

Restitution fund recycles back to community

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the SoMa court more often choose restitution. Nicholas Rosenberg, former head of Adopt-A-Block who got his law degree from University of San Francisco, is a panelist and arbitrator for the central city community courts. The 15 volunteers, like their colleagues in other community courts, dismiss a third of the cases they hear. In another third, offenders opt to do

community service or pay restitution or both; in the remainder, offenders agree to counseling.

Rosenberg calls the work challenging and satisfying — and frustrating. One peeve is that there are more criminal justice staff than community members deciding who gets the restitution fund grants.

WHAT THE COURTS NEED

California Community Dispute Services — a nonprofit that coordinates scheduling of community court appearances — collects the money and sends it to the Community Support Fund. Originally, he said, community members decided where the funds would go.

“After there was a conflict of interest, the city created the distribution committee under the MOCJ,” Rosenberg explained in an e-mail. But he has drafted funding distribution guidelines that focus on neighborhood-serving groups and prevention programs such as substance abuse, hotel desk clerk trainings and anger management. The TL and SoMa courts are awaiting city approval of the guidelines.

Also needing adjustment, Rosenberg said, is tracking of offenders. Much of the information is held by the D.A.’s intake division and California Community Dispute Services, which have kept the community courts out of the reporting loop.

“We need better front-end tracking, so we know an offender’s history,” Rosenberg said, “and then there’s sanctions tracking so we know what happens after we recommend community service or counseling. And finally there’s back-end or recidivism tracking — what happened in the next 12 months.”

He’d also like more qualitative tracking to see if restorative justice in fact has benefited offenders as well as the community.

Community courts are cost-effective — last fiscal year, the citywide

program cost \$397,000, according to Salazar. The 1,674 cases heard at community courts cost \$237 each. By contrast, the staff time alone of a two-day trial at 850 Bryant runs an estimated \$1,800.

District Attorney Kamala Harris told a handful of reporters at a recent get-to-know-the-new-D.A. roundtable for neighborhood newspapers that she’s committed to keeping the community courts going.

“I’ve met with every one of the community court panels,” Harris said. “They give [residents] more license to be creative in dealing with problems in their community and what they’re doing is good. It’s a big commitment of time, and the [panelists] do the work really well, even if they don’t always feel empowered.”

As many as 65 panelists attend her quarterly community court lunch meetings. She reports on program changes, and volunteers share their experiences and listen to committee reports.

NEWS FROM THE D.A.

At the most recent lunch, June 22 in Chinatown, participants got three pieces of good news, Salazar told *The Extra*.

- Harris said her office wants to refer homeless people with quality-of-life offenses directly to a community court.

- In the offing is a pilot project for the TL and SoMa community courts: hearing infractions such as urinating in public that now go before a commissioner in traffic court. Traffic court has heard such infractions for years, probably thousands of citywide cases a year, Salazar estimates, and many come from the central city.

- Beginning July 1, California Community Dispute Services started tracking recidivism, checking to see if, after a year, an offender has been cited for the same offense. That, Rosenberg said, is essential data for community court volunteers who want to measure whether all their hard work is paying off. ■

Thousands are eligible

Begun in 1998 and operating today in 10 San Francisco neighborhoods, community courts are an alternative to processing misdemeanor cases at 850 Bryant.

Citywide, community court cases represent only about 37% of the eligible offenders, said Mitchell Salazar of the D.A.’s Community Justice Office. Last fiscal year, though 4,524 were eligible, only 1,674 attended a hearing.

Reasons abound for the low attendance. Some offenders ignore the letter that tells them they can go before a community court instead of being arraigned at 850 Bryant. Others may have given the citing officer a false address, or they’re homeless or move around so often they never get the letter.

Also, until last year, offenders were supposed to pay \$75 the day of the community court hearing to cover administrative costs. Salazar said that fee has been dropped, though the specter of paying restitution may scare away some people.

Most of those who say they’ll show, do show — about 95%. And almost as impressive, 90% who show follow through and complete their community service or go to counseling.

— MARJORIE BEGGS

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Help not punishment

Community courts mete out what they call restorative justice — impressing offenders with the real, human results of their behavior; helping them change that behavior; and giving them a way to repay victims and the community.

The TL and SoMa community courts are “much more aggressive than other courts in the restorative justice concept,” said Mitchell Salazar of the D.A.’s Community Justice Program. “The panelists and arbitrators there are working very hard to get a message to the offender: We live in this community and have families here, and we’re trying to help you rather than being punitive.”

Much of the central city courts’ success with restorative justice, Salazar said, is a direct result of arbitrator Nicholas Rosenberg’s leadership. He spearheaded the formation of a restorative justice committee and has spoken about how to implement restorative justice at several citywide community court steering committee meetings.

“Nine of the 10 courts have joined the restorative justice committee,” Rosenberg told *The Extra*. But he’s modest about his role in spreading the word. “The two central city courts have embraced restorative justice, but the Lefty Gordon court [Western Addition] is ahead of us when it comes to having community service performed at the site of the court.”

— MARJORIE BEGGS

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