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OVERCOMING OBSTACLES TO COMMUNITY COURTS

A SUMMARY OF WORKSHOP PROCEEDINGS

BJA Bureau of Justice Assistance
Monograph

CENTER
FOR
COURT
INNOVATION
A Public/Private Partnership with
the New York State Unified Court System

COMMUNITY JUSTICE SERIES

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From the Director

The movement to make our nation's local justice systems more responsive to the citizens they serve is clearly one of the most important developments in criminal justice in recent years. At the heart of this movement are two innovative tools: community policing and community courts. These tools are bridging the gap between the ideal of responsiveness and the hard, daily work of meting out justice in America's cities, suburbs, and rural areas.

The Overcoming Obstacles Workshop described in this BJA monograph, the first in a new series on community justice, offers us the rare opportunity to listen in as representatives of eight cities discuss how they have adapted the community court model to their neighborhoods' unique needs. Their conversation is valuable because it is frank. Community courts challenge traditional thinking about how the criminal justice system best functions. The inevitable resistance to this change, from both inside and outside the justice system, has created obstacles for community court planners at every stage of the process.

The discussion in this monograph explores these obstacles and how cities have responded to overcome them. Community court planners in New York City and Hartford, Connecticut, for example, have found new ways to address the common problem of finding adequate funding for a court within their local justice systems. Their experiences offer important lessons for other justice systems just beginning to consider alternative funding sources. Other critical issues examined at the workshop include navigating local politics, deciding the kinds of cases the community courts will accept, reaching out to allies within the system to overcome resistance, and ensuring that the community is genuinely involved in the court's operations.

It is our hope that this monograph stimulates innovative problem solving for court planners who are working to create and improve community courts. The nation's first community court planners must be counted among our most important pioneers in community justice. Their experiences will be a valuable source of guidance as we prepare America's criminal justice system for the 21st century.



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I. Introduction

“When the Bureau of Justice Assistance and the Center for Court Innovation first decided to hold a workshop with the theme ‘obstacles,’ the idea was not warmly received,” John Feinblatt, director of the Center for Court Innovation, remarked at the outset of a December 1997 conference in New York City on implementing community courts. Court planners told him they would prefer a workshop that focused on communities’ successes in establishing community courts. Focusing on obstacles, however, turned out to be a good idea. The Overcoming Obstacles Workshop brought together an extraordinary group of people from across the country who are confronting similar problems. This report, the first in a special BJA series on community justice, is a summary of their discussion.

The Center for Court Innovation’s Overcoming Obstacles to Community Courts Workshop was held December 4 and 5, 1997, in New York City. The workshop’s participants comprised representatives of six major urban centers (Baltimore, Maryland; Indianapolis, Indiana; Minneapolis, Minnesota; Philadelphia, Pennsylvania; Portland, Oregon; and St. Louis,

Missouri) and two smaller cities (Hartford, Connecticut, and Hempstead, New York) that are working with the Center to develop a common vision of the role of community courts in the criminal justice system.

Also in attendance were New York State Chief Judge Judith Kaye, U.S. Deputy Assistant Attorney General Noël Brennan, Bureau of Justice Assistance Planning and Policy Director Timothy J. Murray, and members of the Center for Court Innovation staff.

Representatives from the eight cities expressed similar reasons for needing a community court in their community. All recognized the serious problems caused by quality-of-life crimes such as shoplifting and other thefts, panhandling, prostitution, and low-level drug possession. The incidence of such crimes is increasing in cities across the country, and the traditional court response to them has been ineffective. Offenders cycle through the court process—arrest, arraignment, ineffective sanctions, return to the streets—and little or no impact is made on either the individual offender or the overall incidence of low-level crime. Most jurisdictions

are by now familiar with some form of community policing; prosecutors are increasingly interested in finding more creative ways to deal with low-level offenses. For more and more communities, community courts look like the logical next step.

The workshop attendees have similar goals for the courts they are planning to create. They seek a court process that imposes immediate, meaningful sanctions on offenders, is visible to the community, and has the capacity to address the social problems that underlie minor crimes. They believe that a court should be deeply involved in the community it serves and that community residents should have a continuing role in court operations. Specifically, they want to make social services available onsite or through ongoing arrangements with providers who can enroll clients immediately after court disposition.

Moreover, they would like the court to develop relationships with businesses, civic groups, and universities. Some have plans for formal community advisory boards to monitor court activities, participate in setting court policies, and help develop appropriate sanctions for crimes committed in their neighborhoods. Workshop attendees also expressed interest in the computer database of the Midtown Community Court in New York,

recognizing that sharing information quickly is essential to the success of any community court.

On other issues, however, the cities represented at the workshop differed. While the six large cities envision community courts that are based in neighborhoods, Hartford and St. Louis are planning centrally located courts that will serve the entire city. Hartford has a population of 125,000, the size of a big-city neighborhood, and St. Louis has a population of 400,000.

And while all of the court planners at the workshop saw their courts handling criminal misdemeanors, the Hempstead, Indianapolis, and Portland teams had a civil role in mind as well. Neighborhood disorder, the Indianapolis team pointed out, arises from problems that are better addressed through civil law. Two common examples are infractions of health and safety code violations and landlords who rent to drug dealers or otherwise allow properties to turn into public nuisances. The Portland team proposed combining a criminal court for quality-of-life offenses with small claims and landlord and tenant courts to deal with disputes among neighbors that sometimes escalate into crimes. The Hempstead team suggested involving the community court in juvenile and housing court matters as well as cases normally filed with the criminal court.

Other differences in approach stem from cities' varying jail space capacities. In New York, the Midtown Community Court has jail beds available onsite and uses the threat of incarceration as a “hammer,” pushing offenders into community service, drug treatment, and social service-related sentences. Several cities have modeled programs after Midtown’s approach.

However, in other cities that face shortages of jail space, notably Hartford, Minneapolis, and Portland, the credibility of the “hammer” approach is eliminated by court orders requiring automatic release when the jail population reaches a certain threshold. In St. Louis, limited jail space for female offenders has created such a problem for prostitution arrests.

II. Obstacles and Issues

Politics: Neighborhoods and the City

In theory, the location of a city's first community court should depend upon the living conditions, needs, and level of criminal activity in the city's neighborhoods. Where are the concentrations of arrests for offenses the community court has targeted? How do these arrests coincide with the existing boundaries of police precincts? Locating a community court near high-concentration crime areas facilitates the quick arraignments, sentences, and assignments to community or social service programs that distinguish community courts from traditional courts. It also makes the court more accessible to the public it serves.

Despite this logic, all of the workshop participants agreed that court planners must deal with funding issues and local politics that may be the deciding factors in determining the location of a city's first community court. For example, although the prototype Midtown Community Court had plenty of quality-of-life crimes to deal with in its Times Square neighborhood, it benefited greatly from the concurrent desire of powerful business and political interests in the city to clean up the area. Community

courts looking for federal funding may be best located in a neighborhood that qualifies for funding from the Weed and Seed Program. The location of a city's first community court may reflect a compromise between ideal and reality. The goal should be to preserve enough of the ideal so that a successful first court can serve as proof that the concept works.

As the community court concept gains a positive national reputation, it becomes hard to site a city's first court in one neighborhood without incurring the resentment of others suffering from similar problems. The resentment grows, especially during periods of scarce public resources, when it becomes apparent that the new community court is benefiting from substantial startup funding that might have been put to other uses. Such pressure prompted the St. Louis planners to declare that their community court will serve the entire city. "In St. Louis, the factor is politics," explained the leader of the St. Louis team. "If we were to say, 'It's going in this neighborhood because it has big problems,' we'd get into a scrap with people saying, 'We have those problems too.' Doing it citywide is a way to get around politics."

Other workshop participants disagreed with St. Louis' approach. "I find it hard to see how you can call it a 'community court' if it is citywide," said a court planner from Indianapolis. "Such a court," he said, "is just another specialized court downtown."

Some participants observed that other courts with special missions—drug courts, housing courts, and domestic violence courts—are beginning to proliferate. A downtown community court with citywide jurisdiction may duplicate services provided by other specialized courts and begin to be superfluous. With no distinctive geographic base, it could find itself at a competitive disadvantage for resources from private funders and the court system. Those at the workshop who felt strongly about locating a court in a neighborhood and limiting its jurisdiction to that community suggested ways to get around politics. They suggested starting small, without much citywide publicity, and emphasizing the experimental nature of the first court with the promise of replication in other neighborhoods if the experiment proves a success.

The St. Louis team said that its court will distinguish itself by its approach—swift and immediate consequences that combine punishment with help—rather than its location. "If people see that there's a difference as a result of this approach, that's what matters," a St. Louis planner said.

The leader of the team from Hartford, where the community court will also serve the entire city (although Hartford is about one-third the size of St. Louis), said that his group sold the court by emphasizing that it will operate outside the present judicial structure. In that way, they distinguished it from the failed approaches of the past.

The workshop did not resolve whether it is possible to have a community court that is not located within a community. The experiences of Hartford and St. Louis may provide the answer.

Funding

Community courts may cost more than traditional courts because they take on expanded roles and responsibilities. To the extent that they operate more efficiently, moving offenders from arrest through arraignment more rapidly and imposing alternative sentences that cost less than jail, they may realize some savings. But the increased investment in such courts also promises larger dividends, notably greater public confidence in the courts and criminal justice system, an improved environment for economic investment in distressed neighborhoods, and possible reductions in crime.

Community courts can seek funding from a wide range of sources, including some that are not usually involved in criminal

justice. When searching for funds, planners need to determine who would be interested in the project, who has a stake in the court's success, and how much they can contribute. In particular, the strategy should be to seek out contributions and grants from respected sources and then use those commitments to persuade others to participate. Greg Berman, a member of the New York team, described how the Center for Court Innovation found funding for a second New York City community court in the Red Hook section of Brooklyn, an area with neither an affluent business community nor a powerful political constituency. By first attaining a planning grant from the city's public housing authority, the group was able to secure funding from the U.S. Department of Justice (DOJ) and the City of New York. The effort reflected "good analysis of who are the stakeholders," Berman said.

Funds may be available from federal programs that do not explicitly target community courts, such as programs that promote public health or fight substance abuse. Cities may also be eligible for money available through the Executive Office for Weed and Seed by locating community courts in Weed and Seed neighborhoods.

Some court planners at the workshop recommended beginning with government funding sources because private donors will likely ask why they should pay for a

criminal justice function that ought to be financed with tax dollars. If public funding becomes an issue, participants suggested ensuring that private funds would be allocated only for capital and startup costs that the city cannot currently afford.

Private funders may also be approached with the compelling argument that the community court is an aid to economic development. Such a court would focus intensively on a community's panhandlers, drug dealers, prostitutes, and shoplifters, who create a hostile environment for retail business and real estate investment. Court sanctions would put them to work, cleaning up the neighborhood and making it safer. The court would also use its considerable power to push offenders into programs that would help them improve their lives, potentially eliminating them as sources of trouble in the neighborhood.

In addition, the court would be deeply involved with community members, including private funders, and would seek out their help in identifying the community's most urgent problems and devising practical ways to address them. Foundations, citywide business groups, civic organizations, real estate and merchant's groups, and others interested in criminal justice reform and the city's quality of life would likely respond to such a partnership, and local institutions could serve as an important source

of nonfinancial resources such as cleaning and painting supplies for community service crews.

A member of the Hartford team reported that he developed a strong relationship with an important local institution, Trinity College. Its president pledged to provide student interns, computer resources, and fundraising assistance. In many communities, forming a partnership with a college or university could provide a low-cost way for a court to conduct research and evaluations to help it shape an ongoing program and document its progress for funders, the criminal justice system, and the public.

What Kinds of Cases?

All of the planning teams participating in the Overcoming Obstacles Workshop expect their city's community court to handle low-level, quality-of-life crimes, but they also acknowledged that the term "quality of life" is broad. Planning requires careful choices. Should the court focus its resources on prostitution? Street drug deals? Public intoxication? Petty theft? When making such critical decisions, the court must involve the community. A basic principle of community justice is that a neighborhood's perception of its crime problems should be taken as seriously as the priorities established by law enforcement professionals.

Court planners need to find allies in police departments and prosecution offices who understand the

importance of ceding their traditional crime analysis strategies to one based more on research into community life as it is actually lived by residents. For example, although crime reports show a concentration of petty thefts or vandalized cars in a community, residents may be more concerned about aggressive panhandling and prostitution that creates a sense of menace on the streets. To conduct such research, the court's planner should meet with business owners, landlords, tenants' associations, and civic organizations. However, these groups are likely to see the court's inquiries as an opportunity to pursue their own agendas, and the court may want to convene its own meetings with residents or even conduct door-to-door surveys. These tasks could be turned over to a college class as a social research project, or a local market research firm could be persuaded to make a pro bono contribution of professionally conducted consumer surveys and focus groups.

While every team at the workshop realized the importance of carefully deciding what types of cases a court should focus its resources on, one planner cautioned that too much time and effort could be wasted on one issue. "It's okay to start small, to go somewhere with a magistrate, a prosecutor, and X number of cases," he suggested. "Just start doing it somewhere in a community by identifying a

manageable number of cases that resonate with the neighborhood.”

System Resistance

With its efficiency and focus on accountability, a community court is likely to disrupt the culture of traditional courtrooms, where lawyers long ago found ways to turn inefficiencies to their clients’ advantage. A good computer database and information-sharing system may shift power from the prosecutor or the defense attorney to the judge. People who sense that they are losing power and influence usually find ways to undermine the institution that seems responsible. Police officers, meanwhile, may object to an unfamiliar court routine and an emphasis on crimes that they do not consider serious.

Workshop attendees suggested a number of strategies to overcome or at least minimize such resistance, including:

- **Make the rational case.** Defendants of the status quo typically do not admit that they are simply trying to protect their turf. A traditional court’s failure to have an effect on quality-of-life crimes should be easy to document with statistics about dismissals, sentences to time served, and the return of offenders to lives of low-level crime. “The way to get people to accept change,” one participant said, “is to hold up a mirror to them, let them see where the gaps are, what the problems are.”
- **Build on existing understandings and informal arrangements.** In traditional lower courts, prosecutors and defense attorneys often find themselves striking deals for probation dependent upon community service or attendance at drug treatment or other social service programs. They can be persuaded that the community court provides a structure for getting such results more often with a greater level of accountability.
- **Find good allies.** Most police officers and prosecutors are now familiar with the principles of community justice. In many precinct stations, it is possible to identify a few officers who respond to the idea of community policing and pursue it with energy and imagination. Young prosecutors are often appalled by the conditions they find in traditional lower courts and are intrigued by the possibilities of a more creative approach. Such people should be brought into discussions of the community court at an early stage, both to win their support and to take advantage of their knowledge of the neighborhood and the criminal justice system. They may respond positively to the idea of participating at the ground floor of an innovative project that promises success and recognition.

- **Understand how the court will change the culture of the local justice process and sell the idea to people who could benefit.** A community court's fast pace and information technology may enhance the power of its presiding judge. These features could become important selling points when recruiting a good judge. Police officers may object to the idea of a court that provides speedy arraignments because it promises fewer lucrative hours of overtime. Police managers, however, are likely to endorse the idea for exactly the same reason. Community patrol supervisors could be shown how a court willing to provide social service referrals and neighborhood work crews can become an invaluable resource for community policing.

Community Service and Social Service

Traditional courts have a long history of sentencing offenders to community service. Should a new community court depart from this tradition? If existing community service programs are rigorous and relevant to the community, the new court may not need to depart from them at all. But if, as is often the case, compliance rates for traditional community service programs are low and the work assignments mainly benefit downtown public agencies, the court should invest its resources in a new approach. What this really means is

identifying work the community would like done—cleaning up a park or empty lots in the neighborhood or washing graffiti off buildings. The Midtown Community Court went so far as to set up an onsite community service project in the form of a letter-stuffing and mailing shop that puts offenders to work for the benefit of neighborhood organizations. Community service projects in the courthouse or nearby in the neighborhood make immediate assignments possible. Instead of being told to report back in a few days to start work, the offender may be escorted by court officers directly from sentencing to the office of the person scheduling community service. As resources permit, the court may want to consider fielding its enforcement officers to follow up when offenders fail to appear for community service assignments.

In every community court, accountability is crucial. From the beginning, the community court must track community service compliance rates not only to keep pressure on the program to maintain compliance, but also to justify continued financial and political support.

The community court's need for immediacy argues strongly for developing an onsite social service capacity, despite the need for space and staff that this activity may create. John Feinblatt, director of the Midtown Community Court, told workshop participants

that Midtown’s planners invested considerable time in getting to know potential service providers and learning about what might be possible. Moreover, discretion was necessary in selecting partners. “Some we turned away,” Feinblatt said. “Some we decided to use on a referral basis, and some we asked to set up shop at court.” Because many of the agencies involved did not receive budget supplements to pay for their work with Midtown, the court supported them in other ways, including providing free office space, computer access, subway tokens for clients, and other amenities. In New York, Feinblatt said, social service agencies working in traditional courts were treated as “stepchildren working out of closets. We tried to reverse that to make them feel appreciated.”

As for the types of services a community court should offer, Feinblatt indicated that the Midtown Community Court addressed the problem with research early in the planning stage. Midtown’s planners conducted focus groups with drug treatment center residents and then developed an assessment questionnaire for their intake workers that was tested on offenders arrested in the neighborhood for the kinds of crimes the court would handle. Even with this assessment system, Feinblatt reported that the court made some mistakes. The onsite services for homeless and runaway youth were dropped after

learning that these youth are not a significant part of the court’s business.

Jail Space

How should community court planners cope with the common problem of lack of jail space? Some workshop attendees said they would use the enticement of deferred prosecution when court orders prevented the credible threat of jail for offenders who do not complete their community or social service obligations. Feinblatt challenged that idea, pointing out that this activity prohibited any ratcheting up of sentencing alternatives for people who do not comply with their sentences or who re-offend. Communities may not be willing to accept a court that puts offenders to work in their neighborhoods if it is not prepared to jail them when they re-offend.

A Hempstead planner suggested assigning a range of hours of community service, permitting the court to increase the number of hours for offenders who do not comply with the initial assignment, followed by jail for repeated non-compliance. A Hartford planner suggested using electronically monitored house arrest when jail cells are not available.

Tim Murray, Director of Planning and Policy for the Bureau of Justice Assistance, argued that community court planners should not assume that the jail-space

problem is insurmountable. “I have been listening to all of you attack these humongous problems and try to make some inroads,” he said. “But when you get to crowded jails, you say, ‘Oh, we can’t do anything about that.’ The fact is, all of these jail crowding problems can be resolved. You can find ways to save space. You are making extraordinary progress for court-rooms and prosecutors’ offices. Why not think about doing the same for jail space as well?”

Specialty Courts

Some workshop participants noted that specialty courts, including drug courts, housing courts, domestic violence courts, and environmental courts, are now common in communities across the country. Specialty courts use their power to address the serious unmet needs of troubled communities instead of simply disposing of criminal cases. They also encourage the judiciary to rethink its role. Some workshop participants looked forward to setting up community courts that could coordinate efficiently with existing specialty courts, finding rational ways to share resources. An abandoned building that has become a hang-out for a gang of juvenile drug dealers, for example, could be a focal point for a community court, a juvenile court, a drug court, and a housing court to work together

with prosecutors, city police, and federal marshals.

At the same time, however, the proliferation of specialty courts causes some court planners to worry about their uncoordinated expansion, with camps forming around juvenile courts, drug courts, and others, all with different agendas. Because specialty courts tend to cost more than traditional courts, there is a real danger that competition for the court system’s finite pool of resources will restrict useful cooperation. Also, where some court administrators see an opportunity for coordination and synergy, others may see the potential for wasteful duplication of effort. How, for example, should a community court and a drug court divide up responsibility for misdemeanor drug offenses?

At what point does a jurisdiction have too many specialty courts? To what extent are community courts similar to other specialty courts and how do they differ? Can proliferation of specialty courts ever eliminate the need for a community court? How should such issues be handled? Although workshop participants did not arrive at clear answers to these questions, they all agreed that they are important questions and merit continued discussion as the community court movement expands.

The Community

All of the teams recognized that community courts will fail if the public sense of community involvement is not genuine and does not continue after the court's opening. They discussed a number of ideas for maintaining strong ties to the community, including:

- The court's physical setup and operating style should be inviting, not intimidating. Lobby security measures should move visitors through metal detectors and into the courtroom with minimal hassle. The judge should acknowledge visitors' presence and explain the proceedings. Computer terminals should give members of the public access to public areas of the court database and allow visitors to submit queries and comments to judges and court administrators. (A Hartford judge reported that he had already set up an "Ask the Judge" e-mail address.)
- Concern for the court's ongoing relationship with the community should shape the community service program. Community service sites and tasks should be developed in consultation with neighborhood groups. Community service work crews should wear identifying jackets or vests. Community service job-site developers should look for opportunities to put offenders to work alongside community residents on neighborhood projects. Attendees with experience managing community service programs said that they had found this approach to be successful in terms of compliance and positive community response.
- The court should establish formal structures to keep the community involved. Some attendees proposed creating a full-time community liaison position and discussed establishing community advisory boards that would meet regularly with court officials to discuss crime problems in the neighborhood and the court's possible responses to them. Workshop attendees emphasized, however, that the court may have problems with these groups if the relationship is not treated carefully. The court should invite ideas from the advisory board on possible community service sites and possible sanctions for certain kinds of offenses, but it should not give the advisory board the idea that it can tell a judge what sentences to impose.

Ultimately, the success of an ongoing community relationship may depend on the personalities of the court's administrator and judge and how they deal with community leaders.

III. Selected Remarks of Workshop Speakers

During the course of the workshop, four speakers addressed the workshop participants. The following are summaries of their remarks.

Judith Kaye, New York State Chief Judge, proposed some themes for the workshop. First, New York does not regard the Midtown Community Court as “the answer” for all jurisdictions. It would not be appropriate, she said, to take the Midtown Community Court example and simply transplant it to other jurisdictions. Instead, she hoped that attendees would take ideas developed in New York and adapt them to their circumstances.

Second, she noted that Midtown’s planners do not view the court as static, a work that has been completed. “We are constantly challenging ourselves,” she said, “to revisit what we are doing, to make it better.” In the past year, the court has begun providing health care, job training programs, and outreach services to the homeless.

Third, she said, the idea of the court is an occasion for us to question the role of judges and the role of courts and to ask ourselves

whether we can do things better. And if so, how?

Fourth, she reported that the Midtown Community Court has already yielded lessons that can be applied elsewhere—specifically, with domestic violence courts and drug treatment courts. New York court planners hope to move the Midtown Community Court model into the family court.

Noël Brennan, Deputy Assistant Attorney General and coordinator for community justice initiatives in the DOJ Office of Justice Programs, said that community justice is about rethinking the criminal justice system and developing practical, problem-solving models for the delivery of justice. “What is most exciting,” she explained, “is that this has encouraged partnerships between traditional and nontraditional participants in addressing crime and promoting public safety.”

Creating community courts will engender partnerships and planning among the local judiciary, law enforcement personnel, prosecutors, public defenders, corrections officials, and faith-based and

nonprofit groups engaged in the delivery of social services and organizations involved with substance abuse and mental health treatment. She reminded participants that Attorney General Janet Reno has emphasized the importance of these partnerships in how we do our work. Through these partnerships, it is hoped that communities will continue to strategically plan for the delivery and administration of justice at the local level.

“You are making the concept of community justice a reality,” Brennan said, commending the efforts of the workshop participants for taking the steps to develop community courts as an innovative model for community justice in their respective cities.

Julius Lang, Director of Midtown Community Court, described the court’s new Street Outreach Services Program, in which caseworkers work with community patrol officers in outreach teams that seek out homeless people, prostitutes, and others who might benefit from the court’s social service programs, inviting them to come into the courthouse for help. “Some of these people have been arrested before,” Lang said. “Some of them no doubt will be arrested again. What we are doing is trying, together with the police, to convince them to come back to the court and accept services.”

People ask, he said, Why is a court doing outreach? Do you not have enough business? According to Lang, while a traditional court’s mission is to process the cases that are brought in and move them on, a community court has the broader objectives of preventing crime and solving problems in cooperation with the police and the community. With these goals in mind, community court outreach makes sense.

The Street Outreach Services Program has increased contacts with police officers at all levels, which Lang believes has helped to create a strong, positive relationship between the court and the police. The police now appreciate the program because it enhances their interaction with the community as well as with the court. At public meetings, Lang said, people in the community are asking, What are we doing about homelessness? The police are able to point to this program.

Tim Murray, Director of Planning and Policy, Bureau of Justice Assistance, argued that the Midtown Community Court is at a “dangerous” point because, as it attracts attention, it inspires ill-considered imitations. “Avoid the temptation to replicate what has been shown to you as a model,” Murray said. “When you look at the model, look hard, because what you’re seeing is not a

courtroom in a theater district. What you're seeing is a new way of involving partners to address problems."

Murray told the story of a Midwestern prosecutor who learned from other law enforcement officials about a six-block neighborhood with a high incidence of street robberies. He proceeded to put together a task force of local, state, and federal law enforcement groups to deal with the robbery epidemic. When he convened a meeting of neighborhood residents to explain the plan and enlist community cooperation, he was met with questions about used condos littering the streets of the neighborhood because of prostitution activity. "What about the street robberies?" the prosecutor asked. The residents told him that they would get to the street robberies, but first they wanted action on the prostitution problem. As a result, the prosecutor shifted strategies and formed a task force on street conditions, whose organization and work came to resemble a community court project.

"We have this huge temptation to be smart," Murray said, "because public officials think the public expects them to know what to do. Unfortunately that attitude often prevents officials from listening to the communities they are supposed to serve."

When the planners of the Midtown Community Court visited Miami's drug court, Murray recalled that they told him that they did not think the work of the Miami court addressed the issues and concerns they faced in Manhattan. But they still found the visit useful.

"They didn't see a judge dealing with addicts to try and get them clean and sober," Murray said. "They saw the power of the court applied to problem solving. They saw that you could get together with a public defender, a prosecutor, a judge, and service providers, and sit down until everyone reached consensus on a common goal."

That's the lesson of Midtown: by engaging the very people we purport to serve, we do a better job.

Bureau of Justice Assistance Information

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Callers may contact the U.S. Department of Justice Response Center for general information or specific needs, such as assistance in submitting grant applications and information on training. To contact the Response Center, call 1-800-421-6770 or write to 1100 Vermont Avenue NW., Washington, DC 20005.

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PERMIT NO. G-91