

**REVIEW AND ASSESSMENT:
GOODYEAR MUNICIPAL COURT'S
PROBLEM-SOLVING COURT**

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1. BACKGROUND

Arizona Court Consulting LLC. was formed in 2012 by Paul Thomas, its principal, whose experience included 30 years in executive court administration in Arizona courts. Mr. Thomas was court lead on several court building projects including the Mesa Municipal Court, a national model of courthouse design. Operational achievements have included establishing one of the first veterans' courts in Arizona, proposing and piloting lower court jurisdiction for determining defendant competency, which was the basis for statutory change, and establishing Arizona's first "Community Court" for the diversion of misdemeanor cases involving homelessness.

Mr. Thomas was approached by Judge Galindo in August of 2021 seeking assistance in establishing a Community Court for the Goodyear Municipal Court.

The period from August 2021 to the start-up date in September 2022, informal discussions and communications took place regarding the scope of work, contract, consultant insurance requirements etc. The City of Goodyear preferred, and consultant agreed to act as a City approved vendor for services provided to the Goodyear Municipal Court.

2. A SUMMARY OF PROJECT ACTIVITY

September 2022 Start- up of Project

- Naming the project as the “Problem Solving Court”
(Discussions led to the concept of a Problem-Solving Court to include cases involving veterans, homelessness, and mental health.)
- Discussion of participation and roles
- Discussion of expectations and challenges
- Discussion of establishing a Steering Committee

November 2022 Follow up meeting

- Presentation by Sage Counseling
- Presentation by Blue Sage Healing Centers
- Review potential membership of Steering Committee

*The Steering Committee was comprised of:

The Police Chief -- Santiago Rodriguez

Head Prosecutor – Justin Adkinson

Attorneys: Amy Lopez-Ortiz

Quacy Smith

Grants and Neighborhood Services Supervisor--

Christina Panaitescu

Crisis Response Coordinator--

Sandra Lerma-Espinoza

Assistant to the City Manager—Jenna Goad

(The Steering Committee members participated in meetings but were not formally appointed by Administrative Order due to the project’s suspension in February 2023.)

- Review of agency contacts

(Contact letters were sent to 11 service providers inquiring about providing services to a new Goodyear Problem Solving Court with no response. It is suspected that the estimated number of cases may not have been sufficient for a commitment of resources.)

(Another concern was the Veterans Administration willingness to assign a Veterans Justice Outreach representative to coordinate veterans' benefits and case management services, due to the low number of cases.)

January 2023 Follow up meeting

- Live presentation via Teams by Dr. Alesha Durfee, Dept. Chair of Women and Gender Studies, St. Louis University re: Impact of Homelessness on Women.
- Review of Police Dept. Cite and release procedures.

February 2023

- The project was suspended indefinitely due to the pending change in the Presiding Judge.

3. THE CURRENT STATUS

March 4, 2024, Meeting

At the request of Presiding Judge Delgado and Court Administrator Crystal Whalen, a meeting was held to discuss the project status and reactivation, since the project was suspended.

It was decided that an assessment of the need for and justification of effort and cost should be reviewed. In the interim, other services and resources had developed in response to veterans and homeless cases.

Veterans Court Services

The Goodyear Municipal Court has entered into agreements with the City of Glendale to participate in the West Valley Regional Veterans' Court; receiving all the services typically provided by a Veterans Court. The City of Goodyear prosecutor is actively involved as well as defense counsel for indigent defendants. The early experience from 2022 – 2024 has started to show a level of success. However, some veteran's issues can be significant and require services for several months.

Veterans "Stand Down" Event

The Goodyear Municipal Court has agreed to participate in the Glendale/Tempe "Stand Down" event. A Stand Down is a military term for "relaxing" or a stop to activity for a reassessment, understood by all veterans. The use of this term is intended to suggest to veterans a suspension of pending legal consequences, such as warrants, while their circumstances are reviewed. The stand down events are understood by veterans as an opportunity to resolve their cases, and at the same event receive services, such as dental care, clothing, and physical and mental health evaluations. Some defendants can be determined to be high risk, experiencing a life threatening situation either through their medical or mental state. They usually receive priority attention.

Homeless and Mental Health Cases

The City of Goodyear Police Department has initiated a direct response to the homeless. The program "Homeless Outreach Team" (HOT) by its description appears to be a model program. Officer training in homeless circumstances and a response that connects services for the homeless can be the most effective and practical approach to these cases.

HOT program statistics indicate in the 15-year period from 2009 – 2015 there were only 55 arrests for an average of 3.6 per/year. This clearly suggests program success in diversion of cases and the avoidance of court involvement.

The Fire Department operates the Crisis Intervention Team (CIT) in response to cases involving mental health. The training and procedures for crisis intervention, use of services, and applications for involuntary commitments represent a critical front-line response to those with mental health issues.

These outreach programs reflect the best practice in response to homeless and mental health cases. In recent years, the Arizona Supreme Court sponsored training and support for use of the “Sequential Intercept Model” developed by the Substance Abuse and Mental Health Services Administration. A key feature of this model is the early identification of persons with mental health issues through first responders and the connection of services. The Crisis Intervention Team program is consistent with the Sequential Intercept Model.

Maricopa County Regional Homeless Court

The City of Goodyear Municipal Court participates in the Maricopa County Regional Homeless Court. This is a regional homeless campus in Phoenix with a complete array of services for the homeless in a single campus style facility. Several service providers are connected to the facility and provide services and case management on an individualized basis. Participating courts transfer jurisdiction to a single dedicated court at the facility. This court may ultimately dismiss the case subject to the defendant’s success in their requirements, such as counseling,

substance abstinence, job seeking etc. Typically, their fine obligations are dismissed in return for hours worked at the facility. The Regional Homeless Court has been in operation for several years and is supported by many participating courts.

4. ASSESSMENT

Since the initial discussion and activity related to the potential “Problem Solving Court” in 2021-2022, the Court has been successful in connecting available services in response to veterans and homeless cases.

The West Valley Regional Veterans Court essentially provides all the services that a Goodyear Veterans’ Court would provide if one were established. Given the low number of cases, and the challenges related to acquiring services and the assignment of a Veterans Administration VJO (Veterans Justice Outreach) representative, it would not seem practical or cost effective to create a dedicated Veterans Court within the Goodyear Municipal Court.

The City of Goodyear’s response to homeless and mental health cases through the Homeless Outreach Team (HOT) and especially the Crisis Intervention Team (CIT) represents a very forward-thinking approach to these cases and is consistent with recommendations by the Arizona Supreme Court in adopting the Sequential Intercept Model.

The procedures associated with these teams, the training, and the direct connection to appropriate resources, duplicate much of the activity of a dedicated Problem-Solving Court. Furthermore, it saves the time and effort that would occur if these cases went through the formal court process. The operational success of these teams would appear to make the need for a Problem-Solving Court unnecessary.

5. COST AND OPERATIONS

There are certain costs that would be associated with the operation of a specialty court. For a “Problem-Solving Court” receiving and responding to circumstances of homelessness and mental health within the context of a criminal case, both the legal requirements and the social needs of the defendant must be addressed. Prosecutors, defense attorneys, a judicial officer, court staff, representatives of service providers and others would be needed to support this type of specialty court. For example, the City of Phoenix Council recently approved a new Community Court and noted in their press release the following:

“As of today’s vote, the City Court will begin hiring the additional judges, prosecutors, defenders, and navigators needed to make the Court successful. Community Court will operate two days a week, with two presiding judges.”

Although the small number of Goodyear cases suggests a minimum of additional resources, there could be costs related to additional staff and the critical need for a dedicated “navigator” currently costing over \$62,000.00 per/year (source: Mesa Municipal Court). There is also the impact on court time given that a specialty court requires additional time and attention in evaluating the social and mental health needs of the defendant.

6. CONCLUSION AND RECOMMENDATIONS

Conclusion:

At the time of the initial Problem-Solving Court effort, it was estimated that roughly 20 cases, a rolling number represented by new cases coming in as old cases are resolved, would be the typical active caseload. This was a rough estimate but recognizing the possibility of an accumulation

of cases given that some may require more time than others. This appeared to be a sufficient but minimal basis for consideration of the Problem-Solving Court.

The current situation as reported by the Court is represented by two factors; one, the low number of veterans' cases, cases with underlying homelessness and/or cases with mental illness, and two, the operation of effective outreach programs that divert the need for court involvement.

At this time, and considering the Assessment, it would not be recommended to initiate either a Veterans Court or a Problem-Solving Court within the Goodyear Municipal Court.

Recommendations:

1. It would be recommended to establish a Criminal Justice Coordinating Committee. The committee would be comprised of criminal justice system partners including, the prosecutor, defense representatives, police, the Court Administrator and Presiding Judge, and others who would be connected to the criminal justice system. This committee would review the processing of cases from arrest or citation through disposition in response to problems, procedures, and system needs. Its primary benefit is the identification of issues and coordination of effort. However, it would not have any binding authority and would be advisory only regarding changes to policy or procedures.

Although the Court and these justice partners participate in the City's Quality of Life Workgroup, a Criminal Justice Coordinating Committee's focus would be the criminal process. It could be an important companion committee to the Quality-of-Life

Workgroup, adjusting where appropriate the criminal process to the efforts of the Quality-of-Life Workgroup

2. It would be recommended that the court periodically review the services and successes of the existing programs currently serving their veterans' cases, homeless and mental health cases. A future reevaluation might be necessary in response to the growth and demographic changes within the City of Goodyear.

In summary, the consultant has reviewed the concerns of the Presiding Judge and Court Administrator and the assessment of current needs, costs, and impact of a new specialty court. This review suggests it may not be justified.

However, the court should be mindful that the City of Goodyear is experiencing significant growth which will eventually place increasing demands on the court. Planning future facility needs, staffing, automation, and resources in response to rapid growth should be a critical focus for the court.