Treatment Not Custody

Process and Impact Evaluation of the Santa Monica Homeless Community Court

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This document was submitted as a dissertation in July 2018 in partial fulfillment of the requirements of the doctoral degree in public policy analysis at the Pardee RAND Graduate School. The faculty committee that supervised and approved the dissertation consisted of Sarah Hunter (Chair), Matthew Cefalu, and James Anderson.

Funding was provided by the John Randolph Haynes and Dora Haynes Foundation and the James Q. Wilson Dissertation Award.
This dissertation is a process and impact evaluation of the Santa Monica Homeless Community Court. At homeless courts, misdemeanor quality of life cases arising from an individual’s homelessness are resolved through alternative sentencing that requires participants to work towards permanent housing and obtain treatment to address underlying issues such as mental health disorders and substance use disorders. Although homeless courts have the potential to increase permanent housing placement and decrease recidivism, homeless courts have not been well-studied. There is only one publicly available homeless court evaluation, which included a recidivism impact analysis using an unmatched comparison group and did not include a housing impact analysis.

My research uses qualitative and quantitative methods to answer the following research questions:

1. **How do government entities and non-profit social service organizations work together to deliver the Santa Monica Homeless Community Court?** In Part IV, I provide a detailed description of each step in the Santa Monica Homeless Community Court process, which can inform other jurisdictions with large homeless populations that are interested in implementing a homeless court model like Santa Monica’s model.

2. **How can the Santa Monica Homeless Community Court’s enrollment and retention be improved?** To increase enrollment, the City could revise eligibility requirements to include justice-involved individuals who have been homeless for one to five years and individuals who have been residing in Santa Monica for several years who have not been chronically homeless but are at-risk of homelessness. (The Court currently targets individuals who have been homeless in Santa Monica for five or more years.) The Homeless Community Court team could also consider admitting individuals with a single minor violent incident from several years ago and individuals with misdemeanor drug possession charges. The City could increase the impact that the Court has on those individuals who graduate from Homeless Community Court by investing resources in long-term case management and housing retention. While (1) holding court sessions at a service provider in Santa Monica rather than at the Airport Courthouse (located approximately 12 miles from Santa Monica) and/or (2) shortening the length of time to graduation might also increase retention, these options may entail tradeoffs like reductions in compliance with judicial orders and fewer connections to housing and services.

3. **Is graduation from the Santa Monica Homeless Community Court associated with improved housing outcomes and decreased recidivism?** Using a propensity score method, I found that graduation from the Santa Monica Homeless Community Court resulted in an increase of 123.7 days in permanent housing usage and an increase of 43.3 days in transitional housing usage by graduates in the 24-month post-enrollment period, which indicates program success.
(As further detailed in Parts VI and VII, I estimated program effect using a matched control group consisting of vulnerable individuals experiencing chronic homelessness in Santa Monica who had not participated in Homeless Community Court.) Unfortunately, I was unable to obtain recidivism data from the Santa Monica Police Department. However, there is a growing body of evidence that suggests that placement into permanent housing reduces re-arrests and other criminal justice system involvement. In addition, stakeholders and participants who I interviewed credit the Court with decreased recidivism.
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In addition, I would like to thank the Homeless Community Court participants who met with me to discuss their experiences with the program. I learned a lot from these individuals.

Finally, I would like to thank my husband, Tyler Johnson, for his support throughout this process.

This research was made possible by generous funding from James Q. Wilson and the John Randolph Haynes and Dora Haynes Foundation.
### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>AA</td>
<td>Alcoholics Anonymous</td>
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<tr>
<td>ATT</td>
<td>average treatment on the treated</td>
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<tr>
<td>DUI</td>
<td>driving under the influence</td>
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<tr>
<td>ES</td>
<td>standardized effect size</td>
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<tr>
<td>ESS</td>
<td>effective sample size</td>
</tr>
<tr>
<td>HCC</td>
<td>Santa Monica Homeless Community Court</td>
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<tr>
<td>HLP</td>
<td>Santa Monica Police Department Homeless Liaison Program</td>
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<tr>
<td>HMIS</td>
<td>Homeless Management Information System</td>
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<tr>
<td>HUD</td>
<td>U.S. Department of Housing and Urban Development</td>
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<tr>
<td>IPTW</td>
<td>Inverse Probability of Treatment Weights</td>
</tr>
<tr>
<td>NA</td>
<td>Narcotics Anonymous</td>
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<tr>
<td>OPCC</td>
<td>The People Concern, formerly Ocean Park Community Center</td>
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<tr>
<td>SD</td>
<td>standard deviation</td>
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<tr>
<td>VI-SPDAT</td>
<td>Vulnerability Index - Service Prioritization Decision Assistance Tool</td>
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Background and Policy Relevance

Decades ago, public defenders began to call attention to the “revolving door” of the criminal justice system, through which individuals with mental health disorders, substance use disorders, and histories of chronic homelessness go from the street to incarceration and back again, without treatment. The revolving door problem persists today. In the U.S., an estimated 14.5 percent of men and 31 percent of women in jails experience serious mental illness, as compared to 3.2 percent of men and 4.9 percent of women in the general population.1 Two-thirds of jail detainees report having a substance use disorder.2 Homelessness and incarceration in particular have been found to be mutual risk factors for each other.3 Fifteen percent of the incarcerated population has been previously homeless, as compared to 5% of the general population.4 Individuals with criminal records face severe barriers to exiting homelessness due to stigmatization, policies that bar them from federal housing assistance programs, and difficulties finding employment due to their criminal records.5

Problem-solving courts (also known as collaborative courts) are one way to break the revolving door cycle. Problem-solving courts aim to address underlying problems associated with criminal behavior, such as chronic homelessness, substance use disorders, and mental health disorders to reduce recidivism at its root causes. In practical terms, “problem-solving court” means that courthouse staff screen individuals charged with low-level felonies and misdemeanors for problems that may be addressed through a continuum of services, including mental health and rehabilitation services. If the individual agrees to participate in problem-solving court, the participant undergoes judicially-ordered rehabilitation services or other social services that are rigorously monitored. In California alone there are over 390 problem-solving courts.6

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3 Metraux (2008), supra note 2.
5 Metraux et al. (2008), supra note 2.
One type of problem-solving court is homeless court. At these courts, cases are resolved through alternative sentencing that connects individuals experiencing homelessness with housing and requires them to participate in treatment programs that address underlying issues such as mental health disorders, substance use disorders, and unemployment. Participants avoid custody and fines by completing treatment. San Diego started the first homeless court in 1989 and there are now approximately 26 homeless courts in the U.S.

The Santa Monica Homeless Community Court began in 2007 after the Santa Monica Police Department and the City Attorney’s Office noticed a revolving door problem in Santa Monica. Many individuals experiencing homelessness were being consistently cited by the Police Department for low-level misdemeanors such as park closure violation and public intoxication. Recognizing the cycle of incarceration, recidivism, and homelessness, the City created the Santa Monica Homeless Community Court to provide a clear pathway from homelessness to permanent housing for individuals with legal issues related to their homelessness. Representatives from Santa Monica visited different problem-solving courts throughout the country and developed a model for Santa Monica that was a hybrid of the courts they visited.

The traditional problem-solving court model, in which participants make multiple appearances before the court, was well-suited to Santa Monica’s needs because this model allows the Homeless Community Court team to use court appearances to link participants with treatment and services and monitor participation in treatment and services. Although the City funds approximately $3 million every year in grants to homeless service agencies to provide a continuum of housing and supportive services to individuals experiencing chronic homelessness in Santa Monica, many individuals are not able to navigate support systems on their own.

In addition, the City views the Court as a way to balance the need to enforce laws and provide for public safety, while ensuring that individuals experiencing homelessness are connected with treatment to modify their behavior rather than punished with fines and jail time. Individuals experiencing homelessness in Santa Monica and a stakeholder who frequently works with this population in criminal court noted that it is nearly impossible to be homeless and not get into trouble with law enforcement. Basic functions like sleeping can lead to citations for violating ordinances that prohibit public camping or sleeping in the doorway of a business when one does not have a roof over their head. In addition, without housing, drinking will often lead
to citations for public intoxication because there are few places to drink other than public spaces.\textsuperscript{15} There are individuals who believe the City should not, under any circumstances ticket, cite, or arrest a person who is homeless for a behavior that is tied to homelessness like sleeping in the park after hours or trespassing.\textsuperscript{16} However, one stakeholder noted that as a city government, Santa Monica is responsible for the public safety of everyone and cannot decide that a particular class of people are exempt from certain laws.\textsuperscript{17}

The City received seed funding from Los Angeles County’s Homeless Prevention Initiative to start the Santa Monica Homeless Community Court.\textsuperscript{18} The Human Service Division partnered with the Los Angeles County Superior Court, the Santa Monica City Attorney, and the Los Angeles County Public Defender and identified local homeless service providers to provide case management services to Homeless Community Court participants.\textsuperscript{19} The three primary social service providers that work with the Santa Monica Homeless Community Court are Step Up on Second, the People Concern (“OPCC,” formerly Ocean Park Community Center), and St. Joseph Center. These providers connect participants with permanent housing, supportive services, and case management services. Another key partner is the Santa Monica Police Department Homeless Liaison Program (HLP), an eight police officer unit that responds to homelessness issues in Santa Monica and assists in identifying potential Homeless Community Court clients. The Court runs primarily on in-kind donations of staff time from the Homeless Community Court team, which consists of:

- a Senior Analyst from the Santa Monica Human Services Division who serves as the Homeless Community Court Coordinator,
- a Deputy City Attorney,
- a Los Angeles County Deputy Public Defender, and
- a Los Angeles Superior Court Commissioner.\textsuperscript{20}

Service providers develop an individual treatment plan for each Homeless Community Court participant. Treatment plans and goals are different but typically involve a permanent housing plan and connection to appropriate supportive services (\textit{e.g.}, treatment for issues with physical health, mental health, or substance use disorders). The Santa Monica Homeless Community Court holds hearings every other week at the Los Angeles Superior Court - Airport Courthouse. These hearings allow Commissioner Jane Godfrey (\textit{i.e.}, the Homeless Community Court judge) to monitor each participant’s compliance with their individual treatment plan. After approximately 8 to 12 months of compliance with their individual treatment plan, participants graduate from Homeless Community Court. Commissioner Godfrey discharges participants who

\textsuperscript{15} Interview with stakeholder #8; Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.

\textsuperscript{16} Interview with stakeholder #10.

\textsuperscript{17} Interview with stakeholder #10.

\textsuperscript{18} Interview with stakeholder #10.

\textsuperscript{19} Interview with stakeholder #10.

\textsuperscript{20} Interview with stakeholder #10.
consistently fail to attend their hearings and/or fail to comply with their treatment plans and these individuals’ cases return to the traditional criminal court system.

Notably, Santa Monica’s homeless court model differs from the typical homeless court model. As further detailed in the Part II: Literature Review section, at most homeless courts, participants have their cases resolved in one hearing if they provide proof that they have already participated in rehabilitative activities. This is known as the “pure dismissal” model. In contrast, the Santa Monica Homeless Community Court requires participants to make multiple appearances before the court, and the court team uses these appearances to link participants with services and treatment and to monitor participation in treatment and services. Individuals typically participate in Homeless Community Court for 8 to 12 months before graduating. When a participant graduates, the City Attorney dismisses all the underlying charges (the non-violent, quality of life misdemeanors arising from homelessness). Length of participation depends on a variety of factors, including eligibility for housing options and mental health and substance use treatment needs. Many clients remain in Homeless Community Court for a few months after permanent housing placement, as they require extra support during the transition from chronic street homelessness to independent living. As further detailed in Part II: Literature Review, the only other homeless court in the U.S. that operates under this multiple appearance model is the homeless court in Orange County.

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21 Interview with stakeholder #10.
22 Interview with stakeholder #10.
23 Interview with stakeholder #10.
Figure 1.1 below illustrates the Santa Monica Homeless Community Court core activities. A full logic model for the court is included in *Part IV* (Figure 4.1).

**Figure 1.1. Santa Monica Homeless Community Court (HCC) core activities**

<table>
<thead>
<tr>
<th>Referrals</th>
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<tbody>
<tr>
<td>• The Santa Monica Police Department Homeless Liaison Program, local service providers, the Los Angeles County Public Defender, and the Santa Monica City Attorney identify vulnerable, chronically homeless individuals who have been in Santa Monica for a number of years (generally, five or more) and who have had multiple contacts with the criminal justice system arising from their homeless status.</td>
</tr>
<tr>
<td>• The HCC Coordinator serves as the central point of contact for referrals.</td>
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<table>
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<tr>
<th>Application and enrollment</th>
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<tr>
<td>• The HCC application process consists of a detailed referral letter written by one of the partner service providers.</td>
</tr>
<tr>
<td>• The HCC team reviews referral letters together at pre-hearing team meetings to determine whether individuals will be accepted to HCC.</td>
</tr>
<tr>
<td>• If accepted, an individual’s case is put on calendar for an HCC session, at which time the individual is enrolled in the program.</td>
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<tr>
<th>Development of individual treatment plans</th>
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<tr>
<td>• Service providers recommend individual treatment plans based on the special needs of each individual. (Plans often include a housing plan, substance use disorder treatment, and regular meetings with a case manager.)</td>
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<tr>
<th>Supervision of individuals' progress</th>
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<tr>
<td>• Homeless service providers submit progress reports to the HCC team every two weeks, which include detailed accounts of clients’ progress and concrete recommendations/instructions for the court.</td>
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<tr>
<td>• The HCC team reviews and discusses these reports and the Commissioner issues orders to clients at HCC hearings based on the contents of the progress reports.</td>
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<tr>
<th>HCC graduation</th>
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<tr>
<td>• After approximately 8 to 12 months of compliance with an individual treatment plan, the HCC team determines that an individual graduates from HCC.</td>
</tr>
</tbody>
</table>
According to Santa Monica’s Human Services Division:

- The court had approximately 290 participants between February 2007 and September 2017.
- Around 61% of those enrolled in the program have graduated the program.  
- The average successful participant takes approximately 8 to 12 months to graduate.

City staff in charge of the court attribute the high attrition rate (i.e., 40% of participants do not graduate) to the fact that Santa Monica’s program targets individuals with the most severe psychiatric disorders who are therefore the most difficult to retain. Part IV below includes further details about each step in the Homeless Community Court process and the roles that HLP, the Homeless Community Court team, and service providers play in each step of the process.

An evaluation of the process and effectiveness of the Santa Monica Homeless Community Court is warranted because although homeless courts have the potential to increase permanent housing placement and decrease recidivism, they have not been well-studied. As further detailed in Part II: Literature Review, drug courts and mental health courts have been extensively evaluated, but there is only one publicly available homeless court evaluation (which evaluated San Diego’s homeless court). Although this evaluation included a recidivism impact analysis, the analysis relied on an unmatched comparison group consisting of individuals who signed up for but did not attend homeless court hearings. In addition, the evaluation did not include an analysis of impacts of participation on housing outcomes. There are two homeless court conference publications that provide details about homeless courts across the U.S., but these publications only discuss the typical homeless court model (the pure dismissal model, which Santa Monica did not adopt). In addition, no impact analyses are included in these conference publications.

My dissertation is the first evaluation of a homeless court that uses a matched comparison group to analyze outcomes and the first homeless court evaluation to analyze impacts on housing outcomes. It is also the first evaluation of a homeless court that operates under the traditional therapeutic justice model (used by drug courts and mental health courts), rather than the pure dismissal model.

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24 The City calculates and updates its graduation rate quarterly and publishes the cumulative graduation rate on the City website: https://www.smgov.net/Portals/Homelessness/content3Column.aspx?id=25145. The City has not conducted a comparison of quarterly graduate rates over time. As noted above, each participant’s treatment plans and goals are different, but typically participants graduate from Homeless Community Court after they have been housed and connected with appropriate supportive services.

25 Interview with stakeholder #6.
Research Questions

This project answers three primary research questions:

- **Research Question 1:** How do government entities and non-profit social service organizations work together to deliver the Santa Monica Homeless Community Court?

- **Research Question 2:** How can the Santa Monica Homeless Community Court’s enrollment and retention be improved?

As further detailed below in *Parts IV and V*, to answer Research Questions 1 and 2, I attended biweekly Homeless Community Court sessions, participated in a ride-along with HLP, and conducted in-person interviews with key stakeholders and Homeless Community Court participants. Through observation and interviews, I documented the steps in the Santa Monica Homeless Community Court process. This is the first detailed description of a homeless court process that does not operate under the pure dismissal model, and hopefully the description will provide guidance to other jurisdictions that wish to replicate Santa Monica’s model.

Interviews with stakeholders and clients covered their opinions about strengths and weaknesses of the court and their opinions about ways to improve the process. Along with interviewing clients who graduated from Homeless Community Court, I also interviewed individuals who dropped out of the program. These interviews allowed me to identify recommendations for improving enrollment and graduation rates.

- **Research Question 3:** Is graduation from the Santa Monica Homeless Community Court associated with improved housing outcomes and decreased recidivism?

I selected housing outcomes as a metric because, according to the City, in alignment with the City’s Action Plan to Address Homelessness in Santa Monica, placement into permanent housing is a key way to measure the Court’s success.²⁶ Although many court participants experience mental health issues and substance use issues, the issue that all participants universally face is lack of permanent housing. I chose two years from enrollment as the housing outcome follow-up period because permanent housing is a long-term goal. While some participants achieve their housing goals before graduating from court, others take steps to obtain permanent housing before graduating from court but still do not have permanent housing when they graduate. As further detailed below in the *Part VI: Quantitative Methods*, to estimate the effect of Homeless Community Court graduation on housing outcomes, I used a propensity score

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²⁶ Interview with stakeholder #10.
I selected recidivism as an outcome because this is the primary impact outcome in evaluations of drug courts, mental health courts, and the San Diego homeless court. I selected two years after enrollment as the follow-up period because the Santa Monica Homeless Community Court aims to reduce a person’s criminal-justice involvement after the individual graduates from the program, not just during the period they are supervised by the program. In addition, as detailed in the *Other therapeutic justice evaluations* subsection of *Part II: Literature Review*, the majority of drug court and mental health court evaluations have recidivism follow-up timeframes of between 6 and 24 months. Unfortunately, I was unable to obtain recidivism data from the Santa Monica Police Department and I could not use public criminal records because the data I received from the City was de-identified (names and any other information that would allow me to link the data with public records was removed from the data). Thus, I could not estimate the effects of Homeless Community Court graduation on recidivism. However, as detailed in *Part II: Literature Review*, there is a growing body of evidence that suggests that placement into permanent housing reduces re-arrests and other criminal justice system involvement. In addition, during my interviews with individuals from HLP, the Homeless Community Court team, and service providers, the interviewees said that in their experience, graduation from Homeless Community Court results in decreased recidivism.
Part II: Literature Review

Problem-Solving Courts: Background, Purpose, and Paradigms

What is a problem-solving court?

Although there is no clear-cut definition of “problem-solving court,” these courts share the following characteristics: Problem-solving courts attempt to craft solutions to chronic problems such as substance use disorders, homelessness, and domestic violence, which have been associated with high recidivism rates. In addition, problem-solving courts attempt to make the legal system more accountable to community members who use courts, whether as victims or defendants.27

The Miami-Dade Drug Court, established in 1989, is credited with being the first problem-solving court in the U.S. In the wake of the success of the Miami-Dade Drug Court,28 numerous problem-solving courts were established across the U.S.29 As of 2012, there were a total of 3,633 problem-solving courts across the U.S. and its territories.30 The most common type of problem-solving court was drug court.31 As of 2012, there were 1,330 drug courts in the U.S. The second most common type of problem-solving court in the U.S. was mental health court, with 337 in the U.S.32

Why did problem solving courts come about?

As detailed in this section, the following factors led to the development of problem-solving courts: (1) overburdened institutional resources, (2) lack of judicial tools to address issues associated with recidivism, (3) justice system stakeholders’ recognition of declining public confidence in the criminal justice system, and (4) increasing evidence that therapeutic interventions were effective.

Overburdened institutional resources

In the 1980s and 1990s, jails and prisons became increasingly overcrowded and burgeoning caseloads flooded state court systems. One common issue across these caseloads was chronic...
low-level offenders. For example, Rohde (1999) reports that in the 1990s, the number of misdemeanor cases in New York City increased by 85%.³³ Justice system stakeholders believed the rising caseloads to be driven by underlying social problems such as substance use disorders and homelessness.³⁴

Lack of judicial tools to address issues associated with recidivism

The volume of cases, high recidivism rates, and overcrowded jails and prisons led many judges and criminal attorneys to conclude that the criminal justice system was a “revolving door” and that relying on traditional criminal justice practices was unsustainable.³⁵ Judges and others within the criminal justice system recognized that traditional judicial approaches addressed the symptoms but not the causes of issues such as substance use disorders.³⁶ Individuals experiencing these issues required repeated judicial intervention because, without treatment of the underlying issues, they cycled in and out of the criminal justice system. Although judges in traditional courts repeatedly saw these issues, they lacked expertise in these areas. Judges in traditional courts also lacked the tools to address the underlying causes of these issues. The tools at their disposal were incarceration and fees rather than treatment and social services.³⁷ In contrast to judges in traditional courts, judges in problem-solving courts regularly meet with service providers, advocates, and other organizations and individuals who can educate them about underlying issues such as substance use disorders and mental illness and treatment options to address these issues.³⁸

Declining public confidence in the criminal justice system

Berman (2001) notes that because of the strains on time and resources within the criminal justice system, judges and attorneys felt pressure to process cases as efficiently as possible, without sufficient regard to the concerns of the involved victims, defendants, and broader community.³⁹ Attorneys, judges, and other criminal justice system stakeholders sensed a growing public frustration with “business as usual” in state courts.⁴⁰ One district attorney noted that his support for problem-solving courts arose from his concern about lack of justice system credibility. He noted that community members were concerned about quality-of-life crimes in

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³⁴ Berman et al. (2001), supra note 27.
³⁷ Winick, supra note 36.
³⁹ Berman et al. (2001), supra note 27.
⁴⁰ Berman et al. (2001), supra note 27.
the community, and they did not think that judges were doing anything to address the root causes of these quality-of-life crimes.41

Evidence of effectiveness of therapeutic interventions and problem-solving courts

As judges, attorneys, and the public experienced frustration with the strained criminal justice system, advances in therapeutic interventions (particularly substance use disorder treatments) made them more effective and accessible.42 This gave criminal justice stakeholders confidence that interventions could be used to address chronic underlying problems associated with criminal behavior.43

Evidence that early problem-solving courts that incorporated these interventions were effective also led to funding and proliferation of more problem-solving courts. For example, the success of the Miami-Dade County Drug Court44 resulted in federal funding for drug courts across the U.S. The 1994 Crime Act authorized the Attorney General to make drug court grants, resulting in the distribution of $50 million in grants in the 2000 fiscal year.45

Three problem-solving court paradigms

To reduce recidivism and resulting hefty criminal caseloads, increase confidence in the criminal justice system, and implement evidence-based interventions, justice system stakeholders developed three primary problem-solving court paradigms:

1. Therapeutic justice

This remedial model, implemented by drug courts, mental health courts, and most homeless courts, aims to decrease recidivism by using therapeutic interventions to treat underlying problems such as substance use disorders and mental health issues that are associated with recidivism. Under this model, the judge, prosecution, defense, and other team members collaborate to develop individual treatment plans to address the needs of individuals.46 In addition to the goal of reducing recidivism, another therapeutic justice goal is to increase confidence in the justice system. By connecting individuals experiencing chronic issues with community resources that can help to treat these issues, courts seek to increase confidence in the justice system amongst defendants and the community.

45 Berman *et al.* (2001), *supra* note 27.
2. Accountability

The second model is the accountability model. This model is most frequently used by domestic violence courts. Rather than focusing on therapeutic interventions for the individual charged with a crime, domestic violence courts focus on victim safety and offender accountability.\(^\text{47}\) Although domestic violence courts connect individuals with batterer interventions (and in this respect, appear similar to therapeutic justice courts), the primary purpose of these interventions is increased judicial supervision. In addition, problem-solving courts operating under the accountability model focus on victim safety and victim services in order to serve those individuals in the community directly affected by the crime. For example, domestic violence courts aim to accommodate victims’ need for services and information, increase collaboration with victim service providers, and educate courthouse staff about domestic violence issues.\(^\text{48}\)

3. Community justice

The third model is the community justice model. This model’s primary aim is to increase public trust in the justice system by focusing on restorative justice. Courts operating under this model involve the local community in determining the primary problems within the community that need to be addressed. Community courts most frequently use the community justice model.\(^\text{49}\) These courts focus on crimes that directly affect the quality of life of community members, such as vandalism and shoplifting.\(^\text{50}\) Community courts typically mandate that a participant perform community service to restore the community in ways that make justice visible to residents of the community.\(^\text{51}\) For example, the Red Hook Community Court orders participants to restore the community through restitution projects such as street sweeping and painting over graffiti.

As shown in Table 2.1, courts operating under the therapeutic justice model and accountability model admitted their first participants in 1989.\(^\text{52}\) The earliest community court admitted its first participants in 1993.\(^\text{53}\)

\(^{48}\) Center for Court Innovation, supra note 47.
\(^{49}\) Center for Court Innovation, supra note 47.
\(^{53}\) BJS Survey, supra note 52.
Police officers seeking to enforce laws and community norms and bring order to the streets hand out citations to individuals experiencing homelessness for conduct such as illegal camping or public urination. These individuals often do not know how to respond to these citations, and are forced further outside of society as a result. Failure to appear in court may lead to custody and an eventual return of the individual back to the street, in no better position than they were before. The individual experiencing homelessness and society incur the costs of the formal legal process, arguably without any benefit to either party. Public defense lawyers and others in the criminal justice system recognized that criminal justice involvement was forcing individuals experiencing homelessness further outside of society and that the traditional courtroom setting was not addressing the problems underlying the cycle of homelessness. Thus, homeless courts were born.\textsuperscript{54} As of 2018, the American Bar Association’s Commission on Homelessness and

\begin{table}
\centering
\begin{tabular}{|l|l|l|}
\hline
Paradigm & Examples & Year first participants admitted  \\
& & (location(s) of court(s) that admitted participant(s) that year) \\
\hline
Therapeutic justice & Drug courts & 1989 (Miami, Florida; Baltimore, Maryland; Rochester, New York) \\
& Mental health courts & 1989 (Salt Lake City, Utah; Provo; Utah) \\
& Homeless courts (majority) & 1989 (San Diego, California) \\
\hline
Accountability & Domestic violence courts & 1989 (Detroit, Michigan; Belleville, Illinois) \\
\hline
Community justice & Community courts & 1993 (New York City, New York) \\
& Homeless courts (minority) & 2002 (Fresno, California) \\
\hline
\end{tabular}
\caption{Problem-solving court paradigms, examples, and year first participants admitted} 
\end{table}

**Homeless Courts: Background, Purpose, and Paradigms**

*Background and purpose*

Police officers seeking to enforce laws and community norms and bring order to the streets hand out citations to individuals experiencing homelessness for conduct such as illegal camping or public urination. These individuals often do not know how to respond to these citations, and are forced further outside of society as a result. Failure to appear in court may lead to custody and an eventual return of the individual back to the street, in no better position than they were before. The individual experiencing homelessness and society incur the costs of the formal legal process, arguably without any benefit to either party. Public defense lawyers and others in the criminal justice system recognized that criminal justice involvement was forcing individuals experiencing homelessness further outside of society and that the traditional courtroom setting was not addressing the problems underlying the cycle of homelessness. Thus, homeless courts were born.\textsuperscript{54} As of 2018, the American Bar Association’s Commission on Homelessness and

Poverty reported that there are 32 homeless courts throughout the U.S., 19 of which are in California.\textsuperscript{55}

San Diego’s homeless court, founded in 1989, was the nation’s first homeless court. This court evolved from a 1988 Veterans’ Stand Down, an event held in public parks and veterans centers over several days to offer services to homeless veterans, such assistance in obtaining housing and obtaining physical and mental health treatment. At the Stand Down, 116 of 500 homeless veterans noted that assistance with resolving outstanding criminal cases was a primary need. At the next year’s Stand Down event, the San Diego Superior Court held a special session for veterans to resolve misdemeanor matters. The Court allowed veterans who had already participated in rehabilitative activities to substitute their participation in agency programs for fines and custody.\textsuperscript{56}

Although homeless courts fall within the therapeutic justice model because they aim to decrease recidivism by using therapeutic interventions to treat underlying problems such as substance use disorders and mental health issues, homeless court procedures differ from other therapeutic justice courts’ procedures. Most therapeutic justice problem-solving courts monitor participants’ compliance with individual treatment plans by requiring them to appear in court one or more times a month for approximately one year. These courts then allow the participants to graduate after they have complied with court-ordered treatment for approximately a year. In contrast, the homeless court at San Diego’s Stand Down allowed participants to have their cases resolved in one hearing if they provided proof that they had participated in rehabilitative activities. This model is known as the “pure dismissal” model, and this is the model that was adopted by most homeless courts.\textsuperscript{57} In the 20 years following its inception, San Diego’s homeless court served an average of 196 veterans through Stand Downs each year.\textsuperscript{58} Because San Diego’s homeless court was able to resolve 451 cases for 130 individuals at Stand Down,\textsuperscript{59} the court began targeting the general homeless population at San Diego shelters in 1995. San Diego is now holding sessions yearly at Stand Down and every month at two shelters in San Diego.\textsuperscript{60}

Core elements of homeless court

There are five core elements of homeless court programs\textsuperscript{61}: 

\begin{itemize}
  \item 2004 ABA Conference Materials, supra note 54.
  \item Binder et al. (2013), supra note 56.
  \item Binder et al. (2013), supra note 56.
  \item Binder et al. (2013), supra note 56.
  \item 2004 ABA Conference Materials, supra note 54.
\end{itemize}
1. **Voluntary**: Individuals experiencing homelessness voluntarily enroll in homeless court and are not ordered to participate in the program. Participants are afforded due process protections and do not surrender the right to bring their criminal case to trial or challenge the allegations against them.

2. **Broad range of misdemeanor offenses**: Homeless court addresses misdemeanor offenses ranging from being under the influence of a controlled substance to petty theft. Homeless courts do not address felony matters.

3. **Progressive plea-bargaining system**: Participants in San Diego’s homeless court and other homeless courts have already taken steps to improve their lives before their initial court date. The plea agreement offered to each client by the prosecutor acknowledges the efforts that these individuals have made prior to homeless court enrollment. For example, after a participant presents evidence of completed treatment to the judge and prosecutor, their outstanding fines are reduced or dismissed entirely.

4. **Alternative Sentencing**: The judge dismisses the vast majority of cases and gives “credit for time served” for participation in shelter activities for the remainder of the cases.

5. **No custody**: A homeless court judge never orders that a client go into custody. As noted above, all sentencing centers around an individual’s receipt of counseling and social services. However, this does not mean that the regular criminal court in the jurisdiction relinquishes its authority to incarcerate the individuals for matters that are not resolved in homeless court.

   The Santa Monica Homeless Community Court procedures are in line with elements 1, 2, and 5 (participation is voluntary, the court addresses a wide range of misdemeanor offenses, and the judge never orders that a client go into custody). However, as noted above and further detailed in *Part IV*, because the Santa Monica Homeless Community Court is not a “pure dismissal” court, elements 3 and 4 were not adopted by the Court.

**Homeless court process**

The typical homeless court operates under a “pure dismissal” model, in which clients present evidence (e.g., in the form of reports from service providers) of completion of treatment, counseling, efforts to obtain housing, efforts to obtain employment, and/or other relevant activities aimed at bettering their lives; and the judge dismisses the case after a single hearing.62 (Santa Monica adheres to the traditional therapeutic justice model procedure, with clients participating in court-ordered and court-monitored treatment for approximately a year. In this way, the Santa Monica Homeless Community Court differs from most other homeless courts.)

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**Figure 2.1 Overview of typical homeless court process (“pure dismissal” courts)**

<table>
<thead>
<tr>
<th>Stage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outreach</td>
<td>Homeless court team members visit local shelters and service agencies to explain the homeless court purpose and process to shelter and service agency staff. Case managers introduce clients to homeless court and encourage participation.</td>
</tr>
<tr>
<td>Enrollment</td>
<td>Service providers make a list of individuals experiencing homelessness who are eligible for and interested in homeless community court and send a list to the public defender’s office approximately once a month. The public defender’s office reviews the list, then provides the list to the prosecution and the court. Eligible cases are put on the homeless court calendar and individuals are provided with notice of their hearing date.</td>
</tr>
<tr>
<td>Prosecution prepares plea bargains</td>
<td>The court prepares the calendar and the prosecution runs each client’s criminal records and provides plea bargains to the public defender. As noted above, the plea bargains usually take into account steps that each client has taken to improve their lives, and fines or jail time are exchanged for treatment completed prior to the court appearance.</td>
</tr>
<tr>
<td>Client meets with public defender</td>
<td>An attorney from the public defender meets with participants before the session to prepare the participant for the hearing. The attorney discusses with the client what will happen at the hearing in order to make the client feel more comfortable with the process. The public defender directs the participant to gather advocacy letters from their shelter and/or service providers and any other certificates or documentation that demonstrate that they have taken steps to better their lives.</td>
</tr>
<tr>
<td>Hearing and adjudication</td>
<td>On the day of the hearing, all parties arrive in advance of the hearing in order to discuss the plea bargain and proof of accomplishments. By the time the hearing is called, all parties have reviewed and discussed the case at length. The vast majority of cases are dismissed.</td>
</tr>
</tbody>
</table>

**SOURCE:** Figure based on process described in Binder, S., & Horton-Newell, A. (2013). Returning Home to Homelessness; San Diego's Homeless Court Program Models Ways to Help. *Experience*, 23.
Evaluations of Problem-Solving Courts

Overview of impact evaluations of problem-solving courts

The Center for Court Innovation (a public/private partnership between the New York State Unified Court System and the Fund for the City of New York, which provides expert assistance to justice reformers around the world) conducted a literature review of impact evaluations of problem-solving courts. The literature review was part of a State Justice Institute-funded project to identify a set of universal performance indicators for problem-solving courts. The literature review includes evaluations of courts that operate under all three paradigms (therapeutic, accountability, and community justice). Although the project report does not include details about specific research designs that were included and excluded from the literature review, the project report notes that the review “included reviews of significant impact evaluations” and “implementation evaluations that were coupled with impact evaluations.” With few exceptions, these impact evaluations focused on recidivism.63

Within the therapeutic justice category, the literature review includes impact evaluations of adult drug courts, juvenile drug courts, family drug courts, and mental health courts. (Notably, San Diego’s homeless court evaluation is not included.) Adult drug courts have been widely evaluated,64 and the five meta-analyses of these drug courts included in the literature review all found that drug courts reduce recidivism. There have been far fewer studies on juvenile and family drug courts. Juvenile drug court evaluations have mixed results, some indicating no effect on recidivism and others indicating reduced recidivism. The literature review notes that the literature on family drug courts is in the early stages of development, but a multi-site evaluation of four family drug courts found that participants in family drug court were more likely to be reunited with children and receive treatment than a comparison group of similar individuals with pending child abuse and neglect cases who did not participate in family drug court. Notably, family drug court evaluations did not examine impacts on recidivism. There are fewer evaluations of mental health courts than drug courts.65 The literature review notes that evaluations of mental health courts have found that graduation from mental health court reduces recidivism.66

The literature review includes impact evaluations of one type of court that operates under the accountability model: domestic violence courts. Evaluations of domestic violence courts report

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64 The report does not state how many drug court evaluations have been conducted, but as noted in the Drug Court Evaluations subsection below, at least 92 evaluations have been conducted.

65 The report does not state how many mental health court evaluations have been conducted, but as noted in the Mental Health Court Evaluations subsection below, the two meta-analyses of mental health courts each include around 20 evaluations.

mixed results with respect to recidivism. Evaluators also looked at additional outcomes and performance indicators, finding that domestic violence courts are more likely than traditional courts to engage in continuing judicial supervision after sentencing, domestic violence courts are more likely than traditional courts to impose sanctions when defendants are non-compliant, and domestic violence courts link a higher percentage of victims with services than traditional courts.67

Community justice court impact evaluations, unlike most other problem-solving court impact evaluations, have not focused on recidivism. Evaluators looked at other impact measures, finding that community courts are more likely than traditional courts to link defendants to alternative sanctions. For example, a study of the Midtown Community Court found that 74% of sentences had a community or social service component, whereas 55% of sentences at a nearby traditional court had a community or social service component.68

**Homeless court evaluations**

In my review of literature on problem-solving courts, I found that current literature on homeless courts primarily consists of three publications: an evaluation of San Diego’s homeless court69 and the materials from two nationwide conferences on homeless courts in 2004 and 2006.70 There is very little publicly available information on the Santa Monica Homeless Community Court. The Santa Monica Homeless Community Court is not described in the American Bar Association’s 2004 and 2006 conference publications because it had not been established when the conferences occurred. The City of Santa Monica website includes basic information on Homeless Community Court,71 but no details of the procedures used by the court or the impacts of the court are available on the website or elsewhere. Below, I summarize the purpose and findings from the evaluation of San Diego’s homeless court and information from the homeless court conference publications.

**Evaluation of San Diego’s homeless court**72

There is only one publicly available homeless court evaluation, which was conducted by the San Diego Association of Governments and published in June 2001. This evaluation was a process and impact evaluation of San Diego’s homeless court. As noted above, this court began in 1989 and was the first homeless court in the U.S.

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67 Id.
68 Id.
70 2004 ABA Conference Materials, supra note 54.
72 Pennell et al., supra note 69.
Hearings are held at two shelters in San Diego. The court serves individuals experiencing homelessness with at least one outstanding misdemeanor warrant within the jurisdiction of the court. Individuals are ineligible if the referring offenses include domestic violence, driving under the influence of drugs or alcohol, or if they have any pending felonies. San Diego’s homeless court served as a model for homeless courts throughout the U.S. and San Diego’s procedures are in line with the steps detailed in the Core elements of homeless court subsection above. Cases are dismissed at the monthly hearings based on efforts the client made (e.g., applying for permanent housing, attending treatment for substance use disorder) before the hearing.

In July 1999, San Diego’s homeless court received a grant from the Department of Justice Bureau of Justice Assistance, which allowed the court to start holding monthly sessions and included funds for an evaluation conducted by the San Diego Association of Governments. The evaluation included a process evaluation, which investigated the court’s first eight goals, and an impact evaluation, which investigated the court’s ninth through twelfth goals:

Process evaluation

The court met Goal 1 (Conduct enough outreach sessions to recruit and maintain a caseload of at least 10 defendants) and Goal 2 (Maintain a caseload of at least 10 individuals each month).

To track outreach and attendance numbers, program staff collected data on the number of individuals who signed up for and attended homeless court from October 1999 to February 2001. San Diego’s homeless court was successful in recruiting and maintaining a caseload of at least 10 participants a month during the time period examined (with the exception of October 1999 when only 9 participants attended).

The court met Goal 3 (Resolve at least 20 cases per month).

Evaluators collected data on the number of cases presented at each monthly hearing from October 1999 to February 2001. During each of the monthly hearings, at least 20 cases were resolved. The average number of cases per participant during this time period was 2.8 cases per participant.

The court did not meet Goal 4 (Reduce rate at which participants fail to appear at their hearings).

To track attendance rates, program staff collected data on the number of individuals who signed up for homeless court hearings and the proportion of those individuals who attended the hearings from October 1999 to February 2001. The court did not meet its goal of improving

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73 2004 ABA Conference Materials, supra note 54.
74 2004 ABA Conference Materials, supra note 54.
75 Pennell et al., supra note 69.
attendance. From November to December 1999, half of the individuals who enrolled appeared at the hearing. The monthly appearance rate began to increase in January 2000 (76%), but decreased to 59% in February 2000 and then to 50% in May 2000.

The court met Goal 5 (Develop alternative sentencing options for participants).

With respect to alternative sentences, the goal was for the prosecutor and public defender to develop alternative sentencing options and for program staff to improve documentation of alternative sentences. With respect to the first goal, interviews with prosecutors and memoranda from the public defender’s office reflected that the court had reached its goal. Prosecutors indicated that individuals who had less than five charges and were actively participating in treatment programs would have their cases dismissed. If an individual had over five cases, the prosecutor and public defender would negotiate a plea agreement to reduce the charges to acknowledge the progress that the individual had made with respect to treatment.

The court did not meet Goal 6 (Improve documentation related to alternative sentences).

With respect to alternative sentencing documentation, the evaluators found that the court had not met its goal. Although the court improved documentation of case disposition (dismissed, continued, etc.), there were no complete records of alternative sentencing exchanges. Advocacy letters from treatment providers and counselors, which served as evidence that individuals had completed alternative sentences prior to the hearing, were not recorded in court documents.

There was insufficient data to evaluate Goal 7 (Consistently apply alternative sentencing).

Because documentation related to alternative sentences was incomplete, it was not possible to verify alternative sentencing agreements or conduct comparisons of cases.

The court met Goal 8 (Educate other jurisdictions about challenges that individuals experiencing homelessness face in accessing criminal courts).

The evaluators concluded that the court met the seventh goal based on the following:

- Program staff received requests for information about the court from around the country.
- Alameda County, Los Angeles, and Ventura implemented courts similar to San Diego’s homeless court.
- Program staff and clients participated in a panel discussion at the 2001 California Judicial Administration Conference.
- The court was featured in local and national media (although the evaluators note that the number of news stories featuring the court is not known).
Impact evaluation

The court met Goal 9 (Increase participant satisfaction with the legal system and law enforcement).

Evaluators asked all participants who appeared at homeless court hearings in February, March, April, May, August, and September 2000 to complete a brief interview. Fifty-nine of the 97 participants who appeared at a hearing during those months agreed to be interviewed. Overall, data collected from the interviews suggested that participation in the Homeless Court program increased satisfaction with court processes, court staff, and the court system as a whole. Approximately three-quarters of participants reported reduced fear of police resulting from homeless court participation. Individuals reported that participation in homeless court had reduced or eliminated their fear of law enforcement and the legal system. Most participants reported that prior fear caused them to wait until they were arrested to handle their outstanding cases. They reported that in the future, they would be more likely to proactively attempt to resolve any new cases. Respondents also reported that they would feel more confident filling out applications for employment and driver’s licenses now that their cases were resolved.

However, there are issues with the generalizability of the evaluators’ conclusions because they are based only on participants who agreed to be interviewed and only on participants who attended hearings in February, March, April, May, August, and September 2000. Approximately 40% of the participants who were approached for interviews declined interviews, and their satisfaction with the court and legal system is likely to differ from those who agreed to be interviewed. In addition, the court was established in 1989, and participants who attended hearings in the six months in 2000 during which interviews were conducted may also differ systematically from those who participated in other years.

The court met Goal 10 (Reduce the number of hearings required to reach case resolution) and Goal 11 (Increase non-incarceratory sanction completion rate).

To measure case resolution, program staff collected case disposition data and provided it to the evaluator monthly. The evaluator also conducted interviews with the public defender’s office. Between October 1999 and February 2001, 96% of the qualifying cases for which participants sought resolution at homeless court were resolved. At over half of the hearings, all cases presented were concluded. The vast majority of the cases not resolved at the hearing were cleared as soon as the defendant provided documentation to the court of their participation in treatment programs, volunteer services, or counseling.

There was insufficient data to evaluate Goal 12 (Reduce costs associated with homeless misdemeanants).

Although one of the research questions for the evaluation was whether or not costs associated with homeless misdemeanants were reduced, the evaluators concluded that there was insufficient
data from which to conclude that there are measurable cost savings to the criminal justice system.

*Recidivism*

Although reducing recidivism was not one of the court’s explicit goals, the evaluators estimated the effect of the program on recidivism. To measure recidivism, the evaluators used arrest and citation data extracted from the Automated Regional Justice Information System database for 209 individuals who signed up to appear at a homeless court hearing between October 1, 1999 and November 30, 2000. The evaluators also identified and obtained information on a comparison group consisting of 101 individuals who had signed up to attend homeless court but who had not appeared at their hearings. The time period for the recidivism analysis included 90 days prior to and 90 days following the client’s homeless court hearing. The proportion of the treatment and control groups that had contact with law enforcement 90 days prior to the hearing was “similar.” The evaluators found that 80% of the experimental group and 71% of the comparison group had no post-hearing criminal activity 90 days after the hearing. 14% of the experimental group and 20% of the comparison group were arrested within 90 days after the hearing date. Most of the arrests in the experimental group were for misdemeanor and municipal code violations, while only half of the arrests in the comparison group were for misdemeanor and municipal code violations (meaning that the individuals in the comparison group were arrested for more serious crimes).

However, the comparison group chosen by the evaluators is likely to be different from the participant group because of selection bias. The comparison group consisted of individuals who signed up for, but who did not attend, their homeless court hearing. In addition, the evaluators did not attempt to match the comparison group and participants on any characteristics.

*Recommendations*

The evaluators made two primary recommendations. First, the evaluators recommended that the amount of treatment participation that is exchanged for traditional sentences be fully documented, *e.g.* “One day in jail is exchanged for 10 hours of group therapy.” The evaluators believed that this transparency would increase support for the program within the community. The other recommendation was that shelter staff take steps to ensure that individuals meet with the public defender a week prior to the hearing, for example, by arranging transportation to the meeting.

*American Bar Association 2004 and 2006 conference publications*

The American Bar Association’s Commission on Homelessness & Poverty held conferences on homeless courts in 2004 and 2006, attended by lawyers, service providers, and judges affiliated with homeless courts across the U.S. In the conference materials for the 2004
conference, there are descriptions of 10 homeless courts. The descriptions include information on year established, objectives, funding, eligibility, and outreach efforts. In the materials for the 2006 California statewide roundtable on homeless courts, there is information on 16 homeless courts in California and 8 homeless courts across the nation. However, the information on homeless courts is less extensive than in the 2004 conference publication and only includes information on calendars, types of cases handled, and dispositions. There are nine homeless courts that appear in both the 2004 and 2006 conference materials. Key information on these courts is summarized below.

Funding

Of the nine homeless courts that provided information for both the 2004 and 2006 publications, only two reported that they received funding for their courts. In July 1999, San Diego’s homeless court received a grant from the Department of Justice/Bureau of Justice Assistance to fund the homeless court efforts. Funding was distributed to the Office of the Public Defender, the City Attorney of San Diego, the San Diego County Superior Court, Vietnam Veterans of San Diego, St. Vincent de Paul, and the evaluators. The homeless court in Alameda received a $5,000 grant for its pilot project, but staff volunteer their time and the court provides court-related equipment and supplies needed for the court sessions. The vast majority of the homeless courts included in the American Bar Association publications operate entirely on volunteers from the bench, court staff, the public defender’s office, the district attorney’s office, and service providers.

Location

Of the nine homeless courts that provided information for the 2004 and 2006 publications, eight hold homeless court sessions at shelters and social service agencies that serve the homeless population. Sacramento’s homeless court operates once a month in Department 3 of the regular court building. However, participants do not attend these monthly sessions. Instead, a monthly homeless clinic is held at a local shelter. Public defenders meet with and interview clients at this clinic.

Types of cases handled

All nine courts reported that they handle only infractions and misdemeanor offenses within the court’s jurisdiction. The Alameda and Orange County homeless courts specified that they only handle non-violent misdemeanors (however, the absence of this information for the other seven courts does not indicate that they do accept violent misdemeanors). Salt Lake City, San Diego, and Albuquerque noted that most of the cases on their dockets involve public order or

76 2004 ABA Conference Materials, supra note 54.
77 2004 ABA Conference Materials, supra note 54.
quality-of-life crimes such as drinking in public, trespass, public nuisance, public disturbance, open container in public, public intoxication, and urinating in public.
Table 2.2 Types of cases handled by the nine homeless courts that provided information for the 2004 and 2006 American Bar Association’s Commission on Homelessness & Poverty conference materials

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Types of cases handled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County, CA</td>
<td><strong>Low-level misdemeanors associated with the condition of homelessness</strong> (The court handles other low-level misdemeanors on a case-by-case basis with the consent of the district attorney’s office, public defender, and the judge.) The court does not handle violent offenses, drug offenses, domestic violence matters, felonies, and parking violations.</td>
</tr>
<tr>
<td>Albuquerque, NM</td>
<td><strong>A wide range of misdemeanor cases (typically quality-of-life offenses, e.g., drinking in public, criminal trespass, and public nuisance)</strong></td>
</tr>
<tr>
<td>Fresno County, CA</td>
<td><strong>Common cases involve traffic matters, public intoxication, petty theft, trespass, drinking in public, urinating in public and panhandling</strong></td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td><strong>Traffic tickets, quality-of-life offenses (e.g., Metro fare evasion, jay walking, open container, and littering), and some low-grade misdemeanors</strong></td>
</tr>
<tr>
<td>Orange County, CA</td>
<td><strong>A wide variety of infractions and non-violent misdemeanors ranging from substance use disorder-related offenses to minor traffic infractions</strong> (The majority of charges are quality of life related offenses.) The court does not handle violent misdemeanors and felony cases.</td>
</tr>
<tr>
<td>Sacramento, CA</td>
<td><strong>Misdemeanors</strong></td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td><strong>Misdemeanors (typically public order offenses, e.g., trespass, open container in public, public intoxication, urinating in public)</strong></td>
</tr>
<tr>
<td>San Diego, CA</td>
<td><strong>A broad range of misdemeanor offenses (The majority of cases are public disturbance offenses, e.g., drinking or urinating in public, illegal lodging, jaywalking, riding public transportation without paying).</strong></td>
</tr>
<tr>
<td>Ventura County, CA</td>
<td><strong>Any infraction and certain limited misdemeanors “arising out of the condition of homelessness”</strong> (The court may handle other low-level misdemeanors with the consent of the district attorney’s office, public defender, and the court.)</td>
</tr>
</tbody>
</table>
Outreach and referral

Five homeless courts reported their outreach and referral strategies. These strategies are summarized in Table 2.3, below.

Table 2.3 Outreach and referral strategies employed by homeless courts that provided information for the 2004 and 2006 American Bar Association’s Commission on Homelessness & Poverty conference materials

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Outreach and referral strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County, CA</td>
<td>Homeless court team members conduct bi-monthly outreach sessions in collaboration with homeless shelters, veteran’s affairs organizations, the public defender, the district attorney, and community-based organizations.</td>
</tr>
<tr>
<td>Albuquerque, NM</td>
<td>Volunteer private defense attorneys and community-based service providers identify individuals who have prepared or are preparing to break away from the homeless cycle.</td>
</tr>
<tr>
<td>Fresno County, CA</td>
<td>Not reported</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>Not reported</td>
</tr>
<tr>
<td>Orange County, CA</td>
<td>An attorney from the Office of the Public Defender visits local shelters and service agencies to explain the homeless court purpose and process to shelter and service agency staff. Case managers at service agencies introduce their clients to the option of homeless court.</td>
</tr>
<tr>
<td>Sacramento, CA</td>
<td>Not reported</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>Not reported</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td>An attorney from the Office of the Public Defender visits local shelters and service agencies to explain the homeless court purpose and process to shelter and service agency staff. Case managers introduce clients to homeless court and encourage participation.</td>
</tr>
<tr>
<td>Ventura County, CA</td>
<td>Homeless court team members visit local service agencies to explain the homeless court purpose and process to service agency staff. Social workers and case managers then introduce their clients to homeless court.</td>
</tr>
</tbody>
</table>

Therapeutic justice vs. community justice-centered sentencing

As noted above, problem-solving courts that operate under the therapeutic justice model use therapeutic interventions to treat underlying problems such as substance use disorders and mental health issues that are associated with recidivism. Problem-solving courts that operate under the community justice model often mandate that clients restore the community in a way that makes justice visible to residents of the community, namely through community service. Of the nine homeless courts that provided information for the 2004 and 2006 publications: five operate under the therapeutic justice model, three operate under a hybrid therapeutic justice/community justice model, and one operates under the community justice model, as summarized in Table 2.4, below. While the courts can be classified under these model types, as detailed in Table 2.4, there is variation even among courts that operate under the same model type. For example, the Albuquerque and San Diego courts are both therapeutic justice courts that operate under the pure dismissal model. However, under Albuquerque’s model, prosecution will dismiss relevant charges when a participant completes a treatment program or obtains housing or employment.
Under the San Diego model, participants receive “credit for time served” for accomplishments in shelter activities, such as life skills classes, computer classes, and literacy classes.

*Pure dismissal vs. multiple hearings*

As noted above, the typical homeless court operates under a “pure dismissal” model in which clients present evidence of completion of treatment, counseling, efforts to obtain housing, efforts to obtain employment, and/or other relevant activities aimed at bettering their lives and the judge dismisses the case after a single hearing. Of the nine courts, eight of the nine adhered to the “pure dismissal” model, as summarized in Table 2.4, below. The homeless court in Orange County, California was an exception. The court in Orange County, like the Santa Monica Homeless Community Court, requires participants to make multiple appearances before the court and uses these appearances to link participants with services and treatment and monitor a client’s participation in treatment and services.
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Pure dismissal?</th>
<th>Therapeutic justice or community justice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County, CA</td>
<td>Pure dismissal</td>
<td>Therapeutic justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Individuals must demonstrate progress in at least two life areas (e.g., housing, employment, mental health, physical health, income, substance use disorders, or education). Progress is credited against outstanding charges and fines.</td>
</tr>
<tr>
<td>Albuquerque, NM</td>
<td>Pure dismissal</td>
<td>Therapeutic justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>When a defendant has succeeded in completing a treatment program, finding employment, or finding housing, prosecution will offer a motion to dismiss relevant charges.</td>
</tr>
<tr>
<td>Fresno County, CA</td>
<td>Pure dismissal</td>
<td>Community justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fresno County requires community service rather than giving credit for completing a treatment program, finding employment, or finding housing. Most community service involves working for agencies that assist individuals experiencing homelessness.</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>Pure dismissal</td>
<td>Therapeutic justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Participation in a rehabilitative program is considered to be restitution for fines and warrants.</td>
</tr>
<tr>
<td>Orange County, CA</td>
<td>Multiple hearings</td>
<td>Therapeutic justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Participants appear before the court multiple times, and during these appearances, the court links participants with partner agency representatives who can provide services and linkages to services at the time and location of the court session. Cases are dismissed and/or fines and fees on outstanding cases are vacated when participants have made sufficient progress towards obtaining self-sufficiency.</td>
</tr>
<tr>
<td>Sacramento, CA</td>
<td>Pure dismissal</td>
<td>Hybrid therapeutic justice and community justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Public Defender Misdemeanor Supervisor and the District Attorney Misdemeanor Supervisor collaborate to create offers and sentencing that take into account the needs of each participant. Clients choose how they will handle their obligation to the court and community. An example of this is an offer of 10 community service hours or 10 Alcoholics Anonymous meetings.</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>Pure dismissal</td>
<td>Hybrid therapeutic justice and community justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sentencing is for community service, but the court gives hour for hour credit for community service for attendance at treatment or self-help programs.</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td>Pure dismissal</td>
<td>Therapeutic justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Participants receive “credit for time served” for accomplishments in shelter activities (e.g., life-skills classes, chemical dependency or AA/NA meetings, computer and literacy classes, training or searching for employment).</td>
</tr>
<tr>
<td>Ventura County, CA</td>
<td>Pure dismissal</td>
<td>Hybrid therapeutic justice and community justice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Community service hours are credited at the rate of $10 per hour towards outstanding fines. Credit is sometimes given for successful completion of sobriety programs or for making significant behavioral changes (e.g. not drinking in the park anymore).</td>
</tr>
</tbody>
</table>
Challenges

Four of the nine courts reported challenges faced by the court. Orange County, San Diego County, and Los Angeles reported that one of the biggest challenges is that a client may have outstanding misdemeanors outside of the court’s jurisdiction. Challenges reported by homeless courts are summarized in Table 2.5, below.

Best practices and lessons learned

The homeless courts in Albuquerque and Fresno noted that having a Homeless Court Coordinator who serves as a consistent point of contact for participants and service providers has made agencies more comfortable referring clients and has increased enrollment figures. The homeless courts in Orange County, San Diego, and Ventura stressed the importance of building trust within the homeless population. Both courts note that trust is built as individuals experiencing homelessness graduate from the program and share positive experiences with other potential clients. Best practices reported by homeless courts are summarized in Table 2.5, below.
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Challenges</th>
<th>Best practices and lessons learned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County, CA</td>
<td>None reported</td>
<td>None reported</td>
</tr>
<tr>
<td>Albuquerque, NM</td>
<td>The court finds it difficult to obtain proof of participation when a participant is using several different agencies to access services. Staff turnover at agencies also makes it difficult to track progress.</td>
<td>Media exposure and the addition of a Homeless Court Coordinator increased enrollment and retention dramatically. After agencies had a contact person, they felt more comfortable referring individuals to the court.</td>
</tr>
<tr>
<td>Fresno County, CA</td>
<td>None reported</td>
<td>The addition of a Homeless Court Coordinator reduced the burden of interoffice communication and made attorney scheduling easier. Although substance use disorder treatment providers were initially reluctant to work with the court, the Homeless Court Coordinator and homeless service providers who had already been collaborating with the court worked to build trust and enthusiasm for the program as the court reached out to new providers.</td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>None reported</td>
<td>Statewide coordinated homeless courts would allow homeless courts to comprehensively remove the obstacle of tickets and warrants from the paths of individuals experiencing homelessness. These individuals often have outstanding tickets and warrants from a number of jurisdictions.</td>
</tr>
<tr>
<td>Orange County, CA</td>
<td>It is difficult to address misdemeanor criminal cases of participants throughout the county.</td>
<td>It is very important to build trust with potential participants. As more individuals are serviced by the court, the legitimacy and reputation of the court will be strengthened, and participation will increase.</td>
</tr>
<tr>
<td>Sacramento, CA</td>
<td>None reported</td>
<td>Homeless courts likely save the jurisdictions money in the long run.</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>None reported</td>
<td>None reported</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td>It is difficult to consistently address all of an individual’s misdemeanor criminal cases throughout the county, which precludes full resolution of all cases. In addition, having to attend numerous court hearings in multiple jurisdictions hinders individuals’ participation in rehabilitative activities.</td>
<td>One primary challenge is convincing potential clients that the court will positively impact their lives. Trust is built via word of mouth, by participants who have successfully resolved their cases through homeless court.</td>
</tr>
<tr>
<td>Ventura County, CA</td>
<td>None reported</td>
<td>Homeless courts should start small, with limited types of offenses and a discrete geographic area. Once the court builds a track record, it can then expand.</td>
</tr>
</tbody>
</table>
All 9 courts provided statistical information about the annual volume of homeless court cases, the average size of the court’s calendar, and/or the number of cases resolved. I summarize this information in Table 2.6 below.

<table>
<thead>
<tr>
<th></th>
<th>Yearly Average, reported as clients or cases</th>
<th>Session Average, reported as clients or cases (Session Frequency)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alameda County, CA</td>
<td>• 250 to 300 cases</td>
<td>• 40 to 55 cases (bimonthly sessions)</td>
</tr>
<tr>
<td>Albuquerque, NM</td>
<td>• 200 cases</td>
<td>• 6 to 10 clients (monthly sessions)</td>
</tr>
<tr>
<td>Fresno County, CA</td>
<td>• approximately 150</td>
<td>• Not reported</td>
</tr>
<tr>
<td></td>
<td>• approximately 70 clients</td>
<td></td>
</tr>
<tr>
<td>Los Angeles, CA</td>
<td>• 50 to 60 clients</td>
<td>• Over 100 cases (monthly sessions)</td>
</tr>
<tr>
<td>Orange County, CA</td>
<td>• 155 clients</td>
<td>• 28 clients (25 sessions per year)</td>
</tr>
<tr>
<td>Sacramento, CA</td>
<td>• Not reported</td>
<td>• 90 to 130 cases (monthly sessions)</td>
</tr>
<tr>
<td>Salt Lake City, UT</td>
<td>• 1,136 cases</td>
<td>• 63 cases (18 sessions per year)</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td>• 2,155 cases</td>
<td>• 180 cases</td>
</tr>
<tr>
<td>Central Division</td>
<td></td>
<td>• 55 clients (monthly sessions)</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td>• Not reported</td>
<td>• 16 clients</td>
</tr>
<tr>
<td>North County</td>
<td></td>
<td>• 43 cases (monthly sessions)</td>
</tr>
<tr>
<td>Ventura County, CA</td>
<td>• 350 to 450 cases</td>
<td>• 75 to 100 cases (monthly sessions)</td>
</tr>
</tbody>
</table>

Notes:
- Many clients have numerous cases, thus the number of cases a court hears per session is often many times greater than the number of clients served during one session.
- San Diego’s homeless court has two locations, which separately track statistics.

No formal evaluations
The information template that each homeless court filled out for the 2004 conference publication included a section titled “Evaluation.” The San Diego homeless court was the only
court that stated that a formal evaluation had been done. Other courts noted that they informally evaluate their courts by asking participants and case managers to continuously provide feedback to the court team. Courts also noted that they track statistical information, which is summarized in Table 2.6 above.

**Other therapeutic justice court evaluations**

Like homeless courts, drug courts and mental health courts operate under the therapeutic justice model and provide connections to similar types of social services (e.g., treatment for substance use disorders and mental health issues). I reviewed meta-analyses of drug court and mental health court evaluations to better understand common procedural elements of these courts (e.g., what types of charges are handled, how long it takes to graduate from these courts on average), what outcomes and outcome follow-up periods the evaluators selected, and what effects the evaluators found.

**Mental health court evaluations**

Mental health courts aim to divert individuals experiencing severe mental illness who have committed crimes into court mandated treatment programs instead of the prison system.78 Individuals participating in mental health courts are most commonly diagnosed with schizophrenia, bipolar disorder, or a major depressive disorder.79 There are approximately 250 mental health courts in the U.S.80 Like homeless courts, mental health courts provide connections to case management, entitlement program consultations, employment counseling, self-help and support groups, and treatment for substance use disorders.81 Unlike homeless courts, mental health courts accept individuals with felony charges.82 In addition, unlike homeless courts, monthly drug screenings at the courthouse are usually required of participants with a co-occurring disorder and medications are usually checked in the court every week to ensure participants are adhering to treatment plans and any necessary adjustments can be made.83 The average length of participation for a graduate is approximately 12 months.84

There have been three meta-analyses of adult mental health courts: Sarteschi (2011),85 Cross (2011),86 and Lowder (2018).87 The criteria used to select mental health court evaluations for

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80 Cross (2011), supra note 79.
81 Cross (2011), supra note 79.
82 Cross (2011), supra note 79.
83 Cross (2011), supra note 79.
84 Cross (2011), supra note 79.
85 Sarteschi (2011), supra note 78.
86 Cross (2011), supra note 79.
inclusion in the meta-analyses are summarized in Table 2.7 below. All three meta-analyses only included evaluations of mental health courts in the U.S. that reported at least one clinical or recidivism outcome (with enough quantitative information to calculate effect size). The meta-analyses included between 17 and 20 evaluations. The majority of evaluations included in the meta-analyses had follow-up periods of between 6 and 12 months (although it is unclear from Sarteschi (2011) and Cross (2011) whether the follow-up periods began at entry or graduation). All meta-analyses included evaluations of program effects on mental health court participants (impact analyses were not limited to graduates). All meta-analyses found that mental health court participation is associated with a statistically significant reduction in recidivism, even if a participant did not ultimately graduate. Sarteschi (2011) found a moderate effect size for the recidivism reduction (d=-0.54), Cross (2011) found a small effect size for the recidivism reduction (d=-0.32), and Lowder (2018) also found a small effect size for the recidivism reduction (d=-0.2). Sarteschi (2011) found limited support for a potential positive impact on clinical outcomes such as Global Assessment of Functioning scores and a reduction of costly services such as psychiatric emergency room visits. Cross (2011) found a nonsignificant effect for improving clinical outcomes for participants.

**Table 2.7: Meta-analyses of adult mental health courts: criteria for selecting eligible studies**

<table>
<thead>
<tr>
<th>Meta-analysis</th>
<th>Evaluated a U.S.-based adult mental health court</th>
<th>Written in English</th>
<th>Focused on individuals who were 17 years and older experiencing a mental illness</th>
<th>Reported at least one clinical or recidivism outcome (with enough quantitative information to calculate effect size)</th>
<th>Study included a comparison group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarteschi (2011)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cross (2011)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Lowder (2018)</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
Studies included in Cross (2011), *supra note* 79, measured recidivism in terms of booking rates, re-arrests, new convictions, or jail days for a specified follow-up period. Studies included in Lowder (2018), *supra note* 87, similarly measured recidivism in terms of re-arrests, new criminal charges, new convictions, or jail days for a specified follow-up period. Sarteschi (2011), *supra note* 78, does not discuss how included studies defined recidivism. Under the inclusion criteria, Sarteschi states that studies were included if “they were pre-post-test one-group or multi-group designs in which the clinical or recidivism outcome measure, such as quality of life or rate of arrest, respectively, was taken before and after the MHC intervention.”

**Table 2.8: Meta-analyses of adult mental health courts: number of included evaluations, evaluation timeframes, impacts, and follow-up periods**

<table>
<thead>
<tr>
<th>Meta-analysis</th>
<th>Number of evaluations included</th>
<th>When were included evaluations conducted</th>
<th>Impact of mental health court on outcomes measured(^{88})</th>
<th>Outcome follow-up periods</th>
</tr>
</thead>
</table>
| Sarteschi (2011) | 18 | Between 2003 and 2008 | - Mental health court participation is associated with a moderate, statistically significant reduction in recidivism. \((d=-0.54)\).  
- Limited findings support a potential positive impact on clinical outcomes such as Global Assessment of Functioning scores and a reduction of costly services such as psychiatric emergency room visits. | - Less than 6 months - 2 (11%)  
- 6 to 12 months - 12 (67%)  
- Greater than 12 months - 4 (20%)  
It was unclear whether outcomes were measured at court entry and/or graduation or other exit. |
| Cross (2011) | 20 | Between 2000 and 2010 | - Mental health court participation is associated with a small, statistically significant reduction in recidivism \((d=-0.32, p<.05)\).  
- Nonsignificant effect for improving clinical outcomes for participants. | - Less than 6 months - 0 (0%)  
- 6 to 12 months - 11 (55%)  
- Greater than 12 months - 6 (30%)  
- Cannot tell – 3 (15%)  
Cross notes that some outcome periods started at entry and others started at exit, but did not separate studies according to this distinction. |
| Lowder (2018) | 17 | Between 1999 and 2013 | - Mental health court participation is associated with a small, statistically significant reduction in recidivism \((d=-0.2, p<.05)\). | - 12 months – 11 (65%)  
- Greater than 12 months – 6 (35%)  
Most follow-up periods began after enrollment \((N=9, 53\%)\) or after exit \((N=7, 41\%)\). |
Drug court evaluations

As of 2012, there were a total of 1,330 drug courts across the U.S. and its territories. Drug courts are similar to homeless courts in that they are collaborative and non-adversarial and integrate treatment for substance use disorders into criminal justice case processing. However, judicial monitoring is typically heavier in drug courts, with most drug courts requiring that clients be regularly urine tested. In addition, unlike homeless courts, drug courts accept individuals with felony charges (most eligible offenders have been charged with drug or property crimes and have few prior felony convictions). The average graduation rate for drug courts is estimated to be just under 50% and the average length of participation for a graduate is approximately 12 months.

There have been five meta-analyses of adult drug courts (excluding meta-analyses that only examined evaluations of drug courts in a select group of states): Sevigny (2013), Mitchell (2012), Shaffer (2011), Wilson (2006), and Lowenkamp (2005). The meta-analyses inclusion criteria are summarized in Table 2.9 below. Two meta-analyses only included evaluations of U.S. drug courts, all required utilization of a comparison group for inclusion, four included evaluations that reported a recidivism measure (e.g., arrest or conviction), and one included evaluations that reported incarceration outcomes. The number of included evaluations, evaluation timeframes, impacts, and follow-up periods are summarized in Table 2.9, below. The number of evaluations included in the meta-analyses ranges from 19 to 92, the evaluations included in the meta-analyses were conducted between 1993 to 2011, and the vast majority of evaluations included in the meta-analyses had follow-up periods of between one and two years (although most of the meta-analyses do not specify whether the follow-up period began at entry or graduation). All meta-analyses included evaluations of program effects on drug court participants (impact analyses were not limited to graduates) and the four meta-analyses that focused on recidivism outcomes found reductions in recidivism amongst drug court graduates. Although studies included in the meta-analyses did not focus only on graduates, Mitchell (2012)...

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91 Mitchell (2012), supra note 90.
92 Mitchell (2012), supra note 90.
95 Mitchell (2012), supra note 90.
96 Shaffer (2011), supra note 93.
notes that drug court evaluations commonly find that graduates are much less likely to recidivate than non-graduates and Mitchell (2012) found that programs with the highest graduation rates had the largest effect sizes. Sevigny (2013), the meta-analysis that reported on incarceration outcomes (as opposed to recidivism outcomes), found a significant reduction in the incidence of incarceration on the precipitating offense (in other words, individuals spent less time incarcerated for the offense that brought offenders into contact with the drug court).

Table 2.9: Meta-analyses of adult drug courts: criteria for selecting eligible studies

<table>
<thead>
<tr>
<th>Meta-analysis</th>
<th>Evaluated a U.S.-based adult drug court</th>
<th>Experimental or quasi-experimental</th>
<th>Utilized comparison group</th>
<th>Reported an outcome measure of criminal behavior, such as arrest or conviction</th>
<th>Reported incarceration outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sevigny (2013)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>×</td>
<td>✓</td>
</tr>
<tr>
<td>Mitchell (2012)</td>
<td>×</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>×</td>
</tr>
<tr>
<td>Shaffer (2011)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>×</td>
</tr>
<tr>
<td>Lowenkamp (2005)</td>
<td>×</td>
<td>×</td>
<td>✓</td>
<td>✓</td>
<td>×</td>
</tr>
</tbody>
</table>
Table 2.10: Meta-analyses of adult drug courts: number of included evaluations, evaluation timeframes, impacts, and follow-up periods

<table>
<thead>
<tr>
<th>Meta-analysis</th>
<th>Number of evaluations included</th>
<th>When were included evaluations conducted</th>
<th>Impact of drug court on outcomes measured</th>
<th>Outcome follow-up periods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sevigny (2013)</td>
<td>19</td>
<td>Majority conducted in the late 1990s</td>
<td>Significant reduction in incidence of incarceration on the precipitating offense, corresponding to a reduction in confinement from 50% to 42% for jail and 38% for prison incarceration</td>
<td>1.5 to 2 years from drug court entry, on average</td>
</tr>
</tbody>
</table>
| Mitchell (2012)| 92                             | Mid-1990s to 2011                        | Average effect of participation equivalent to a drop in recidivism from 50% to 38%; effects lasting up to three years | Outcome follow-up period from drug court entry:  
  - 12 months or less - 46%  
  - 12.01-24 months - 25%  
  - 25.01-36 months 7%  
  - 36+ months - 9%  
  - No information/unclear - 14% |
| Shaffer (2011)| 60                             | Late 1990s to 2006                       | Average of 9% reduction in recidivism | All studies had a follow-up period of at least 6 months (some measured outcomes from drug court entry and others measured outcomes from drug court graduation or other exit) |
| Wilson (2006) | 55                             | 1993 to 2004 (half are post-2000 and only 5 pre-dated 1996) | 14%-26% reduction in recidivism | Outcome follow-up periods ranged from 12-48 months, but it was unclear whether outcomes were measured at drug court entry and/or graduation or other exit. |
| Lowenkamp (2005) | 22                             | 1998-2002                                | 7.5% reduction in recidivism |  
  - 49% had a follow-up period of between 13 and 24 months  
  - 24% had a follow-up period of less than 1 year  
  - 12% had a follow-up period of 25 months or longer  
  It was unclear whether outcomes were measured at drug court entry and/or graduation or other exit. |
Summary of Literature on Problem-Solving Courts

There is extensive literature on the background, purpose, and characteristics of problem-solving courts in general. There are also many evaluations of the two most common types of problem-solving courts, drug courts and mental health courts. Evaluations of these courts and other problem-solving courts primarily focus on recidivism outcomes, and most evaluations have found that problem-solving courts successfully reduce recidivism. Although drug courts and mental health courts have been extensively evaluated, homeless courts have not been well-studied.

There is only one publicly available evaluation of a homeless court, which is the 2001 evaluation of San Diego’s homeless court. However, this evaluation is over 15 years old and evaluates a homeless court that operates under the pure dismissal model (which the Santa Monica Homeless Community Court did not adopt). In addition, this study has generalizability issues. The evaluators’ conclusion that the court met its goal of increasing participants’ satisfaction with the legal system and law enforcement was based on interviews with 59 of 97 participants who appeared at homeless court hearings in February, March, April, May, August, and September 2000 and agreed to be interviewed. At the time of the evaluation, the court had been in operation for around a decade. Thus, results of interviews are not generalizable because they were based on a limited cohort of participants. In addition, although the evaluators estimated the effect of homeless court on recidivism, the comparison group in this analysis consisted of 101 individuals who signed up to attend homeless court but did not appear at their hearings. This comparison group is likely to be different from the participant group (they were less motivated to attend their hearings and are therefore likely to systematically differ from the participants). In addition, the evaluators did not attempt to match the comparison group and participants on any demographic or other characteristics. The evaluation did not estimate the impact of participation on housing outcomes.

Although there are two conference publications that provide details about homeless courts across the U.S., the conferences occurred before the Santa Monica Homeless Community Court was established. In addition, these publications only discuss the typical homeless court model: the pure dismissal model. No impact analyses are included in these publications.

My research is the first evaluation of a homeless court that uses a rigorous quantitative evaluation method and the first evaluation of a homeless court that estimates impacts on housing outcomes. In addition, it is the first evaluation of a homeless court that operates under the traditional therapeutic justice model (used by drug courts and mental health courts), rather than the pure dismissal model.
Literature on Permanent Housing and Reductions in Criminal Justice System Involvement

Because I was unable to obtain data regarding re-arrests or other recidivism metrics from the Santa Monica Police Department and I could not link the de-identified Homeless Community Court data with public criminal records, I reviewed literature on the effect of permanent housing on recidivism. Several studies published in journals found that placement into permanent housing reduces re-arrests and other criminal justice system involvement. Clifasefi (2013), Somers (2013), Hanratty (2011), Larimer (2009), DeSilva (2011), and Culhane (2002) evaluated the impact of housing interventions on subsequent criminal justice system involvement and found that receipt of permanent housing is significantly associated with decreased criminal justice system involvement. These evaluations are discussed below, and Table 2.11 provides summaries of these evaluations.

Somers (2013) evaluated a housing first project in Vancouver, Canada that randomly assigned participants into one of three groups: treatment-as-usual, scattered-site housing first, or congregate housing first. The purpose of the study was to estimate the effects of scattered-site housing first and congregate housing first interventions on criminal justice system involvement in the two-years following housing placement. 198 individuals who were experiencing homelessness and who were identified as having mental health issues after completing a Mini-International Neuropsychiatric Interview were eligible to be randomized into one of the three intervention arms (66 were assigned to treatment-as-usual, 54 were assigned to scattered site housing first, and 78 were assigned to congregate housing first). Prior to the study, participants had experienced homelessness for over five years on average, 92% had experienced a manic

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105 Individuals in scattered-site housing chose housing in buildings where at most 20% of occupants were program participants. Individuals in congregate housing were housed together in a former hotel that was only occupied by program participants. Treatment as usual consisted of the usual resources available to individuals experiencing homelessness, including emergency shelters, housing units with varying levels of support, and access to health and social service providers.
episode or psychotic disorder, 67% met criteria for another mental health disorder or substance use disorder, and 67% had been involved in the justice system (with a mean of 8.07 convictions per individual in the 10 years prior to the program and with the most common category of crime being property offenses). There were no significant differences between the distributions of baseline variables, which included demographic variables, duration of homelessness, criminal history metrics, mental health disorder metrics, physical health metrics, and substance use metrics. The housing first groups received supports such as psychiatric care, primary healthcare, and social and vocational rehabilitation. Services were delivered at the participants’ homes and were available 24 hours a day, seven days a week. In the two-year follow-up period, the scattered-site participants had, on average, 0.29 the number of reconvictions compared to the treatment-as-usual group. The congregate housing participants had, on average, 0.55 the number of reconvictions compared to the treatment-as-usual group. (The evaluators did not report the mean or range of reconvictions in the post-period for any group.) The evaluators posited that the difference in the effect on scattered-site versus congregate participants is attributable to potential differences in support services and differences in the norms, policing, and crime detection in the relevant neighborhoods. Severity of mental health disorders and number of mental health disorders that individuals experienced prior to the program was not associated with criminal activity in the follow-up period. In other words, both the scattered-site and congregate versions of the housing first program reduced recidivism regardless of the severity of mental health disorders experienced by participants. The evaluators concluded that because individuals experiencing chronic homelessness and mental illness are frequently involved with the justice system, public health and public safety would be improved if policymakers established direct referral pathways to housing first for these individuals.106

Hanratty (2011) evaluated a housing first program in Hennepin County, Minnesota, which provided 264 individuals who had work-limiting disabilities and who had been homeless for one continuous year or at least four times in the past year with subsidies for housing in scattered-site apartments and case management services. The purpose of the evaluation was to estimate the effect of the housing first intervention on public shelter use, public health insurance coverage, arrests, and incarceration at 6-months, 12-months, and 18-months after housing placement. To estimate the impact of the program on outcomes, the evaluators used a propensity score method to match the 264 participants with a group of 264 comparison individuals who were in public shelters at the same time as participants but who were not placed into housing. Individuals were matched on age, sex, and shelter use in the three years prior to the intervention, and insurance coverage in the 6, 12, and 18 months prior to the intervention. The evaluators noted that the matches successfully ensured that the two groups were similar in observable characteristics. The evaluators found that the program substantially decreased arrests and incarceration. Between the 12-month pre-period and the 12-month post-period, the comparison group’s average days in jail

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106 Somers (2013), supra note 100.
or prison decreased by 2.01 days and the housing first group’s average days in jail or prison decreased by 6.72 days. Thus, the estimated effect of housing first was 4.71 fewer days in jail or prison in the 12-month post-period. This difference was significant at the 10 percent confidence level. Between the 18-month pre-period and the 18-month post-period, the comparison group’s average days in jail or prison increased by 2.35 days and the housing first group’s average days in jail or prison decreased by 7.61 days. Thus, the estimated effect of housing first was 9.96 fewer days in jail or prison in the 18-month post-period. This difference was significant at the five percent confidence level. The evaluators concluded that housing first programs have the potential to benefit many constituents. Program participants’ reduction in incarceration rates may break down barriers to employment and housing stability. Reductions in the visibility of livability crimes benefit business owners. Reductions in arrests for visibility crimes benefit the police department. In addition, reductions in incarceration benefit taxpayers.\textsuperscript{107} As part of this study, evaluators also analyzed data on the crimes for which participants were charged prior to placement in housing, and found that livability crimes (\textit{e.g.}, vagrancy, trespassing, disorderly conduct, consuming alcohol in public) accounted for 53%, drug-related arrests accounted for 21%, violent crime accounted for only 4%, and property-related crime accounted for only 3% of all arrests in the year prior to placement.

Larimer (2009) evaluated a housing first project in Seattle that placed 95 individuals experiencing chronic homelessness and severe alcohol use disorders into permanent supportive housing between November 2005 and March 2007. The participants were pulled from a rank-ordered list of chronically homeless individuals who incurred the highest costs related to jail time, alcohol-related hospital emergency services, and sobering center usage in 2004. The main outcome measures of the evaluation were use and cost of services (days incarcerated, jail bookings, shelter and sobering center use, hospital-based medical services, emergency medical services, and Medicaid-funded services) for the housing first participants relative to a wait-list control group. As part of this outcome estimation, the evaluators compared housing first participants’ jail days and bookings in a six-month follow-up period to the jail days and bookings of a waitlist comparison group consisting of 39 individuals during the same period. The evaluators used a logistic regression model to estimate propensity scores and constructed the model with the treatment condition as the outcome and demographic variables, alcohol and drug use, mental health diagnoses, and criminal history and emergency service usage in the 3 years prior to the intervention as predictors. The evaluators estimated the effects of the housing first intervention using a Poisson generalized estimating equation with propensity score adjustments for all outcomes. The evaluators noted that there were no significant differences between the housing first and control individuals after controlling for propensity scores. In the six-month follow-up period, the housing first group had median of 0.0 jail days (with an interquartile range of 0.0 to 1.8 days) and the control group had a median of .4 jail days (with an interquartile range

\textsuperscript{107} Hanratty (2011), \textit{supra} note 101.
During this six-month follow-up period, the treatment group had a median of 0.0 jail bookings (with an interquartile range of 0.0 to 0.3 jail bookings) and the control group had a median of .2 jail bookings (with an interquartile range of 0.0 to 0.3 jail bookings). These differences were statistically significant at the 5 percent confidence level. Although the differences in six-month jail days and bookings are small from a practical standpoint, overall, the evaluation found that total cost offsets for the housing first participants relative to the control group averaged $2449 per individual per month after taking into account housing first program costs.

Culhane (2002) evaluated a program that placed 4,679 homeless individuals with severe mental disabilities into supportive housing in New York City. Culhane (2002) estimated the impact of the program on service utilization in the two years following housing placement. To perform this analysis, Culhane (2002) constructed a matched-pair control group using data on demographics, mental illness, substance abuse, and use of shelter, hospital, and prison facilities in the two-year pre-placement period. Culhane (2002) estimated the impact of the program on state incarcerations days and New York City jail days in the two-year post-placement period. Culhane (2002) found that placement into the housing program was associated with a 7.9 fewer days in state prison and 3.8 fewer days in New York City jail. Both reductions were statistically significant.

Clifasefi (2013) evaluated a housing first project in Seattle that placed 95 chronically homeless individuals with severe alcohol-related issues into permanent supportive housing between December 2005 and March 2007. (It appears that this may have been the same treatment population studied in Larimer (2009).) The study’s aim was to examine the association between prior criminal history, housing first exposure, and post-placement jail time among chronically homeless individuals experiencing alcohol-use disorders. Intervention participants were recruited from two sources (1) a list of chronically homeless individuals with severe alcohol-related problems that was compiled by community service providers, and (2) a list of individuals who had incurred the most cost for use of emergency services, hospitals, sobering centers, and jails. The population that participated in the housing first project is similar to Santa Monica Homeless Community Court participants both because they experienced chronic homelessness and because the vast majority of the crimes committed by both groups involves misdemeanors, particularly public order offenses and trespassing. The evaluation did not include a comparison group, but the evaluators performed statistical analyses to determine whether the housing first intervention was associated with a statistically significant difference between pre-period and post-period jail days and bookings. Using a Wilcoxon signed-rank test, the evaluators found that participants’ jail bookings decreased from a mean of 3.43 in the two years prior to being housed to 1.49 in the two years after being housed (p<.001). Days in jail decreased from a mean of 41.23 to 18.10 (p<.001). The evaluators also used a zero-inflated negative binomial regression model to test

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108 Larimer (2009), supra note 102.
whether there was a statistically significant relationship between the housing first intervention and post-period jail days and bookings. The evaluators found that for each additional month of housing exposure, participants experienced five percent fewer bookings (p=.01) and seven percent fewer jail days (p<.01). The evaluators used a Cox regression survival model to analyze whether baseline criminal history (i.e., the number of felonies and misdemeanors in the two-year period prior to housing placement) was associated with two-year post-period jail days and bookings. The evaluators found that prior criminal histories were not correlated with jail days and bookings in the post-period. The evaluators hypothesized that individuals’ criminal histories were “symptoms” of homelessness. In other words, the population’s criminal justice involvement can be attributed to the conditions of homelessness (e.g., sleeping in doorways can lead to arrest for trespassing) and/or substance-use disorders (e.g., intoxication impairs executive functioning and may make it hard to comply with police orders, resulting in arrest for disorderly conduct).109

DeSilva (2011) evaluated a housing first program in Hennepin County, Minnesota that placed 18 individuals experiencing chronic homelessness into permanent supportive housing between April 2005 and April 2006. Chronically homeless individuals who entered the Single Adults Residential Assistance program in Minneapolis, Minnesota from April 1, 2005 to April 30, 2006 were eligible for the study. The purpose of the study was to estimate the impact of the housing first intervention on detoxification service usage, health service usage, and criminal activity in the two years after enrollment. As part of the evaluation, the evaluators compared the Minnesota state criminal citations of the 14 individuals who retained housing during the two-year post-enrollment follow-up period with the 4 individuals who lost housing during the follow-up period. Of the four individuals who lost housing, three (75%) received citations during the follow-up period. Of the 14 individuals who maintained housing, two (14.3%) received citations during the follow-up period. Using a Wilcoxon signed-rank test, the evaluators concluded that criminal activity in the two-year follow-up period was significantly higher in the group that lost housing (Wilcoxon rank p-value of .02). No mean or range of citations in the pre- or post-periods was reported for either group.

I also examined studies published outside of journals. With the exception of one study, all of these studies found that placement into permanent housing reduces criminal justice involvement. Hunter (2017)110 is the only study that found an increase in a criminal justice metric following placement into permanent housing. Hunter (2017) estimated the impact of a permanent supportive housing program in Los Angeles on service utilization and cost expenditures. The program placed 890 individuals with complex medical and behavioral issues who were experiencing homelessness into permanent housing. As part of the analysis, Hunter (2017) compared participants’ service use (including jail days) during the year prior to receiving

housing to service use in the year following housing placement. Although the study found that
the number of individuals arrested and the number of jailed arrests decreased in the year
following housing placement, the average number of jail days in the year after permanent
housing placement was 2.76 days higher than the average number of jail days in the year prior to
placement. The study noted that potential participants had to be in the community (rather than in
jail) in the year prior to placement, when they were recruited to participate in the program. In
addition, individuals received case management support in the year prior to housing placement.
These factors and other factors may have contributed to the increase in average jail days.

Reaser (2015)\textsuperscript{111} evaluated a program in San Diego, which placed 28 homeless individuals
who were the most frequent users of public services (e.g., emergency rooms, hospitals, jails, and
ambulances) into permanent housing. The evaluation investigated whether permanent housing
with intensive individualized support reduced the use and cost of public services. Reaser (2015)
compared arrests and jail days in the year prior to housing placement with arrests and jail days
two years post-placement. In the pre-placement period, there were a total of 82 arrests and the
average individual spent 28 days in jail. Two years post-placement, there were a total 18 arrests
(78\% reduction) and the average individual spent 10 days in jail (64\% reduction).

Thomas (2015)\textsuperscript{112} evaluated the first permanent supportive housing facility in the Charlotte,
North Carolina area, which serves chronically homeless individuals with a disabling condition
(mental health and substance use disorders, chronic health disorders, physical disabilities, and
developmental disabilities). The evaluation examined the housing and clinical stability and the
emergency room and jail utilization of the first 85 housing facility tenants. Although most
tenants were not criminal justice system-involved either before or after their move to permanent
supportive housing, the evaluators compared the number of tenants arrested and the number of
ights in jail in the two years preceding housing placement to the numbers two years following
housing placement. Of the tenants arrested or jailed in the two years preceding (n=21) or
following (n=10) permanent supportive housing placement, there were 90 fewer arrests (82\%
reduction) and 1,050 fewer total nights in jail (89\% reduction). Decreases in the mean number of
arrests and jail stays were statistically significant (p=<.05 and p=<.01, respectively).

Brown (2012)\textsuperscript{113} evaluated the impact of a program that placed 41 chronically homeless
individuals in Knox County, Tennessee into permanent supportive housing. The evaluation
analyzed the impact of permanent supportive housing on the cost and frequency of services used

\textsuperscript{111} Reaser, Lynn, and Dieter Mauerman, \textit{Project 25: Housing the Most Frequent Users of Public Services}, San
Diego, Calif.: Point Loma Nazarene University, Fermanian Business and Economic Institute, 2015. As of June

\textsuperscript{112} Thomas, M., Priester, M., Shears, J., & Pate, M. \textit{Moore Place Permanent Supportive Housing Evaluation

\textsuperscript{113} Brown, Kathleen, Michael Dunthorn, Alicia Mastronardi, David Patterson, Steven Stothard, Roberta Strum,
and Stacia West, \textit{Comparative Costs and Benefits of Permanent Supportive Housing in Knoxville, Tennessee},
Knoxville, Tenn.: City of Knoxville, Knox County Health Department Epidemiology Program, and the University of
by participants. As part of this analysis, Brown (2012) compared jail days in the one year prior to housing placement to jail days in the year following housing placement. From the pre- to post-period, there was an 86% reduction in total jail days.

Toros (2012)\textsuperscript{114} used a propensity score method to evaluate the cost effectiveness of a program that provided housing and integrated services to 50 vulnerable, chronically homeless adults living in the Skid Row section of Los Angeles. As part of this analysis, Toros (2012) calculated jail days in the two years pre- and post-placement amongst program participants and a propensity-score matched comparison group. Toros (2012) found that the average annual number of incarcerated days dropped from 30 to 19 days for the program group from the pre- to post-program periods. For comparison individuals, the average was approximately 40 days during the pre-program and post-program years.

In summary, evaluations of interventions targeting populations similar to the Santa Monica Homeless Community Court population (i.e., chronically homeless individuals with mental health and/or substance use issues) indicate that placement into permanent housing reduces re-arrests and other criminal justice system involvement. Studies noted that reductions in recidivism were not correlated with prior criminal histories or the severity or number of mental health disorders, but reductions in recidivism were correlated with the number of days individuals were stably housed.\textsuperscript{115} The studies noted that direct pathways to permanent housing benefit the entire community through increased public health and public safety, reductions in public spending on incarceration, and reductions in the visibility of livability crimes (which may benefit the business community in particular).\textsuperscript{116} However, as noted in Tables 2.11 and 2.12 below, while some studies used rigorous research designs such as randomization to treatment and control and propensity score matching, others studies employed less rigorous methods. In addition, the practical significance of some of the estimated intervention effects is relatively modest. In short, there is some evidence that permanent housing reduces criminal justice involvement, but this issue should be studied further and the relationship may depend on the population being served.


\textsuperscript{115} Clifasefi (2013), supra note 99; Somers (2013), supra note 100.

\textsuperscript{116} Somers (2013), supra note 100; Hanratty (2011), supra note 101.
<table>
<thead>
<tr>
<th>Study</th>
<th>Population</th>
<th>Design</th>
<th>Outcome period</th>
<th>Estimated effect of intervention</th>
</tr>
</thead>
</table>
| Somers (2013) | 198 individuals experiencing homelessness and mental health issues    | Randomized control trial       | 24 months      | • Scattered-site participants had, on average, .29 the number of reconvictions compared to the treatment-as-usual group.  
• Congregate housing participants had, on average, .55 the number of reconvictions compared to the treatment-as-usual group.  
• (No mean or range of reconvictions in the post-period reported for any group.) |
| Hanratty (2011) | 264 chronically homeless individuals with work-limiting disabilities | Propensity score method        | 12 months, 18 months | • Treatment group had 4.71 fewer days in jail or prison in the 12-month post-period (p<.10) and 9.96 fewer days in jail or prison in the 18-month post-period (p<.05). |
| Larimer (2009) | 95 chronically homelessness individuals with severe alcohol use disorders | Propensity score method        | 6 months       | • Treatment group had median of 0.0 jail days (interquartile range of 0.0 to 1.8 days) and control group had a median of .4 jail days (interquartile range of 0.0 to 1.5 days).  
• Treatment group had median of 0.0 jail bookings (interquartile range of 0.0 to 0.3 bookings) and control group had a median of .2 jail bookings (interquartile range of 0.0 to 0.3 bookings). Differences statistically significant at p<.05. |
| Culhane (2002) | 4,679 homeless individuals with severe mental disabilities               | Matched-pair control group     | 24 months      | • 7.9 fewer days in state prison, compared to matched-pair control group (p<.01).  
• 3.8 fewer days in New York City jail, compared to matched-pair control group (p<.01). |
| Clifasefi (2013) | 95 chronically homelessness individuals with severe alcohol use disorders | One-group pre-post evaluation  | 24 months      | • Jail bookings decreased from mean of 3.43 to 1.49 and days in jail decreased from a mean of 41.23 to 18.10 from the two-year pre-period to the two-year post-period (p<.001).  
• For each additional month of housing exposure, participants experienced 5% fewer bookings (p=.01) and 7% fewer jail days (p<.01). |
| DeSilva (2011) | 18 individuals experiencing chronic homelessness                          | 14 individuals who retained housing compared to 4 individuals who lost housing | 24 months      | • 3 of 4 individuals who lost housing (75%) and 2 of 14 individuals who maintained housing (14.3%) received citations during the follow-up period (Wilcoxon rank p-value of .02).  
• (No mean or range of citations in pre- or post- periods reported for either group.) |
Table 2.12. Studies on permanent housing and reductions in criminal justice system involvement - published outside of journals

<table>
<thead>
<tr>
<th>Study</th>
<th>Population</th>
<th>Design</th>
<th>Outcome period</th>
<th>Estimated effect of intervention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hunter (2017)</td>
<td>890 homeless individuals with complex medical and behavioral issues</td>
<td>One-group pre-post evaluation</td>
<td>12 months</td>
<td>• 2.76 increase in average jail days from 12-month pre-period to 12-month post-period.</td>
</tr>
</tbody>
</table>
| Reaser (2015) | 28 homeless individuals who were the most frequent users of public services | One-group pre-post evaluation          | 24 months      | • Total arrests decreased by 64 in 24-month post-period as compared to 24-month pre-period (78% reduction).  
  • 18 fewer jail days on average in 24-month post period as compared to 24-month pre-period (64% reduction). |
| Thomas (2015) | 85 chronically homeless individuals with a disabling condition             | One-group pre-post evaluation          | 24 months      | • Total arrests decreased by 90 in 24-month post period as compared to 24-month pre-period (82% reduction) (p=<.05).  
  • 1,050 fewer total nights in jail in 24-month post period as compared to 24-month pre-period (89% reduction) (p=<.01). |
| Brown (2012)  | 41 chronically homeless individuals                                        | One-group pre-post evaluation          | 12 months      | • 86% reduction in total jail day in 12-month post period as compared to 12-month pre-period.                                                                  |
| Toros (2012)  | 50 chronically homeless individuals                                        | Pre-post evaluation with a propensity scored-matched control group | 24 months      | • Average annual number of days of incarceration decreased from 30 to 19 days for program group from 24-month pre- to 24-month post-program period (for comparison individuals, average was approximately 40 days during pre-program and post-program years). |
Part III: Qualitative Methods Used to Examine Program Delivery and Explore Potential Ways to Improve Enrollment and Retention

Qualitative Data Collection: Police Team Ride-Along, Stakeholder Interviews, Client Interviews

I used qualitative data to answer my first two research questions:

1. How do government entities and non-profit social service organizations work together to deliver the Santa Monica Homeless Community Court?
2. How can the Santa Monica Homeless Community Court’s enrollment and retention be improved?

I conducted in-person interviews\textsuperscript{117} with:

- two police officers from the Santa Monica Police Department Homeless Liaison Program (HLP);
- one representative from each of the three service providers that work with the Santa Monica Homeless Community Court: Step Up on Second, the People Concern, and St. Joseph Center;
- two representatives from the Santa Monica Human Services Division, including a Senior Analyst who serves as the Homeless Community Court Coordinator;
- a Deputy City Attorney;
- a Los Angeles County Deputy Public Defender;
- the Los Angeles Superior Court Commissioner who presides over Homeless Community Court, and
- five Homeless Community Court participants (three of whom graduated).

Interviews with representatives from HLP and the service providers and the Homeless Community Court team covered collaboration between the justice system and service providers at all steps of the process, from referral to graduation or other exit. Interviews with participants covered their experience in all phases of Homeless Community Court. Interviews with stakeholders and

\textsuperscript{117} The Santa Monica Homeless Community Court Coordinator provided me with introductions to the rest of the team (Chief Deputy City Attorney, Los Angeles County Deputy Public Defender, Los Angeles Superior Court Commissioner), a member of HLP, and one individual from each of the three service providers who had responsibility for supervising service provision to Homeless Community Court participants. When I interviewed service providers, I asked them to recruit Homeless Community Court participants who would be willing to speak with me. One of the service providers recruited three participants, one of the services providers recruited two participants, and one of the service providers was unable to recruit any participants.
participants also covered their opinions about strengths and weaknesses of the process. My interview protocols were structured around the core program activities, as outlined in Table 3.1. (The full interview protocols are in Appendix B.)

### Table 3.1. Outline of interview protocols

| 1. Referral | a. Roles (What does each team member do?); Rules (How does this step work?)  
b. Strengths  
c. Weaknesses  
d. Ways to improve |
|-------------|-----------------------------------------------------------------------------|
| 2. Application & enrollment | a. Roles (What does each team member do?); Rules (How does this step work?)  
b. Strengths  
c. Weaknesses  
d. Ways to improve |
| 3. Development of individual treatment plans | a. Roles (What does each team member do?); Rules (How does this step work?)  
b. Strengths  
c. Weaknesses  
d. Ways to improve |
| 4. Supervision of individuals' progress | a. Roles (What does each team member do?); Rules (How does this step work?)  
b. Strengths  
c. Weaknesses  
d. Ways to improve |
| 5. Graduation | a. Roles (What does each team member do?); Rules (How does this step work?)  
b. Strengths  
c. Weaknesses  
d. Ways to improve |

In addition, to identify key components of the collaborative effort (Research Questions 1) and potential ways to improve outreach and retention (Research Question 2), I attended eight Homeless Community Court sessions and an eight-hour ride along with HLP. This on-the-ground research provided me with a more complete understanding of the Homeless Community Court process and the relationship between the justice system and the homeless population within Santa Monica.

**Qualitative Data Analysis**

Consistent with qualitative analytic methods, I digitally recorded and transcribed the interviews. I uploaded the transcripts for coding into Atlas.TI software to facilitate analyses. I sorted and assigned quotes to themes based on *a priori* codes derived from the interview protocols and themes that emerged from the data (information commonly conveyed by multiple
Each of the core activities in the interview protocol outlined above (e.g., referrals, enrollment, development of individual treatment plans, supervision of individuals’ progress, and graduation) was an *a priori* theme. Subthemes under each of these *a priori* themes were *Roles and rules* (What does each member do? How does this step work?); *Strengths*; *Weaknesses*; and *Ways to improve*. The *Roles and rules* subtheme helped me answer Research Question 1: How do government entities and non-profit social service organizations work together to deliver the Santa Monica Homeless Community Court? The *Strengths*, *Weaknesses*, and *Ways to improve* subthemes helped me answer Research Question 2: How can the Santa Monica Homeless Community Court’s enrollment, retention, and graduation rates be improved? I also developed inductive codes from themes that arose during interviews: *Trust and relationship building* and *Setting boundaries for acceptable participant behavior*. 
As noted above, most homeless courts operate under the “pure dismissal model,” meaning that participants have their cases resolved in one hearing if they provide proof that they have already participated in rehabilitative activities. The goal of these pure dismissal courts is to remove the barriers that outstanding criminal cases might have on getting employment and housing. Santa Monica’s court functions in a different way. The Santa Monica Homeless Community Court requires participants to make multiple appearances before the court, and the team uses these appearances to link participants with services and treatment and to monitor a client’s participation in treatment and services. One stakeholder noted that Santa Monica has taken the lead in focusing on really vulnerable individuals who cannot “self-navigate systems.” Individuals who participate in pure dismissal courts like San Diego’s court have already been able to navigate the service system and have already successfully worked through a treatment plan with service providers. Another stakeholder noted that Santa Monica’s ongoing model allows service providers and the team to help shape behaviors in ways that will lead to long term change: “You’re really walking them through a period of taking a look at their behaviors and holding them accountable for the good and the bad, saying, ‘That is not productive for you. That’s not going to get you in the direction you want to go.’ You are giving some actual feedback for a period of time to really instill better behaviors moving forward.”

In this Part, I detail how government entities and non-profit social service organizations work together to deliver each step of the Santa Monica Homeless Community Court model. As noted in Part II: Literature Review, there is only one publicly available evaluation of a homeless court and this evaluation is over 15 years old and evaluates a homeless court that operates under the pure dismissal model. Although there are two conference publications that provide details about homeless courts across the U.S., these publications primarily discuss the typical homeless court model: the pure dismissal model. Below, I provide a detailed description of how government entities and non-profit service providers collaborate to deliver a homeless court that does not operate under the pure dismissal model. As noted above, the traditional problem-solving court model, in which participants make multiple appearances before the court, was well-suited to Santa Monica’s needs because this model allows the Homeless Community court team to use

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118 Interview with stakeholder #10.
119 Interview with stakeholder #10.
120 Interview with stakeholder #10.
121 Interview with stakeholder #5.
court appearances to link participants with treatment and services and monitor participation in treatment and services.

This description is meant to (1) inform other communities with large homeless populations and an interest in starting homeless courts about the collaborative process involved in Santa Monica’s service model and (2) identify best practices that may be useful to other homeless courts.

Referrals

*Eligible individuals*

The target population of the Santa Monica Homeless Community Court is vulnerable, chronically homeless individuals who have been in Santa Monica for a number of years (generally, five or more) who have had multiple contacts with the criminal justice system.\(^{122}\) There is no prototypical Santa Monica Homeless Community Court participant, but participants typically have co-occurring mental health, substance use, or medical issues.\(^ {123}\) As a result of behaviors related to public intoxication and/or untreated mental illness, these individuals typically have frequent contacts with Santa Monica Police Department and Santa Monica Fire Department personnel. These contacts often result in law enforcement action, paramedic treatment, and/or transportation to local emergency rooms.\(^ {124}\) To participate in Homeless Community Court, individuals must be engaged (or willing to engage) with a local homeless service provider (*e.g.*, the People Concern, Step Up on Second, St. Joseph Center). There is no specific definition of engagement, but in general, individuals should be meeting with their case manager regularly (anywhere from weekly to monthly depending on need) and following through with referrals and services.\(^ {125}\) One stakeholder noted that they try to select individuals who “would benefit from encouragement from the court; they need a little bit more motivation to follow their case management plan.”\(^ {126}\)

The Santa Monica Homeless Community Court only handles misdemeanor, non-violent, non-sexual, “quality of life” offenses.\(^ {127}\) In other words, these misdemeanor “quality of life” offenses are the only types of cases that are eligible for dismissal via graduation from Homeless Community Court and the Court does not accept individuals who have committed violent crimes, sex crimes, or felonies in general. The Homeless Community Court team has some flexibility in the types of charges the Court will handle, but traditionally “quality of life” crimes include municipal code violations such as public camping, loitering in a public parking structure,

\(^{122}\) Interview with stakeholder #6; Interview with stakeholder #8.  
\(^{123}\) Interview with stakeholder #6.  
\(^{124}\) Interview with stakeholder #6.  
\(^{125}\) Interview with stakeholder #6.  
\(^{126}\) Interview with stakeholder #4.  
\(^{127}\) Interview with stakeholder #6; Interview with stakeholder #7.
sleeping in the doorway of a business, and public intoxication. The Court does not handle drug-related charges, felonies, or infractions such as jaywalking. Individuals who participate have typically been charged with an eligible crime but have not been sentenced. While charges are filed for open misdemeanor cases, sentencing is deferred during participation in Homeless Community Court and upon graduation, all a participant’s cases will be dismissed. One stakeholder noted that when Homeless Community Court first started, the City “drew the circle fairly small for eligibility because the need was so big.” For example, the City wanted to prioritize longer-term residents of Santa Monica, so the team focused on individuals who had experienced chronic homelessness in Santa Monica for five or more years.

Identification of eligible individuals

As noted in Part I, Homeless Community Court began as a collaboration between the Human Service Division, Los Angeles County Superior Court, the City Attorney, the Public Defender, and the City’s major homeless service providers. Thus, the “outreach” portion of the process has already been accomplished for practical purposes because the organizations that frequently come into contact with potential participants are already aware of the program. The first step in the process is referral. There is no set number of individuals that Homeless Community Court can accept in a given month or week. The City accepts referrals on a rolling basis from numerous sources, primarily HLP and other police officers, service providers who work with individuals experiencing homelessness, the City Attorney, and the Public Defender. When a representative from one of these organizations encounters an individual experiencing chronic homelessness who has citations for non-violent, quality of life misdemeanors arising from homelessness, they contact the Homeless Community Court Coordinator (a City employee who also serves as a Senior Analyst for the Santa Monica Human Services Division) via e-mail, telephone, or in-person. The Homeless Community Court Coordinator serves as the central point of contact for referrals, but whether or not an individual is offered admission to Homeless Community Court is a team decision that is formally made at a pre-hearing team meeting. Prior to the team meeting, one of the service providers who works with Homeless Community Court (the People Concern, St. Joseph Center, and Step Up of Second) writes a detailed referral letter that is presented to the team at a pre-hearing team meeting. The referral and application process and each entity’s role in the process is further detailed below.

128 Interview with stakeholder #4; Interview with stakeholder #6; Interview with stakeholder #8.
129 Interview with stakeholder #6; Interview with stakeholder #7.
130 Interview with stakeholder #7. Occasionally, individuals are arrested for an eligible crime and then the City Attorney offers Homeless Community Court participation at arraignment.
131 Interview with stakeholder #7.
132 Interview with stakeholder #10.
133 Interview with stakeholder #6.
134 Interview with stakeholder #6.
Homeless Community Court Coordinator

As noted above, the Homeless Community Court Coordinator serves as the central point of contact for referrals. When another member of the team or a service provider identifies an individual who might be eligible for Homeless Community Court, they reach out to the Homeless Community Court Coordinator. However, the Coordinator is not the sole gatekeeper. Acceptance into the program is a collaborative decision that involves a conversation between team members rather than a criteria checklist. (As further detailed in the Application and enrollment subsection below, the team makes the determination of whether an individual will be accepted to Homeless Community Court at a pre-hearing team meeting.) To determine whether an individual may be eligible, the Coordinator contacts other team members, for example, the Coordinator contacts the Police Department to see if the individual has quality of life misdemeanor citations and does not have any drug or violent crime history.

Police Department

As noted above, the Santa Monica Police Department has an eight police officer unit, the Homeless Liaison Program (HLP), which responds to homelessness issues in Santa Monica and assists in identifying potential Homeless Community Court clients. HLP and other police officers frequently refer clients to Homeless Community Court. If a police officer encounters an individual who has committed a quality-of-life crime like violating a doorway ordinance or public camping and it is their first offense, they may provide a warning to the individual about their illegal conduct and do not give a citation to the individual. However, HLP will record a field contact, which does not result in any court appearance, fine, or jail time for the individual. The field contact allows the police department to track individuals who commit repeated quality-of-life crimes and may ultimately benefit the individual by providing a record of their presence in Santa Monica. (Santa Monica prioritizes individuals who have been homeless in Santa Monica for a long time for services.) For felonies and misdemeanors like petty theft that involve a victim, the police bring the individual to jail. Individuals who commit multiple quality-of-life crimes are likely to receive a citation, which will result in the individual receiving a fine and/or jail time (if they are not able to resolve their citation through Homeless Community Court).

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135 Interview with stakeholder #6.
136 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #6; Interview with stakeholder #10.
137 Ride-along with HLP.
138 Ride-along with HLP.
139 Interview with stakeholder #1 and stakeholder #2. The stakeholders stressed the importance of thorough documentation. If a member of HLP or another police officer does not record a field contact every time they engage an individual, there may be individuals in Santa Monica who have lived in Santa Monica for five or more years and should be prioritized for services but for whom no records of their long-term residency exist. Making sure that each engagement results in a field contact allows the Police to advocate to get an individual services, housing, or a place in Homeless Community Court.
In addition to the traditional law enforcement aspects of police engagement, when HLP encounters an individual experiencing homelessness who has committed a quality-of-life crime, they advise the individual of services available to them in the City and try to determine whether the individual might be a good candidate for Homeless Community Court. During my ride-along with HLP, all but one of the approximately 15 individuals who the officers engaged said that they were not interested in any services and some denied that they were experiencing homelessness. HLP noted that it often takes months or years of engagement for the individual to become open to seeking services. The number of Police Department referrals each month varies, but most recently the Police Department has only been referring around two individuals a month. Individuals referred by the Police Department have typically had repeated contact with the police because of quality-of-life crimes related to their lack of housing. These individuals may stop into a Santa Monica service provider for a meal or shower, but they do not have a case manager at the service provider or a treatment plan. These individuals could benefit from the structure and goals of Homeless Community Court, but they have not been identified by service providers because they have had little or no contact with service providers. While individuals who are already working with a case manager at one of the service providers is most likely to get referred to Homeless Community Court through their case managers, individuals who are not working with a case manager can get referred to Homeless Community Court through HLP.

Service providers

Nonprofit organizations that provide services to individuals experiencing homelessness also make referrals. The People Concern and St. Joseph Center typically make the most referrals to Court because they are the two largest homeless service providers in Santa Monica and have the highest client caseloads. Thus, they most frequently encounter the target population. When a new client starts working with a service provider, the service provider asks questions at intake to determine whether the individual might be a good candidate for Homeless Community Court based on frequent interactions with law enforcement and other eligibility factors discussed in the Eligible individuals subsection above. (The general initial steps that a service provider undertakes when working with a new client are detailed in Table 4.1, below.) In addition, occasionally a case manager will identify a client as a potential participant after working with

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140 Ride-along with HLP.
141 Ride-along with HLP.
142 Interview with stakeholder #1 and stakeholder #2.
143 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #6.
144 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #10.
145 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #10.
146 Interview with stakeholder #6.
147 Interview with stakeholder #6.
148 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
them for some time. \textsuperscript{150} In rarer circumstances, individuals experiencing homelessness who have not previously been working with the service provider come to the service provider to see how they might address outstanding misdemeanor citations. \textsuperscript{151} A staff member from one service provider also noted that she checks the Santa Monica arrest report every day to identify any clients who are getting a lot of citations and who might be good candidates for Homeless Community Court. \textsuperscript{152}

One stakeholder noted that it is important to develop really strong relationships between the individuals who are administering the Court (e.g., the Human Services Division, the City Attorney, the Police Department, and the Los Angeles County Superior Court) and the social service providers (e.g., the People Concern, St. Joseph Center, and Step Up on Second). \textsuperscript{153} The service providers who work with Homeless Community Court have been involved in Homeless Community Court since the program started and their staff, leadership, and executive leadership have seen the Court work for some of the most challenging and complex individuals. \textsuperscript{154} Being involved in the program from its inception has allowed these service providers to build institutional knowledge of how the Court is structured and how rigorous the Court is. \textsuperscript{155} It is important for the individuals administering the Court to maintain a relationship with the service providers. \textsuperscript{156}

\textsuperscript{150} Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
\textsuperscript{151} Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
\textsuperscript{152} Interview with stakeholder #4.
\textsuperscript{153} Interview with stakeholder #6.
\textsuperscript{154} Interview with stakeholder #6.
\textsuperscript{155} Interview with stakeholder #6.
\textsuperscript{156} Interview with stakeholder #6.
Table 4.1. Service provider’s initial steps when working with a new client

1. The Santa Monica Human Services Division identifies an individual experiencing homelessness and refers them to the service provider.

2. The service provider, with the assistance of HLP or one of the City’s homelessness outreach teams, either brings the individual to the service provider’s location or meets with the individual at their usual hangout spot to start building rapport, collect basic demographic information and vulnerability index information to be input into the HMIS, and complete intake paperwork.

3. A staff member applies to get the individual on the Service Registry if they are eligible and not already on the Service Registry.

4. A staff member completes a mental health assessment.

5. A staff member completes a Housing Authority application with the individual or pursues alternative permanent housing if the individual is not eligible for a City voucher.

6. While attempting to link the client to housing, staff will assess the individual for additional case management needs and attempt to make appropriate linkages (e.g., Homeless Community Court, medical or psychiatric treatment, benefits, transportation resources).

City Attorney and Public Defender

Every misdemeanor citation or report that is issued by the City comes across the Chief Deputy City Attorney’s desk. If he sees a name frequently, or if the Public Defender requests that an individual be admitted to Homeless Community Court, the Chief Deputy City Attorney will check with the Homeless Community Court Coordinator and the Police Department via email, phone call, or in-person to determine whether the individual might be eligible for Homeless Community Court.157

Santa Monica Chronic Homelessness Project monthly meetings

Service providers might also make referrals at Santa Monica Chronic Homelessness Project monthly meetings, which the City of Santa Monica convenes. The Project, which began in 2004, includes representatives from the Santa Monica Human Services Division, the Santa Monica Fire Department, the City Attorney, the Housing Authority, the Department of Mental Health, the Department of Veterans’ Affairs, and local service providers like the People Concern, St. Joseph

157 Interview with stakeholder #7.
Center, Chrysalis, the CLARE Foundation, and Step Up on Second. During these conferences, attendees discuss the most challenging and complex chronically homeless individuals and try to develop a plan to bring all the tools in their toolbox together to get people housed and make sure that people stay stably housed. At every meeting, the Homeless Community Court Coordinator asks all the attendees if they have any recommendations for new Homeless Community Court participants.\textsuperscript{158}

Any of these stakeholders (e.g., a service provider, the Police Department, or a Homeless Community Court team member) can inform individuals of the opportunity to participate in Homeless Community Court. When they do so, they note that graduation from Court results in dismissal of all the individuals’ underlying charges (the non-violent, quality of life misdemeanors arising from homelessness). According to participants, service providers, and the Homeless Community Court team, individuals’ primary motivation for participating in Homeless Community Court is having misdemeanor charges dropped without paying a fine or going to jail.\textsuperscript{159}

Application and Enrollment

The Homeless Community Court application process consists of a detailed referral letter written by one of the partner service providers.\textsuperscript{160} If participants have already begun receiving services from one of the service providers, then that service provider will write the individual’s referral letter. With respect to individuals who were not working with a service provider when they were referred to Court - e.g., referrals from the Public Defender or Police Department - the service provider meets with these individual prior to writing the letter.\textsuperscript{161} The referral letter includes:

- background information like name and birthdate so that the Court can run a background check,
- the individual’s history of homelessness in Santa Monica,
- the relationship between the individual’s homelessness and their misdemeanor citations,
- the individual’s current level of participation in services,
- a housing plan, and

\textsuperscript{158} Interview with stakeholder #6.
\textsuperscript{159} Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6; Interview with stakeholder #7; Interview with stakeholder #8; Interview with stakeholder #9; Interview with stakeholder #10.
\textsuperscript{160} Interview with stakeholder #4; Interview with stakeholder #8; Interview with stakeholder #6.
\textsuperscript{161} Interview with stakeholder #6.
• concrete goals and objectives for the individual (see “Individual Treatment Plans and Biweekly Hearings” section below).162

The team reviews the referral letter together at a pre-hearing team meeting to determine whether the individual will be accepted to Homeless Community Court.163 This review is intended to screen out individuals who do not meet the eligibility requirements (for example, if a history of violence is discovered) and to identify individuals who might not be a good fit (for example, if a team member has had prior experiences with the individual and knows that they would not be able to comply with the requirements of the Court because their medical and mental health issues are too severe.)164

Once the team accepts an individual, then enrollment occurs in the courtroom. A case manager from the People Concern, St. Joseph Center, or Step Up brings the individual to the courtroom and the judge describes to the individual:

• the purpose of Homeless Community Court (to get housing, get help with all the services the individual is entitled to, and pick up the tools to not get any new criminal citations),
• the process (the individual will come to Court with their service provider every two or four weeks),
• responsibilities (follow all the Commissioner’s orders and attend all the appointments and meetings set by the service provider and fill out paperwork that the service provider asks them to fill out), and
• the fact that all underlying misdemeanors will be dismissed upon graduation.165

The Judge asks the individual if they want to enroll and if the individual says yes, they are enrolled and a hearing is set for two weeks later.166

Development of Individual Treatment Plans

The partner service providers – the People Concern, St. Joseph Center, and Step Up on Second - create individual treatment plans.167 Treatment plans are tailored to an individual’s needs, but in general, treatment plans aim to get a person into permanent housing and address behavioral issues and service and treatment needs to prevent future criminal justice system involvement.168 The service providers try to make the steps in a treatment plan as concrete as

162 Interview with stakeholder #4; Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, May 4, 2018.
163 Interview with stakeholder #4; Interview with stakeholder #6.
164 Interview with stakeholder #5; Interview with stakeholder #7.
165 Interview with stakeholder #6; Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, February 24, 2017.
166 Interview with stakeholder #6.
167 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6; Interview with stakeholder #8; Interview with stakeholder #9.
168 Interview with stakeholder #10.
possible and try to break down each process into steps.\footnote{Interview with stakeholder #4.} For example, rather than stating that an individual should find permanent housing, the first step in the treatment plan might be to fill out a housing application.\footnote{Interview with stakeholder #4.} Other steps in a treatment plan might include:

1. show up for appointments and meetings related to supportive services such as treatment for substance use disorders, mental health treatment, and medical treatment;
2. apply for General Relief;\footnote{General Relief (GR) is a Los Angeles County program that provides financial assistance to indigent adults who are ineligible for federal or state programs.} and
3. use General Relief funds to buy clothes and other necessities.\footnote{Interview with stakeholder #4.}

**Supervision of Individuals’ Progress: Progress Reports**

Service providers write biweekly progress reports, which are “non-judgmental, fact-based reviews of the progress the client has made towards their established and agreed upon permanent housing and supportive service goals.”\footnote{Interview with stakeholder #6.} The reports include specific activities that the participant has accomplished to comply with the judge’s order and work towards their housing goal, \textit{e.g.}, “the participant obtained an identification card and submitted an application for housing, as ordered by the judge at the participant’s last hearing.” A stakeholder noted that it is important to be specific when detailing a client’s achievements rather than providing a formulaic report. For example, rather than saying that a client is generally doing well, a progress report should state specific things a client has done such as going to a doctor’s appointment. A service provider noted that “small successes” should be noted in the progress report and reiterated by the Commissioner at the hearing because “otherwise clients just feel like they’re going nowhere because there’s so much to accomplish.”\footnote{Interview with stakeholder #5.}

If a client misses a meeting or appointment or has contact with law enforcement, it is important for the service provider to detail this noncompliance in the progress report. A stakeholder noted that this may be difficult for a new clinician or case manager who is used to a client-based and strength-based approach and who is now being asked to function more like a probation officer.\footnote{Interview with stakeholder #6.} If a participant has received two new public intoxication arrests or citations since being accepted to Homeless Community Court, this is something the team needs to address through the Commissioner’s communication with the participant at their next hearing.\footnote{Interview with stakeholder #6.} It is detrimental to the participant’s progress if a service provider fails to report bad behavior and the Commissioner praises the client at the next hearing.\footnote{Interview with stakeholder #6.} Service providers who have experience
working with Homeless Community Court have become very skilled at following a client-based approach and maintaining a trust-based relationship with clients but still being candid with the team when the client fails to follow court orders.\footnote{178 Interview with stakeholder #6.}

Service providers must also detail any steps the service provider took to try to ensure that the participant complied with the Commissioner’s orders in the progress report. For example, if a client missed a hearing or appointment, the service provider might note that when the client did not meet his case manager to go to the appointment, the case manager drove to the client’s usual hangout spots to try to find him.\footnote{179 Interview with stakeholder #4.} One stakeholder noted that progress reports ensure service provider accountability as well as client accountability.\footnote{180 Interview with stakeholder #4.} Another stakeholder noted that because of this aspect of Homeless Community Court, “the clinician has a higher standard of accountability for getting something done with their client and that is the magic behind it, really.”\footnote{181 Interview with stakeholder #1 and stakeholder #2.}

The progress reports also detail concrete recommendations for the court to include in the next hearing’s order (for example, make a dental appointment and meet with a psychiatrist).\footnote{182 Interview with stakeholder #6.} Goals set out in the progress reports should be specific and incremental. For example, obtaining permanent housing is too broad a goal and should be broken down into steps such as filling out a housing application.\footnote{183 Interview with stakeholder #5.}

The service providers first send the progress report to the Homeless Community Court Coordinator two days before each Homeless Community Court session so that he can review it to see if any information is missing (for example, if the report fails to indicate whether a client did or did not fill out a housing application as ordered at the previous hearing). If any information is missing, then the Coordinator asks the service provider to add the information to the report.\footnote{184 Interview with stakeholder #6.} Once the report is finalized, the report is sent to the rest of the team (City Attorney, Public Defender, and Commissioner).\footnote{185 Interview with stakeholder #6.} Service providers contact the Coordinator via telephone if there are significant updates (e.g., the client obtained housing or was hospitalized) between the time the progress report was submitted and the hearing, so the Commissioner is making her recommendations from the most current information. In addition to biweekly progress reports, the service providers, the Homeless Community Court Coordinator, and the Public Defender have regular conversations about participants’ progress via e-mail, via telephone, and in-person.\footnote{186 Interview with stakeholder #6.}
Supervision of Individuals’ Progress: Biweekly Courtroom Hearings and Pre-Hearing Team Meetings

Before each biweekly courtroom hearing, the Homeless Community Court team reviews and discusses the progress reports at a pre-hearing lunch meeting. At that meeting, the team talks candidly about each participants’ progress to see if there are any issues that are not included in the progress report. The Commissioner’s orders at the hearing are primarily based on the contents of the progress reports. The Commissioner will praise the participant for any progress they made and order the participant to follow the next steps in the treatment plan. Examples of orders that the Commissioner issued during the eight Court sessions that I attended are listed in Table 4.1 below.

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187 Interview with stakeholder #6.
188 Interview with stakeholder #6.
189 Interview with stakeholder #6.
190 Interview with stakeholder #6.
Table 4.2. Examples of Homeless Community Court orders

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<tr>
<td>1.</td>
<td>Fill out an application for a housing voucher</td>
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<td>2.</td>
<td>Continue to stay at a shelter and provide proof of stay(^{191})</td>
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<td>3.</td>
<td>Follow all rules and regulations of a transitional housing provider</td>
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<td>4.</td>
<td>Do not let anyone else inhabit the permanent housing unit that the participant recently acquired</td>
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<td>5.</td>
<td>“Work on” or “concentrate on” not getting any new citations</td>
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<td>6.</td>
<td>Go to all service provider appointments</td>
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<td>7.</td>
<td>Continue anger management and provide proof of attending anger management</td>
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<tr>
<td>8.</td>
<td>Attend Alcoholics Anonymous meetings and provide proof of attendance</td>
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<tr>
<td>9.</td>
<td>Take all medications</td>
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<td>10.</td>
<td>Clean up apartment (the participant had received a Notice to Quit because of clutter)</td>
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<tr>
<td>11.</td>
<td>Attend all medical and dental appointments</td>
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<tr>
<td>12.</td>
<td>Meet with a vocational manager</td>
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<tr>
<td>13.</td>
<td>“Reduce drug and alcohol use” or “continue to work on staying sober”</td>
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</table>

One stakeholder commented on “the black robe effect,” which motivates individuals to comply with court orders. When a judge tells an individual to fill out a housing application or attend a scheduled psychiatric appointment, the individual takes the judge much more seriously than they would take a case manager who asked them to do the exact same thing.\(^{192}\) One service provider explained, “I could say the same thing to a client over and over, explaining to them consequences and things like this, but they don’t really hear it from me. Then they go stand in front of a judge and all of a sudden it carries a different weight.”\(^{193}\) Stakeholders note that Commissioner Godfrey’s disposition is ideal for Homeless Community Court\(^{194}\): “Commissioner Godfrey has a beautiful balance of being able to speak to clients compassionately, empathetically, and directly, while also reinforcing clear expectations and boundaries and

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\(^{191}\) There is a form for treatment and service providers to sign to provide proof that individuals attended the required meetings and appointments.

\(^{192}\) Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6.

\(^{193}\) Interview with stakeholder #5.

\(^{194}\) Interview with stakeholder #6; Interview with stakeholder #7.
reminding them that this is a legal court proceeding.” One client noted: “She really praised people when they did a good job. She was a lot more compassionate towards people [as compared to a regular criminal court judge].” Other clients noted that she is “easy to talk to,” “kind,” and “nice” and one client noted that Commissioner Godfrey was their favorite part of Homeless Community Court.

Service providers attend the hearings with their clients and are also held accountable for a client’s progress through progress reports and these hearings. If a client is complying with orders and the team agrees that the participant is on a good trajectory and does not need heavy supervision, the Commissioner might order the participant to return in four weeks. For example, if an individual has been compliant and is currently trying to obtain identification or apply for an apartment, they set the individual’s next hearing for four weeks because these processes take time and there will not be anything for the judge to order in two weeks. Other participants for whom more supervision is required are ordered to return in two weeks.

One practice that the Santa Monica Homeless Community Court has adopted to motivate individuals to comply with orders and collaborate is graduating any successful participants at the beginning of each Homeless Community Court session so that other participants who are awaiting their hearings that day can witness the joy in the room as the graduate walks up to the bench, approaches the Commissioner, shakes her hand, and gets a certificate and words of encouragement and praise from the Commissioner. One stakeholder noted that “[f]or people who are anywhere earlier on their journey, for them to see that, that can be a huge motivator.” If someone is discharged from Homeless Court, they are discharged at the beginning so that it can serve as a warning to the other participants that as supportive and compassionate as the Commissioner can be, she is serious about consequences of failure to comply with orders.

Participants reported two challenges related to the hearings. All five of the participants I spoke with noted that it was difficult to attend hearings every two weeks for the extended period that it typically takes a participant to graduate. (The eight hearings that I attended lasted between one and three hours each, and transportation between the Los Angeles Superior Court - Airport Courthouse and Santa Monica on a Friday afternoon can take up to an hour each way.)

195 Interview with stakeholder #6.
196 Interview with Homeless Community Court participant #3.
197 Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2; Interview with Homeless Community Court participant #5.
198 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #4; Interview with stakeholder #10.
199 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #4; Interview with stakeholder #10.
200 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #4; Interview with stakeholder #10.
201 Interview with stakeholder #6.
202 Interview with stakeholder #1; Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2; Interview with Homeless Community Court participant #3; Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.
Participants noted that with all of the required appointments with their case managers, substance use disorder counselors, doctors, and other treatment and service providers, fitting the hearings into their schedules left them with very little time to themselves. Two clients noted that although their service providers told them that they would not be taken to jail if they showed up for a Homeless Community Court hearing, they still experienced anxiety about ending up in jail when they showed up for Court. With respect to the team’s current practices, there is likely nothing to be done about these two challenges. The frequency and length of the process appears necessary to achieve the program’s goals. Although clients reported anxiety about being taken to jail when the showed up for their hearing, clients noted that the judge and service providers told them several times that they would not go to jail when they showed up for a hearing. However, for jurisdictions that are considering implementing programs like Santa Monica’s, it is important that all team members be clear with participants that the program requires a significant time commitment and that they will not end up in jail because they showed up for homeless court.

**Supervision of Individuals’ Progress: Compliance with Judicial Orders**

Service providers play a key role in ensuring that clients comply with judicial orders. They provide reminders about appointments and meetings that the judge orders participants to attend and provide transportation to these appointments and meetings and all court sessions. Participants noted that without this practical assistance, complying with orders would not have been possible. In addition, as detailed above, service providers are responsible for biweekly progress reports. If a client does not comply with the judge’s order, the service provider has a difficult conversation with the client about why they failed to comply with the order and then details reasons for noncompliance in the next progress report. Notably, case managers at the service providers who are responsible for the biweekly progress reports and supervising compliance did not seem to view these responsibilities as burdensome.

**Graduation**

It typically takes a participant eight to twelve months to graduate. The decision to graduate a participant is a Homeless Community Court team decision, with input from the

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205 Interview with Homeless Community Court participant #4.
206 Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2.
207 Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #5.
208 Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #5.
209 Interview with stakeholder #7.
210 Interview with stakeholder #6.
service providers. Although there are no concrete graduation criteria, the typical graduate is somebody who has obtained housing and has shown an ability to transition well into that environment. It may be challenging to transition from 15 to 20 years of living on the streets to complying with a lease agreement, which often has restrictions on certain types of behavior such as times of day that the resident can entertain guests. Thus, after an individual is housed, the team will usually keep the individual in court for a couple weeks or even six months to be sure that the individual has successfully transitioned. During the transition period, the Commissioner’s encouraging tone and strict enforcement of behaviors that are acceptable (e.g., not having guests over past a specific hour and keeping the apartment clean) can be critical. I observed a hearing at which one individual who recently got an apartment received encouraging words from the Commissioner regarding the permanent housing unit that he had just obtained: “I’m so happy for you and so impressed that you did everything you needed to do to get housed. You should be proud of yourself.” However, she also warned him: “Now that you have a home, it’s important that you be a good neighbor and follow the rules that are in place. It is your home and not anyone else’s home. Don’t let people that don’t belong in your home stay with you.” One stakeholder noted that some individuals require additional time in Homeless Community Court after they receive the keys to their apartment because even after they receive the keys, they might still choose to live on the streets because of mental illness or other issues. With respect to one specific client, a stakeholder noted: “We finally got him into homeless court. He cleaned up. He got an apartment, and he won’t live in it. That’s the biggest problem. Sometimes you get these people a house, and then they lose their housing. That’s a real problem, because you do everything you need to do, and get them into housing, and then because of their either substance use or mental health they can’t stay.”

As noted above, sentencing on underlying misdemeanor charges is typically deferred during participation in Homeless Community Court. When a participant graduates, the City Attorney dismisses all the underlying charges (the non-violent, quality of life misdemeanors arising from homelessness).

After graduation, participants continue to work with their service provider. Graduates continue to get a range of services, including assistance obtaining benefits, food pantry access,

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211 Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6; Interview with stakeholder #9.
212 Interview with stakeholder #6.
213 Interview with stakeholder #6.
214 Interview with stakeholder #4; Interview with stakeholder #6; Interview with stakeholder #7.
215 Interview with stakeholder #6.
216 Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, May 4, 2018.
217 Interview with stakeholder #7.
218 Interview with stakeholder #7.
and employment once they are housed and have completed Homeless Community Court.\textsuperscript{219} One service provider noted: “We work with people for life if they’re willing to stay engaged and stay enrolled in our programming and services.”\textsuperscript{220}

**Termination**

Like decisions to allow a participant to graduate, decisions to terminate a participant are made by the team, with input from the service providers.\textsuperscript{221} Clients are expelled from Homeless Court if they have multiple unexcused court absences or continuously fail to follow the Commissioner’s orders.\textsuperscript{222} There is no specific number of unexcused court absences of failures to follow orders that results in expulsion.\textsuperscript{223} A member of the team noted: “As long as the service provider has an eye on the person, the court will allow them to make several attempts to try to get the person to come to court because the court takes into consideration that a lot of these people have mental health issues, they might be scared to come to court, they have substance use issues, or they could be dealing with an illness. The court will give the person a lot of leeway before they terminate them.”\textsuperscript{224} One participant reported that during his first hearing, he was told not to get any more citations. However, before his second hearing, he got around 20 citations. He reported that at the second hearing, the Commissioner terminated him from Homeless Community Court.\textsuperscript{225} Another participant reported that he missed three hearings before the Judge terminated him from Homeless Community Court.\textsuperscript{226} When an individual is terminated from Homeless Community Court, their cases go back to regular criminal court. Because these individuals typically have not been convicted or pled to charges, they can go to trial or accept a plea bargain. Depending on the charges and the individual, going to trial or accepting a plea bargain might result in a fine and/or jail time.\textsuperscript{227} One participant who did not graduate noted that he ended up serving 13 days in jail, and for him, this was about equal to having to participate in Homeless Community Court for approximately a year.\textsuperscript{228} Individuals who are terminated from Homeless Court can still obtain housing assistance and other services from their service providers if they so choose, but termination is usually related to lack of engagement with the service provider.\textsuperscript{229}

\textsuperscript{219} Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6.
\textsuperscript{220} Interview with stakeholder #3.
\textsuperscript{221} Interview with stakeholder #3; Interview with stakeholder #6.
\textsuperscript{222} Interview with stakeholder #3; Interview with stakeholder #6.
\textsuperscript{223} Interview with stakeholder #3; Interview with stakeholder #6.
\textsuperscript{224} Interview with stakeholder #8.
\textsuperscript{225} Interview with Homeless Community Court participant #3.
\textsuperscript{226} Interview with Homeless Community Court participant #1.
\textsuperscript{227} Interview with stakeholder #8.
\textsuperscript{228} Interview with Homeless Community Court participant #1.
\textsuperscript{229} Interview with stakeholder #6; Interview with stakeholder #4; Interview with stakeholder #3; Interview with stakeholder #5.
Other Key Components of the Collaborative Process

Trust and relationship building

Interviewees noted that trust between all individuals involved in Homeless Community Court is important during each step of the process. Service providers noted that if they build a strong relationship with their clients who are eligible for Homeless Community Court, then the clients will be more likely to want to participate in Homeless Community Court. Some clients might be nervous about taking part in a process that is completely foreign to them. If they have a trusting relationship with their case manager, the case manager can help them understand the process, understand the benefits of the program, and get over fears of the program. Sometimes building trust with clients involves taking them to Court and showing them the process so that they can decide whether they want to apply to participate in Court. The Judge also noted that “trust will get [clients] in the door.”

In addition, when a judge develops a relationship of trust with the client by praising them for complying with orders and showing that she genuinely cares about their wellbeing, then the individual becomes more willing to comply with future orders and more likely to graduate. It is also important for members of the team and service providers to be able to trust and collaborate with each other for the program to run efficiently. The team has a very strong relationship with its partner service providers and thus the team can rely on these service providers to develop individual treatment plans and update the team on how individuals are progressing.

Setting boundaries for acceptable participant behavior

One stakeholder noted that individuals administering a homeless court program should find common language and thresholds regarding acceptable substance use and tardiness: “It’s one thing to have a drink the day of your court hearing, and it’s quite another to come in completely intoxicated to the point where you’re not able to stand or not able to interact coherently or respectfully with the judge. So kind of navigating systems such as the criminal justice system that aren’t historically rooted in harm reduction, the judge giving a little, service providers giving a little, and expecting a little more of their clients, setting firmer boundaries, that type of thing.” In addition, individuals enrolled in the program might not be accustomed to being at a specific place on specific day and time, so appearing for a court hearing might be new and...

230 Interview with stakeholder #4; Interview with stakeholder #5.
231 Interview with stakeholder #4; Interview with stakeholder #5.
232 Interview with stakeholder #4.
233 Interview with stakeholder #9.
234 Interview with stakeholder #4.
235 Interview with stakeholder #6.
236 Interview with stakeholder #6.
challenging.\textsuperscript{237} If an individual is extremely late for the hearing, the judge should provide a strong verbal reprimand.\textsuperscript{238} In short, “it’s important to find harmony and balance, strike the right balance between being flexible and responsive to people’s needs, but also setting very clear expectations for behavior and consequences for actions.”\textsuperscript{239} Not only does this make the program run more smoothly, but it’s also helpful in supporting the transition from chronic homelessness into permanent housing.\textsuperscript{240} These individuals will have a lease, bills, and neighbors. Stakeholders believe that it would be a disservice to these individuals to allow them to flout rules. Homeless Community Court can be an opportunity to practice some of the life skills and the boundary-setting that they will need for the rest of their life.\textsuperscript{241}

\begin{flushleft}
\textsuperscript{237} Interview with stakeholder #6.
\textsuperscript{238} Interview with stakeholder #6.
\textsuperscript{239} Interview with stakeholder #6.
\textsuperscript{240} Interview with stakeholder #6.
\textsuperscript{241} Interview with stakeholder #6.
\end{flushleft}
### Table 4.3. Santa Monica Homeless Community Court roles and activities

<table>
<thead>
<tr>
<th>City of Santa Monica Employees</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Analyst for Human Services Division/Homeless Community Court Coordinator</td>
<td></td>
</tr>
</tbody>
</table>
• Attend pre-hearing team meetings and hearings every other Friday  
• Work with City Attorney, Police Department, and service providers to identify potential participants  
• Assist with care coordination for clients and review progress reports from service providers |
| Staff assistant |  
• Administrative tasks such as updating the court schedule and collecting and circulating progress reports |
| City Attorney |  
• Prepare for and attend pre-hearing team meetings and hearings every other Friday  
• Work with Human Services Division, Police Department, and service providers to identify potential participants |
| Los Angeles County Public Defender’s Office |  
| Public Defender |  
• Attend pre-hearing team meetings and hearings every other Friday  
• Discuss progress reports with service providers prior to hearings (typically via telephone) |
| Los Angeles County Superior Court |  
| Commissioner |  
• Attend pre-hearing team meetings and hearings every other Friday |
| The People Concern (OPCC) |  
| Assistant Director |  
• Attend hearings every other Friday  
• Work with Human Services Division, Police Department, and City Attorney to identify potential participants  
• Review progress reports and provide guidance to case managers on progress reports and other aspects of Homeless Community Court |
| Case managers (between 1 and 4) |  
• Attend hearings every other Friday  
• Screen new clients for Homeless Community Court eligibility  
• Draft progress reports |
| St. Joseph Center |  
| Program Manager |  
• Periodically attend hearings  
• Work with Human Services Division, Police Department, and City Attorney to identify potential participants  
• Review progress reports and provide guidance to case managers on progress reports and other aspects of Homeless Community Court |
| Case managers (between 1 and 4) |  
• Attend hearings every other Friday  
• Screen new clients for Homeless Community Court eligibility  
• Draft progress reports |
| Step Up on Second |  
| Case management team |  
• Attend hearings every other Friday  
• Screen new clients for Homeless Community Court eligibility  
• Draft progress reports |
**Figure 4.1. Santa Monica Homeless Community Court Logic Model**

**Core Activities**

**Referrals**
- The Santa Monica Police Department Homeless Liaison Program, local service providers, the Los Angeles County Public Defender, and the Santa Monica City Attorney identify vulnerable, chronically homeless individuals who have been in Santa Monica for a number of years (generally, five or more) and who have had multiple contacts with the criminal justice system arising from their homeless status.
- The HCC Coordinator serves as the central point of contact for referrals.

**Application and Development of Individual Treatment Plans**
- The HCC application process consists of a detailed referral letter written by one of the partner service providers.
- The HCC team reviews referral letters together at pre-hearing team meetings to determine whether individuals will be accepted to HCC.
- If accepted, an individual’s case is put on calendar for an HCC session, at which time the individual is enrolled in the program.
- Service providers recommend individual treatment plans based on the special needs of each individual. Plans often include a housing plan, substance use disorder treatment, and regular meetings with a case manager.

**Supervision of Individuals’ Progress**
- Homeless service providers submit progress reports to the HCC team every two weeks, which include detailed accounts of clients’ progress and concrete recommendations/restrictions for the court.
- The HCC team reviews and discusses these reports and the Commissioner issues orders to clients at HCC hearings based on the contents of the progress reports.

**HCC Graduation**
- After approximately 8 to 12 months of compliance with an individual treatment plan, the HCC team determines that an individual graduates from HCC.

**Short term outcomes (prior to graduation)**
- Homeless individuals who are eligible for HCC learn about HCC and apply to participate in HCC.

**Medium term outcomes (post graduation)**
- HCC maintains a docket of 10 to 12 individuals.
- Individuals are connected with supportive services for issues related to homelessness (e.g., treatment for issues with physical health or mental health and/or substance use disorders).
- Individuals take steps to obtain permanent supportive housing (e.g., attending appointments with case managers and filling out housing applications).
- Individuals adhere to individual treatment plans and the Commissioner’s orders (e.g., attending appointments, showing up at the next hearing).
- City attorney dismisses all open, non-violent misdemeanor cases.

**Long term outcomes**
- Individuals have pathway from homelessness to permanent housing (i.e., interim housing and a permanent housing plan).
- [In alignment with the Action Plan to Address Homelessness in Santa Monica, placement into permanent housing is a key way to measure success.]
- Individuals commit less non-violent "quality of life" misdemeanors.
- Reduction in recidivism of homeless individuals, arising out of non-violent "quality of life" misdemeanor cases stemming from the individuals’ homelessness.
- Reduction in fines assessed for non-violent "quality of life" misdemeanor cases stemming from the individuals’ homelessness.
- Individuals’ quality of life improves through receipt of permanent supportive housing and treatment of health, behavioral, and substance abuse issues.
- Santa Monica has a decrease in emergency service calls relating to homeless individuals who are high utilizers of city services.
Part V: How Can the Santa Monica Homeless Community Court’s Enrollment and Retention Be Improved (Research Question 2)?

Enrollment

Although the Santa Monica Homeless Community Court is able to accommodate 10 to 12 individuals at a time, for the past two years, the Court has been operating at around 1/3 to 1/2 of its capacity. Stakeholders attribute the decreased numbers to decreased enrollment rather than increased attrition. These stakeholders believe that decreased enrollment results from the fact that the Court has served most of the individuals who are eligible for and interested in the program in its more than 10 years of operation. As noted above, when the program first started, the team made the eligibility requirements fairly stringent because participation demand at the time appeared to be fairly high.

Revise eligibility requirements

One potential way to increase enrollment is revising eligibility requirements to adapt to the population of individuals experiencing homelessness in Santa Monica who could benefit from Homeless Community Court. A City representative noted: “We need to expand the eligibility circle a bit to try to get more folks in because the folks that we were targeting have already participated in the program.”

The City currently targets individuals who have been in Santa Monica for five or more years. The 2018 Homeless Count estimates for lengths of homelessness in Santa Monica are:

- less than a month: 27%
- 1-5 years: 29%
- 5+ years: 36%

To serve more individuals who could benefit from Homeless Community Court, the City should consider targeting individuals in the one to five year-range and individuals who have been residing in Santa Monica for several years who have not been chronically homeless but are at-risk of homelessness.

242 Interview with stakeholder #6.
243 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #6; Interview with stakeholder #7; Interview with stakeholder #8; Interview with stakeholder #9; Interview with stakeholder #10.
244 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #6; Interview with stakeholder #7; Interview with stakeholder #8; Interview with stakeholder #9; Interview with stakeholder #10.
245 Interview with stakeholder #10.
246 Interview with stakeholder #10.
A 2018 Economic Roundtable meta-analysis of 26 data sets related to homelessness in Los Angeles County concluded that intervening early is the best way to reduce chronic homelessness: “In addition to building affordable housing, the path for ending Los Angeles County’s crisis of chronic homelessness is through identifying\(^{248}\) individuals with a high risk of becoming chronically homeless early after the onset of homelessness and intervening with coordinated system-wide assistance that supports a permanent exit from homelessness before the problem is catastrophic.\(^{249}\)” According to the Economic Roundtable, individuals experiencing homelessness in Los Angeles County have noted that along with needing help obtaining housing, they also need assistance with transportation, public benefits, jobs, job training or education, and health care.\(^{250}\) The meta-analysis also noted that one of the most common characteristics of adults experiencing homelessness is a history of incarceration.\(^{251}\) The Santa Monica Homeless Community Court was originally established to serve individuals who have been homeless in Santa Monica for five or more years and whose substance use and mental health issues prevented them from successfully navigating the social service and legal systems in Santa Monica. However, the Economic Roundtable’s conclusions suggest that there are likely other individuals who have not been homeless for five years who could also benefit from assistance navigating the social service and legal systems in Santa Monica. Broadening the eligibility requirements to include individuals who have not been chronically homeless for five years also makes practical sense considering recent declines in Santa Monica Homeless Community Court enrollment.

Other homeless community courts do not require long histories of homelessness in the jurisdiction to be eligible to participate. Of the 10 homeless courts described in the American Bar Association’s Commission on Homelessness & Poverty 2004 conference publication and the 24 homeless courts described in the 2006 conference publication (see Part II: Literature Review, above), none require that participants be homeless in their jurisdictions for any particular length of time.\(^{252}\) In addition, homeless courts in Los Angeles, San Diego, and Boston that handle

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\(^{249}\) Flaming (2018), supra note 248.

\(^{250}\) Flaming (2018), supra note 248.

\(^{251}\) Flaming (2018), supra note 248.

quality of life misdemeanors accept individuals who are at-risk of becoming homeless in order to remove barriers that prevent them from obtaining stable housing, employment, and government benefits.253

Adjusting the eligibility requirements to include individuals who have experienced homelessness in Santa Monica for less than five years and those who are at-risk for homelessness will likely necessitate broadening the primary purpose of Homeless Community Court beyond placement into permanent housing. For example, a case manager for an individual who is already in housing but is precariously housed might set finding employment as a primary goal. This alteration to the model would not be without precedent. As noted in Part II: Literature Review, the Orange County homeless court, like Santa Monica’s Court, requires participants to make multiple appearances before the court and uses these appearances to link participants with services and treatment and monitor a client’s participation in treatment and services. Individuals who participate in Orange County’s homeless court can graduate from the program by gaining employment, finding stable housing, and/or completing community service hours.254

The team could also consider exceptions to its prohibition on individuals with any history of violence. The Santa Monica Homeless Community Court does not accept individuals with a history of violence because they are asking local nonprofits and shelters to house these individuals and these nonprofits and shelters might not be equipped or willing to handle individuals with histories of violence.255 However, one stakeholder noted that the team might try to review individuals’ cases in order to see if an individual with a single minor violent incident from several years ago might be a good fit for Homeless Community Court.256

Another suggestion by a stakeholder was that the program should consider broadening the eligibility criteria to include a wider set of offenses.257 For example, Homeless Community Court does not accept drug cases, but many drug offenses that do not involve intent to sell are now misdemeanors.258 The team and service providers should discuss whether accepting chronically homeless individuals with misdemeanor possession charges is a feasible option.

255 Interview with stakeholder #10.
256 Interview with stakeholder #10.
257 Interview with stakeholder #10.
Motivation to enroll amongst eligible individuals

Theoretically, another way to increase enrollment would be to increase the desire to enroll amongst the eligible population. As noted above, the primary motivation for participating in Homeless Community Court is having misdemeanor charges dropped without paying a fine or going to jail.\textsuperscript{259} Other individuals would rather serve jail time than attend Homeless Community Court every two weeks for approximately a year.\textsuperscript{260} For the types of misdemeanors handled in Homeless Community Court, a total of five or six misdemeanor charges might result in a sentence of 60 days and the individual may only serve one day because jails are overcrowded.\textsuperscript{261} One stakeholder noted that although some individuals express an interest in Homeless Community Court, once they learn that they have to go to Court with a case manager every two weeks, they decide that a few days in jail is preferable.\textsuperscript{262} Another stakeholder noted that a reason that some eligible individuals decline the invitation to participate is because severe mental health or substance use disorders are impairing their decision-making capacities.\textsuperscript{263}

The City is unlikely to be able to change an individual’s preference between spending time in jail and attending Homeless Community Court. The City is also unlikely to be able to address mental health or substance use disorders that might be impairing an individual’s decision-making capacities if an individual is unwilling to participate in Homeless Community Court or other intensive and long-term programs. Thus, influencing eligible individuals’ motivation to enroll is likely not a practical option for increasing enrollment.

Retention

In order to explore ways to increase retention, I asked former participants, service providers, and team members about any difficulties that participants had in attending court sessions and/or complying with the Commissioner’s orders. As noted above, two participants I spoke with mentioned that they were fearful of showing up to Homeless Community Court because they were afraid that when they showed up, they might get brought to jail because of outstanding warrants.\textsuperscript{264} This fear persisted, despite the fact that case managers explained to these participants that they would not get taken to jail if they showed up at Homeless Community Court.\textsuperscript{265} One of the Deputy Public Defenders who cofounded San Diego’s homeless court noted that this fear of showing up in a courtroom is one of the reasons that San Diego’s homeless court

\textsuperscript{259} Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6; Interview with stakeholder #7; Interview with stakeholder #8; Interview with stakeholder #9; Interview with stakeholder #10.
\textsuperscript{260} Interview with stakeholder #4; Interview with stakeholder #6; Interview with stakeholder #10.
\textsuperscript{261} Interview with stakeholder #4; Interview with stakeholder #6; Interview with stakeholder #10.
\textsuperscript{262} Interview with stakeholder #4.
\textsuperscript{263} Interview with stakeholder #7.
\textsuperscript{264} Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2.
\textsuperscript{265} Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2.
is held at shelters rather than in a courtroom: “Homeless people live in constant fear of being picked up because of these warrants; they fear doing jail time and losing all of their belongings. They fear they will get into more trouble if they go to court, yet court is the only place to clear their records and get them back into society. When court is held at the homeless shelters there is greater trust and comfort.” However, one stakeholder noted that the primary benefit of holding Homeless Community Court sessions in a courtroom instead of at a shelter or service provider is that the courtroom setting – complete with metal detectors at the entrance, a judge, and a bailiff – sends the message that “this is a legitimate court proceeding.” This makes participants more likely to take the Commissioner’s orders more seriously and comply with the orders. Thus, even if the Commissioner and other members of the team were willing to hold sessions at a service provider’s location, there would likely be a tradeoff between participants feeling more comfortable attending hearings and participants taking the hearing and orders as seriously as they would in a formal court setting. That said, Santa Monica or other jurisdictions that plan to implement a homeless court might consider trying both types of hearing locations to see if holding sessions at a service provider results in greater retention without sacrificing rates of compliance with court orders.

As noted in Part IV, another difficulty reported by all five of the Homeless Community Court participants I interviewed was attending hearings every two weeks for the extended period that it typically takes a participant to graduate. They noted that with all of the required appointments with their case managers, substance use disorder counselors, doctors, and other treatment and service providers, it was very difficult to fit the hearings into their schedules. However, stakeholders noted that it is precisely the intensive treatment and services and careful monitoring of treatment and services over a long period of time that allow them to affect behavioral changes and connect participants with housing and services. Thus, changing the length of time to graduation and frequency of hearings would likely not be a practical way to increase retention. That said, Santa Monica or other jurisdictions that plan to implement a homeless court might consider varying the length of time to graduation to determine whether reducing time to graduation results in greater retention rates without sacrificing rates of compliance with court orders and ultimate housing outcomes.

To explore ways to increase retention, I also asked former participants, service providers, and team members about motivations for complying with the Commissioner’s orders and any

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267 Interview with stakeholder #6.
268 Interview with Homeless Community Court participant #1; Interview with Homeless Community Court participant #2; Interview with Homeless Community Court participant #3; Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.
269 Interview with Homeless Community Court participant #4.
270 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5; Interview with stakeholder #6; Interview with stakeholder #7; Interview with stakeholder #8; Interview with stakeholder #9.
challenges participants face in compliance. One stakeholder noted that individuals who are predisposed to respond well to structure, accountability, and positive feedback from an authority figure are more likely to comply with orders. Two other stakeholders similarly noted that individuals who have issues with authority are less likely to comply with the Judge’s orders and might actually be more likely to comply with a treatment plan if they are working only with the service provider rather than with the provider and the Court. One of these stakeholders noted: “I think the ones that probably don’t do as well are people who have issues with authority and standing up in front of a judge or police officer or something like that, it makes them more resistant or more aggressive simply for that fact. They probably are going to do better with hearing things from us, like a much more supportive type of approach as opposed to a very direct approach.” The other stakeholder noted that if an individual experiences a certain type of personality disorder, they will likely not respect authority and are likely to “talk back” to the Commissioner.

One stakeholder noted that the individuals who do not follow the judge’s orders are not “being willful or disobedient” and speculated that “maybe because of their mental health they just can’t do everything that we ask them to do.” Another stakeholder similarly noted that a combination of severe mental health and substance use issues is what usually prevents individuals from following the Commissioner’s orders. When asked what service providers could do for participants experiencing severe mental illness, the stakeholder noted that there probably is not anything service providers can do to influence the non-complying participants’ behavior because in his many years with the Court, he has noticed that “service providers try to do as much as possible. That’s one thing that I’ve always loved about the program.”

In short, there are no easy solutions for increasing retention. Compliance with judicial orders is a function of attitudes towards authority and substance use and mental health issues. When I asked a participant who graduated from the program what could be done to make individuals more likely to comply with the Judge’s orders, he responded: “I mean, it’s up to them to do it and there’s really nothing else that you people can do to make it better.” As with influencing motivation to enroll, the City is also unlikely to be able to address motivation to comply with the Commissioner’s orders and attend the hearings if the participant is unwilling to participate in Homeless Community Court or other intensive and long-term programs.

271 Interview with stakeholder #10.
272 Interview with stakeholder #4; Interview with stakeholder #5.
273 Interview with stakeholder #4.
274 Interview with stakeholder #7.
275 Interview with stakeholder #4.
276 Interview with stakeholder #7.
277 Interview with Homeless Community Court participant #5.
Other Ways to Increase the Santa Monica Homeless Community Court’s Impact on Chronic Homelessness

Although there do not appear to be many options for increasing enrollment and retention, one way to increase the impact of Homeless Community Court would be for Santa Monica and Los Angeles County to devote more resources to housing retention. The team often keeps individuals in Homeless Community Court until they appear to be successfully transitioned into their housing, but individuals might still face problems maintaining housing in the future. As noted above, one stakeholder believes that graduates’ loss of housing might be related to ongoing mental health and substance use issues. Another stakeholder similarly noted that getting off the streets and staying in housing can be difficult because if individuals are used to being outside, enclosure in an apartment can feel claustrophobic, threatening, and upsetting. According to one stakeholder, while jurisdictions tend to invest in the “front end” programs serving homeless populations, e.g. outreach and housing placement, many jurisdictions underinvest in housing retention despite the fact that it is key in ending chronic homelessness. Because the Santa Monica Homeless Community Court and many programs in Los Angeles County aim to assist individuals who are very vulnerable, these individuals will need ongoing, long-term case management in order to remain housed. Case managers constantly get new clients but still need to assist these high-need individuals in the long-term and end up with unmanageable caseloads. Constantly adding staff capacity becomes necessary to address burgeoning caseloads. However, jurisdictions tend to not scale retention programs at the same rate that they are scaling housing placement programs. According to the stakeholder, this is why many people end up homeless again. To maximize the impact of Santa Monica Homeless Community Court on long-term housing outcomes, the City and County should devote resources to housing retention efforts, including increasing case manager capacity at service providers so that case managers can continue to serve their clients over the long term. In addition, studies have found that individuals experiencing mental illness might require more intense support services to successfully retain permanent housing. To maximize impact, the City should invest in tools to ensure that individuals are receiving the level of service and supervision that they need.

278 Interview with stakeholder #7.
279 Interview with stakeholder #9.
280 Interview with stakeholder #10.
281 Interview with stakeholder #10.
282 Interview with stakeholder #10.
283 Interview with stakeholder #10.
284 Interview with stakeholder #10.
to maintain their housing. As Clifasefi (2013) notes, increased days in permanent housing is associated with decreased recidivism. The longer Santa Monica can keep individuals in housing, the safer, the healthier, and the less justice system-involved individuals will be. In addition, the longer individuals are kept from recidivating, the greater the reductions in criminal justice expenditures will be.

Summary of Recommendations

The Santa Monica Homeless Community Court is operating below its potential capacity. I explored potential ways to increase enrollment and retention in my interviews with participants and stakeholders. With respect to enrollment, there is likely not much the City can do to increase motivation to enroll amongst the individuals who are currently eligible to enroll. However, the City could increase enrollment by revising the eligibility requirements to include individuals who have not been chronically homeless in Santa Monica for five years but who might benefit from a structured program that links them to housing and services. This would allow the City to stem the growing population of chronically homeless individuals in Santa Monica. In addition, the Homeless Community Court team could use its discretion and admit individuals with a single minor violent incident from several years ago and individuals with misdemeanor possession charges. In addition, the City could increase the impact that the Court has on those individuals who do graduate from Homeless Court by investing resources in long-term case management and housing retention.

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286 Clifasefi (2013), supra note 99.
To answer Research Question 3 (Is graduation from the Santa Monica Homeless Community Court associated with improved housing outcomes), I compared the housing outcomes of 164 Santa Monica Homeless Community Court graduates with the housing outcomes of a comparison group consisting of 164 Service Registry individuals.\textsuperscript{288} As more fully detailed below, individuals on the Service Registry have been chronically homeless in Santa Monica for five or more years. Although some individuals who participated in Homeless Community Court are on the Service Registry, I did not use Service Registry individuals who had participated in Homeless Community Court as part of my potential comparison group.

Placement into and retention of permanent housing is the key measure of success from the City’s perspective. I also analyzed two other housing outcomes: emergency shelter usage and days spent in transitional housing. While permanent housing is the primary goal for Homeless Community Court, use of transitional housing and emergency shelters is a better outcome than living on the street. I calculated the mean number of days that Homeless Community Court graduates spent in emergency shelters, transitional housing, and permanent housing in the 24 months following enrollment in Homeless Community Court.\textsuperscript{289} I also calculated a weighted mean of the same housing outcomes for a group of comparison individuals using a propensity score method, as further detailed below. If the average number of days that Homeless Community Court graduates spent in permanent housing is greater than the number of days that a comparison individual spent in permanent housing during the same timeframe, then this would suggest program success.

Below, I detail how I identified a comparison group and the strategy I used to analyze and compare housing outcomes for the Homeless Community Court graduates and comparison group. The demographic data on graduates and potential comparison individuals (which I used to identify a comparison group) and the housing data on graduates and comparison individuals

\textsuperscript{288} As noted below, although I originally matched 166 graduates with 166 comparison individuals, when I provided the client identification numbers for these 332 individuals to the City, they realized that two graduates were missing housing records. Thus, these two graduates and their matched comparison individuals were dropped from my analysis.

In addition, one graduate was not matched with an individual in the comparison group. The “gender” category in City data listed this individual as transgender. I used information on gender to match comparison individuals with Homeless Community Court graduates, and according to City data, all individuals in the comparison group are cisgender. Because being transgender is likely to affect an individual’s housing outcomes, see Spicer, S. S. (2010). Healthcare needs of the transgender homeless population. \textit{Journal of Gay & Lesbian Mental Health}, \textit{14}(4), 320-339, I did not include this individual in my analysis.

\textsuperscript{289} My analysis included only first-time graduates. Eleven individuals participated in Homeless Community Court twice, and for the purposes of my analysis, I only analyzed housing outcomes after their first graduation.
(which I used to analyze and compare housing outcomes) is from the City of Santa Monica’s Homeless Management Information System (HMIS). An HMIS is a system used to track utilization of homeless services in a particular service area. All individuals in the City who have experienced homelessness and who have accessed housing and services related to their homelessness in Santa Monica are included in the City’s HMIS.

Propensity Score Matching to Identify a Comparison Group

I used propensity score matching to identify a comparison group. Program evaluators are increasingly using propensity scores to address selection bias when random assignment to a treatment is not feasible (Guo & Fraser 2015) or if data was collected for purposes other than an impact evaluation (e.g., as part of regular administrative data collection or program implementation). Selection bias may occur if there is a variable that is related to both outcome and treatment. For example, one study found that for each one-year increase in age, participants had a four percent lower hazard of leaving a housing first project. If older individuals are more willing to participate in Homeless Community Court, then age would be correlated with the likelihood of being selected into Homeless Community Court. Individuals who graduated from Homeless Community Court would then have better housing outcomes than other individuals experiencing homelessness simply because Homeless Community Court participants are older and older individuals have better housing outcomes. Propensity score matching allows us to eliminate the selection bias of observable confounding variables.

A propensity score is the conditional probability of assignment to a treatment given a set of observed covariates: \( e = p(z=i|X) \) (Rosenbaum & Rubin 1983). In other words, the propensity score is the probability of an individual participating in Homeless Community Court based on their individual demographic characteristics. For each Homeless Community Court participant, propensity score matching finds a comparison individual that has a similar probability of being selected into Homeless Community Court based on their individual demographic characteristics (i.e., a similar propensity score). This ensures that the treatment and matched comparison individuals are similar on propensity scores (i.e., have a similar probability of participating in Homeless Community Court). A feature of the propensity score is that if two groups are similar on propensity scores, then they are similar on the characteristics included in the propensity score; thus, matching on the propensity score ensures that matched comparison individuals are similar to Homeless Community Court participants on their demographic characteristics.

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I worked with a Senior Analyst for the City of Santa Monica, who also serves as the City’s Homeless Community Court Coordinator, to identify the pool of potential comparison group members who could be matched with Homeless Community Court graduates. We decided that individuals on Santa Monica’s Service Registry would be the best comparison group. The Service Registry is a tool used to triage limited services and housing. Individuals on the Service Registry have been chronically homeless in Santa Monica for five or more years and have been identified by the City, service providers, the Police Department, the Fire Department, and/or the City Attorney’s Office as vulnerable because of their use of emergency services, mental health histories, and other vulnerability factors (the same factors that are used to select individuals for Homeless Community Court). HLP encounters individuals who may qualify for the Service Registry during their patrols. In addition, service providers like the People Concern and Step Up on Second encounter these individuals when they drop in to access services like showers or meals. When HLP, a service provider, or another individual who works with the homeless population encounters an individual eligible for the Service Registry, they can contact the Human Service Division about putting the individual on the Service Registry. Because Service Registry individuals and Homeless Community Court graduates have accessed services within the City, the City has demographic data on these individuals within their HMIS. The City provided me with demographic data on Homeless Community Court graduates and the potential comparison individuals who were on the Service Registry between 2007 and 2017 (the same years that Homeless Community Court has been in operation). After removing individuals who had participated in Homeless Community Court from my list of individuals who had been on the Service Registry between 2007 and 2017, I had 208 potential comparison individuals.

I used propensity scores to match each of the 166 Homeless Community Court graduates with one of the 208 potential comparison individuals. In other words, each Homeless Community Court graduate was matched with a comparison individual who theoretically had the same or similar probability of being selected into Homeless Community Court, based on relevant observable characteristics for which data is available. The characteristics that I used in my

293 Interview with stakeholder #6. The City currently uses the VI-SPDAT to determine vulnerability and a score of 8 out of 17 would qualify an individual for the Service Registry.
294 Interview with stakeholder #10.
295 Interview with stakeholder #10.
296 The City can generate reports on specific groups of individuals whose information is in the HMIS by using a “Provider ID” filter (“Service Registry” and “Homeless Community Court” are both options under “Provider ID”).
297 I attempted matching both with replacement (i.e., each potential comparison individual could be matched to each graduate more than once) and without replacement (each potential comparison individual could be matched only once). I achieved good balance both with and without replacement. Standardized mean difference was under .2 for all matching covariates, indicating that the comparison group resembled the graduates across all the selected demographic categories. There are advantages and disadvantages to matching “with replacement” and “without replacement”. Matching with replacement means that comparison individuals who are more similar to the graduates can be used many times, and this decreases bias. However, because comparison individuals are matched more than once, the matched comparison individuals are no longer independent and this would need to be accounted for in the
analysis were: race, gender, ethnicity, age, and known veteran status. I used the MatchIt function in R to conduct the one-to-one propensity score matching. Because each of the 166 Homeless Community Court graduates was matched with one individual from the comparison group, my resulting comparison group consisted of 166 individuals.

The demographic characteristics of the Homeless Community Court graduates and the unmatched and matched comparison group are summarized in Table 6.1 below. As shown in the table, percentages and means for each group are very similar after matching.

Table 6.1. Demographic characteristics of the Homeless Community Court graduates and the unmatched and matched comparison group

<table>
<thead>
<tr>
<th></th>
<th>Homeless Community Court graduates</th>
<th>Unmatched comparison group</th>
<th>Matched comparison group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sample size</td>
<td>166</td>
<td>208</td>
<td>166</td>
</tr>
<tr>
<td>Race – Black</td>
<td>21%</td>
<td>30%</td>
<td>24%</td>
</tr>
<tr>
<td>Race – White</td>
<td>71%</td>
<td>62%</td>
<td>67%</td>
</tr>
<tr>
<td>Race – Other</td>
<td>8%</td>
<td>8%</td>
<td>9%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>12%</td>
<td>13%</td>
<td>16%</td>
</tr>
<tr>
<td>Male</td>
<td>70%</td>
<td>81%</td>
<td>77%</td>
</tr>
<tr>
<td>Average age</td>
<td>55.5</td>
<td>56.7</td>
<td>56.0</td>
</tr>
<tr>
<td>Veteran</td>
<td>11%</td>
<td>22%</td>
<td>11%</td>
</tr>
</tbody>
</table>

To further examine the similarity of the observable demographic characteristics between the two groups, I performed balance diagnostics. Standardized effect size (also known as standardized mean difference) is one way to diagnose balance. The standardized effect size (ES) is the difference in means of a pretreatment variable in the treated group versus the comparison group, divided by the standard deviation.

\[ ES = \frac{\bar{x}_1 - \bar{x}_0}{\bar{\sigma}} \]

outcome analysis (e.g., by using frequency weights). In addition, matching with replacement means that the treatment effect estimate will be based on just a small number of comparison individuals so it is important to monitor the number of times each comparison individual is matched. See Stuart, E. A. (2010). Matching methods for causal inference: A review and a look forward. *Statistical science: a review journal of the Institute of Mathematical Statistics*, 25(1), 1.

In addition, it would have been conceptually and practically harder for the City to pull outcomes data if each comparison individual is matched to more than one graduate because comparison individuals would be associated with more than one housing outcome date range. I decided to match without replacement, meaning that each graduate was matched to one unique comparison individual.

Notes on how I addressed missing demographic information and other details regarding demographic data is included in Appendix C: Technical Appendix.
where $\bar{X}_1$, $\bar{X}_0$ are the mean of the covariate $X$ in the groups. (Here, $\bar{X}_1$ is the Homeless Community Court group mean and $\bar{X}_0$ is the comparison group mean.) A rule of thumb is that an absolute standardized effect size that is greater than 0.2 may be of concern.299 As shown in Table 6.2, the absolute standardized effect sizes for three variables (race – black, gender, and known veteran status) are greater than .2 before matching, indicating poor balance between the Homeless Community Court graduates and the comparison group. (Note that race is split into three factor variables in this analysis – Black, White, and Other. Each race factor variable is reported separately in the balance table.) In other words, prior to matching, there were significantly less Black individuals, less men, and less veterans in the Homeless Community Court graduate group. However, matching reduced the differences between the groups with respect to these characteristics. For example, as displayed in Table 6.1, the percentage of men in the Homeless Community Court graduate group is 70% (117 out of 166 Homeless Community Court graduates), and before matching, the percentage of men in the comparison group was 81% (168 out of 208 potential comparison individuals were men). After matching, the percentage of men in the comparison group was 77% (128 out of 166 matched comparison individuals were men), as displayed in Table 6.1. As displayed in Table 6.2, matching reduced the magnitude of the gender effect size from -0.22 to -0.14, meaning that there are still proportionally more men in the comparison group, but the difference is now smaller. As shown in Table 6.2, after matching, the absolute standardized effect sizes for all observable demographic characteristics are under .2. I achieved good balance and both groups are similar with respect to observable demographic characteristics.

### Table 6.2. Pre- and post-matching standardized effect sizes for observable demographic characteristics

<table>
<thead>
<tr>
<th></th>
<th>Pre-matching</th>
<th>Post-matching</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race – Black</td>
<td>-0.21</td>
<td>-0.07</td>
</tr>
<tr>
<td>Race – White</td>
<td>0.20</td>
<td>0.09</td>
</tr>
<tr>
<td>Race – Other</td>
<td>-0.01</td>
<td>-0.04</td>
</tr>
<tr>
<td>Hispanic</td>
<td>-0.04</td>
<td>-0.11</td>
</tr>
<tr>
<td>Male</td>
<td>-0.22</td>
<td>-0.14</td>
</tr>
<tr>
<td>Age</td>
<td>-0.11</td>
<td>-0.04</td>
</tr>
<tr>
<td>Known veteran status</td>
<td>-0.36</td>
<td>-0.02</td>
</tr>
</tbody>
</table>

---

Housing Data for Graduates and Comparison Individuals

The City provided me with the housing records from their HMIS for 164 Homeless Community Court graduates and each of their matched comparison individuals. (Although I originally matched 166 graduates with 166 comparison individuals, when I provided the client identification numbers for these 332 individuals to the City, the City realized that two graduates were missing housing records. Thus, these two graduates and their matched comparison individuals were dropped from my analysis.) The housing records indicated the start date and end date for each instance an individual was in (1) an emergency shelter, (2) transitional housing, or (3) permanent housing in Santa Monica. The City data also includes start dates for permanent housing outside of Santa Monica in instances where the City connected the individual with housing outside of Santa Monica. Some of the end dates for housing records were missing, and a description of missing data and the mean imputation method that I used to address missing data is summarized in Appendix C: Technical Appendix.

The federal definitions of emergency shelter, transitional housing, and permanent housing are as follows:

- Emergency shelter: any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.\(^{300}\)
- Transitional housing: a project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD.\(^{301}\)
- Permanent housing: community-based housing without a designated length of stay in which formerly homeless individuals and families live as independently as possible.\(^{302}\)

Using the housing records provided to me by the City, I calculated the number of days each graduate spent in (1) an emergency shelter, (2) transitional housing, and (3) permanent housing during the 24-month period prior to enrollment and the 24-month period following enrollment. I also calculated the number of days each matched comparison individual spent in (1) an emergency shelter, (2) transitional housing, and (3) permanent housing during the relevant 24-month periods.\(^{303}\)

I will refer to each 24-month period after an individual’s enrollment in Homeless Community Court as the “post-period.” For a comparison individual matched with a Homeless Community

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\(^{300}\) Code of Federal Regulations, Chapter 24, Section 576.2.

\(^{301}\) Code of Federal Regulations, Chapter 24, Section 91.6.

\(^{302}\) Code of Federal Regulations, Chapter 24, Section 587.3. The HMIS Data Standards (https://www.hudexchange.info/resources/documents/HMIS-Data-Standards-Manual.pdf) include four “types” of permanent housing for the purposes of setting up a program in HMIS: Rapid Re-Housing, Permanent Supportive Housing, Housing with Services, and Housing Only. This allows HUD to track outcomes based on the type of housing program. The outcomes and housing placements for programs like Homeless Community Court are not categorized in this same way (see HMIS Data Standards, Section 3.12, “Destinations,” p. 48).

\(^{303}\) I imported the records into Excel and used Excel’s *DATEDIF* function to count days between dates.
Court graduate, the same 24-month period that constitutes the graduate’s “post-period” will also be the matched comparison individual’s “post-period.” It will refer to each 24-month period before each graduate’s enrollment in Homeless Community Court as the “pre-period.” For the comparison individual matched with the Homeless Community Court graduate, the same 24-month period will also be their “pre-period.” As a hypothetical example, George Graduate is a Homeless Community Court graduate who enrolled in Homeless Community Court on January 1, 2008. Using my propensity score matching method, George Graduate was matched with Charlie Comparison, an individual on the Service Registry who never participated in Homeless Community Court. For both George Graduate and Charlie Comparison, the “pre-period” is the 24-month period from January 1, 2006 to December 31, 2007 and the “post-period” (i.e., the follow-up period for housing outcomes) is from January 1, 2008 to December 31, 2009.

Table 6.3. Example of 24-month follow-up period for graduate and matched comparison individual

<table>
<thead>
<tr>
<th>Individual</th>
<th>Date of HCC enrollment</th>
<th>24-month pre-period</th>
<th>24-month post-period</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Graduate (graduate)</td>
<td>January 1, 2008</td>
<td>January 1, 2006 to December 31, 2007</td>
<td>January 1, 2008 to December 31, 2009</td>
</tr>
<tr>
<td>Charlie Comparison (matched comparison)</td>
<td>n/a (comparison individuals did not participate in HCC)</td>
<td>January 1, 2006 to December 31, 2007</td>
<td>January 1, 2008 to December 31, 2009</td>
</tr>
</tbody>
</table>

By using the same time period for graduates and their matched comparison individuals, I accounted for time trends and policies that might have confounded my estimate of the effect of graduation from Homeless Community Court on days in permanent housing. For example, in February 2008, the Santa Monica City Council adopted the Action Plan to Address Homelessness in Santa Monica, which was updated in 2009 and 2010 to reflect changing local and federal priorities and goals. The Plan’s goals included the development of a range of permanent housing options, with a focus on permanent supportive housing. Thus, during the 2007 to 2017 time period that is the focus of my analysis, Santa Monica likely increased the availability of permanent housing. This means that even in the absence of Homeless Community Court participation (treatment-as-usual), individuals experiencing homelessness may have spent increasingly more days in permanent housing after the Plan was adopted because permanent supportive housing became more available. By comparing the mean number days that Homeless

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Court Graduates spent in permanent housing with the mean number of days that individuals in the comparison group spent in permanent housing over the same time periods, I can take into account changes brought about by the Plan and other changes in trends and policies over time.

**Weighting to Account for Differences in Housing Usage During the 24-Month Period Prior to Enrollment**

To determine if graduates and the comparison group resembled each other in terms of pre-period housing usage, I calculated the average number of days that Homeless Community Court graduates and comparison individuals spent in (1) an emergency shelter, (2) transitional housing, and (3) permanent housing during the 24-month period prior to enrollment. I discovered that mean housing usage differed between the treatment and comparison groups in the pre-period. As shown in Table 6.4, Homeless Community Court graduates spent many more days in each of the three types of housing during the 24-month period prior to enrollment.

<table>
<thead>
<tr>
<th></th>
<th>Homeless Community Court graduates (N=164)</th>
<th>Comparison individuals (N=164)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency shelters</strong></td>
<td>30.18 (SD = 86.9)</td>
<td>5.89 (SD = 29.1)</td>
</tr>
<tr>
<td><strong>Transitional housing</strong></td>
<td>9.97 (SD = 33.0)</td>
<td>.8 (SD = 5.7)</td>
</tr>
<tr>
<td><strong>Permanent housing</strong></td>
<td>46.97 (SD = 141.0)</td>
<td>13.2 (SD = 86.9)</td>
</tr>
</tbody>
</table>

In addition, only 56 out of 164 comparison individuals have any housing records and 158 out of 164 graduates have housing records. (Although these comparison individuals do not have housing records, I verified with the City’s HMIS consultant that these individuals were in the City’s HMIS during the relevant time period, from 2007 to 2017. This suggests that these individuals without housing records were experiencing homelessness in Santa Monica and using non-housing services during the relevant time period but were not using housing services.)

To take this difference in housing usage and housing records into account in my analysis, I weighted the housing outcomes of the comparison group individuals based on how similar their housing usage was to the housing usage of graduates in the 24-month period prior to enrollment. In other words, I first used propensity score matching based on demographics to create the
comparison group, and then I used propensity score weighting to account for the fact that some comparison individuals were more similar to the graduates based on pre-period housing usage. I fit a logistic regression predicting exposure to Homeless Community Court with six variables that measure housing usage in the 24-month period prior to enrollment as the independent variables:

1. a binary variable to indicate whether the individual spent any days in an emergency shelter in the 24-month period prior to enrollment,
2. a binary variable to indicate whether the individual spent any days in transitional housing in the 24-month period prior to enrollment,
3. a binary variable to indicate whether the individual spent any days in permanent housing in the 24-month period prior to enrollment,
4. a continuous variable to indicate the number of days an individual spent in an emergency shelter in the 24-month period prior to enrollment,
5. a continuous variable to indicate the number of days an individual spent in transitional housing in the 24-month period prior to enrollment, and
6. a continuous variable to indicate the number of days an individual spent in permanent housing in the 24-month period prior to enrollment.

By fitting a logistic regression, I created a weighted comparison group that is much more similar to the graduates in terms of housing usage during the 24-month period prior to enrollment, as compared to the unweighted matched comparison group.

I calculated ATT using inverse probability of treatment weights (IPTWs). IPTWs are calculated by estimating each individual’s probability of receiving treatment, based on the selected covariates, and then weighting by the inverse of this estimated probability. For ATT, treated units receive a weight of 1 and comparison individuals receive a weight of \( p/(1 - p) \), where \( p \) refers to an individual's probability of receiving the treatment. Here, selection into treatment is being predicted by housing usage in the 24-month pre-period using the six variables that measure housing usage in the 24-month period prior to enrollment (listed above). The more a comparison individual’s pre-period housing usage resembled the graduates’ pre-period housing usage, the more heavily weighted their post-period housing means were.

To examine the similarly between the two groups pre- and post-weighting, I performed balance diagnostics. As detailed above, standardized effect size is one way to diagnose balance, and the rule of thumb is that an absolute standardized effect size that is greater than 0.2 may be of concern. As shown in Tables 6.5, the absolute standardized effect sizes for the six variables that measure housing usage in the 24-month period prior to enrollment are all greater than 0.2 before I applied the weights, indicating poor balance between the graduates and the matched

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306 I used survey weights in R to perform these calculations.
comparison group. In other words, as noted above, in the 24-month pre-period, graduate usage of emergency shelters, transitional housing, and permanent housing differed significantly from the comparison groups usage of these three types of housing. As shown in Table 6.5, after I applied the weights, the absolute standardized effect sizes for the six variables that measure housing usage in the 24-month period prior to enrollment are all under .2, with the exception of the variable that measures the number of days an individual spent in transitional housing in the 24-month period prior to enrollment, which is .213.

**Table 6.5. Pre- and post-weighting standardized effect sizes for six variables that measure housing usage in the 24-month period prior to enrollment**

<table>
<thead>
<tr>
<th>Variable</th>
<th>Pre-weighting</th>
<th>Post-weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whether the individual spent any days in an emergency shelter</td>
<td>0.852</td>
<td>0.027</td>
</tr>
<tr>
<td>in the 24-month period prior to enrollment (binary variable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whether the individual spent any days in transitional housing in</td>
<td>0.373</td>
<td>-0.080</td>
</tr>
<tr>
<td>the 24-month period prior to enrollment (binary variable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whether the individual spent any days in permanent housing days in</td>
<td>0.339</td>
<td>-0.176</td>
</tr>
<tr>
<td>the 24-month period prior to enrollment (binary variable)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of days an individual spent in an emergency shelter</td>
<td>0.279</td>
<td>-0.029</td>
</tr>
<tr>
<td>in the 24-month period prior to enrollment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of days an individual spent in transitional housing in</td>
<td>0.278</td>
<td>0.213</td>
</tr>
<tr>
<td>the 24-month period prior to enrollment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of days an individual spent in permanent housing in</td>
<td>0.240</td>
<td>0.010</td>
</tr>
<tr>
<td>the 24-month period prior to enrollment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 6.6 displays the pre-period housing usage means for the Homeless Community Court graduates and the raw and weighted housing usage means for the matched comparison group in the pre-period. As shown in Table 6.6, the weighted pre-period emergency shelter and permanent housing usage means for the comparison group are similar to the pre-period emergency shelter and permanent housing usage means for the graduates. The transitional housing usage means in the pre-period are not as similar after weighting. However, weighting does make transitional housing usage between the groups more similar, as compared to unweighted transitional housing usage.
I also examined design effect, or the variance increase due to weighting. The graduate group and comparison group are not similar with respect to pre-period housing usage. Weighting makes them more similar, which reduces bias due to the differences. However, weighting comes at a cost: increased variance. We can approximate the increase in variance using the “design effect,” or the squared sum of weights divided by the sum of the weights. A rule of thumb is that a value near 1 is good, a value around 2 or 3 is expected, and a value above 5 is bad. In this case, the design effect is 2.31 when all weights are considered and 3.64 when only comparison group weights are considered. Thus, there is an acceptable bias-variance tradeoff.

The third balance diagnostic that I performed was ensuring that all the weights were not on just a few observations. I looked at the sum of the weights for the 143 comparison individuals who had no recorded housing usage of any kind in the 24-month pre-period and the 21 comparison individuals who had at least at least one day of usage in one category of housing in the 24-month pre-period. For the former group, the sum of weights was 95.06 and for the latter group the sum of weights was 67.38. The weights ranged from .4712 to 12.1007, so it appears that the weights were not on only a few observations.

### Estimating the Effect of Graduating from Homeless Community Court on Emergency Shelter, Transitional Housing, and Permanent Housing Usage

As further detailed in *Part VII*, graduates’ and matched comparison individuals’ mean days of usage for all three types of housing increased from the 24-month pre-period to the 24-month post-period. To estimate the effect of graduating from Homeless Community Court on housing usage, I first calculated the mean number of days of emergency shelter usage, transitional housing usage, and permanent housing usage for graduates in the 24-month pre-period and the 24-month post-period. For each of the three types of housing, I calculated the increase in the

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**Table 6.6. Pre-period housing usage means for the Homeless Community Court graduates and the raw and weighted housing usage means for the comparison group in the pre-period**

<table>
<thead>
<tr>
<th></th>
<th>Graduates (N=164)</th>
<th>Comparison Individuals (N=164)</th>
<th>Weighted (ESS=44.65)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency shelters in pre-period</td>
<td>30.18</td>
<td>5.89</td>
<td>32.70</td>
</tr>
<tr>
<td>Transitional housing in pre-period</td>
<td>9.97</td>
<td>.8</td>
<td>2.93</td>
</tr>
<tr>
<td>Permanent housing in pre-period</td>
<td>46.97</td>
<td>13.2</td>
<td>45.52</td>
</tr>
</tbody>
</table>

---
mean number of usage days from the pre-period to the post-period. I then calculated the same
pre-period to post-period usage increases for the comparison group. The estimated effect of
graduation on each type of housing usage is the graduates’ mean increase in usage from pre- to
post-period minus the comparison group’s mean increase in usage from pre- to post-period. This
approach is further detailed in *Part VII.*
Part VII: Is Graduation from the Santa Monica Homeless Community Court Associated with Improved Housing Outcomes (Research Question 3)?

Housing Outcomes Measured

The goal of my third research question is to provide the City of Santa Monica (and other jurisdictions with an interest in implementing homeless courts similar to Santa Monica’s) with estimates of the impact of Homeless Community Court on housing outcomes. In this Part, I estimated the impact of graduation from Homeless Community Court on (1) emergency shelter, (2) transitional housing, and (3) permanent housing usage during the 24-months following enrollment in Homeless Community Court. Placement into and retention of permanent housing is the primary measure of the Court’s success from the City’s perspective, but I also estimated impact on emergency shelter usage and days spent in transitional housing because use of transitional housing and emergency shelters is a better outcome than living on the street.

As detailed in Part VI, I identified a group of 164 comparison individuals by matching individuals on the Service Registry who had not participated in Homeless Community Court with graduates based on demographic characteristics. Because only 56 out of 164 comparison individuals have any housing records and 158 out of 164 graduates have housing records, I created outcome weights for comparison individuals. The more a comparison individual’s pre-period housing usage resembled the graduates’ pre-period housing usage, the more heavily weighted their housing usage means were.

Treatment-As-Usual

As noted above, the Service Registry is a tool used to triage limited services and housing in Santa Monica. Like Homeless Community Court participants, individuals on the Service Registry have been chronically homeless in Santa Monica for five or more years and have been identified as vulnerable because of their use of emergency services, mental health histories, and other vulnerability factors (the same factors that are used to select individuals for Homeless Community Court). The continuum of homeless services available to these individuals includes a range of interim and permanent housing options; medical, mental health, and substance use disorder treatment; and assertive case management services.\textsuperscript{308} As noted above, the City funds approximately $3 million every year in grants to homeless service agencies to provide a

\textsuperscript{308} Interview with stakeholder #6.
continuum of housing and supportive service resources. If Service Registry individuals are willing to work with a service provider, the service provider creates an individualized treatment plan for them that offers pathways into permanent housing and increased self-sufficiency and assists the individual in obtaining benefits to which they are entitled (e.g., Social Security Disability). Whether or not an individual is a Homeless Community Court participant, Service Registry individual, or other chronically homeless individual, the City does not want these individuals to be taken to jail if they can instead be redirected into housing or services.

However, although service providers and the City attempt to connect Service Registry individuals with services and housing, these individuals are not incentivized like Homeless Community Court participants are, and thus the City suspects that they are not accessing housing and services at the same rates as Homeless Community Court participants.

Impact of Graduation from Homeless Community Court on Housing Outcomes

Homeless Community Court resulted in a practically and statistically significant increase in graduates’ average usage of transitional and permanent housing. The program also resulted in an increase in usage of emergency shelters, but this effect was small and not statistically significant. Table 7.1 below shows weighted housing usage means for the Homeless Community Court graduates and the comparison group in the pre-period and post-period, the change in mean usage from pre-period to post-period for each group, and the estimated program effect for each type of housing. Because the Homeless Community Court graduates (the treated units) all received a weight of 1, their weighted mean housing usage in the pre- and post-period is the same as the raw mean housing usage. For the comparison group, the pre-period and post-period housing usage for all three types of housing in Table 7.1 below is weighted using the IPTWs (see Part VI: Weighting to account for differences in housing usage during the 24-month period prior to enrollment).

I calculated the estimated program effect shown in Table 7.1 below by subtracting the comparison group’s change from the graduate group’s change for each type of housing usage. For example, graduates were in permanent housing for an average of 47.0 days in the pre-period and 245.4 in the post-period (i.e., a mean increase of 198.4 days). Comparison individuals were in permanent housing for a weighted average of 45.5 days in the pre-period and 120.2 days in the post-period (i.e., a mean increase of 74.7 days). I estimated the effect that Homeless Community Court had on permanent housing by subtracting the comparison group’s mean increase of 74.7 days from the graduates’ mean increase of 198.4 days, which is 123.7 days of increased

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[309] Interview with stakeholder #6.
[310] Interview with stakeholder #6.
[311] Interview with stakeholder #6.
[312] Interview with stakeholder #10.
permanent housing usage in the post-period. The \( p \)-values for each of the estimated effects listed in Table 7.1 indicate the statistical significance of the difference between the graduates’ change in usage and the comparison group’s change in usage from pre- to post-period for each of the three types of housing usage.\(^{313}\)

I also calculated the effect size for housing outcomes. Effect sizes allow researchers to compare outcomes estimated in different studies with different participants and different scales (\( e.g. \), meta-analyses) and to compare the impact of different treatments on a response variable of interest.\(^{314}\) To calculate effect size, the mean of the comparison group is subtracted from the mean of the treatment group and the result is divided by the standard deviation. Whether the pooled standard deviation or the standard deviation of the comparison group is used depends on what type of effect is being estimated. Since I am estimating ATT, I am not concerned with the full population. Instead, I would like to know how much variation there is in the treated group, had they not been affected by the treatment, \( i.e. \) the weighted standard deviation in the comparison group during the pre-period. However, because the outcome data for the comparison group is noisy (\( i.e. \), many individuals are missing housing records in the comparison group), I used the standard deviation of pre-period housing outcomes of the graduates.\(^{315}\) An effect size of 0.2 is considered to be a “small” effect size, 0.5 is a “medium” effect size, and 0.8 is a “large” effect size.\(^{316}\) In other words, if two groups’ means do not differ by 0.2 standard deviations or more, the difference is small, even if it is statistically significant.\(^{317}\)

\(^{313}\) I calculated these \( p \)-value by fitting a simple model in that predicted the difference between pre-period and post-period usage.


\(^{315}\) The standard deviations for emergency, transitional, and permanent housing usage by the graduates in the pre-period are 86.90, 32.98, and 141.04, respectively.


As shown in Table 7.1, graduates were in emergency shelters for an average of 30.2 days in the pre-period and 59.5 days in the post-period (i.e., an increase of 29.3 days). Comparison individuals were in emergency shelters for a weighted average of 32.7 days in the pre-period and 58.8 days in the post-period (i.e., an increase of 26.1 days). The estimated program effect is 3.2 days. In other words, enrolling in Homeless Community Court results in an estimated 3.2 more shelter days in the two years following enrollment in Homeless Community Court. The difference between the graduates’ change in emergency shelter usage and the comparison group’s change in emergency shelter usage from pre- to post-period was not significant at the .05 level (p=0.881) and the effect size was small (.04). In other words, the effect of Homeless Community Court on emergency shelter usage was not practically or statistically significant.

The relative lack of effect on emergency shelter usage might be explained by two features of Homeless Community Court cancelling each other out. Although the program aims to place individuals in permanent housing, service providers often place individuals in an emergency shelter if permanent housing or transitional housing is not yet available. During three of the Homeless Community Court sessions I attended, the Commissioner asked participants to show proof that they stayed in their shelter bed and/or praised participants for staying in their shelter bed.³¹⁸ Encouraging participants to use shelters while awaiting permanent housing would tend to increase mean emergency shelter usage among the graduate group. However, Homeless Community Court also makes individuals more likely to be placed in transitional or permanent

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³¹⁸ Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, January 13, 2017; Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, January 27, 2018; Santa Monica Homeless Community Court hearing, Los Angeles County Superior Court – Airport Courthouse, February 9, 2018.
housing and individuals placed into transitional or permanent housing would not need to use shelters. This decreases shelter usage. In short, higher shelter usage early in the program and lower shelter usage after a participant moves to transitional or permanent housing likely cancel each other out, resulting in no practically or statistically significant net effect on shelter usage when compared to the comparison group.

**Effect on mean transitional housing usage**

As shown in Table 7.1, graduates were in transitional housing for an average of 10.0 days in the pre-period and 89.1 days in the post-period (i.e., an increase of 79.1 days). Comparison individuals were in transitional housing for a weighted average of 2.9 days in the pre-period and 38.7 days in the post-period (i.e., an increase of 35.8 days). The estimated program effect is 43.4 days. In other words, enrolling in Homeless Community Court results in an estimated 43.4 more days in transitional housing in the two years following enrollment in Homeless Community Court. The difference between the graduates’ change in transitional housing usage and the comparison group’s change in transitional housing usage from pre- to post-period was significant at the .05 level (p=0.0497) and the effect size was large (1.32). In other words, the effect of Homeless Community Court on transitional housing usage was practically and statistically significant. While placement into transitional housing is not the primary goal of Homeless Community Court, the Homeless Community Court team attempts to place individuals into transitional housing if permanent housing is not yet available, and transitional housing is preferable to being unsheltered. However, it is important to note that I am not as confident in the estimated effect of graduation on transitional housing usage as I am in the estimated effect of graduation on emergency shelter and permanent housing usage. As detailed in Part VI, the weights I created for the comparison group were more effective in reducing differences between graduates’ and comparison individuals’ pre-period emergency shelter and permanent housing usage. The weights were less effective in reducing the difference between the comparison group and graduates’ pre-period transitional housing usage.

**Effect on mean permanent housing usage**

As shown in Table 7.1, graduates were in permanent housing for 47.0 days in the pre-period and 245.4 days in the post-period (i.e., an increase of 198.4 days). Comparison individuals were in permanent housing for a weighted average of 45.5 days in the pre-period and 120.2 days in the post-period (i.e., an increase of 74.7 days). The estimated program effect is 123.7 days. In other words, enrolling in Homeless Community Court results in an estimated 123.7 more days in permanent housing in the two years following enrollment in Homeless Community Court. The difference between the graduates’ change in emergency shelter usage and the comparison group’s change in emergency shelter usage from pre- to post-period was significant at the .05 level (p=0.00201) and the effect size was large (0.88). This practically and statistically significant increase of 123.7 days in permanent housing usage by graduates in the 24-month
post-period indicates program success. In other words, compared to a group of individuals who experienced chronic homelessness during the same period and who had similar observable characteristics, Homeless Community Court graduates spent an average of around four more months in permanent housing after enrollment in Homeless Community Court.

Increase in permanent and transitional housing usage are particularly noteworthy because of the treatment-as-usual conditions in Santa Monica. As noted above, the City funds approximately $3 million every year in grants to homeless service agencies to provide a continuum of housing and supportive service resources. Those resources are prioritized for the most vulnerable chronically homeless individuals in Santa Monica, which includes the Service Registry (comparison group) individuals and Santa Monica Homeless Community Court participants. Homeless Community Court graduates’ increase in housing usage is likely a result of the fact that Homeless Community Court induces individuals to access services and treatment rather than any increase in availability in service and housing options as a result of enrolling in Homeless Community Court. The fact that Homeless Community Court participants are accessing services and housing options that are also available to Service Registry individuals (the comparison group) suggests that the structured and long-term traditional problem-solving court model is working successfully.

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319 Interview with stakeholder #6.
320 Interview with stakeholder #6.
To further examine the effect of Homeless Community Court on graduates, I calculated the number and percentage of graduates and comparison individuals who spent any days (i.e., at least one day) in each of the three types of housing during the 24-month pre- and post-periods. As shown in Table 7.2 below, from the pre- to post-periods, the percentage of graduates who spent any time in transitional or permanent housing increased:

- In the **pre-period**, 31 of 164 graduates (18.9%) spent any days in **transitional housing**.
- In the **post-period**, 61 of 164 graduates (37.2%) spent any days in **transitional housing**.

- In the **pre-period**, 28 of 164 graduates (17.1%) spent any days in **permanent housing**.
- In the **post-period**, 92 of 164 graduates (56.1%) spent any days in **permanent housing**.

From the pre- to post-periods, there was no change in the percentage of comparison individuals who spent any days in transitional housing and only a slight increase in the percentage of comparison individuals who spent any days in permanent housing.

- In the **pre- and post-periods**, 7 of 164 comparison individuals (4.3%) spent any days in **transitional housing**.

- In the **pre-period**, 7 of 164 comparison individuals (4.3%) spent any days in **permanent housing**.
- In the **post-period**, 9 of 164 comparison individuals (5.5%) spent any days in **permanent housing**.

I also calculated the number and percentage of graduates and comparison individuals for whom there were no records for any type of housing in the 24-month post-period. Because there were no housing records for these individuals, it is likely that these individuals were unsheltered during the 24-month post-period. As shown in Table 7.2 below, the percentage of graduates and comparison individuals who were likely unsheltered decreased from pre-period to post-period. However, the decrease in the percentage of graduates who were likely unsheltered was much more significant than the decrease in the percentage of comparison individuals who were likely unsheltered.
### Table 7.2. Pre- to post-period changes in number and percentage of individuals who had at least one day in emergency shelter, transitional housing, permanent housing; Pre- to post-period changes in number and percentage of individuals who had no housing records

<table>
<thead>
<tr>
<th></th>
<th>Graduates</th>
<th>Comparison</th>
<th>Graduate change relative to comparison group change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pre (N) (%)</td>
<td>Post (N) (%)</td>
<td>Change</td>
</tr>
<tr>
<td>Any days in emergency shelter</td>
<td>85 (51.8%)</td>
<td>80 (48.8%)</td>
<td>-5 (-3.0%)</td>
</tr>
<tr>
<td></td>
<td>15 (9.1%)</td>
<td>20 (12.2%)</td>
<td>+5 (+3.0%)</td>
</tr>
<tr>
<td></td>
<td>-10 (-6.1%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any days in transitional housing</td>
<td>31 (18.9%)</td>
<td>61 (37.2%)</td>
<td>+30 (+18.3%)</td>
</tr>
<tr>
<td></td>
<td>7 (4.3%)</td>
<td>7 (4.3%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td></td>
<td>+30 (+18.3%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any days in permanent housing</td>
<td>28 (17.1%)</td>
<td>92 (56.1%)</td>
<td>+64 (+39.0%)</td>
</tr>
<tr>
<td></td>
<td>7 (4.3%)</td>
<td>9 (5.5%)</td>
<td>2 (+1.2%)</td>
</tr>
<tr>
<td></td>
<td>+62 (+37.8%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No housing records</td>
<td>62 (37.8%)</td>
<td>30 (18.3%)</td>
<td>-32 (-19.5%)</td>
</tr>
<tr>
<td></td>
<td>143 (87.2%)</td>
<td>137 (83.5%)</td>
<td>-6 (-3.7%)</td>
</tr>
<tr>
<td></td>
<td>-26 (-15.9%)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Graduates and comparison individuals who were in permanent housing on the last day of their post-period**

I calculated the number of individuals who were in permanent housing on the last day of their post-period. As shown in Table 7.3, 77 graduates (47.0% of the total 164 graduates who were part of my analysis) were in permanent housing at the end of the 24-month post-period. There were 92 graduates who spent any days in permanent housing in the two-year post-period, and 83.7% (77 out of 92) of these graduates who were in permanent housing at any time during the 24-month post-period remained in permanent housing at the end of the post-period. Only 8 of the comparison individuals (4.9% of the total 164 comparison individuals who were part of my analysis) were in permanent housing at the end of the 24-month post-period. There were 9 comparison individuals who spent any days in permanent housing in the two-year post period, and 88.9% (8 out of 9) of these comparison individuals who were in permanent housing at any time during the 24-month post-period remained in permanent housing at the end of the post-period. In short, the vast majority of individuals (both graduates and comparison individuals) who spent any days in permanent housing during the post-period remained in permanent housing at the end of the post-period.
Table 7.3. Number and percentage of individuals who had at least one day in permanent housing in the post-period; Number and percentage of individuals who were in permanent housing on the last day of the post-period

<table>
<thead>
<tr>
<th></th>
<th>Graduates</th>
<th>Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td>N (%)</td>
<td>N (%)</td>
<td></td>
</tr>
<tr>
<td>Any days in permanent housing</td>
<td>92 (56.1%)</td>
<td>9 (5.5%)</td>
</tr>
<tr>
<td>In permanent housing on last day</td>
<td>77 (47.0%)</td>
<td>8 (4.9%)</td>
</tr>
</tbody>
</table>

Limitations

*Limited information on which to match the comparison group and potential selection bias*

The City maintains limited information on individuals in their HMIS. Although I was able to match Homeless Community Court graduates and comparison individuals on age, gender, race, ethnicity, and veteran status, additional data on mental health status, substance use disorder history, and length of time that individuals have experienced homelessness would have allowed me to create more precise matches. Individuals who participate in the Santa Monica Homeless Community Court and individuals on the Service Registry are considered to be the City’s most vulnerable individuals in terms of length of time experiencing homelessness, mental health status, and substance use disorders. Thus, it is likely that graduates and comparison individuals are similar in terms of these characteristics.

In addition, I did not have any information on how many individuals in the comparison group had been offered Homeless Community Court but declined to participate. There is potential selection bias because individuals who are willing to participate in Homeless Community Court may differ systematically from individuals who are not willing to participate in Homeless Community Court. For example, individuals who chose to participate might be more willing to engage with service providers and more motivated to take the steps necessary to obtain permanent housing. I did not control for this motivational factor. However, the increase of 123.7 days in permanent housing usage by graduates (as compared to the comparison individuals) in the 24-month post-enrollment period is so significant that even if there is some selection bias, this increase still suggests program success.

*Limited housing outcome data*

As noted in *Part VI*, because only 56 out of 164 comparison individuals have any housing records and 158 out of 164 graduates have housing records, I created outcome weights for comparison individuals. There was no other group in the HMIS that was as large as the Service Registry and was a suitable comparison group based on vulnerability and chronic homelessness.
Although the lack of records was a limitation, as detailed in Part VI, I was able to create a more similar comparison group by weighting the comparison group’s outcomes based on pre-period housing usage.

In addition, although Santa Monica’s HMIS includes some data on individuals who are placed in permanent housing outside of Santa Monica, Santa Monica’s HMIS does not have complete records of all housing placement outside of Santa Monica. However, potential bias caused by lack of records for housing outside of Santa Monica is likely small because there is no indication that graduates or comparison individuals are more likely to be placed into housing outside of Santa Monica.

**No recidivism data**

I originally planned to obtain arrest data from the Santa Monica Police Department to determine whether graduation from the Santa Monica Homeless Community Court is associated with reduced recidivism. Determining whether graduation from the Santa Monica Homeless Community Court is associated with reductions in recidivism would have been useful for many reasons. As noted above, individuals with criminal records face severe barriers to exiting homelessness due to stigmatization, policies that bar them from federal housing assistance programs, and difficulties finding employment due to their criminal records.321 Knowing whether homeless court is a way to preclude further justice system involvement would be useful to lawmakers and policymakers who seek to improve at-risk individuals’ outcomes. In addition, reduced recidivism would be cost-beneficial to the City of Santa Monica and any other jurisdiction that implemented a homeless court. According to a recent report on the costs of homelessness in Los Angeles County, approximately 9.5 percent of the costs that the County expended on individuals experiencing homelessness consisted of criminal justice costs, including law enforcement spending on arrests and jail days and probation costs.322 Thus, information on the effect of homeless court on recidivism would help Santa Monica and other jurisdictions weigh the costs and benefits of implementing a homeless court. An analysis of whether homeless courts reduce recidivism would also allow for a comparison of the effects of homeless court with the effects of other problem-solving courts such as mental health courts. Individuals who participate in homeless court often experience mental health issues and it would be helpful to build an evidence base to determine whether homeless courts or mental health courts are more successful in reducing recidivism.

Although I was unable to obtain recidivism data from the Santa Monica Police Department, as detailed in *Part II: Literature Review*, there is a growing body of evidence that suggests that

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placement into permanent housing reduces re-arrests and other criminal justice system involvement. My interviewees also indicated that in their experience, graduation from Homeless Community Court results in decreased recidivism. Many stakeholders noted that after an individual has graduated from Homeless Community Court, they are arrested less frequently and receive fewer citations. A Homeless Community Court graduate noted that while he used to get two to three misdemeanor citations a month, he has not gotten any citations in the four years since he graduated from Homeless Community Court. Another graduate noted that although he had 32 misdemeanor citations when he enrolled in Homeless Community Court, he has also been able to remain free of misdemeanor citations since he graduated from Homeless Community Court approximately 10 years ago. In addition, for individuals in federally subsidized units (i.e., project-based or tenant-based Continuum of Care vouchers), federal regulations stipulate that rental assistance must be terminated if tenants are absent from the unit for more than 90 days, so the fact that housing records indicate that graduates have maintained housing for long periods of time suggests that these individuals have not been sent to jail for over 90 days.

One stakeholder and a number of Homeless Community Court participants noted that graduates of Homeless Community Court are likely able to avoid new misdemeanor citations after they graduate because they are housed. The graduates noted that in their homes, they can relieve themselves and drink alcohol without fear of tickets for public urination and public intoxication. In addition, one stakeholder noted that she has seen clients who have regular interactions with the police cease having any police interactions after enrolling because clients have “the fear of knowing they have to stand in front of the [Homeless Community Court] judge in a day or two and the judge will confront them about it.”

Other unmeasured positive impacts

My impact analysis was limited to housing outcomes. In addition to increased transitional and permanent housing usage and a likely decrease in recidivism, there are other positive

323 Interview with stakeholder #1 and stakeholder #2.
324 Meeting with Homeless Community Court team, City Hall, Santa Monica, CA, April 28, 2016.
325 Interview with Homeless Community Court participant #5.
326 Interview with Homeless Community Court participant #4.
327 Code of Federal Regulations, Chapter 24, Sections 983.256(g) and 982.312(a). Exceptions can be made for medical reasons, substance abuse treatment, military leave, domestic violence, or via request for reasonable accommodation.
328 Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5; Interview with stakeholder #8.
329 Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.
330 Interview with stakeholder #5.
impacts of Homeless Community Court at the individual and community levels. With respect to additional benefits to individuals, stakeholders observed that graduates appear to be physically and mentally healthier after graduating from Homeless Community Court.\footnote{Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #8; Interview with stakeholder #5.} One stakeholder noted that after enrolling in Court, her clients undergo “a great transformation.”\footnote{Interview with stakeholder #8.} They seek substance use disorder treatment and mental health treatment, go to doctors’ appointments, get new clothing, and improve their personal hygiene.\footnote{Interview with stakeholder #8.} Another stakeholder also noted that after individuals enroll in Homeless Community Court, they take better care of themselves and have better hygiene.\footnote{Interview with stakeholder #9.} Another stakeholder noted that he has friendly interactions with former graduates, and these graduates have maintained improvements in their health and healthy habits after graduation.\footnote{Interview with stakeholder #1 and stakeholder #2.} They gain weight, shower every day, and think more clearly than they did before participating in the program.\footnote{Interview with stakeholder #1 and stakeholder #2.} Another stakeholder noted that after an individual graduates from Homeless Community Court, their stress levels are much lower because they no longer have to worry about unpaid citations. She noted that open misdemeanor cases are a major stressor for these individuals.\footnote{Interview with stakeholder #5.} I did not do any formal evaluation of participants’ mental or physical health status because most of the participants had already graduated by the time I began this evaluation and I did not have any way to collect baseline and post-graduation health status data. In addition, I did not have access to administrative data on graduates’ use of health services or any other administrative information on health status. The City should consider future research on the impacts of the program on participant mental and physical health status because these are important outcomes at the individual level and from a broader cost-benefit perspective.

Graduation from Homeless Community Court also benefits the Santa Monica community as a whole. Stakeholders noted that although they do not have any concrete data on the issue, they believe that graduates cost the City less money because, for example, they generate fewer calls for emergency services and use fewer criminal justice resources than individuals experiencing chronic homelessness who do not participate in Homeless Community Court.\footnote{Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #10.} Although I did not evaluate the effect of the program on emergency calls because I did not have access to data on emergency calls, the City should consider future research on the impact of the program on emergency calls because this outcome is also important at the individual level and from a broader cost-benefit perspective. One stakeholder also noted that former graduates benefit the community by volunteering. Although graduates are not required to volunteer, many choose to volunteer with various service providers where they formerly received services as a client.\footnote{Interview with stakeholder #6.}
Part VIII: Conclusions and Policy Recommendations

Effects of Santa Monica Homeless Community Court on Housing and Other Outcomes

For individuals experiencing homelessness, basic functions like sleeping and urinating can lead to misdemeanor citations for unlawful camping and public urination. The Santa Monica Homeless Community Court model is one way to resolve quality of life misdemeanors without fines or jailtime, while at the same time connecting individuals with permanent housing that will help improve their well-being and help them avoid future justice system involvement. As noted above, between February 2007 and September 2017, the Court has had 290 participants and 176 (61%) program graduates. My analysis focused on the graduates who enrolled on or before February 20, 2016 (because these are the individuals who would have completed a 24-month post enrollment period as of February 20, 2018, the date that the City provided housing outcome data for the graduates and the Service Registry individuals). As detailed in Part IV, these graduates made biweekly appearances in Homeless Community Court for approximately 8 to 12 months. The court team used these appearances to link the individuals with services and treatment and to monitor participation in treatment and services. These individuals graduated when they obtained housing and showed an ability to transition well into their housing. The City Attorney dismissed all their underlying charges (the non-violent, quality of life misdemeanors arising from homelessness) upon graduation.

There were 166 graduates who enrolled on or before February 20, 2016, but housing records were not available for 2 graduates, so my analysis includes 164 graduates for whom housing outcome data is available. As detailed in Parts VI and VII, I used race, gender, ethnicity, age, and known veteran status to match each of the 164 graduates with an individual who was on the Service Registry between 2007 and 2017 (the same years that the graduates were enrolled in Homeless Community Court). This propensity score matching method allowed me to eliminate the selection bias of age and other observable confounding variables. I weighted the matched comparison individuals’ housing outcomes based on how similar their 24-month pre-period housing usage was to the graduates’ pre-period usage.

Using these quantitative methods, I found that graduation from Santa Monica Homeless Community Court resulted in a practically and statistically significant increase in the average

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340 Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.
341 As noted above, between February 2007 and September 2017, the Court has had 290 participants and 176 (61%) program graduates. My analysis focused on the graduates who enrolled on or before February 20, 2016 (because these are the individuals who would have completed a 24-month post enrollment period as of February 20, 2018, the date that the City provided housing outcome data for the graduates and the Service Registry individuals).
usage of transitional and permanent housing. The increase of 123.7 days in permanent housing usage by graduates (as compared to Service Registry individuals with similar demographics) in the 24-month post-enrollment period indicates program success. In addition, in the 24-month post-period, 92 graduates (56.1%) accessed permanent housing and only 9 comparison individuals (5.5%) accessed permanent housing.

Homeless Community Court graduation results in an estimated 43.39 more days in transitional housing in the two years following enrollment in Homeless Community Court. While placement into transitional housing is not the primary goal of Homeless Community Court, the team attempts to place individuals into transitional housing if permanent housing is not yet available, and transitional housing is preferable to being unsheltered.

Increases in permanent and transitional housing usage are particularly noteworthy because of the treatment-as-usual conditions in Santa Monica. The City funds approximately $3 million every year in grants to homeless service agencies to provide a continuum of housing and supportive service resources; both Homeless Community Court participants and the comparison group (individuals on the Service Registry) are prioritized for these services.342 Homeless Community Court graduates’ increase in housing usage is likely the result of the Homeless Community Court service model connecting participants with already available services and treatment.

My impact analysis was limited to housing outcomes. I was unable to obtain recidivism data from the Santa Monica Police Department, but my literature review and interviews suggest that graduation from Homeless Community Court decreases recidivism. As detailed in Part II: Literature Review, recent studies of interventions targeting populations similar to the Santa Monica Homeless Community Court population (i.e., chronically homeless individuals with histories of quality of life misdemeanors arising from their homelessness and mental health and/or substance use issues) provide some evidence that permanent housing reduces criminal justice system involvement. In addition, the stakeholders I interviewed and Homeless Community Court graduates themselves also believe graduation from Homeless Community Court results in decreased recidivism.343 To estimate the impact of graduation on recidivism, the City should try to obtain re-arrest data on the graduates and comparison individuals from the Police Department. Because I have already created a matched comparison group, estimating the effects of Homeless Community Court graduation on recidivism should be relatively straightforward once recidivism data is available. Estimates of effects on recidivism would be useful to Santa Monica and other jurisdictions with large chronically homeless populations. As noted above, according to a recent report on the costs of homelessness in Los Angeles County, approximately 9.5 percent of the costs that the County expends on individuals experiencing

342 Interview with stakeholder #6.
343 Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #3; Interview with stakeholder #5; Interview with Homeless Community Court participant #4; Interview with Homeless Community Court participant #5.
homelessness consists of criminal justice costs, including law enforcement spending on arrests and jail days, and probation costs.\textsuperscript{344} Thus, information on the effect of homeless court on recidivism would help Santa Monica and other jurisdictions weigh the costs and benefits of running a homeless court.

In addition to increased transitional and permanent housing usage and a likely decrease in recidivism, there are other positive impacts of Homeless Community Court at the individual and community levels. With respect to additional benefits to individuals, stakeholders observed that graduates appear to be physically and mentally healthier after graduating from Homeless Community Court.\textsuperscript{345} Stakeholders noted that although they do not have any concrete data on the issue, they believe that graduates cost the City less money because, for example, they generate fewer calls for emergency services and use less criminal justice resources than individuals experiencing chronic homelessness who do not participate in Homeless Community Court.\textsuperscript{346} Freeing up these resources while improving the lives of Homeless Community Court graduates benefits the whole community.\textsuperscript{347} A stakeholder also noted that former graduates benefit the community by volunteering. Although graduates are not required to volunteer, many choose to volunteer with various service providers where they formerly received services as a client.\textsuperscript{348} Recent studies have also concluded that direct pathways to permanent housing benefits the entire community through increased public health and public safety, reductions in public spending on incarceration, and reductions in the visibility of livability crimes.

**Increasing Enrollment and Impact**

Because graduation from Homeless Community Court is associated with increased permanent housing usage and likely provides many other benefits to individuals and the community, the City should try to maximize the court’s impact by increasing the number of graduates. This could be accomplished through increased enrollment and increased retention in Homeless Community Court.

To increase enrollment, the City could revise eligibility requirements. Santa Monica adopted stringent guidelines for eligibility when the Court first started because the demand was so high.\textsuperscript{349} Now that Homeless Community Court has served its original target population and is currently operating below capacity, the City could include a wider range of individuals. Santa Monica can curtail growth in chronic homelessness by identifying residents of Santa Monica who are at a high risk of becoming chronically homeless and intervening with coordinated

\begin{footnotes}
\item[345] Interview with stakeholder #1 and stakeholder #2; Interview with stakeholder #8; Interview with stakeholder #5.
\item[346] Interview with stakeholder #1 and stakeholder #2.
\item[347] Interview with stakeholder #1 and stakeholder #2.
\item[348] Interview with stakeholder #6.
\item[349] Interview with stakeholder #10.
\end{footnotes}
system-wide assistance, including assistance in obtaining transportation, public benefits, jobs, job training or education, and health care. The traditional problem-solving court approach with intensive and long-term monitoring and supports would be useful to the individuals who live in Santa Monica and are at high-risk for chronic homelessness because, as noted in the Economic Roundtables meta-analysis, individuals in Los Angeles County who are at risk of chronic homelessness also have difficulties navigating social service and legal systems. In addition, the 2018 Homeless Count estimated that 29% of individuals experiencing homelessness in Santa Monica have been homeless for one to five years. Many of these individuals likely have misdemeanors citation associated with their homelessness and could benefit from structured connection to housing and services. The Homeless Community Court team could also consider using their discretion to admit individuals with a single minor violent incident from several years ago and individuals with misdemeanor drug possession charges.

There are other policy options that might allow the City to increase retention and enrollment, but these options entail potentially significant tradeoffs. Holding court sessions at a service provider in Santa Monica might make attendance more convenient and comfortable, but this would likely be at the expense of participants not taking the hearing and orders as seriously as they would in a formal court setting. In addition, the Commissioner, who is key to program success and is a permanent judicial officer at the Airport Courthouse, would have to travel from her regular courtroom to the service provider. Shortening length of time to graduation might also increase participation and retention, but this might result in decreased connections to housing and services. Santa Monica or other jurisdictions that plan to implement a homeless court might consider varying location of hearings and the length of time to graduation to determine whether doing so results in greater enrollment and graduation rates without sacrificing rates of compliance with court orders and ultimate housing outcomes.

The City could also increase the impact that the Court has on those individuals who do graduate from Homeless Court by investing resources in long-term case management and housing retention. The Santa Monica Homeless Community Court aims to assist individuals who are very vulnerable, and these individuals will need ongoing, long-term case management in order to remain housed. Case managers constantly get new clients but still need to assist these high-need individuals in the long-term, resulting in unmanageable caseloads. This can result in individuals not getting the support they need in the long-term and ending up homeless again.

350 Flaming et al. (2018), supra note 248.
351 Flaming et al. (2018), supra note 248.
353 Flaming et al. (2018), supra note 248.
354 Interview with stakeholder #10.
355 Interview with stakeholder #10.
356 Interview with stakeholder #10.
Although I used qualitative methods to answer the second research question: *How can the Santa Monica Homeless Community Court’s enrollment and retention be improved?*, the quantitative methods that I used to answer the third research question uncovered additional potential ways to improve enrollment and retention. As detailed in *Part VI (Quantitative Methods Used to Estimate the Effect of Graduation on Housing Outcomes)*, I created a comparison group that was similar in demographics to the graduates by matching each of the 166 graduates with one of 208 Service Registry individuals. Before matching, there were significantly less Black individuals, less men, and less veterans in the Homeless Community Court graduate group as compared to the 208 Service Registry individuals. As displayed in Table 6.1, 21% of Homeless Community Court graduates were Black but 30% of the unmatched Service Registry individuals were Black. 70% of Homeless Community Court graduates were men but 81% of the unmatched Service Registry Individuals were men. 11% of Homeless Community Court graduates were veterans but 22% of the unmatched Service Registry Individuals were veterans. Both Homeless Community Court participants and Service Registry individuals have been chronically homeless in Santa Monica for five or more years and both are high utilizers of emergency services, so the notable differences in representation among Black individuals, males, and veterans might indicate that there are potential referral streams for Homeless Community Court that should be explored. For example, the Department of Veterans’ Affairs attends the monthly Santa Monica Chronic Homelessness Project meetings. Discussing additional ways to identify veterans who might qualify for and benefit from Homeless Community Court with the Department of Veterans Affairs at these meetings might help increase veteran representation amongst the Homeless Community Court graduates. In addition, the City could reach out to the newly-formed Los Angeles Homeless Services Authority Ad Hoc Committee on Black People Experiencing Homelessness (which held its first session in April 2018) to discuss ways to increase the number of Black individuals who participate in and graduate from Homeless Community Court. The City could also analyze enrollment and graduation data to see whether the underrepresented groups (veterans, Black individuals, and males) are enrolling in Homeless Community Court at similar rates but graduating at lower rates. If so, the City could speak with individuals from these underrepresented groups or service agencies that focus on these groups (e.g., the Department of Veterans Affairs) to see what additional support the individuals might need to successfully graduate from Homeless Community Court.

Lack of availability of permanent housing puts a potential ceiling on expansion of the program. For example, the City’s Section 8 voucher program is one way to place individuals into permanent housing, and as of June 2018, the voucher waitlist was closed.\(^{357}\) However, there are other permanent housing options in the City, such as project-based housing, where other

previously homeless clients live, with onsite supportive services; “board and care” for individuals who need additional supports; skilled nursing for individuals who need advanced medical assistance; sober living programs; special housing programs for populations such as veterans and/or seniors; and reunification to family and loved ones.358 If the City is able to increase enrollment in and graduation from Homeless Community Court, the City would need to ensure that permanent housing through these various options keeps up with increased participation rates.

Delivering Santa Monica’s Homeless Community Court Model

Other jurisdictions with chronically homeless populations should consider implementing Santa Monica’s service model, particularly in jurisdictions that have the infrastructure and resources to serve the population but are having difficulties connecting individuals to appropriate services and housing. Santa Monica’s model is unique because most homeless courts operate under the “pure dismissal model,” meaning that participants have their cases resolved in one hearing if they provide proof that they have already participated in rehabilitative activities. Santa Monica’s model is designed to impact highly vulnerable individuals who cannot navigate legal and social service systems on their own. As noted above, the increase in permanent housing usage among graduates as compared to Service Registry individuals was likely due to successful connection with existing services rather than an increase in availability of services.

In Part IV, I provide a detailed description of each step in the Santa Monica Homeless Community Court process, which can inform other jurisdictions with large homeless populations that are interested in implementing a homeless court model like Santa Monica’s. Along with adopting these procedural steps, jurisdictions that wish to adopt the model should make note of important best practices and themes that span all the steps in the process:

Having individuals who serve as central points of contact is important. In Santa Monica, the Homeless Community Court Coordinator serves as the point of contact for referrals. When another member of the team or a service provider identifies an individual who might be eligible for Homeless Community Court, they reach out to the Homeless Community Court Coordinator. However, determining whether an individual will be offered the program is a collaborative decision that involves a conversation between team members.359 As noted in Part II: Literature Review, the homeless courts in Albuquerque and Fresno also noted that having a Homeless Court Coordinator who serves as a consistent point of contact for participants and service providers has made agencies more comfortable referring clients and has increased enrollment.360 In addition, in Santa Monica’s model, service providers serve as central points of contact for individuals’ progress with their treatment plans. Service providers create the treatment plans, monitor

359 Interview with stakeholder #6.
360 2004 ABA Conference Materials, supra note 54.
compliance with the treatment plans, provide practical support such as transportation to appointments, and draft progress reports to keep the team members apprised of progress or lack thereof.

Trust is a key component of the process. If clients have a trusting relationship with service providers and other individuals involved with the referral process, they are more likely to enroll in the program and comply with their individual treatment plans. Service providers build trust by bringing interested clients to court to observe Homeless Community Court hearings when they are deciding whether or not to enroll. HLP develops relationships with individuals experiencing chronic homelessness by talking to them about City services during multiple interactions over a long period of time. It often takes months or years of engagement for an individual to become open to seeking services. The homeless courts in Orange County, San Diego, and Ventura also stressed the importance of building trust within the homeless population. In addition, when a judge develops a relationship of trust with a participant by praising them for complying with orders and showing that she genuinely cares about their wellbeing, then the participant becomes more willing to comply with future orders and more likely to graduate. It is also important for members of the team and service providers to be able to trust and collaborate with each other in order for the program to run efficiently. The Santa Monica Homeless Community Court team has a very strong relationship with its partner service provider agencies and thus the team can rely on these service providers to develop individual treatment plans and update the team on how individuals are progressing. The team maintains this relationship through consistent communication with service providers, both informally via e-mail and phone and more formally during Homeless Community Court hearings, which service providers always attend with their clients.

Accountability is also an important component of the Santa Monica Homeless Community Court process. Service providers write detailed progress reports about whether participants have been complying with their individual treatment plans and the Commissioner’s orders. If a client misses a meeting or appointment or has contact with law enforcement, it is important for the service provider to detail this noncompliance in the progress report. Service providers who have experience working with Homeless Community Court have become very skilled in following a client-based approach and maintaining a trust-based relationship with clients, but they are still candid with the team when the client fails to follow orders. One practice that the Santa Monica Homeless Community Court has adopted to demonstrate standards of

361 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
362 Ride-along with HLP.
363 Ride-along with HLP.
364 2004 ABA Conference Materials, supra note 54.
365 Interview with stakeholder #4.
366 Interview with stakeholder #6.
367 Interview with stakeholder #6.
368 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
369 Interview with stakeholder #6.
accountability to participants is graduating and/or discharging individuals at the beginning of each Homeless Community Court session so that other participants who are awaiting their hearings that day can witness the consequences of complying with or not complying with judicial orders. Service providers themselves are also held to a high standard of accountability. They attend all hearings and describe steps they took to try to ensure that the participant complied with treatment plans and the Commissioner’s orders in their progress reports.

Santa Monica’s service model adopted an incremental approach. Goals set out in the progress reports and the Commissioner’s orders are broken down into manageable tasks that culminate in permanent housing over a longer time frame. For example, obtaining permanent housing is too broad a goal and should be broken down into steps such as obtaining identification and filling out a housing voucher application. In addition, small successes should be noted in the progress report and reiterated by the Commissioner at the hearing to help participants understand that they are making progress despite the fact that reaching ultimate milestones like permanent housing might feel daunting. For example, if a participant attends a doctor’s appointment, this should be noted in their progress report and the participant should receive praise for this small milestone at the next hearing.

In summary, the Santa Monica Homeless Community Court service model has the potential to reduce chronic homelessness, decrease recidivism, and provide cost-savings and other benefits to the community. In order for Santa Monica to take full advantage of these benefits, it should widen its eligibility criteria. In addition, other jurisdictions with a chronically homeless and justice-involved population should consider adopting Santa Monica’s model. The model would be particularly useful to jurisdictions that have services and resources to devote to this population but need ways to motivate individuals to seek services and assistance.

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370 Interview with stakeholder #6.
371 Interview with stakeholder #3; Interview with stakeholder #4; Interview with stakeholder #5.
372 Interview with stakeholder #6.
373 Interview with stakeholder #5.
374 Interview with stakeholder #5.
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Code of Federal Regulations, Chapter 24, Sections 91.6, 576.2, 587.3, 983.256(g) and 982.312(a).


of housing for chronically homeless persons with severe alcohol problems. *Jama, 301*(13), 1349-1357.


Appendix A: Interview Protocols

This appendix contains my interview protocols.
<table>
<thead>
<tr>
<th>History/Background</th>
<th>How does it work?</th>
<th>What works well?</th>
<th>What works poorly?</th>
<th>How can we make it work better?</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>• Job title and involvement with HCC? How long?</td>
<td>• What are some best practices that the City Attorney’s Office or the HCC team in general has learned over the years?</td>
<td>• Any aspects of HCC that have been eliminated because they did not work well?</td>
<td>• Any recommendations about how HCC could be improved upon in general?</td>
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<td>• Tell me about the history of HCC:</td>
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<td>o When did it start?</td>
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<td>o Who started it?</td>
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<td></td>
<td>• How is HCC funded?</td>
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<td>• What are the objectives of HCC?</td>
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<td>• Who are the targets of HCC?</td>
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<td></td>
<td>• Do clients enter HCC pre- or post-plea?</td>
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<tr>
<td>Outreach to raise awareness of HCC</td>
<td>• Does the City Attorney’s Office have a role in raising awareness of HCC?</td>
<td>• (What have been the most effective aspects of your outreach efforts?)</td>
<td>• (Any aspects of outreach efforts that have not worked well?)</td>
<td>• (Recommendations for increasing awareness?)</td>
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<td>• If yes,</td>
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<td></td>
<td>o Describe your role in outreach and raising awareness of HCC within Santa Monica.</td>
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<td></td>
<td>o Describe the target of your outreach efforts (clients, service providers, and/or community in general).</td>
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<tr>
<td>Referral/recruitment of clients</td>
<td>• Describe the City Attorney’s role in recruiting clients for HCC.</td>
<td>• Why do you think individuals sign up for homeless court? (What would happen if instead they just ignored their tickets and warrants?) Variations?</td>
<td>• Any aspects of your recruitment efforts that have not worked well?</td>
<td>• Recommendations for recruiting more individuals?</td>
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<td></td>
<td>• Describe the eligibility requirements for participating in HCC.</td>
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<td>• What are the most common offenses with which HCC participants or potential participants have been charged? Variations?</td>
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<tr>
<td>Application process</td>
<td>• Describe the City Attorney’s role in the application process.</td>
<td>• What aspects of the application process have worked well? Variations?</td>
<td>• Any aspects of the application process that have not worked well? Variations?</td>
<td>• Recommendations for improving application process?</td>
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<td></td>
<td>• Describe the application process. Variations?</td>
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<td></td>
<td>• What criteria are used to determine who will be accepted to HCC (is it the same as eligibility factors)? Variations?</td>
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<tr>
<td>Enrollment</td>
<td>• Describe the enrollment process. Variations?</td>
<td>• What aspects of enrollment have worked well? Variations?</td>
<td>• Any aspects of enrollment that have not worked well? Variations?</td>
<td>• Recommendations for increasing enrollment?</td>
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<tr>
<td></td>
<td>• Describe your role in the enrollment process.</td>
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<tr>
<td>Development of individual treatment plans</td>
<td>• Does the City Attorney have a role in developing individual treatment plans?</td>
<td>• What aspects of the individual treatment plans have worked well? Variations?</td>
<td>• Any aspects of the individual treatment plans that have not worked well? Variations?</td>
<td>• Recommendations for improving individual treatment plans?</td>
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<td></td>
<td>• If yes,</td>
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<td></td>
<td>o Describe the process of developing individual treatment plans. Variations?</td>
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<td></td>
<td>o What is the goal of the individual treatment plan?</td>
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<tr>
<td>How does it work?/What are the rules?</td>
<td>What works well?</td>
<td>What works poorly?</td>
<td>How can we make it work better?</td>
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<tr>
<td>Bi-weekly court hearings and compliance with court orders/treatment plans</td>
<td>• What aspects of the bi-weekly court hearings work well?</td>
<td>• Any aspects of hearings or general monitoring of clients’ compliance with treatment plans and court orders that has not worked well? Variations?</td>
<td>• Recommendations about how reports can be improved?</td>
<td>Recommendations about how hearings can be improved?</td>
</tr>
<tr>
<td>I know that service providers write pre-hearing reports to update the judge on individuals’ progress and make recommendations for next steps.</td>
<td>• Is there anything in particular that the HCC team has done that encourages or assists clients in complying with court orders?</td>
<td>• In general, what incentivizes individuals to comply with court orders? Variations?</td>
<td>• Recommendations about how reports can be improved?</td>
<td>Recommendations about how hearings can be improved?</td>
</tr>
<tr>
<td>• Does the HCC team take anything other than the reports into account when determining next steps at each pre-hearing meeting? Variations?</td>
<td>• Any recommendations about how reports can be improved?</td>
<td>• Recommendations about how reports can be improved?</td>
<td>• Recommendations about how hearings can be improved?</td>
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<tr>
<td>• Any recommendations about how reports can be improved?</td>
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<td>• Recommendations about how reports can be improved?</td>
<td>• Recommendations about how hearings can be improved?</td>
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<tr>
<td>• What incentivizes individuals to comply with court orders?</td>
<td>• Many HCCs (like the one in San Diego) don’t meet in a formal courtroom, but rather meet at a service provider or other more informal location. Why does SM meet in a courtroom? Do you think this impacts the way HCC functions?</td>
<td>• Recommendations about how reports can be improved?</td>
<td>• Recommendations about how hearings can be improved?</td>
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<tr>
<td>• Why not 1 hearing model?</td>
<td>• What happens when an individual graduates (e.g., all of their misdemeanor charges are dropped)? Variations?</td>
<td>• Recommendations about how reports can be improved?</td>
<td>• Recommendations about how hearings can be improved?</td>
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<tr>
<td>Graduation (successful exit)</td>
<td>• What factors make graduation more likely for an individual client? Variations?</td>
<td>• What factors make graduation less likely for an individual client? Variations?</td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
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<tr>
<td>• How does the HCC team determine when an individual should graduate from HCC?</td>
<td>• What factors make graduation more likely for an individual client? Variations?</td>
<td>• What factors make graduation less likely for an individual client? Variations?</td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
<td></td>
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<tr>
<td>• Who makes this determination? (Is it collaborative?)</td>
<td>• When is this determination made? Does the HCC team set benchmarks set benchmarks that must be met, or is it an ongoing determination?</td>
<td>• What factors make graduation more likely for an individual client? Variations?</td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
<td></td>
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<tr>
<td>• What happens when an individual graduates (e.g., all of their misdemeanor charges are dropped)? Variations?</td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
<td>• What factors make graduation less likely for an individual client? Variations?</td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
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<td>• Any recommendations about how graduation rates could be improved upon?</td>
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</table>

| Unsuccessful exit | **| **| **| **|
| 2. What causes some clients to exit HCC without graduating? | 3. What happens to the individuals after they exit the program without graduating (e.g., cases go back to regular criminal court, warrant out for their arrest, etc.)? | 4. What changes do you see because of the program at the client-level? Probe about health, first responder calls, well-being, housing retention, recidivism, service utilization. | 5. Are there any factors that make it more likely that a client will get re-arrested or otherwise lose gains made during HCC participation? Variations? | 6. Any recommendations about post-graduation HCC team interactions with clients (or lack thereof)? |

<p>| Overall system and future | 2. In general, what has worked well? | 3. Any general challenges? | 4. Any recommendations about how HCC can better serve the changing homeless population in Santa Monica? |
| Do you think the community as a whole or anyone besides clients themselves benefits from having an HCC in the community (e.g. cost savings from less emergency calls, etc.)? | | | |</p>
<table>
<thead>
<tr>
<th>Client</th>
<th>How does it work? / What are the rules?</th>
<th>What works well?</th>
<th>What works poorly?</th>
<th>How can we make it work better?</th>
</tr>
</thead>
</table>
| History/Background | • Where do you live now? (Is this permanent or temporary housing?) (probe about connection to HCC)  
• What has been your experience with regular criminal court?  
• How does your experience with HCC compare with your experience in regular court? | • What positive things do you remember about HCC? | • What negative things do you remember about HCC? | • Any recommendations about how HCC could be improved upon? |
| Outreach to raise awareness of HCC  Referral/recruitment of clients | • How did you first learn about (or who told you about) HCC?  
• Where were you staying when you found out about HCC?  
• What is your understanding of how HCC works— as if you were describing it to a friend?  
• Have you talked to your friends or anyone else about HCC? If so, what did you tell them about HCC? If not, why not? | • What positive things did you hear about HCC before you participated? | • What negative things did you hear about HCC before you participated? | • Recommendations for increasing awareness? |
| Application process | • Tell me about the day you formally applied for HCC: What was that like for you?  
• Who helped you apply? | • Why did you decide to apply to HCC? (What benefits did you think HCC would provide?) | • Did you have any concerns about/difficulties with applying for HCC? | • Recommendations for improving application process? |
| Enrollment | • After you applied for HCC, what happened next?  
• Who helped you enroll? Where were you when you enrolled?  
• Did you observe an HCC hearing before you decided to participate?  
• Did the judge speak with you about enrolling? | • Was enrollment difficult? Why or why not?  
• (Any positive aspects of enrollment?) | • (Any negative aspects of enrollment?) | • What would have made enrollment easier for you? |
<p>| Development of individual treatment plans | • What kinds of things were you required to do in the HCC program? | • What did you like about the plan the HCC team came up with for you? | • What did you not like about the plan the HCC team came up with for you? | • Recommendations for improving individual treatment plans? |</p>
<table>
<thead>
<tr>
<th>How does it work?/What are the rules?</th>
<th>What works well?</th>
<th>What works poorly?</th>
<th>How can we make it work better?</th>
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<tr>
<td><strong>Graduation (successful exit)</strong></td>
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<tr>
<td>• When did you graduate from HCC?</td>
<td>• What motivated you to try to graduate from HCC?</td>
<td>• What made it difficult for you to graduate from HCC?</td>
<td>• Any recommendations about how the HCC team can help clients graduate?</td>
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<td>• What did the judge ask you to do in order to graduate from HCC?</td>
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<tr>
<td>• Was it easy or difficult to graduate from HCC?</td>
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<td>• What motivated you to graduate from HCC?</td>
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<td>• What happened in court on the day you graduated from HCC?</td>
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<td>• How did you feel when you graduated from HCC?</td>
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<tr>
<td><strong>Unsuccessful exit</strong></td>
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<td>• What did the judge ask you to do in order to graduate from HCC?</td>
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<td>• Was it difficult to meet these requirements? Why?</td>
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<tr>
<td><strong>Post-graduation</strong></td>
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<tr>
<td>• What things are keeping you busy these days?</td>
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<tr>
<td>o Are you working? Volunteering?</td>
<td>• Has participation in HCC impacted your life in positive ways? Describe.</td>
<td>• Has participation in HCC impacted your life in negative ways? Describe.</td>
<td>• Any recommendations about post-graduation HCC team interactions with clients (or lack thereof)?</td>
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<tr>
<td>o Are you part of any groups in the community?</td>
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<td>o Hobbies/pastimes?</td>
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<td>• Do you have any likes or dislikes about your current living arrangement?</td>
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<td>• Are there anything changes you’d like to make to your current living arrangement?</td>
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<tr>
<td><strong>Overall system and future</strong></td>
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<tr>
<td>• On a scale of 1 to 5, to what degree do you feel HCC helped connect you with housing?</td>
<td>• What were the most helpful or rewarding parts of HCC for you?</td>
<td>• What were the most difficult or challenging parts of HCC for you?</td>
<td>• Any recommendations about how HCC can better serve the community in the future?</td>
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<tr>
<td>o 1= Not at all helpful, 3=Neutral, 5=Very Helpful</td>
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<td>• On a scale of 1 to 5, to what degree do you feel HCC helped connect you with other services like doctor’ appointments, transportation, and counseling services?</td>
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<td>o 1= Not at all helpful, 3=Neutral, 5=Very Helpful</td>
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<td>• Ask about why rated 1 to 5 for previous Qs.</td>
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<td>• If someone asked you about HCC, what would you say?</td>
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<td>• Would you recommend it to others?</td>
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<tr>
<td>• Did it work for you? Can you give me any examples of how you think it did or did not work well?</td>
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<td>• If you had the opportunity to talk directly to the HCC team about your experience, what would you want to tell the team?</td>
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</table>
### Commissioner

<table>
<thead>
<tr>
<th>History/Background</th>
<th>How does it work?/What are the rules?</th>
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<th>What works poorly?</th>
<th>How can we make it work better?</th>
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<td></td>
<td>• What are the objectives of HCC?</td>
<td>• What are some best practices that you have learned over the years?</td>
<td>• Any aspects of HCC that have been eliminated because they did not work well?</td>
<td>• Any recommendations about how HCC could be improved upon in general?</td>
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<td>• Who are the targets of HCC?</td>
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<td></td>
<td>• How long have you been HCC Judge?</td>
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<td>• Changes since you started at HCC?</td>
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<td></td>
<td>• Describe similarities and differences between HCC and drug court. (Commissioner Jane Godfrey presides over both HCC and drug court.)</td>
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<td></td>
<td>• Do clients enter HCC pre- or post-plea?</td>
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<tr>
<td>Outreach to raise awareness of HCC</td>
<td>• Do you have a role in raising awareness of HCC? If yes, please describe role.</td>
<td>• What have been the most effective aspects of HCC’s outreach efforts?</td>
<td>• Any aspects of HCC outreach efforts that have not worked well?</td>
<td>• Recommendations for increasing awareness?</td>
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<td>Referral/recruitment of clients</td>
<td>• What are the most common offenses with which HCC participants or potential participants have been charged? Variations?</td>
<td>• Why do you think individuals sign up for homeless court?</td>
<td>• Any aspects of your recruitment efforts that have not worked well?</td>
<td>• Recommendations for recruiting more individuals?</td>
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<td>Application process</td>
<td>• Describe your role in the application process.</td>
<td>• What aspects of the application process have worked well? Variations?</td>
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<td>• Describe your role in the enrollment process.</td>
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<td>• Approximately how many individuals are enrolled each month?</td>
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<td>• What is the goal of the individual treatment plan?</td>
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<td>• Are there any ways that you think individual treatment plans can be improved?</td>
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<td>Bi-weekly court hearings and compliance with court orders/treatment plans</td>
<td>• Describe the pre-hearing status update reports written by service providers.</td>
<td>• Any recommendations about how reports can be improved?</td>
<td>• Any aspects of hearings or general monitoring of clients’ compliance with treatment plans and court orders that has not worked well?</td>
<td>• Recommendations about how hearings can be improved?</td>
</tr>
<tr>
<td></td>
<td>• Do you take anything other than the reports into account when determining what you will order at each hearing? Variations?</td>
<td>• What aspects of the bi-weekly court hearings work well?</td>
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<td>• In general, what incentivizes individuals to comply with orders?</td>
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| Graduation (successful exit) | How does the court determine when an individual should graduate from HCC?  
| Who makes this determination? (Is it collaborative?)  
| When is this determination made? Does the court set benchmarks that must be met, or is it an ongoing determination?  
| What happens when an individual graduates (e.g., all of their misdemeanor charges are dropped)? Variations?  
| What factors make graduation more likely for an individual client? Variations?  
| What factors make graduation less likely for an individual client? Variations?  
| Any recommendations about how graduation rates could be improved upon?  |
| Unsuccessful exit | What causes some clients to exit HCC without graduating?  
| What happens to the individuals after they exit the program without graduating (e.g., cases go back to regular criminal court, warrant out for their arrest, etc.)?  
| Does the court have any interaction with HCC clients post-graduation? Please describe. Variations?  
| What are the primary changes you have observed in clients after graduation from HCC (how do they differ from before HCC)? Variations?  
| What changes do you see because of the program at the client-level? Probe about health, first responder calls, well-being, housing retention, recidivism, service utilization.  
| Are there any factors that make it more likely that a client will get re-arrested or otherwise lose gains made during HCC participation? Variations?  
| Any recommendations about post-graduation HCC team interactions with clients (or lack thereof)?  |
| Post-graduation | Do you think the community as a whole or anyone besides clients themselves benefits from having an HCC in the community (e.g. cost savings from less emergency calls, etc.)?  
| Looking down the road, any particular threats to continued implementation of HCC?  
| Do you think it would be possible to integrate HCC with other regional problem-solving courts?  
| Do you think integration would affect:  
| enrollment,  
| retention,  
| graduation, and/or  
| outcomes?  
| In general, what has worked well?  
| Any general challenges?  
| Any recommendations about how HCC can better serve the changing homeless population in Santa Monica?  
<p>| Do you think this program should be continued/expanded?  |
| Overall system and future | | | |</p>
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<td>o Who started it?</td>
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<td>• What are the objectives of HCC?</td>
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<td>• Who are the targets of HCC?</td>
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<td>• Please identify staff that work on HCC.</td>
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<td>• What are some best practices that HCC has learned over the years?</td>
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<td>• Describe your role in outreach and raising awareness of HCC within Santa Monica.</td>
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<td><strong>How does it work? What are the rules?</strong></td>
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<tr>
<td>• Describe the eligibility requirements for participating in HCC.</td>
</tr>
<tr>
<td>• Who makes HCC referrals?</td>
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<td>• Do these agencies make equal amounts of referrals?</td>
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<tr>
<td>• Why do you think some agencies make more referrals than others?</td>
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<tr>
<td>• Approximately how many individuals are referred each month?</td>
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<td>• Of those referred, how many eligible?</td>
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<td>Area</td>
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<tr>
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<td>and compliance with court orders/treatment plans</td>
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<td>Unsuccessful exit</td>
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<tr>
<td>Overall system and future</td>
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## Santa Monica Police Department Homeless Liaison Program

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<tr>
<td>• Job title and involvement with HLP team? How long?</td>
<td>• What are some best practices that you have learned over the years?</td>
<td>• Any HLP practices related to HCC that have been eliminated because they did not work well?</td>
<td>• Any recommendations about how HLP’s collaboration with HCC could be improved upon in general?</td>
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<tr>
<td>• Describe HLP’s role/objectives with respect to HCC.</td>
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| Outreach to raise awareness of HCC |                  |                    |                                 |
| • Describe HLP’s role in outreach and raising awareness of HCC in the City of Santa Monica. | • What have been the most effective aspects of HLP’s outreach efforts? | • Any aspects of HCC outreach efforts that have not worked well? | • Recommendations for increasing awareness? |
| • Describe the target of HLP’s outreach efforts (clients, service providers, and/or community in general). |                  |                    |                                 |

| Referral/recruitment of clients |                  |                    |                                 |
| • Describe HLP’s role in recruiting individuals to participate in HCC. | • Why do you think individuals sign up for homeless court? (What would happen if instead they just ignored their tickets and warrants?) Variations? | • Any aspects of your recruitment efforts that have not worked well? | • Recommendations for recruiting more individuals? |
| • Approximately how many individuals does HLP recruit each month? | • What have been the most effective aspects of HCC recruitment efforts? |                  |                                 |
| • Describe how you determine who should be recruited to HCC? |                  |                    |                                 |
| • Describe the recruitment process. |                  |                    |                                 |
| • What happens after you recruit someone? |                  |                    |                                 |
| • What are the most common offenses with which HCC participants or potential participants have been charged? |                  |                    |                                 |

| Post-graduation |                  |                    |                                 |
| • Does HLP have any interaction with HCC clients post-graduation? If yes, please describe. Variations? | • What changes do you see because of the program at the client-level? Probe about health, first responder calls, well-being, housing retention, recidivism, service utilization. | • Are there any factors that make it more likely that a client will get re-arrested or otherwise lose gains made during HCC participation? Variations? | • Any recommendations about post-graduation HCC team interactions with clients (or lack thereof)? |

<p>| Overall system and future |                  |                    |                                 |
| • Do you think the community as a whole or anyone besides clients themselves benefits from having an HCC in the community (e.g. cost savings from less emergency calls, etc.)? | • In general, what has worked well? | • Any general challenges? | • Any recommendations about how HCC can better serve the changing homeless population in Santa Monica? |
| • Looking down the road, any particular threats to continued implementation of HCC? |                  |                    |                                 |</p>
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<th>Public Defender</th>
<th>How does it work?/What are the rules?</th>
<th>What works well?</th>
<th>What works poorly?</th>
<th>How can we make it work better?</th>
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</table>
| **History/Background** | • Job title and involvement with HCC? How long?  
• Tell me about the history of HCC:  
  o When did it start?  
  o Who started it?  
• How is HCC funded?  
• What are the objectives of HCC?  
• Who are the targets of HCC?  
• Do clients enter HCC pre- or post-plea? | • What are some best practices that the PD’s Office or the HCC team in general has learned over the years? | • Any aspects of HCC that have been eliminated because they did not work well? | • Any recommendations about how HCC could be improved upon in general? |
| **Outreach to raise awareness of HCC** | • Does the Public Defender’s Office have a role in raising awareness of HCC?  
• If yes,  
  o Describe your role in outreach and raising awareness of HCC within Santa Monica.  
  o Describe the target of your outreach efforts (clients, service providers, and/or community in general). | • (What have been the most effective aspects of your outreach efforts?) | • (Any aspects of outreach efforts that have not worked well?) | • (Recommendations for increasing awareness?) |
| **Referral/recruitment of clients** | • Describe the PD’s role in recruiting clients for HCC.  
• Describe the eligibility requirements for participating in HCC.  
• What are the most common offenses with which HCC participants or potential participants have been charged? Variations? | • Why do you think individuals sign up for homeless court? (What would happen if instead they just ignored their tickets and warrants?) Variations?  
• What have been the most effective aspects of your recruitment efforts? | • Any aspects of your recruitment efforts that have not worked well? | • Recommendations for recruiting more individuals? |
| **Application process** | • Describe the PD’s role in the application process.  
• Describe the application process. Variations?  
• What criteria are used to determine who will be accepted to HCC (is it the same as eligibility factors)? Variations? | • What aspects of the application process have worked well? Variations? | • Any aspects of the application process that have not worked well? Variations? | • Recommendations for improving application process? |
| **Enrollment** | • Describe your role in the enrollment process.  
• Describe the enrollment process. Variations? | • What aspects of enrollment have worked well? Variations? | • Any aspects of enrollment that have not worked well? Variations? | • Recommendations for increasing enrollment? |
| **Development of individual treatment plans** | • Does the PD have a role in developing individual treatment plans?  
• If yes,  
  o Describe the process of developing individual treatment plans. Variations?  
  o What is the goal of the individual treatment plan? | • What aspects of the individual treatment plans have worked well? Variations? | • Any aspects of the individual treatment plans that have not worked well? Variations? | • Recommendations for improving individual treatment plans? |
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<td><strong>Bi-weekly court hearings and compliance with court orders/treatment plans</strong></td>
<td>- What aspects of the bi-weekly court hearings work well?</td>
<td>- Any aspects of hearings or general monitoring of clients’ compliance with treatment plans and court orders that has not worked well? Variations?</td>
<td>- Recommendations about how reports can be improved? - Recommendations about how hearings can be improved?</td>
</tr>
<tr>
<td>I know that service providers write pre-hearing reports to update the judge on individuals’ progress and make recommendations for next steps.</td>
<td>- Is there anything in particular that the HCC team has done that encourages or assists clients in complying with court orders?</td>
<td>- In general, what incentivizes individuals to comply with court orders? Variations?</td>
<td></td>
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<td>- Does the HCC team take anything other than the reports into account when determining next steps at each pre-hearing meeting? Variations?</td>
<td>- Any recommendations about how reports can be improved?</td>
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<tr>
<td>- Many HCCs (like the one in San Diego) don’t meet in a formal courtroom, but rather meet at a service provider or other more informal location. Why does SM meet in a courtroom? Do you think this impacts the way HCC functions?</td>
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<td>- Why not 1 hearing model?</td>
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<td><strong>Graduation (successful exit)</strong></td>
<td>- How does the HCC team determine when an individual should graduate from HCC?</td>
<td>- What factors make graduation more likely for an individual client? Variations?</td>
<td>- Any recommendations about how graduation rates could be improved upon?</td>
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<td>- Who makes this determination? (Is it collaborative?)</td>
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<td>- When is this determination made? Does the HCC team set benchmarks that must be met, or is it an ongoing determination?</td>
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<td><strong>Unsuccessful exit</strong></td>
<td>- What causes some clients to exit HCC without graduating?</td>
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<td>- What happens to the individuals after they exit the program without graduating (e.g. cases go back to regular criminal court, warrant out for their arrest, etc.)?</td>
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<td><strong>Post-graduation</strong></td>
<td>- What changes do you see because of the program at the client-level? Probe about health, first responder calls, well-being, housing retention, recidivism, service utilization.</td>
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<tr>
<td>- Does the PD have any interaction with HCC clients post-graduation? Please describe. Variations?</td>
<td>- Are there any factors that make it more likely that a client will get re-arrested or otherwise lose gains made during HCC participation? Variations?</td>
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<tr>
<td>- What are the primary changes you have observed in clients after graduation from HCC (how do they differ from before HCC)? Variations?</td>
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<tr>
<td><strong>Overall system and future</strong></td>
<td>- In general, what has worked well?</td>
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<tr>
<td>- Do you think the community as a whole or anyone besides clients themselves benefits from having an HCC in the community (e.g. cost savings from less emergency calls, etc.)?</td>
<td>- Any general challenges?</td>
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<td>- What are some best practices that the PD’s Office or the HCC team in general has learned over the years?</td>
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<td>- Any aspects of HCC that have been eliminated because they did not work well?</td>
<td>- Any recommendations about how HCC can better serve the changing homeless population in Santa Monica?</td>
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<tr>
<td>- Any recommendations about how HCC could be improved upon in general?</td>
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<tr>
<td>- Looking down the road, any particular threats to continued implementation of HCC?</td>
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<tr>
<td>Service Providers</td>
<td>How does it work?/What are the rules?</td>
<td>What works well?</td>
<td>What works poorly?</td>
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</tbody>
</table>
| History/Background | • Job title and involvement with service provider (and HCC)? How long?  
• History of collaboration b/t HCC and service provider  
• What are the objectives of HCC?  
• Who are the targets of HCC? | • What are some best practices related to HCC that you have learned over the years? | • Anything related to HCC that has not worked well? | • Any recommendations about how HCC could be improved upon in general? |
| Outreach to raise awareness of HCC | • Describe your agency’s role in outreach and raising awareness of HCC in the City of Santa Monica.  
• Describe the target of your agency’s outreach efforts (clients, service providers, and/or community in general). | • What have been the most effective aspects of your outreach efforts? | • Any aspects of outreach efforts that have not worked well? | • Recommendations for increasing awareness? |
| Referral/recruitment of clients | • Describe your agency’s role in recruiting individuals to participate in HCC.  
• Approximately how many individuals does your agency recruit each month?  
• Describe how you determine who should be recruited to HCC?  
• Describe the recruitment process? | • Why do you think individuals sign up for homeless court? What have been the most effective aspects of your recruitment efforts? | • Any aspects of your recruitment efforts that have not worked well? | • Recommendations for recruiting more individuals? |
| Application process | • Describe your agency’s role in the application process.  
• Describe the application process. Variations? | • What aspects of the application process have worked well? Variations? | • Any aspects of the application process that have not worked well? | • Recommendations for improving application process? |
| Enrollment | • Describe your agency’s role in the enrollment process.  
• Describe the enrollment process. Variations? | • What aspects of enrollment have worked well? Variations? | • Any aspects of enrollment that have not worked well? Variations? | • Recommendations for increasing enrollment? |
| Development of individual treatment plans | • Describe the process of developing individual treatment plans. Variations?  
• What is the goal of the individual treatment plan?  
• Describe your agency’s role in the process. | • What aspects of the individual treatment plans have worked well? Variations? | • Any aspects of the individual treatment plans that have not worked well? Variations? | • Recommendations for improving individual treatment plans? |
| Bi-weekly court hearings and compliance with court orders/treatment plans | • Describe the pre-hearing status update reports written by service providers. (What do you include in the report?) Variations?  
• What guidelines are you given to draft these reports? | • What aspects of the bi-weekly reports has worked well?  
• What aspects of the bi-weekly court hearings work well?  
• In general, what incentivizes individuals to comply with orders? | • Any aspects of recommendation reports, hearings, or general monitoring of clients’ compliance with treatment plans and court orders that has not worked well? Variations? | • Any recommendations about how reports (and/or communications with judge) can be improved?  
• Any recommendations about how the process of monitoring compliance in general can be improved upon? |
<table>
<thead>
<tr>
<th>How does it work? / What are the rules?</th>
<th>What works well?</th>
<th>What works poorly?</th>
<th>How can we make it work better?</th>
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<tbody>
<tr>
<td><strong>Graduation (successful exit)</strong></td>
<td>• Does your agency have a role in determining when an individual should graduate from HCC?</td>
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<td>• If yes: When is this determination made? Do the parties involved set benchmarks that must be met, or is it an ongoing determination?</td>
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<td>• What factors make graduation more likely for an individual client? Variations?</td>
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<td></td>
<td>• What factors make graduation less likely for an individual client? Variations?</td>
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<td></td>
<td>• Any recommendations about how graduation rates could be improved upon?</td>
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**Unsuccessful exit**
• For individuals who enroll in HCC and don’t graduate, what are the primary reasons that they do no successfully complete the program?
• What happens to the individuals after they exit the program (e.g. cases go back to regular criminal court, warrant out for their arrest, etc.)? Variations?
• Do they still receive the services they were referred to through HCC (treatment for substance use disorder, etc.)? Variations?

**Post-graduation**
• Does your organization have any interaction with HCC clients post-graduation? Describe. Variations?
• What are the primary changes you have observed in clients after graduation from HCC (how do they differ from before HCC)? Variations?
• What changes do you see because of the program at the client-level? Probe about health, first responder calls, well-being, housing retention, recidivism, service utilization.
• Are there any factors that make it more likely that a client will get re-arrested or otherwise lose gains made during HCC participation? Variations?
• Any recommendations about post-graduation HCC team interactions with clients (or lack thereof)?

**Overall system and future**
• Do you think the community as a whole or anyone besides clients themselves benefits from having an HCC in the community (e.g. cost savings from less emergency calls, etc.)?
• Looking down the road, any particular threats to continued implementation of HCC?
• In general, what has worked well?
• Any general challenges?
• Any recommendations about how HCC can better serve the changing homeless population in Santa Monica?
• Do you think this program should be continued/expanded?
Appendix B: Technical Appendix

The purpose of this technical appendix is to provide further details about the quantitative analysis techniques that I used to estimate the effect of graduating from Homeless Community Court on housing outcomes. In this appendix, I provide details about the demographic data that I used to create a matched comparison group via propensity score matching and details about how I handled missing data issues.

Demographic data used to create a comparison group via propensity score matching

As detailed in Parts VI and VII, I used race, gender, ethnicity, age, and known veteran status to match each of the graduates with an individual who was on the Service Registry between 2007 and 2017 (the same years that the graduates were enrolled in Homeless Community Court). There were some individuals in the pool of potential comparison individuals who were missing some demographic information. To maximize the potential comparison group but minimize imputation of demographic information, I only included individuals for whom I had gender and race information. This meant excluding a total of 8 out of 216 individuals from the pool of potential comparison individuals. With respect to ethnicity, I created a hispanic variable that was 1 if the data says that an individual is Hispanic and 0 if the data says the individual is not Hispanic or there is no data on ethnicity. I also created a knownveteran variable that was 1 if the data says an individual is a veteran and 0 if the data says the individual is not a veteran or there is no data on whether the individual is a veteran. There were six individuals in the potential comparison group whose age was missing. I imputed age within gender for these six individuals. Rounding to the nearest whole number, the average age for females was 56 and the average age for males was also 56. Although HMIS also includes a disability variable, information on disability was missing for the vast majority of potential comparison individuals and was not missing for the vast majority of Homeless Community Court graduates, so I did not use disability when creating the matched comparison group.375

Although HMIS data contained seven categories for race (American Indian or Alaskan Native, American Indian/Alaskan Native & White, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, Other, and White), I collapsed race into 3 categories (Black, White, other) because I could not get good balance using seven categories. This is because there were so few individuals in some categories and all or most of these individuals were only in the potential comparison group or only in the Homeless Community Court graduate group. For

375 An analyst for the City of Santa Monica noted that he does not expect that the prevalence of disability varies between the graduates and Service Registry individuals. Both represent the most vulnerable chronically homeless individuals in the City. The lack of disability status information amongst Service Registry individuals is probably just a result of graduates being linked to a more structured program. Many of the Service Registry individuals might not have been connected to or screened by service providers, or they may spend a significant amount of time in the “outreach and engagement” phase while building trust with their support team.
example, the “American Indian or Alaska Native” category contained one individual from the graduate group and eight individuals from the potential comparison group. The “American Indian/Alaskan Native & White” category contained only 1 individual from the graduate group and no individuals from the potential comparison group. The “Native Hawaiian or Other Pacific Islander” category contained only five individuals from the graduate group and no individuals from the potential comparison group.

**Mean imputations for housing records**

There were missing exit dates or obvious typos in exit dates (i.e., the exit date was a date before the entry date) for some of the housing records. An analyst for the City noted that if an emergency or transitional housing record has no exit date, this most likely means that the provider forgot to enter the exit date. There are no City policies that limit the amount of time an individual can spend in a type of housing, but the City uses federal definitions of emergency, transitional, and permanent shelter to input housing outcomes into HMIS. Under the federal definitions, which are listed in *Part VI* above, emergency shelter is meant to be temporary, transitional housing usually lasts no longer than 24 months, and permanent housing does not have a designated length of stay. There were some open emergency shelter records and transitional housing records (i.e., the last housing record was an emergency shelter record or transitional housing record with an entry date and no exit date). In these cases, it is likely that the individual is no longer in emergency or transitional housing and the missing exit date is due to the service provider failing to enter an exit date when the individual exited the emergency shelter or transitional housing. There were 12 individuals with open emergency shelter records. All the entry dates for these records were from 2008, 2009, or 2010. It is highly unlikely that an individual would have been in an emergency shelter for over eight years, given the federal definition of emergency shelter. There were 10 individuals with open transitional housing records. All the entry dates for these records were from 2007 to 2010, except for one entry date in 2013 and one entry date in 2014. It is also unlikely that these individuals are still in transitional housing, given the federal definition of transitional housing (i.e., it usually lasts no longer than 24 months). Thus, for emergency shelter and transitional housing records that had an entry date but no exit date and for housing records with an obvious typo in the exit date, I mean imputed the exit date.

I only mean imputed permanent housing records without exit dates if the permanent housing record was not the last housing record for the individual. There were 55 individuals with open permanent housing records (i.e., the last housing record was a permanent housing record with an entry date and no exit date). It seems reasonable that this indicates that the individual has been in permanent housing since the entry date of the last housing record. As noted above, the federal definition of permanent housing is “community-based housing without a designated length of stay in which formerly homeless individuals and families live as independently as possible”
I checked with an analyst from the City of Santa Monica and he verified that if the last record is a permanent housing record with no exit date, this likely means the individual is still in permanent housing. The analyst checked a randomly selected sample of 10 of the 55 individuals whose last record is a permanent housing record with no exit date, and all of these individuals were still in permanent housing as of March 2018. Thus, if a permanent housing record had an entry date but no exit date and the permanent housing record was the last housing record for the individual, then this most likely indicates that the individual is still in permanent housing. However, I mean imputed missing exit dates for permanent housing records if there was another housing record that followed the permanent housing record because the subsequent record indicates that the individual exited permanent housing but the exit date was missing.

For the mean imputations, I calculated means by averaging the non-missing entries for each type of housing in each time period. I calculated six different means that I used to impute missing values, which are listed in Table B.1 below.

<table>
<thead>
<tr>
<th>Table B.1. Means used for missing record imputations</th>
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<tr>
<td><strong>Pre-period</strong></td>
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<tr>
<td>Graduates</td>
</tr>
<tr>
<td><strong>Emergency shelter</strong></td>
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<tr>
<td><strong>Transitional housing</strong></td>
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<tr>
<td><strong>Permanent housing</strong></td>
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</table>

If I used mean imputation to correct a record with a missing exit date and the imputation overlapped a subsequent record, I truncated the imputation. For example, if I had an emergency shelter record for a graduate in the pre-period with an entry date of August 1, 2011 and there was no exit date, I would mean impute the record to be 33.46 days long. However, if there was a subsequent emergency shelter record with an entry date of August 10, 2011, then I would only impute the record with an entry date of August 1, 2011 to be 9 days long.\(^{377}\)

In the pre-period, I imputed emergency shelter records for 11 graduates, transitional housing records for 7 graduates, and permanent housing records for 7 graduates. I did not impute housing records for any comparison group individuals in the pre-period. In the post-period, I mean imputed emergency shelter records for 16 graduates, transitional housing records for 13

\(^{376}\) Code of Federal Regulations, Chapter 24, Section 587.3.

\(^{377}\) An analyst for the City confirmed that the City does not have any policies that restrict people’s movement between housing types (i.e., there are no policies that require, for example, that there be a gap of several days or weeks between emergency shelter stays).
graduates, and permanent housing records for 5 graduates. In the post-period, I imputed emergency shelter records for 4 comparison individuals. I did not impute any transitional housing records or permanent housing records for comparison individuals in the post-period. As noted above, only 56 out of 164 comparison individuals have any housing records and 158 out of 164 graduates have housing records, so the fact that the majority of imputations (which result from missing exit dates and typos in housing records) were for graduates is not surprising. In the table below, I summarize the number of graduates and comparison individuals whose emergency, transitional, and permanent housing records were imputed in the pre- and post-periods. I also include the percentage of individuals in each group who had housing records and whose records were imputed for each of the three housing categories in the pre- and post-periods. For example, I imputed emergency housing records for 11 graduates in the pre-period. A total of 158 graduates have housing records. Thus, I imputed emergency housing records for 7.0% (11/158) of graduates who have housing records.

Table B.2. Number and percentage of graduates and comparison individuals who had housing records and whose emergency, transitional, and permanent housing records were imputed in the pre- and post-periods

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<tr>
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<th>Pre-period</th>
<th>Post-period</th>
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<tr>
<td></td>
<td>Graduates</td>
<td>Comparison</td>
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<tr>
<td></td>
<td>N (%)</td>
<td>N (%)</td>
</tr>
<tr>
<td>Emergency shelter</td>
<td>11 (7.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>Transitional housing</td>
<td>7 (4.4%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>Permanent housing</td>
<td>7 (4.4%)</td>
<td>0 (0.0%)</td>
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The distribution of imputations across the groups, time periods, and housing types does not appear to be problematic. Although most imputations were for graduates and not comparison individuals, a much larger portion of graduates had housing records, and thus they are more likely to have housing records without an end date or with a typo. Imputation was done within each treatment group, so although most imputations were done on graduate housing records, the means used for these imputations were based on many complete housing records for the relevant housing category, time period, and treatment group. In addition, emergency shelter records were the type of records most frequently imputed in the pre- and post-periods, and emergency shelter records were not my primary outcome of interest. My estimates of the effect of graduation on emergency housing were also not statistically or practically significant. From a practical perspective, missing exit dates and typos were likely an administrative error on the part of the service provider who input the housing records. The cause of the missing exit dates and typos is
likely random and does not differ between the graduates and the comparison group. Both graduates and comparison individuals are served by the same types of housing providers in Santa Monica, and housing providers are as likely to forget to input an exit date or mistype an exit date for a graduate as they are for a comparison individual.