

2022 JUSTICE OF THE PEACE / MAGISTRATE CONFERENCE

# SPECIALITY COURT CALENDAR

## COMMUNITY COURT

**Mesa Municipal Court**  
*Presented by Presiding Judge John Tatz*

## MENTAL HEALTH COURT

**Chandler Municipal Court**  
*Presented by Presiding Judge Alicia Skupin*

1

# INTRODUCTIONS AND FORMAT

**Presiding Judge Tatz**  
University of Iowa School of Law

2020 – Current: Presiding Judge  
2016-2020: Associate Judge  
2009-2016: Judge Pro Tem

Legal Experience:  
City Prosecutor  
Asst. City Prosecutor  
Public Defender  
Private Practice

**COMMUNITY COURT**

**MENTAL HEALTH COURT**

**Presiding Judge Skupin**  
ASU School of Law

2021 – Current: Presiding Judge  
2014 – 2021: Associate Judge  
2013 – 2014: Hearing Officer

Legal Experience:  
Private Practice  
Law Clerk for COA

2

## COMMUNITY COURT

Mesa Municipal Court

*Presiding Judge Tatz*

3

## COMMUNITY COURT

- **Mesa saw increase in homeless population**
- **Community Court was a collaborative response to try to address the issue in a new way**

4

## INITIAL RESPONSE TO INCREASE IN HOMELESSNESS



- Increased enforcement
  - Right of Way violations
  - *Martin v. City of Boise*, 920 P.3d 584 (9<sup>th</sup> Cir. 2019)
  - Urban camping/park violations
  - Trespass Enforcement Program
- Blue box

5

## EFFECTS OF INCREASED ENFORCEMENT

### Huge increase in cases of these types

- Jail costs
- Public Defender costs
- Indirect costs of police and court resources

### Case example

- AC – Between June 2013 and January 2018 – 68 cases
- Approximately 2 years in jail
  - 1 year county –  $365 \times \$100 = \$36,500$
  - 1 year Core Civic –  $365 \times \$68 = \$24,820 + \$36,500 = \$61,320$
  - 34 public defender cases  $\times \$170 = \$5780$

6

## DID INCREASED ENFORCEMENT WORK?

- No – the problems were still there and growing
- Those in jail would return upon release to same situation
  - If had made any progress . . . now have to start all over
- “Lower-level offenders sent to prison had higher rates of recidivism compared to identical offenders who received sentences of community supervision.”
  - 2019 Office of Program Policy Analysis and Government Accountability Report 19-01

7

## COMMUNITY COURT

- Started July 2018
- Serves chronic offenders who commit low level crimes
- Provides a coordinated response of services needed by the participant
  - Housing, employment, mental health, substance abuse
- Mitigation of sanctions based on success
- Collaborative – law enforcement, prosecutor, defense attorney, court, community agencies (CBI, Copa Health), Regional Behavioral Health Agencies (RHBA) and case managers

8

## ELIGIBILITY

### Generally based on circumstances of the participant

- Mainly homeless and mentally ill
- DUI and some victim cases may not be accepted
  - State cannot dismiss DUI
  - Victim cases often not appropriate for this model
    - Also, issues of restitution, victim input
- Prior failure not a prohibition in future cases

### Program is voluntary

- More court dates, "homework"

9

## HOW THE CASE GETS THERE:

Officer cites directly in

Judge from another court transfers the case in

- In-custody
- Arraignment court
- Any other court

Can be on motion of the State, the defense or the judge on their own

10

# PROCEDURE

- Introductions
  - Sets the tone – positive, helpful, shows collaboration
  - Dignity and respect
  - Directive, “do something good for the community”
- Meets twice a week – Mondays and Wednesdays at 1:30
- At 1:00, staffing is held
- Average case load appx. 40 cases – appx ½ appear
- If fail to appear, initially case is reset for “outreach”

11

# GOALS

## Macro – reduce recidivism

- Some will never re-offend, others may but if reduced then the goal is met
- Case - GOZ

## Micro – improve their lives

- Hope for improvement at each return (usually every 30 days)
- Get documents as needed – ID, social security card, birth certificate
- Services – AHCCCS, food stamps, SSI
- Substance abuse treatment – AA/NA meetings, halfway houses, sober living, residential treatment
- Housing – unfortunately the need is greater than the inventory

12

# GRADUATION

- When the team feels the person has reached a point where they are unlikely to reoffend
  - The services provided in Community Court can be accessed after graduation
- Current cases almost always dismissed
- Most old fines/fees are waived
- Small ceremony
- Certificate

13

# OBSTACLES

Participants have to be ready for change and willing to do their part

Navigators have too many people they are helping

- Help is on the way

Not all navigators/case managers/treatment facilities are the same

Lack of resources

- Navigators, housing, treatment options

14

# RESULTS

- 8/1/18 – 8/1/19
  - Approximately 600 participants - 119 graduates
    - 119 had 1536 arrests, over 3600 police contacts in the prior 10 years
      - 63 had less than 10 arrests
      - 25 had 11-40
      - 24 had 41-100
      - 7 had more than 100
    - During the next year – 19 arrests (extrapolate 10 years = 190)
    - Public defender cases reduced by over 1000 cases resulting in savings of almost \$200,000 (public defenders are not appointed to cases initially assigned to Community Court – but they are present as advisory counsel at a MUCH lower cost)

15



# RESULTS

- AC
  - Drastically reduced substance abuse
  - Reconnected with SMI clinic
  - Housed in an apartment in Phoenix
    - With wrap-around services
    - Was initially very afraid
  - No new cases

16



## RESULTS

### Law and order

- lower recidivism

### Financial

- drastic savings in jail and public defender costs
- participants go from being a drain on resources to being contributing members of the community

### Altruistic

- the lives of the participants are greatly improved

17

## MENTAL HEALTH COURT

Chandler Municipal Court

*Presiding Judge Skupin*

18

## MENTAL HEALTH COURT

- Increase in Defendant's with Mental Health Concerns
- Needs Assessment (Cost – Benefit Analysis)

19

## MENTAL HEALTH COURT

- Community Partnership

Discussion Points

- Cost
- Information Sharing
- Referral Process
- Eligibility
- Staffing
- Contract/IGA's
- Performance Metrics
- Sustainability
- Outcome

20

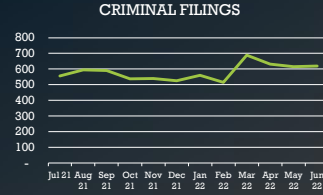
# MENTAL HEALTH COURT

Process

- Established Mental Health Court in August 2014
- Seeing about 40 Defendants Per Month
  - Chandler Municipal Court Filings

## FY2021-22 Filings

CASE TYPE FILINGS	FY 2019/20	FY 2020/21	FY 2021/22
Criminal Misdemeanor	5,779	4,290	4,518
Criminal Traffic (DUI)	1,801	2,151	1,872
Domestic Violence	737	531	580
<b>Total Criminal</b>	<b>8,317</b>	<b>6,972</b>	<b>6,970</b>



21

# MENTAL HEALTH COURT

## PARTIES INVOLVED

- Prosecutor
- Defense Counsel
- Case Manager
- Liaison
- Defendant
- Judicial Officer

## RESPONSIBLE ROLES

- Charge dismissal/Reduction
- Representation of Defendant
- Point of Contact for defendants and communicates to Liaisons
- Provides status reports / schedule SMI evaluations
- Defendant
- Overseeing case proceeding

22

# MENTAL HEALTH COURT

**TYPICAL HEARING: BIWEEKLY | MONDAYS | 8:30 to Noon**



**Staffing**

Community Partners meet to discuss about defendant's status including mental health services, appointments, any progress with defendant. Prosecution and Defense also in attendance to evaluation case progress.



**Court Proceeding**

Courtroom proceeding starts, Change of Pleas, Sentencing, Continuances.



**Graduation**

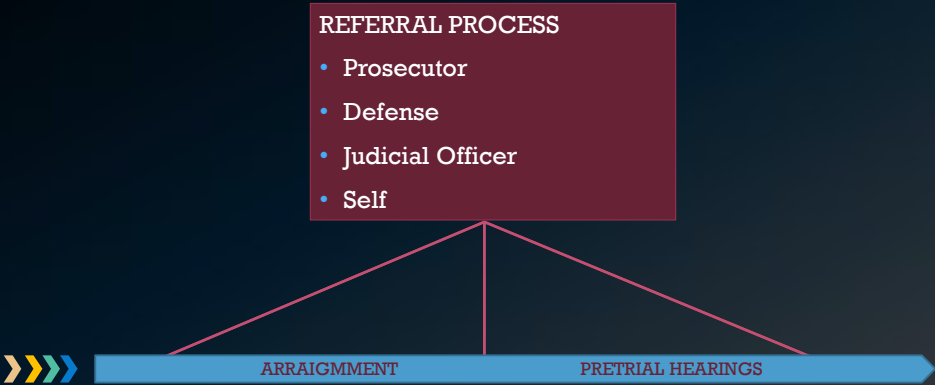
If defendant completes program, there is a ceremony held to recognize the individuals accomplishments. Case is normally dismissed or charge is reduced.

23

# MENTAL HEALTH COURT

**REFERRAL PROCESS**

- Prosecutor
- Defense
- Judicial Officer
- Self



ARRAIGNMENT      PRETRIAL HEARINGS

24

# MENTAL HEALTH COURT

## OBSTACLES FACED/LESSON LEARNED

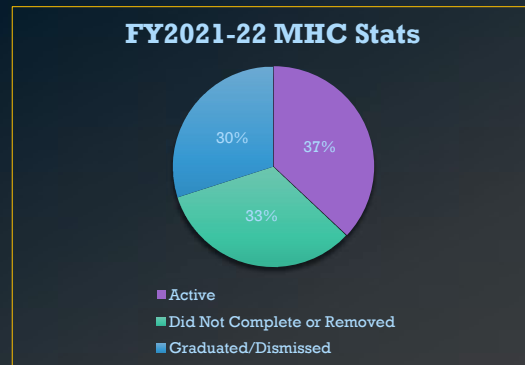
- Eligibility Requirements Agreement
- Budget
- Physical Resources (Courtroom, Conference Room, Connectivity, Equipment, Printer, Staff Availability)
- Outside Agency Participation
- Medical Information Sharing

25

# MENTAL HEALTH COURT

## NOTABLE OUTCOMES

- Reduced Recidivism
- Improved Mental Health Services
- Connecting Individuals with GMI/SMI Services



26

COMMUNITY COURT

MENTAL HEALTH COURT

## Thank You

### CONTACT INFORMATION:

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