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A Community Court Takes Washington D.C.: Expanding the Model in the Nation's Capital

Dan Cipullo, director of the Criminal Division of the Superior Court of the District of Columbia, discusses why and how the court expanded its community court approach from one neighborhood to cover the entire city.

ROBERT V. WOLF: Hi, I'm Rob Wolf, director of communications at the Center for Court Innovation and I am in Washington, D.C., at [Community Justice 2012](#), which is the International Conference of Community Courts. And I'm speaking with Dan Cipullo, who is the director of the Criminal Division of the Superior Court in Washington, D.C. And I wanted to talk to you, Dan, a little bit about the East of the River Community Court and plans for expanding it.

DAN CIPULLO: Sure

WOLF: Maybe you can start by describing the East of the River Community Court, when it started and just a little bit about it.

CIPULLO: East of the River Community Court started in the early 2000s. We were actually experiencing problems in D.C. We had a zero tolerance in D.C. so we were inundated with a large number of misdemeanor arrests. We went up about 30 percent in misdemeanor arrests, which led to a lot of delays in processing cases and a lot of police overtime. So police overtime was the initial impetus of looking at community courts.

We worked with the Justice Management Institute, with Dick Hoffman there and Barry Mahoney. And Barry had heard about the community court concept from New York and we got a group together. We went out to see Midtown [Community Court], we went up to see the community court in Minneapolis and in Portland. And we brought those ideas back to our city. We said, 'How do we implement it here?'

The first community court concept was more of city-wide on the really low-level quality-of-life crimes. Judge [Richard H.] Ringell in our D.C. misdemeanor court. And then we went and looked at the East of the River community, which is a primarily underserved area, with high poverty rates, high crime rates, and just generally underserved in social services. And we decided to make that our project, to start out there. And Judge Noël Kramer, a wonderful, wonderful judge, and I went out there, and we started it first in the



sixth police district, which comprised the northern half of the Anacostia neighborhood, and the seventh police district was the second side of Anacostia.

And we expanded. We really started with no services, with no real idea other than to go out there and make it better. And we did a good job. We did really link with our city agencies, the pre-trial services agency, some city agencies to bring some social services. And Judge Kramer was just an unending champion of the community court movement out there.

So we had that running since 2003. In 2010 we actually were able to find some money and do our first evaluation of the program, and we looked to see whether it was reducing recidivism in the community.

WOLF: So what did you find?

CIPULLO: Well we worked with the group, Weststat, they came in and did an independent survey for us, and they found a statistically significant reduction in recidivism in people who went through the East of the River Community Court as opposed to people who had gone through the traditional system.

WOLF: I understand right now there are plans for expanding it or you're in the process of expanding it.

CIPULLO: We all knew there was a little bit of unfairness in the city because the only people who really got the diversion opportunities were people coming out of the East of the River Community Court. The prosecutor was not offering the same treatment and diversion opportunities to everybody else across the court. And Judge Russell Canan and Judge Robert Morin, our presiding and deputy presiding judges, had been very, very concerned about that and really wanted to expand that and make it more fair to every defendant coming into the court. And we decided that at the beginning of 2012 we were going to expand it citywide.

WOLF: So what would that model actually look like?

CIPULLO: Well, we created six misdemeanor courts where the judges will be taking the cases for their own individual police district. So we start in the summer with community engagement, trying to get the judges out into the community to work with those civic associations, with those neighborhood commissioners and start talking about the program. We work with the prosecutors and defense attorneys to kind of align it.

We've taken – the court took over, actually, the community service program, too, which was a big change for us because prior to that, part of it had been run by the pre-trial service agency for the East of the River people, and then a small amount done by the US Attorney's Office directly, and now the court's taking that over. So it's been a big change for us in how we handle that community service.

But right now we're in the process of trying to line up some of the social services we need, but we do run a really good drug court, we do run a really good mental health court, so anybody coming into the community courts who need those services will be referred to those courts. So we'll be looking at the lower level of drug users and hopefully lower-level mental health people. So really try to find services that fit them and their needs.

WOLF: Was it a tough sell, this decision to take the community court that had previously just been focused in the Anacostia neighborhood to the entire city?

CIPULLO: Our chief judge was so supportive, Chief Judge [Lee F.] Satterfield has been very, very, very supportive of the idea and the problem-solving courts.

It's been a little challenge with our judges because in the past our community court judge did not do any trials. It was really just a problem-solving court, and that's our model for our drug court and our mental health court. So the judges have been very concerned about, 'How can I be a problem-solver and still do trials?' So that's been one of our biggest sells and we're really working with our judges on that.

We're all really looking, the community's been very receptive, we've been out to all the community meetings. We've had judges out for a couple months now getting to most of the community meetings we can find. And the community is really, really embracing it. The prosecutors are great partners in that, the pre-trial agency—[all] have been great partners. So the whole criminal justice system is really embracing it. We're actually cooperating with the city, and they're going to give us, hopefully, personnel to help us in our community service program too. So it's been a great cooperative effort so far.

WOLF: And I suppose it's correct to say that the experience you had at the East of the River Community Court acclimated all of these agencies, the U.S. Attorney's Office who serves as the prosecutor in D.C., the defense bar, even the court system itself to some extent had exposure with it, so you could point to that positive example when you're expanding it.

CIPULLO: Yeah, it's just been really great, the whole thing. When we first started community court the public defender service was not a big fan of the community court.

They really believed in, you know, the adversarial process and it took a long time to convince some of them that actually we can do really good justice and not lose the adversarial process.

One of the great things about our court is too, that we have been doing most of our community court diversions pretrial, so that if you fail in it, you still have the right to trial, which is something that our public defender has appreciated, our CJA bar has really appreciated too. So some of the challenges we've had, but overall it's been a great partnership with all the agencies.

WOLF: Give me a sense of what the expansion means in terms of how many places does the East of the River Community Court handle annually and going forward –

CIPULLO: Yeah, the East of the River Community Court was handling two police districts, so around 3,000 cases a year, give or take. Some people opted out of that community court. They wanted to go to trial instead and that's still always the option. But as we expand it citywide, we'll be affecting over 13,000 cases. The prosecutors estimated that about 70 percent of the defendants coming in will be eligible for some kind of diversion – either mental health or drug court or community court.

WOLF: Tell me are there any extra costs or are you hoping to save money through the change?

CIPULLO: I don't think we'll save any money, but right now we're not creating any additional costs because there's just the money there. The big challenge is, how do we line up, how do we do the assessment for people with social service needs, how do we provide those social service needs? So that's one of the big areas we're really looking at.

We're going to send our serious drug abusers to our drug court, people with serious mental illness to our mental health court, but of course you have other offenders whose problems aren't quite so severe who still need that treatment, who still need that help. And we're really looking at that right now, how do we deal with that? Unemployment's a big issue in D.C. too, so we're really working with our department of employment services to bring employment services into the courthouse.

We're really blessed, we actually have a mental health clinic in our courthouse so anybody who's showing signs of mental illness, we can send right down. We have a doctor there who can start medication, can start treatment immediately. So we're really blessed in some regards, but we really need to expand our resources to be able to meet the needs of the population we're serving.



WOLF: And one final question. Did your experience planning the East of the River Community Court originally in any way inform or help you as you're doing the expansion? The lessons you've learned, has it made it easier?

CIPULLO: Yes, so much easier because when we really started East of the River we started with no resources, no real plan, but we had seen the other programs we thought it was great, and the time was right, we had a very supportive chief judge, and we had an opportunity to move forward. We just did, kind of built it by the seats of our pants.

So actually seeing what we did over the years, having worked with our partners over the years, how we saw the rate of recidivism changing, we thought it was a great opportunity to move forward and that experience has really helped guide us in trying to expand citywide.

WOLF: Great, well listen, I really appreciate you taking the time, Dan.

CIPULLO: Sure.

WOLF: I've been talking to Dan Cipullo, who is the director of the Criminal Division of the Superior Court in Washington, D.C., and we've been talking about the community courts here in Washington, D.C., starting with the East of the River Community Court, and the plans going forward now to expand the model to the entire city. So, good luck to you and thank you.

CIPULLO: Thank you.

WOLF: I'm Rob Wolf, director of communications at the Center for Court Innovation. Thanks for listening.

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