

# Auburn Community Court





# Auburn Community Court

- Our Why
- Our How
- Our Story



# Auburn Community Court

## Our Why

- Community Safety
- Reduce Recidivism
- Increase Cost Efficiencies
- Restorative Justice
- Accountability with Compassion



# Auburn Community Court

## Our How

- A brief history of diversion in the U.S.
  - English Law Tradition—court of equity
  - Modern History 1947 to present
  - The local government phenomenon



# Auburn Community Court

## Our How

- Three Types of Diversion Programs
  - Pre-Charge (LEAD Programs)
  - Pre-Trial
  - Post-Disposition



# Auburn Community Court

## Our How

- Evidence-Based Model Approach
  - Assessment
  - Treatment
  - Deterrence
  - Procedural Justice
  - Collaboration



# Auburn Community Court

## Our Story

- Eligibility Criteria
- Process
  - SOC
  - Target Behaviors
  - Compliance Monitoring
  - Rewards and Sanctions

## Eligibility Criteria



### AUBURN COMMUNITY COURT ELIGIBILITY CRITERIA

Effective August 13, 2021, the City of Auburn adopts the following criteria for defendant community court eligibility:

#### Eligible crimes:

Criminal trespass 1  
Theft 3  
Criminal trespass 2  
Unlawful Bus conduct  
Prostitution  
Disorderly conduct  
Interference with HCF  
SODA Order Violation  
Possession of auto theft tools  
Possession of burglary tools  
Vehicle trespass  
Unlawful camping  
Possession of controlled substance  
Possession of drug paraphernalia (prior to May 2021)

#### Other potentially eligible crimes:

All other crimes are potentially eligible, provided that the offense is not listed as ineligible in these criteria, and the defendant needs services and would benefit from a structured and supportive environment in obtaining those services

#### Crimes not eligible:

- DUI
- Other traffic offenses
- Assault DV charges involving intimate partners
- VNCO
- Crimes against persons when the victim does not support a community court resolution



#### Strict Disqualifiers:

- RCW 9.94A.030(55) violent offense convictions within the past 5 years
- Pending RCW 9.94A.030(55) violent offense charges
- Sex offense convictions or pending sex offense charges (including juvenile cases)
- Known gang membership or affiliation
- Officer caution noted in police records
- Hate crimes

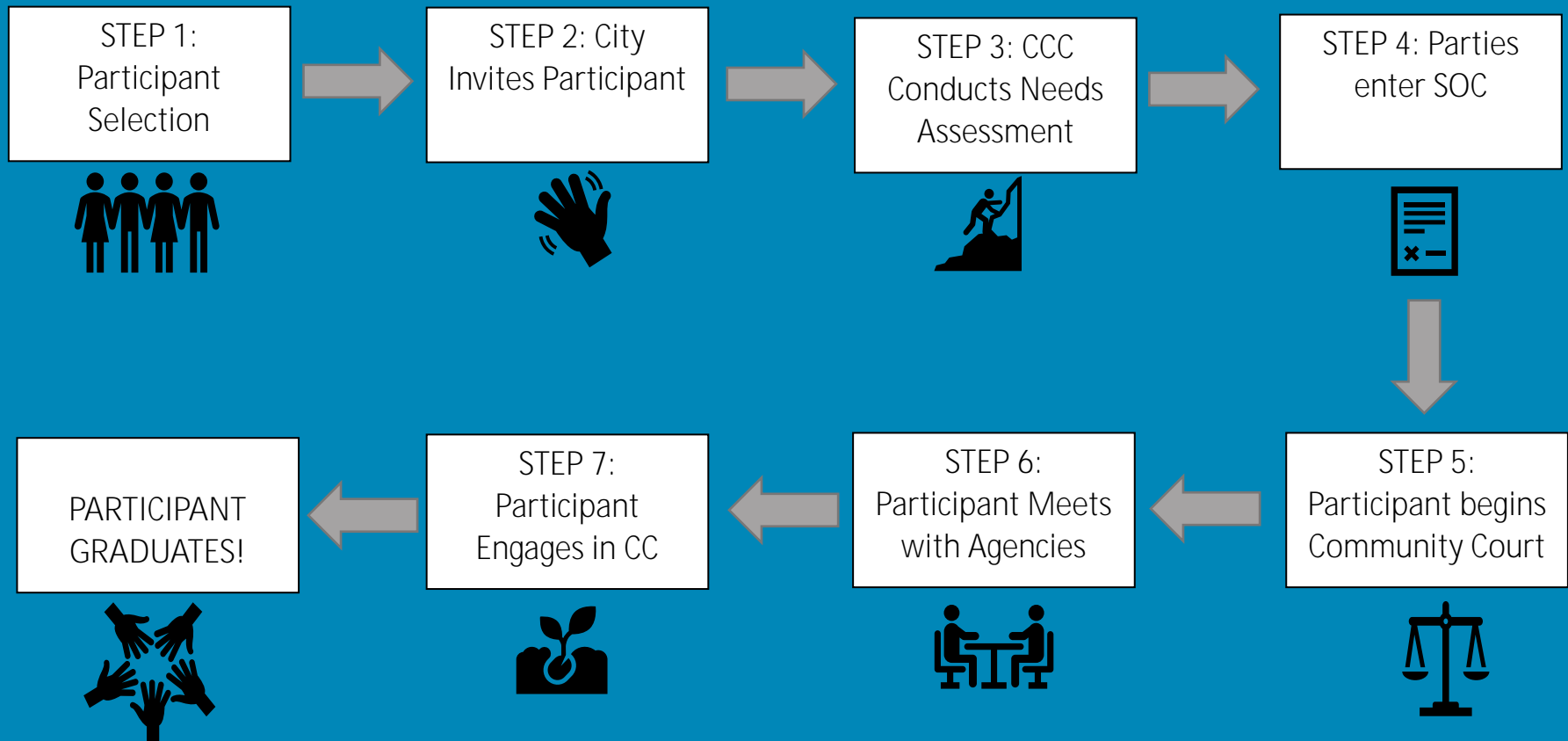
#### Discretionary Disqualifiers:

- Pending charges and convictions for:
  - Class A felonies
  - Violent crimes
  - Assault of City Officer
  - Stalking
  - Violation of a no contact order, protection order, sexual assault order
  - Crimes against children and vulnerable adults
  - Escape
  - Crimes enhanced by sexual motivation
  - Crimes involving firearms
  - Human trafficking
  - Kidnapping
- Active warrants out of any jurisdiction of 5K or more



# Auburn Community Court

## Process





# Auburn Community Court

## Stipulated Order for Continuance (SOC)

- Length of time
- Waiver of rights
- Participant's obligations
- Accountability

**KING COUNTY DISTRICT COURT—SOUTH DIVISION—AUBURN  
STATE OF WASHINGTON**

CITY OF AUBURN, Plaintiff,  v [REDACTED] Defendant.	}	NO. XZ0367883  COMMUNITY COURT STIPULATED ORDER OF CONTINUANCE (SOC)
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**MOTION**

THIS MATTER comes before the court on the joint motion of the parties, who move for entry of this SOC. If the Defendant complies with this SOC, this case will be dismissed at the end of 12 months.

**DEFENDANT'S CHARGES AND RIGHTS**

I. The Defendant is charged with Theft 3<sup>rd</sup> Degree, which has a maximum penalty of 364 days in jail and a \$5,000 fine. The Defendant has pled not guilty.


The Defendant has received an amended complaint in this case listing the elements of the above crime. The Defendant understands these elements and what the City must prove to convict. If found guilty at a future hearing, the Defendant understands that the judge can impose any sentence up to the maximum, no matter what the prosecutor or defense recommends.

II. The Defendant understands that the judge, court personnel, prosecutors, defense attorneys and treatment/social service providers may discuss this case off the record and in their absence at staff meetings. The Defendant agrees that such discussions may take place outside of their presence.

III. The Defendant understands their rights:

- To a public jury trial within 90 days after arraignment (60 days if in custody);
- To remain silent before and during trial;
- To hear and question witnesses who testify;
- To testify and have witnesses testify for them at no expense.

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Revised 5/13/2021

**AUBURN  
COMMUNITY  
COURT**

Defendant's Initials: \_\_\_\_\_



# Auburn Community Court

## Target Behaviors for Community Court

### BEGINNING OF COMMUNITY COURT

- Attend court
- Schedule/attend SUD/MH assessment
- Honesty about relapse/use

### MIDDLE OF COMMUNITY COURT

- Engaged in treatment
- Showing insight/initiative
- Working on preventative health care

### END OF COMMUNITY COURT

- Sobriety
- Maintenance phase or completion of treatment
- Education/employment



# Auburn Community Court

## Compliance Monitoring

- Weekly Treatment Reports
  - UA results
  - Classes attendance
  - Report from counselor
- Other Obligations
  - Made appointments
  - Completed work crew



# Auburn Community Court

## Rewards and sanctions

- Rewards
- Sanctions