

Community Courts Offer An Alternative For Homeless People

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For almost four months, Multnomah County has been experimenting with a new kind of community court. Frustrated with outcomes for homeless defendants in a traditional legal setting, County judges are hearing some of their cases at a homeless service center.

The room where Multnomah County Circuit Judge Alicia Fuchs convenes her court is located a few floors below the 90 shelter beds at Bud Clark Commons. But there's more to Fuchs' work than just getting defendants down the hall and up the stairs.

"I think there's a sense that all you need is a place to go. And that's not all it takes," said Fuchs.

Fuchs presides once a week over misdemeanor cases involving people living on the streets.

"Alright, so court is in session, first case on the docket is Dylan...," said Fuchs.

Fuchs says this work is a departure from her usual dockets, but she jumped at the chance to try hearing cases outside the more formal environment of the County Courthouse.

Fuchs said: "I don't see myself as a social worker, but I do see myself as a problem solver."

Here at Bud Clark Commons, defendants have safe places to leave things like bags or pets. No metal detector waits at the door. The point of the court is to try to create a more approachable setting for people who may be wary of mainstream institutions.

"So theft three, that would be an eight -hour community service sentence... you'll get your paperwork from Brian, and then when you complete the community service, we'll get the paperwork, and it'll be dismissed," said Fuchs.

Most of these cases are for minor offenses, in the context of the judicial system: disorderly conduct, petty theft, urinating in public, sleeping on the street. They've been selected because prosecutors think they might have a better chance at resolving the cases outside the courthouse.

Dave Matheson was here last Friday on a shoplifting charge. He's had ample experience with traditional justice, he says, since he's been in and out of the court system since he was 13.

He calls this alternative: "Certainly less intimidating."

The homeless community court is also different, Matheson says. Social services are offered to defendants in every case.

"So did you talk to Larry, or are you interested in talking to anyone here about other services that might be helpful to you? Because, I agree that's the important part..." said Fuchs.

Of course, it's still up to the defendant whether he or she will take a bed that night, or sign up for a treatment program, but Matheson says even that kind of option for people accused of breaking the law is rare in traditional hearings.

Dave Matheson said: "You really don't get that kind of play when you're dealing with the courts system. I understand these are mostly lower level crimes, but it's still the same idea."

Judge Fuchs says one motive for creating the homeless community court was to encourage people on the street to actually show up for their hearings. No-show rates are notoriously high. The community court, as welcoming as it is, hasn't eliminated the problem.

"Today while we were here we had one person show up, out of a several page docket." said Fuchs.

But Fuchs and others involved say they're making progress, as more defendants understand where to go, and as they learn what will happen once they get to court.

Larry Turner is the engagement director at Transition Projects, which runs Bud Clark Commons.

He said: "I believe in some cases people are more likely to show. The amount of defendants we have has increased."

Turner figures community court is averaging about ten people showing up per week. But Turner says chronic offenders, who are on the docket almost every week, very seldom appear. The reason?

"Just like the public and criminal justice sees them as committing all these crimes that are a nuisance to the community, this is just to them, like, 'Let me do what I want to do, I'm not hurting anybody, I'm just drinking in public or smoking a little weed in the park. Let me just go on not being responsible for anybody but me,' " said Turner.

But Turner says the community court's ability to get people to shelter and services immediately is absolutely crucial for some offenders. He says the program has served about 150 people so far. He estimates maybe half have opted for social services as part of their case resolution.

There's an understanding among the prosecutors, judges, and service providers that defendants may pass through this court many times before they make lasting changes to their lives. departing the system for good.

The court does not yet have statistics on how many defendants have ended up in supportive or permanent housing.

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