

HOMELESS COURT

Helping to Remove Veterans' Barriers to Employment



How to Coordinate an Effort to Assist
Homeless Veterans, Strengthen Communities
and Maximize Court Resources



Prepared by
THE NATIONAL COALITION *for*
HOMELESS VETERANS

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NATIONAL COALITION *for* HOMELESS VETERANS

HOMELESS COURTS LAY FOUNDATION FOR VETERANS' EMPLOYMENT

Founded in 1990 by a group of community-based homeless veteran service providers, the National Coalition for Homeless Veterans (NCHV) – a nonprofit, tax-exempt, 501(c)(3) corporation – is the technical assistance center for a national network of community-based organizations that provide housing, food, medical services, legal aid, employment assistance and other services to more than 150,000 homeless veterans each year. NCHV also serves as the primary liaison between those service providers and the federal agencies charged with helping them succeed in their work.

What would you do if you were homeless: clutching a dirty bedroll in soiled clothes; in dire need of a shower, a shave and a haircut; your stomach aching from hunger; your muscles and joints stiffened from nights spent in a damp, cold stairwell; your sense of self-worth draining away like rainwater into a gutter? Now what if you were suddenly dragged to a police station, booked for disorderly conduct and issued a summons to appear in court?

Chances are, when the hearing date arrives, you won't be at the courthouse. Even if you remember the date, suffer the humiliation of appearing in court and have your charges dismissed, you're still homeless and without a job. If you plead guilty, that's just another fine you can't pay and blemish on your record, which already bars you from most housing, employment and public assistance programs.

This is where the significance of the Homeless Court Program (HCP) lies. It is a collaboration between the court and homeless shelters and service agencies in which clients' participation in program activities is recognized as "payment" for mostly minor offenses. The HCP expedites homeless veterans' reintegration into society by providing them with a foundation to become employed: a clear record.

Local communities have everything to gain from the HCP: it sets self-motivated, accomplished homeless veterans on a path to self-sufficiency, helping to relieve the pressure on homeless support networks as well as overburdened court systems. Clients' progress in service provider programs demonstrates to the court that they are ready to become law-abiding, income tax-paying citizens, and are deserving of the opportunity to enter the job market.

This manual – *Homeless Court: Helping to Remove Veterans’ Barriers to Employment* – will prepare you to institute the Homeless Court Program in your community. It can all begin with a simple conversation, so it is important to be informed of the HCP’s meaningfulness as well as its logistics. Steve Binder, founder of the nation’s first Homeless Court, provides a step-by-step strategy for implementation and relates some of his experiences with the program, explaining how it has affected his community. Also included in this manual are perspective articles from the Deputy District Attorney in San Diego County and Deputy City Attorney in San Diego City, and several resources for building your own program.

Most member organizations of the National Coalition for Homeless Veterans (NCHV) provide homeless veterans the kind of self-development programs that the HCP recognizes as sentencing alternatives. NCHV produced, in partnership with the American Bar Association, *Taking the Court to Stand Down*, a Homeless Court primer for homeless veteran event organizers. The organization continues to sponsor workshops nationwide; hold HCP sessions at its annual conference in Washington, D.C.; and conduct teleconferences with legal experts and program leaders.

The ever-expanding HCP is a testament to the power of collaboration with community-based service providers, who work with veterans in crisis on the ground level. Nothing is more fitting for our nation’s former guardians than having recourse to justice that is swift and mindful of the steps they have made toward self-improvement. When we lift the biggest barriers to employment for our veterans, our communities are truly working and improving as well.

For Homeless Court and veterans’ employment news, resources and training materials, visit the National Coalition for Homeless Veterans at <http://www.nchv.org/>.

HOMELESS COURT PROGRAM: RESOLVING CASES THROUGH COLLABORATION, NOT CUSTODY

Steve Binder, Office of the San Diego Deputy Public Defender

Binder founded the nation's first Homeless Court in 1989 and also serves as Special Assistant to the American Bar Association's Commission on Homelessness and Poverty.

While Homeless Courts are invaluable tools for homeless service providers, courts and communities that remove the enormous legal barriers that homeless people face when rebuilding their fractured lives, the role of the Homeless Court Program (HCP) is not to end homelessness (although we hope that is the ultimate by-product). The HCP was designed to fill a gap in our justice system – a system that has grown so large and has been tasked with so many responsibilities in the name of public safety that it is literally unable to efficiently and effectively address the social challenges homelessness represents. To the court system, the criminal cases homeless people receive, no matter how simple or complex, represent an annoying and expensive administrative burden. The courts realize the conviction or acquittal of a homeless person does not solve the myriad problems that give rise to the behavior underlying the offense and does not assure public safety, nor safety for the individual charged. To homeless people with no means to pay fines and penalties, these unresolved offenses often mean they cannot get a driver's license, secure legal employment, rent an apartment or get public benefits.

To counteract the effect of criminal cases pushing homeless defendants further outside society, the Homeless Court Program combines a progressive plea bargain system, alternative sentencing structure, assurance of “no custody” and proof of program activities to address a full range of misdemeanor offenses that prevent homeless people from being able to move forward with their reintegration into the community.

The HCP is a special Superior Court session convened in a local homeless facility that resolves outstanding misdemeanor offenses and warrants by giving credit to homeless individuals who are actively participating in programs.

The HCP builds on partnerships between the court, local shelters and service agencies, and the prosecutor and public defender. It works to resolve the problems that homelessness represents with practical solutions. Initial referrals to Homeless Court originate in shelters and service agencies. The prosecution and defense review the cases before the court hearing. The court order for sentencing substitutes participation in agency programs for fines and custody. The HCP is designed for efficiency: the majority of cases are heard and resolved, and people are sentenced, in one hearing.

Veterans' Advocacy Gives Birth to HCP

The first Homeless Court session in the country was called to order on a concrete handball court under camouflage netting as a part of the 1989 San Diego Stand Down.

“Stand down,” as a military term, is the process of pulling out exhausted soldiers from the field of battle to a place of relative safety to rest and recover before returning to fight. Inspired by their own military experience in the Vietnam War, Dr. Jon Nachison and Robert Van Keuren created Stand Down as an annual three-day event that invites homeless veterans into a safe and supportive environment where they can have a bed, connect with services and develop community. The Stand Down slogan reads, “A Hand Up, Not a Handout.” The event strives to empower its participants, providing them with support to achieve readily attainable goals, to make the transition from the streets to self-sufficiency. “There is more to Stand Down than meets the eye,” wrote Pulitzer Prize-winning journalist Jonathan Freedman. “Showers and shaves can wash off the dirt; new clothes can spark a physical transformation. But wounds of a lifetime heal slowly, and the dark night of the human soul is not banished by three days in the sun. Only people who have shared a common experience can overcome the destruction. ... by coming together. Coming home.”

Upon entering the Stand Down encampment, each veteran receives a tent assignment. A tent leader greets each veteran who enters the tent. Each tent houses 22 veterans. The tent leader introduces them to services on site. The tent participants attend meals, showers, and clothing services as a group. Each tent is a community unto itself. The participants come to rely on each other and realize they are not alone. At the end of the first day, each tent chooses a new leader from its ranks. From this community, the homeless veterans of San Diego seek to re-enter society.

Stand Down is built upon the twin tenants of personal responsibility and self-respect – not handouts or blame. It is a program entirely developed and implemented by veterans, for veterans. In keeping with that spirit, Homeless Court, too, evolved from veterans themselves speaking out.

At the conclusion of the first Stand Down in 1988, 116 of 500 homeless veterans said their greatest need was to resolve outstanding criminal cases. The homeless veterans of Stand Down recognized that their outstanding warrants were one large roadblock in the way of addressing their problems and achieving independence. They told the event sponsors of their willingness to take responsibility for outstanding offenses and asked for assistance. Their advocacy convinced the misdemeanor criminal court to leave the courthouse and join the next Stand Down effort by holding a special session for homeless veterans right there on the handball courts.

HCP Grows to Serve All Homeless Individuals

At that first Homeless Court session in 1989, 130 defendants had 451 cases adjudicated. Between 1989 and 1992, a total of 942 homeless veterans resolved 4,895 cases in Stand Down Homeless Court sessions.

The success of HCP in resolving cases led to the expansion of the program to serve non-veterans. In 1990 it began to serve battered and homeless women; in 1994 it included residents at the city-sponsored cold weather shelter, and by 1995 it encompassed the general homeless population served at local San Diego shelters. To meet the growing demand, the program grew from once-a-year sessions at Stand Down to quarterly sessions in central San Diego, and since 1999 it has held monthly sessions across the county. The Homeless Court Program now holds regular proceedings and Stand Down sessions in one-third of the courts in California. To date, more than 40 cities across the nation have replicated the program including Ann Arbor, Houston, Phoenix, Milwaukee, Minneapolis and Denver. The work of HCP has been recognized by the Department of Veterans Affairs, the Department of Justice, the American Bar Association, the U.S. Interagency Council on Homelessness, and the Ash Institute for Democratic Governance and Innovation/Kennedy School of Government at Harvard University.

How to Start a Homeless Court Program

This story may reflect your own community's experience. As a young public defender in the misdemeanor division, I encountered two main groups of defendants. One group included the growing homeless population in San Diego, then estimated at a staggering 5,000 people (current estimates are 9,000 people living on the streets of San Diego). The other group contained middle class defendants who received citations for their dogs. These defendants would appear in court with pictures of their dogs. They would tell me the dog's name and note how cute pooch was and how pooch would not hurt a flea. They received citations for such things as dog off the leash, dog droppings in the park and having an unlicensed dog. Invariably, the dog people would say, "Why don't they go after real criminals?" and "I am not like the other people here." The homeless people, in contrast, would share their tales of hardship. Some people came to court telling me they recently found a place to live. Others asked where they were supposed to live as there were not enough beds and services to meet the demand. A few came in talking about the CIA and FBI. Many carried their worldly belongings in bags. A number were malodorous. All struggled with problems the criminal justice system ignored. Invariably, the judge would sentence them, after taking a plea for an array of public nuisance offenses, to fines they could not afford to pay along with other terms and conditions that frustrated their continued participation in society.

It is this basic divide that the HCP seeks to bridge by providing a reasonable means to resolve these offenses, creating a response that can be "paid" by homeless defendants through their own work towards self-sufficiency. For example, in San Diego the traditional court sentence for a municipal code violation is a fine of \$300. In the traditional court setting, a defendant will receive \$50 "credit" against a fine for every day

spent in custody. The defendant who spends two days in custody receives credit for a \$100 fine. To satisfy a fine of \$300, the court requires a defendant to spend six days in custody; 30 days in custody is the equivalent of a \$1,500 fine.

The HCP addresses serious misdemeanor offenses, too, as service providers' program activities address the behavior underlying these offenses. For example, the traditional punishment for serious misdemeanor offenses such as petty theft is one day in custody (for book and release), \$400 in fines, victim restitution and an eight-hour shoplifter course. Service providers challenge and counsel clients to see the harm this causes and respect others' property. Furthermore, providers empower clients to be self-sufficient.

When someone is convicted of being under the influence of a controlled substance for the first time, he/she faces a mandatory 90 days in custody or the option of completing a diversion program. The diversion program includes an enrollment orientation, 20 hours of education (two hours a week for 10 weeks), individual session (biweekly for three months, 15 minutes each), drug testing, weekly self-help meetings and an exit conference. Converting this to HCP terms, the typical HCP participant has *already* been in a shelter program for at least 30 days (from the initial point of registration to the hearing date) when standing before the judge. By this point, his or her level of activities in the shelter or service agency *exceeds* the requirements of the traditional court order. The court is satisfied that an equivalent "sanction" has been levied, and the client is acknowledged for his or her hard work in program activities.

Step 1: Identify Your Advocate

Homeless Court Programs start because someone cares enough to start the conversation. In the case of San Diego, it originated because homeless veterans and their community-based advocates spoke up. In other communities, it has been the work of a local service provider coalition, the city attorney's office, a human services department or a legal advocacy group that has brought a program to fruition. You don't have to be a judge to start a HCP, although it does help.

Step 2: Build Your Alliance

HCP is deeply collaborative and requires the full buy-in of many diverse entities with diverse, and sometimes divergent, agendas. It is imperative that you work to bring all of these key people to the table and develop a program together. Some key stakeholders include:

- A compassionate judge
- A willing defender (public or private)
- A willing and trusted client
- An open-minded prosecutor
- Trusted service providers
- People who don't accept "no"

It’s also important to include feedback on program design from service provider line staff; homeless participants; and court clerks who will be filling out the forms, processing the requests and going through the process. It won’t be effective if it’s not “user friendly.”

Step 3: Identify Your Fears and Fixes

Justice is a tough nut to crack, is difficult to define and harder to enforce. Depending on where you’re standing, the word itself has an array of meanings and implications. It is important that, during the planning process, you acknowledge that everyone is weighing the consequences of their decisions and commitments. You must be prepared to openly discuss these fears and develop ways to mitigate and/or address them before you can create consensus. Here’s a list of some “Fears and Fixes” that San Diego faced (and some that continue to arise):

Entity	Fear	Fix
Client	HCP is a ruse to entrap homeless people and arrest them.	Written “no custody” policy that is strictly adhered to during court sessions.
Defender	Attorneys are already overworked and have little time to manage their caseload.	Work is more efficient with written program guidelines and clear communication at all levels between prosecution and defense. Clear expectations and communication with service providers to verify client’s homeless status and participation in programs.
Prosecutor	What assurance that the client will complete the program? Will we look “soft on crime”?	Develop guidelines for eligible offenses that are met by program activities where clients can “pay” to show the community problems are addressed, and promote long-term public safety with solutions that foster reintegration through self-sufficiency. There is less of a perception that HCP is less of a sanction. As trust develops and patterns emerge, the team can re-evaluate and add more serious offenses on a case-by-case basis.

Service Provider	Will we jeopardize the working relationships and trust established with clients?	Establish clear protocol and guidelines from the court and service provider. The court and prosecution acknowledge “no one goes into custody,” and the provider referral into the HCP is based upon the client’s level of accomplishments and success in program activities.
Community	Is it a dangerous precedent to have a special court for homeless people? Why should they get off so easy?	Participants in the HCP work hard to overcome obstacles and reclaim their lives. Their accomplishments in program activities promote self-sufficiency and strong, safe communities. Other examples of specialty courts include Family, Traffic and Bankruptcy Courts, which address particular circumstances.

Step 4: Design Your Program

There are some core elements that are unique to the HCP: The Homeless Court Program (HCP) builds on the core principles of transparent information sharing, meaningful and thoughtful review of individual circumstances and cases, and recognition of an individual’s accomplishments that provides confidence to the court and value to the community. Everyone, including the homeless participant, knows what to expect during the HCP court hearing.

Each month, staff from the public defender’s and prosecution offices, numerous homeless service providers, and the San Diego Superior Court carry out a series of synchronized steps that culminate in an HCP hearing where hundreds of cases are resolved during an afternoon court session.

The HCP relies on the relationships created and the trust engendered between all key partners engaged in the process: the providers, who work directly with the homeless participants; the prosecution (the Offices of the City and District Attorneys), who represent the people of San Diego; the defense attorney (public defender), who advocates for the homeless defendant; and the judge, who represents the court.

Voluntary Program

Homeless participants voluntarily sign up for the HCP. The participant voluntarily enters his or her homeless shelter/agency. The HCP does not order participants into a program. If a participant who has signed up for Homeless Court decides to challenge his or her case, be it through a trial or motion, the case is set for a certain date in the courthouse. The HCP homeless participant is entitled to all protections afforded by due process of law. No one gives up the right to go to trial or pursue motions challenging the allegations against him or her.

Addresses Full Range of Misdemeanor Offenses

The HCP addresses a broad spectrum of misdemeanor offenses including: under the influence of a controlled substance, theft and driving under the influence charges. The HCP recognizes people can overcome great obstacles and serious misdemeanor offenses, and that these cases represent but one part of their lives, not the whole of the individual. Participants who appear in Homeless Court with serious misdemeanor cases submit proof of completion in significant program activities. In many circumstances, the participants' program activities voluntarily exceed the demands a court might order for treatment for low-term felony cases (e.g. certain drug and theft charges).

Progressive Plea Bargain

The HCP offers a different plea structure from the traditional court proceeding. The HCP plea agreement responds to the cases/offenses the homeless participants receive due to their condition and status: living on the streets. Additionally, the HCP agreement acknowledges the efforts the participants undertake before their appearance in court. The plea agreement recognizes the participant has completed the court order before the court imposes sentence. The participant has performed the program activities without the threat of custody or a larger fine. The participant completed the order before it was given because that is what he or she needed to do to make a move from the streets, through the shelter program, to self-sufficiency.

Alternative Sentencing

The HCP "sentences" participants to activities in homeless service providers' programs. Local homeless providers are the gateway for participants to enter this court. Homeless people who want to appear before the court must sign up through one of a number of local shelters.

The alternative sentencing structure is not coercive or punitive in nature, but rather it is designed to assist homeless participants with reintegration into society. With alternative sentencing, the HCP gives "credit for time served" for the participant's accomplishments in shelter activities. These activities include life-skills, chemical dependency or AA/NA meetings, computer and literacy classes, training or searching for employment, medical

care (physical and mental) and counseling. These activities replace the traditional court sentence options of fines, public work service and custody.

The Homeless Court recognizes that each shelter has its own requirements and guidelines to allow residents access to the Homeless Court. Some shelters require a resident to complete an assessment, an initial phase of the program or attend specified meetings. The shelters introduce potential participants to the Homeless Court through a variety of means. These agencies will address the Homeless Court as an option after the homeless person has completed a certain course, phase or activity. The Homeless Court does not interfere with the shelter requirements, which vary from program to program.

The shelters perform client assessments and provide for clients' basic needs (food, clothing and shelter) while building the motivation and support that leads them to the services, which, in turn, fulfill the court orders for alternative sentencing. The shelter is in the best position to evaluate clients' needs and design a plan with attainable goals and benefits. Most shelters offer emergency and transitional beds for their clients. Some provide independent living for clients who successfully complete their programs. Other shelters provide basic services or support for clients seeking to access benefits; counseling; group meetings; or an identification card, clean clothing and a meal. Clients who actively select their services and goals are more likely to benefit from the program. The Homeless Court and shelters share the desire to empower the individual and enable each person to overcome the adversity that fosters or causes homelessness.

The shelter representatives write advocacy letters for each client. The advocacy letter is symbolic of the relationship between the client and the agency and includes a description of the program; the client's start date; and accomplishments, programs completed and insight into the client's efforts. The HCP sentence strengthens and advances the efforts of the participant and agency representatives.

When participants work with agency representatives to identify and overcome the causes of their homelessness, they are in a stronger position to successfully comply with court orders. The quality, not the quantity, of the participant's time spent in furtherance of the program is of paramount importance for a successful HCP experience. A person who signs up for the HCP is not limited to the sentencing alternatives provided by the homeless agency that referred him or her to court. Rather, the participant is encouraged to participate in a program that will best meet his or her needs.

No One Goes into Custody

The HCP key players (judges, prosecutors, defense attorneys and homeless shelter/service agencies) agree, "No one goes into custody against his or her will." This does not mean that the prosecution gives up its power to ask for custody, nor does the court relinquish its authority to incarcerate. Rather, this agreement acknowledges that the participants have both committed offenses and met court requirements through their work in their programs. This agreement respects the relationship and trust the homeless service agencies hold with the participants who enter the HCP, and acknowledges that time spent

working with these agencies is equivalent to, and more constructive than, “time” spent in custody.

Homeless Service Providers

The homeless service providers play a critical role in the success of the Homeless Court Program. Providers reach out to homeless individuals, address the underlying issues that cause a person’s homelessness, refer clients with pending criminal charges and outstanding warrants to the HCP, monitor progress, and ultimately serve as an advocate for the participant before the court.

It is important for service providers to assist the prosecution, defense and court to fully understand the work that occurs in program activities, the program’s importance to the client, and how successful completion of the program addresses any prior concerns held by the court and the community. The statement of services, entry criteria and advocacy letters present the provider with an opportunity to explain to the court the importance of his or her work as well as the client’s work. These documents are the vehicles for establishing a foundation for meaningful interaction and complete transparency in the HCP.

Statement of Services

The statement of services is the provider’s declaration of the program and is essential to ensure HCP key players’ understanding of the program. Drafted by the provider, it helps the prosecution, defense and court to understand the program’s mission by spelling out the purpose and benefits for clients and, in turn, for the HCP. The statement of services must include the following information: name and description of program; type of services offered; target population; entry criteria for client referral to HCP; and contact information for provider staff, who will act as liaisons to the HCP. (See pages 29 and 31 for sample statements of services.)

The HCP understands that the statement of services may change over time and that program activities will be tailored to client needs, available resources, program demands and concerns for public safety.

Entry Criteria

The entry criteria are developed by the service provider agency. They establish goals that participants must achieve prior to referral to the HCP. Referral to the HCP indicates to the court that a client has attained certain milestones in the program. While each provider agency’s entry criteria are different, they typically include the completion of a class, a phase or a list of individualized goals. The entry criteria statement is an opportunity for a service provider agency to highlight the program’s commitment to challenging clients to make positive life changes while at the same time demonstrating their respect for court and community concerns.

Advocacy Letter

The advocacy letter is critical for successful resolution of the participant's cases, as it provides for the individual's accomplishments, the prosecution's recommendation and the court's action for dismissal or alternative sentencing in the HCP. Participants stand before the court with advocacy letters written by agency representatives and certificates that show proof of their activities, accomplishments and aspirations. The participant's completion of the Entry Criteria illustrates the accomplishment of significant goals, and the advocacy letter documents the particular accomplishment of the individual. The HCP works best when participants have detailed advocacy letters and certificates that present a clear picture of the positive steps the participant has taken to make changes in his or her life.

Advocacy letters should include the following: a description of the service provider and its program, the client's start date and accomplishments, programs completed or in progress, insight into the client's efforts and demeanor, and long-term goals for the client's success. Some examples of positive steps that show affirmative efforts to address the homeless condition are: staying sober, renewed attention to personal hygiene, use of education and job training resources, physical or mental health treatment, completed assessments, and/or obtaining an identification card or a driver's license.

The HCP guidelines recognize that while many letters follow the same general format, the absence of personalized information dilutes the effectiveness of the advocacy. Prosecutors and judges appreciate participants who appear before the court with personalized letters of recommendation ready to explain their circumstances and current successes. The court cannot fully resolve cases in one hearing when there is a lack of specific information to justify alternative sentencing. Including detailed information is generally best, however efforts should be made to protect a participant's privacy.

With advocacy letters in hand, the prosecutors have verification of a participant's activities and can recommend that the court dismiss the case. Because the advocacy letter speaks to the participant's particular situation and accomplishments, the court is able to review the documentation and, in the vast majority of cases (or all but rare cases), sentences the person to previously completed activities in his or her program.

Ideally, the court will have the framework to pronounce a sentence and terms and conditions of probation with "credit for time served." In San Diego's HCP, it is rare when the court continues a case for additional proof of a participant's program activities.

Step 5: Educate Each Other

Hear from Clients

A meeting with the Presiding Judge was the first step for establishing an outdoor courtroom at Stand Down. The event sponsors, together with members of the local Bar Association's homeless subcommittee, veterans groups and court personnel, gathered to discuss the feasibility of taking the court to a tent city. When the meeting started the

judge said, “We are open five days a week, eight hours a day – they are welcome to come here for court.”

Representatives from the Vietnam Veterans of San Diego, the founders and sponsors of Stand Down, responded that attendance at a court hearing requires time and planning. Homeless defendants often fail to appear in court not because of a disregard for the court system but rather due to their status and condition. They struggle daily for food, clothing and shelter. They are not in a position to adhere to short-term guidelines. They do not carry calendars. They are scared. In the past, court orders and sentences guaranteed their failure. They could not pay fines. Custody left them, society and the court no better off than before they went in.

When homeless people did appear in court, they tried to explain to the judge the sorry set of circumstances that had taken them from families, homes and jobs to sleeping in the dirty bedrolls that lay beside them in court. Some were articulate and educated, and some were even working but unable to afford a rent deposit or a room.

Hear from Providers

There was an “ah-ha” moment that occurred during a tour of St. Vincent de Paul Village in preparation for the Homeless Court Program (HCP) hearings being held there in the community room. The full team of HCP key players was touring the Village to better understand the program activities that homeless people can access while also checking that the community room provided a safe courtroom environment. We had all heard of St. Vincent de Paul Village. We knew the tremendous effort Father Joe Carroll had undertaken for funding their programs. Over the years, we had worked with staff and people who had successfully overcome homelessness with assistance from the Village. Yet despite these interactions, few from our group had actually touched the building and grounds or seen it in action. Throughout the tour, the HCP key players observed the child care center, kitchen (where 4,000 meals were served each day), assessment center and medical clinic. In the back of the medical clinic sat the dental clinic with photographs of faces – some with no teeth, some with teeth. Looking at a wall of people’s faces in the contrasting photographs, the judge pointed his finger and said, “I’d sentence that person different from that person.” The only difference between the two people pictured were their smiles – one toothless and one full of teeth. While Medicaid pays to pull teeth, it does not pay to put teeth back into a person’s mouth. The dentists who volunteer their services at St. Vincent de Paul Village restore the smiles to people who reside at the homeless shelter. Our tour guide turned to the judge and said, “That’s just the physical change that takes place here.”

The lesson from this tour highlighted the challenges we all face in understanding our community, the lives of the dispossessed and the obstacles we all face in life. During the tour a number of us said, “This really is a village.” Many times over we heard people say, “There but for the grace of God, go I.”

Step 6: Implement Your Program

Applications

To sign up for the HCP, a participant must gain the trust and confidence of a homeless shelter or program. Each program has developed its own criteria for entry to the HCP. Some programs require attendance in meetings; others require completion of a “phase one” in their continuum of care. As the caseworkers develop a relationship with their clients, they simultaneously help resolve the underlying cause or obstacle that homelessness represents and provide the court with independent verification of the client’s accomplishments. The caseworkers from each shelter gather lists of people requesting access to court through the HCP.

The residents at local shelters come to the HCP with a distinctly different response than the Stand Down participants. Stand Down participants are looking to take their first step off the street. HCP participants are already actively involved and invested in a program. They are afraid of losing the things they have accomplished individually. They appear in court with a pronounced fear of custody because they do not want to return to the streets and have to work their way back into the program from the beginning. During one session, I counseled the participants at the defense table. I then moved to the other side of the room to share their advocacy letters with the prosecution. Afterward, I looked up to find all of the people who had been sitting on my side of the room had moved to the prosecution side to listen to the negotiations. I came to realize they had a fear of losing what they had accomplished. A respect for the court notwithstanding, these participants feared losing their home at the shelter. They might be living in a shelter but they were no longer on the streets. To end up in custody would mean a loss of the progress they had gained. A sentence to custody would send them back to the streets at term’s end. These participants saw a future and did not want to miss it. They had plans and did not want them interrupted or cut short. The court session provided them an opportunity to come clean when their cases were resolved.

The HCP recognizes each shelter has its own requirements and guidelines that qualify residents for access to court. Some programs ask that residents complete an assessment, an initial phase of the program, or attend specified meetings. The participant and the caseworker identify their greatest need and the tasks that are necessary to achieve self-sufficiency. The court does not interfere with this relationship. The court does need tangible evidence of it such as an advocacy letter and certificates that it can refer to when making an order. Participants who are well-prepared and actively involved with a program are more likely to have their cases resolved in one hearing and have a positive court experience. The level of success a client has in court is often commensurate with his or her level of participation in a program.

The provider staff meets individually with each client who has an outstanding criminal case. Together, they establish an action plan including a list of goals, classes, and meetings to complete along with a strategy to facilitate self-sufficiency. Ideally, the

program activities selected are easily accessible directly through the provider agency. However, it is not uncommon for clients to attend program activities at outside agencies.

The provider and client discuss the entry criteria for referral to the HCP. The provider explains to the client the rationale behind the entry criteria as well as the importance of achieving certain goals and completing specific classes or programs prior to appearing before the court.

The provider reassures the client that he or she will not be taken into custody, explains that he or she has likely already met the requirements for court, and that the HCP is designed to be a positive experience. The provider shares examples of successful participants to illustrate the importance of a clear record such as the ability to access government services, housing and employment. The provider monitors the client's progress and verifies the client's accomplishments prior to referral to the HCP.

Access to Court

Shelter workers deliver their agency sign-up list for the HCP to the Office of the Public Defender on the last Wednesday of the month. After the defense attorney reviews the list, he or she forwards it to the court and prosecution. The court then prepares the calendar for the hearing. The prosecution runs each person's criminal record, produces a list of their misdemeanor cases (with discovery), and offers a plea bargain for disposition on the first Wednesday of the month. The prosecution provides the list and plea bargain to the deputy public defender on the second Wednesday of the month.

The deputy public defender goes to the host shelter one week before the actual court session to prepare the participants for court. The one-week advance in preparation provides a number of advantages for the actual hearing. It demystifies the court process. It helps the person anticipate what will happen in court and mentally prepare to face the judge. It strips away the fear of the unknown. It helps to overcome the distrust of being set up for certain failure through a sentence he or she cannot afford. The attorney and client review cases and the plea agreement. They talk about the client's activities in the shelter, what part of their program has been most meaningful, and their plans for the future.

The public defender meets with the defendant to review his or her case(s). The public defender presents each individual case and proposed plea agreement as the worst-case scenario to help the participant face his or her greatest fears about the judicial process. The public defender learns about the individual's participation in a shelter or other type of program, (i.e. community college, technical school rehabilitation and outside medical treatment) which the court can use as an alternative sentence to fines, community service, probation, or in some cases, custody. During the consultation, the public defender also explains the importance of the advocacy letters each participant is required to bring to court. These letters show proof of participation in classes, counseling and community service. These letters highlight individual accomplishments with specific information including the total number of hours that the defendant participated in treatment,

counseling, or volunteer service as well as the type of programs. The public defender also explains the history of the HCP program. The defense attorney uses the shelter programs and the recovery process to get clients involved in successful court hearings. The defense attorney tells the clients to bring back proof of program activities and advocacy letters to ensure a successful resolution to the individual cases.

The attorney then instructs the participants to return to their caseworkers for advocacy letters, to gather any certificates and tokens awarded, and to bring them to court. The advocacy letter is symbolic of the relationship between the client and the program while providing an important source of information to the court. These documents are the independent verification the court needs to address and resolve their cases. The court sentence might give credit for time served in chemical dependency or anger management classes, training for or seeking employment, literacy or computer education, life-skills and more.

The time spent at the court hearing is the tip of the iceberg for all the preparation undertaken beforehand. Weeks of preparation before the court hearing makes the judges' time at the shelter more efficient and meaningful. The information needed to fully address and resolve the cases before the court is at hand. There is no need to set another court hearing to show proof of participation in a program. The prosecution, defense and defendant have an understanding of what position they will take. They have already reviewed and discussed the matters on the calendar. They are ready to present themselves to the court for its ruling and orders.

A PERSONAL PERSPECTIVE

Richard McCue, Office of the San Diego County Deputy District Attorney

I have an older cousin who still smokes. He has a lighter that is inscribed with the insignia of the 101st Airborne, under which are the words “date with destiny” followed by a date. It is an odd thing, really. After all it’s the date he lost his right eye to a piece of Warsaw Pact steel. He is always careful to point out that he was very lucky. That piece did not pierce both his eyes; it did not go through his temple and into his brain.

If there is any subject that a few decades of practicing criminal law has taught me, it is homelessness. I have become habituated to the sight of the crazy man begging outside my courthouse, the bearded guy younger than me begging at a street corner lying about being a Viet Nam vet, the bodies swaddled like mummies in the recessed entryways of the storefronts in the older part of town. I know the habits of the homeless guys who live in the bushes by the freeway next to the pedestrian overpass that I use. I’ve seen the dreamy eyed old drunks as they are shuffled into the afternoon arraignment court. I’m aware of the studies that show they are all slackers, or all crazy, or all addicted, or all something else. The only thing that I really know is that the homeless are people who are living outside of society; like Le Carre’s spies, they are out “in the cold.”

My cousin never became homeless. Surrounded with an extended family with its share of dysfunctions as well as its share of strengths, he went to law school, married and raised a family. By every objective measure he has had a successful life. It is a life to be envious of. It is a life so good that some begrudge him his pittance of a disability check. But the horror every once and a while peeks through and scares the living daylights out of the rest of us. It’s a horror he can not speak about. It haunts him; it nearly broke him.

Some of the men whom my cousin served with did go homeless. Not all, but some. They broke. They were not as lucky as my cousin. As a group they became a stereotype and a caricature. Pundits passed judgment and explained everything through the tiny lenses of their own miserly ideologies. The truth was and is that life deals people different hands, and then you have to play the game with what you have. Some really are dealt hands that are crushing. A lot of those people end up at the wrong end of a bottle or a needle or a pipe, and a lot of them end up homeless and hopeless.

That is some of the background that has shaped the philosophy that I bring to my Stand Down and Homeless Court.

I am a prosecutor. It’s not just a job that I have. It’s almost a vocation. I live in the stand that no murder goes unpunished, that no one can violate a child without punishment, that thieves go to jail, that drug dealers do time. I take that stand with the knowledge that humans are fallible and that good is seldom unmixed with bad and that evil both exists and is rare. In short my stand is to do justice. Being able to stand up and say that I am appearing “for the people” is an honor. I review cases and exercise discretion to

prosecute, and I do not issue cases in order to dismiss them. So how do I deal with a court where just about the only thing that I ever say is “dismiss”?

I go back to the beginning, to the fundamental division of criminal law: *mala prohibita* versus *malum per se*.

Malum per se crimes are bad in and of themselves. Simple crimes like murder, rape, theft, stabbing and shootings, burglary – the dramatic stuff of TV shows – are *malum per se* crimes. With the progress of human ingenuity, we have added to those crimes. Driving under the influence and distributing contraband substances are examples. These are the crimes that really deal with immediate impacts on Public Safety.

Mala prohibita crimes are not public safety crimes, they are bad things because we said they are bad; they are crimes of social regulation. They are crimes such as just walking through neighborhoods without having a destination, having a smoke outside, riding a motorcycle without a helmet, sleeping rough, illegal camping, or even eating ice cream on a public street in Carmel. Oddly enough these seem to end up in front of the U.S. Supreme Court much more often than crimes of violence.

Stand Down and Homeless Court only deal with *mala prohibita* crimes. Some like to call them, in a baroque contortion of euphemisms, “lifestyle crimes.” So by definition the thing that drives me as a prosecutor – public safety – has already been handled. Riding the trolley without a ticket is not a violent crime. Sleeping under a bridge is not a present danger to the society I am dedicated to protecting.

But, I hear someone say, don’t *mala prohibita* crimes serve a greater purpose? Isn’t the purpose of those laws to allow others to go about their own business unharmed and unimpeded? Aren’t these “the rules”? Isn’t this supposed to be a level playing field? Didn’t these people get away with it? Isn’t it unfair to give them a break?

No. Not when you look at who we are dealing with.

The majority of the homeless are broken in spirit. It really doesn’t matter if the wheel on which they were broken is called post-traumatic stress, or alcoholism, or a long story about a bad marriage, or methamphetamine dependence or schizophrenia or bipolar disease or depression. When their spirit broke they were broken and then they fell out of society. Read those words again. They fell out of society. They went “into the cold,” alone.

When people are in the cold they still need to survive. When you need to survive, the pleasantries of life go to one side. When you need to survive alone there is no more “another person”; there is only oneself. There is no more need for Miss Manners because, gentle reader, there is no society that Miss Manners would recognize. The homeless are the ultimate expression of a person alone against the world and outside of all society. It all sounds very romantic, but the reality is very cruel.

The purpose of the Stand Down and the Homeless Court is to reintegrate into society those who want to come in from the cold. No one does that alone. The court alone certainly does not do it. But we can surely keep people out in the cold – open cases, fines and penalty assessments are a big barrier to re-entry. Stand Down and Homeless Court act to eliminate the petty cases that stand as barriers.

My great fear with Stand Down and Homeless Court was that we would just clean up the broken so they could get dirtied up again. Most of us have seen that. Dry out the drunk with six months in the jail. Sober up the dooper with a residential program. Then dump them back into the same old stuff and wait for them to show back up in jail. Maybe because it started with Stand Down, with that appeal to the discipline instilled in those who serve and have served, with that appeal to the discipline that acknowledges responsibility, it is not that.

Those who come into Homeless Court or Stand Down to take care of their cases have already taken responsibility for themselves within the constraints of our society. They have taken the first steps in from the cold. That's huge. Homeless Court has the advantage for me that I know the participants have already been in a program for three to six months. They are a couple of steps in the door. Stand Down is the first step in the door. Do we take a chance that veterans who have been homeless and hopeless but who have taken back command of their lives might fall back? Is that a chance worth taking? What a question. It is a chance I am obligated to take to make my society work. It is a chance to serve justice.

My philosophy, my fundamental stand, doesn't change. In Homeless Court and at Stand Down I am still "for the people" and for justice. Justice is defined as moral rightness, equity and fairness. The bad and the evil I will seek to punish. The broken I will seek to give a hand up and back into the society I cherish.

Richard McCue is a Deputy District Attorney in San Diego County, California. He has been prosecuting cases for 20 years of the 28 years he has been practicing law. He has also been in private practice where he was a criminal defense attorney and a civil litigator.

FROM THE PROSECUTOR'S PERSPECTIVE

Paige Hazard, Office of the San Diego Deputy City Attorney

Police officers respond to a complaint about a homeless man sleeping in the doorway of a business. The man has been lodging there for several nights without the business owner's permission. Trash is being left in the doorway during the day and the strong odor of urine can only be removed with bleach. The business owner is concerned that customers are being driven away. The police, asked to take care of the problem, issue the homeless man a citation to appear in court for a violation of California's Penal Code section criminalizing lodging in a public or private place without permission. The homeless man is given a court date but fails to appear in court, and a warrant is issued for his arrest. If he is contacted by police again and they check for outstanding warrants, the man will be arrested. The warrant, and any fines that attach, may affect his ability to apply for employment or a driver's license in the future.

This scenario repeats itself in the City of San Diego and across the country every day as police officers and prosecutors are called upon to use the criminal justice system to solve what is more truly a social problem, a mental health problem or a substance abuse problem. Homeless individuals, who inevitably accumulate a number of citations and arrests for drinking in public, illegally lodging, failing to pay trolley fare, and other minor misdemeanors, become trapped in a revolving-door cycle within the traditional criminal justice system. The San Diego City Attorney's Office, responsible for prosecuting all state and local misdemeanors in the City of San Diego, recognizes that the traditional court system – relying on levying fines, requiring community service or imposing jail time – will not deter or solve the crimes committed by these individuals. These individuals must address the daily struggle for food, clothing and shelter before unresolved legal problems.

Therefore, in 1989, when staff members from the Veterans Village of San Diego approached the San Diego Superior Court and the San Diego City Attorney's Office to host court proceedings at its annual Stand Down event, the City Attorney's Office joined the team immediately. The first Homeless Court at Stand Down was a collaborative effort involving the Superior Court, the Office of the Public Defender, the San Diego City Attorney's Office, and Vietnam Veterans of San Diego. The monthly Homeless Court calendars, beginning a few years later, were a natural extension of the Stand Down event. The atmosphere created by the Homeless Court partnership is a most striking deviation from the traditional court system: by providing a non-threatening environment for homeless individuals to resolve cases, a greater level of access and accountability is established. The adversarial nature of the traditional court system is dissipated, allowing all of the partners to concentrate on the common goal of stopping the revolving-door treatment of crimes related to homelessness. The approach helps the participant receive the appropriate resources, alleviates court calendars by clearing hundreds of outstanding warrants each year, and reduces case processing for prosecutors.

The positive aspects of Homeless Court can also be seen on the participants' faces every time a court session is held. As the participants sit quietly before the hearing, there is visible anxiety on their faces. One by one, they are called to stand before the judge. Soon they are talking with the judge about what they are learning in their treatment programs or what classes they are taking in night school. Their cases are resolved, often with a handshake and a grateful look toward the prosecutor. The participants usually walk away smiling and are always relieved.

That said, participation in Homeless Court is not a free pass. The participants often perform more treatment and volunteer service hours before the court session than they would ever be ordered to complete in the traditional court system. The goal is to directly address the underlying criminal conduct of their cases before coming to court. Although minor infractions are dismissed, participants do acknowledge guilt for more serious misdemeanor crimes. Their work in the social programs will be rewarded by relief from fines.

Stand Down differs from Homeless Court because the participants at Stand Down are awarded for their efforts and participation at the Stand Down event itself, as opposed to a program within the city. In either case, the participants are bettering themselves and creating a benefit to the San Diego community by making strides toward becoming participatory and law-abiding members of the community.

The San Diego City Attorney's Neighborhood Prosecution Unit is responsible for managing the Homeless Court and Stand Down caseloads on behalf of the City of San Diego. The Neighborhood Prosecution Unit works in partnership with the San Diego Police Department, other agencies and the community to aggressively and creatively combat crimes that impact quality of life while also seeking proactive, long-term solutions to a broad range of quality-of-life issues that impact the communities we serve. Traditional prosecutorial tools are used in conjunction with alternative sentencing models. Homeless Court is a perfect example of alternative sentencing that works.

Homelessness is a primary concern facing the communities in which we work. As partners in Homeless Court and Stand Down, we reward those who are taking steps to better themselves and become law-abiding citizens. It is our hope that those who benefit from the program continue on this path and no longer violate the law. San Diego's Homeless Court works, whether at the monthly sessions or at Stand Down, because there are structured guidelines and established expectations. While most misdemeanor and infraction crimes may be considered for alternative sentencing, some cases, such as domestic violence cases, are excluded. The prosecutors who review the cases maintain discretion to follow the established guidelines or deviate if appropriate based on criminal history or factors in aggravation. Homeless Court is a consensus court, which means all partners must agree to a resolution of a case before the court session. Although the prosecutor may have different incentives or underlying concerns than defense counsel or the service providers, we all support the concept and goals of Homeless Court.

For more information on the San Diego City Attorney's participation in the San Diego Homeless Court, please contact Paige Hazard, Deputy City Attorney, at (619) 533-5500. Regan Savalla is the Chief Deputy City Attorney of the Neighborhood Prosecution Unit. Paige Hazard is the Neighborhood Prosecutor assigned to work in San Diego's Western Division and is the lead prosecutor assigned to Homeless Court and Stand Down.

AMERICAN BAR ASSOCIATION COMMISSION ON HOMELESSNESS & POVERTY

In 1991, The Commission on Homelessness and Poverty was established by the Board of Governors of the American Bar Association (ABA). The Commission is charged with the following tasks: (1) Educating members of the bar and the public about legal and other problems of poor and homeless people and ways in which lawyers can assist in solving or ameliorating them; (2) training lawyers in areas needed to provide pro bono legal assistance to homeless people and those at risk of becoming homeless; (3) working with all ABA entities on issues arising in their jurisdiction that affect poor and homeless people; and (4) engaging in such further activities as may be necessary and proper for the fulfillment of these responsibilities, including working with state and federal executive branches and legislative bodies concerning matters relating to the poor and homeless. These tasks are carried out by one staff attorney and 13 volunteer members appointed by the ABA President.

The Commission is committed to educating the bar and the public about homelessness and poverty, and the ways in which the legal community and advocates can assist those in need. To achieve this goal, the Commission drafts publications and conducts training sessions across the country to equip the legal community to advocate on behalf of people who are homeless or poor. The Commission also coordinates with national, state and local advocates and organizations to facilitate the exchange of information and resources.

One of the Commission's current priorities is to facilitate the creation of homeless courts throughout the country. Why the need for homeless courts? People who are homeless are routinely issued citations for such minor offenses as illegal lodging, jaywalking, and drinking in public. Caught up in the daily struggle for food, clothing, and shelter, a person who is homeless has few resources to draw upon in order to respond properly to the criminal justice system. Consequently, misdemeanor citations and infractions are often not dealt with, compounding the problem as warrants are issued and additional fines are assessed, which often preclude the homeless from accessing desperately needed services such as public benefits and mental health and/or substance abuse treatment—not to mention employment and housing. The Commission is proud to be the leader in fostering replication of this innovative program that expands access to justice, reduces court costs, and helps homeless people move towards self-sufficiency.

Publications prepared by the Commission include *Lawyers Working to End Homelessness* (2006), *Taking the Court to Stand Down* (2005), and *Representing the Poor and Homeless: Innovations in Advocacy* (2001).

For more information about the Commission, please visit www.abanet.org/homeless/ or call (202) 662-1694.

AMERICAN BAR ASSOCIATION HOMELESS COURT POLICY

RECOMMENDATION

RESOLVED, That the American Bar Association adopts the following principles for Homeless Court Programs to the extent appropriate for each jurisdiction:

- (1) Prosecutors, defense counsel, and the court should agree on which offenses may be resolved in the Homeless Court Program, and approve the criteria for individual participation, recognizing that defendant participation in Homeless Court Programs shall be voluntary.
- (2) Community-based service providers should establish criteria for individual participation in the Homeless Court Program and screen individuals pursuant to these criteria.
- (3) The Homeless Court Program shall not require defendants to waive any protections afforded by due process of law.
- (4) All Homeless Court Program participants shall have time for meaningful review of the cases and issues prior to disposition.
- (5) The Homeless Court Program process and any disposition therein should recognize homeless participants' voluntary efforts to improve their lives and move from the streets toward self-sufficiency, including participation in community-based treatment or services.
- (6) Participation in community-based treatment or services shall replace traditional sanctions such as fines, public work service and custody.
- (7) Defendants who have completed appropriate treatment or services prior to appearing before the Homeless Court shall have minor charges dismissed, and, where appropriate, may have more serious misdemeanor charges before the court reduced or dismissed. Where charges are dismissed, public access to the record should be limited.

LEGAL RESOURCES

These resources can lead you to free legal help in all 50 states, the District of Columbia, Puerto Rico and the Virgin Islands. For information on specific programs in your area, visit the websites below.



Homeless Court in session at Veterans Village of San Diego.

FindLegalHelp.org

Features a state-by-state listing of legal help with links to basic legal information, information on states' court systems, lawyer referrals, commercial lawyer directories and free legal help. To find a pro bono program – which matches low-income clients with volunteer lawyers, who agree to take their clients' cases for free – click on the appropriate state, then “Free Legal Help” and “Pro Bono.”

LawHelp.org

Helps low- and moderate-income people find free legal aid programs in their communities as well as answers to questions about their legal rights. Also features a state-by-state list of legal aid referrals and information on topics including disabilities, military and veterans' affairs, and employment.

ProBono.net

A national, online resource for legal aid and pro bono attorneys, law professors and students, and related social services advocates. Contains a list of regional, national and international sites and pro bono networks.

ABA Commission on Homelessness & Poverty

Drafts publications and conducts training sessions across the country to equip the legal community to advocate on behalf of people who are homeless or poor. Also coordinates with national, state and local advocates and organizations to facilitate the exchange of information and resources. For more information, visit www.abanet.org/homeless/.

Homeless Court Program
Homeless Service Provider
Statement of Services

St. Vincent de Paul Village (SVdPV)

Agency Mission Statement:

The mission of St. Vincent de Paul Village is to help our neighbors in need break the cycle of homelessness and poverty by promoting self-sufficiency through an innovative continuum of care, multi-disciplinary programs and partnerships that come together in the spirit of our CREED to teach, learn from and challenge our neighbors and one another.

The agency also has a CREED that guides work with clients.

Our CREED:

- | | |
|---------------------|--|
| Compassion: | Concern for others and a desire to assist |
| Respect: | An act of giving particular attention or special regard |
| Empathy: | Understanding, an awareness of and sensitivity to the feelings of others |
| Empowerment: | Helping others to help themselves |
| Dignity: | Counting all people worthy of our esteem |

Describe the importance of collaboration between your agency and the HCP:

The HCP is essential to helping clients achieve self-sufficiency. The SVdPV program is built on the goals of helping clients achieve self-sufficiency by obtaining permanent housing and permanent income. In order to do that they meet weekly with a Case Manager who works with the client to develop goals aimed at removing barriers and building on strengths. One of the major barriers is legal issues. Clients who have legal issues looming worry about seeking employment or other needed services and interacting in the larger society for fear that their legal issues are going to catch up with them. Clearing up tickets releases clients from this fear and allows them to move forward, access the services they need, and it gives them a sense of pride and self-respect.

What criteria do clients meet in your program to be eligible for the HCP?

In order to participate in the Homeless Court Program through a referral from SVdPV, a person must be living in one of SVdPV's residential programs. The resident must, at minimum:

- Be in compliance with program requirements including following program rules, completing up to 10 hours of shared living responsibilities (aka chores) each week, attending resident House meetings, and returning for curfew each night.
- Meet regularly with a Staff Contact or Case Manager.
- Attend Resident Orientation.

- Complete a class titled “Challenge to Change” – a 20-hour motivational class that has experiential work and homework and focuses on goal setting, motivation for change and building self-esteem.
- Participate in the Assessment process - a three appointment process that includes a battery of standardized written assessments and a 90-minute social history interview.
- Clients who are facing drug- or alcohol-related charges must also be enrolled and participating in SVdPV’s Recovery Services program, which includes attending recovery groups and sober support meetings.

Although all cases are entered on their own merit, supporting documentation must demonstrate an effort by the client to change and exhibit responsibility. Examples of ownership include but are not limited to:

1. Trolley Ticket: Possession of bus pass.
2. Drug/Alcohol: Recorded logs of participation in recovery services (AA/NA attendance, substance abuse education, certificates of treatment completion, etc.).
3. Illegal Lodging: Documentation of housing plan/program.

Checklist of services offered by your agency:

- ✓ Assessment/orientation
- ✓ Life skills
- ✓ Education (literacy, training, skill development, high school/college/technical)
- ✓ Counseling (individual, group, family/parenting, anger management, PTSD, therapy)
- ✓ Substance Abuse (AA/NA, chemical dependency, relapse prevention)
- ✓ Medical (physical/mental health)
- ✓ Government benefits (SSI, GR, VA, etc.)
- ✓ Housing
- ✓ Employment

St. Vincent de Paul Village began as small soup kitchen. It is now San Diego’s largest residential homeless service provider. SVdPV provides a comprehensive continuum of services to homeless people in a “one-stop” site including: basic resources for survival; shelter for over 860 men, women and children each night; food; clothing as well as a wide range of services to address barriers to self-sufficiency such as medical and dental care; mental health and psychiatry services; chemical dependency services; case management; adult education; career counseling; and job placement and the Homeless Court Program.

Contact: Bert Capati, Job and Resource Coach
 Career & Education Center
 St. Vincent de Paul Village
 1501 Imperial Ave.
 San Diego, CA 92101
 (619) 645-6442

Homeless Court Program
Homeless Service Provider
Statement of Services

Veterans Village of San Diego (VVSD)

Agency Description:

Veterans Village of San Diego (VVSD) is dedicated to extending assistance to needy and homeless veterans of all wars and eras and their families by providing housing, food, clothing, substance abuse recovery and mental health counseling, job training and job placement services. We believe in the inherent worth of each and every veteran and his or her right to a rehabilitation program, which leads to renewed self-worth and independent living.

VVSD is currently licensed by the state of California to house and treat up to 185 homeless male and female veterans. Agency-wide, we have a capacity of 438 beds. VVSD offers residents a safe, clean and sober village-like setting for several months to a year or more depending upon individual needs. The program, originally formulated as a social model, is now integrated with structured case management and mental health therapy and simultaneously addresses the addiction, post-traumatic stress disorder, medical needs, legal problems, family issues, spiritual development, and employment training and placement requirements of each resident.

The following services are provided by the program:

- ✓ Assessment/orientation
- ✓ Life skills
- ✓ Education (literacy, training, skill development, high school/college/technical)
- ✓ Counseling (individual, group, family/parenting, anger management, PTSD, therapy)
- ✓ Substance abuse (AA/NA, chemical dependency, relapse prevention)
- ✓ Medical (physical/mental health)
- ✓ Government benefits (SSI, GR, VA, etc.)
- ✓ Housing
- ✓ Employment and training services
- ✓ Clothing
- ✓ Transportation assistance

Target Population:

Needy and homeless veterans of all wars and eras and their families.

What criteria do clients meet in your program to be eligible for the HCP?

In order for a VVSD client to access the Homeless Court Program, they must be actively participating in a VVSD program. At a minimum the client must:

- Have 30 days or more of active participation in our program.
- Be referred to the HCP by their Case Manager/Counselor.

- Be in compliance with their treatment plan if residing in residential (attending all groups/classes, meeting, case management sessions, therapy if appropriate).
- Be mentally/emotionally stable to participate in the HCP.
- Obtain an advocacy letter that highlights their participation in their respective programs.

Primary contact: Charles Lyles
Community Project Coordinator
Veterans Village of San Diego
4141 Pacific Highway
San Diego, CA 92110
(619) 393-2093

Alternate contact: Andre Simpson
V.P. & C.O.O.
Veterans Village of San Diego
4141 Pacific Highway
San Diego, CA 92110
(619) 497-0142

HOMELESS COURT INTEREST LIST

Agency Name: _____

Contact Name: _____

Contact Phone: _____

Month and Year: _____

Homeless Court Program (select one): San Diego North County

Provider Staff to Complete										
	Name Last, First	AKA	Date of Birth	Gender	Race/ Ethnicity	Intake Date	Veteran	Disabled	At least one case number (citation number)*	Agency Name
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

* This information is used to locate the client in the court's databases. You do not need to identify all cases the client wants adjudicated.

**AGREEMENT TO APPEAR
HOMELESS COURT PROGRAM**

Participant:

Name: _____

DOB: _____

Shelter

St. Vincent de Paul Village
1501 Imperial Ave.
San Diego, CA 92101

Veterans Village of San Diego
4141 Pacific Highway
San Diego, CA 92110

Counseling with Defense Attorney

Date:
Time: 9:00 a.m.

<p>Court Hearing</p> <p>Date: Time: 1:00 p.m.</p>
--

Without admitting guilt, **I PROMISE TO APPEAR, AT THE** above, date, time and shelter to address my (misdemeanor/infraction) criminal case(s).

Date: _____ Signature: _____

**AGREEMENT TO APPEAR
HOMELESS COURT PROGRAM**

Participant:

Name: _____

DOB: _____

Shelter

St. Vincent de Paul Village
1501 Imperial Ave.
San Diego, CA 92101

Veterans Village of San Diego
4141 Pacific Highway
San Diego, CA 92110

Counseling with Defense Attorney

Date:
Time: 9:00 a.m.

<p>Court Hearing</p> <p>Date: Time: 1:00 p.m.</p>
--

Without admitting guilt, **I PROMISE TO APPEAR, AT THE** above, date, time and shelter to address my (misdemeanor/infraction) criminal case(s).

Date: _____ Signature: _____

SAN DIEGO - 2010 HOMELESS COURT CALENDAR

January St. Vincent de Paul Village 2010						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February VVSD 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

March St. Vincent de Paul Village 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April VVSD 2010						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May St. Vincent de Paul Village 2010						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June VVSD 2010						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July* Stand Down 2010						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August VVSD 2010						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September St. Vincent de Paul Village 2010						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October VVSD 2010						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November St. Vincent de Paul Village 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December VVSD 2010						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

KEY	Provider Meeting	Case List from Prosecution	Defense Counsels Clients	Court Hearing	Provider List	Court Holidays	Court Closed
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The National Coalition for Homeless Veterans will end homelessness among veterans by shaping public policy, promoting collaboration, and building the capacity of service providers.

