

## *Sharing the Solutions Webinar 1*

# A National Perspective on Police-Court Partnerships to Address Homelessness

### *Transcript*

#### **Panel members**

- Dr. Sean Goodison  
Deputy Director and Senior Research Criminologist, Police Executive Research Forum<sup>1\*</sup>\*
- Steve Binder, Esq.  
Co-founder of the Homeless Court Program, San Diego Office of the Public Defender
- Bonnie Sultan  
Special Advisor, Center for Court Innovation.

**Bonnie Sultan:** Hello everyone. Thank you for joining our first webinar in the series of *Sharing the Solution* to Address Homelessness Police-Court Partnerships. This webinar is hosted by the Center for Court Innovation and the Department of Justice COPS Office. And we'll provide a national perspective on issues law enforcement professionals face when responding to individuals experiencing homelessness, as well as how courts are stepping up to continue the challenge and be part of the solution.

**Sultan:** We know law enforcement is on the front line of addressing homelessness. Throughout this project, we'll explore different law enforcement responses and court models addressing homelessness, and how the potential to share the solutions exists.

**Sultan:** We're excited today to be joined by noted experts in our field. We are joined by Dr. Sean Goodison, who's the deputy director at the Police Executive Research Forum, where he leads the organization's quantitative research portfolio. Before his work at the Police Executive Research Forum, Dr. Goodison worked as a crime analyst and civilian researcher for the Washington, D.C. Metropolitan Police Department and earned his PhD in criminology and criminal justice at the University of Maryland, College Park.

**Sultan:** We're also joined today by Mr. Steve Binder, who has served 30 years as a deputy public defender in San Diego. And he co-founded the Homeless Court Program in 1989. Mr. Binder received numerous awards for his work, including the Judicial Council of California's Distinguished Service Award, the Veterans Affairs Secretary's Award for Achievement and Service to Homelessness for Veterans, and the American Bar Association President's Citation Award.

**Sultan:** We're also going to be joined today by Ms. Caitlin Flood. She is a senior program manager on the national technical assistance team at the Center for Court Innovation, providing technical assistance for

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<sup>1\*</sup> Dr. Goodison has since joined the Bureau of Justice Statistics as a statistician.

jurisdictions, developing and enhancing community courts, as well as several procedural justice projects. Before coming to the center, Caitlin was a public defender in Hudson County, New Jersey, representing individuals facing felony charges.

**Sultan:** I'm Bonnie Sultan. I'm a special advisor to the Center for Court Innovation. And I will be your facilitator for today's webinar. I'd like to, again, give a big thank you to our panelists and all of you for joining us today.

**Sultan:** Before we begin our program, I just wanted to share a small note on housekeeping, which you'll also find in your chat box for this webinar. Everyone should be automatically muted when they enter the webinar. And we ask that you please remain muted throughout the webinar, so the recording's quality is as good as possible. You also don't need to share your video. Please feel free to submit a question through the function that says "Chat," which will be hovering over the bottom of your screen, and click on a box labeled "Chat." If you don't immediately see the chat box, you can click the word "More" to see the chat function. You're welcome to submit questions throughout the presentation, and we'll address those questions at the end of the webinar, which we'll read aloud to our speakers.

**Sultan:** If you have any difficulty with the audio or seeing the slides, please again, note that in the chat box, and we'll get back to you. The slides and the recording will be distributed after this webinar. I'd like to, again, thank you all for joining us today. And it's now my pleasure to turn the presentation over to Dr. Sean Goodison.

**Dr. Sean Goodison:** Thank you. And good afternoon, everyone. I'm going to be talking about sort of the broad scope of law enforcement interaction with individuals experiencing homelessness. Police interactions with individuals experiencing homelessness, it goes back decades, and really is documented nearly as long, if you think back to *Police on Skid Row*, Bittner's work from 1967. And ever since then, there's obviously been an interaction point between police and individuals experiencing homelessness.

**Goodison:** Back in 1993, PERF conducted a pretty major study and survey of police agencies, with a sample of about 650 agencies, departments with 100 or more sworn officers, and tried to get a comprehensive snapshot of how police perceived homelessness as a challenge for policing. And there are a lot of really interesting findings I think to that study. I want to highlight a few here, because it really frames the issue, I think.

**Goodison:** Seven in 10 agencies felt that homelessness was predominantly a police problem. And that really comes from police being on the front line, witnessing and experiencing, being asked by the community to find solutions to interact with it.

**Goodison:** Even with that said, police will think, well, there's this prior police problem. We still have two-thirds of agencies that attempt to identify homeless persons in their particular jurisdictions; that half didn't have any specific training; and little more than 8 in 10 agencies didn't have individuals or units assigned that would focus on homelessness issues.

**Goodison:** So, thankfully, a lot of those things, at least along that same type of subsample, the agencies with more than 100 sworn, I think it's changed. But another finding that that kind of highlights and structures the entire future response is right there, the last bullet point. Nearly 97 percent of agencies felt that a referral arrangement would be necessary to really address homelessness.

**Goodison:** So, police, even back in 1993, when there wasn't much necessarily training, they didn't have specific units, they didn't have any of these things, they thought, okay, well, maybe this is a police problem, but certainly not solely a police solution, and that some type of partnership would be necessary to truly effectively address homelessness.

**Goodison:** So fast forward to more recently, a number of years ago, my organization held a 250-person conference looking at police response to homelessness. And we'll talk a little bit more about this publication coming up in a few slides, just to highlight some of the key innovations and recommendations. As you can see, it's very different than how police necessarily saw the challenges in 1993. So there's an emphasis on multidisciplinary approaches, having units, having training, finding ways to eliminate barriers, to not necessarily focus on arrest.

**Goodison:** But most importantly, and this could be my bias, as someone who oversees kind of a quantitative portfolio, really important to collect data, have data, be able to analyze it, be able to share it and find ways to share it. And, ultimately, also to evaluate some of these efforts. And we're going to hit on evaluation kind of the very end here.

**Goodison:** So, as I noticed, the police is frontline response. Police are often the ones who are called by the community, by even a broader swath of partners, to be the first ones to address the issue. And, traditionally, obviously that's focused on tools that are available to law enforcement, and to really focused on arrest. Now you had a lot of changes, certainly over the decades, whether it's vagrancy laws, it's deinstitutionalization, that make the idea of using arrest as the only tool really not as palatable, or even seemingly effective. It's just not the right tool.

**Goodison:** With that said, it is important to note that there are legitimate crime concerns that are correlated to either individuals experiencing homelessness or encampments, which is not to say some inherent criminality, but rather you have individuals who are homeless, who do commit crimes. You do have individuals who are preying on the homeless within a jurisdiction within a community. I mean, that can be basic robbery, to human trafficking, gang interactions, those types of things.

**Goodison:** So the fact here is that we need to have, from a police standpoint, arrest needs to be a tool, but a tool should be focused on when there's actual serious crime going on. Because as certainly, the *Martin v. Boise* case has highlighted, homelessness itself is not a crime.

**Goodison:** And for those, I suspect most are familiar with *Martin v. Boise*, was Ninth Circuit, and really the [inaudible] version is that the ruling [inaudible] laws banning people sleeping in public need to account for alternatives, say shelter space, and whatnot. And when it comes to policing, that means police cannot arrest people for sleeping in public when no alternatives exist. So, right, there is kind of a

truncation of arrests. But with that said, many agencies, frankly, don't need that ruling to understand that arrest is not going to be the single solution here.

**Goodison:** But law enforcement recognizes as they did in 1993 when 97 percent of them thought, "Oh, hey, to really address this problem, we have to have some type of referral arrangements, some type of hand-off, some type of partnership, law enforcement's going to need partners on this." And it's a multidisciplinary problem. Police cannot solve issues that have these deep root causes, whether it's poverty, or affordable housing, anything like that. But police have noted the long they're called upon this.

**Goodison:** And, certainly, on a legal standpoint, like I've mentioned before, police need to have some type of arrest power, but that's not, either the only power they do have, or should have. And as *Martin v. Boise* highlighted, the courts can kind of implement or even truncate the ability of police to use particular tools from their toolbox. So this has to be a partnership in order to figure out how to best navigate these situations.

**Goodison:** And, additionally, there's a considerable amount of work on homelessness. Other fields have explored the issue across public health, sociology, whether it be by ethnographies, or looking at types of intervention strategies, by a wide array of hosts, whether it focuses on poverty, or whether it focus on public health, or whether it focus on faith programs. There's a lot that is out there that can be tapped into, that police can learn from, and also that can learn from the police experience as well.

**Goodison:** So I want to highlight some individual jurisdictions responses, obviously, very quickly here. We have the cover to the most recent PERF report, [Police Response to Homelessness](#). It's linked in this webinar, so when you get that, you'll be able to follow that. It's on our website for free.

**Goodison:** That meeting had about 250 representatives from across the country, and really highlight a lot of different agency perspectives in trying to find new creative ways to address homelessness that are not going to be simply, arrest, move off the street, and then forget about it, which one would stereotypically associate with a more traditional response.

**Goodison:** So, for example, you have Indio, California. Their intervention within their jurisdiction, the community or outreach resource program, it's police-led. They're working with service providers throughout the region, and they focus on individual who've had previous contacts with law enforcement, but also have mental health or substance use challenges based on case workers, they follow up. They have a dedicated team within the department that's focusing on these things.

**Goodison:** And what's also really important and notable, I think, in their case is, they are also working on a process and outcome evaluation. They are looking to see, was this implemented the way they thought it was going to be, do they have outcomes? They have very specific definitions of success that they're looking on, they're measuring towards, which is really, really important.

**Goodison:** You have some of the experience from Cambridge, Massachusetts. They have some homeless outreach teams, but they have somewhat unique challenge. They look at youth homelessness between

domestic juveniles and also travelers, individuals who are more college-age, who particular during the summer, are traveling about, and don't have any fixed residences. It becomes a very seasonal issue actually in Cambridge, and part of their challenge of how to deal with that, and in particular, subset of the population.

**Goodison:** You also have a number of law enforcement partnerships that are working with courts. Tucson, Arizona, the police department is active in their monthly Homeless Court.

**Goodison:** Seattle obviously has their same navigation teams and deflection working with the other parts of the criminal justice system to not include individuals who do not really need to be arrested. They need other services to send them to where they really are going to benefit.

**Goodison:** Houston, Texas, as well. Houston, Texas, the department's been involved with the Homeless Court there since 2006, and they have their own specified team working on these types of issues. This is something that a lot of different agencies—and these are just a sample in the report. For any individuals who've not taken a look, we go through a number of different agencies, far more than the five listed here that really are hitting on these types of issues.

**Goodison:** So when we're thinking about everything that's going on in this space, there's a challenge with getting data, all right? So there are lots of moving parts, there are lots of people doing a lot of different things, but there are challenges with actually measuring this.

**Goodison:** We have multiple federal counts, they have strength and weaknesses. We're not going to go into that right now, but they are fairly self-evident. But it really boils down to, it doesn't hit on local priorities. And a lot of these challenges are going to be local challenges. They're going to need tailored problem-solving. And also, to some extent, there's going to be local definitions of success.

**Goodison:** Now, you add to that, the fact that even in the larger sense, there is not a lot of consensus on definitions or terminology associated with homelessness. And that creates a big data challenge or the big bold point that I put on the slide, "it cannot be measured, it cannot be managed." I do suspect that we all want to be managing these types of interventions. We want to be able to positively impact homelessness, but if we can't measure it, then we're going to be put in a very difficult position, because without that, you don't really have any good evaluation.

**Goodison:** And, currently, frankly, the analysis that's out there of intervention programs, in my perspective, is mixed. And I always point to the 2018 meta-analysis by Campbell Collaboration, that essentially shows weak support for everything, even kind of methods or outreach that may contradict one another, when comes to programs designed to reduce homelessness. And a lot of that is fused by weak available measures, challenging definitions, a lack of defining success upfront. And when it boils down to it, homelessness interventions, these are not simple operations. And, obviously, they are multidisciplinary. They involve a lot of moving parts.

**Goodison:** And just to hand this point home, I'm not a person who reads slides, but I want to read this part. "We all want to have the best, clearest, most reliable information possible to make policy

decisions." That doesn't mean the information is going to be unusable, and absolutely definitive, but we want to have the best possible information. And there's a lot of, kind of opportunity to improve some of the information, improve some of the data, and improve some of the evaluations going forward.

**Goodison:** And just, lastly, I want to highlight a few critical points when thinking about doing an evaluation. First, you want to think of it before the implementation. If you do it during the implementation or after the implementation, you've likely missed the best opportunities to have valid, reliable measurements to really be able to have confidence in whatever your results are.

**Goodison:** And also, when you're thinking about evaluation, it's not just outcomes, you want to definitely have a clear definition of what does success look like. But success can be an outcome. Success is also a process. You want to make sure that whatever the intervention is, it is implemented as it was designed. And if it wasn't, you want to be able to document where it may have deviated such that you can properly interpret your outcomes. You don't want to see a failure and outcomes, and go, "Well, this program doesn't work." Only to find out, "Yeah, we actually didn't implement this program correctly at all." Well, then it's not a test of that program, that intervention now, is it?

**Goodison:** And another key factor to remember is that correlation is not causation. A lot of descriptive research that I'll see will focus on, "Hey, we implemented this program, then we saw a massive decrease." They'll go, "Our program causes decrease." Now, you need correlation as a necessary component for causation, but it's not sufficient component for causation, which leads into the final point.

**Goodison:** You want to have the ability to eliminate, or at least mitigate, alternative explanations. There are lots of different ways to do this with varying levels of sophistication. You can think of experimental design or quasi-experimental design to try to establish, eliminate these types of explanations on the front end, in terms of the method.

**Goodison:** You can have influential statistics, and doing regressions, and control for items in order to try to do it on the back end a little bit and think about the numbers. Lots of different ways, but what it boils down to is, really meaning to have a good comparison group, a truly meaningful comparison group so that, whatever the evaluation shows, whether it's on the process side or outcome side, it's being compared, apples to apples, and you can really get a good assessment, in order to have confidence in what your results are, and what your program is.

**Goodison:** And those are going to be the things that are key when you have these wide-ranging extensive programs, and you want to have the best possible information in order to make policy decisions. And with that, I think I'm going to turn it to Caitlin.

**Caitlin Flood:** Great. Thank you so much, Dr. Goodison, for your insights around law enforcement's response to homelessness, and some steps taken to measure successful programs.

**Flood:** So, as we can see, the challenges that both law enforcement and courts face when addressing homelessness at the local and national level are complicated, and require a multidisciplinary response.

Jurisdictions have responded differently based on resources available to law enforcements. And those responses are impacted by which stakeholders take part in coalitions, or task forces, and programs that address homelessness.

**Flood:** The reality is that, while homelessness is an issue that cannot be solved by law enforcement alone or the court system alone, individuals experiencing housing instability often do come into contact with courts, and courts can serve as a positive intervention if thoughtful planning and communication is in place.

**Flood:** So we'll now briefly highlight some court models that have worked to share solutions when addressing homelessness, the first being homeless court and the second being community court. Our overview of these court models will give some insights on the work these courts are doing to complement law enforcement's work with this population, and also how law enforcement agencies might become involved with these models.

**Flood:** Both the community court and homeless court models have responded to justice-involved individuals facing homelessness, who are in need of connection to services. We're going to be hosting future discussions dedicated to doing a deeper dive into these models, and how law enforcement might be involved. But as an introduction to the work, these courts do, we'll provide an overview of each model today.

**Flood:** So we're going to start by turning over to Steve Binder, one of the founders of the Homeless Court model, which was developed in 1989. Steve served as deputy public defender in San Diego, serving court-involved individuals for three decades. Steve is a special advisor to and former chair of the American Bar Association Commission on Homelessness and Poverty. We are really grateful he's here with us today to introduce the Homeless Court Model. So, Steve, the floor is yours.

**Steve Binder:** Thank you much. And I want to thank Caitlin and Bonnie for pulling us together. And I'm honored to be presenting and be part of a community that's struggling with a troubling issue that sadly has been plaguing us for decades.

**Binder:** So the Homeless Court is a court hearing held at local homeless service agencies. It's a blending of legal and treatment providers to really address the problems that homelessness represents. Essentially, what we do is, we reconcile the accomplishments participants have made in their program activities to resolve a full range of misdemeanor offenses. We're dealing with active cases and further proceedings. We're dealing with traffic, public nuisance, theft, under the influence, DUIs, and batteries. But what's critical is not just that we're resolving cases, it's that we're restoring individuals and the community at large. Next slide, please.

**Binder:** The Homeless Court is built from frustration. Yes, in part from me, but also the frustration and despair our homeless participants had, as well as our judges and prosecutors. As an attorney, my role was to protect my clients, to make sure the prosecution was able to make their case. But I was confronted with clients who would receive a lot of public nuisance offenses, illegal lodging being one of the most prominent.

**Binder:** And they would come into court carrying all of their belongings. They'd ask, "Where else am I supposed to live if there are no shelter beds available to me?" Or sometimes an individual would come in and say, "I just got a place to stay, I rent some shelter. But if I have to pay a fine, if I have to go into custody, I'm going to lose what precious little I gained, and end up back on the streets."

**Binder:** And, yes, sometimes people would be coming in talking about the FBI or CIA. But whether we ended up entering a plea of guilty or the person went to trial and even was acquitted, that person was still homeless. And so, prosecutors and judges were always confounded. We issue these orders, we are serious when we say violate no laws, pay a fine, pay a greater fine if you come back, go into custody, spend more time in custody if you come back, and yet you are still homeless. Similarly, we found that our police department were frustrated asking, why is so-and-so back on the streets after we arrested them, and they faced the court?

**Binder:** I know, at our core, we all want to be professional, we all want to be effective, we all want to improve the community. And that's in part why we rely upon laws, to build safety and order in our communities. And illegal lodging is indicative of one's law most prominent for addressing homelessness, where we say, we don't want people sleeping on the streets. And, candidly, people shouldn't be sleeping on the streets.

**Binder:** So we call police, whether it's a business or general citizenry to step up, and essentially issue a citation or arrest somebody, which lands that person in court for a hearing where the conviction is supposed to identify the problem, and the sentence is supposed to remedy that problem.

**Binder:** But, sadly, neither one works. And I can understand police frustration when this round-robin keeps happening, and even a citation or move-along gets an individual from one area of town to the other. But in effect, calling on the police and the courts trivializes, belittles, even diminishes their professionalism of their trade when we're dealing with largely a social problem.

**Binder:** And I've seen clients appear. And sometimes sadly, they fail to appear. It isn't a question of disrespect to the court when they don't show up, it's that often they are searching for food, clothing, and shelter. Next slide, please.

**Binder:** And that's when my frustration led me to the Local Bar Association homeless subcommittee meeting, where the founders of Stand Down presented a Veterans Administration survey from the very first Stand Down in '88, where 116 of 500 homeless veterans said their greatest need was clearing warrants. That's one in five veterans, that was more than double the request for any other service, more than their need for employment, or medical attention, anything else.

**Binder:** We took that statistic to the presiding judge who heard us out, said very politely, "Bring them into court. We'll take care of them." And we very politely turned to the judge and said, "Nothing personal, your honor, they don't trust the court. They know when they appear in court they receive sentences to fines they can't pay, and custody that literally releases them back to the streets. Nothing has been solved." And we explained to the court what Stand Down is.



**Binder:** And you're looking at pictures of Stand Down. The overview of the event held on San Diego High School athletic field. The U-shape tents you see under the expressway are literally communities unto themselves, where 25 to 30 homeless veterans are met by tent leaders, who not just welcome them in, but essentially guide them through the three-day event. They go to showers, they go to meals, they go to services together. Homeless service agencies are on site. You'll see them. The VA tent, just to the right of the American flag on the right of the screen, you will see the legal setup at the camo netting at the bottom of the screen, a little right to center.

**Binder:** And when we actually hold court on site, we hold court at the very right of all those camo nettings on a handball court. You see us underneath that. We have public defenders and JAG attorneys counseling individuals. We have court clerks who have brought files on site so that we can talk to individuals about the cases that they're facing. Again, a full range of misdemeanor offenses.

**Binder:** And then we talk to them about, why did they come on site? What is it that would help them move from the streets to shelters and self-sufficiency? And we will actually talk to them about the services on site. We'll even walk them over to some of these agencies for a warm handoff, so that they can link with services and have something to show the court when they show up for the court hearing on site.

**Binder:** In short, it is a matter of participants can come, they can get food, clothing, and shelter. Yes, they can sit three days away. They can even complain about, "The public defender did me wrong, the police did me wrong, the court, or the VA did me wrong." But in large part, the tent leaders say, "Okay, we're going to take that as is given, what are you going to do during three days to make something valuable happen in your life?" And they challenge them to make the most of the opportunities there. Next slide, please.

**Binder:** After we had a successful run at a court onsite at Stand Down, where we had a judge in black robes, sitting at a fold-out table, with court clerks and files bailed up to the side, and flags behind the bench. We had participants essentially appeared at this first court hearing. And there was an audible gasp when the first individual walked away, because everyone expected the paddy wagons would show up, and they'd be taken into custody, that somehow this was this thing. But when word got out that this was real, and that if you engaged in activities, you could resolve cases, the homeless veterans set the model for the community at large.

**Binder:** In 1989, when we held our first court session, we were literally the first collaborative court, problem-solving court in the nation. The following year, we moved on and expanded to the women's resource fair for homeless and battered women. And then four years later, it expanded to the general homeless population, where other homeless service agencies could refer people there. Next slide, please.

**Binder:** You are looking at two months of a yearly calendar that essentially uses a color-coded scheme to identify the four major steps of the Homeless Court process. It is one month from referral to the court hearing as we play out these steps and prepare for the actual court hearing.

**Binder:** So in the green box, you'll see that on Monday, the homeless service agencies—actually when I left, 30, 35, now upwards of 50 homeless service agencies—refer their clients, submitting an interest list of the individual's name, date of birth, and other pertinent information to the public defender's office, who then collates everything, sends it onto the court clerks and the prosecution so that they, both the courts and the prosecution, can review cases as indicated in the kind of turquoise-bluish box the following week, and prepare the calendar.

**Binder:** That calendar is the list of cases that we will see. It will list the case number, the high charge, whether it's an active case or a further proceeding. It will list prosecution notes. And then that is something the defense will take to the actual site, the HOST shelter, which you see listed in the yellow bar at the top of the calendar's month, St. Vincent de Paul Village or Veterans Village of San Diego, and we will counsel people on site.

**Binder:** We will spend time, first, talking about the calendar, and all the criminal justice aspects of their case, going over their constitutional rights, letting them know that they haven't sacrificed anything by entering homeless court. They could still go to trial if they'd like to.

**Binder:** We then quickly changed the conversation to what they've accomplished in their program. And we ask them for their advocacy letters, the certificates of accomplishments, meeting slips, so they, we have something to share with both the prosecution and the court to help resolve their case. We answer their questions. We might find additional information that will address the prosecution's concern about a particular item. And we will use the time between each of these four steps to continue negotiations on cases, discuss any concerns, verify particular issues, and actually get additional verification of an individual's accomplishments or some something that will need further explanation.

**Binder:** So the actual hearing, the fourth step of the hearing of the calendar, is actually the tip of the iceberg, where we can literally resolve hundreds of cases in the matter of an afternoon. It's not that we're rushing anything through, it's that we've used the previous three weeks, four weeks to address all the concerns and prepare for the hearing. And if there was any need to continue matters, we'll do so.

**Binder:** But in large part, what we've done is, we've had a hearing, where the judge stands at a podium, the participant is literally within arm's length of the individual, 90 percent of the cases are dismissed, and further proceedings, fines, and other terms and conditions of probation are resolved because the individual has brought proof of their life skills, chemical dependency, relapse prevention, employment training, or such, as well as medical issues they've worked on, physical or mental health, so that we know that people have accomplished something for the resolution of the case.

**Binder:** And, basically, it is up to the homeless service agency staff to develop the action plan, an individualized response that identifies the client's needs after an assessment, diagnosis of whatever problems they may be facing, whether it is poverty, mental health, or substance abuse, the trauma of living on the streets, and actually deal with the survival skills that they have developed from life on the streets, and the behaviors that may supposedly, but not really serve them well on the streets, but don't function well in the general community. And so they'll address that trauma. The move from survival skills to self-sufficiency is critical for them to get into Homeless Court.

**Binder:** And so, each program has developed an entry criteria, a certain list of criteria of accomplishments that an individual must achieve before they receive a referral. For some programs, that may be completing a class or classes. Another program might be completing a particular phase or graduation from a particular part of the program. And then there are a handful of programs that have say like 10 criteria, and if an individual meets five out of those 10, specifically tailored to them, they'll refer the individual in. That is referenced all in a toolkit, San Diego Service Provider Toolkit, that will be referenced at the bottom of the screen.

**Binder:** The point is, that there is no one solution to people getting referred or out of homelessness. And there's the understanding from the courts that each program has a different target population and a way to help make that happen.

**Binder:** There was a fear at first that people would appear in Homeless Court, high-five, go back out and drink. And the programs recognized they had a responsibility, not just to their clients, but to the court too, to make sure that everything they put forward was up and up, because they wanted their participants to lead healthy and meaningful lives.

**Binder:** That said, there was one program that, shall we say, clients came fortified to court. They were not sure how they sold it, but they didn't sell or explain the program properly. We told that program, we can't accept these referrals, that they're misleading the clients as well as the court. And we stopped taking referrals. They came back a few months later saying, "We've got it right, we're going to make it happen." Sadly, that didn't happen, and we just stopped taking referrals from them.

**Binder:** But there was also a misconception that people came to the monthly Homeless Court, 30 days, 60 days into the program and left because their cases were resolved. We found out instead that people had over 250 days on average in their program before they referred. They wanted to make sure that they had something tangible and meaningful for the court to resolve their cases. And, again, they had done this voluntarily many times beyond the entry criteria that their program had set out. Back one more slide.

**Binder:** I want to emphasize the point that the Stand Down Court—thank you—is really an engagement court, where the homeless veterans voluntarily come on site to San Diego High School's athletic field when they could have easily had spent that weekend in whatever park, highway, underpass, or doorway, where they were otherwise on the streets. Instead, they're signaling they want to participate. And that's part of what they do when they engage in the activities on site.

**Binder:** The Homeless Court is more of a recognition court where the participants have been in their program for an extended period of time, they've met the entry criteria, they have accomplishments in their advocacy letters, and their lives are transformed.

**Binder:** Finally, last slide, we are talking about 1,000 participants and 3,000 volunteers who come on site to Stand Down, both signaling, they want a better community. Stand Down gives them that opportunity. It is built on a military culture that's mission- driven. We've got your back, leave no one behind.

**Binder:** And as professionals, we have a tendency, we want to hold people accountable. But what does it mean to hold people accountable when there are no beds or services, and when they're working, and there isn't enough money to live?

**Binder:** It's a question of providing opportunity. And we do that through the Homeless Court, through Stand Down when we're offering treatment and services. And while continued problems of homelessness represents are discouraging and frustrating, it's important to remember, it is the condition of homelessness that is undesirable, not the people. Thank you.

**Flood:** Thank you so much, Steve, for your insightful overview of the Homeless Court model, its origin, and its impact. We're now going to turn it over to the community court model.

**Flood:** So community courts are neighborhood-focused programs that combine community resources with justice system solutions to address local problems. Most community courts address lower-level nonviolent offenses, but some also address matters such as civil, environmental, family, felony, parole, and reentry matters.

**Flood:** Community courts emphasize improved outcomes for both court-involved individuals and for communities. The goals of a community court are to reduce crime by addressing its underlying causes, improving neighborhood safety, and increasing public trust in the justice system. They do this by engaging stakeholders from outside the justice system, offering community-based alternatives to incarceration, and testing new approaches to addressing mental illness, homelessness, substance use, and other social factors that influence crime and strain criminal justice resources.

**Flood:** These courts seek to bring a problem-solving approach to local crime and safety concerns, focusing on alternatives to jails and fines, and instead mandating community service, referrals to social services, and behavioral health treatment. This combination of accountability and help seeks to reduce chronic offending and address the underlying problems that may have played a role in a person's criminal justice involvement to begin with.

**Flood:** Community courts have a geographic focus, addressing local problems, and are responsive to a defined catchment area or neighborhood, identifying local trends in crime and social issues that arise in a given location. The model is adaptable, and the neighborhoods served can look very different. For example, the Midtown Community Court in New York and Eugene Community Court in Oregon serve business districts, while the Washington, D.C., Community Court catchment area is citywide.

**Flood:** Community courts engage law enforcement in different ways, with some courts working with officers that cite people directly into the community court program so that the individual does not have to be referred in by a municipal court. This direct referral process allows people to connect to services soon after the offense, promoting accountability, and a warm handoff to case management.

**Flood:** Law enforcement may also be part of court staffing meetings, where the court discusses the progress of individual participants, with law enforcement offering information on current trends, or

location of participants, as well as bringing information about the community court services back to their law enforcement colleagues.

**Flood:** Community engagement also plays a much larger role in community courts. A community court engages outside stakeholders, such as residents, merchants, churches, law enforcement, and schools, in an effort to bolster public trust and justice, and empowers the community to tell the court what problems should be addressed. These courts convene community advisory boards that meet regularly with judges and court staff. They conduct resident surveys and focus groups, and they design community service projects and collaboration with community members.

**Flood:** Community courts test new approaches to reduce both crime and incarceration. For example, some jurisdictions have incorporated restorative justice circles as a way to address conflicts and heal the community. Some of these restorative justice circles include retired law enforcement officers who speak about their perspective and experiences and learn from community members participating in the circle to improve community relations with law enforcement.

**Flood:** Community courts have also been referred to as one-stop shops because many bring service providers on site so that participants can be connected at the same day they are addressing their criminal case. Community courts often partner with housing providers and assist participants with obtaining housing vouchers, completing housing and benefit applications, and securing identification. Community courts can also address multiple outstanding court cases at once so an individual not making numerous trips to court and interrupting other factors that help people secure housing, including stable employment.

**Flood:** When community court planners are deciding where the court will operate, a key focus is improving access to the court and service linkages for participants, which includes proximity to public transportation. Community courts have been thoughtful about how to best work with individuals facing homelessness, with some courts securing storage space for people's belongings while those individuals address their court matters.

**Flood:** The first community court was opened in 1993 in midtown Manhattan, building upon earlier innovations in problem-oriented policing and specialized problem solving courts. The Midtown Community Court sought to apply a problem-solving approach at the neighborhood level to meet the needs of justice-involved individuals and address neighborhood conditions related to crime. The court addressed lower-level crimes, such as prostitution, illegal vending, vandalism, and minor drug possession in the Central Business District of Midtown.

**Flood:** Since 1993, over 70 community court projects have opened worldwide, with least 17 in South Africa, 13 in England and Wales, as well as courts in Australia and Canada. In the United States alone, there are about 60 community courts, with more in the planning and implementation stages.

**Flood:** The model's inherent malleability has allowed community courts to flourish in different environments, including centralized courthouses, neighborhood-based satellite courts, local libraries,

community centers, homeless service centers, and other locations where there is space for service providers to be onsite, to respond immediately to an individual's needs.

**Flood:** One of the hallmarks of the community court is a commitment to responding to emerging issues. The court engages with the community and learns about local issues, such as homelessness and housing shortages, which ultimately helps determine what areas are best served by a community court, and what provider partnerships should be in place.

**Flood:** A prime example of a community court responding to their population is the Downtown Austin Community Court, who works with law enforcement to share the solution to homelessness by participating as a member of the Homeless Outreach Street Team, also known as HOST. The HOST team is a collaboration between the Austin Police Department; emergency medical services; Integral Care, which is Austin's local mental health authority; and the Downtown Austin Community Court.

**Flood:** HOST is a critical piece of the larger effort to move individuals from homelessness to improved wellbeing and housing stability. HOST's goal is to identify individuals experiencing homelessness, learn what challenges they may face, and then work to connect them to services such as medical and behavioral healthcare case management, as well as housing.

**Flood:** The community court provides funding for several Integral Care staff on the HOST team and also has a full-time clinical case manager on the outreach team that helps connect individuals to services. Additionally, the community court prioritizes HOST team referrals in their intensive case management program at the court.

**Flood:** While technically and functionally a court of law, the community court primarily serves as a social service organization for some of the most vulnerable in the Downtown Austin community. The court's intensive case management program seeks to provide critical time interventions and uses a client-centered and housing focused approach.

**Flood:** Through the emergency solutions grant collaborative, the intensive case management program supports clients with financial assistance for housing application fees, first month's rental deposits, rental assistance, and utility fees. The intensive case managers connect individuals to housing through their community-coordinated entry system, which is based on an individual's coordinated assessment score. And this assists participants in securing vouchers through their housing authority.

**Flood:** Additionally, the court facilitates connection to benefits that provide income so that clients can contribute to their own rent. Other participants are connected to the community court-funded permanent supportive housing units.

**Flood:** In addition to connecting individuals with public benefits and housing, the community court funds and manages social service contracts that provide access to transitional housing, peer support services, substance use treatment, and an array of comprehensive social service supports that help individuals in their journey toward long term stability.

**Flood:** Importantly, the court also facilitates and supports the Austin Homelessness Advisory Council, which is a group of 15 individuals who have lived experience with homelessness in Austin. This council meets biweekly and serves as a resource for city departments and service providers looking for input on policies, practices, and programming related to homelessness.

**Flood:** Recently, the community court formally included the council as part of their solicitation process for social service vendors, by incorporating presentations from solicitation applicants to the council as part of the scoring process. This council serves as the voice to ensure that changes to programs are informed by those directly impacted.

**Flood:** Downtown Austin Community Court is one of the many community courts working with law enforcement and other partners to share in solutions. And we look forward to highlighting the progress that other court programs have made in responding to individuals facing homelessness.

**Flood:** I will now turn it over to Bonnie for an overview of our project. (Silence.) Bonnie, I think you're still muted.

**Sultan:** Thanks again, Caitlin. Appreciate it. It's always fun with Zoom technical world.

**Sultan:** Thank you again for all of your presentations. A big thank you to Caitlin, Dr. Goodison, and Mr. Binder for sharing your expertise with us today. And a big thank you to our audience for your attendance and your questions that we see coming through the chat box. We're still receiving some questions and are compiling them now, so we'll just wait a few moments for you to type them in, and while you're typing them, I'll provide you just a small overview of our project.

**Sultan:** So the mission of our project is to create guidance on law enforcement and court collaborations. And so this work is going to do a couple of different exciting activities in order to really work to unite the field, and share what's out there, and what promising practices and solution sharing exists throughout the country.

**Sultan:** So the first part of our work has been to coordinate an advisory board of national experts. We want to thank our advisory board members for their participation in this project. We see many of you are in the audience today. Thank you for taking the time, again, for your participation on the board and supporting us today in this webinar. A big thank you to two of our advisory board members for sharing in their presentations, Dr. Goodison and Mr. Binder.

**Sultan:** So our project will also be hosting four of these topical webinars. This is the first of four. So, please, do stay tuned for future events. We're also going to be holding a practitioners' round table, where experts from law enforcement, court, housing, and public policy are going to come together and identify those promising practices and solutions that we're going to be sharing with you as a field. And, finally, we're going to be releasing an online multimedia toolkit. So please do stay tuned for updates on that release for our resource.

**Sultan:** So I'm seeing a few of our questions coming in. The first question I have is for Dr. Goodison. So our question is concerning evaluation. So, since randomized control trials are considered the gold

standard in evaluation, are more of those needed to study homelessness programs in your expertise? What do you think?

**Goodison:** Thanks, Bonnie. Thanks for the hardball question right out of the gate. It is kind of the elephant in the room. And I know when I spoke, I talked about the different ways one could rigorously evaluate a program. And while experimental methods are obviously that type of gold standard, and check all the right boxes there, there are two challenges. One, is that you can't just throw out an RCT for any which thing that you want. The question has to be correct. Some questions simply are not going to be answered by experimental methods.

**Goodison:** And, second, which I think also applies to this issue, I just don't think we're necessarily there yet. When there are so many challenges with data, and measurement, and definitions, that's not a good way to jump into an RCT, even if you have a good question, and have a rough method, because you really want to walk through, and have a good foundation of the descriptive research, the exploratory research, that explanatory research before you get to the evaluation research. And, at least, in my take, and your take of certainly in the meta-analysis, I saw it, it doesn't seem like we're quite there yet. It's that front end, that data. It's being able to define success.

**Goodison:** Those are the things that, really, I think, need to get nailed down before we really start to seriously consider any type of experimental designs.

**Sultan:** Awesome. Thank you. So, while we're also waiting for just another question or so to come through, we wanted to just draw your attention quickly to the resources on your screen. Certainly, there's some great material out there we wanted to be sure to share that with you from what Dr. Goodison has been talking about with us today, as well as Mr. Binder. And Caitlin's also provided some information around community courts.

**Sultan:** And, certainly, please do spend some time on the Community Oriented Policing Services Office site. Their descriptions and their publications of these programs are just [inaudible] on really helpful. And so, for anyone who's interested in learning more, I highly recommend you take a look at their overviews of these teams.

**Sultan:** I'll hand it over to Caitlin. I think that there's more questions from the field for you and Mr. Binder.

**Flood:** Yes. Thank you, Bonnie, for highlighting the resources. So a question from Officer Nate—and Officer Nate, I'm probably going to butcher your last name, and I'm so sorry, Officer Nate Schwiethale from Wichita PD, their HOT team. The question is, and again, this is for Mr. Binder, I noticed in community courts police can do a direct referral. Could police Homeless Outreach Teams do the same for Homeless Courts? So, Steve, we're going to hand that over to you.

**Binder:** Thank you, Officer. Thank you, Caitlin. In short—excuse me on that one. Again, the referrals come from homeless service agencies, but it is not unusual that the Homeless Outreach Team police officers will build up a relationship with an individual and get that person into a program. And for that



individual, when they appear in Homeless Court, they actually specifically thank the officer from the Homeless Outreach Team for making that possible. And so we wanted to make sure that there is that link and that that is a possibility.

**Binder:** So, yes, Homeless Outreach Team can make it. Probably not directly to court. We've had courts from across San Diego County, try to make referrals into Homeless Court, but sadly the individual either doesn't show up, or when they show up, they're not prepared with their advocacy letter, or they don't understand what the counseling and the court session's all about. They just are there. But I'd encourage the Homeless Outreach Team to make those links. Thank you.

**Flood:** Great. Thanks, Steve. And one more question for either Steve or Sean to answer, from Deborah [inaudible] Bryant from our Albany, Georgia, team. Are there significant differences in the problems of homeless veterans versus homeless citizens, which require military service interventions? In other words, where is the Veterans Administration in these interventions? Again, whoever would like to take a moment to answer that.

**Binder:** Do you want to go first, Sean?

**Goodison:** No, I'll defer to you.

**Binder:** Okay. So the sad reality, what I found representing veterans, whether it's Stand Down Homeless Court or the Veterans Treatment Court, is that they are acclimated to doing a lot with very little. And so, they're essentially trained for service battle even without a lot of equipment or amenities that we might have at home. So they may be more inclined to just take care of themselves in homelessness.

**Binder:** And in fact, sometime past, when San Diego had its wildfires, and it was consuming really the county, there was a homeless veteran I met out on the street, who pulled me aside, said there were a lot of people in need, I know they're new to homelessness. He went to the bushes, he pulled out pizza boxes that he had. He said, "Please give these to people in need." I took them. But, candidly, I didn't pass them on. But it shows how resourceful our veterans can be.

**Binder:** And while they often cherish having people understand their culture, their experiences, as a defense attorney, I've been very candid with them saying, look, I haven't served, I don't understand what you've been through, help me understand that so that I can represent you and I can help both the prosecution in court understand what you've been through, and where you want to be going. Even though I didn't serve, I've come to really cherish the We've Got Your Back Community that the military brings, and we could use it back in the civilian world a lot more so.

**Sultan:** Thank you. Thank you, Steve. And thank you for our audience members for your attendance today, your participation, and all the questions that you've shared. If you have other questions that come to your mind later on, or that you'd like to touch base with us, please do feel free. Our contact information is up on the screen.

**Sultan:** And, again, just, from Center for Court Innovation and our partnership with the COPS Office, we greatly thank you for taking the time to talk with us about this project. And we look forward to continuing to talk with you about sharing the solutions. I'll hand it over to you, Caitlin.

**Flood:** Great. Thank you, Bonnie. I too just wanted to say thank you. And just to give a reminder that, for anyone's colleagues who were not able to join the webinar live, we will be sending out the recording of the webinar and the slides in the next few days, as well as some resources that some of our advisors and attendees have sent in through this webinar. So, thank you all again for taking time out of your very busy schedules to join us. And we hope to see you at our upcoming webinars. Thanks everybody. Take care.