a comparison group of Summary Offense Offenders was not feasible. This is because the Personal Identification Number (PID) required to track offenders' criminal history is not issued to summary offense offenders unless they were fingerprinted at the time of their arrest. Summary offense offenders are not typically fingerprinted. This situation was troublesome given that around 80% of the offenders admitted to the PCC were arrested for summary offenses.
- Without recidivism data, any cost-efficiency model would be incomplete. Consequently, this analysis was not formally pursued.

Process Evaluation Recommendations and Conclusions

The Process Evaluation concluded with 20 recommendations, grounded in research and designed to improve performance of the PCC. Key recommendations and responses to the recommendations from PCC can be found in Appendix B. In this section, we highlight some of the more significant changes that have occurred in response to our recommendations since the Process Evaluation was completed and identify issues that remain to be satisfactorily addressed.

The PCC would have been strengthened had the Municipal Court been a fully-vested partner in this effort from the beginning of the planning process. As it was, the Municipal Court's initial involvement was tepid at best, as evidenced by the late date at which a judge was assigned to the Court. This feature of the PCC distinguishes it from other community courts that the NCSC team has studied, The Midtown Manhattan Community Court and the Red Hook Community Justice Center. Judgeship in these courts is regarded as a distinctive honor and the courts were fully involved in the planning and development of these courts from the beginning. This is a fundamental problem that has yet to be properly addressed though it should be noted that FJD has gradually taken a more active role in the PCC in comparison to its initial involvement.

The high FTA rate for police and the failure for arrests to increase to a statistically significant level indicate that the PCC still needs to work to increase the confidence of the police in the Court. In addition, the high FTA rate for offenders requesting trial suggests that the PCC needs to examine its strategies for addressing participant non-compliance.

In response to NCSC's call to strengthen the authority of the PCC Coordinator, the only change is that the coordinator will be authorized to call *ad hoc* meetings with staff to address

specific, non-policy issues that can be resolved at the staff level. This recommendation remains largely unfulfilled.

In response to the NCSC call for the PCC to develop a distinctive presence on the Municipal court and City Center District web sites, PCC reported that the Municipal Court administration has inserted additional information about Community Court on the MC web site. The Center City District (CCD) web page administrator is significantly upgrading the Community Court information on the CCD web site, including links to the CC brochure, map of the boundaries, list of eligible offenses, descriptions of how cases are processed and the programs available, and past editions of the *Community Court Quarterly*.

NCSC called for plans to expand the range of social and educational services that can be offered within the court building. The PCC Oversight Committee agreed with this recommendation, but felt that it had to gather additional data before taking any concrete action.

NCSC recommended adoption of a uniform set of graduated sanctions for non-compliance, including jail time, for use by all judges presiding at the PCC. While acknowledging that the uniform application of graduated sanctions would be optimal, the PCC Oversight Committee came to the conclusion that, with multiple judges assigned to the Court, and the preference of each judge to exercise his/her sentencing discretion in an unfettered manner, the implementation of a graduated sentencing grid would not be feasible. However, the Assistant District Attorney's (ADA's) courtroom computer was updated to provide access to data on the No Further Problem cases in which defendants did not comply and were rearrested, in theory allowing the ADA to request graduated sanctions where appropriate.

NCSC called for the development of an integrated case management system that is tailored to the Court's specific needs and which provides information on all of its components

and processes. The PCC currently is able to specify the information it needs on a daily basis. However, the current system requires a significant amount of data entry from paper records and creates redundancies. For example, the tracking of community service assignments and completion of hours is currently accomplished via faxes from/to on-site supervisors and the Court Coordinator. This information is then entered into FIR. A secure, web-based data collection form should be developed, which would allow for on-site supervisors with Internet access to electronically enter information into the PCC's information system. It also is timely to review the case management systems being used in other community courts as a source of possible solutions and enhancements to what is available at the PCC. At the same time, PCC management should talk with judges, currently and previously assigned to the PCC, for ideas on the kinds of information that they believe would make it easier to find the appropriate sentence for a defendant.

The PCC Oversight Committee agreed that resources are not currently available. It was noted, however, that the FIR database is now supplemented by a daily download from CPCMS and that regular data entry of court-related information is once again occurring. NCSC commends these interim steps to improve the quality of the PCC database but strongly recommends adoption of a dedicated case management system as described above.

NCSC recommended that the PCC adopt a set of guidelines for all judges presiding at the Court to follow in the conduct of court proceedings. While respecting the autonomy all judges enjoy in the way their courtroom sessions are conducted, guidelines are needed to make it likely that the PCC operates in a consistent manner from one day or one week to the next. One guideline should be that all judges presiding at PCC hold a morning staff meeting, once a week, to discuss problematic cases, a practice put in place by one of the judges presiding at the PCC.

Over time, the guidelines and the guidelines for graduated sanctions should provide the basis for a standard approach to how the PCC operates followed by all judges assigned there.

PCC's response was that was that this recommendation has been met. Based on recommendations from the Oversight Committee, Municipal Court President Judge Neifield issued a set of guidelines for all Community Court judges, effective January 1, 2010.

NCSC called for an opportunity for all judges presiding at the PCC during a given rotation to meet with one another to discuss the most appropriate way of handling cases that come before the Court. As the assignments to the PCC are set for a period of time, the Court Coordinator should invite all of the assigned judges to a meeting outside of regular court hours. This will be an additional demand on the time of the judges, but if successful, the meetings will enhance the experience of being a judge at the PCC and promote a common understanding of the mission and operations of the Court. These meetings could be supplemented by arranging for new judges at the PCC to have the support of a "mentor judge" drawn from the ranks of judges with previous experience at the PCC. An alternative approach would be to seek judicial mentors from other community courts, such as the Midtown Manhattan, Red Hook, and Hartford Community Courts, to consult with over the telephone. Given the deficit of experience and training with community courts of many judges who rotate through the PCC, such a meeting could prove to be a valuable source of information and support.

However, the consensus of the oversight committee that, so long as the judges are complying with the guidelines issued by the President Judge, effective January 1, 2010, and the Case Management Protocols, implemented July 2, 2007 and revised August 24, 2009, such meetings would not be necessary. Instead, it was advised that deviations from the guidelines and protocols be brought to the President Judge's attention.

NCSC called for Community Court cases to be differentiated from other cases being heard in the courtroom. It was not possible to distinguish Community Court cases from other cases also heard at the PCC during our observations of the Court in session and this must also be the case for everyone in the courtroom (other than PCC staff). In response to this recommendation, PCC pointed out that among the guidelines issued by the President Judge, effective January 1, 2010, was a directive on the order in which the case lists would be called, with Community Court and non-Community Court cases being differentiated. The directive also calls for the Court Crier to announce each list before it is called. Courtroom personnel report compliance with the directive.

NCSC called for research to evaluate the effectiveness of the large number of court appearances scheduled for a “status hearing” to determine that practice’s contribution to the overall mission of the Court. In some but not all days, a substantial amount of time spent on both PCC and other cases is devoted to “status hearings” in which defendants return to report on progress in making payments on fines and fees imposed by the Court. While this practice promotes judge to defendant interaction, it is time to evaluate the extent to which it contributes to the overall mission of the PCC: Does the increased number of court appearances per defendant contribute to greater compliance with the orders of the PCC?

In response, PCC pointed out that there was agreement that the Case Management Protocols, implemented July 2, 2007 and revised August 24, 2009, address what previously had been an overuse of status hearings. The CMPs limit each case to a maximum of two status hearings. It is not clear why the Case Management Protocols were not enforced in the past. NCSC still maintains that the recommended research on the frequency and purpose of status hearings be conducted.

NCSC called for the negotiation of a new system for assigning judges to the Court. A new system for assigning judges is needed to approximate the standard situation at other community courts where one judge presides to ensure consistency and continuity in relation between the judge and defendant during the life of a case or in subsequent cases.

PCC responded that purpose of this recommendation was to encourage the assignment of a full-time judge at Community Court, as is standard procedure in problem-solving courts. Both the previous and current Municipal Court President Judges have taken the position that they would not assign a judge fulltime unless there was a request to be so assigned. Judge Simmons recently has made such a request.

Finally, NCSC recommended a study of at least six-month duration to determine the length of time between assignment to community service and when it begins and ends. Where patterns are found in which the objective of immediacy is not being met, corrective steps should be taken. The main barrier to implementing this recommendation is the limitations of the current information systems available to the judges, staff, and management of the PCC. Data on community service (beginning and end dates, hours actually performed) was often missing or incomplete in the FIR data base.

PCC responded that this recommendation was intended to address the difficulty in getting defendants to appear for their community service assignments as scheduled, rather than at their convenience. The problem has been attributed to having to give status dates ninety days out. Two procedural changes have helped to curb the problem.

First, rather than giving every defendant four days of community service, at least one judge has begun tailoring her sentences on a case-by-case basis. Defendants with one or two days of community service are more apt to complete their sentences in a timely manner.

Second, a defendant is now able to have his/her appearance waived at the status hearing if completion of the terms of the sentence is certified at least thirty days prior to the status date, giving the defendant an incentive to complete the community service in a timely manner. To determine the impact that these changes have had on completion of community service sentences, staff have begun collecting the data needed for the recommended study.

Outcome/ Impact Conclusions and Recommendations

- The PCC should develop and implement a set of performance measures to assist with court management. These measures should include:
 - **Percent of referrals accepted:** The purpose of this measure is to provide insight into the admission criteria and processes of the PCC and to quantify the demand for a court such as the PCC.
 - **Percent of participants ordered to court services:** An important aspect of the PCC is to provide services to offenders who are likely to return to court unless underlying behavioral problems are addressed. This measure also quantifies the need for services designed to address these underlying behavioral problems.
 - **Percent of offenders court-ordered to services that complete court services:** This measure quantifies service compliance rates and can assist the Court to identify procedures that will improve such compliance.
 - **In-program reoffending rate:** An important public safety measure that provides the Court with information about its selection criteria and offender supervision policies.
 - **Number of status hearings:** It is important to measure the number of status hearings to ascertain their impact on the efficient operations of the Court and to determine their impact on offender behavior.
 - **Number of “walks”:** A “walk” occurs when an offender does not receive any sentencing conditions beyond “jail time served.” Community courts are intended to reduce the rate of “walks.”
 - **Amount of time between first court appearance and discharge from PCC:** Important to identify the most effective period of offender supervision by the PCC. Also reflects on the Court’s use of resources.
 - **Percent of offenders that complete all court orders:** Reflects the Court’s ability to influence offender compliance with Court orders.
 - **Percent of cases that are discharged for failure to complete court-ordered services:** Reflects the Court’s ability to influence offender compliance with court orders.
 - **Percent of participants that successfully complete all community service:** Reflects the Court’s ability to influence offender compliance with community service orders.

- The ethnographic analysis revealed that many offenders/potential offenders were unaware of the PCC or were unable to distinguish it from other courts. If the PCC is to fulfill that part of its mission to reduce crime in the catchment area, it clearly must be a distinguishable entity.
- The ethnographic analysis also revealed high rates of substance abuse, homelessness, and other problems facing the population served by the PCC, emphasizing the need for continued development of a variety of services to address these and other “criminogenic needs” of this population in order to break the cycle of recidivism. PCC has begun to collect data that could be used to identify unmet service needs.
- Sanctions for non-compliance are rarely imposed in the PCC, which reduces the potential of the Court to effect change in participants and diminishes its potential to be a deterrent to future crime. Both sanctions and incentives should be employed to effect behavioral change in participants.
- The PCC needs a dedicated case management system and database and a system to ensure that data is being entered in the database. FIR database is now supplemented by a daily download from CPCMS and that regular data entry of court-related information is once again occurring. NCSC commends these interim steps to improve the quality of the PCC database but strongly recommends adoption of a dedicated case management system as described above. Any future evaluation efforts will be limited by the limitations of the PCC database.
- A significant limitation of the current study was the inability to conduct a comparative analysis of recidivism. Future efforts should consider a prospective rather than

retrospective comparison of recidivism.⁸ A prospective study will enable researchers to collect necessary data while the participant is still accessible and likewise for a comparison group. This approach would also overcome the current limitation of selecting an appropriate comparison group for summary offenders processed by the PCC from the Municipal Court by permitting selection while the latter group is still under the jurisdiction of the Municipal Court. Retrospective studies will always be limited by the deficiencies in the PCC database.

NCSC recommends a follow-up to the current study to examine the long-term impact of the PCC on participant behavior (including re-offending and any other behaviors the PCC impacts, such as homelessness), particularly on the behavior of participants that received services from the Court. The latter group should be over-sampled in any studies of long-term impact.

⁸ A retrospective study utilizes data that has been collected in the past, often for purposes other than evaluation, such as for case management. A prospective study utilizes data that is collected during the course of the study, allowing the researcher greater control of quality and timeliness of the data and permitting the collection of data specifically intended for evaluation.

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Appendix A

A structural break in a data series may cause bias in conventional unit root tests. In a 1989 article, Pierre Perron observed that for a data incorporating both a deterministic trend and a structural break, conventional unit root tests are biased against rejecting the null hypothesis of a unit root and may falsely imply that the series has a unit root when the data are in fact trend-stationary.⁹ Conversely, in 1998, Stephen Leybourne, Terence Mills, and Paul Newbold found that, for a random walk, a break early in the series may lead to spurious rejection of the unit root hypothesis.¹⁰

In 1992, Eric Zivot and Donald Andrews developed an extension of Perron's unit root test that allows for a structural break at any time period in the series.¹¹ Allowing for a break in level, trend, or both level and trend in an unknown time period T_B , the test equation is

$$y_t = \mu + \theta DU_t + \beta t + \gamma DT_t + \rho y_{t-1} + \sum_{j=1}^p c_j \Delta y_{t-j} + e_t$$

where DU_t is a dummy variable representing the hypothesized break in level and equal to 1 for $t > T_B$ and 0 for $t \leq T_B$, DT_t represents the hypothesized break in trend and equals $t - T_B$ for $t > T_B$ and 0 for $t \leq T_B$, t represents the original trend, and p is the total number of lagged values of y_t .¹² The model is estimated over all possible values of T_B and the augmented Dickey-Fuller unit root test ratio is calculated for each model. The value of T_B with the lowest augmented

⁹ Pierre Perron, *The great crash, the oil price shock and the unit root hypothesis*, 57 *ECONOMETRICA* 1361, 1363 (1989).

¹⁰ Stephen J. Leybourne, Terence C. Mills & Paul Newbold, *Spurious rejections by Dickey-Fuller tests in the presence of a break under the null*, 87 *J. ECONOMETRICS* 191, 192 (1998).

¹¹ Eric Zivot & Donald W. K. Andrews, *Further Evidence on the Great Crash, the Oil-Price Shock, and the Unit-Root Hypothesis*, 10 *J. BUS. & ECON. STAT.* 251, 252 (1992).

¹² See *id.* at 254.

Dickey-Fuller test statistic is determined to be the potential break point. The significance of the test statistic is then evaluated against tables of critical values developed by Zivot and Andrews through simulation methods. If the null hypothesis of a unit root is rejected, the series is determined to be trend-stationary with a potential break at the selected value of T_B .¹³

To determine whether the break is statistically significant, the model

$$y_t = \mu + \theta DU_t + \beta t + \gamma DT_t + \rho_1 y_{t-1} + \dots + \rho_p y_{t-p} + e_t$$

must then be estimated with the values of the break variables DU_t and DT_t set to correspond to the value of T_B selected in the previous step. If the unit root hypothesis has been rejected, ordinary least squares is unbiased and the model may be estimated using OLS. Finally, the significance of the coefficients on the break variables (θ and γ) is tested using conventional t-tests.

¹³ *Id.* at 252-58.

**Appendix B: Process Evaluation Recommendations
and Responses from PCC Organization and Management**

- **Recommendation #1: Strengthen the Authority of the Court Coordinator.**

- *Response:* Generally, the recommendation states that the Coordinator, employed by the Center City District, does not have sufficient authority to “ensure the efficient operations” of the Court. It calls for the drafting of a protocol outlining the roles of staff assigned to Community Court, their supervisors and the Coordinator, and establishing a process to resolve disputes between PCC management and staff assigned to the Court. It also suggests that consideration be given to incorporating the views of the Coordinator in evaluations of staff located at the Court.

The oversight committee could not reach consensus on this recommendation.

Municipal Court took the position that the Coordinator should not be authorized to call regular staff meetings without the off-site agency supervisors in attendance. (See Recommendation #4, below.) However, it was agreed that the Coordinator be authorized to call *ad hoc* meetings with staff to address specific, non-policy issues that can be resolved at the staff level. As to incorporating the views of the Coordinator in staff evaluations, the Coordinator has made himself available should such input be requested.

- **Recommendation #2: Steps should be taken to secure continuity in the vital position of Police Liaison.**

- *Response:* The oversight committee agreed that the police liaison position is critical and directed the current Police Liaison, retired police sergeant Jerry Philipp, to

maintain close contact with appropriate members of the Police Department who could recommend eligible candidates for the position upon Jerry's departure.

- **Recommendation #3: An annual staff retreat should be established for all personnel assigned to the Court.**

- *Response:* It was agreed that a retreat would be helpful, and the committee believed that, optimally, it should be held off-site and led by an outside facilitator. Because none of the partner agencies has funding to hire an outside facilitator, the Coordinator is seeking someone who would be willing to volunteer his/her services.

- **Recommendation #4: Monthly staff meetings should be convened by the Court Coordinator with an agenda agreed upon in advance.**

- *Response:* It was agreed that the meetings should be quarterly, rather than monthly, and it was agreed that there be an agenda. Per Recommendation #1, above, the Municipal Court's position is that off-site agency supervisors be included in the meetings.

- **Recommendation #5: The PCC should establish a distinctive presence on the Municipal Court and Center City [District] Web sites.**

- *Response:* Municipal Court (MC) administration has inserted additional information about Community Court on the MC web site. The Center City District (CCD) web page administrator is significantly upgrading the Community Court information on the CCD web site, including links to the PCC brochure, map of the boundaries, list of eligible offenses, descriptions of how cases are processed and the programs available, and past editions of the *Community Court Quarterly*.

- **Recommendation #6: As plans are made for the future of the PCC, consideration should be given to expanding the range of social and educational services that can be offered within the court building.**
 - *Response:* The oversight committee agreed with the recommendation and determined that it first needed to obtain data to show what programs are needed. To that end, a working group designed and implemented a revised intake form that includes two checklists: (1) the services currently available that the clients would like to use, and (2) the services they would use if they were offered at the Court. That data will be used to plan any changes or upgrades in the programs offered by the Court.
- **Recommendation #7: The PCC Calendar should be divided into two time slots, with some defendants ordered to appear at 8:30 a.m. and others at 10:00 a.m.**
 - *Response:* One of the reasons given in the report for the recommendation was to “reduce the length of lines waiting to enter the building.” Defendants were being given 8:30 a.m. subpoenas but the doors to the building do not open until 8:50 a.m. Beginning in January 2010, all subpoenas for new hearings were changed from 8:30 a.m. to 9:00 a.m., and defendants with previously scheduled status dates were notified of the time change. To the extent that there continues to be any line, it is composed of people who have arrived early for their hearings.
- **Recommendation #8: The rate at which scheduled trials are dismissed for lack of witnesses should be reduced.**
 - *Response:* This applies primarily to the charging officers, as very few Community Court-eligible offenses involve lay witnesses. A preliminary report

prepared by NCSC regarding police witness appearance rates, based on three months of data collected in 2008, showed a 43% appearance rate.¹⁴ Community Court is a low priority if the officers have to appear in other courtrooms on the same date. The PCC Assistant District Attorney (ADA), with assistance from the PCC Police Holding Area supervisor, has begun contacting the Police Department's Court Liaison officer to help coordinate those cases. Subsequently, courtroom personnel reported anecdotally that the appearance rate had increased. To determine if it has, in fact, increased since 2008, Community Court staff is collecting three months of follow-up data. Staff has been in communication with Dr. Cheesman regarding methodology.

The one charge that most frequently involves a lay witness is retail theft. The District Attorney's (DA's) Office has reported that most retailers are reluctant to send witnesses in these cases because the amounts involved are small and considered part of the cost of doing business. However, the DA's Office will consult with the Crime Prevention Council and the Police Department Central Division Victim Advocates to explore measures that can be taken to improve the witness appearance rate in retail theft cases.

In the Courtroom

- **Recommendation #9: An architect or designer should be hired to recommend ways in which defendants and others in the courtroom waiting for a case to be called can both see and hear proceedings.**

¹⁴ Many of those cases are on the non-Community Court list – summary offense trials of cases outside the Court's boundaries referred to CC from another courtroom run by a trial commissioner (who, ironically, does not have the authority to conduct trials). Municipal Court staff subsequently implemented changes in the non-CC list to expedite these cases.

- *Response:* While everyone agreed that it would be beneficial to provide television screens to offset the visual obstacles caused by the pillars (as the NCSC recommendation suggests), it also was agreed that no money was available either to hire an architect or to purchase equipment. Similarly, there is no money for a new sound system, and it was suggested that those in the courtroom be reminded that it is necessary to speak directly into the microphones of the current system for voices to be picked up.
- **Recommendation #10: A set of graduated sanctions for non-compliance that includes jail time should be developed and made available to all judges presiding at the PCC.**
 - *Response:* While acknowledging that the uniform application of graduated sanctions would be optimal, the oversight committee came to the conclusion that, with multiple judges assigned to the Court, and the preference of each judge to exercise his/her sentencing discretion in an unfettered manner, the implementation of a graduated sentencing grid would not be feasible. However, the ADA's courtroom computer was updated to provide access to data on the *No Further Problem* cases in which defendants did not comply and were rearrested, in theory allowing the ADA to request graduated sanctions where appropriate.
- **Recommendation #11: As resources allow, the Community Court should pursue the development of an integrated case management system that is tailored to the Court's specific needs and provides information on all of its components and processes.**

- *Response:* It was agreed that resources are not currently available. However, significant upgrades have been made to the existing FIR database. The latter is a modification to an existing social service database administered by the Public Health Management Corporation, which provides the social service staff for the Court. The FIR database is now supplemented by a daily download from CPCMS, the First Judicial District database. Also, the new database administrator has made existing screens more user-friendly and, more significantly, is redesigning the entire system to be case-based rather than client-based, which will eliminate data being overwritten.
- **Recommendation #12: The Court should adopt a set of guidelines for all judges presiding at the Court to follow in the conduct of court proceedings.**
 - *Response:* It was agreed that this recommendation has been met. Based on recommendations from the oversight committee, Municipal Court President Judge Neifield issued a set of guidelines for all PCC judges, effective January 1, 2010.
- **Recommendation #13: The quality of the judge's accommodation at the Court should be enhanced.**
 - *Response:* Due to resource and physical limitations, the oversight committee had no suggestions as to how the robing room at PCC could be enhanced. It also was pointed out that the judges assigned to PCC have separate chambers at the Criminal Justice Center (CJC).

- **Recommendation #14: All judges presiding at the Court during a given [rotation] should be given at least one opportunity to meet with one another to discuss the most appropriate way of handling cases that come before the Court.**
 - *Response:* It was the consensus of the oversight committee that, so long as the judges are complying with the guidelines issued by the President Judge, effective January 1, 2010, and the Case Management Protocols, implemented July 2, 2010 and revised August 24, 2010, such meetings would not be necessary. Instead, it was advised that deviations from the guidelines and protocols be brought to the President Judge's attention.

- **Recommendation #15: Hearings for Community Court cases should be differentiated from other cases being heard in the courtroom.**
 - *Response:* Among the guidelines issued by the President Judge, effective January 1, 2010, was a directive on the order in which the case lists would be called, with PCC and non-PCC cases being differentiated. The directive also calls for the Court Crier to announce each list before it is called. Courtroom personnel report that the directive is being complied with.

- **Recommendation #16: Conduct research to evaluate the effectiveness of the large number of court appearances scheduled for a “status hearing” to determine that practice’s contribution to the overall mission of the Court.**
 - *Response:* It was agreed that the Case Management Protocols, (CMPs) implemented July 2, 2007 and revised August 24, 2009, address what previously had been an overuse of status hearings. The CMPs limit each case to a maximum of two status hearings.

Judicial Assignments:

- **Recommendation #17: A new system for assigning judges to the Court should be negotiated.**
 - *Response:* The purpose of this recommendation was to encourage the assignment of a full-time judge at PCC, as is standard procedure in problem-solving courts. Both the previous and current Municipal Court President Judges have taken the position that they would not assign a judge fulltime unless there was a request to be so assigned. Judge Simmons recently has made such a request.
- **Recommendation #18: At least one judge at the Court should serve as its ambassador to the community.**
 - *Response:* Judge Karen Simmons has been designated by the President Judge as the judicial representative on the oversight committee, and Judge Simmons has met with community groups, etc.

Other:

- **Recommendation #19: Use the criteria of procedural fairness to guide the conduct of proceedings at the Court.**
 - *Response:* The purpose of this recommendation is to promote a sense by defendants that decisions have been made “in a manner that signifies they experienced (a) respect, (b) neutrality, (c) participation, and (d) trustworthiness from authorities.” It was agreed that, to improve compliance with this recommendation, it would be helpful to have the uniformity of case management associated with the assignment of a full-time judge, per Recommendation #18, above.

- **Recommendation #20: A study is needed of at least one month duration to determine the length of time between assignment to community service and when it begins and ends.**

- *Response:* This recommendation is intended to address the difficulty in getting defendants to appear for their community service assignments as scheduled, rather than at their convenience. The problem has been attributed to having to give status dates ninety days out.

Two procedural changes have helped to curb the problem. First, rather than giving every defendant four days of community service, at least one judge has begun tailoring her sentences on a case-by-case basis. Defendants with one or two days of community service are more apt to complete their sentences in a timely manner. Second, a defendant is now able to have his/her appearance waived at the status hearing if completion of the terms of the sentence is certified at least thirty days prior to the status date, giving the defendant an incentive to complete the community service in a timely manner. To determine the impact that these changes have had on completion of community service sentences, staff has begun collecting the data needed for the recommended study.