


## Benevolence at the Bench

As community courts grow, they help cities of all sizes reduce the number of people they send to jail.

By Noreen Marcus, Contributor Oct. 31, 2018



Judge Scott Ahlf speaks with court personnel during a session at Olympia Community Court in Olympia, Washington.  (OLYMPIA COMMUNITY COURT)

**OLYMPIA, THE CAPITAL OF** [Washington](#), is a small art and culture center, but its problems track Seattle, the state's biggest city. Petty crimes linked to homelessness, chemical dependency and mental illness fill the courts with nonviolent offenders.

Over the past few years, Olympians have united to do something about that.

Every Wednesday morning [Judge Scott Ahlf](#) presides in shirtsleeves over an informal courtroom conveniently located near social service providers.

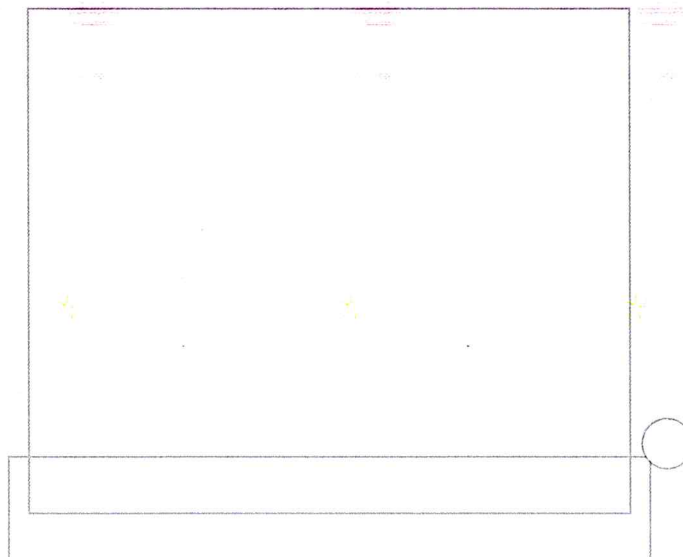
He sits across from people charged with trespass, disorderly conduct, marijuana possession and other misdemeanors. They call him Judge; with permission, he calls them by their first names. Staffers from shelters, job training and other agencies listen attentively because they help defendants take their next steps.

In interviews, Ahlf sounds like the no-nonsense prosecutor he once was, when he isn't channeling the part-time social worker he has become.

"People come to court and you get to know them," he says. "I tell them, 'We're here to figure out what got you here and we want to fix that.' You change behavior and that's an amazing thing. It gives you hope. I tell them 'We're selfish because when you get better, we feel good.'"

This is community court, a strategy to tackle an enormous problem. The U.S. has the [highest](#) prison population rate in the world: 716 per 100,000 people, as of 2015. In 2017 the nation had [2.2 million people](#) in prison or jail. County and city jails held 740,700 inmates at midyear 2016, according to the most recent data available from the [Bureau of Justice Statistics](#).

Community court is a holistic take on specialized courts – also trending – aimed at mental health, drug, and other quality-of-life issues. All are designed to keep out of jail people who shouldn't be there because the greatest harm they cause is to themselves.





Members of an offender work team tend to a vegetable garden in order to fulfill community service requirements in Olympia, Washington. 📷 (OLYMPIA COMMUNITY COURT)

Instead of doing time, offenders do community service for restitution. Judges order them to attend and complete rehabilitation, therapeutic and educational programs. Over months and sometimes years, they learn they're not in it alone, and that they have neighbors with money and influence who invest in them.

Community support is crucial to the courts' staying power, says Greg Berman, director of the [New York-based Center for Court Innovation](#), the nonprofit engine of the community court movement. "These projects, if they're going to have long legs, really need to be embraced by local supporters."

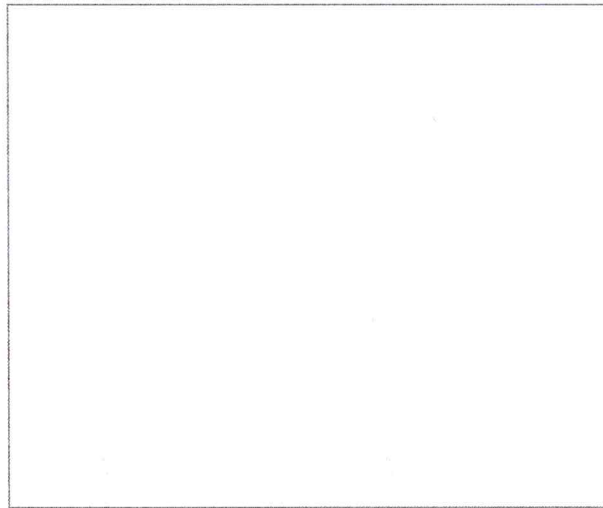
Over the years CCI has had success in "reducing the use of incarceration, increasing treatment of defendants with dignity and respect, and engaging the community in ways that foster public trust in justice," Berman says. "I think if you scan the country and the current debate about criminal justice, those are three of the core things that reformers are looking to achieve."

CCI awards federal start-up grants and provides technical assistance to help the courts take root and spread.

Five jurisdictions **freshly seeded** with \$200,000 federal grants are bringing the number of U.S. community courts to about 70: Fort Lauderdale, **Florida**; Nashville General Sessions Court; **Delaware** Administrative Office of the Courts; and municipal courts in Puyallup, Washington, and Reno, **Nevada**.

Community courts can be found around the world in cities including Be'er Sheva, Israel; Christchurch, New Zealand; and Cape Town, South Africa.

In the U.S., interest is growing. Backed by \$3 million from the Department of Justice's Bureau of Justice Assistance, CCI solicited grant applications in 2016 and 2018 and received nearly 100 total, according to Emily Gold LaGratta, the center's director of procedural justice initiatives. The money funded 15 grants to cover court start-up costs.



Success is difficult and expensive to measure, but one indicator is recidivism, and by that metric, community courts are having a positive impact. For example, a 2014 Rand Corp. study showed a reduced reoffender rate for the then-five-year-old San Francisco community court in the city's notorious Tenderloin district.

There's also plenty of strong anecdotal evidence. Berman organized a community court 18 years ago in Red Hook, a public housing-heavy Brooklyn neighborhood that had a reputation for harboring drug users and prostitutes. Today Red Hook shows signs of resurgence like a thriving restaurant scene and a tranquil urban park.

"I feel in my bones that the community court participated in that transformation, and it's a source of enormous pride to me," Berman says.

Wendy Noble is a community court success story. For 17 years, she says, she lived in the streets of Dallas, scoring crack cocaine and turning tricks to pay for it. Periodically she went to a truck stop that was the site of a weekly community court session. The hours were 7 p.m. to 2 a.m.; court personnel met with perpetrators in motor homes.

In 2015, after almost a year in prison, Noble found her way to community court and the judge she'd once been too high to talk to, who welcomed her back. It took more than 24 hours for the judge to get a printout of all of Noble's tickets for loitering and prostitution: the total was \$800,000.



"They actually gave me the ability to work off all this stuff," Noble says. After two years of emptying trash cans and cleaning toilets, she went to court a final time and the judge presented her with a tower of tickets topped by a jaunty bow. She was free to move on with her life.

What made the difference for her? "It was the judge. It was the prosecutor. It was the people at the front door. It was the cops...It was the collaboration of them all just accepting me the way I was," Noble says. "They never put any kind of stipulations on me that were too hard for me to do."

Noble moved to Denton, outside Dallas, where she walks the streets as a caseworker for Giving Hope, a nonprofit that targets homelessness. She's moving toward her associate's

degree in business and she's delighted with the sporty 2018 Honda Civic her fiance bought her.

CCI has tapped the expansive, 14-year-old Dallas community court system as a mentor for new courts three times. But the center's biggest showcase is the first community court, in midtown, Manhattan, launched 25 years ago and still going strong.

In 1993 the Times Square entertainment hub was suffering the business decline that open-air drug use and prostitution bring. Lawbreakers could only be jailed or released, says Sherene Crawford, CCI's midtown project director.

"Business owners and theater district people came together and generated this experiment to see how we could address the quality-of-life crimes that were happening in this concentrated space, and look at the people and what were the underlying factors that were bringing them into the courtroom," she says.

Social services, city leaders and state court administrators jumped aboard. Offender work crews picking up trash on the streets attracted favorable attention and greased forward motion. Today financial support for the court is a staple of city and state budgets, Crawford says. "If you build a strong project, it's hard to take things away."



Fort Lauderdale, a city in urban South Florida, is preparing for its first community court session in January. Spearheaded by Broward Chief Judge Jack Tuter, the project is a partnership of the courts, Fort Lauderdale and Broward County.



Tuter prioritizes keeping defendants with mental illness and other problems, most of whom are homeless, from languishing in jail because they can't make bail. The judge sounds optimistic, but realistic, about community court. "We know a degree of this population will fail. We have to be persistent and devote our energies to those who want to succeed and will accept our help," he says.

In return, they must perform community service. "Whether it be removing graffiti, painting, cleaning up or other such programs, we need participants in the court to involve themselves in the community in which they live," Tuter says.

In Olympia, some offenders tend a communal garden to grow vegetables they share with local food banks. The gardening shows "they are important to us and they have a future. They can change things for themselves," says court executive Diane Whaley.

The therapeutic part of community court seems glaringly at odds with tough-on-crime national justice policy. Which is not something Judge Ahlf feels free to discuss.

He addresses the disconnect this way: "My philosophy is that we need to make a difference. The war on drugs didn't work. Putting people in prison and forgetting them doesn't work. If we continue to do what we've been doing, we're going to continue to lead the world in incarceration."

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**Tags: crime, Washington, Seattle, courts, community service, therapy, prisons, prison sentences**

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