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## **Study Shows D.C. Community Court Program Lowered Reoffending Rates**

A new study (PDF) of the District of Columbia Superior Court's East of the River Community Court project offered the first statistical proof of what judges, attorneys and court-watchers have said for years: that the program brought down rates of reoffending among misdemeanor defendants.

The East of the River Community Court program was created in September 2002. A single judge heard almost all cases for misdemeanor crimes committed in the 6th and 7th police districts, which spanned Wards 7 and 8. The judge could send defendants through diversion programs or special treatment courts, with the idea that as a judge grew familiar with a community, he or she would have a better understanding of what was needed to keep someone from reoffending.

Preliminary results from the study, which was completed by research company Westat Inc., were circulated among court officials last year, prompting the court to expand the community court model to cover all of the city's police districts beginning January 1. The full report was made public today for the first time.

Community courts are taking root across the country, and a number of surveys and studies have shown that court officials and members of the communities they serve believe they're making a difference in lowering recidivism. As the Westat researchers noted in their report, however, the record is slimmer when it comes to empirical data.

The study tracked 4,046 defendants who went through the East of the River Community Court from 2007 to 2009. Of the 21 percent of defendants who were involved in diversion programs, more than half – about 60 percent – successfully completed them. Another nine percent were sent to other problem-solving courts, such as drug or mental health court, and the rest either opted out or weren't offered diversion or treatment courts.

Compared with defendants with similar characteristics in the 5th police district, defendants in the East of the River program who went through a diversion program or a special treatment court had a 60 percent lower reoffending rate while their cases were pending. In the year after successfully completing a diversion program, those East of the River program defendants had a 42 percent lower reoffending rate.

While the report showed that the program was successful at reducing recidivism, it did not, by design, answer the question, "Why?" In previous interviews, judges and attorneys involved with the program have said that it works because judges have more flexibility to tackle underlying problems that may contribute to crime, such as joblessness, homelessness, mental illness and drug abuse.

While a case was pending, 15 percent of defendants in a diversion program reoffended, compared to 28 percent of defendants in community court who were not in a program. After a case closed, 25 percent of defendants who completed a diversion program reoffended compared with 44 percent of defendants who didn't participate in any program.

A few other findings of note: of the surveyed group, 96 percent were African American and 75 percent were male. About three-quarters of defendants had some criminal history before the case that brought them to community court. The most common charge for defendants was a misdemeanor drug charge and the most common prior offense was for a felony drug charge.

The most successful diversion program has been the deferred-prosecution agreements. As part of the program, the U.S. attorney's office developed two tracks for offenders deemed low-risk: a deferred-prosecution agreement (DPA) and a deferred-sentencing agreement (DSA). Under a DPA, arrestees could have their case dismissed if they did community service by a certain time; under a DSA, arrestees would plead guilty, but could have their case dismissed if they did the community service.

According to the survey, of the 42 percent of defendants who agreed to a DPA, 78 percent successfully completed the program. Other successful diversion programs included mediation, substance abuse-related programs and the John School, a now-defunct program for men arrested for soliciting prostitutes.

About 70 percent of defendants were from Washington, 24 percent were from Maryland and about five percent were from Virginia. However, 59 percent of defendants who participated in diversion programs were from Washington and 35 percent were from Maryland.

One factor that Westat couldn't study was the effect that a judge's personality and style has on the program. As the researchers noted in their report, the community court was presided over by a single judge at any given time, but because the study only covered a three-year span, they wouldn't compare success rates under more than two judges.

In a press release, Chief Judge Lee Satterfield said that when he and other officials saw the preliminary results, "we knew that we had to expand the community court to all neighborhoods in the city...This is a win-win and we wanted DC residents in every ward to benefit."

Posted by Zoe Tillman on August 01, 2012 at 03:47 PM