



U.S. DEPARTMENT OF JUSTICE
Office of Justice Programs

CATEGORICAL ASSISTANCE PROGRESS REPORT

The information provided will be used by the grant or agency to monitor grantee cash flow to ensure proper use of Federal funds. No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing law and regulations (Uniform Administrative Requirements for Grants and Cooperative Agreements — 28 CFR, Part 66, Common Rule, and OMB Circular A-110).

1. GRANTEE STATE'S ATTORNEY'S OFFICE FOR BALTIMORE CITY		2. AGENCY GRANT NUMBER 1999-00-BX-0076	3. REPORT NO. 7
4. IMPLEMENTING SUBGRANTEE N/A		5. REPORTING PERIOD (Date) FROM: 01/01/01 TO: 03/31/01	
6. SHORT TITLE OF PROJECT Community Court of Baltimore City	7. GRANT AMOUNT \$224,729.00	8. TYPE OF REPORT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> FINAL REPORT <input type="checkbox"/> SPECIAL REQUEST	
9. NAME AND TITLE OF PROJECT DIRECTOR Alan Woods III, Chief, Research & Development	10. SIGNATURE OF PROJECT DIRECTOR	11. DATE OF REPORT 10/12/01	

12. COMMENCE REPORT HERE (Continue on plain paper)

This grant expired on March 31, 2001. An extension was sought, but denied. The extension request, attached, contains the entire history of the project, and serves as well as a final report. Please see the attached.

13. CERTIFICATION BY GRANTEE (Official signature)

Alan Woods III

14. DATE

October 12, 2001

190987

COMMUNITY COURT TO EARLY DECISION COURT
REVISED PROGRAM PLAN

I. HISTORY

Planning for the Community Court of Baltimore has been ongoing since 1998. In April, 1999, the State's Attorney's Office (SAO) for Baltimore City submitted a grant application in order to fund its participation in the Court. This application became award #1999-DD-BX-0076. At the time of the application, it was anticipated that construction at the planned site of the Community Court, 33 S. Gay St., would commence July 1, 1999, with the Court expected to open in January, 2000. Accordingly, the SAO grant award ran from October 1, 1999 to March 31, 2001.

In July, 1999, while the grant application was pending, the SAO was notified of construction delays at 33 S. Gay St. Construction could not start as planned, and would not until approximately the first quarter of 2000, with the Court's opening to be set according to the construction start. Accordingly, when the grant award arrived in September, 1999, the SAO determined to delay project commencement until closer to the opening of the Community Court. Although construction had not started, the SAO applied to City Personnel for creation of the necessary positions in February of 2000, receiving the necessary permissions in approximately late May or early June of 2000. At that time construction still had not started at the planned Court site, 33 S. Gay St., for reasons not involving the SAO.

During the early part of calendar 2000, the new Mayor, Martin O'Malley, made criminal justice one of the top priorities of his administration. One of this planned programs was a form of early resolution court designed to eliminate cases of less-than-violent impact from the District Court dockets. The Mayor reasoned publicly that such a court would allow more time on regular dockets to deal with the more serious cases. His suggested list of cases for the Early Decision Court almost exactly matched that of the planned Community Court. Under Mayoral pressure, a planning group began meeting during the early part of the year to design such a court. The result was an announcement, during the summer of 2000, that Early Decision (ED) Court would open as a pilot project in September, 2000.

Ed Court was not originally intended as a substitute for Community Court. It was instead intended as a relief mechanism for overcrowded District court Dockets. ED Court was to start at the booking phase, when defendants were identified as eligible for ED Court based on the charge, the prior arrest record, and the lack of present probation or parole status. If eligible, a defendant was immediately given a court date in ED Court, within 2 to 3 days from arrest. At ED Court, the defendant was offered a very minimal plea, with the assurance that it would be withdrawn if not accepted. Defendants who accepted the plea offer receive no worse than a suspended sentence and probation with conditions, often a

Probation Before Judgment. Defendants who rejected the plea offer were reinstated to a normal District Court date within 30 days. The availability of pre-trial screening or post-trial probation, treatment, or community service resources in ED Court was no different than in a normal District Court appearance, at least to start. The list of criminal charges which would render a defendant eligible for ED Court was substantially the same as for the planned Community Court.

ED Court started as a pilot project at the beginning of September, 2000. It began only a few days per week at one of the courtrooms in the Eastside District Courthouse and was originally limited to defendants who were released on their own recognizance. At the beginning of November, 2000, ED Court expanded to City-Wide coverage, operating 5 days per week in two courtrooms. Defendants who were released after booking were given (and are given) subpoena for the Eastside Courthouse two to three days after arrest. Eligible defendants who were not released (most often because of too many prior Failures to Appear, or FTAA, on minor charges) were and are dealt with in the same time frame (2-3 days) at the Central Booking courtroom, known as Part 40.

When ED Court started as a pilot project, the SAO originally covered the dockets with on-loan personnel from the District Court and from the Central Booking (CBIF) unit. It was recognized well before ED Court started, however, that this on-loan arrangement would put an enormous strain on those two units, and could not be sustained for long. The SAO therefore decided to activate the three Community Court positions and place them in ED Court. Our reasons were that construction still had not started at 33 S. Gay St., and we had been told that the earliest possible start date for the Community Court was January, 2001, very near the end of the grant period. Since ED Court was using substantially the same procedures and focusing upon the same crimes, it was felt that the Community court prosecutors could thereby gain experience with procedural diversions to an early plea court and could devise and refine their screening procedures. The only real difference between the two Courts would be the absence of pre-trial screening at ED Court and the absence of post-trial availability of drug treatment, health, and community service resources. During the summer of 2000, when this decision was made, the SAO still expected Community Court to open in January, 2001.

Accordingly, interviews for these positions began in July, 2000. As a result, on September 4, 2000, Assistant State's Attorney (ASA) Patricia Deros was brought on board as lead prosecutor on the Community Courts unit, and ASA Mary Ann Hernandez as the second Community Court prosecutor. Ms. Antoinette Philson was added to the unit as Clerical Assistant on November 13, 2000.

In the meanwhile, the Greater Baltimore Committee (GBC), who had been developing the Community Court, began evaluating ED Court. In late December of 2000, Ms. L. Tracey Brown, the Community court Coordinator for the GBC, recommended that Community court not be opened as an entity separate from ED Court. Her conclusion, and that of the GBC, was that since the ED Court was

operating on the same cases and defendants that Community court was planned for, there was no need for a separate Community Court. Further, ED Court was a court in being, and at this point construction still had not commenced at 33 s. Gay St. Ms. Brown's recommendation was that the pre-and post-trial resources which made Community Court so distinctive, and for which funding already existed in most cases, be transferred to ED Court. This would take advantage of the ED Court procedures, which already brought eligible defendants, both released and detained, to court as quickly as possible, thus solving some of the referral issues still unsettled for Community Court. It would also make ED Court the functional equivalent of the planned Community Court, and do so in advance of any possible start date for Community Court.

At the end of December, 2000, Ms. Brown's recommendation was adopted by the City and by the GBC. As a planned separate entity, Community court ceased to exist at that time. ED Court took its place.

II. REVISED IMPLEMENTATION PLAN

In January, 2000, Ms. Brown convened a "Nuts and Bolts" committee to transfer the Community court pre-and post-trial functions to ED court at Eastside (for released defendants) and CBIF (for detained defendants). That committee has been successful in formulating a plan to do so. The attachments to this document show the results.

The first attachment is a list of the charges eligible to be referred to ED Court. As can be seen, it is substantially the same list as was planned for Community Court.

The second attachment is a seven-page document entitled "Community Court and Early Disposition Docket Merger Plan," dated April 4, 2001. There have been earlier versions of this plan. This document shows the plans for incorporation into ED Court of the following resources from Community Court.

1. Screening/Assessment Tool
2. Screening/Assessment Staff
3. Coordination Staff
4. Drug Treatment Resources
5. Processing Procedures
6. Sentencing Options
7. Supervision/Monitoring

Also discussed are Confidentiality, Space needs, and on-going requests for additional resources.

It is worth noting that the Eastside District Courthouse has sufficient under-utilized space to accommodate most of the planned ED Court staff referred to in the

Merger Plan. Utilization of this space, however, requires reconfiguration of existing office structure, which is estimated to cost \$30,000.00 to \$50,000.00. Since the District Court does not own this building, but leases it, these modifications require negotiation with the landlord.

The next two attachments are flow charts, one for the recognized (released on recognizance) defendants handled at the Eastside District Courthouse, one for the held (incarcerated pre-trial) defendants who go to ED Court at Part 40, inside Central Booking. These charts show where in the arrest-to-court flow items such as pre-trial medical screening, mental health screening, and addiction assessment fit in.

The next attachment is a one-page summary of funding sources for the merged ED Court screening and rehabilitative resources. We are pleased to report that all of this funding is in place as of this writing, although more renovation funding (last item on the list) may be needed, depending upon negotiations with the landlord. If space were available, the social workers, administrative assistants, and substance abuse assessors could be hired immediately, as could the Public Health Nurse and the part-time public health educator. Some of the information technology equipment funded by the LLEBG via the Mayor's Office is already on order to start the needed information system.

As to the information system, the SAO has already designed the first part of the data base, tracking court processing only. The next attachment is a two-page description, entitled "ED Court tracking/Data Captured," of the data elements in the SAO design. With this list of data elements is a two-page memo from Leigh B. Middleditch, Chief of Management Information Systems for the SAO, which describes what the present ED system is designed to do. It is intended that the full ED system will spring from these efforts and add the ability to track post-trial compliance with treatment and other conditions of disposition, and hopefully track recidivism rates as a measure of impact. Further design for those elements, however, will require expertise outside the SAO's.

The next attachment is two pages entitled "Comparison of Community Court and Proposed Merger with Early Disposition Court." This document shows the differences in the two courts prior to merger and, in the third column, the results of the merger. This document is from early February, 2001, before full funding was assured for all but physical space. It is, however, the most direct of all the attachments in showing the effect of the transfer of Community Court functions to ED Court.

The last two attachments are a copy of the substance abuse assessment instrument proposed for the Court and a printout of the Medical Screening computer screen available at Central Booking. This screen has already been installed in the ABS (Automated Booking System) software and is available for use as this is written. The copy attached is a print-out from the computer screen.

III. IMPLEMENTATION TIME-LINE

The only major impediment to almost immediate implementation of the funded merger plan is space. The ED Court staff as augmented by the proposed merger will be significantly larger than present space available at the Eastside District Courthouse will house. As mentioned, there is under-utilized space available, but renovations, specifically reconfiguration of office space by the movement of walls, is needed. Since the building is leased by the District Court from a private landlord, this requires negotiation. Cost is a factor, as well as whose contractor is to be used. These negotiations have begun, but are time-consuming, as the landlord is not local and we therefore have to deal with a management company which must pass everything on and then await a reply. Assuming, however, that negotiations take two months and construction two to four months, our time line for beginning implementation is four to six months. We hope to begin in July-September, 2001. Since all other funding is available, we believe the merged Court will be fully functional by October, 2001.

IV. CONCLUSION

The attachments show a coordinated merger plan to allow ED Court to fully assume the role of the proposed Community Court of Baltimore. Although the name has changed, we believe the original goals of the Community court project will be met by ED Court.