

bumping into the rear of the car, leaving a screw-sized dent. The man agrees, but says the police report omits the fact that the passenger in the other car had stuck out his hand and flipped him the birdy and that the car then slowed to a crawl, further incensing the cited driver.

The police were called and while they were on the way, the accused man continued to scream and cuss through his car window at the others and leaned on his car horn for several minutes.

After the whole story is out, the man is asked to leave the room and the panelists immediately agree that he is an ideal candidate for an anger management class. He comes back in and Bateman gives him the news.

He thanks Bateman and the panel but can't resist adding his justification for his reaction.

"If only they'd said they were sorry for cutting me off, this wouldn't have happened," the man says.

"You need to control your anger," Dorman answers. "Not everyone says 'sorry.'"

### CASE STUDY: MORE THAN MEETS THE EYE

In another case, an anxious trio walks into the community room at 111 Jones St. "Welcome," says Thom Bateman, sitting behind a long table, "have a seat. We think this is a better alternative to 850 Bryant."

Here, Bateman, a judge arbitrator from California Community Dispute Services, and volunteer panelists from the community will decide the appropriate sentence for the crime: theft.

California Community Dispute Services, a two-person team, coordinates scheduling for all of the neighborhood courts. Bateman is not a judge. He's a professional arbitrator entitled chief judge arbitrator for all of San Francisco's community courts, a position expected to eventually be held by fully trained panelists from each court.

Victor Lee, from the Pretrial Diversion Project, waits outside with his laptop open, ready to link the exiting sentenced person to any program the panelists recommend. This includes serving community service hours, receiving mental health counseling, or taking a GED preparation class, or paying fines. Jail time is not on the menu at community court.

The nonprofit Pretrial Diversion Project manages a database of thousands of possible linkages that it developed for other city-funded programs, including the program that offers community service as an alternative to traffic fines. The district attorney's grant is almost gone, said Lee, but he said it would not surprise him if the project remains involved in community court without payment because it has everything already set up and the staff believes in the concept.

The guilty party of the threesome is a slender young white man. He has a pallor to his cheeks, but he is turned out in the uniform of the in-crowd: short hairdo with man-made forehead cowlick, a pecs-enhancing black sweater, tailored slacks, and squared-off shoes. He is flanked by his grandfather, who sports a baseball cap and leans on a cane, and a lawyer, who said later in the proceedings that he was unfamiliar with the community court system.

Lawyers do not regularly attend community courts and the only police presence is usually an officer who reads out the charges and is on hand to explain any police issues.

A pool of 31 community volunteers can be empaneled on either the SoMa or TL courts. Usually, from one to five panelists attend each session. They have been briefed in skills such as active listening and dealing with angry people and have received training in diversity issues and the types of drug rehab programs available, if that is an appropriate route. Some may later train to become judge arbitrators.

On this sunny spring day, two panelists and a panelist trainee are seated at a table with Bateman. Paula Bullock, also with California Community Dispute Services, sits off to the side writing on a clipboard.

Bateman, standing in for the absent police officer, perfunctorily reads the long police report; it's clear everyone around the table has read it before.

### CAUGHT IN THE ACT

The young man had been caught trying to exit the Union Square Neiman Marcus store wearing two pairs of pants, one courtesy of the store. The pants under his own had the tags torn off. He also gave a false identity when arrested.

And he created a scene. According to the report, when police finally discerned that the young man was not an exchange student visiting from England without ID, nor a man with ID who was someone other than himself, but in fact, an 18-year-old from Santa Clara who lives with his grandfather, the young man started to hyperventilate. According to the report, he claimed to be suffering from croup. He was taken to San Francisco General Hospital, which gave him a clean bill of health. The report ended with the laconic comment that croup only affects infants.

While Bateman reads the report, the young man closes his eyes and his face becomes flushed; his companions look serious. Bateman finishes and asks them to respond. The lawyer speaks first.

"He had been at the bar at Neiman Marcus and consumed wine without being carded. Clearly [he] shouldn't steal but clearly Neiman Marcus should not be serving to 18-year-olds and had he not been intoxicated he would not have done that," the lawyer said. "Odd it's not in the police report."

Bateman asks the young man how much he had to drink.

"Three to four glasses of wine."

Bateman then asks over what amount of time.

"It was about an hour. With dinner? It was white wine with chicken. I was pretty buzzed, pretty tipsy," the young man says.

"It's not an excuse for stealing. I've seen many people who drank more and didn't commit a crime," says panelist David Villalobos, a 14-year resident advocate at the Antonia Manor who is involved in myriad community activities, as well as Supervisor Gavin Newsom's mayoral campaign.

Panelist Rebecca Dorman asks, "What was it you hoped to accomplish by giving false ID?" Dorman, who lives in the neighborhood, works at Tenderloin Housing Clinic and runs the Pedestrian Safety Program.

"I'd just come from an appointment with the modeling agency and the first thing the cops pulled out of my back pocket was my model ID card," the young man replies.

"So it was your stage name," Dorman says.

He still has not explained why he initially told the police that he was a visiting foreign exchange student with no ID.

Then Bateman asks about the hyperventilation.

"I've been to the hospital about it; last September my vocal cords swelled and restricted my breathing, and I went into the hospital in San Jose and they diagnosed me with croup, with breathing restrictions," the young man says, while cupping his hand on his throat.

Bateman asks all three to step outside for a moment.

Panelist Garland Hall, a lanky African

American who works the desk at the Seneca Hotel, says, "He's an actor and I think he puts on a great show; he needs to have his talents directed."

Bateman wonders whether larger issues are involved, and suggests that they ask the grandfather and the lawyer to return.

As soon as the grandfather and the lawyer sit down again, Bateman says: "He lives with his grandfather. Are there any issues?"

"His mother left him with us when he was six months old and then she disappeared out of his life," says the grandfather. Later, she would randomly show up. The first time she came back she brought her baby daughter. She showered love on the daughter, ignored her son, not even acknowledging him as hers.

"She would bring home gifts for the girl but never got [him] anything," the grandfather says. As a teenager, the young man created an imaginary twin brother who supposedly lived in England, he continues. Eventually he was getting teased by his peers, which only added to the young man's insecurity.

"We think he might be beginning to show signs of schizophrenia, and we're taking him in for a thorough psychological evaluation," the grandfather says.

Bateman asks the lawyer and grandfather to step outside once more while he and the panelists decide the young man's fate. Villalobos leans back in his chair and says he is amazed at how Bateman knew there was so much more to the story.

The panelists call the three back in and dismiss the case. The men listen, not quite believing the outcome. As long as the young man is not hauled in again for stealing there will be no record; but if he is, the courts will be notified that he attended a community court for a similar crime.

Bateman and the panelists dismissed the case because the young man is already on the path that they would have prescribed, which is psychological counseling and monitoring. ■

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