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ASSESSING THE NEED FOR A COMMUNITY COURT IN MILWAUKEE'S
5th POLICE DISTRICT

by

Andrea K. Gouin

A Professional Project submitted to the Faculty of the Graduate School,
Marquette University,
in Partial Fulfillment of the Requirements for the
Degree of Master of Arts in Public Service

Milwaukee, Wisconsin

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ABSTRACT
ASSESSING THE NEED FOR A COMMUNITY COURT IN MILWAUKEE'S
5th POLICE DISTRICT

Andrea K. Gouin

Marquette University, 2011

The criminal justice system has become the default mechanism for addressing problems deriving from communities that are impoverished and lacking strong informal social controls. The legitimacy of the system has been called into question by its failure to resolve many issues that are more social in nature than criminal. Community courts are a promising approach for restoring lost legitimacy to the criminal justice system. This project assesses the need for a community court in Milwaukee's 5th Police District to address quality-of-life concerns that may not be adequately addressed in the traditional criminal justice system. Archival data about District 5 community demographics and criminal and municipal case filings were gathered and analyzed. Additionally, interviews and focus groups were conducted with key stakeholders in the criminal justice system and District 5 community. A community survey was also conducted to solicit feedback about community strengths, public safety concerns, and perceptions of the justice system. There was general consensus among stakeholders that the criminal justice system is currently dysfunctional. The interview, focus group, and survey results were all supportive of establishing a community court in District 5. The archival data also revealed a body of cases that would be appropriate for a community court.

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Andrea K. Gouin

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TABLE OF CONTENTS

ABSTRACT.....	2
ACKNOWLEDGEMENTS.....	3
LIST OF TABLES.....	7
LIST OF FIGURES.....	8
PROJECT DEVELOPMENT.....	9
LITERATURE REVIEW.....	11
The Criminal Justice System in the United States.....	12
The Concentration of Incarceration.....	13
Criminal Justice and Informal Social Controls.....	15
Public Confidence and the Legitimacy of the System.....	17
Community Justice.....	19
Problem-Solving Courts.....	20
Community Courts.....	22
Community Courts History.....	23
Community Court Outcomes.....	25
Community Perceptions of the Justice System.....	25
Community Quality of Life.....	27
Defendants Perceptions of Community Courts.....	28
Community Courts Costs and Funding	30
Implications for Current Research.....	32
METHODOLOGY.....	33
Archival Data.....	34

Stakeholder Interviews.....	35
Focus Groups.....	35
Community Survey.....	37
RESULTS.....	39
Archival Data Analysis.....	39
Population and Demographics.....	39
Poverty and Unemployment.....	39
Municipal and Criminal Case Filings.....	40
Stakeholder Interview Results.....	42
District 5 Strengths and Public Safety Concerns.....	43
Strengths and Weaknesses of the Justice System.....	43
Feedback on Community Court Model.....	46
Overview of Past and Current Collaborative Justice Efforts.....	48
Focus Group Results.....	51
Community Strengths.....	51
Public Safety Issues.....	51
Strengths and Weaknesses of the Justice System	53
Feedback on Community Court Model.....	54
Community Survey Results.....	56
Quality of Life and Public Safety Responses.....	56
Perceptions of the Criminal Justice System.....	60
Feedback on Community Court Model.....	63
DISCUSSION.....	63

Research Limitations and Recommendations for Future Research.....	65
CONCLUSION.....	66
BIBLIOGRAPHY.....	68
APPENDIX A: MILWAUKEE POLICE DEPARTMENT DISTRICT 5 MAP.....	73
APPENDIX B: INTERVIEW CONSENT FORM	74
APPENDIX C: STAKEHOLDER INTERVIEW AND FOCUS GROUP QUESTIONS	76
APPENDIX D: FOCUS GROUP CONSENT FORM.....	77
APPENDIX E: COMMUNITY SURVEY	80

LIST OF TABLES

TABLE 1: City of Milwaukee Municipal Court Case Filings.....41

TABLE 2: Daytime and Nighttime Levels of Safety.....60

LIST OF FIGURES

FIGURE 1: Percent of Survey Respondents Characterizing Criminal Justice Agencies as Positive.....	26
FIGURE 2: Red Hook Quality of Life Rating.....	28
FIGURE 3: Level of Satisfaction with Neighborhood in District 5.....	57
FIGURE 4: Quality of Life Rating in District 5.....	57
FIGURE 5: Quality of Life and Public Safety Concerns in District 5.....	59
FIGURE 6: Perceived Relationship Between the Police and Community.....	61
FIGURE 7: Perceived Effectiveness of Court System.....	62

Project Development

Few people working in or on the periphery of Milwaukee's criminal justice system would deny that the system is broken. In a recent speech at Marquette University Law School, Milwaukee County District Attorney John Chisholm highlighted the failures of and lack of sustainability with current criminal justice system practices in Wisconsin, going on to identify some promising efforts in Milwaukee to "change the way we do the business of justice" (Chisholm, 2011, par. 6). Too many state and local resources are spent on the incarceration and community supervision of individuals from a small geographic area of the City, without satisfactory improvements in public safety or quality of life. DA Chisholm discussed the fact that over \$200 million are allocated to address public safety in Milwaukee annually, and most of those resources are used in just two of the fifteen Aldermanic Districts. These districts are part of the same geographic area that sends approximately 3,000 "primarily young men" to prison every year and also has the "highest historical density of violent crime, poverty, distressed and failing public schools, and related social dysfunction" in the city (Chisholm, 2011, par. 14). Also of concern to the District Attorney was the increase in corrections costs despite local reductions in crime and prosecutions. The reason for this, he explained, was the "number of people re-admitted or sent to prison because they did not comply with the conditions of community supervision" (Chisholm, 2011, par. 15).

Key leaders in the criminal justice system are in agreement with DA Chisholm and are working collaboratively through the Milwaukee County Community Justice

Council¹ to effect changes throughout the system. The Community Justice Council's Executive Committee is comprised of high-ranking public officials and criminal justice system stakeholders including the Milwaukee County Chief Judge, District Attorney, and Sheriff, the City of Milwaukee Chief of Police and Mayor, and the First Assistant Public Defender. The Community Justice Council was selected as one of seven recipients throughout the country for the Evidence-Based Decision Making in Local Criminal Justice Systems initiative of the National Institute of Corrections. This initiative required a comprehensive mapping of the criminal justice process and an identification of the major decision points in the system in which to implement the "latest social science data on what works to reduce recidivism and increase public safety and confidence in the system" (Chisholm, 2011, par. 21).

As the local criminal justice system prepares for change, the time is ripe to examine the need for and interest in the community court model. This project explores the community court model as a way to respond to concentrated areas of correctional control, the lack of informal social controls in those areas, and the lack of public trust in the criminal justice system despite heavy reliance on the system to resolve community problems. Focusing on the 5th Police District, which contains most of the Aldermanic District areas to which DA Chisholm's speech referred, this project investigates the need and support for establishing a community court to address low-level and quality-of-life crimes and how such a court would be compatible with larger systemic and community initiatives.

¹ The mission of the Community Justice Council is to work collaboratively to ensure a fair, efficient, and effective justice system that enhances public safety and the quality of life in Milwaukee County. More information about the Council and their initiatives can be found on the website: <http://milwaukee.gov/cjc>. Accessed February 10, 2011.

Literature Review

What is the purpose of the criminal justice system? This simple question can deliver complex and varied responses. Most would agree that the criminal justice system is designed to preserve public safety through the deterrence of criminal activity and the incapacitation and rehabilitation of criminal offenders. Over the years, the demands on the system have increased such that many expect the system to deliver justice to victims, respond to community problems, and provide information for the families and children of defendants and convicted offenders, among other activities. In practice, the criminal justice system provides employment to many thousands of Americans in the fields of law enforcement, court administration, prosecution and defense, community corrections, and jail and prison administration. The diverse stakeholders have different expectations of how the system should function and what types of services the system should provide. The result has been the expansion of the criminal justice system's focus, so much so that it has become the safety net for many problems that it was not intended to solve.

Because of the need to balance such diversified interests, the criminal justice system is often described as a fragmented group of "non-systems" acting as checks and balances against one another instead of a coordinated system (Inciardi, 2010; Smith, 2003). While it can be argued that the traditional criminal justice process, an "adversarial contest between two advocates moderated by an impartial third party," is effective in addressing serious crimes such as homicide, robbery, and rape, this system fails to adequately address the less severe, yet disruptive, offenses affecting communities, such as prostitution, drug use, and disorderly conduct (Berman & Feinblatt, 2005, p. 4). As the criminal justice system has become the default mechanism for solving the social

problems of neighborhoods, the adversarial process and its outcomes have frustrated stakeholders and failed to provide them with sustainable solutions to problems or build their trust in the capacity of the system to deliver justice. Problem-solving courts have developed in response to rising dissatisfaction with the traditional criminal justice system's processing of offenders without adequately addressing significant social and health needs (and criminal activity) that may be symptomatic of broader social issues.

This literature review will explore the current state of the traditional criminal justice system and some of the community-level concerns that have developed. Next it will briefly discuss how the reliance on the criminal justice system to address social problems gave rise to the community justice movement and the development of problem-solving courts. Finally, an analysis of one type of community courts, one type of problem-solving court, will demonstrate how this model effectively responds to social problems, suggests solutions for high rates of incarceration and recidivism, empowers community members to resolve problems locally, and restores legitimacy and credibility to the criminal justice system.

The Criminal Justice System in the United States

With 1 in 100 adults in prison or jail, the United States has the highest incarceration rate among Western countries (Pew, 2009). Taking into account the five million Americans on probation or parole, 1 in 31 adults was under some form of correctional control in 2007 (Pew, 2009). In 1982, the number of adults under correctional control was just over two million – one third of the seven million adults under correctional control today (Pew, 2009). Academics, politicians, and criminal justice experts have discussed at length the multiple factors contributing to the threefold

increase in the correctional population during this 25-year period. Among these factors are “tough on crime” strategies such as the War on Drugs in the 1980s, intensified policing of quality-of-life crimes, determinate sentencing laws, and three-strikes laws, as well as high rates of recidivism and a rise in probation and parole revocations (Berman & Feinblatt, 2005; Clear, 2007; Daloz, 2009; Dorf & Fagan, 2003; Inciardi, 2010; Lanni, 2005; Mauer, 2006; Meares, 2000; Nordberg, 2002; Pew, 2009; Reiman, 2004; Wacquant, 2010). Regardless of the policy or combination of policies behind the rising correctional population, the reality is that racial and ethnic minorities tend to be disproportionately affected by criminal justice system policies, as do people experiencing substance use disorders, mental illness, poverty, homelessness, and unemployment (Berman & Feinblatt, 2005; Clear & Karp, 1999; Loury, 2010; Sampson & Loeffler, 2010; Wacquant, 2010; Western & Pettit, 2010). These populations tend to be overrepresented in the system because of the racial and socioeconomic segregation commonly experienced in urban American cities – areas with significant levels of social disorganization (Clear, 2007; Loury, 2010; Rose & Clear, 2003; Sampson, Morenoff, & Gannon-Rowley, 2002; Paternoster & Bachman, 2001; Wacquant, 2010).

The concentration of incarceration. While incarceration rates have steadily increased since the 1970s, changes in crime rates were far less uniform until a steady decline began in the 1990s (Clear, 2007, p.16). The lack of a consistent, direct correlation between crime rates and incarceration rates challenges the argument for causality (Sampson & Loeffler, 2010, p. 22). While some crime reduction can be attributed to incarceration, there is little consensus on the degree of its impact (Pew, 2009; Pew, 2010). Furthermore, there is some evidence to support the notion of a tipping

point at which the crime-controlling effects of incarceration diminish at an accelerating rate (Liedka, Piehl, & Useem, 2006). This tipping point is evident when high levels of incarceration are concentrated in impoverished communities; the frequent movement of community members in and out of incarceration exacerbates the existing social problems in these communities (Cadora, Swartz, & Gordon, 2003; Clear, 2003; Clear 2007; Sampson & Loeffler, 2010).

Many scholars have raised concerns about an over reliance on incarceration to address criminal behavior, which is a recurrent theme in the literature, as is the disproportionate occurrence of incarceration in impoverished communities (Clear, 2002; Clear, 2007; Fagan & Meares, 2008; Loury, 2010; Mauer, 2006; Sampson & Loeffler, 2010; Wacquant, 2010). Wacquant (2010) argues that this trend to over incarcerate is best described as the “hyperincarceration of one particular category, *lower-class African American men trapped in the crumbling ghetto*” (p. 78). There is considerable concurrence on this matter. Criminal justice policies and incarceration disproportionately impact impoverished minority communities (Clear, 2007; Fagan & Meares, 2008; Loury, 2010; Mauer, 2006; Travis, 2002; Reiman, 2004; Sampson & Loeffler, 2010; Western & Pettit, 2010).

A 2009 report from the Pew Center on the States revealed that one in eleven African American adults in the United States was under some form of correctional control (i.e., prison, jail, probation, or parole), compared to one in 45 Caucasian adults. This study also illustrated the geographic concentration of incarceration, citing that 1 in 16 adults within a six-block area in Detroit, Michigan, was under correctional control, compared to 1 in 25 adults citywide (Pew, 2009, pp. 9-10). The concentrated correctional

population in the six-block area represents an annual corrections cost of nearly three million dollars (Pew, 2009). Concentrated correctional populations such as this are not unique to Detroit and do not develop randomly. Rather, Samspon, and Loeffler (2010) suggest that concentrated incarceration can be “systematically predicted by key social characteristics [such as] poverty, unemployment, family disruption, and racial isolation” (p. 21).

Criminal justice and informal social controls. Informal social controls that reinforce the formal controls of the criminal justice system tend to be absent in communities with high levels of incarceration and other signs of social disorganization. Informal community controls include friendships among neighbors and participation in churches and block clubs, which enhance the ability of residents to “resolve their own problems and secure their own needs” (Paternoster & Bachman, 2001, p. 117). Meares (2000) describes neighborhood social controls as the “informal mechanisms rather than formal regulation imposed by police and courts” that are used to achieve public order and enforce community norms (p. 395). When informal social controls in a community are weakened, a greater dependence upon formal social controls (e.g., police, courts, prosecutors, and correctional facilities) emerges (Fagan & Meares, 2008).

In theory, formal social controls are reinforced by the informal social controls in a community, which derive from the internalization of social norms (i.e., the values and beliefs of a particular community) (Fagan & Meares, 2008; Meares, 2000). If social norms do not exist, or are in contention with the beliefs and values of formal social controls, formal mechanisms such as the police and courts will not be as effective in deterring or punishing undesired behavior (Fagan & Meares, 2008). This is problematic

since most crime control policies are derived from deterrence theory, which fails to account for the dynamics of the community and the community's norms. Deterrence theory suggests that the threat of punishment, principally incarceration, deters criminal activity (general deterrence) and the experience of punishment diminishes the likelihood of future criminal activity (specific deterrence) (Paternoster & Bachman, 2001, pp. 14-15). Deterrence theories tend to focus on individual behaviors, to the exclusion of the overall disorganization of a community experiencing high incarceration rates, which actually leads to higher levels of unemployment, poverty, and family disruption (Clear, 2007; Fagan & Meares, 2008; Meares, 2000).

The absence of informal social controls in certain communities has forced the criminal justice system to become "more punitive . . . for an ever wider range of misbehaviors," many of which are minor offenses connected to serious social problems, instead of focusing primarily on violent criminal offenders who present a serious risk to public safety (Clear, 2007, p. 3; see also Berman & Feinblatt, 2005; Fagan & Malkin, 2003). The increased enforcement of some misbehavior, such as graffiti, is partially explained by the response of law enforcement to Kelling and Wilson's broken windows theory, which proposed that community disorder would escalate if initial signs of disorder were left unaddressed, sending a message to community members and offenders that nuisance-type activities would not be tolerated (Daloz, 2009). The removal of nuisance-creating individuals may be a desirable outcome, but the policies of increased enforcement have led to the unintended consequence of disadvantaged community members becoming repeat offenders in the absence of adequate social services or employment upon release (Daloz, 2009).

While it is important to address community-level problems that fall short of serious criminal activity, the criminal justice system has not proven to be a viable or sustainable solution to such problems (Clear, 2007; Daloz, 2009; Fagan & Malkin, 2003). The increased involvement of formal social control mechanisms has only provided short-term responses (i.e., incarceration) to deeply rooted social problems that correspond with diminished informal social controls in communities (Fagan & Malkin, 2003; Wacquant, 2010). The lack of informal social controls and reliance on formal legal controls creates “recurring cycles of discontrol” and erodes public trust in the criminal justice system (Fagan & Meares, 2008, p. 173; see also Berman & Feinblatt, 2005). As a result, general deterrence is not achieved because there is little respect for the law in communities that are disproportionately impacted by formal social control mechanisms, specifically low-income African American communities (Fagan & Meares, 2008).

Public confidence and the legitimacy of the system. Tyler (2003) describes the purpose of law as the “regulation of people’s conduct,” the success of which is measured by whether behavior changes following an individual’s contact with legal authorities (p. 288). In a system designed to incapacitate and deter offenders who present a risk to society, the police and courts are not equipped with the tools to address the social, economic, and health-related problems that underlie criminal behavior. Failing to adequately address the individual and social problems contributing to some criminal behavior, the justice system tends to return people to their prior behavior, forcing police to make additional arrests and courts to make subsequent orders attempting to change undesired behavior (Tyler, 2003, p. 290). This process of “revolving-door justice” damages public faith in the criminal justice system and escalates the public demand for

longer, harsher sentences (Berman & Feinblatt, 2005, p. 3; Berman & Fox, 2001; Lanni, 2005; Tyler, 2003). In addition to the negative feedback loop this creates between the justice system, policy makers and the general public, the criminal justice system loses legitimacy in the communities where it is most involved.

Fagan and Meares (2008) provide a detailed discussion on the loss of respect for the legitimacy of the criminal justice system, specifically among low-income African American communities, which they refer to as the “paradox of punishment” (p. 173). They argue that high rates of punishment in such communities produces “stigma erosion” – meaning there is little stigma associated with being arrested, convicted, and incarcerated – thereby calling into question the legitimacy of punishment’s fairness and proportionality and diminishing the deterrent effect of the criminal justice system (Fagan & Meares, 2008, p. 173). Legitimacy, “a feeling of obligation to obey the law and to defer to the decisions made by legal authorities,” is critical to gaining the cooperation of community members in addressing crime and improving the compliance of would-be offenders (Tyler, 2003; Tyler & Fagan, 2008, p. 235). As previously discussed, the deterrent effect of the law is diminished if a community’s social norms do not coincide with the law; this is also true if the laws are not perceived as legitimate.

Meares (2000) discussed the use of legitimacy as a means for producing compliance compared to the more resource dependent “instrumental means” of producing compliance (e.g., surveillance cameras, drug testing devices, and additional police officers) (p. 401). Improving the legitimacy of the criminal justice system can occur without additional resources by making adjustments to practices or procedures (Meares, 2000, p. 401). Meares (2000), Tyler (2003), and Tyler and Fagan (2008), connected

legitimacy to the concept of procedural justice in the criminal justice system. Procedural justice refers to how people perceive “the fairness of the processes by which legal authorities make decisions and treat members of the public” (Tyler, 2003). When the criminal justice process is considered fair, community members are more willing to comply with law enforcement to address local crime, defendants are more likely to accept and comply with sentences, and the public is more likely to have confidence in the system (Meares, 2000; Tyler, 2003; Tyler & Fagan, 2008).

As discussed, the perceived legitimacy of the law at the neighborhood level is critical to the ability of the law to deter criminal behavior. So how can the legitimacy of the system be restored in communities experiencing high levels of incarceration and diminished informal social controls? By giving community members a voice in, and ownership of, the criminal justice system.

Community Justice

Some new, innovative approaches to delivering justice have evolved through the community justice movement, which developed out of frustration with a “broken system” that appeared to be ignoring its biggest stakeholders – “citizens and neighborhoods that suffer the everyday consequences of high crime levels” (Fagan & Malkin, 2003, p. 897). Community justice initiatives attempt to restore the informal social control mechanisms that have been replaced by formal social controls through a range of criminal justice system activities like community-oriented policing programs and community prosecution, and neighborhood stability efforts like strengthening social networks, improving schools, and getting local businesses more involved in the community (Clear,

2007, p. 196). While community justice initiatives vary from one to another, Clear and Karp (1999) explain how such initiatives can be characterized by four key elements:

First, attention is given to the coordination of activities at the neighborhood level. . . . Second, explicit attention is given to both short- and long-term *problem solving*. . . . Third, community justice practices require *decentralization of authority and accountability*. . . . Fourth, *citizen participation* is central. (pp. 25-26)

Running parallel to the community justice movement, which extends beyond the activities of the criminal justice system, is the concept of “problem-solving justice” which has been used to describe innovations in policing, prosecution, adjudication, and probation (Wolf, 2007). Specifically, problem-solving courts have been created to ensure that the justice process addresses underlying social problems while also ensuring that the punishment fits the crime.

Problem-solving courts. Problem-solving courts take on many forms, addressing specialized issues and populations. Examples include courts addressing drug use, domestic violence, drunk driving, reentry, mental illness, and veterans (Berman & Feinblatt, 2005). Community courts are another type of problem-solving court and are typically neighborhood-based as opposed to a special calendar or docket at a downtown courthouse. Amidst the diverse array of issues they seek to address, these specialty courts all share the belief that courts should “make a difference in the lives of victims, the lives of defendants, and the lives of neighborhoods,” not just process cases (Berman & Feinblatt, 2005, p. 32).

Community courts are distinct from the other forms of problem-solving courts in that they address a broad spectrum of neighborhood problems rather than targeting specific problems (e.g., drugs, domestic violence) or populations (e.g., veterans, people with mental illness) (Malkin, 2003). Fagan and Malkin (2003) describe the uniqueness of community courts:

These institutions bring citizens and defendants closer in a jurisprudential process that is both therapeutic and accountable. . . . link service providers to the court and, in turn, to families in a way that is responsive to their perceived needs. . . . [and] bring the courts and their service adjuncts into a community with limited access to both public and private services. (p. 898)

Berman and Feinblatt (2005) further describe community courts as:

Neighborhood-focused courtrooms that attempt to tackle the problems of specific, crime-riddled communities, bringing criminal justice officials and local residents together to improve public safety. Most community courts focus on low-level criminal cases – so-called “quality-of-life” crimes like drug possession, prostitution, and vandalism. Offenders are typically sentenced to a combination of punishment and help, including community service to pay back the neighborhood and social services geared toward preventing them from having to return to court again. At the same time, community courts reach out aggressively to local residents, community groups, and businesses, asking them to play a number of roles, including sitting on advisory boards identifying community-service projects, and meeting face-to-face with offenders to explain the impact of chronic low-level offending. (p. 7)

Community Courts

Community courts, like traditional courts, aim to uphold public safety while protecting the rights of defendants; however, community courts go beyond the traditional functions of the court by engaging the community and seeking more meaningful solutions to neighborhood problems (Berman & Feinblatt, 2005; Frazer, 2008; Malkin, 2003).

Community courts provide an array of on-site services such as drug treatment programs, mental health counseling, GED courses, job preparation courses, case management, and programs for youth, all of which are available to the community at large, not just court defendants (Berman & Feinblatt, 2005). Because community courts rely on sentences that incorporate community service and links meaningful social services to properly assessed needs and risks of defendants, jail sentences are only used when necessary to protect public safety or address severe noncompliance (Berman & Feinblatt, 2005; Henry & Kralstein, 2011). The location of the services on-site allows defendants to immediately meet with case managers or service providers to schedule appointments, begin treatment programs or counseling, or make community service arrangements. This one-stop shop model provides organization and access to much needed services in the midst of socially disorganized and impoverished communities.

Because community courts are a response to particular issues in unique communities, the services and programs offered through the court and the cases handled can vary greatly between courts (Karafin, 2008; Kralstein, 2005). Karafin (2008) conducted a study of community courts throughout the world and found that 64% (16 of the 25 survey respondents) handled only violations (i.e., city ordinance violations or infractions), misdemeanors, or some combination of the two case types. Other cases

handled at one or more of the community courts included housing, juvenile, reentry, and some felonies (Karafin, 2008).

Community courts history. The first community court opened in Midtown Manhattan in 1993 and was designed to “test whether a community-based court could make case processing swifter, make justice visible to the community, encourage the enforcement of low-level offenses, marshal local resources and help restore neighborhoods that are victimized by crime” (Sviridoff, Rottman, Ostrom, & Curtis, 1997, p. 2). The impetus for this innovation was a growing belief that the “traditional court response to low-level offenses was neither constructive nor meaningful to victims, defendants or the community” (Sviridoff, Rottman, Weidner, 2005, p. 1). New York City had a network of neighborhood courts but they were consolidated in 1962 into centralized courthouses serving each of the city’s five boroughs in order to increase efficiency and address local corruption and mismanagement concerns (Feinblatt, Berman, & Sviridoff, 1998). As felony cases increased and consumed more of the centralized courts’ resources, lower-level crimes did not receive adequate attention as judges tried to quickly dispose of them by sentencing defendants to pay fines or perform community service with little oversight to ensure compliance (Feinblatt et al., 1998). In addition to improving the court’s response to low-level offenses and strengthening defendant accountability, the Midtown Community Court sought to reduce the likelihood of offenders receiving no sentence, and therefore no intervention, because the time served in jail during the processing of their case was equal to, or more than, what the judge would have ordered (Berman & Feinblatt, 2005).

Portland, Oregon celebrated the opening of a community court in 1998, four years after long-time District Attorney Michael Schrunk visited the Midtown Community Court and recognized the model as a “logical progression from a community prosecution program he had started in 1990” (Berman & Feinblatt, 2005, p. 71). The prosecutors he had assigned to neighborhoods for the purpose of addressing quality-of-life crimes, which residents expressed as much concern for as they did violent crimes, reported a sense of dissatisfaction as petty crimes took a long time to be processed in the criminal justice system and often lacked a meaningful resolution from the community’s perspective (Berman & Feinblatt, 2005, p. 72). Schrunk advocated for the community court concept as a way to change the system’s response to neighborhood problems, and he was able to gain the support of other criminal justice system leaders as well as community stakeholders (Berman & Feinblatt, 2005).

While frustrations with the criminal justice system process sparked the community court planning process in several communities, others, such as Red Hook, saw the model as a way to take back the community after a tragic event. The impetus for establishing a community court in this Brooklyn neighborhood came from the devastating death of a well-respected elementary school principal who was hit by a stray bullet in a shoot-out between rival drug dealers (Berman & Feinblatt, 2005, p. 78). The District Attorney and Chief Judge publicly supported and called for the establishment of a community court in Red Hook to address neighborhood crime and disorder (Berman & Feinblatt, 2005). The Red Hook Community Justice Center was a result of six years of community needs assessments and planning that included focus groups, surveys, and

town hall meetings before finally opening in 2000 (Fagan & Malkin, 2003; Berman & Feinblatt, 2005).

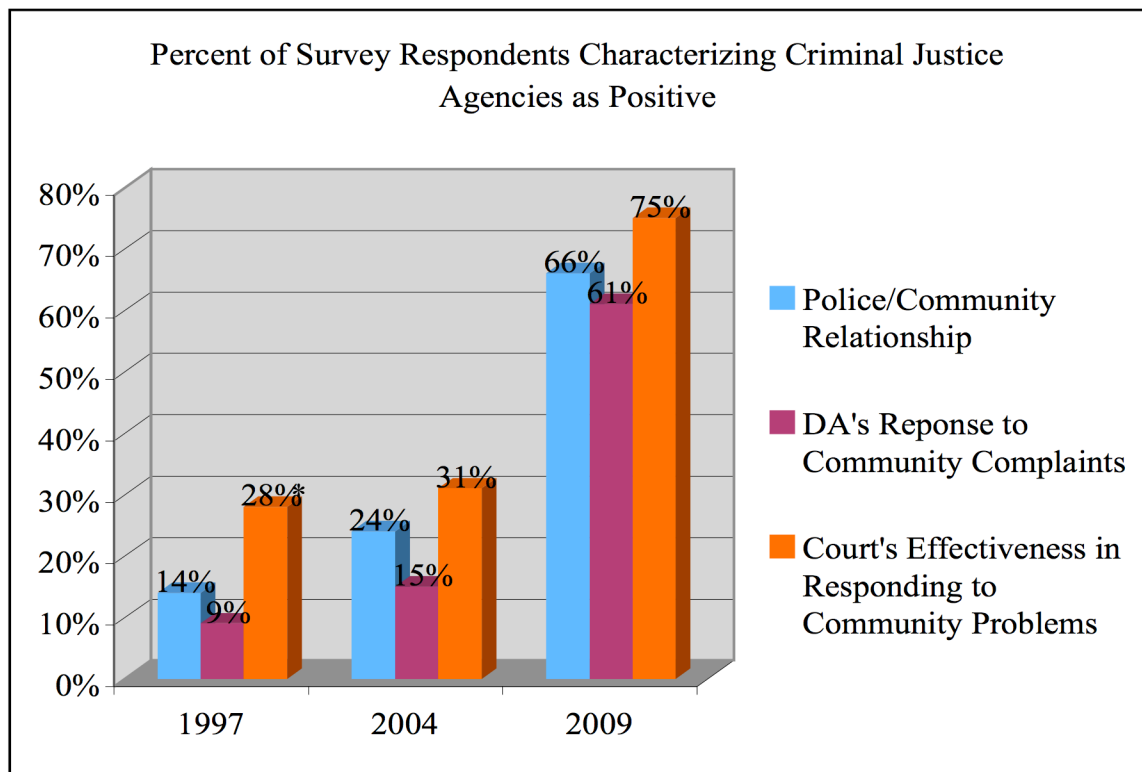
Community court outcomes. Due to the lack of conformity among community court models, the outcomes cannot be broadly generalized. However, evaluations of individual community courts throughout the United States have supported the premise that community courts can improve the public's confidence in the criminal justice system, enhance the quality of life in communities, and foster better perceptions of the system's fairness among defendants.

Community perceptions of the justice system. A comprehensive study of community members' opinions on neighborhood quality of life, public safety, and satisfaction with criminal justice agencies has taken place in the Red Hook Community Justice Center service area. Community surveys were conducted annually from 1997 to 2004, and less frequently since then with the latest report containing 2009 survey responses from 605 individuals living and/or working Red Hook (Swaner, 2010).

Swaner (2010) compared 1997, 2004, and 2009 survey responses of community stakeholders in the Red Hook Community Justice Center service area and found that 66% of respondents characterized the relationship between the police and the community within the past year as positive, compared to 24% in 2004 and 14% in 1997. Respondents also reported greater satisfaction with the police and District Attorney's Office's responses to complaints and issues raised by the community. In 1997, 38% of respondents indicated they were unsatisfied with the police's response to community issues; by 2009 that dropped to 16%. Similarly, only nine percent of survey respondents characterized the response from the District Attorney's Office as positive in 1997, by

2009 that rating increased to 61%. When asked to characterize the effectiveness of the community court in responding to community problems, 75% of the 2009 survey respondents indicated that the court's response was positive, compared with 31% in 2004 and 28% in 1999. Figure 1 illustrates these dramatic improvements in community members' perceptions of the police, District Attorney's Office, and the community court in Red Hook.

Figure 1



Note. Data is from the 1999 survey because the question about court effectiveness was not asked on the 1997 or 1998 surveys.

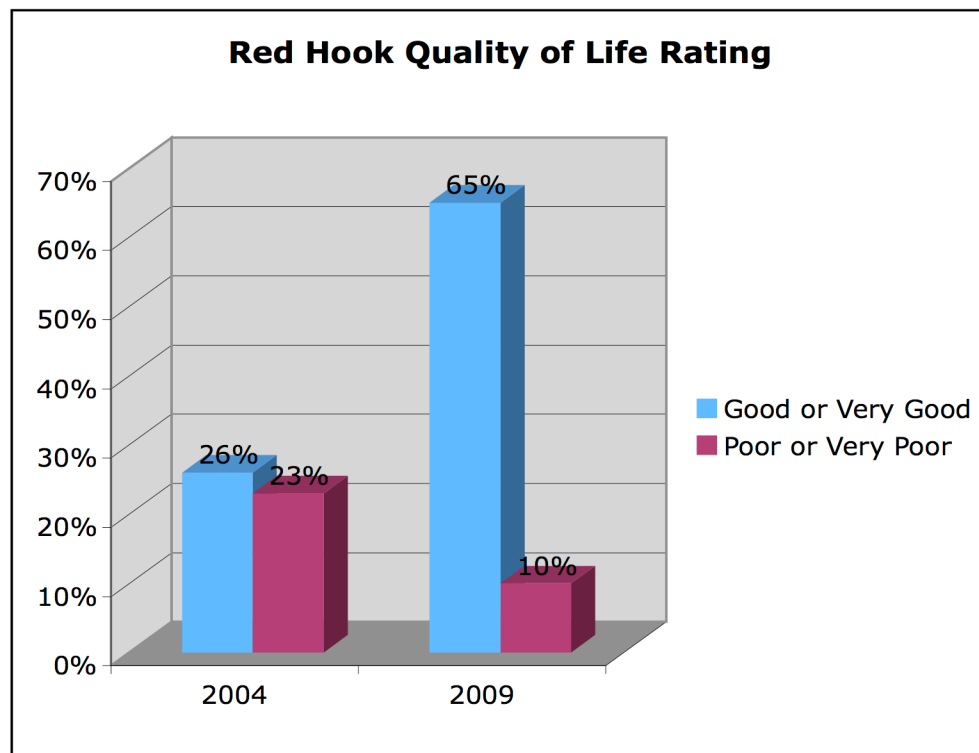
Furthermore, community members' awareness and approval of the community justice center has improved over the years of its existence. Ninety-three percent of survey respondents in 2009 indicated that they had heard about the Red Hook Community Justice Center (up from 55% in 1997), and nearly all of those respondents

expressed positive feelings about having the court in their community (up from 57% in 2002) (Swaner, 2010).

A variety of court activities help foster the positive relationship between the Red Hook Community Justice Center and community members. For example, the Red Hook Community Advisory Board (which consists of residents, community leaders, school principals, and members of the court system and law enforcement) meets regularly to get updates on the court's progress, solicit community feedback, and discuss community problems and community service project ideas (Fagan & Malkin, 2003). Additionally, the community service projects performed by court defendants serve as a visible reminder of the community court's presence in the neighborhood and contribution to improving the quality of life (Berman & Feinblatt, 2005).

Community quality of life. Red Hook residents reported improvements in quality of life and the sense of public safety in their community since the establishment of the Community Justice Center. In 2004 only 26% of respondents reported the quality of life in Red Hook as being good or very good, and 23% said the quality of life was poor or very poor (Swaner, 2010). By 2009 this percentage of respondents who indicated the quality of life was good or very good more than doubled to 65%, and only 10% of respondents said the quality of life was poor or very poor, as illustrated in Figure 2 (Swaner, 2010). This improved satisfaction with the community can help restore overall neighborhood attachment, thereby improving the informal social controls in a neighborhood (Burchfield, 2009). With the variety of services and activities available at the Red Hook Community Justice Center neighborhood residents are more involved in the community and express a desire to help make it a safer place.

Figure 2



Defendant perceptions of community courts. Frazer (2008) compared perceptions of fairness among defendants in Red Hook’s community court and defendants in a traditional court. Community court defendants were significantly more likely to perceive their experience as fair than their counterparts at the traditional court (Frazer, 2008). Defendants’ overall perception of fairness was largely influenced by how they felt the judge treated them. Ninety-three percent of Red Hook defendants agreed or strongly agreed that the judge treated them fairly, compared to 85% of the defendants surveyed at the traditional court (Frazer, 2008). Another influential factor on defendants’ perceptions of fairness was courtroom communication, meaning, “court actors clearly explained the proceedings, answered questions, and listened to what the defendants had to say” (Frazer, 2008, p. 14).

Even when controlling for the perceived fairness of the process and treatment by individual court actors (judge, attorneys, and court officers), the defendants at Red Hook still revealed a higher perception of fairness. Frazer (2008) explains that this difference could be related to the other factors that distinguish Red Hook from the traditional court, such as “the collaborative culture, friendly architectural design and efforts to provide services” (p. 24).

While background factors such as race, speaking English at home, and having a high school degree had an affect on defendants’ perceptions of fairness at the traditional court, these factors had no effect on perceptions of fairness at the Red Hook Community Justice Center (Frazer, 2008, p. 22). This difference between the effect of individual backgrounds on perceptions of fairness among the two courts suggests that community courts may have a neutralizing affect on the disparate perceptions of fairness that have developed among populations who are disproportionately affected by the criminal justice system (Frazer, 2008, p. 27). As discussed earlier, the legitimacy of the criminal justice system has been diminished among impoverished minority communities experiencing high rates of crime and incarceration (Fagan & Meares, 2008). While Frazer (2008) only briefly discusses this point, it highlights the potential of community courts to address this concern and identifies an important area for future research.

Improved perceptions of fairness also have an impact on defendants’ willingness to accept and comply with case outcomes, even unfavorable outcomes resulting in social service or community service sentences, consistent with the literature on procedural justice and legitimacy (Meares, 2000; Tyler, 2003; Tyler & Fagan, 2008). Over the initial three-year period at the Midtown Community Court, 73% of offenders completed

their community service sentences, compared to 56% of offenders at the downtown court (Sviridoff et al., 2005, p. 4). Similarly, the Portland Community Court reported that 60% of offenders complete their community service sentences while the downtown court experiences a 40% completion rate (Berman & Feinblatt, 2005, p. 83).

Community court costs and funding. Community courts are much more resource intensive than a traditional court due to the focus on providing access to additional services aimed at meeting the needs of offenders and other community members (Berman & Feinblatt, 2005, p. 64). However, because these services provide a “more efficient and more effective way to deal with most misdemeanors and violations” a community court can “free up judges, court staff, courtrooms, jails, prosecutors, defense lawyers, and other resources that are needed for other types of cases” (Watler, 2003, p.2). Additionally, more adequate coordination of social services and treatment programs “could cut out redundancy and could lead to more streamlined and efficient provision of services to those in need” (Daloz, 2009, p. 17). Because community court services are available to all community members, whether or not they have a court case, they can become preventative in nature and help reduce the cost borne by city and county governments due to overreliance on emergency services for people with substance use disorders or mental illnesses (Daloz, 2009).

In late 2002, the Center for Court Innovation conducted a survey of community courts throughout the United States, those in operation and those in planning, to collect information about how community courts are funded. Of the fifteen survey respondents, seven reported receiving funding from federal sources, six received financial support from their state, three received financial support from their county, five received funding

from their municipality, and five reported funding from private sources (Watler, 2003). The average annual community court budget was \$1,031,200, with a range of \$84,000 to \$2.9 million (Watler, 2003). Federal funding from the U.S. Department of Justice, Bureau of Justice Assistance was received by several of the courts, and all courts received in-kind contributions of staff or direct funding from state court budgets (Watler, 2003).

The Red Hook Community Justice Center (RHCJC) in Brooklyn, New York receives operating funds from the New York City Economic Development Corporation (\$400,000), the New York State Unified Court System (\$700,000), the National Institute of Justice/Columbia University (\$44,000), and private foundations (\$400,000).² With a total operating budget of approximately \$1.5 million³ RHCJC serves a three police precinct area with about 200,000 residents and handles roughly 3,000 misdemeanor criminal cases (most frequent charges are drug possession, traffic violations, trespassing, public drinking, and minor assault), 11,000 summonses (city ordinance violations), 500 housing court cases, and 175 juvenile delinquency cases annually (Center for Court Innovation, n.d.).

The funding survey revealed that some respondents were trying to get formerly grant funded community court operations into their local county/court budgets (Watler, 2003). The Midtown Manhattan Community Court successfully achieved this funding transition. During the first three years of operation Midtown was primarily supported by

² Red Hook Community Justice Center Operating Budget, provided by the Center for Court Innovation.

³ \$1.17 million of the operating budget covers the personnel costs for 21.25 full time employees. The operating budget does not include costs of the judge or other court personnel covered by the New York State Office of Court Administration, which are considered in-kind contributions.

private funding, however the positive results of the Court were enough to convince the local government to assume the costs (Berman & Feinblatt, 2005, p. 64).

Implications for Current Research

Community courts are not the panacea for a broken criminal justice system or neighborhood crime and disorder. However they have successfully demonstrated the ability to improve the quality of life in urban neighborhoods plagued with a high concentration of social problems, crime, and incarceration, in addition to restoring legitimacy to the system. Reversing the reliance on the criminal justice system to resolve community problems will take time, but implementing the principles of community justice through community courts is a promising approach. The following research examines the need and support for establishing a community court in Milwaukee's 5th Police District.

Methodology

The research for this project was conducted between December 2010 and March 2011. Research activities consisted of compiling archival crime and demographic data for Milwaukee's 5th Police District and conducting semi-structured individual stakeholder interviews, targeted constituent focus groups, and a community survey. This was a mixed methods study that used a quantitative secondary analysis of archival crime and community data in addition to a qualitative study that used purposeful nonprobability and convenience sampling, in addition to some snowball sampling.

Throughout this project, the Milwaukee Police Department's 5th District will be referred to as "the district" or "District 5". District 5 covers a 7.7 square mile area and has a population of 72,785 (City of Milwaukee). Beginning at Center Street and the railroad line just west of 30th Street (the southwest corner of the District), the western boarder of District 5 follows the railroad line north to Hampton Avenue, extends east to Teutonia and follows the railroad line that veers slightly southeast to Green Bay Avenue, then juts south and east wrapping around the Glendale boundaries. The District 5 line then extends north to include the Estabrook Park region and the eastern boarder follows the Milwaukee River south to Pleasant Street, west to 6th street and south to Winnebago Street then follows Interstate 43 back up to Center Street (see Appendix A).

There are a multitude of governmentally established lines and boundaries throughout the city of Milwaukee that do not align with one another (i.e., aldermanic districts, county supervisor districts, ZIP codes, neighborhood strategic planning areas) and do not align with the police district boundaries. Occasionally, the Police District boundary lines shift due to changing demographics and police data, creating challenges

with the collection of geographic specific data over time. The Milwaukee Police Department was last redistricted on July 12, 2009, and other dividing lines do not share the same current boundaries. District 5 contains all or nearly all of ZIP codes 53206 and 53212; a quarter of 53209; and small fractions of 53210, 53216, 53211, 53217, 53205. Milwaukee's 5th Police District includes the majority of the 6th Aldermanic District and parts of Aldermanic Districts 3 and 15. To the extent possible, data were collected for District 5 in its entirety. When such data were not readily available, the two largest ZIP code areas within District 5 (53206 and 53212) were used as parameters.

Archival Data

Several types of archival data were collected covering the time period of August 1, 2009, through July 31, 2010. Due to the Police District boundary changes in mid-July 2009, this selected timeframe includes the first full calendar month and following year of data for the new district boundaries. Municipal court case filings for the two primary ZIP codes in District 5 (53206 and 53212) were produced through an information request with the City of Milwaukee Municipal Court. Data on misdemeanor and felony case filings for defendants with recorded addresses in the same two ZIP codes were extracted from the Consolidated Court Automation Program (CCAP), the case management system used by the circuit courts of Wisconsin.⁴ Additional District 5 community demographics and crime data were retrieved from the City of Milwaukee's COMPASS (Community Mapping and Analysis for Safety Strategies) system (City of Milwaukee, n.d.).

⁴ Data was extracted by the Director of Information Technology at Community Advocates, Inc.

Stakeholder Interviews

Semi-structured interviews were conducted with stakeholders who were selected based on their position within Milwaukee's criminal justice system or the District 5 community. However some interviewees were identified through snowball sampling. Potential interview participants were contacted by phone to request their participation and schedule time and location for the interview. During the phone conversation, participants granted permission for a copy of the consent form to be emailed to them for review prior to the scheduled interview (see Appendix B). Interviews were conducted primarily at personal offices or conference rooms at local agencies, and one interview was conducted via telephone. A total of nine interviews were conducted and recorded, ranging in length from 30 to 90 minutes.

Depending upon the interviewee's relationship to the criminal justice system or the District 5 community, interviews were structured to capture information about past and current collaborative initiatives related to criminal justice issues or to identify specific community strengths, public safety issues, or other community concerns within District 5. Interviewees were also introduced to the community court concept and asked for their input. The questions used for the interviews were adapted from a needs assessment that was conducted in San Francisco by the Center for Court Innovation (2008), a New York-based agency that provides community court planning research and technical assistance to jurisdictions throughout the United States (see Appendix C).

Focus Groups

At least five focus groups were initially planned with targeted constituencies in District 5, including block watch captains, the community prosecution team, leaders of

the faith-based community, participants in a reentry program, and service providers. Due to scheduling conflicts and time constraints, however, only two focus groups were completed with a total of ten participants. For each focus group, participants were recruited through a main contact person for the targeted group. The contact person was provided with a copy of the consent form via email to distribute to participants prior to the date of the scheduled focus group (see Appendix D).

The District 5 Community Prosecution Unit Coordinator arranged for a focus group to be held following a team meeting at a local public library conference room. The focus group consisted of six participants, including local probation and parole agents, business improvement district and community development representatives, and a neighborhood resident. The second focus group was coordinated by the Milwaukee Police Department's Captain of the 5th District and was conducted with four of the district's police officers at the district station.

Prior to beginning the focus group discussion the researcher explained the purpose of the project and provided a brief description about community courts. Participants were asked to sign in on a roster and identify themselves using the number next to their name throughout the discussion, rather than identifying themselves by name since the focus groups were recorded. In addition to protecting the confidentiality of the participants, this process allowed the researcher to follow up with participants after the focus group if clarification or verification was needed.

The focus group questions were the same set of questions used in the stakeholder interviews and sought to further explore the strengths and weaknesses of the District 5

community, the strengths and weaknesses of the criminal justice system, and the establishment of community courts (see Appendix C).

Community Survey

Through convenience sampling and some snowball sampling, the researcher identified and attended five community-based meetings held within District 5 and secured permission from the convener of the meetings to distribute the survey. The meetings attended were a neighborhood association meeting, a church group meeting, a neighborhood public safety committee meeting, and two of the monthly District Crime and Safety meetings. The researcher provided a brief verbal explanation of the community court concept and the purpose of the research while handing out the survey to those in attendance. In some instances, meeting attendees requested additional copies of the survey or an electronic copy in order to distribute it throughout their other networks in the district. In such cases, completed surveys were mailed to the researcher's office or emailed back to the researcher. The researcher then printed and numbered surveys received via email in order to ensure that the participants' names were not associated with survey responses. A total of 42 surveys were completed and returned to the researcher. Survey data were compiled and entered into SPSS to analyze frequencies.

The survey instrument was modeled after the community survey used by the Red Hook Community Justice Center in Brooklyn, New York (Paik, 2001). The Red Hook survey was adapted for location with technical assistance from the Center for Court Innovation. The 28-question survey was designed to collect community members' perceptions on the strengths and weaknesses of the District 5 community, the level of public safety in the community, the relationship between law enforcement and the

community, the effectiveness of the court system in addressing local issues, and the need for a community-based court (see Appendix E).

Results

Archival Data Analysis

The following demographic, household, employment, and education information about District 5 was compiled from a statistics report generated from the City of Milwaukee's Community Mapping and Analysis for Safety Strategies (COMPASS) system, unless otherwise noted.⁵ The reports generated through this website rely on US Census Bureau 2000 data for the abovementioned categories. While the 2010 US Census will provide a more accurate account of the District 5 community, the data were not yet available at the time of this writing.

Population and demographics. As previously discussed, District 5 has a population of 72,857; almost 88.6% of which is composed of racial and ethnic minorities. The African American population comprises 80.9% of the district. This is a higher concentration of racial and ethnic minorities than in the city of Milwaukee generally, in which the overall minority population is 54.6%. There are 26,607 households in the district, and 25% of them are unmarried households with children, compared with 16% of households citywide.

Poverty and unemployment. The average household income for this district is \$31,668, 22.5% lower than the citywide average of \$40,875. Furthermore, 35% of District 5 residents are living below poverty, compared to 21% citywide. Five of the ten Milwaukee ZIP codes that comprise of the lowest socioeconomic status (SES) group in the City are partially or wholly contained within the District 5 boundaries, making up the

⁵ Report generated on Friday, January 14, 2011 from http://itmdapps.milwaukee.gov/publicApplication_SR/policeDistrict/policeDistrictfm.faces

majority of the district (Chen, Baumgardner, Rice, Swain, & Cisler, 2010). This lower SES group has poorer health outcomes by several measures including infant mortality, premature death, mental health, receipt of needed medical care or routine check-ups, HIV infection, and teen pregnancy (Chen et al., 2010). Homicide rates are also higher in the lower SES areas in Milwaukee, with ZIP code 53206 and 53212 respectively reporting 20% and 8.5%, or 135, of the 473 homicides citywide from 2005-2009 (Milwaukee Homicide Review Commission, 2010). In addition to poorer health, District 5 residents demonstrate a lack of educational achievement with 35% of the population aged 25 years and over not graduating from high school, compared to 25% citywide (City of Milwaukee, n.d.). Furthermore, Milwaukee's 6th and 15th Aldermanic Districts unemployment rates were 18% and 19%, respectively in 2007 (Council of State Governments Justice Center, 2009, p. 5).

Municipal and criminal case filings. Municipal court charges filed between August 2009 and July 2010 for defendants with addresses in the 53206 and 53212 ZIP codes made up 14.5% of all municipal charges filed throughout the City of Milwaukee during that time period. This is roughly proportionate to the 12.7% of the City's population residing in these two ZIP codes.⁶ Proportionality notwithstanding, 22,551 violations have considerable impact on neighborhood quality of life.

The most frequent charges in both ZIP codes were all vehicle-related – operating after suspension, non-registration of vehicle, and operating while revoked – accounting for 6,165 cases filed between the two ZIP codes. Some of the common quality-of-life

⁶ In July 2009, the estimated population for zip code 53206 was 38,074 and for 53212 was 38,823. The population estimate for the City of Milwaukee was 604,133. Retrieved from: <http://www.city-data.com/city/Milwaukee-Wisconsin.html>. Accessed February 6, 2011.

offenses traditionally handled by community courts were reflected in the top 25 frequently filed Municipal Court cases in ZIP codes 53206 and 53212, as indicated in Table 1.

Table 1

City of Milwaukee Municipal Court Case Filings

	53206	53212	Total
Disorderly Conduct	816	485	1301
Resisting/Obstructing Police Officer	326	187	513
Loitering or Prowling	335	149	484
Possession of Marijuana	216	119	335
Vandalism	154	102	256
Public Drinking	128	102	230

This small selection of charges generated 3,119 cases between August 1, 2009 and July 31, 2010 in the two primary District 5 ZIP codes.

In the Milwaukee County Circuit Court, there were a combined total 2,945 misdemeanor and felony charges associated with defendants from the 53206 and 53212 ZIP codes during the timeframe of August 1, 2009 to July 31, 2010. While these charges are not reflective of the number of individual defendants being charged due to some having multiple charges within a single case, this data does illustrate the types of charges that are problematic in these geographic areas and identifies some types of cases that may be handled at a community court. It is noteworthy that 92.2% of the charges filed involve

African American defendants. Once again, this does not assume that 92.2% of defendants from these two ZIP codes are African American because some people have multiple charges. Regardless of how this number translates to the number of defendants, African Americans are overrepresented. During the set timeframe, there were 239 low-level felony drug related charges, including possession with intent to deliver THC in the amount equal to or less than 200g, possession of cocaine (two or more offenses), possession of narcotic drug, or possession of THC (two or more offenses). There were also 46 charges of maintaining a drug trafficking house. These are all Class I felonies.

There were 291 drug-related unclassified misdemeanor charges (i.e., possession of THC or drug paraphernalia), 279 Class A misdemeanor battery charges and 254 Class B misdemeanor disorderly conduct charges. Resisting or obstructing an officer, a Class A misdemeanor, had 113 charges and there were 129 charges of Class A misdemeanor bail jumping (i.e. the defendant missed a court date). Additional examples of charges affecting the quality of life in the district included 48 charges of criminal damage to property, 21 prostitution-related charges, 114 retail theft charges, and 65 charges of theft of movable property.

Together, the municipal and criminal charges for the 53206 and 53212 ZIP codes suggest that drug-related offenses, disorderly conduct, and resisting or obstructing a police officer are frequent problems in the community that represent some of the offenses that could be addressed at a community court.

Stakeholder Interview Results

Interviews were conducted with representatives of the Office of the State Public Defender, the Community Prosecution Unit of the Milwaukee County District Attorney's

Office, the City of Milwaukee Municipal Court, neighborhood-based organizations, and nonprofit agencies serving people involved with the criminal justice system.

Interviewees were asked to comment on the strengths and public safety concerns of District 5, the strengths and weaknesses of the criminal justice system, the community court concept, and their involvement with any past or current collaborative efforts in the justice system.

District 5 strengths and public safety concerns. Stakeholders who were familiar with the District 5 community reported a positive relationship between police officers and community members. The director of a neighborhood-based organization explained that the District 5 officers attend neighborhood meetings and maintain a positive presence in the community. The goal of that particular organization is to “educate and engage area residents in making decisions in community activities that make an impact on neighborhood quality of life.” This goal is accomplished through door-to-door education and outreach throughout the neighborhood, an activity that the director credits for the decreasing homicide rate in the neighborhood. Some of the public safety concerns mentioned by stakeholders were gun violence, public drug dealing, and property crimes. Also of concern were the number of foreclosed or boarded-up properties and the prevalence of liquor stores.

Strengths and weaknesses of the justice system. The majority of interviewees said that the justice system responds well to individuals who present a danger to society. Another strength mentioned by both a community prosecutor and a public defender was the use of deferred prosecution agreements and diversions to provide an early intervention for criminal behavior that does not require the same response from the

criminal justice system as would be expected for violent or very serious offenses. The representative from the public defender's office explained that in Milwaukee County a deferred prosecution agreement is actually a deferred judgment agreement in practice; a defendant pleads guilty or no contest in exchange for having an opportunity to complete the terms of an agreement arranged between the prosecutor and the public defender, ultimately leading to a reduction in charges or the dismissal of a case. A diversion takes place before charges are even filed and provides an individual with an opportunity to avoid criminal charges upon completion of the agreement. While diversions and deferred prosecutions were recognized as strengths, there was also a belief that such practices were not used often enough and more resources were needed at the front end of the system to prevent and intervene early in criminal activity. A final strength identified by a different community prosecutor was the individual attention people receive in the criminal justice system, meaning that defendants are addressed on an individual level, as are the concerns of victims and witnesses. The community prosecutor explained, however that "public safety is more macro-level" and is not satisfactorily impacted by just addressing individual-level factors.

Several stakeholders mentioned broader public safety and social concerns that feed into the criminal justice system. Community prosecutors, a municipal court judge, a public defender, and representatives from agencies that work with the criminal justice population each independently discussed the prevalence of individuals with mental health and substance abuse issues in the criminal justice system. One stakeholder characterized the criminal justice system as a "dumping ground, particularly for the mentally ill," when other institutions fail to address the problems they were designed to address.

Furthermore, they all discussed the limited availability of treatment for individuals with mental illness and addiction in the criminal justice system. Most stakeholders acknowledged the existence of good treatment providers but explained that there were never enough treatment slots to meet the need. Additionally, there was a concern about the inconsistency in the quality of services among providers. If some providers are not delivering quality services, the failure of other social institutions (i.e., people falling through the cracks) end up in the criminal justice system or returned to the criminal justice system.

The stakeholders agreed that Milwaukee is rich with community organizations, resources, and services to help those in need, but there is a lack of coordination among these services, and the competition for funding among service providers often creates inefficiencies. Another theme that emerged from the interviews was transportation issues for impoverished individuals. With the main courthouse in downtown Milwaukee separate from the Children's Court in Wauwatosa, and with essential services widely dispersed throughout the city, public transportation is expensive and inconvenient for impoverished individuals and is a significant barrier to appearance in court and follow through with service referrals. Additional comments on the topic of service referrals included that it is "not enough to give someone a piece of paper" that tells them where to go for needed services and programs. Instead, there needs to be more "hand holding" to help individuals navigate other social institutions and access services.

One community prosecutor lamented the amount of police and court resources spent on low-level offenses that ultimately get dismissed or carry minimal sentences. While officers are investigating these low-level crimes they are precluded from

addressing more serious criminal activity or from working on more proactive approaches to controlling crime. The community prosecutors and public defender commented on the amount of criminal justice resources being used on problems that should really be handled in the community. There is not enough staff within the various system agencies (i.e., law enforcement, assistant district attorneys, public defenders) to adequately address the large number of cases and social problems coming into the system and furthermore, the people working in the criminal justice system are not usually trained to address social- and health-related issues such as mental illness, addiction, and homelessness.

Finally, most of the stakeholders mentioned the complexity of the system and the lack of communication between the municipal, criminal, and children's court systems. It is difficult for people to navigate the systems on their own and sometimes there is "confusion about what is criminal and what is not criminal." Citizens commonly see the courts as being "removed from their community" and are unclear as to where to go to address certain issues.

Feedback on community court model. Most stakeholders had concerns about the logistics of a community court in terms of security, staffing, location, and getting support from judges, prosecutors, and the community. One stakeholder questioned the purpose of the community court if all the services could be made available at the central courthouse. Overall, the stakeholders thought a community court could help address some of their frustrations with the criminal justice system if it was properly funded and designed with the help of community members. The director of a neighborhood-based organization explained that it would be most desirable to have individuals working in the criminal justice system come to the community, especially when there are so many

people in the neighborhood that have court cases or probation officers. The community court was also recognized among stakeholders as a way to help the justice system and the community learn more about one another and facilitate discussions about community problems.

Regarding the crimes that a community court could appropriately handle, the community prosecutors, public defender, and municipal court judge indicated that almost all misdemeanor offenses would be appropriate with the exception of assault and battery. Domestic violence cases were also thought to be appropriate for a community court if services were available for victims as well as batterers. Ordinance violations were also thought to be appropriate and, as a municipal court judge explained, some violations were already being resolved in the community when the judge held court at a church, library, or other public space on occasion.

The types of services that stakeholders would like to see at a community court include mental health services, alcohol and other drug abuse services, mediation, anger management classes, restorative justice programs, diversion programs, educational and GED programs, and help with recovering drivers' licenses. The need for an effective jobs program was also mentioned. One stakeholder explained that there are already "plenty of programs that help with résumé writing and job searches." What is missing is a relationship with the business community that encourages employers to take a chance on hiring people with criminal records. If a community court could help foster this relationship and provide some oversight and support for workers, this would fill a gap in services. Other agencies that stakeholders thought should be represented at a community court included the Department of Neighborhood Services, the electric company (because

spliced wires and electricity theft are problematic), Division of Community Corrections (i.e., probation and parole agents), and Justice 2000 (the pretrial services provider).

Throughout the interviews, stakeholders identified different ways a community court could work in Milwaukee. One example was of a traveling court that utilized existing public spaces (i.e., community centers, libraries, churches) and was well informed about and connected to relevant service providers. Another stakeholder identified a system of community justice centers (i.e., one in each police district or possibly each aldermanic district), equipped with a range of social services and mental health and substance abuse resources that were easy to access by community members. Under this model, court would be held at each community justice center on a rotating schedule by a judge that “rides the circuit.” A third model would be a permanent community court with all the appropriate services and resources, much like the Red Hook Community Justice Center.

Overview of past and current collaborative justice efforts. When asked to discuss past and current collaborative efforts in the criminal justice system, stakeholders most frequently mentioned the District Attorney’s Office Community Prosecution Unit (CPU), the Milwaukee County Community Justice Council, and the Evidence-Based Decision Making initiative. Three stakeholders also mentioned their involvement with past efforts to establish a community justice center.

The CPU, as explained by a community prosecutor, places an assistant district attorney in each of Milwaukee’s seven police district stations. Working with each CPU are two to four officers, the two probation and parole agents assigned to the high-risk offenders in the district, a domestic violence advocate, and the community liaison

officers. All of the CPUs are assigned a coordinator from a citywide nonprofit agency dedicated to community organizing and outreach. The goal of community prosecution is to “create sustainable neighborhoods where they don’t need that many police resources and they’re not draining Department of Corrections and court time. We want them to have their own anchors in those neighborhoods and they’re able to more or less take care of themselves.”

One interviewee discussed the Milwaukee County Community Justice Council (CJC), which was formed by County Board resolution in response to a report about serious overcrowding in the County jail. The CJC executive committee is comprised of the Milwaukee County Chief Judge, District Attorney, and Sheriff, the First Assistant State Public Defender, the City of Milwaukee Chief of Police, the Mayor of Milwaukee and the County Executive, and other local political and nonprofit leaders. The CJC has created a “new dynamic” between the criminal justice system players, as one stakeholder described it, allowing for “real discussions to take place about what we’re doing and where we’re going” in regard to criminal justice policies.

The CJC submitted a collaborative application and was selected as one of seven cities throughout the country to participate in the National Institute of Corrections Evidence-Based Decision Making initiative. One stakeholder explained that this initiative provides technical assistance to map how the criminal justice system currently operates and identify key decision points in which improvements could be made.

Finally, a few stakeholders discussed a previous attempt to start a community justice center (i.e., all the supportive services found at a community court without the judicial component) in a Milwaukee neighborhood on the south side. One stakeholder

who was involved with the planning and initial implementation of the community justice center explained that it was a response to “high levels of incarceration, high levels of recidivism, and high levels of youth incarceration” in that area of the city. The problem with high levels of incarceration, he continued, is that it “leads to chronic unemployment and exacerbates other really serious issues of suffering in the community... that are a result of violence and high levels of distrust as related to how criminal justice and how policing happens.” The community justice center was a “real physical place” to address these issues and engage the public in the process. Stakeholders also mentioned problematic police and community relations, mostly related to police brutality and a lack of public trust in the criminal justice system, as the impetus for the community justice center.

The community justice center was planned with significant community input and cooperation among community prosecutors, the police, and agencies such as the Benedict Center and Justice 2000. It started in 2005 and was only in existence for a little over a year. Some of the challenges experienced by the justice center were reported to be a lack of sustainable funding, the absence of a dedicated staff person to help coordinate the effort, and a lack of understanding that results would take time to realize. One major success of the justice center was that it “showed [the Department of Corrections], police officers, DAs, and public defenders that this was a model that would give them a different kind of access to the community and a different way to talk about community problems.” Furthermore, the public education about justice related issues that occurred through the planning process helped to “elevate the conversation around who is a criminal and break down the myths.” The community justice center demonstrated a

positive way to create partnerships between the criminal justice system, local government, and community members.

Focus Groups Results

Separate focus groups were conducted with the District 5 Community Prosecution Unit (CPU) Target Team and District 5 police officers. Common themes emerged from the discussions within both groups, so the results will be presented primarily in aggregate form by subject matter. A distinction between the groups will be made when responses differ or when they are specific to one group. It is important to note that these are self-selected individuals who work within the criminal justice system or collaborate closely with justice system actors, so responses may not be reflective of the general District 5 population.

Community strengths. When asked about the strengths of the District 5 community, focus group participants reported that the primary strength was the relationship between the district police station and the community. The Captain and officers at the district frequently collaborate with community organizations, residents, and other justice system actors such as the District Attorney's Office and probation and parole agents. Participants believed that the police officers in the district are familiar with the problems and people in the community and that they have a positive presence at community events and block club meetings.

Public safety issues. A range of public safety issues was discussed from homicides to loitering. There was a general consensus among focus group participants that homicides, shootings, and armed robberies were the most serious offenses in District 5. Some of the most persistent offenses were thought to be drug use and sales,

prostitution, domestic violence, and home invasions. A participant in the CPU Target Team focus group brought up the problem of vandalism at local businesses and the common occurrence of scrap metal theft from some companies. Criminal activity, gang involvement, truancy, and drug and alcohol use among juveniles were also reported as serious problems. Focus group participants attributed juvenile crime to the lack of supervision from parents and teachers.

Other problems cited as affecting the quality of life in District 5 were the number of vacant properties (accompanied by loiterers and trash), a general lack of concern for the neighborhood, and the failure of community members to report criminal activity and cooperate with law enforcement. Focus group participants discussed the perceived lack of confidence in the police among community members, explaining that people are less likely to report problems to the police if they have done so in the past and observed no change in the problem.

When asked about how to address some of these public safety concerns focus groups participants identified community members as integral to “tak[ing] back their communities.” One participant stated that the “community needs to start at ground one, get households back in order, and jobs and education, and once all that gets fixed, a lot of this crime will get fixed.” Another participant referred to a discussion among members of the business community where they explored the crime control options of increased surveillance cameras, extra patrols, and better security fences. Ultimately they decided that soliciting the help of residents and police to “provide a community response” would be more conducive to business than “razor wire on top of every building.”

Strengths and weaknesses of the justice system. Participants were asked to discuss some of the strengths and challenges with the criminal justice system's response to public safety and quality of life concerns in the district. The list of frustrations with the functioning of the criminal justice system exceeded the comments about what the system is doing well. One of the positive remarks was that the legal community in Milwaukee is generally open to new community-based initiatives. Also, the police officer focus group explained that the police are making good arrests on people with long "rap sheets" and making a lot of contacts with problematic people in the community; however, they see the same people and problems back out in the community within days of making an arrest.

The CPU Target Team focus group mentioned the belief among community members that police do not take misdemeanors or quality-of-life offenses seriously enough. Conversely, the police officer focus group discussed the amount of time that goes into investigating these lower level offenses and the frustrations that result from how the rest of the system handles the cases. One participant explained that the District Attorney's Office does not charge enough of the cases for any of three reasons: they may not consider the case to be serious enough, their caseloads may be too heavy, or they think there is not enough evidence to easily prove the case. This participant went on to say that when charges are made and defendants are convicted, the sentences are not harsh enough. Other comments about the system's response to crime included the system does not have a deterrent effect, people do not take the threat of potential sentences seriously, and the system lacks legitimacy.

Both focus groups had concerns about the idle time of people on probation or inmates in jail or prison. There was a general consensus that inmates should be participating in treatment, education, or job programs during their incarceration and should be kept busy while in the community. The perception among focus group participants was that such programming is not taking place in the institutions. Once offenders are released to extended supervision, probation agents are challenged to help them succeed in spite of limited resources and overwhelming caseloads.

The police officer focus group expressed concerns about the effectiveness of alternatives to incarceration, including drug treatment programs and deferred prosecution agreements. They explained that treatment or other programs are ineffective unless the individual offender wants to change; as one participant put it, “You can’t rehabilitate people who haven’t been habilitated.” The CPU Target Team focus group brought up concerns about reentry programs and the lack of support they receive. Both focus groups commented on the courts’ obligation to force people to better themselves.

Frustrations were also expressed about the uncooperative nature of crime victims and witnesses during police investigations or court proceedings. Sometimes this lack of cooperation is due of fear of retaliation, and other times it is because the criminal justice system process takes so long that it becomes inconvenient for victims or witnesses to attend court hearings.

Feedback on community court model. Participant reactions to the community court model were mostly optimistic, indicating that such a court would benefit District 5. Due to the frustrations discussed above, the police officers expressed a willingness to try “something different than what is going on now.” Some of the services focus group

participants would like to see available at the court included drug treatment, basic living skills and parenting classes, domestic violence services for perpetrators, housing search assistance, mental health counseling, mentoring programs for youth, a teen court, social workers, education, and employment assistance.

The police officer focus group suggested that most misdemeanors, disorderly conducts, drug offenses lacking evidence of drug dealing, and juvenile cases could be handled at a community court. Domestic violence cases were recommended with the hopes of providing more services for the victim that would instill a sense confidence that he or she can safely cooperate with legal authorities. In addition, offenses with potential victim restitution (e.g., vandalism) were thought to be good cases for a community court because victims may see results faster than they would at the downtown court.

The focus groups also discussed some concerns about how the broader community would perceive the community court model. “What is the difference between having the court in the community handling these cases versus the traditional court?” One participant cautioned that it may become a joke if people are going through the community court for low level crimes and the community service and/or social service sentences are not effective. Another participant warned against public backlash from concentrating services in one area. Even though the services of the court would be meant to improve the community, some people may reject the idea because they do not want an influx of people needing such services in their vicinity.

The police officer focus group recommended setting a list of criteria for community court cases that included the eligible offenses, limited the number of prior arrests someone could have, and excluded anyone with a felony record. They also

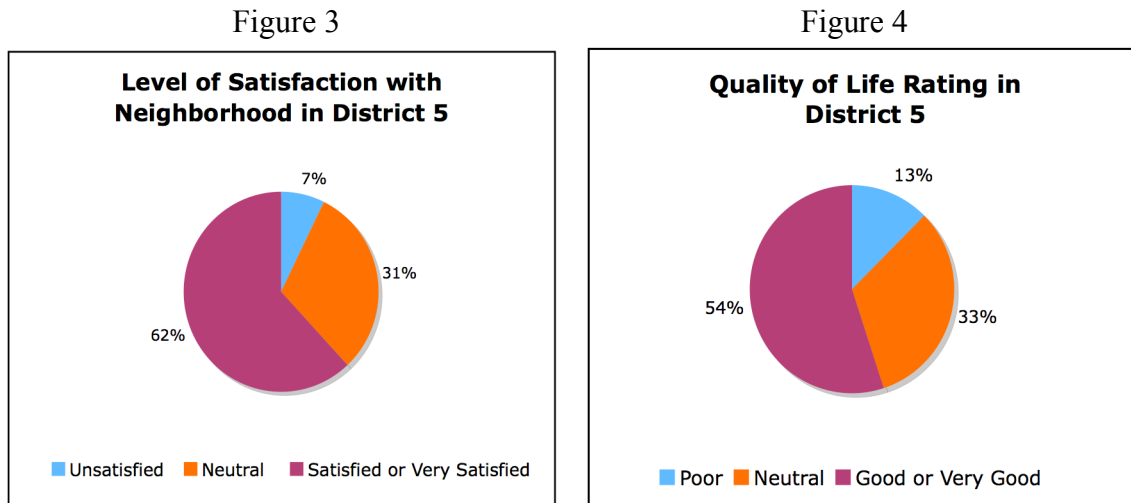
thought there should be a limit to the number of times a person could go through the community court. Other suggestions included starting with a small group of cases and on-site service and expanding as needed. One participant in the CPU Target Team focus group saw the community court as a way to empower people to take more responsibility for their community and also as a means for addressing the media's negative portrayal of the justice system.

Community Survey Results

Surveys were completed and returned by 42 stakeholders in the district. Thirty-five respondents (83.3%) were District 5 residents. Five residents also reported working in the district. Seven respondents (16.7%) were employees or business owners in the district but not residents. Thirty-three percent of survey respondents identified themselves as African American, 55% as Caucasian, 2.4% as Latino, and the remaining respondents identified themselves as other or did not report. The average age of respondents was 45. The average time living or working in the district was 17.8 years. This is not a representative sample of the District 5 population, which is 80.9% African American. Furthermore, because of the small sample size and the use of nonprobability convenience sampling, the results are not able to be generalized for the whole District.

Quality of life and public safety responses. Overall, 61.9% of survey respondents reported feeling satisfied or very satisfied about their neighborhood. The majority of survey respondents (55%) described the quality of life in their neighborhood as good or very good, while 12.5% of respondents characterized the quality of life as poor. About one third of respondents (32.5%) responded neutrally. One respondent indicated that answers would vary greatly on a block-by-block basis throughout District

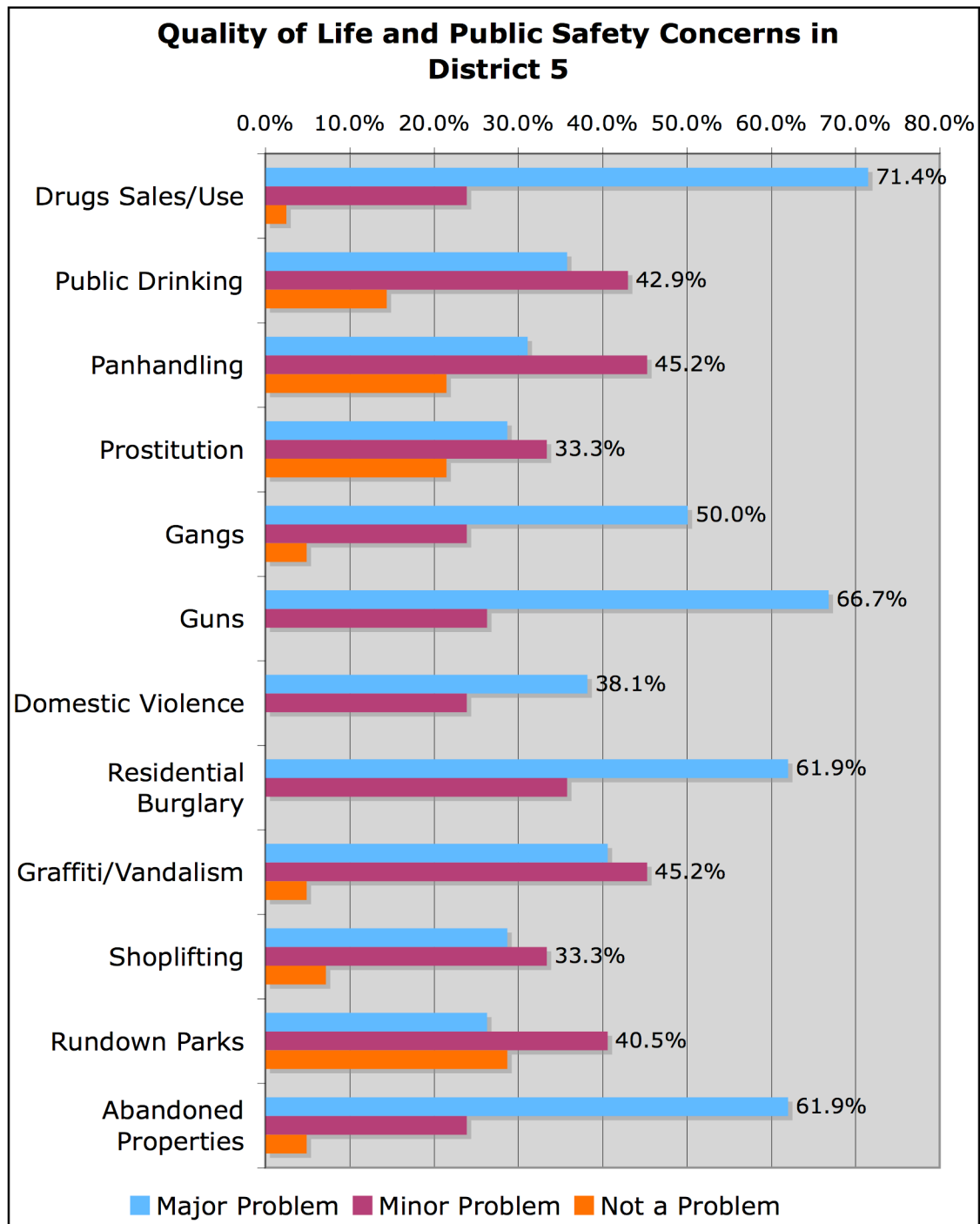
5. The neighborhood satisfaction and quality of life ratings are compared in Figure 3 and Figure 4.



Participants were asked to rate the strengths and weaknesses of a list of thirteen community structures (i.e., churches, schools, social service agencies) in the district. Parks and block watch groups elicited the strongest responses, with 54.8% and 50% of respondents, respectively, describing them as strong or very strong elements of the community. Survey respondents were asked to write in additional strengths or weakness of the District 5 community that were not already addressed in the survey questions. Entities labeled as strengths included the King Drive Business Improvement District, Riverwest Neighborhood Association, Riverwest Co-op, Cream City Collective, Wright Street Resource Center, Riverwest Gardeners Market, Riverwest Yogashala, Green Folks Garden Respondents, NAACP, Alterra Coffee, Goodwill, YWCA, COA Family and Youth Center, Milwaukee Area Time Exchange, Kilbourn Gardens, Harambee House, the public library system, Sojourner Family Peace Center, and the police department. Weakness of the community included an overabundance of liquor stores and taverns and lack of retail stores and restaurants in certain parts of the district.

Survey respondents were given a list of twelve public safety and quality-of-life issues and asked to indicate whether they were a major problem, minor problem, or not a problem in the District 5 community. Public drug sales and drug use were perceived to be a major problem by 71.4% of respondents. Gangs, guns, residential burglaries, and abandoned properties were described as major problems by a majority of respondents. Figure 5 further illustrates community perceptions of the public safety and quality of life issues identified in the survey. Additionally, some respondents commented on other community problems such as bad landlords, failing education institutions, joblessness, teen pregnancy, and unsupervised youth. During the day, survey respondents generally felt safe throughout the community. Waiting for the bus or getting into one's car were identified as the least safe daytime situations, with 31% of respondents describing those as unsafe or very unsafe. At night, over half of survey respondents reported feeling unsafe or very unsafe on the street, waiting for the bus or getting into one's car, and at parks or other public spaces. Additional comments from survey respondents revealed safety concerns at gas stations, in alleys, and in store parking lots. Table 2 compares the daytime and nighttime perceptions of safety.

Figure 5



Note. N=42, "Don't know" responses are not reflected in the numbers above.

Table 2

Daytime and Nighttime Levels of Safety

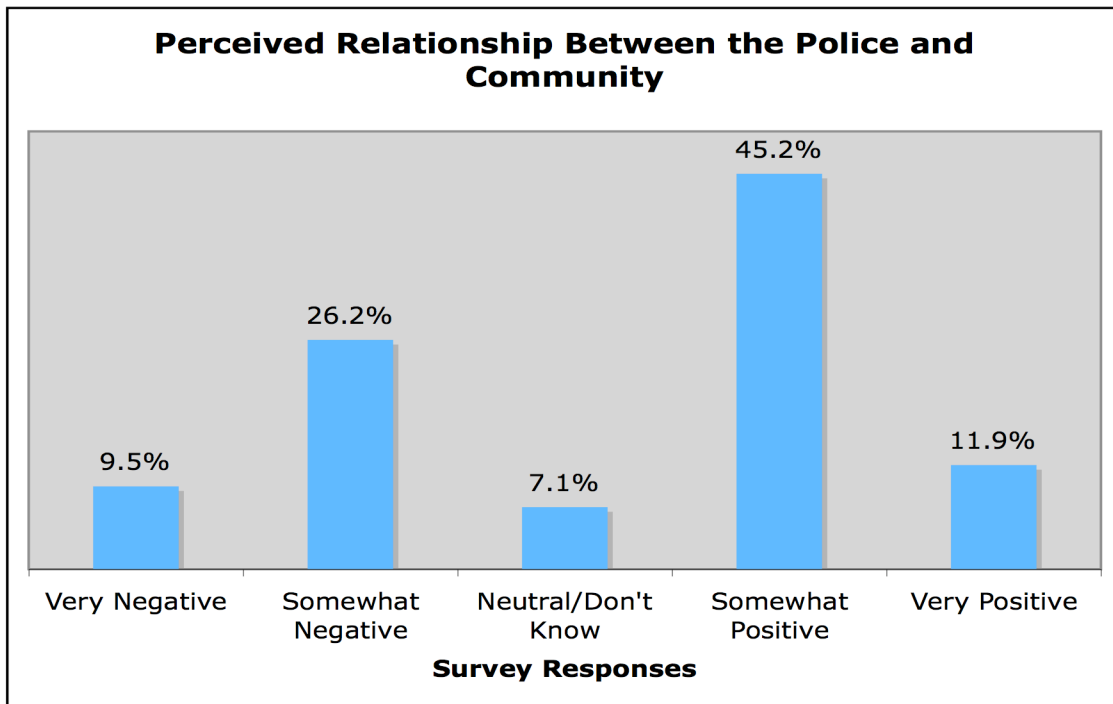
	Daytime Level of Safety		Nighttime Level of Safety	
	<i>Very Safe or Safe</i>	<i>Very Unsafe or Unsafe</i>	<i>Very Safe or Safe</i>	<i>Very Unsafe or Unsafe</i>
On the street	78.6%	19.1%	45.3%	52.4%
In house or apartment	90.4%	4.8%	88.1%	7.1%
At work	73.8%	2.4%	61.9%	7.1%
Waiting for bus/getting into car	61.9%	31%	35.7%	52.4%
While shopping	88.1%	9.5%	69%	23.8%
At the park/public spaces	78.6%	14.3%	31%	52.4%

Note. N=42, Percentages may not add up to 100% due to “Don’t know/Doesn’t Apply” responses.

When asked about their confidence in other people to come to their aid if needed, only 16.7% of respondents felt very confident that a neighbor would help them. Nearly 60% of respondents were unsure or unconfident that someone would come to their aid if needed. Eighteen of the respondents (42.9%) had been victimized within the last 12 months. Among those respondents, there were five vehicle thefts, three home thefts, six garage thefts, two robberies, and six incidents of vandalism.

Perceptions of the criminal justice system. The relationship between the police and the community was characterized as somewhat positive or very positive by 57.1% of respondents, as shown in Figure 6. This could be exaggerated due to the surveying of attendees at district crime and safety meetings who take the initiative to learn about what is happening in the district. This positive perception is also reflected in the CPU focus group and some of the stakeholder interviews.

Figure 6

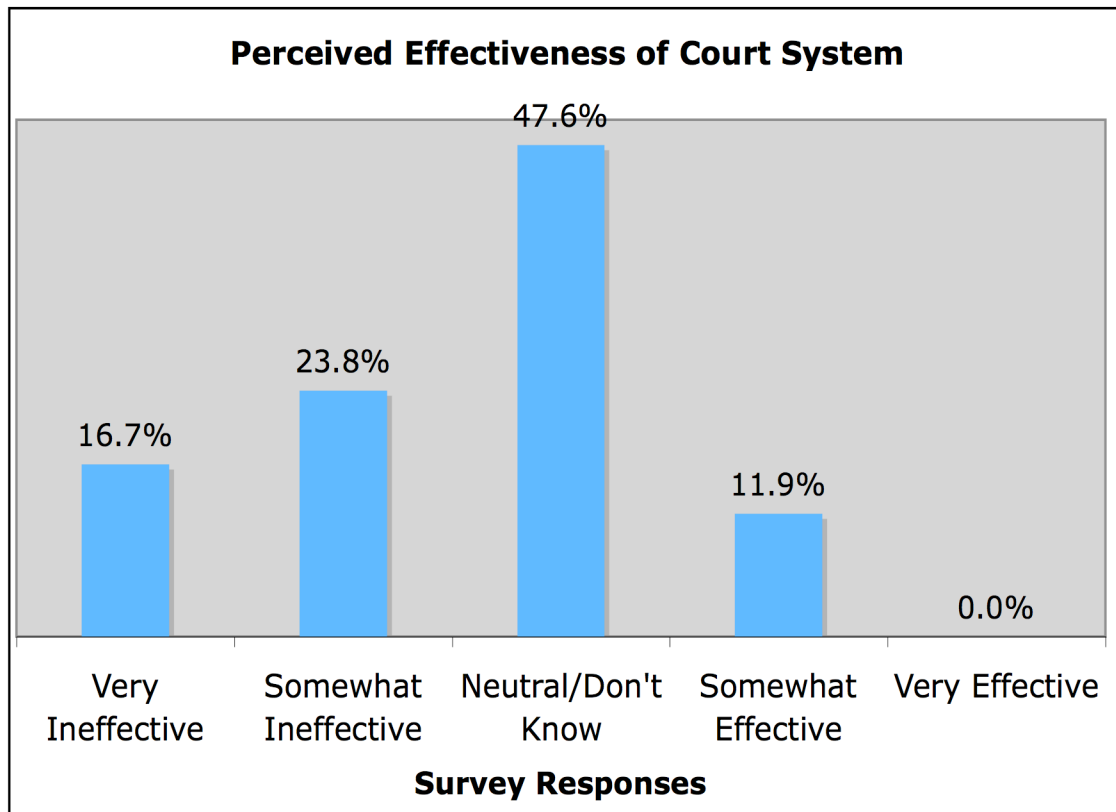


A considerable majority (64.3%) of respondents were neutral or unsure about the District Attorney's response to community issues. The remainder of respondents were somewhat polarized, with 14.3% characterizing the District Attorney's Office's response as poor or very poor and 21.4% rating the response as good or very good. Most respondents (57.1%) indicated that they did not understand how a case was processed through the criminal justice system.

As shown in Figure 7, only 11.9% of respondents indicated that the court system was somewhat effective in responding to quality-of-life issues in the district. The court system was characterized as somewhat or very ineffective by 40.5% of respondents, and most frequently respondents were neutral or unsure about the court system's

effectiveness. One respondent commented, “It is impossible for a citizen to find out how a judge or a court dealt with a criminal. Everything is secret.”

Figure 7



Confidence in reentry services for people returning to the community from prison or jail was also very low with 81% of respondents reporting they were somewhat or very unconfident that people would receive needed services. Some survey respondents saw the justice system as “perpetuating or worsening the problem.” Others identified areas of improvement for the criminal justice system explaining, “It should be more community friendly, become proactive instead of reactive, and to educate the community in the criminal justice process.”

Feedback on community court model. Seventy-six percent of survey respondents indicated that they would be supportive or very supportive of having a community-based court in the district. Only one survey respondent was unsupportive and the remaining 21.4% were neutral. Some of the services that respondents would like to be available at the court included mental health counseling, a 24-hour referral service to address problems that occur outside of business hours, parenting classes, language interpreters, a deferment program for youth, community mediation, and a system to improve the processing of residential code violations.

Discussion

The focus groups, interviews, and surveys all revealed general support for establishing a community court in District 5. The municipal and criminal court data suggests some offenses that are problematic in the area that could be addressed at a community court.

By all measures, there was a positive perception of police and community relations. The District 5 Captain and officers have made important strides in engaging community members and working with various community groups. Because of the strong relationship that already exists, it is important to note that future discussions and surveys may not demonstrate significant improvements in this area as seen in the Red Hook community following the implementation of the Red Hook Community Justice Center. The existing positive relationships with district residents and the willingness of the District 5 officers to engage in community initiatives can be leveraged to facilitate the establishment of a community court. With proper resources and oversight, the officers participating in the focus group indicated that a community court would be a welcome

effort to try something new. Under current criminal justice operations, law enforcement responses to criminal activity are limited to arresting someone or not. A community court would provide them with more tools to address criminal activity and problematic behavior.

In addition to enhancing the work of law enforcement, a community court would support the efforts of community prosecutors. As the District Attorney in Portland Oregon explained, a community court is a “logical progression” from a community prosecution program and the community prosecutors who were interviewed recognized this approach as a positive way to expand the work of the community prosecution unit (Berman & Feinblatt, 2005). The use of diversions and deferred prosecution agreements could be increased with the supportive structure of a community court in place since on-site services and case management available at a community court would help hold offenders and service providers accountable and create an atmosphere more conducive to fostering success than the traditional court system or a police station.

As one of the stakeholders asked in an interview, what is the difference between a community court and providing more services at the central courthouse? While having more resources at the central courthouse would be an improvement over the current scattered resources of inconsistent quality, this overlooks a key element to community courts, which is the community. Locating more services in a building that is already uninviting and inconvenient does little to improve the access to services within impoverished communities. Furthermore, the goal of restoring informal social controls in a community is not achieved through institutions that are removed from the community. The large caseloads and unfocused nature of the traditional court system are not

addressed by simply moving resources to the court. By decentralizing criminal justice functions to address quality of life concerns in targeted communities, the system can develop more effective and focused responses with the help of community members and start building stronger social structures in the community to help address and prevent crime.

Research Limitations and Recommendations for Future Research

As a single investigator research project, there are significant limitations due to time and resource constraints. There are important stakeholder views not represented in the focus groups or interviews. Such stakeholders include the Circuit Court judiciary, individuals who have gone through the municipal court and criminal court systems, individuals returning to the community from prison, treatment and social service providers, leaders in the faith-based community, and more community leaders and residents. The use of nonprobability convenience sampling could result in selection bias and somewhat skewed feedback from participants. In an attempt not to lead the responses of research participants, limited background information on community courts was provided. However, in the future more information about community courts and perhaps a short video clip of the Red Hook Community Justice Center should be provided at the beginning of focus groups in order to enhance the depth of the discussion that follows.

While the results of this project are not representative of the entire District 5 or criminal justice system community, it does suggest general support at the community level and among justice system actors for a community court that is worth pursuing. This can be considered a starting point for collecting input from additional stakeholders. The

tools that were developed for this project (i.e., community survey and focus group questions) can be used to solicit more feedback in District 5 and to gauge the need for and interest in community courts throughout the other six police districts in Milwaukee as well as other municipalities throughout the County.

Conclusion

As the data from prior studies and reports and the criminal case filings discussed in this project, Milwaukee's 5th Police District has a disproportionate African American population, a high concentration of crime and incarceration, and a variety of social, economic, and health-related problems (Chen et al., 2010; City of Milwaukee, n.d.; Milwaukee Homicide Review Commission, 2010; Pew, 2009). Furthermore, the stakeholder interviews and focus group discussions revealed a general belief that the criminal justice system is broken, lacking legitimacy among community members and even among those working within the system. All of this is consistent with the literature about concentrated areas of crime and incarceration, diminished informal social control in socially disorganized communities, and the resulting lack of legitimacy and respect for the system and the law.

Too many people with underlying social and health issues are coming into the criminal justice system only to be returned to the community without appropriate services. The archival data shows that there are a number of municipal and criminal court cases that are appropriate for a community court setting. Many criminal justice system stakeholders and community members in Milwaukee are currently trying new initiatives to make communities safer and healthier. The community court concept dovetails with several existing efforts at the community-level and within the criminal

justice system. These existing efforts (e.g., community prosecution and the Community Justice Council) provide a programmatic foundation and collaborative spirit for establishing a community court.

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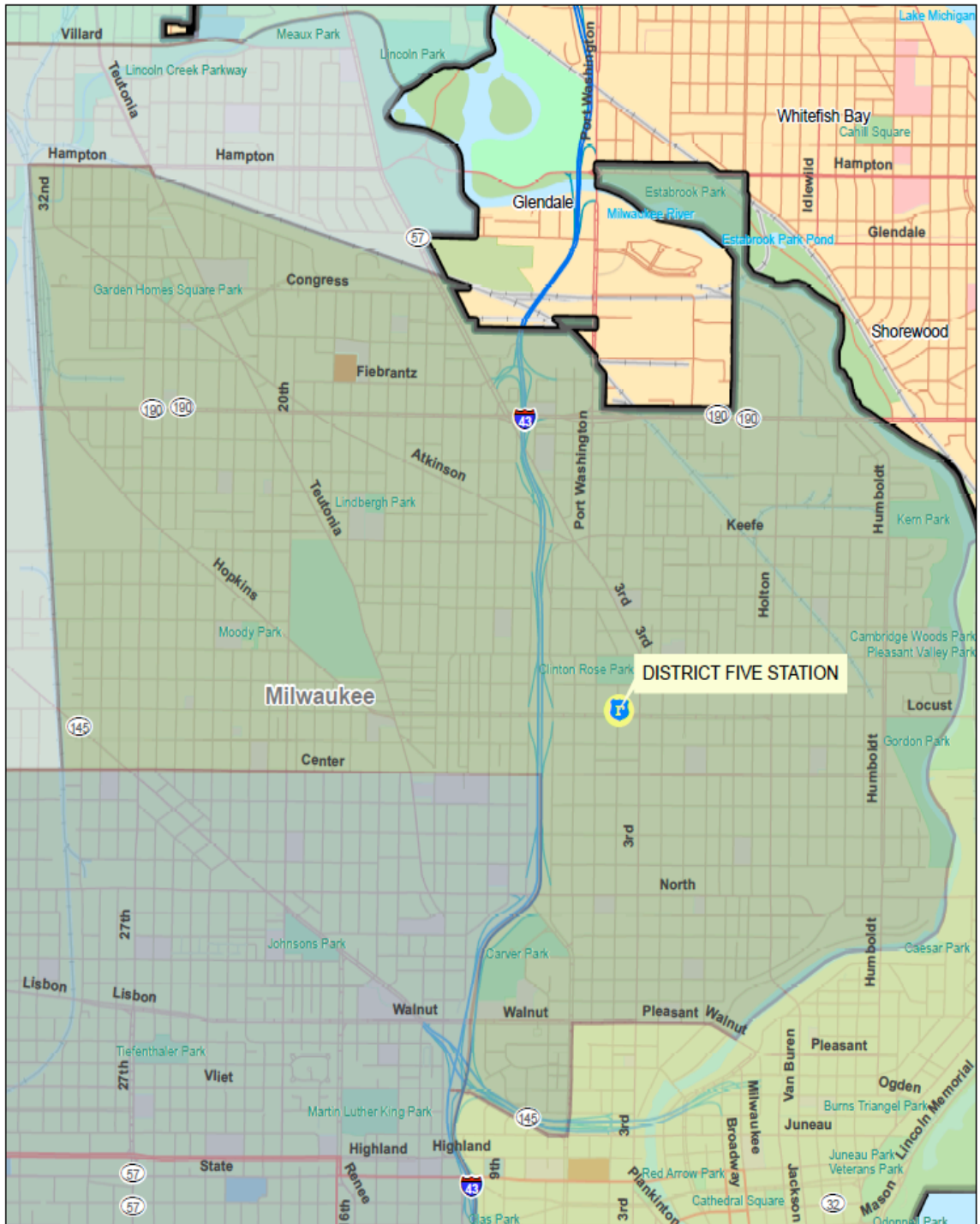
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APPENDIX A



DISTRICT 5- CAPTAIN EDITH HUDSON
2920 N. 4th Street
Milwaukee, WI 53233
414-935-7252



APPENDIX B

MARQUETTE UNIVERSITY
AGREEMENT OF CONSENT FOR RESEARCH PARTICIPANTS
Assessing the Need for and Feasibility of a Community Court in Milwaukee's 5th Police
District
Andrea K. Gouin
College of Professional Studies

You have been invited to participate in this research study. Before you agree to participate, it is important that you read and understand the following information. Participation is completely voluntary. Please ask questions about anything you do not understand before deciding whether or not to participate.

PURPOSE: This research study will explore the need for and feasibility of creating a community court in the City of Milwaukee's 5th Police District. The study will examine the current operations and outcomes of the criminal justice system and municipal court in the District 5 and propose a community court model that could better address certain ordinance violations, quality-of-life crimes, and other community needs, as defined by the stakeholders in the target area. A community needs assessment will be conducted in order to determine if a community court model would be appropriate for District 5 and if so, the data collected will help inform community court planners about the community's resources and pressing problems. The needs assessment will be conducted by (1) surveying participants at various community meetings held within District 5 and (2) holding focus groups with key stakeholders. Additionally, interviews will be conducted with individuals who were involved with past community justice center efforts and/or current collaborative justice efforts. You will be one of approximately 7 interview participants. This project is being conducted as part of a larger community justice initiative that is spearheaded by Justice 2000 – A Division of Community Advocates.

PROCEDURES: This is a semi-structured interview in which the researcher will have some prepared questions for you but other questions may arise as a result of your responses. You may decline to answer any questions with which you are uncomfortable or unable to answer. Your interview may be audio recorded.

DURATION: Your participation will consist of one 60-90 minute interview session. A brief phone call or email may be necessary if the researcher needs to clarify or verify any information you provided.

Please provide your preferred method of contact in the event that a follow-up conversation is needed:

☐ Phone _____ ☐ Email: _____

RISKS: If you grant the researcher permission to identify you by name in the research results you may be at risk for public criticism. The researcher will verify all information with you prior to using it in association with your name.

BENEFITS: There are no direct benefits associated with your participation in this study. Your participation will help further the understanding of the strengths and weaknesses of collaborative efforts in Milwaukee as they relate to public safety and quality of life issues. The results of this research could lead to changes in the way quality of life offenses are handled in District 5 and throughout Milwaukee, and improve access to community resources.

CONFIDENTIALITY: All of your data will be directly linked to your name in order to allow the researcher to clarify and verify your responses upon reviewing the collected data. When the results of the study are published, you will not be identified by name, unless you give the researcher permission to use your name. The researcher will verify information with you prior to using it in association with your name. The data will be stored at in a locked file drawer at the researcher's office and will be saved indefinitely in order to provide a baseline with which to compare any future data related to this study that would document the impact of any changes that occur as a result of this project. Your research records may be subject to inspection by the Marquette University Institutional Review Board or its designees and (as allowable by law) state and federal agencies.

Please check one of the following options:

- ☐ I do not want to be identified by name in the research results.
- ☐ I grant the researcher permission to use my name in the research results after I have had the opportunity to review the information that will be used in association with my name.

VOLUNTARY NATURE OF PARTICIPATION: Participating in this study is completely voluntary and you may withdraw from the study and stop participating at any time without penalty. If you wish to withdraw your information from this study after your data has been collected you can contact the researcher within 30 days to request that your data be withdrawn from the study and the researcher will shred any paper files and delete any electronic data resulting from your participation.

CONTACT INFORMATION: If you have any questions about this research project, you can contact the Principal Investigator, Andrea Gouin, at (906) 399-4923 or (414) 270-2955. If you have questions or concerns about your rights as a research participant, you can contact Marquette University's Office of Research Compliance at (414) 288-7570.

I HAVE HAD THE OPPORTUNITY TO READ THIS CONSENT FORM, ASK QUESTIONS ABOUT THE RESEARCH PROJECT AND AM PREPARED TO PARTICIPATE IN THIS PROJECT.

Participant's Signature

Date

Participant's Name

APPENDIX C

Stakeholder Interview & Focus Group Questions**Community Strengths**

1. What are the main strengths of District 5? (people, agencies, schools, programs, etc)

Public Safety Issues

1. What are some of the more pressing public safety concerns that you are aware of in District 5?

Justice System

1. What would you say are some strengths in the way the justice system responds now to public safety issues?
2. What are some of the more pressing concerns or frustrations about the way the system currently responds to those public safety issues?
3. What do you think the justice system – police, prosecutors, courts, corrections – could do differently to respond to (1) ordinance violations, (2) misdemeanors, and (3) felonies?

Challenges

1. What types of potential challenges do you perceive in the implementation of a community court in District 5?
2. Do you have any feedback on how to best overcome these challenges?
3. Do you have specific concerns about how the community court may affect your program/services/organization/neighborhood?

How the community court will help?

1. In what ways can you see the community court improving the well-being of the individuals that you work with or the individuals in your community?
2. What types of cases would be appropriate for a community court in District 5?
3. What types of community service projects would you like to see performed by community court participants?

Service Coordination

1. How do you think we can best coordinate the community court with existing services?
2. What issues are not currently being addressed by existing services that the community court could help address?
3. What do you feel that the community court can do to assist your clients/your community that is currently not happening with the current system?

Collaborative Initiatives

1. What past or current collaborative efforts related to the criminal justice system (directly or indirectly) have you been involved with?
2. Who were/are the stakeholders in the effort?
3. For past efforts, what were the successes and failures?
4. For current efforts, what are the major accomplishments and/or challenges?

APPENDIX D

MARQUETTE UNIVERSITY
AGREEMENT OF CONSENT FOR RESEARCH PARTICIPANTS
Assessing the Need for and Feasibility of a Community Court in Milwaukee's 5th Police
District
Andrea K. Gouin
College of Professional Studies

You have been invited to participate in this research study. Before you agree to participate, it is important that you read and understand the following information. Participation is completely voluntary. Please ask questions about anything you do not understand before deciding whether or not to participate.

PURPOSE: This research study will explore the need for and feasibility of creating a community court in the City of Milwaukee's 5th Police District. The study will examine the current operations and outcomes of the criminal justice system and municipal court in the District 5 and propose a community court model that could better address certain ordinance violations, quality-of-life crimes, and other community needs, as defined by the stakeholders in the target area. A community needs assessment will be conducted in order to determine if a community court model would be appropriate for District 5 and if so, the data collected will help inform community court planners about the community's resources and pressing problems. The needs assessment will be conducted by (1) surveying participants at various community meetings held within District 5 and (2) holding focus groups with key stakeholders. You will be one of approximately 50 focus group participants in this research study.

This project is being conducted as part of a larger community justice initiative that is spearheaded by Justice 2000 – A Division of Community Advocates.

PROCEDURES: You will be asked to sign-in on the participation log and you will be assigned a number that will be used to code your responses during the focus group session. The researcher's role will be limited to presenting questions for the group to discuss and recording responses. If the discussion strays too far off topic, the researcher may interrupt to re-focus the group. There are 14 questions and depending on the level of participation, approximately 5 minutes will be spent on each question. Your focus group session may be audio recorded. You will be asked to provide your preferred method of contact in case the researcher needs to clarify or verify any of your responses upon reviewing the collected data. For confidentiality purposes your contact information will not be released or used for any other purpose. This consent form will be stored in the researcher's locked file drawer.

DURATION: Your participation will consist of one 60-90 minute focus group session. The researcher may need to follow-up with a brief phone call or email to clarify or verify responses from the focus group.

Please provide your preferred method of contact in the event that a follow-up conversation is needed:

☐ Phone _____ ☐ Email: _____

RISKS: The risks associated with participation in this study are minimal. You will likely be exposed to the different opinions of others in the group, which could potentially evoke some emotions (frustration, confusion, excitement, anger, etc.). You also risk sharing your thoughts and opinions with others while there is no guarantee that the others in the group will maintain your confidentiality outside of the focus group. Prior to beginning the focus group the researcher will set some general rules for participant, including do not interrupt others, respond honestly but respectfully to one another, and respect the confidentiality of other focus group participants.

BENEFITS: Some potential benefits associated with your participation in this study include an opportunity to: (1) make known your concerns about the community in which you live or work, (2) provide input on how services in the community could be improved, (3) and offer suggestions on how the responses to problems in your community could be improved. Participation will also help further the understanding of the strengths and weaknesses of District 5 as they relate to public safety and quality of life issues. The results of this research could lead to changes in the way quality of life offenses are handled in District 5 and improved access to community resources.

CONFIDENTIALITY: All focus group participants are instructed to keep discussions confidential. However, the researcher cannot guarantee that all focus group participants will respect everyone's confidentiality. You will be indirectly linked to your focus group responses through the number you are assigned. The researcher will keep a record of this number assignment in case it is necessary to verify or clarify any comments or discussion points. The list of participant names and respective numbers will be used only for this purpose and will be stored in the researcher's office in a locked file drawer with the other data collected. Any information you reveal in this study will be kept confidential by the researcher. When the results of the study are published, you will not be identified by name. The data will be saved indefinitely in order to provide a baseline in which to compare any future data related to this study that would document the impact of any changes that occur as a result of this project. If at any point the research data needs to be destroyed, paper documents will be shredded and electronic files will be permanently deleted. Your research records may be subject to inspection by the Marquette University Institutional Review Board or its designees and (as allowable by law) state and federal agencies.

VOLUNTARY NATURE OF PARTICIPATION: Participating in this study is completely voluntary and you may withdraw from the study and stop participating at any time during the focus group without penalty. If you wish to withdraw your information from this study after your data has been collected you can contact the researcher within 30 days to request that your data be withdrawn from the study and the researcher will shred any paper files and delete any electronic data resulting from your participation.

CONTACT INFORMATION: If you have any questions about this research project, you can contact the Principal Investigator, Andrea Gouin, at (906) 399-4923 or (414) 270-2955. If you have questions or concerns about your rights as a research participant, you can contact Marquette University's Office of Research Compliance at (414) 288-7570.

I HAVE HAD THE OPPORTUNITY TO READ THIS CONSENT FORM, ASK QUESTIONS ABOUT THE RESEARCH PROJECT AND AM PREPARED TO PARTICIPATE IN THIS PROJECT.

Participant's Signature

Date

Participant's Name

Researcher's Signature

Date

APPENDIX E

You have been asked to complete the following research survey. It should take approximately 20-25 minutes for you to complete the survey. The purpose of this survey is to explore the need for and feasibility of creating a community court in the City of Milwaukee's 5th Police District. Your responses are strictly anonymous and your participation is completely voluntary. You may skip any questions with which you are uncomfortable or unable to answer. By completing the survey, you are giving your permission to the researcher to use your anonymous responses at professional meetings and in research publications. Thank you for your participation.

*Andrea K. Gouin
Marquette University
Graduate Student in the Department of Professional Studies*

General questions about the 5th District community

Zip code: _____ Neighborhood (optional): _____

1. What is your primary connection to the 5th District community?
 - 1 Resident
 - 2 Employee/worker
 - 3 Merchant/business owner
 - 4 Other _____

2. How many years has this been your primary connection to District 5? _____

3. In general, how do you feel about your neighborhood in District 5 as a place to live/work on a scale of 1 to 5?

Very Unsatisfied	1	2	3	4	5	Very Satisfied
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4. Over the last 12 months, how would you rate the quality of life in your neighborhood on a scale of 1 to 5?

Very Poor	1	2	3	4	5	Very Good
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5. Are the following items **strengths** or **weaknesses** of the District 5 community?

1 – Very Weak	2 – Weak	3 – Neutral/Don't Know	4 – Strong	5 – Very Strong	
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1	2	3	4	5	Tenant or block association
1	2	3	4	5	Churches
1	2	3	4	5	Soup kitchens/meal services
1	2	3	4	5	Health clinics/medical centers
1	2	3	4	5	Afterschool programs
1	2	3	4	5	Economic/business development
1	2	3	4	5	Recreational centers

1	2	3	4	5	Schools
1	2	3	4	5	Parks/public spaces
1	2	3	4	5	Social service agencies
1	2	3	4	5	Availability of child care
1	2	3	4	5	Availability of affordable housing
1	2	3	4	5	Housing and/or legal advocacy services

6. What other organizations/leaders/programs in District 5 do you consider (a) strengths or (b) weaknesses of the community?

(a) _____

(b) _____

7. a) Are the following services/resources easy to access in your community? (Check all that apply.)

- ☐ Community recreational facilities
- ☐ Job training and placement services
- ☐ Parks and playgrounds
- ☐ Substance use disorder treatment services
- ☐ Health services (medical)
- ☐ Mental health services
- ☐ Youth leadership and education programs
- ☐ Child care
- ☐ Housing services
- ☐ Legal services
- ☐ Other:

b) If not already accessible, what services/resources would you or someone you know benefit from having in your neighborhood (Please check no more than **three**.)

- ☐ Community recreational facilities
- ☐ Job training and placement services
- ☐ Parks and playgrounds
- ☐ Substance use disorder treatment services
- ☐ Health services (medical)
- ☐ Mental health services
- ☐ Youth leadership and education programs
- ☐ Child care
- ☐ Housing services
- ☐ Legal services
- ☐ Other:

Quality of Life and Public Safety Issues

8. How do you feel about the following issues as they affect your neighborhood or police district?

1 – Not a Problem 2 – Minor problem 3 – Major Problem 4 – Don't know

1	2	3	4	Public drug sales or drug use
1	2	3	4	Public drinking
1	2	3	4	Begging and panhandling
1	2	3	4	Prostitution
1	2	3	4	Gangs
1	2	3	4	Guns

1	2	3	4	Domestic violence
1	2	3	4	Residential burglary
1	2	3	4	Graffiti/Vandalism
1	2	3	4	Shoplifting
1	2	3	4	Rundown parks/green areas
1	2	3	4	Abandoned property/Houses in need of repair

9. What, if any, other public safety or quality of life issues are you concerned about?

10. For the following locations, indicate whether you feel very safe, safe, unsafe, or very unsafe **during the day**:

1 – Very Unsafe 2 – Unsafe 3 – Safe 4 – Very Safe
5 – Don't Know/Doesn't Apply

1	2	3	4	5	On the street
1	2	3	4	5	In your house or apartment
1	2	3	4	5	At work
1	2	3	4	5	Waiting for a bus /getting into your car
1	2	3	4	5	While shopping
1	2	3	4	5	At the park/public areas

11. For the same locations, indicate whether you feel very safe, safe, unsafe, or very unsafe **at night**:

1 – Very Unsafe 2 – Unsafe 3 – Safe 4 – Very Safe
5 – Don't Know/Doesn't Apply

1	2	3	4	5	On the street
1	2	3	4	5	In your house or apartment
1	2	3	4	5	At work
1	2	3	4	5	Waiting for a bus /getting into your car
1	2	3	4	5	While shopping
1	2	3	4	5	At the park/public areas

12. Are there other places in which you feel unsafe? (circle one) **Yes No**
If Yes, where else do you feel unsafe? _____

13. If you were in need of help, how confident do you feel that other people in this area would come to your aid? (Example: If your car was being broken into, would a neighbor report it to the police?)

- 1 Very Unconfident
- 2 Somewhat Unconfident
- 3 Not sure
- 4 Somewhat Confident

5 Very Confident

14. In the last 12 months, have you been a victim of a crime in District 5? *(Please feel free to skip any questions with which you are uncomfortable answering.)*

- 1 Yes
- 2 No

15. If you answered yes to question #14, of what type of crime were you a victim?

- ☐ Theft from Vehicle
 - ☐ Theft from home
 - ☐ Theft from garage
 - ☐ Robbery
 - ☐ Shooting
 - ☐ Vandalism (graffiti, damaged property)
 - ☐ Assault
 - ☐ Other (please describe):
-

The Police and Courts

16. In your experience, is police response excellent, good, satisfactory, or unsatisfactory in your neighborhood?

- 1 Unsatisfactory
- 2 Satisfactory
- 3 Good
- 4 Excellent
- 5 Don't Know

17. Would you characterize the relationship between the police and your community as:

- 1 Very Negative
- 2 Somewhat Negative
- 3 Neutral/Don't Know
- 4 Somewhat Positive
- 5 Very Positive

18. Would you characterize the district attorney's office's response to complaints and issues raised by your community as:

- 1 Very Poor
- 2 Poor
- 3 Neutral/Don't know
- 4 Good
- 5 Very Good

19. Would you characterize the effectiveness of the court system in responding to quality of life issues in the District 5 community as:

- 1 Very Ineffective
- 2 Somewhat Ineffective
- 3 Neutral/Don't Know
- 4 Somewhat Effective
- 5 Very Effective

20. To what level do you disagree or agree with the following statements?

1 – Strongly Disagree 2 – Disagree 3 – Agree 4 – Strongly Agree

1 2 3 4 Once a criminal defendant is arrested, I understand how his/her case is processed through the criminal justice system.

1 2 3 4 I am aware that victims and community members can have an impact on how a case is resolved.

21. How confident do you feel that individuals returning to your community from prison or jail will receive the services needed for successful reintegration?

- 1 Very Unconfident
- 2 Somewhat Unconfident
- 3 Neutral/Don't Know
- 4 Somewhat Confident
- 5 Very Confident

22. In general, how supportive would you be about having a community-based court with onsite social services located in District 5 to address the quality of life issues in your community?

- 1 Very Unsupportive
- 2 Unsupportive
- 3 Neutral
- 4 Supportive
- 5 Very Supportive

23. Community court services would be available to all members of the community, not just offenders. If they were available at a community court, would you or someone in your household benefit from the following services?

- | | | |
|-----|----|--------------------------------------|
| Yes | No | Basic needs advocacy assistance |
| Yes | No | Medical care |
| Yes | No | English as a second language classes |
| Yes | No | Substance use disorder treatment |
| Yes | No | GED classes |
| Yes | No | Job training and placement services |
| Yes | No | Neighborhood legal services |
| Yes | No | Childcare for justice center users |
| Yes | No | Mediation/conflict resolution |

24. What other services would you or someone you know benefit from having at a community court?

Demographics

25. Gender

- 1 Female
- 2 Male

26. What ethnicity/racial group do you identify with?

- 1 Asian
- 2 Black
- 3 Latino
- 4 Native American
- 5 White
- 6 Other:

27. How old were you on your last birthday? _____

28. Do you have any brief comments or concerns about the criminal justice system as it affects the quality of life in your community that have not been addressed in this survey?

Please return completed surveys to: Community Advocates, ATTN: Andrea Gouin, 728 N. James Lovell St., Milwaukee, WI 53233 or andrea.gouin@marquette.edu.

THANK YOU!