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# COMMUNITY COURTS: THE RESEARCH LITERATURE

A Review of Findings



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## COMMUNITY COURTS: THE RESEARCH LITERATURE

The first community court opened in Midtown Manhattan in 1993. Focusing on quality-of-life offenses, such as drug possession, shoplifting, vandalism, and prostitution, the Midtown Community Court sought to combine punishment and help, sentencing low-level offenders to perform visible community restitution, receive onsite social services, including drug treatment, counseling, and job training. There are currently more than 60 community court projects in operation worldwide. In the United States alone there are 33 while there are 17 in South Africa, 13 in England and Wales, and one each in Australia and Canada.

Community courts seek to achieve a variety of goals, such as reduced crime, increased engagement between citizens and the courts, improved perceptions of neighborhood safety, greater accountability for low-level, “quality-of-life” offenders, speedier and more meaningful case resolutions, and cost savings. In advancing these goals, community courts generally make greater use of community-based sanctions than traditional courts (Hakuta, Soroushian, and Kralstein, 2008; Katz, 2009; Sviridoff et al., 2000; Weidner and Davis, 2000). Among a sample of 25 community courts surveyed in 2007, 92 percent routinely use community service mandates, and 84 percent routinely use social services mandates (Karafin, 2008).

This paper reviews the research literature to date about community courts. Community court studies have employed a number of different research methods, reflecting the variation in community court models. Table 1, below, summarizes the major evaluations to date. Thus far, there have been 19 notable community court evaluations focusing on 11 community courts. The community courts studied are the Midtown Community Court in Manhattan, New York (opened in 1993); the Hartford Community Court in Hartford, Connecticut (opened in 1998); the Hennepin County Community Court in Minneapolis, Minnesota (opened in 1999); the Red Hook Community Justice Center in Brooklyn, New York (opened in 2000); the Harlem Community Justice Center in Harlem, New York (opened in 2001); the Philadelphia Community Court in Philadelphia, Pennsylvania (opened in 2002); Bronx Community Solutions, in the Bronx, New York (opened in 2005); the Seattle Community Court in Seattle, Washington (opened in 2005); the North Liverpool Community Justice Centre in Liverpool, England (opened in 2005); the Salford Community Justice Initiative in Salford, England (opened in 2005); and Melbourne’s Neighbourhood Justice Centre (opened in 2007). In addition, one study surveyed 25 community courts around the globe with the primary objective of identifying common community court goals, performance measures, and benchmarks (Karafin, 2008).

Table 1. Community Court Evaluations

Court	Date Opened	Citation	Data Source	Comparison Group	Key Impacts and Other Findings
<b>Bronx Community Solutions (Bronx, NY)</b>	Jan. 2005	Katz (2009)	Official records	Pre-implementation cases	<ul style="list-style-type: none"> <li>• Increased alternative sanctions (25% vs 9%, <math>p &lt; .001</math>).</li> <li>• Reduced sentences without ongoing obligations (73% vs 58%, <math>p &lt; .001</math>).</li> <li>• Reduced jail sentences (18% vs 16%, <math>p &lt; .01</math>).</li> <li>• Reduced jail days served per case (1.7 vs 1.5, <math>p &lt; .05</math>).</li> </ul>
<b>Harlem Community Justice Center (Manhattan)</b>	May 2001	Abuwala & Farole (2008)	<i>Pro se</i> tenant interviews and structured courtroom observations	Centralized downtown housing court	<ul style="list-style-type: none"> <li>• More positive tenant perceptions of the judge experience (98% vs 85%, <math>p &lt; .001</math>), which directly contributed to greater overall satisfaction with the court experience at Harlem.</li> </ul>
<b>Hartford Community Court (Hartford, CT)</b>	Nov. 1998	Justice Education Center (2002)	Offender and stakeholder interviews and focus groups	None	<ul style="list-style-type: none"> <li>• Offenders, stakeholders and focus group members generally supported the Court's work.</li> </ul>
<b>Hennepin County Community Justice Project (Minneapolis, MN)</b>	June 1999	Eckberg (2001)	Random telephone surveys of community members	Pre-data from similar earlier survey; criminal cases from outside catchment; and pre-implementation cases	<ul style="list-style-type: none"> <li>• Reduction in days from case filing to disposition (reduced by 36%).</li> <li>• Increased number of hearings per case due to greater judicial monitoring.</li> <li>• No change in prevalence of community service sentences.</li> <li>• Increased community service compliance rate (nearly 25% higher for community court defendants).</li> <li>• A majority of residents were willing to pay slightly increased taxes and/or transfer tax money from other criminal justice agencies to fund the continuation of the Court.</li> </ul>
<b>Hennepin County Community Justice Project (Minneapolis, MN)</b>	June 1999	Weidner & Davis (2000)	Official records and defendant and service provider interviews	Centralized downtown criminal court	<ul style="list-style-type: none"> <li>• An approximate net cost of \$704.52 per case to run the Community Court.</li> <li>• 66% of respondents willing to reallocate taxes towards a community court.</li> <li>• 64% of respondents willing to pay additional taxes for a community court.</li> </ul>
<b>Midtown Community Court (Manhattan)</b>	Oct. 1993	Hakuta et al. (2008)	Official records	Centralized downtown criminal court	<ul style="list-style-type: none"> <li>• Increased alternative sanctions (76% vs 55%, <math>p &lt; .001</math>).</li> <li>• Reduced jail sentences (13% vs 19%, <math>p &lt; .001</math>).</li> <li>• Reduced time-served sentences (7% vs 21%, <math>p &lt; .001</math>).</li> <li>• No impact on net number of jail days served per case.</li> </ul>

Court	Date Opened	Citation	Data Source	Comparison Group	Key Impacts and Other Findings
<b>Midtown Community Court (Manhattan)</b>	Oct. 1993	Sviridoff et al. (2001)	Official records, community survey, and offender interviews	Pre-implementation cases	<ul style="list-style-type: none"> <li>• Lower average arrest-to-arraignment time (18.9 vs 29.2 hours).</li> <li>• Reduced use of “primary” jail sentences and increased use of “secondary” jail sentences imposed in response to initial noncompliance (multiple significant effects for key charges); no net impact on jail days for most charges.</li> <li>• Mixed recidivism impacts; no clear effect on individual offender recidivism.</li> <li>• Reduced street prostitution and vending arrests in the Midtown neighborhood.</li> <li>• Estimated savings of \$1,270,000 to \$1,418,000 annually from criminal justice system cost savings and community service value.</li> </ul>
<b>Midtown Community Court (Manhattan)</b>	Oct. 1993	Sviridoff et al. (2000)	Official records, community survey, offender and court staff interviews, and courtroom observations	Pre-implementation cases	<ul style="list-style-type: none"> <li>• Increased use of alternative sanctions (multiple significant effects for key charges).</li> <li>• Increased community service compliance rate (75% vs 50%).</li> <li>• Positive stakeholder, resident and offender attitudes about the Court.</li> </ul>
<b>Neighbourhood Justice Centre (Melbourne, Australia)</b>	Jan. 2007	Ross et al. (draft) (2009)	Official records; community, stakeholder, court user, and client exit surveys; NJC staff and magistrate interviews; case studies and courtroom observations	Metropolitan Magistrates’ Courts in Melbourne	<ul style="list-style-type: none"> <li>• Reduced residential burglaries by 26% from the two years prior to the NJC opening to the two years after.</li> <li>• Reduced commercial burglaries by 20% from the two years prior to the NJC opening to the two years after.</li> <li>• Reduced motor vehicle theft by 38% from the two years prior to the NJC opening to the two years after.</li> <li>• 34% of the NJC offenders were convicted of another offense within 18 months compared with 41% of comparison offenders.</li> <li>• Reduced re-offending is estimated to provide a net benefit from Aus\$201,002 to Aus\$2,805,853 for five years to a lifetime (49 years) per defendant.</li> <li>• For every Aus\$1 invested in selected effective Justice Centre activities, the return would range from Aus\$1.09 to Aus\$2.23.</li> </ul>

Court	Date Opened	Citation	Data Source	Comparison Group	Key Impacts and Other Findings
<b>North Liverpool/Salford Community Justice Initiatives (Liverpool and Salford, England)</b>	Sept. 2005/ Feb. 2005	Jolliffe & Farrington (2009)	Official records	Neighboring jurisdiction (Manchester)	<ul style="list-style-type: none"> <li>• No impact on reconviction rates.</li> <li>• Reduction in total number of re-offenses (.12 difference, <math>p &lt; .10</math>).</li> <li>• Increased non-compliance in Liverpool (-.10 difference, <math>p &lt; .05</math>) and in Liverpool/Salford combined (-.10 difference, <math>p &lt; .05</math>).</li> </ul>
<b>North Liverpool Community Justice Centre (Liverpool, England)</b>	Sept. 2005	Llewellyn-Thomas & Prior (2007)	Community resident surveys	Comparison across 3 waves of resident surveys	<ul style="list-style-type: none"> <li>• The percentage of respondents who thought the offenders were being brought to justice increased from 30% in 2006 to 33% in 2007.</li> <li>• The percentage of respondents who thought the Justice Centre had reduced quality-of-life crime a little or a lot increased from 15% in 2006 to 21% in 2007.</li> </ul>
<b>North Liverpool Community Justice Centre (Liverpool, England)</b>	Sept. 2005	McKenna (2007)	Official records, offender interviews and surveys, staff surveys, and community member interviews	None	<ul style="list-style-type: none"> <li>• Positive staff and offender perceptions of court performance and of the impact of “problem-solving meetings” (among offenders, family members, court staff, and agency representatives).</li> </ul>
<b>Philadelphia Community Court</b>	Feb. 2002	Durkin et al. (2009)	Official records, stakeholder interviews, courtroom observations, and offender interviews	None	<ul style="list-style-type: none"> <li>• More community service hours completed (18,410 in 2002 to 78,569 in 2007) and institutionalization of community service as part of sentencing in virtually all cases.</li> <li>• Of the 69 drinkers or sex workers whose cases were heard in the community court: (60%) said the court impacted their drinking or patterns of sex work while 32% said it did not (the remaining 8% did not respond); 43% said they found the Court useful; and 26% said they had received fair treatment while 20% said they were treated unfairly/poorly.</li> </ul>

Court	Date Opened	Citation	Data Source	Comparison Group	Key Impacts and Other Findings
<b>Red Hook Community Justice Center</b>	April 2000	Frazer (2006)	Defendant surveys	Centralized downtown criminal court	<ul style="list-style-type: none"> <li>• More positive perceptions of the judge (93% vs 85%).</li> <li>• At least 70% of defendants were satisfied with nearly all of the court actors and court processes in both courts.</li> </ul>
<b>Red Hook Community Justice Center</b>	April 2000	Moore (2004)	Community resident surveys	Pre-implementation survey	<ul style="list-style-type: none"> <li>• Multiple perceptions of safety (day and nighttime) at public locations (streets, parks, subway stations) increased.</li> <li>• Criminal justice agency approval ratings increased from 1999 to 2001: police (15% to 37%), DAs (12% to 32%) and courts (12% to 38%).</li> <li>• 78% of Red Hook's respondents felt "positive" about having a community court in their neighborhood.</li> </ul>
<b>Salford Community Justice Initiative</b>	Feb. 2005	Brown & Payne (2007)	Stakeholder, victim, witness, and offender interviews	None	<ul style="list-style-type: none"> <li>• The Court made progress towards problem-solving principles of community engagement, acceleration of court proceedings, therapeutic engagement of defendant, and repairing harm.</li> </ul>
<b>Seattle Community Court (Seattle, WA)</b>	March 2005	Nugent-Borakove (2009)	Official records	Pre-implementation data	<ul style="list-style-type: none"> <li>• No difference in the probability of rearrest but a smaller absolute number of rearrests among those handled by the community court.</li> </ul>
<b>Seattle Community Court (Seattle, WA)</b>	March 2005	Mahoney & Carlson (2007)	Official records, document review, meeting observations, courtroom observations, and stakeholder interviews	None	<ul style="list-style-type: none"> <li>• Community service was part of all sentences. Of the community service hours ordered (12,591), 40% were completed (5,089).</li> <li>• 32% of participants completed all of their sentence requirements vs. the target benchmark of 30%.</li> </ul>
<b>Community Courts Across the Globe</b>	N/A	Karafin (2008): Global Survey of 35 community courts (25 responded)	Court staff survey	None	<ul style="list-style-type: none"> <li>• Multiple findings regarding community court goals, performance measures and operations.</li> </ul>

## FOCUS AND TYPES OF EVALUATIONS

The community court evaluations include 11 impact studies, nine process evaluations, and three cost-benefit analyses.

### Impact studies

What follows is a review of the key issues addressed by the 11 impact studies completed so far.

***The Bronx:*** The Bronx Community Solutions impact evaluation used official records to compare the sentences of defendants arrested prior to the implementation of Bronx Community Solutions to those arrested after its implementation to determine whether or not Bronx Community Solutions increased the use of alternative sanctions and decreased the use of jail. The evaluation revealed that there was indeed an increase in the use of alternative sanctions and reduction in jail sentences after the introduction of Bronx Community Solutions into the Bronx Criminal Courthouse (Katz, 2009).

***Harlem:*** The impact study of the Harlem Housing Court, which is a component of the Harlem Community Justice Center, used in-person interviews and courtroom observations to compare *pro se* tenants' perceptions of their housing court experience with those of their counterparts in New York City's downtown centralized housing court. The study revealed that Harlem's *pro se* tenants perceived their experience as fairer than their downtown counterparts did (Abuwala and Farole, 2008).

***Hennepin County:*** The impact study of the Hennepin County community court used official records to compare the case processing of community court cases to that of non-community court cases during the same time period, as well as all Minneapolis cases for the same offenses from the prior year. The study found that the community court processed cases more quickly than the traditional courts and that the community court had a higher compliance rate (Eckberg, 2001).

***Midtown:*** There have been three studies of the Midtown Community Court that examined impacts on a wide range of possible outcomes. The Hakuta et al., (2008) study compared official records from Midtown with those of a centralized downtown criminal court to determine whether the community court affected time to disposition, use of alternative sanctions, and jail sentences. The Sviridoff et al., (2001) study compared pre- and post-implementation official records, community surveys, and offender interviews to examine a host of issues, including case processing time, use of alternative sanctions, and recidivism. The earlier Sviridoff et al., (2000) study also compared pre- and post-implementation official records, community surveys, offender interviews, and courtroom observations. These studies consistently showed that Midtown made greater use of alternative sanctions than the centralized court.



**Melbourne's Neighbourhood Justice Center:** The Ross, *et al.* (2009) study compared re-offending rates of the Melbourne Neighbourhood Justice Centre defendants to those in nearby courts. Although this finding was not statistically significant, the study found that fewer justice centre offenders were convicted of another offense within 18 months compared with comparison offenders. The study also compared crimes rates prior to the opening of the justice centre and for two years after. The study found that residential and commercial burglary, as well as motor vehicle theft, decreased.

**North Liverpool and Salford:** The Jolliffe and Farrington (2009) study used official data to compare the reconviction rates of offenders in the North Liverpool Community Justice Centre and the Salford Community Justice Initiative with those in a Manchester magistrate's court after one year. Liverpool and Salford combined had a lower average number of offenses per offender than Manchester. However, those in Liverpool were more likely to breach the conditions of their sentence compared with those in Manchester, and those in the combined Liverpool/Salford group were also significantly more likely to have breaches, but this was driven by the individuals in Liverpool. The Llewellyn-Thomas and Prior (2007) study used three surveys to assess adult residents' attitudes toward the North Liverpool Community Justice Centre, the criminal justice system as a whole and local crime. There appeared to be no impact on confidence in the criminal justice system or on perceptions about the local quality of life.

**Red Hook:** The Frazer (2006) study used defendant surveys to compare defendant perceptions of fairness at the Red Hook Community Justice Center with those of defendants at the centralized downtown criminal court. The study reported that Justice Center defendants had more positive perceptions of the judge and other court actors, although most defendants were satisfied with the court actors and the process in both courts.

**Seattle:** The Nugent-Borakove (2009) study used official data to compare community court defendants and a control group of defendants who did not participate in the community court program to determine if the community court is effective in reducing or eliminating recidivism. The report found that there was not a statistically significant difference in re-arrest rates between these two groups of defendants (although re-arrest rates were slightly lower among community court defendants).

### Process evaluations

All of the process evaluations completed to date used official records to describe the implementation of the community court. All of the studies reported that the courts were successful in implementing problem-solving principles—a key goal of all of the courts.

Each of the studies also relied on additional sources of data to describe residents' perceptions of the community court as well as defendant and others' perceptions. The Justice Education Center (2002) Hartford Community Court process evaluation used offender exit interviews, stakeholder interviews, and focus groups. The Eckberg (2001) Hennepin County Community Justice Project study used a community survey. The Sviridoff et al. (2000) evaluation of Midtown used a community survey, offender interviews, court staff interviews, and courtroom observations. The Ross et al. (2009) study of Melbourne's Neighbourhood Justice Centre study used official records and community, stakeholder, court user, and client exit surveys, and Neighbourhood Justice Centre staff and magistrate interviews, as well as case studies and courtroom observations. The McKenna (2007) North Liverpool Community Justice Centre assessment used offender interviews and surveys, staff surveys, and community member interviews. The Durkin (2009) Philadelphia Community Court study used stakeholder interviews, potential offender interviews, and courtroom observations. The Moore (2004) Red Hook Community Justice Center study used community resident surveys to compare perceptions of safety, neighborhood problems, and quality of life from before and after the Justice Center opened. The Brown and Payne (2007) Salford Community Justice Initiative evaluation used stakeholder, victim, witness, and offender interviews. The Mahoney and Carlson (2007) Seattle Community Court process evaluation used document review, meeting observations, courtroom observations, and stakeholder interviews.

To identify community court goals, performance measures, and benchmarks, the global survey (Karafin, 2008) employed a questionnaire sent to stakeholders in each operating community court, excluding those in South Africa. (The survey was commissioned by the Open Society Foundation for South Africa, which was interested in the goals and policies of community courts located elsewhere.)

### Cost-benefit analysis

The Weidner and Davis (2000) Hennepin County Community Justice Project cost-benefit analysis used official data, a resident survey, and defendant and service provider interviews to determine the net cost per community court case as well as community attitudes towards the cost of a community court. The analysis estimated an approximate net cost of \$704.52 per case to run the Community Court but was unable to quantify a series of potential benefits (see discussion below). The Sviridoff et al. (2001) cost-benefit analysis used official data to estimate costs and savings attributable to the Midtown Community Court. The study estimated savings of \$1,270,000 to \$1,418,000 annually from criminal justice system cost savings and community service value. The Ross et al. (2009) study of Melbourne's Neighbourhood Justice Centre employed a cost-benefit analysis that took account of the unique costs of a community court as well as any costs that were avoided by a community court. The study reports that reduced reoffending translates into a positive net benefit of Aus\$201,002 to

Aus\$2,805,852 per defendant for five years to a lifetime (49 years). Moreover, for each Aus\$1 invested in selected effective Justice Centre activities, the return would be expected to range from Aus\$1.09 to Aus\$2.23.

While the Durkin et al. (2009) Philadelphia Community Court study was primarily a process evaluation, it did apply a monetary value to the community service hours completed by offenders. The total monetary value ascribed to the community service hours completed from 2002 to 2007 by offenders (340,590 hours) was more than \$1.8 million (\$1,875,816).

## COMMUNITY COURT GOALS AND OBJECTIVES

To identify community court goals and objectives, the global survey (Karafin, 2008) collected formal mission statements, identified specific benchmarks, and elicited responses to the question, “What are the most important goals of your community court?” The survey of 35 community courts achieved a final response rate of 71 percent. The following findings are based on the 25 community courts that responded to the survey.

Less than one-half of the survey respondents (40 percent) reported that their community court had a formal mission statement. Among these respondents, the most common primary objectives included the following: to “empower residents” and “reduce quality-of-life crimes” by using a “collaborative” or “problem-solving approach.” All respondents provided a descriptive explanation to the question, “What are the most important goals of the community court?” The most common answers included: helping defendants with underlying problems; reducing crime and re-offending; addressing community needs; improving the public perception of the court; increasing offender accountability; and renewing a focus on quality-of-life crime.

Only four (16 percent) of the survey respondents identified specific benchmarks—quantifiable standards by which progress can be measured—that their community court used to track improvement. These benchmarks included specific targets in the following areas: number of annual community service mandates; number of annual social service mandates; community service compliance rate; and social service compliance rate.

### Greater Use of Alternative Sentences

Many community courts seek to diversify the range of sentencing options at the judge’s disposal and to apply a form of individualized justice that tailors each response to the litigant’s specific situation and needs (Sviridoff et al., 2001). This enables the justice system to respond to all criminal behavior, even low-level, quality-of-life crime, and to act on the fact that it has an impact on community safety and has consequences. Alternative sentencing can also link offenders to individually tailored community-based services (e.g., job training, drug treatment, safety planning, mental health counseling) to help reduce recidivism, thereby improving community safety. In practice, community courts tend to foster the increased use of community and social service sentences.

As noted above, the global survey found that 92 percent of the 25 community courts that responded to the survey routinely use community service and 84 percent use social service mandates (Karafin, 2008). Of the 22 courts offering social services, the most widely available include short-term substance abuse treatment for less than 30 days (64 percent); individual counseling (64 percent); job skills (64 percent); life skills (56 percent);

anger management (52 percent); long-term substance abuse treatment (48 percent); and health education (48 percent).

Looking at case outcomes for the five most prevalent types of offenses during the first 12 months of Midtown's operations, between 69 percent and 95 percent of Midtown offenders were given an alternative sanction (community service and/or social service) rather than a traditional sanction (jail, fine, "time served," or conditional discharge) for the top five charges compared with 18 to 37 percent of offenders whose cases were heard at Manhattan's centralized criminal court (Sviridoff et al., 2000).

A 2008 study of Midtown (Hakuta et al., 2008) confirmed the results of the evaluation of Midtown's early years. Compared with the centralized criminal court in downtown Manhattan, cases originating at Midtown were significantly more likely to receive an alternative sanction (76 percent versus 55 percent). These findings were based on a sample of 13,147 cases (69 percent of which were arraigned downtown and 31 percent at Midtown). With regard only to those cases that were disposed at the initial court appearance, 85 percent received an alternative sanction at Midtown, compared with 57 percent downtown. This finding was based on a sample of 8,462 cases (70 percent of which were arraigned downtown and 30 percent at Midtown).

Although Midtown consistently made greater use of alternative sanctions than downtown did, it is notable that in the most recent study (Hakuta et al., 2008), downtown had approximately doubled its own use of such sanctions, as compared with the 1994–1996 timeframe of the original evaluation (Sviridoff et al., 2001). Such a finding suggests that over the past 15 years, community court practices may be spreading within centralized traditional courts as well.

Similar to the Midtown results, the Bronx study (Katz, 2009)—which examines the effects of a program that seeks to bring community court sentencing practices to a larger criminal courthouse that handles more than 45,000 misdemeanor cases each year—also shows an increased use of alternative sanctions from the pre- to post-implementation period. Conditional discharges with alternative sanctions increased from 9 percent in 2004 to 25 percent in 2005. Of these cases, sentences requiring social service classes increased from 3 to 7 percent, and community service combined with social service classes increased from 0 to 6 percent.

The Seattle Community Court requires all defendants—once a guilty plea is entered—to undergo an assessment of social service needs, to make initial contact with a social service provider, and to perform brief periods of community service—typically 16 hours (Mahoney and Carlson, 2007). The Philadelphia Community Court also makes community service a part of sentencing in virtually all cases (Durkin et al., 2009). Toward this end, as of 2009, the Philadelphia Community Court had 15 community service sites and several auxiliary sites, an attempt to ensure that there is no problem securing assignments for offenders.

### Reduction of Jail Use, Time-Served, and “Walks”

Community courts promote the use of community service and social service sentences in an effort to have the offender to pay back the community and get help to keep from re-offending. By promoting these alternative sentences, community courts seek to decrease both jail time and “walks”—sentences such as a fine or “time served” in which offenders receive no ongoing sanction despite pleading guilty to criminal conduct.

Analyses of Midtown’s first three years, from roughly 1994 to 1996, show that Midtown demonstrated a lower prevalence of jail and time-served sentences for all of the most common charges handled by the court (Sviridoff et al., 2001). From 1994 through 1996, according to annual averages, downtown handed out more jail sentences than did Midtown (Sviridoff et al., 2001) for all the most common offenses: petit larceny (50 percent vs. 19 percent); prostitution (20 percent vs. 10 percent); turnstile jumping (30 percent vs. 11 percent); unlicensed vending (5 percent vs. 2 percent); drugs (28 percent vs. 19 percent). From 1994 through 1996, according to annual averages, downtown also handed out more time-served sentences than did Midtown (Sviridoff et al., 2001) for all the most common offenses: petit larceny (12 percent vs. 1 percent); prostitution (40 percent vs. 1 percent); turnstile jumping (35 percent vs. 4 percent); unlicensed vending (36 percent vs. 6 percent); and drugs (19 percent vs. 2 percent).

Looking at case outcomes during the first year of Midtown’s operations, between one percent and 23 percent of Midtown offenders were given a “walk” for the top five charges—petit larceny, prostitution, theft of services, unlicensed vending, and drugs—compared with 23 to 70 percent of offenders whose cases were heard at Manhattan’s centralized criminal court (Sviridoff et al., 2000).

Both of the Midtown evaluations show that the community court was significantly less likely to sentence its defendants to jail. However, when Midtown did use jail, the resulting sentences were significantly longer on average. Midtown apparently reserves jail for only the most serious misdemeanor offenders, including those who have already failed in multiple attempts at alternative sentences. The original Midtown evaluation found that Midtown was more likely to impose meaningful jail time as a “secondary sanction” due to noncompliance with what was initially an alternative sentence (see Sviridoff et al., 2001). In the original evaluation, the Midtown Community Court still produced a net reduction in jail days (Sviridoff et al., 2001). In the 2008 study, the net number of jail days was statistically identical, but that net was applied to fewer defendants at Midtown (Hakuta et al., 2008).

Similar to the Midtown results, the Bronx study (Katz, 2009) shows a decreased use of “walks” from the pre- to the post-implementation period. The prevalence of “walks” decreased from 73 percent in 2004 to 58 percent in 2005. Within the general category of “walks,” sentences resulting in a conditional discharge with no conditions or an unconditional discharge decreased from 43 percent in 2004 to 32 percent in 2005, as did sentences resulting in a fine, which fell from 20 percent to 16 percent. Finally, according to the Bronx study, there was a decrease in overall jail sentences from the pre- to the post-implementation periods, from 18 percent in 2004 to 16 percent in 2005. For those cases convicted at arraignment, the mean number of days in jail decreased slightly from 1.7 in 2004 to 1.5 in 2005.

According to the 2008 study of Midtown (Hakuta *et al.*, 2008), cases originating at Midtown were significantly less likely to receive jail time than those originating downtown (13 percent versus 19 percent). In addition, cases originating at Midtown were less likely to receive a “time served” sentence (7 percent versus 21 percent). These findings were based on a sample of 13,147 cases (69 percent of which were arraigned downtown and 31 percent at Midtown).

Similarly, the Ross *et al.*, (2009) study of Melbourne’s Neighbourhood Justice Centre reported that the rate of imprisonment for Justice Centre defendants was significantly lower than that of sentenced offenders at other courts, 10 percent compared to 28 percent.

### **Improved Compliance with Court Conditions**

In addition to changing sentencing practice, the Midtown Community Court also sought to increase compliance with alternative sanctions. Researchers found that the Midtown Community Court’s compliance rate with community service mandates in its first three years was 75 percent—compared with about 50 percent in the centralized Manhattan court (Sviridoff *et al.*, 2000, 2001). Over the entire 16-year lifespan of the Midtown Community Court, its community service compliance rate is reported to be 84 percent and its social service compliance rate is 75 percent (Center for Court Innovation, 2008).

In the Minneapolis-based Hennepin County Community Court, the compliance rate for defendants who received community service sanctions was nearly 25 percent higher than for other Minneapolis defendants convicted of the same offenses (Eckberg, 2001). Of the 14 courts that responded to this question on the global survey (Karafin, 2008), the average community service compliance rate was 82 percent, with the nine courts that handled all eligible cases in their jurisdiction reporting higher compliance (89 percent) than the five courts that may lose cases that are diverted to other programs (69 percent). (Community courts that lose cases to other programs may end up with a caseload of individuals who are more likely to struggle with compliance—i.e., those individuals who were not eligible for diversion due to a lengthier criminal record.)

According to the Philadelphia process study, the number of community service hours completed rose dramatically in the third year of operations (by nearly 27 percent over 2002); from 2005 through 2007, the compliance rate was 71 percent, with participants completing a median of 24 hours of community service (Durkin *et al.*, 2009).

The evaluation of the Community Justice Initiatives in Liverpool and Salford (Jolliffe and Farrington, 2009) compared the compliance of offenders whose cases were heard in one of the community courts with those whose cases were heard in a traditional court in Manchester. In this case, the compliance rate was lower for Liverpool and Salford than for Manchester.

The Ross *et al.* (2009) study of Melbourne’s Neighbourhood Justice Centre reports that offenders are provided with access to support and treatment but are held directly accountable by the court for their subsequent behavior. The study finds that this strategy appears to be yielding higher compliance rates for Community Based Orders (CBOs), that is, community service mandates, as well as higher completion rates for assigned hours.

Between September 2008 and August 2009, the successful completion rate for CBOs at the Centre was around 10 percent higher than the rate for all CBOs statewide (75.4 percent compared with 65.2 percent). From July 2008 to June 2009, offenders supervised at the Justice Centre contracted to do a total of 13,147 hours of unpaid community work, and completed 11,521 of those hours. This completion rate of community work assignments was higher than the state average (88 percent vs. 85 percent).

### Community Awareness and Attitudes

Community members in Midtown Manhattan, Hennepin County, and Red Hook, Brooklyn, all reported support for the community court concept. Many community members in Midtown and Hennepin County reported that they were willing to reallocate their tax dollars, or even pay more in taxes, to support a community court. In Midtown, 64 percent of the 495 respondents who answered the relevant survey question were willing to pay additional taxes to support a court with features like the Midtown Community Court. Of those willing to pay more in taxes, 52 percent were willing to pay up to \$100 per year (Sviridoff *et al.*, 2001). In the 2000 Hennepin study (Weidner and Davis, 2000), 66 percent of the 405 community residents surveyed were willing to reallocate their taxes and 64 percent were willing to pay more in taxes to support a community court. Of those willing to pay more in taxes, 73 percent were willing to pay up to \$25 more annually in taxes. Significantly, those residents who had heard of the community court or who owned their residence were most likely to be willing to contribute financially to the court. Finally, a Red Hook community survey administered in 2004 found that 78 percent of Red Hook's respondents felt "positive" about having a community court in their neighborhood, after hearing a concise definition of the model (Frazer, 2005).

In addition, from 1997 to 2001—the year after the Red Hook Community Justice Center opened—positive views of the justice system more than doubled among community members. Furthermore, perceptions of nighttime safety at each of a series of locations (e.g., street, lobby, elevator, subway, stores, parks, and waterfront) all significantly increased (Moore, 2004). For instance, the percentage of respondents who reported feeling "safe" or "very safe" rose from 40 to 62 percent on the street, from 35 to 57 percent in local parks, and from 34 to 56 percent at the Red Hook waterfront. Although the Justice Center is not solely responsible for these changes, it is notable that survey respondents who had used services at the Justice Center were more likely than those who had not to rate criminal justice agencies favorably (Moore, 2004).

The Ross *et al.*, (2009) study looked at how Melbourne's Neighbourhood Justice Centre contributes to perceptions about crime and safety within the area it serves. Respondents were asked to indicate the extent to which they thought crime was a problem in their local area and how safe they felt in a variety of situations. There was a general reduction in the perceived extent of crime as a problem across the three survey waves (2007, 2008, and 2009), with the proportion of respondents who said that crime was a problem to a great extent falling by a third (from 12.9 to 8.8 percent) while those who said that crime was only slightly or not at all a problem rose from 38.8 to 44.5 percent. There were no significant shifts in perceptions of safety across the three survey waves except in relation to travelling on public transport at night and the overall perceptions of safety. The mean score

for safety when travelling on public transport at night increased from 2.59 to 2.92, and in overall safety from 1.58 to 1.75.

The North Liverpool Community Justice Centre survey of local residents reported that efforts by the Centre to inform the community of its activities were effective (Llewellyn-Thomas and Prior, 2007). Data from community attitude surveys—with 1,407 residents being surveyed in 2005; 524 in 2006 and 541 in 2007—showed that awareness grew from one in five (20 percent) to nearly one in three (32 percent).

The North Liverpool survey of local residents asked respondents, “How confident are you that the criminal justice system is effective in bringing people who commit crimes to justice?” The percentage of respondents who stated they were very or fairly confident of this marginally increased from 30 percent in 2006 to 33 percent in 2007. The survey also asked local residents, “What difference do you think the centre has made to crime that affects your quality of life?” Of those respondents who had heard of the centre, the percent who thought it had reduced quality-of-life crime a little or a lot increased from 15 percent in 2006 to 21 percent in 2007 (Llewellyn-Thomas and Prior, 2007).

### Service Linkages

One of the key components of community courts is the focus on identifying and solving the causes of offending behavior. At the center of this effort is the concept of collaboration—court staff, judges, social service providers, and community representatives working together to tailor the response of the court to the offender’s needs.

The Seattle court reports that, during its first 25 months of operation, participants who successfully completed community service made, on average, at least one initial contact with three treatment or social service agencies. The unsuccessful participants completed, on average, 1.4 contacts. There is no data available to compare longer term outcomes, such as changes in living situation or recidivism, as it relates to either the number of social service linkages or to the total number of contacts with a particular type of social service (Mahoney and Carlson, 2007).

The Ross, *et al.* (2009) study reports that the client services department at Melbourne’s Neighbourhood Justice Centre had recorded a total of 555 referrals since the commencement of the Neighbourhood Justice Centre (roughly from January 2007 to April 2009). The single most important source of referral was for legal representatives, accounting for four in 10 referrals.

The North Liverpool process evaluation (McKenna, 2007) reports that of the 49 offenders who responded that they had had problem-solving meetings—agency collaborations that aim to identify any issues that may be contributing to offending, such as drug or alcohol addiction and housing or debt issues—39 respondents (79 percent) indicated that the problem-solving meeting had helped them to address their problems. In addition, 37 respondents (76 percent) thought that the support they received from the problem-solving meeting was better than they had previously received in a traditional court, and 42 respondents (86 percent) believed that the problem-solving meeting would help to deter them from offending again in the future (McKenna, 2007). In the absence of post-participation data on recidivism, drug use, or other outcomes, matched with similar data for a



comparison group, it is not known what ultimate effects these meetings had on offender rehabilitation, nor is it necessarily appropriate to expect such effects to arise from a relatively short-term intervention.

The ethnographic portion of the Philadelphia study deliberately recruited active drinkers and sex workers—two populations likely to be represented as defendants at the community court. Of the 69 respondents recruited in this way and whose cases were heard in the community court, 41 (60 percent) said that the court impacted their drinking or patterns of sex work while 22 (32 percent) said it did not (the remaining 8 percent did not respond) (Durkin et al., 2009).

### **Case Processing Efficiency**

Community courts focus on improved outcomes but many still seek to meet or exceed traditional court expectations for efficient case processing.

The original Midtown evaluation (Sviridoff *et al.*, 2000) documents speedier case processing, as does the 2000 Hennepin study. In the first three years that the Midtown Court was open, the average arrest-to-arraignment time was 18.9 hours compared with 29.2 hours at the downtown Manhattan court. The 2008 study of the Midtown Community Court (Hakuta *et al.*, 2008) shows that downtown is somewhat more likely to dispose of cases at arraignment/first appearance than Midtown, although the difference is small (76 percent versus 71 percent), and for the entire sample there was not an overall difference in average time from arrest to final disposition, despite the additional monitoring of the Midtown Community Court.

The Hennepin County Community Court achieved quicker case processing time than the downtown Minneapolis court, even though more appearances were required before disposition. The average number of days from court filing to disposition was 79 for the community court defendants, compared with 80 and 124 for the two comparison groups used in that study. From arraignment to disposition, community court defendants had 6.4 court appearances, compared with only 3.2 and 4.2 for the comparison defendants. The authors of the Hennepin study noted that the increased number of appearances in the community court is, in large part, due to an increased number of compliance monitoring appearances conducted to hold offenders accountable (Weidner and Davis, 2000). The North Liverpool Community Justice Centre reports that, on average, it took 26 days from arrest to sentence, which is less than one-fifth as long as the national average of 147 days (McKenna, 2007).

### **Reduced Crime**

One of the most common goals of community courts is to reduce crime and re-offending. Nevertheless, research in this area is limited to examinations of the Midtown Community Court, the North Liverpool and Salford Community Justice Initiatives, the Seattle Community Court, and Melbourne's Neighbourhood Justice Centre.

The 2000 Sviridoff, *et al.* Midtown Community Court study tackles the impact on crime in the community: prostitution arrests were down 56 percent and illegal vending arrests were down 24 percent (from 1993 to 1995) following the opening of the community court. Data from ethnographic observations and individual interviews confirmed this drop in criminal activity. These results do not necessarily signify a reduction in offending by spe-

cific individuals, however, but rather a general arrest reduction within the Midtown neighborhood. The researchers on the the Midtown Community Court study (Sviridoff *et al.*, 2001) pointed out that credit for the reduction in crime should be shared by the court with significant economic development in the Midtown area, coupled with greater citywide enforcement efforts targeting quality-of-life crimes.

The 2001 Midtown study (Sviridoff *et al.*, 2001) attempted to measure the impact of the court on recidivism rates for selected sub-populations. The study compared re-arrest rates for a random sample of prostitution cases in the catchment area selected from before the court opened (75 cases) and from after the court opened (65 cases). Although re-arrest rates were relatively lower for those processed by the community court in the initial 1- to 12-month period, when researchers controlled for the possible historic bias that was introduced through the use of a pre-implementation comparison group, the changes in re-arrest rates were the same for the pre- and post-samples (Sviridoff *et al.*, 2001).

The 2001 Midtown study also looked at defendants mandated to case management/drug treatment. Participants who were mandated to treatment had significantly lower re-arrest rates than those who completed less treatment. However, this analysis lacked a valid comparison group. So, while it appears that a significant “dose” of treatment is associated with a reduction in re-arrest rates, more rigorous research is required to examine whether the reduction stemmed from the court-mandated treatment program or whether the individuals completing more than 90 days of treatment were inherently predisposed to have above-average outcomes (Sviridoff *et al.*, 2001).

The Ross *et al.* (2009) evaluation of Melbourne’s Neighbourhood Justice Centre reports a drop in crime when comparing crime data from the two years prior to the Justice Centre opening to the two years after in the following areas: residential burglaries dropped by 26 percent; commercial burglaries by 20 percent; and motor vehicle theft by 38 percent. However, not only were similar changes evident in other inner metropolitan areas, but the total number of crimes rose slightly over the same period. Therefore, it is difficult to attribute the drop in crime directly to actions of the NJC.

The 2009 evaluation of the community justice initiatives in Liverpool and Salford compared reconviction rates for offenders whose cases were heard in one of the community justice courts (Liverpool or Salford) with those whose cases were heard in a traditional court in Manchester. The findings were mixed: while the prevalence of reconviction for offenders in Manchester was similar to that of both Liverpool and Salford, the average number of offenses per offender was higher for offenders in Manchester than for those at either of the community justice court sites (Jolliffe and Farrington, 2009).

The Nugent-Borakove (2009) study of the Seattle Community Court found that, when controlling for the lengthier criminal records of the community court sample, community court participants demonstrated a slightly lower rate of prevalence of re-offense, but the difference was not statistically significant.

### Cost Savings

The 2001 Midtown study (Sviridoff *et al.*, 2001) includes a cost-benefit analysis, but that analysis was, by the authors' admission, limited by an inability to quantify fully all benefits and costs. What the Midtown study did find, however, are significant monetary benefits to the criminal justice system—including approximately \$100,000 in reduced costs due to Midtown's defendants averaging less time held in pre-arraignment detention; \$500,000 in reduced costs due to the decreased use of jail for shoplifting cases; and \$570,000 in future reduced costs due to fewer prostitution arrests. The court also generated an estimated \$150,000 of benefits derived from the community service work of defendants—which when combined with the criminal justice savings, yields a total of at least \$1.3 million saved annually.

It is likely that a great many community courts generate specific monetary benefits resulting from the value of community service work. For instance, the North Liverpool process study (McKenna, 2007) cites the Ministry of Justice as reporting that, from inception (September 2005) to March 2007, adult offenders completed 1,730 hours of unpaid work on direct reparation orders (a monetary value for this work was not supplied). The Seattle Community Court estimates the value of the community service performed by program participants during the first 19 months of the program at \$50,890, using a \$10 per hour value for the work done. In addition, Mahoney and Carlson (2007) reported that Seattle's Office of Policy and Management conducted a separate cost study and found that the net savings from the community court program during its first year were \$192,198, primarily due to reduced jail time and the use of a public defender with a fixed salary.

The 2000 Hennepin study includes a comprehensive cost-benefit analysis. A comparison of case processing and personnel costs in the Hennepin County Community Court and the downtown Minneapolis court showed that, overall, the community court is more expensive, costing a net of \$704.52 more per case. The evaluators noted that this cost must be weighed against a variety of specific, non-traditional benefits (some quantifiable and some not) that were achieved solely by the community court. Although not quantified in the study, these benefits included an increased community service compliance rate; reduced time from arrest to disposition; and improved citizen perceptions of the quality of life in the neighborhood. The Hennepin County community court also contributed to financial benefits through the value of community service work performed by defendants.

The Ross *et al.* (2009) study of Melbourne's Neighbourhood Justice Centre employed a cost-benefit analysis that took account of the costs and avoided costs of a community court. The evaluators focused on costs associated with the following behaviors: changes in re-offending; changes in the number of offenses and the severity of re-offending; Community Correctional Order completion; breaches of intervention orders; differences in sentencing outcomes; increases in guilty pleas at the first hearing; and increased community-work hours completed. The study reports that, over a two-year period from 2007–08 (before the Centre opened) to 2008–09 (after the Centre opened), there was a reduction in reoffending, which could mean a positive net benefit of Aus\$201,002 to Aus\$2,805,852 for five years to a lifetime (49 years) and that for every Aus\$1 invested in selected Justice Centre activities that produced benefits, the return would range from Aus\$1.09 to Aus\$2.23.

According to the Philadelphia process evaluation (Durkin *et al.*, 2009), in the first year of operations (2002), the 18,410 hours of community service performed by offenders was valued at \$94,812; this increased to \$526,408 in 2007. The total monetary value ascribed to the community service hours completed from 2002 to 2007 by offenders (340,590 hours) is more than \$1.8 million.

### **Offender and Litigant Perceptions of Fairness**

Several studies employed litigant surveys to examine user perceptions of the court experience, although only two (the Red Hook and Harlem studies discussed below) also surveyed litigants in a comparison site, enabling valid conclusions to be drawn regarding the relative impact of the community court model.

In the Hartford study (Justice Education Center, 2002), exit interviews with 186 offenders revealed that defendants believed that the community court was a good idea (96 percent), that their sentence was fair (73 percent), that the community court was helping Hartford neighborhoods (83 percent), and that all people were treated fairly at the community court (61 percent). Of those Hartford offenders who met with a prosecutor (65 percent), 76 percent thought the prosecutor was fair and an overwhelming majority (91 percent) thought they were treated with respect by the judge. Notwithstanding that most defendants reported that they were treated fairly, the majority had no legal representation (79 percent) and most thought they needed a lawyer (84 percent).

The 2000 and 2001 Midtown studies (Sviridoff *et al.*, 2000, 2001) included interviews with female prostitutes who had been arrested and brought to the Midtown Community Court. These women had both positive and negative comments about the court. On the one hand, they commented that, compared to the traditional downtown court, the community court processed their cases quicker, the holding cells were cleaner, the food was better, and the staff more sympathetic. On the other hand, the women complained that working all day doing community service and then again at night out on the street was too exhausting, and many women mentioned that, while they would continue to engage in prostitution, they would work indoors in brothels or escort services or move out of the Midtown catchment area altogether. (In response to this potential “displacement effect,” the Midtown Community Court now handles all prostitution arrests in the entire borough of Manhattan.)

In the ethnographic portion of the Philadelphia study, of the 69 respondents whose cases were heard in the community court, 18 (26 percent) said they had received fair treatment, 14 (20 percent) said they were treated unfairly/poorly, and 30 (43 percent) said they found the community court useful. Of those respondents 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 that they received at the community court (Durkin *et al.*, 2009).

In the North Liverpool process evaluation (McKenna, 2007), offenders reported a high level of involvement in the centre’s court process. Of the 269 offenders interviewed, more than two-thirds (68 percent) felt that they were involved in the court process and 38 percent felt “very involved.”

A 2006 evaluation of defendant perceptions at the Red Hook Community Justice Center included a comparison group composed of defendants whose cases were processed in a nearby traditional centralized court (Frazer,

2006). The study found that Red Hook’s defendants were more likely to perceive the court process as fair and that their positive perceptions of the judge—93 percent (202) agreed or strongly agreed that the judge treated them fairly, compared with 85 percent (398) in the traditional court—were a critical determinant of their overall perceptions. The study also found that whereas defendants’ perceptions of the traditional court varied by race and socioeconomic status, these background characteristics did not influence defendant perceptions in Red Hook.

The primary objective of the evaluation of the Harlem Community Justice Center was to determine the perceptions of *pro se* tenants whose cases are heard in Harlem, as compared with *pro se* tenants whose cases were heard in Manhattan’s centralized downtown housing court. Tenants in both the Harlem and downtown housing courts provided favorable overall evaluations of their housing court experience, with Harlem tenants viewing their court experience in somewhat more positive terms. Tenants in Harlem had more positive perceptions overall because they were more likely to perceive the court process and outcome as fair and as in the Red Hook study, tenant perceptions of the judge were closely related to their overall perceptions.

### Stakeholder Perceptions

The 2000 Hennepin County study included focus groups and interviews with stakeholders of the community court, including staff and treatment providers (Weidner and Davis, 2000). The treatment providers in particular were pleased with the court’s linking offenders to services, holding them accountable, and locating key service providers in the same building. At the Hartford Community Court, staff felt that reacting strongly to quality-of-life crimes prevents future offenses because offenders know these actions are going to be taken seriously (Justice Education Center, 2002).

As with the Hennepin community court, Hartford staff liked the balance between punishment and help and thought accountability was important. Overall, Hartford staff thought that the community court provided an “opportunity for a second chance” with a “client-centered” social service delivery system. The Hartford study also included interviews with staff that documented the implementation challenges and barriers in opening a new, innovative program in the criminal justice system (Justice Education Center, 2002). Finally, according to staff and offenders alike at the North Liverpool Community Justice Centre, the Centre’s single-judge model undermined the offenders’ ability to “play the system,” while enhancing the judge’s accountability (McKenna, 2007).

Unlike most community courts, the Philadelphia Community Court does not have one dedicated judge; judges rotate in and out of the position. Of the 33 stakeholders interviewed between June 2007 and April 2008 in the Philadelphia study (Durkin *et al.*, 2009), most voiced the opinion that the community court should have one dedicated judge in order to promote more consistency in court proceedings, decision-making, and procedures. Moreover, a number of stakeholders noted the importance of having a judge who brings energy to the proceedings and truly engages offenders.

## CONCLUSION

As the community court model spreads, it is important for more rigorous evaluation studies to be performed. To date, only the Midtown, Hennepin County, Liverpool, and Salford community justice courts have been examined as part of a comprehensive evaluation, including a specific comparison group drawn from non-participating litigants. One of the Red Hook studies and the Harlem study also included comparison groups but were less comprehensive in scope, focusing primarily on the perceptions of litigants. Accordingly, more research is needed concerning how community court outcomes differ from traditional courts and, perhaps most importantly, what kinds of effects community courts are able to achieve in ameliorating problems at the community level—apart from the effects that these experiments have on individual defendants and other litigants.

It would also be helpful for more evaluations of community courts that address criminal behavior to assess whether alternative sanctions—such as community service—that seek to give back to the community and reduce jail time offset the cost of increased court appearances, a vital part of community court’s problem-solving approach to justice. Finally, although community court stakeholders often cite recidivism reduction and solving underlying offender problems as important community court goals, only three studies to date (of the projects in Midtown, Liverpool/Salford, and Seattle) have assessed their impacts on this front, with all three reporting mixed results. As the global study (Karafin, 2008) suggests, perhaps the most important contribution evaluations could make is to identify quantifiable performance indicators. Future analyses should seek to give a more comprehensive picture of these complex and varied projects.

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