

Treatment Courts and Court-Affiliated Diversion Projects for Prostitution in the United States

A report from the Prostitution Alternatives Round Table (PART)
of the Chicago Coalition for the Homeless (CCH)

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Chicago Coalition
for the Homeless



**DID YOU
PICK UP MY
DAUGHTER
TONIGHT?**

The majority of women involved in the sex trade start as teenagers, many before the age of fifteen.



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Letter from the Author

Dear Reader,

This letter seeks to explain why the Chicago Coalition for the Homeless (CCH) has created this report, as well as why and how we have been involved in the movement to reform the policies, laws and practices that have harmed individuals in the sex trade.

Mission and History of the Prostitution Alternatives Round Table

CCH, founded in 1980, began a project called the Prostitution Alternatives Round Table (PART) in 2001 to focus on the intersection between homelessness and prostitution.

The Prostitution Alternatives Roundtable has been advocating for alternatives to incarceration for prostituted individuals since its inception. PART has a steering committee made up of a network of public and private entities working to address the issues women, children, and men face in the sex trade through a human rights perspective. PART organizes with survivors of the sex trade who voice concerns based on their personal experiences with prostitution (including the impact of their own arrests, incarceration, and criminal records). The broader mission of PART is to create options for those who have been involved in the sex trade to be able to exit if they choose. Nobody should have to feel forced or compelled to engage in “survival sex” (exchanging sex to meet basic needs like food and shelter).

This is why having alternatives that include substance abuse treatment, trauma counseling, medical and mental health care, housing, educational opportunities (GED, literacy, college, etc.), job training and placement support, and other community and peer supports are services that need to be available to women, men and children in order to make exiting the sex trade a viable option. Safety from and accountability measures for those that exploit, profit, and harm are another crucial piece of the puzzle. There is not a singular, simple solution, unfortunately. Thoughtful care must be paid to ensuring that a comprehensive array of specialized services are available to help prostituted individuals feel empowered to rebuild their lives outside of the sex trade.

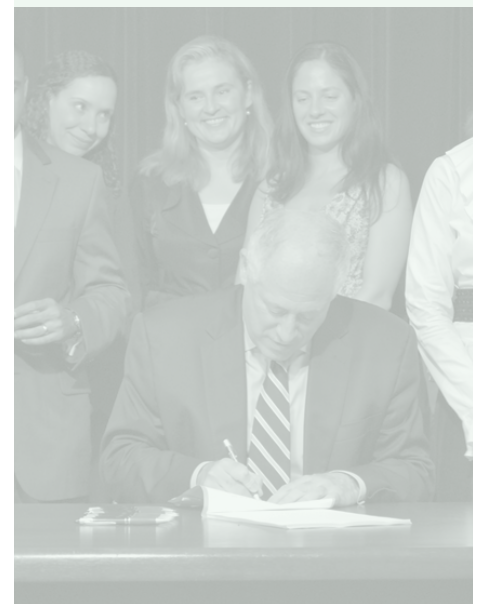
Incarceration has never solved the problems inherent to the sex trade. For many, incarceration has been a re-traumatizing experience that did nothing to help them once they were released back to the community. For others, it has been a place to sober up temporarily from drugs and alcohol, and get “3 hots and a cot” for a brief time. But when released, not only are the underlying issues still present, and the pimps and johns still waiting for them back on the corner, now a criminal record also follows them for the rest of their lives. A record stigmatizes, prevents the person from being hired for quality jobs that pay a living wage (or even minimum wage sometimes) or from accessing housing due to background checks, particularly if that record is for felony prostitution.

Impact of PART Advocacy

Survivor leaders and staff of PART have worked hard over many years to pass state-wide legislation that created alternative sentencing options with community-based treatment and measures to avoid the barriers of a criminal record. Some examples include the pilot women’s treatment and transition center for mothers with non-violent offenses (ILPA 92-0806), record sealing for prostitution offenses (ILPA 93-1084), First Offender Probation- Prostitution, a special probation option for a first time felony prostitution offense (ILPA 95-0255), as well as the Predator Accountability Act, a civil remedy for someone who was harmed and exploited to seek against their pimp, trafficker or abuser (ILPA 94-0998).

In more recent years, PART has worked in the role of lead legislative advocate with the End Demand Illinois campaign, headed by the Chicago Alliance Against Sexual

As you read through this report, it is important to note that PART asserts that prostitution, or the selling of an adult's own sexual acts, should be decriminalized. At minimum, prostitution should not be upgradable to a felony charge. Prostituted individuals should be offered services and alternatives in order to exit the sex trade, rather than be treated as criminals. Instead, law enforcement efforts should target those who exploit individuals and create the demand for the sex trade, i.e. those that buy sex, pimps/traffickers, and others who promote prostitution. However, while this is a substantive and interesting topic that is worth further discussion, it is not the subject of this report. In this report, we take on improving the response of the existing court system, rather than its complete overhaul.



Exploitation, to pass legislation both aimed at expanding options for prostituted and trafficked individuals, as well as enhancing accountability measures against pimps and traffickers. This includes the Safe Children Act which makes minors immune from prosecution for prostitution, the Justice for Victims of Sex Trafficking Act, which allows a person to file a motion to vacate their prostitution conviction if s/he was a victim of sex trafficking at the time of the conviction, and End Demand Illinois' latest bill which expands the definition of sex trafficking to include the coercive tactics that traffickers use to control their victims.

PART has also worked with many different public offices and agencies at the local level to change the system-wide response to prostitution in the Chicagoland area, including with the (former) Mayor's Office of Domestic Violence, Chicago Police Department, the Cook County Sheriff's Office, the Cook County State's Attorney's Office, and local aldermen, to name a few.

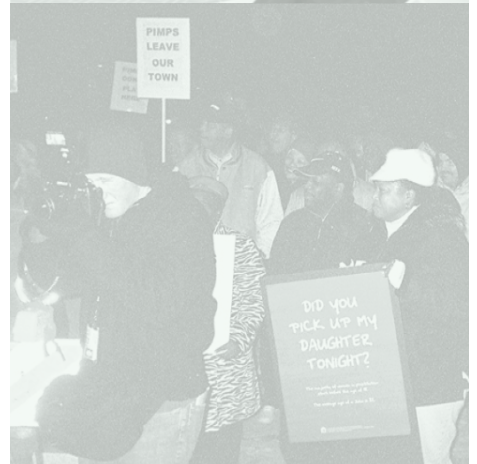
Thank you for your time and consideration in reading this report and in all your own efforts to create better options for individuals impacted by the sex trade.

Sincerely,

Daria Mueller

Associate Director of Policy—State Affairs

We would like to thank early support from the Chicago Foundation for Women, as well as generous, ongoing support from the Marguerite Casey Foundation and the Sisters of Charity, BVM.



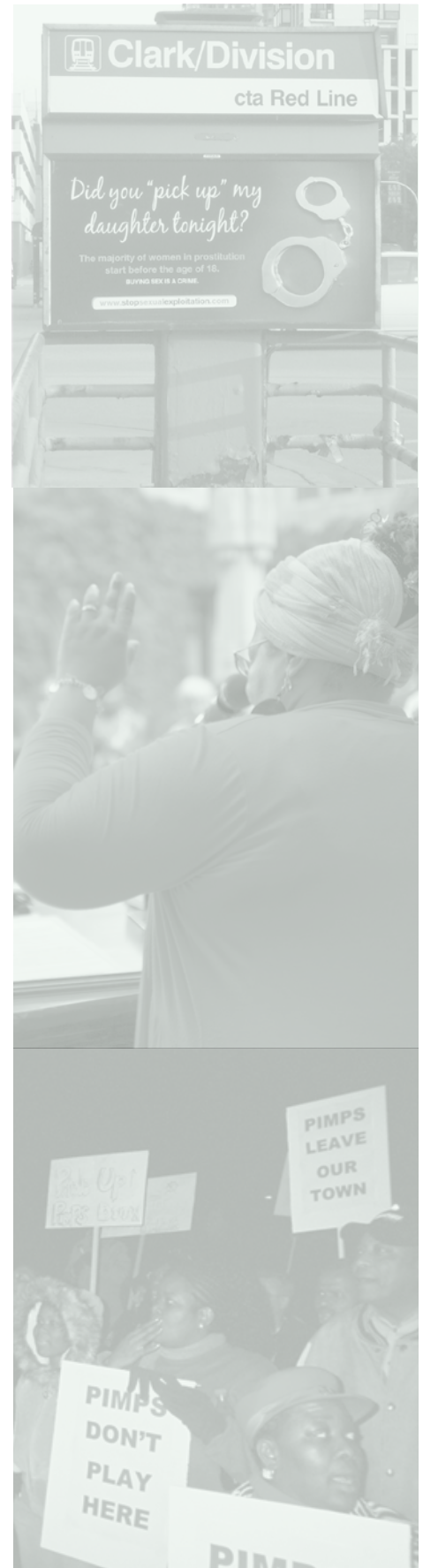
Preface

In February of 2009, staff of the Chicago Coalition for the Homeless began a dialogue with the Honorable Paul P. Biebel, Presiding Judge of Cook County Criminal Courts, regarding the possibility of a new problem-solving court specializing in prostitution offenses. For our own edification, we searched for other court models around the country with this same focus. We found several; however, there was no centralized source of information. There was also a lack of shared information among those responsible for coordinating these court projects. In fact, few of these court teams were aware of the other courts in operation. We found more and more court models randomly via keyword searches on the Internet or word of mouth. Those that we contacted regarding their court models were eager and enthusiastic about their models, willing to openly share any information requested, and excited about the prospect of new models and connecting with other existing courts and their associated programs.

As we moved further into developing and preparing for the WINGS Project, the newly formed felony prostitution court in Cook County, Illinois, we felt that it would be highly beneficial to begin sharing the knowledge, best practices, and contact information among the courts throughout the country. We wanted to create a tool that facilitated communication and learning between all of the court teams. The information regarding these courts was invaluable in the creation of the WINGS Project, and we hope it can be as useful for other specialty courts for prostitution offenses around the country.

The authors of this report have not physically observed any of the court or diversion projects described in this report other than the WINGS Project/Feathers and the Maywood court calls. The information presented about each project is based on countless hours of phone interviews and email communication, as well as any online articles or reports; therefore, the information presented is not completely neutral, and any subjective information or views expressed within those sections do not necessarily reflect the views of the authors.

The court and diversion projects in this report are by no means meant to be an exhaustive list, but rather only what we have been able to find through extensive research to date. This report is, and may always be, a work in progress. Our hope is that this report will also help us gain awareness of other projects and even spur other communities to develop similar projects. The sharing of this tool should lead to even greater sharing, ever-improving models, and a much more comprehensive base of knowledge on the subject of effective criminal justice-based models that divert individuals with prostitution offenses away from prison and into desperately needed community-based services. Please do not hesitate to contact Daria Mueller at dariacch1@gmail.com to ask questions or provide details about any other court models or projects.



Background of Problem-Solving, Treatment Courts

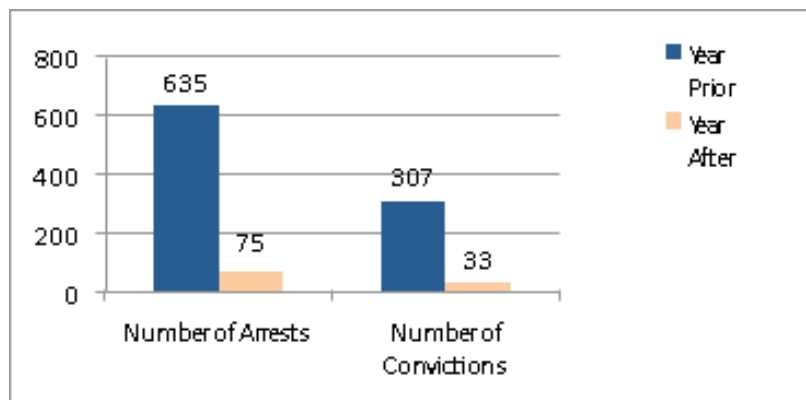
Specialty courts for prostitution or prostitution-related offenses are a newer form of “problem-solving,” or “treatment” courts modeled after drug and mental health courts. These courts offer intensive supervision or probation and divert prostituted individuals into treatment and social services in the community instead of incarcerating them. Several “community courts”, in existence since the 1990s, have included prostitution-related offenses in their diversion programs as well. While some of these courts started with the intention of appeasing the local community’s desire to increase public safety, the majority of courts now aim to address and change the underlying issues that lead to prostitution.

Specialty courts are used throughout the country primarily for individuals with mental health concerns or those who are facing drug-related offenses without violent backgrounds. According to the National Association of Drug Court Professionals, the first drug court was founded in Miami, Florida in 1989. There are now 2,644 drug courts nationwide, located in every U.S. state and territory.¹ According to the Department of Justice, there are currently 150 mental health courts in the U.S. with many more in the planning process.²

Currently in Cook County, Illinois, there are 22 specialty, treatment courts, including the WINGS Project, a “Co-Occurring” Women’s Court, five “RAP” Drug Courts, six Veterans Courts (with a new one to launch in September 2012) and seven Mental Health Courts. As of December 2011, the Mental Health courts have seen 353 individuals with a 48.8% success rate. (success defined as completely fulfilling the expectations or requirements of the treatment court probation satisfactorily). There are 2 pre-trial, one-year intervention programs for non-violent felony offenders. Since the Cook County State’s Attorney’s Office began the pilot program in March 2011, 645 defendants have entered the yearlong process and 257 have so far completed the program and had their felony charges dismissed. 70% of the defendants who enter the program complete it successfully.³ The second one just began in August 2012 and is focused on mental health. This deferred prosecution program will now be available across the state.

Comparing arrest and conviction rates before and after graduation from Cook County’s treatment courts shows a dramatically reduced recidivism rate.

- For the 643 RAP drug treatment courts participants who graduated in the October 1999 through December 2010 classes: At 1 year post-graduation, total arrests decreased by 81% and total convictions decreased by 82%.⁴
- For the 539 RAP drug treatment court participants who graduated in the October 1999 through December 2008 classes: At 3 years post-graduation, total arrests decreased by 75% and total convictions decreased by 78%.



Cook County Mental Health Court System: Among 214 participants who stayed in the program for at least one year, arrests from the one year prior to participation compared with number of arrests during the one year after participation decreased by 88% and 89%, respectively.

Cook County began its first treatment court, the WINGS Project, for women with felony prostitution offenses in January of 2011. PART advocated and supported this alternative criminal justice approach to prostitution to help shift the response away from punishment and state prison sentences to that of a treatment and social service model that understands the victimization and needs of women in the sex trade. While we do not pretend that this solves all the problems, we do believe that this provides incremental change and a world of difference for many women who would have otherwise not gotten access to the comprehensive array of services now on offer.

¹ Retrieved from <http://www.nadcp.org/learn/what-are-drug-courts/history>

² Retrieved from <http://www.ojp.usdoj.gov/BJA/grant/mentalhealth.html>

³ Crimins, Jerry (2012, September 14). State Aims to Assist Offenders. *Chicago Daily Law Bulletin*.

⁴ Kammerer, Mark. Office of the State’s Attorney’s, Cook County, IL (2011, December 7). Memo regarding Impact of RAP on Subsequent Criminal Activity.

⁵ Office of the State’s Attorney, Cook County, IL (2012, July 17). Cook County (countywide) mental health treatment court system.

Prostitution Experiences in Cook County

Prostitution is a misdemeanor in Illinois but can be upgraded to a felony charge if the crime is committed within 1000 feet of a school or if the current offense is in combination or subsequent to any other prostitution-related charge. That means that a person can be charged with felony prostitution at the second offense. Unfortunately in Cook County, there is an alarming number of felony prostitution charges every year. If convicted, then the sentence is 1-3 years in the Illinois Department of Corrections. This forces the women to be separated at long distances from their families. Once their sentence is over, the person still must carry a felony prostitution conviction on their criminal record for at least 4 more years (record sealing is available for prostitution convictions, but is available 4 years after the end of the sentence). Meanwhile, the women would not receive any treatment in prison, nor would they be connected to resources in the community. The revolving door of arrest, incarceration and re-arrest would continue. It seemed clear that a new, alternative response was in order.

The statistics demonstrate a picture that defines a clear need for services among women in the sex trade:

Age of entry

- A 2007 survey¹ of 100 female Chicagoans in the sex trade industry found that the average age of entry into regular involvement in the sex trade was 16.4 years.
- 33% of women surveyed¹ entered the sex trade between the ages of 12 and 15, and 56% entered at ages 16 or younger.

Background

In a study² of 222 women in the prostitution industry, substantial percentages of women surveyed grew up in households with loss of life, separation from caretakers, domestic violence, substance abuse, and prostitution. Consider the following:

- One quarter of the women grew up without a mother in the household and 59% without a father.
- More than 60% of women experienced domestic violence in their household.
- 83% of women grew up in a household with at least one substance abuser.
- 33% of women grew up in a household with someone who regularly exchanged sex for money
- More than 70 % of women had someone suggest they engage in prostitution while they were growing up.

Violence and coercion during the recruitment

The 2007 survey¹ indicates that of those who reported being recruited, 11% were introduced by family members.

- 35% of women surveyed¹ said they were coerced into the sex trade.
- In a 2010 survey³ of 25 ex-pimps, the pimps admitted that they used various deceptive strategies to recruit needy young girls, specifically targeting vulnerable women and runaways.

Homelessness

- The majority of women across almost all activities did not have their own apartment or home, but stayed with friends, family, at shelters, or in motels.²
- Over half of the women ran away from home at least once while growing up.²
- Over half of the women surveyed² in street prostitution and drug houses were homeless while engaged in these activities.

Violence

- High percentages of women surveyed² experienced violence while in the sex trade, including being raped, kicked, threatened with a weapon, punched and slapped.
- Even women engaging in prostitution in their own residences—women many view as being less likely to be victimized—reported frequent violence, including 21% having been raped 10 or more times.²
- Customers were most frequently identified as the perpetrators of violence, across all venues, followed by intimate partners, pimps, police officers, and neighborhood residents.²

Pimping

- Between 41% and 50% of women (depending on the type of prostitution activity) gave money they made in prostitution to someone else².
- 75% to 80% of these women feared being harmed if they stopped.

Substance Abuse

Over 90% of women in both street and off-street activities increased their drug or alcohol usage during prostitution activities².

Health Problems

Large percentages of women currently in the sex trade industry suffer from numerous serious health problems.

- More than half of women surveyed² suffered from headaches or migraines.
- About half had sexually transmitted infections².
- Roughly 22% were HIV positive².
- The women suffered from a mean of 9.85 different health problems².

Arrests and convictions

- Almost 75% of women surveyed had been arrested at least once².
- About half of those who had been arrested said it was prior to age 18².
- There were 741 female prostitution admissions to the Cook County Jail in 2011.
- There were 345 felony prostitution charges in 2011 in Cook County.
- 127 individuals have been admitted to the Illinois Department of Corrections for felony prostitution in 2012 (as of September 27, 2012).
- Roughly 90 percent of the female admissions to IDOC for prostitution between 1989 and 2011 were from Cook County.⁴
- Women released from IDOC with sex offenses (92% prostitution) were the most likely to be rearrested for any offense—78.5% were rearrested for any offense during the follow-up period (from fiscal year 2007).⁴

Attempts to exit

- 64% of women surveyed¹ wanted to leave the sex trade but did not succeed due to drug addiction, fear of violence from their pimps, or having no way to leave—no home, no money, and no one to care for them.
- 36% of ex-pimps surveyed³ said that their girls and women were not allowed to keep any of the money that was made—which caused the women to be less able to leave the sex trade.

¹ Raphael, Jody and Ashley, Jessica (2008). "Domestic sex trafficking of Chicago women and girls" Illinois Criminal Justice Information Authority and DePaul University College of Law.

² Raphael, Jody (2002). "Sisters Speak Out: The lives and needs of prostituted women in Chicago," Center for Impact Research.

³ Raphael, Jody and Myers-Powell, Brenda (2010). "From victims to victimizers: Interviews with 25 ex-pimps in Chicago," DePaul College of Law.

⁴ Olson, David E., Escobar, Gypsy and Stalans, Loretta (2011, October). "An Examination of Admissions, Exits and End-of-the-Year Populations of Adult Female Inmates in the Illinois Department of Corrections, State Fiscal Years 1989 to 2011," Illinois Criminal Justice Information Authority and Loyola University.

Key Recommendations for a Model “Prostitution Court”

The information provided by all of the courts and diversion programs has created a useful learning tool for creating a healthier court environment and positive treatment and service plans for participants in specialized prostitution courts. This information has enabled us to make recommendations for courts considering developing new programs or improvements to efficacy.

The recommendations are not an attempt to restructure or overhaul the court system, which, seeks in part to punish those who have committed crimes. Specialty courts, however, take a different approach in responding to individuals who have committed certain types of crimes. Specialty courts address the underlying reasons that led a person down that path and offering social support and alternatives to incarceration. Prostitution courts are a relatively new form of specialty courts. The more we can learn from each other in these early stages, the greater results the participants will have as they go through these programs, and the more we can do to prevent the revolving door for women in our correctional institutions.

The following recommendations deal with four major areas: the court process, eligibility, available services and safety for participants.

The first set of recommendations highlight the court process.

All court personnel and social service providers involved in the programs should be trained on the dynamics of the sex trade.

Training is crucial to provide appropriate services, but also to ensure the court team and service providers understand how court participants may have been recruited, maintained, and victimized in the sex trade. Trainings should be ongoing, comprehensive, and inclusive of survivor voices, as there is a great deal of re-education that is often needed, personnel involved may change, and the expertise of those directly affected is invaluable to our understanding of what works and what does not. Trainings should include, but not be limited to:

- An overview of current local and national research and statistics on prostitution, including segments on those who are prostituted, those who pimp/traffic/profit from prostituted individuals, those who buy sex, and any other third party individuals or entities involved in the sex trade industry,
- A more in-depth examination of the dynamics of power and control, “grooming”, violence and victimization, how and why individuals enter and how they are maintained in the sex trade, safety issues, etc.
- In-depth look at trauma—what it is, what kind of lifetime experiences of trauma are at high rates with those involved in prostitution, how the impact of trauma may be manifested, post-traumatic stress disorder, necessary professional skills and qualities of those providing services to prostituted people, etc.
- Relevant criminal and civil laws and remedies, including a review of federal and state human trafficking laws and the implications for some participants
- Family impact and reunification issues
- Terms and language currently used in the prostitution industry (i.e. on the street and in other relevant sex trade venues)
- Typical needs of prostitution survivors; best practices and evidence-based models of care for serving those with a history of prostitution
- A survivor account or personal story; focus group or survey results from survivors of the sex trade about what services and solutions work for them, as well as what kind of responses from service providers prevent trust and rapport

Collaboration is key.

In any treatment court or court-affiliated diversion program, there will be many players from many different agencies. Their goals and motivations for participating will vary. It is essential that everyone understand the value of the program or model, as well as the role and value of each stakeholder. A structure should be in place to facilitate collaboration and communication through regular meetings, staffings, phone calls and/or a steering committee.

An advocate from a community-based agency specializing in prostitution/sex trafficking, sexual assault, and/or domestic violence, outside of law enforcement and the court system, should be an integral player in any prostitution court model.

This advocate(s) should be someone with a participant could speak with privately and confidentially. The advocate(s) should be trained and certified with skills in safety planning and victim empowerment. The advocate should be present at every court call and have an opportunity to speak with the participants privately before they see the judge. An advocate is not there to give legal advice, but to ensure that participants fully understand the process, know all of their options and are empowered in their ability to make the best choice in regards to committing to the program.

A representative from an agency that is not affiliated with the court or law enforcement should be present in the court call to assess, identify and offer case management or coordination of referrals and services to the participants in the court programs.

This person should be trained, knowledgeable and connected with community-based service providers in the areas of housing, substance abuse treatment, 12-step and other support groups, trauma-informed, victim-centered counseling, mental health and physical health services, educational and vocational programs, job training services, etc. This provides the participant with access to appropriate services with less fear of criminal consequence and more trust in regards to personal disclosures about needs and issues s/he is facing.

Prosecution, public defenders and those engaged in screening potential participants should be trained to identify human trafficking victims to avoid prosecution of trafficking victims.

When a person is identified, s/he should not be prosecuted but rather offered appropriate services, safety planning, and legal assistance. Minors are considered victims of trafficking if involved in the sex trade under federal and some state law, and should never be prosecuted for prostitution, but instead referred to developmentally appropriate services for trafficking victims.

Translation/interpretation services should be readily available.

Sanctions for non-compliance with the program should be individualized and sensitive to the underlying issues and victimization of participants in the program, rather than applying uniform, punitive measures.

Sanctions are an undeniable part of the criminal justice system; however, an individual's history and trauma need to be taken into consideration when creating sanctions. Relapse should be considered part of the process of recovery. Sanctions for breaching the program plan or conditions should not be greater than what the original sentence would have mandated for the participant and should not serve as a disincentive to participation in the program. Credit should be given for having completed some component or stage of their service plan and for having tried to make a change in their lives. Sanctions can include anything from a letter of remorse to the court to community service to increased correctional supervision, if necessary. Ideally, those involved with the court project should be meeting regularly to identify issues of non-compliance early and address service needs swiftly to avoid more punitive sanctions. Jail time is not recommended, though we realize this is a sanction to which many court systems will subscribe. If jail time is mandated, then the time should be kept short so that it does not disincentive the program by increasing a person's total jail time over and above what her/his jail time would have been without the program.

Rewards should be at least as common in the court as are sanctions, if not more so.

Rewards can include anything from applause, verbal accolades, and certificates of achievement to leadership opportunities, gift cards, and pampering or self-care activities.

Those who successfully complete the court program should have their original charge of prostitution vacated from their record.

This is crucial as an incentive to participate and succeed, as criminal records serve as a barrier to housing, employment, student loans, etc. This may not seem important if the person already has a criminal record, but the psychological and practical value of having the current prostitution charge or conviction dismissed, sealed or expunged is still great. Some states, including Illinois, may have the means to vacate multiple or prior convictions if the person can show that s/he were a victim of sex trafficking at the time of the offense.

Whenever possible, the program should be pre-plea.

Pre-plea court programs offer the opportunity to participate in the program before a person has pled guilty, and if successful, allows the person to have the case dismissed and avoid a criminal record for that offense. This is ideal, as it offers a big incentive to engage in the services and complete the program, and the person avoids having to live with a potential lifetime barrier to employment, housing and education. This also prevents the dilemma of the individual with a prostitution charge having to give up rights and plead guilty (regardless of actual guilt) in order to receive services.

The second area of recommendations focuses on the eligibility of those who are participating in the court program.

Those with both misdemeanor and felony prostitution charges, if applicable, should have access to diversionary programs.

The courts should serve people of all genders and gender identities.

Prostituted individuals are not only women. While many victims tend to be women, there are transgendered individuals and men who are currently being victimized in the sex trade as well. All of these individuals should be able to receive services through the specialty prostitution courts and diversion programs, even through separate programs. The barriers may be similar, but there are unique needs and differences that need be accommodated, and safety of the participants should always be a top concern

Those with violent offenses should not be screened out, but rather considered on a case-by-case basis.

Some individuals presented with prostitution charges may have violent offenses in their background that may be related to their involvement in the sex trade and the use of force, fraud or coercion administered by pimps/traffickers. Many court models and diversion programs may choose to screen out those with violent offenses, but care should be taken to review the type of offense and the surrounding circumstances.

The third set of recommendations focus on the services that are provided to the court participants.

The available services should be trauma-informed, as most participants have experienced significant physical, mental, and sexual trauma, many since childhood.

Trauma-informed care needs to be at the center of all the services to help individuals recover and heal from their experiences. Focus on trauma should not be secondary to other services, but infused into the curriculum of all services. Professionals providing trauma-informed services should be properly screened and trained to ensure provision of client-centered, trauma-informed care. This recommendation also applies to the courtroom experience; courtroom personnel should use a trauma-informed approach as well.

Services need to predominantly be community-based, rather than within the correctional system.

Individuals need to have immediate access to services. Priority of funding should be to make treatment beds and housing available so that nobody has to stay in jail for lack of beds in the community. It is important that the individual spends as little time as possible in custody, which can be traumatizing in itself, to make the treatment and recovery process more successful. However, gender-specific, trauma-informed treatment and services within the jail are important as well.

Comprehensive community-based services should include, but not be limited to, substance abuse treatment, individual and group counseling, emergency and transitional housing, mental health care, medical and dental services, educational assistance, job training and placement, family reunification, legal advocacy and survivor mentorship.

Participants should have access to services in the community and within the courtroom that are culturally competent, reflect their diversity, and cater to specific needs.

It is important to ensure that appropriate resources within the community are accessible to participants.

Some factors to consider include:

- Bilingual and bicultural services for the Latino, Asian, and other immigrant communities
- Safe and appropriate services for individuals that identify as LGBTQ or are gender-nonconforming
- Developmental or cognitive disabilities, including traumatic brain injury
- Severe mental illness and chronic health conditions such as HIV/AIDS

“One-stop shops” are optimal.

Participants should ideally be able to engage in as many services as needed in one setting to meet the greatest number of needs. Engaging with multiple providers in different locations may be unavoidable; therefore, a protocol should be in place to ensure cross-communication, coordination, and seamless transitions between programs.

Service plans should be individualized for each person going through the program.

Individuals coming out of the sex trade may have similar experiences, but all have experienced unique struggles and need to overcome different obstacles. One service plan will not be appropriate for all participants. Services should be gender-specific, culturally competent, bilingual and bicultural, ADA accessible, as well as LGBTQ-friendly.

Survivor mentorship and other peer supports should be available throughout the entire program.

Allowing individuals to connect with survivors of the sex trade who have successfully exited and maintained sobriety for at least two years will provide them with someone who truly understands what they are going through and a form of support that formal service providers are often unable to offer. Graduates from court and diversion programs would be excellent candidates to offer mentorship, if they are willing (incentives like travel reimbursement may be in order). In addition, those who have progressed through a particular court program, but have not yet completed it, should be encouraged to engage in leadership opportunities such as leading meetings and acting as peer support for those who are in earlier stages of the program. This is therapeutic for both parties, builds motivation and self-esteem, and increases a self-sustaining system of support in the community.

Service providers that employ survivors of the sex trade should be utilized and this employment practice should be encouraged.

This includes community-based providers, as well as court-based advocates, case managers, and/or coordinators.

The goal of the case managers and other professionals working with participants should be to help the participants achieve self-sufficiency.

Efforts should be geared toward ensuring the participant has the community and social supports to sustain themselves past program completion. Aftercare services should be made available for follow-up and occasional “check-ins” with participants who have graduated. Referrals for services should also be made available to participants who were unsatisfactorily discharged from the program.

The fourth set of recommendations is about safety for those participating in the courts.

There should be a safe place and time for participants to discuss safety planning with an advocate.

Court protocol should allow participants a chance to privately discuss their safety with court personnel, specifically a confidential victim advocate as described above so precautions and safety planning can take place before the individual is in front of the judge. A police escort should be available to transport participants to the program site if necessary.

The safety of the participant’s home environment and intimate relationships should be considered when making service recommendations.

Many individuals in an abusive or pimping/trafficking situation will not readily admit this information, so care should be taken to look for patterns and indications of such. Evidence-based screening and interviewing techniques should be utilized whenever possible.

Court protocol needs to be put in place to keep those who are not involved in the programs out of the courtroom.

If pimps and other abusers are able to enter the courtroom, then they could introduce a form of coercion and intimidation that may hinder an individual from participating in or completing the program. Also, if the pimp/abuser hears the details of the individual's program, such as where she is staying or when she will be getting out, then this could jeopardize his/her safety. However, this doesn't mean that there shouldn't be an area for family or other loved ones to sit and show support while the participant is in the front of the judge.

The following report includes descriptions of twelve specialty, treatment courts for prostitution, as well as seven other court-affiliated diversion programs for prostitution from throughout the country. For the purposes of this report, diversion is broadly defined as diversion away from the traditional criminal justice response and toward a path out of the sex trade. The descriptions give an overview of each project—how, when, and why they began, what the court model looks like, eligibility of participants, program details, funding, outcomes/success of the program, and greatest challenges. The descriptions are subjective based on information offered by contacts affiliated with the courts, media reports, website information, etc. As stated previously, this is not an exhaustive list, but rather what the report's authors were able to find after much online research and personal interviews.

The twelve "prostitution court" models are distinct from the prostitution diversion programs since the court models have completely separate court calls (i.e. dockets) with designated staff to only hear and address individuals with prostitution offenses during the court call. These treatment court models differ from the court-affiliated diversion programs, which may not rely on any one designated judge and/or the judge(s) may not have a call or docket that is specific to prostitution (they hear a broader range of cases), but they collaborate with other groups to offer specific prostitution diversion services. Like the treatment courts, the diversion programs are worth noting for their focus on addressing the underlying issues that lead to prostitution, but may be more widespread (and under-represented in this report) than the specialty, treatment courts for prostitution offenses.

If there is a "John School"* associated with the court, then information is also provided on that program in the Appendix.

The court projects and diversion programs described in this report are listed here:

Specialty, Treatment Courts for Prostitution

- CATCH Docket in Columbus, Ohio
- GIFT Court in Hennepin County (Minneapolis), Minnesota
- New York City Prostitution Diversion Problem-Solving Courts
 - Midtown Community Court
 - Brooklyn Criminal Court
 - Queens County Criminal Court
 - Bronx Community Solutions
- PRIDE Court in Allegheny County (Pittsburgh), Pennsylvania
- PRIDE Court in Dallas, Texas
- Project Dawn Court in Philadelphia, Pennsylvania
- STAR Court in Dallas, Texas
- Trauma-Informed Probation Court in New Castle County (Wilmington), Delaware
- WIN Court in Las Vegas, Nevada
- WINGS Project in Cook County (Chicago), Illinois

Other Courts Offering Prostitution Diversion

- Misdemeanor prostitution court call with Pillars and Footprints programs, Maybrook Court, Cook County Maywood, IL
- Project Fresh Start in Wayne County (Detroit), Michigan
- Prostitution diversion collaboration with NOW/Life Works Northwest in Portland, Oregon
- Prostitution Diversion Initiative/New Life, Dallas, Texas
- Prostitution Diversion Program in Phoenix, Arizona
- Specialized Pre-trial Diversion Program at the Early Resolution Court in Baltimore, Maryland

Upcoming Prostitution Diversion Project

- Prostitution diversion court project in Washington, D.C.
- THIS PROJECT HAS NOT YET BEGUN

* A "John's School" is an educational and behavioral program for men convicted for their first solicitation offense. A "John" is an individual who solicits sex from an individual engaged in prostitution.

Summary of Findings

There are many common elements, but also a great deal of variety and differentiation, between the 19 respective court projects described in this report. The defining characteristic between all of these court projects lies in the goal of addressing the underlying issues that lead to each participant's prostitution arrest or history. This summary of findings provides an overview of how some of the elements compare and contrast between the different projects. Information that was inconsistently gathered is not included.

Beginnings

- The court projects began either from judicial or prosecutorial initiative, an outcry from a community affected by street-level prostitution, or from the advocate and social service provider community concerned with the way individuals engaged in the sex trade are treated within the criminal justice system. More often than not, there was a combination of these forces precipitating and engaging in the development of any given project.
- The longest running problem solving, treatment courts for prostitution are PRIDE Court in Allegheny County (Pittsburgh) and the Queens County Criminal Court (NYC). They both began in 2004.
- New York's Midtown Community Court began in 1993, but with a different aim. It was not originally set up as a treatment model, but was meant to address the "quality of life" of neighborhood residents and ordered defendants to provide community service and restitution rather than social services.
- The oldest diversion court project is the Prostitution Diversion Program in Phoenix, which piloted in 1997, and was permanent by 2001. Project Fresh Start has also been around for quite some time, beginning in Detroit in 2004.
- The other court projects were developed within the last five years, between 2007 and 2012.

Eligibility

- Most projects include women, men and transgender/gender non-conforming individuals.
- At least 4 projects seemed to only serve biological women, however some of the eligibility information in this area of eligibility is unclear
- Most projects mostly deal with misdemeanor prostitution or prostitution-related charges (or prostitution history). This is due to most states not generally charging prostitution as a felony offense.
- WINGS (Chicago) and STAR (Dallas) Courts only (or predominantly) deal with felonies.
- Many projects cite that previous or current violent offenses are grounds for ineligibility though some say that this issue is dealt with on a case-by-case basis.

Services, Supervision, and Sanctions

- Length of program/supervision varies
- Treatment courts range from 1 to 2 years
- Diversion projects are 90 days to 6 months
- The types of services offered are very common, with an emphasis on substance abuse treatment and trauma counseling
- Some have more or less inpatient treatment or housing options available, and some have more trauma-informed care infused with all aspects of programming.
- While many projects have phases of treatment and services to complete, participants usually have individualized service plans.
- Most, if not all, projects use progressive or graduated sanctions for non-compliance; however some are more likely than others to use a more restrictive setting (i.e. jail or other secure facility, electronic monitoring, etc.).

Funding

- Funding comes from a variety of sources, including federal, state, county, and city level, as well as private foundations and donors.
- At least 2 projects do not have specially-designated funding, but most have full or partial funding.

Successes

Rates of success or program completion are hard to analyze or compare for a variety of reasons:

- Completion rates are not particularly high, but many indicated that this is not the only means by which to measure success.
- Projects use different measures to track and define success or program completion; i.e. does graduation from the program depend on sobriety, lack of re-arrest, and/or completion of certain program phases or conditions of probation.
- Some do not yet have proper methods for tracking or outcome data available.
- Some did not offer outcome information.

Challenges

- Not surprisingly, the most commonly cited challenge was the lack of resources or lack of funding.
- Lack of available treatment beds, lack of appropriate housing or other services, waiting lists, inadequate manpower, etc.
- The second-most commonly cited challenge was the difficulty in dealing with and educating those with negative perceptions about individuals in the sex trade and the value of the program (i.e. services and treatment instead jail time). These negative perceptions can come from neighborhood residents, court personnel or even social service providers.

Problem Solving, Treatment Courts for Prostitution

The following pages cover the 12 specialty, treatment courts for prostitution in the United States. These courts are a new form of “problem solving” or “treatment” courts. Instead of incarcerating individuals with prostitution or prostitution-related offenses (or a history of prostitution) without offering any help, these courts divert individuals into treatment and social services in the community. These courts usually have one judge who has a set calendar day(s) of the month in which s/he presides over only prostitution cases, and has a dedicated, collaborative team who work with the judge and help give recommendations to the court about treatment and referrals.

There is one diversion program covered in this section—Bronx Community Solutions—because of its grouping with the other three specialty courts for prostitution offenses in New York City (while there are three different projects in the Dallas, Texas area that intersect in some respects, the information gathered on each project was full enough to list each separately).

The following courts are covered in the Treatment Courts for Prostitution section of this report, in alphabetical order:

- CATCH Docket in Columbus, Ohio
- GIFT Court in Hennepin County (Minneapolis), Minnesota
- New York City Prostitution Diversion Problem-Solving Courts
 - Midtown Community Court
 - Brooklyn Criminal Court
 - Queens County Criminal Court
 - Bronx Community Solutions
- PRIDE Court in Allegheny County (Pittsburgh), Pennsylvania
- PRIDE Court in Dallas, Texas
- Project Dawn Court in Philadelphia, Pennsylvania
- STAR Court in Dallas, Texas
- Trauma-Informed Probation Court in New Castle County (Wilmington), Delaware
- WIN Court in Las Vegas, Nevada
- WINGS Project in Cook County (Chicago), Illinois

Changing Actions to Change Habits

CATCH Docket in Franklin County (Columbus), Ohio

Presiding: Judge Paul Herbert

Contact: Andrea Boxill; Specialty Docket Coordinator, 614-645-8511, boxill@fcmcclerk.com

Shanequah Gaiter; CATCH Assistance Coordinator, gaiters@fcmcclerk.com

Cicely Murphy; CATCH Community Support Coordinator, murphy@cfcclerk.com

Franklin County Municipal Court in Columbus, Ohio began the Changing Actions to Change Habits court, referred to as the “CATCH Docket,” in September 2009. The CATCH Docket collaborates with community services agencies to serve the mental and physical needs of the clients, who are charged with solicitation and/or prostitution. Andrea Boxill and Judge Paul Herbert created the CATCH Docket. Boxill serves as the Specialty Docket Coordinator with Shanequah Gaiter, the CATCH assistance coordinator, and a CATCH community support coordinator, Cicely Murphy. Ms. Gaiter and Ms. Murphy screen, assess, monitor compliance, facilitate groups and communicate with the clients and their assigned case managers and treatment agencies.

The goals of the program are to:

- To meet the multi-faceted needs of the individuals in prostitution.
- Address the issues of homelessness, substance abuse, mental and physical health care and monetary needs that can lead to involvement in the sex trade.
- Provide support and advocacy without any expectation in return to allow for clients to feel empowered, safe and responsible for their recovery.

Model

CATCH Docket is a two-year program that works to assist and advocate for women facing prostitution charges. CATCH utilizes a community-based trauma informed approach to providing services for the women involved. After arrest, the woman and her attorney must request entry into the CATCH Docket by completing a jury waiver and the entry form. Upon request, the woman will receive an assessment within 72 hours. A licensed professional with the CATCH staff completes a motivational interview and a bio-psycho-social evaluation.

If a woman is accepted, then she returns to court, completes an entry form with her attorney to enter the CATCH Docket and pleads guilty to the charge. The woman will be referred to a treatment program best suited to meet her needs, based on an assessment of her mental and physical health and her issues with substance abuse. She will remain in jail until there is a bed available in her designated treatment program.

- Women are encouraged to attend court every Thursday for Phase I of the program, which is nine months. Although attendance is not mandatory, all clients thus far have chosen to attend each week. Phase II of the program requires bi-weekly attendance. Phase III is once per month. Intensive probation and supervision is essential.
 - Agency providers also attend court
 - The judge is given a detailed report weekly on each woman. This allows the Judge to address issues the client or agency may be having without any triangulation occurring, thus keeping both parties accountable for appropriate care.
 - The judge will recommend what relationships the participants may need to sever due to their unhealthy and often volatile nature, based on the clients’ history.
 - Stay Away Zone: Based on the clients’ history, the Judge determines areas or zones that a client cannot enter based on it being an area that the participant may have formerly solicited.
 - If she ever returns to that area, then she may be written up for a statement of violation from probation, unsuccessfully discharged from the program, and/or required to serve time in jail.
- Men are often questioned by the Judge’s staff when attending the CATCH Docket, as most of the men attending are former “johns,” “tricks” or “dope boys” that have abused and manipulated the client and are coming to discourage participation.

Eligibility

- To be considered for the CATCH Docket, women can have a new charge to which they have not pled or may have a charge they have already pled. The women are eligible even if they are on probation with another judge.
- Only misdemeanor charges can be considered since this is a municipal court.
- The clients must commit to following the procedures and rules of the CATCH Docket, including staying sober throughout the program's duration, submitting to random urine screens, participating in inpatient treatment and not committing new offenses.

Program Details

- Clients are provided services related to homelessness, substance abuse, mental and physical health, economic independence, and individual, group and family counseling throughout the two years. Particular significance is given to trauma and abuse.
- The women will go through 3 different phases throughout the program
 - 1st Phase: Stability, Safety and Compliance
 - 2nd Phase: Making the Connection: Addiction, Trauma and Mental Health
 - 3rd Phase: Sober, Strong and Sustaining
- CATCH Docket works to connect women in the later phases of the program to those in the earlier stage to provide a form of mentorship.

Supervision and Sanctions

- If client violates the rules of the program, then the punishment relates to the broken rule.
 - Ex: If a client drops dirty one week, then they will speak at a DARE class; if a client misses an appointment, then she has to check in daily for a week, etc.
 - The philosophy is sanctioning a client to jail is easy; however, making a client reflect on their act or violation and process it with staff is often difficult in the short-term but more effective in the long term.

Success of the Program

Since this is a two-year program, success rate and sustainability is calculated every 6 months. This is the 3rd year of the program and the second graduation.

- 84 women have been screened for CATCH. Of those, 50 women have accepted to participate with 23 sustaining in the program.
- 43% success rate.
- Two clients have started in the process of regaining custody of their children.
- Three clients have started visitation with their children.
- Average length of sobriety without a new charge per woman is 309 days.
- 100% of the women are in housing as opposed to 13% at entry.
- Two women have completed their GED.
- One former participant and two additional other students have started college.

Greatest Challenges

- Trying to obtain Medicaid and benefits for the clients based upon poverty level or mental health is extremely difficult as many have not had treatment for mental health in over 10 years and have not had employment in over 15 years.
- Contact states that many within the criminal justice system view the CATCH Docket as a “get out of jail free card,” and do not recognize that these women are not only safer in jail than on the streets but they voluntarily agree to sit in jail until a treatment bed is open.
- Treatment beds are at a premium and very difficult to gain access to in less than 90 days, thus eating away at jail time that the judge holds over the defendant's head.

- The public views the women as criminals rather than victims.
- It is very difficult to explain the complexity of these women and their situation: their problems cannot be fixed with one brush stroke.

References

Boxill, Andrea, personal communication, Multiple dates from Sept. 2010 – April 2011

Gaiter, Shanequah, personal communication, August 2012

Glaeden, Carrie E. (2009, Nov 3). In the Franklin County Court Columbus, OH. Franklin County Municipal Court.
Retrieved from

<http://www.fmcclerk.com/localrules/pdf/Adm%20Order%20033009%20CATCH%20Aug%2013%202009.pdf>

Murphy, Cicely, personal communication, January 11, 2012.

GIFT (Gaining Independence for Females in Transition) Court in Minneapolis, Minnesota

Presiding: Judge Charles Porter

Contact: Brian Kopperud, Division Manager, Department of Community Corrections and Rehabilitation, 612-348-5041

The Gaining Independence for Females in Transition (GIFT) probation approach and research project is a collaborative effort involving the Hennepin County District Court, the Minneapolis City Attorney's Office, the Hennepin County Department of Community Corrections and Rehabilitation, P.R.I.D.E. and several community agencies. GIFT was designed through a combination of research on prostitution, best practices for prostituted women and patterned after the Hennepin County Mental Health Court concept. The court, Hennepin County probation office, and PRIDE staff work together to help women exit the sex trade and heal from their abuse. GIFT takes a holistic approach to treating the specific needs of those involved in the program. Each client's unique circumstances and life experiences are taken into account. The goal is to help each participant successfully transition into a new phase of life.

The GIFT Court model began with the help of a local researcher, Dr. Lauren Martin, who was studying the commercial sex trade industry in Minnesota. Probation officers sought a way to make the connection between arrest and probation as a more effective point of entry to services for victims. The Prostitution to Independence, Dignity and Equality (PRIDE) staff had been doing outreach to women of the sex trade in the Hennepin County drug court and jail system since 1995. Along with Dr. Martin, the key players came together in 2007 and were able to launch the GIFT Project in 2009.

Model

- The GIFT Program is a collaborative effort between Hennepin County Department of Community's Corrections and Rehabilitation, Hennepin County District Court, the Minneapolis City Attorney's Office, the PRIDE Program of Family Partnership, and several other community programs.
- The goal of GIFT is to reduce prostitution in the city of Minneapolis by addressing the life circumstances of those involved.
- GIFT provides intentional service delivery to address criminogenic risk with a gender-responsive empowerment approach.
- Participants are required to appear at regular judicial reviews to monitor progress. All those in the program will receive therapy within a group setting offered by the PRIDE Program.
- GIFT participants can have access to job training, health treatment, chemical dependency services, sober housing, and other forms of housing based on an individual assessment.
- The GIFT program and supervision lasts for one year if the woman is arrested for misdemeanor prostitution, and lasts for two years if she is arrested for gross misdemeanor prostitution.
 - Prostitution is not frequently charged at the felony level in Minnesota.
- Research and evaluation are integral components of this project.
- GIFT calendar in the Hennepin County District Court is held on the last two Tuesdays of every month beginning at 8:30am.

Eligibility

- Women arrested for a gross or misdemeanor prostitution offense and charged by the city of Minneapolis.
- Women with 0-3 prior prostitution convictions.
- Cannot have an open felony probation case in Hennepin County.
- Females who identify as male are eligible; however, males who identify as female are not eligible.

*PRIDE is currently working on a grant that will set up a program specifically for males who identify as females within the sex trade industry. PRIDE staff feel that these individuals are victimized differently and face different issues than females who identify as males and must work through separate struggles for a full recovery.

Program Details

GIFT takes a holistic and individualized approach used by all system players to provide continuous supervision for participants. Through supportive therapeutic relationships, GIFT employs gender-specific interventions and utilizes an intentional service delivery model to address the issues that can prevent participants' ability to successfully rehabilitate. In addition to individual probation conditions, the following program components may be asked of participants in the GIFT Program:

- Participate in judicial reviews with Judge Charles Porter to monitor progress.
- Successfully complete 16 group sessions at PRIDE (or similar agency).
- No use of alcohol or illegal substances.
- Take all medications as prescribed.
- Submit to random urinalysis and breathalyzers as requested.
- Complete a chemical health evaluation and follow any recommendations.
- Maintain contact with supervising agent as directed.
- Participate in mental health therapy if there is some indication of mental illness.
- Have zero contact with specified places.
- Sign all releases of information for supervising agent.
- No new charges (supported by probable cause).

Supervision and Sanctions

- GIFT operates using a strengths-based empowerment approach. Progress is monitored during regular judicial review.
- If a woman does not follow the court recommendations for her recovery, then the judge will decide on the appropriate response based on her own situation. GIFT uses the least restrictive option for gaining compliance.
- For example: if she misses a group session, then she will have to meet with the judge. If her original sentence is 120 days in jail, then the judge may have her spend 30 days in jail and start her program over upon release.
- Violation guidelines employ a graduated sanction system and are detailed below. Unaddressed mental health issues may mitigate recommendations.
 - Use judicial reviews to restructure, add court conditions, and monitor engagement in program services;
 - Impose 10-60 days incarceration based on the participant's criminal history. If an indication of drug use continues, then use an in-custody chemical health evaluation with possible furlough to treatment if recommended;
 - Impose 30, 60, 90 days with an assessment at the county jail and possibly furlough to treatment or mental health therapy. Option to execute the sentence is based on the violation and the participant's criminal history;
 - Executing remainder of stayed time. Unaddressed mental health issues may mitigate this recommendation.

Funding

- The Courts, probation, and City Attorney conducts GIFT as part of their operations.
- A small contract from Hennepin County is extended to Dr. Lauren Martin, a research consultant on the project.
- The major funding for PRIDE's critical role in GIFT comes from United Way and Crime Victims Services with a small portion of money coming from individual donors and Hennepin County grants.

Success of the Program

- 90 women have started the program as of August 2012.
- Women that have completed the GIFT program thus far have a 5% one-year recidivism rate, and show a decrease in criminogenic risk as measured by the Levels of Service Inventory-Revised (LSI-R).
- Some of the women have gone on to receive college degrees while others have become permanent staff members for PRIDE.
- Dr. Lauren Martin (GIFT research consultant) and Julie Rud (Hennepin County GIFT researcher) are currently collecting data to determine if GIFT successfully reduces recidivism of participants when compared to historical groups.

Greatest Challenges

- Staff turnover during the project.
- Perceptions of the women and their charged offense.
- Working with the community who are concerned about ongoing criminal activity in their neighborhoods.
- All of the housing and health care for the victims must be paid for through the victims' own government assistance and Medicaid plans. It can be difficult to access the healthiest housing environments possible and help the workers in a fragmented government system understand what those environments look like.

References:

Martin, Lauren, personal communication, April 5, 2011, January 2012, August 2012

Roller, Artika, personal communication, multiple dates from October 2010 - April 2011

The New York City Prostitution Diversion Problem-Solving Courts

Contact: Liberty Aldrich, Director, Domestic Violence & Family Court Programs, Center for Court Innovation, aldrichl@courtinnovation.org

Important note: Center for Court Innovation offers a variety of technical assistance to jurisdictions interested in developing prostitution diversion programs, and is able to host site visits at prostitution diversion courts. For more information about planning and implementing a prostitution diversion court contact the Center for Court Innovation at expertassistance@courtinnovation.org or 646-386-3100.

New York City has several courts that offer assessment, court monitoring, and supportive services for individuals with prostitution offenses.

There are four courts that address prostitution charges within New York City.

- Midtown Community Court
- Brooklyn Criminal Court
- Queens County Criminal Court
- Bronx Community Solutions

These courts work with individuals facing misdemeanor prostitution charges. They strive to keep the individuals from re-entering the sex trade through community service and/or providing services that address specific needs.

The main differences between these courts are the services provided by each court, as well as different collaboration structures between court stakeholders. In Queens, for example, the ADA plays a large role in directing defendants toward specific service providers while in other courts different court staff or a Resource Coordinator plays that role. The compliance reviews may differ as well, with one court having more strict requirements than another, though this is not necessarily a distinguishing factor.

Model

All of the courts work closely with the Center for Court Innovation as they continue to find alternatives to incarceration for individuals facing misdemeanor prostitution charges.

- Representatives from local service providers work closely with each court. Service providers are chosen based on their specializations and relevance to the population being charged. For example, girls under the age of 24 might participate in GEMS (Girls Educational and Mentoring Services), a program that works with girls and young women ages 12–24, who have experienced commercial sexual exploitation and domestic trafficking. Other providers have specific language expertise or other cultural competency like the New York Asian Women's Center.
- Each court, excluding Bronx Community Solutions, have separate court calls for prostitution charges.
- Each court, excluding Bronx Community Solutions, is assigned a specific judge and defense attorney.
 - Bronx Community Solutions sees multiple kinds of cases with several different judges. There is no separation of prostitution from other low-level misdemeanor crimes.
- Intervention occurs post-arraignment, except at Midtown where it occurs at both pre and post-disposition, as well as on a voluntary basis.
- The resource coordinators generally work with the participants to identify and find an alternative to a jail sentence.
- In some cases, the defendant must plead guilty to their charge to receive a suspended sentence. In other cases, defendants can be offered an adjournment in contemplation of dismissal (ACD) or condition of release based on completion of the program mandate.
- The judge will recommend specific services and programs for each individual to participate.

Eligibility

- Misdemeanor prostitution charge, although Midtown broadly serves those with a history of prostitution.

Midtown Community Court

Contact: Courtney Bryan, Project Director, Midtown Community Court, cbryan@courts.state.ny.us

The Midtown Community Court (MCC) began in 1993 to deal with low-level “quality of life” crimes (prostitution, graffiti, shoplifting, etc) in the Times Square area. This court emphasizes community service and restitution to the community and residents.

It operates as a partnership between the New York State Unified Court System and the Center for Court Innovation. It has a Community Advisory Board that:

- Keeps court abreast of quality-of-life problems in community.
- Identifies community service projects to address these problems.
- Assists in planning and provides feedback about the court.

According to the Center for Court Innovation website (<http://www.courtinnovation.org/project/midtown-community-court>), Midtown Community Court seeks to achieve the following:

- Make justice visible—defendants wear bright blue vests while engaging in community service.
 - Also see Community Advisory Board, described above.
- Make justice swift—defendants often begin their sentences within 24 hours of appearing before the judge.
- Offer social services—the Court uses arrest as a gateway to treatment, engaging defendants in on-site drug and mental health treatment, and job training.
- Provide better information— a special computer application provides the judge with tools to help craft individualized sanctions for each offender and monitor compliance; police officers have access to regular feedback about the outcomes of their arrests.

MCC staff began to recognize that those arrested for prostitution had a myriad of social service needs, including substance abuse treatment, mental health counseling, housing, and employment services. Over 80% of the women arrested for prostitution in Manhattan report some form of victimization.

MCC began in 2009 to develop an alternative to jail program for defendants with prostitution charges. They use trauma-informed, evidence-based interventions to address the different forms of violence that defendants have experienced.

Model

In general, MCC is only for individuals willing to enter a guilty plea and individuals looking to fight the charge are sent to another judge. With prostitution charges, the judge can do bench trials if the individual wishes to plead not guilty. Participation in services results in decreased criminal penalty.

- The individual pleads guilty to her charge of prostitution and is given an alternative sentence.
- First time offenders can get an adjournment in contemplation of dismissal. In these instances, the case will be adjourned while the person completes the court-mandated services, with the assumption that if they complete and comply with any other conditions the case will be dismissed. Court mandates in these cases are post-disposition but not necessarily post-plea.
- As a condition of the alternative sentence, the defendant must participate in the recommended services and programs set by her judge.
 - The Resource Coordinator is responsible for matching defendants with drug treatment, social services and community service.
 - A women’s specialist is on site to provide support through a partnership with STEPS to End Family Violence, a community-based organization that provides holistic services to victims of gender-based violence.
 - Staff reviews cases weekly.
- The court’s prostitution calendar is every Tuesday afternoon.

Eligibility

For the prostitution court calls:

- Must be over the age of 21. Defendants under the age of 21 are sent directly to GEMS in most cases.
- Anyone with a prostitution charge (misdemeanors only), or those with a history of prostitution.
- There is specialized programming for domestic and international women, men and transgender women and gender non-conforming defendants.

Program Details

Midtown Community Court's prostitution diversion programming was developed in 2009 to respond to the trauma experienced by many individuals engaged in prostitution.

- Programs have a psycho-educational, evidence-based, trauma-informed approach and are tailored to specific populations and their unique needs.
- Case managers and women's specialists are in the court assisting with client screenings, identification of histories of trafficking and other trauma, and connecting with the appropriate social service agencies.
- Each client is thoroughly assessed using a psychosocial evaluation designed for different experiences of prostitution and types of trauma or victimization.
- Subsequent programming includes permutations of therapeutic group and individual sessions that address past and ongoing violence and look to explore and meet concrete needs, e.g. benefits, ID, housing, shelter, legal advocacy, etc.
- Participants receive relevant referrals and follow-up as necessary, as well as invitations to continue working voluntarily with staff for as long as desired.
- There are multiple different interventions, some run by CCI and some referrals, each designed for a specific sub-population:
 - WISE (English-speaking women)
 - HEM (men)
 - NYAWC (Chinese and Korean-speaking women)
 - GEMS (young women)
 - Transiciones (Spanish-speaking transgender women)
 - Transwomen Empowerment (English-speaking transgender women)
 - Individual counseling sessions
- A dedicated public defender represents all defendants charged with prostitution and clients identified as trafficking victims assists with:
 - Vacating prior convictions
 - Assisting immigrant women obtain T visas.
- STEPS to End Family Violence, a program traditionally for women who defended themselves against their batterer, is an on-site service provider.

Designed by MCC staff, the Women's Independence, Safety, and Empowerment (WISE) program is a multi-session therapeutic group facilitated by the STEPS advocate. Topics include:

- Orientation and stereotype
- Safety
- Trauma and affect regulation/Relaxation techniques
- Arts education
- Felling identification
- Legal issues
- Financial literacy
- Cognitive restructuring
- Healthy relationships and setting boundaries

Other social services referrals include:

- Drug and alcohol treatment
- Mental health counseling
- Job training
- Housing assistance
- Trauma-focused counseling

Supervision and Sanctions

- Staff reviews cases weekly, and receives reports from partner agencies so issues of non-compliance can be addressed quickly.
- Non-compliance with the judge's mandate leads to graduated sanctions. Sanctions can include adding services, increasing frequency of court visits, or, ultimately, jail time.

Funding

- During the court's pilot period funding came from a mix of sources: federal and local government, foundations, and corporations.

Success of the Program

- 87% compliance for community service [all programs not just prostitution] compared to 50% at the downtown criminal courts.
 - Same-day or next-day community service assignments have increased scheduling and participation in community service
- Prostitution-specific successes:
 - Prostitution arrests have dropped 56%
 - Several individuals reported cutting their hours in prostitution because of the difficulty of managing multiple community service work assignments (after multiple arrests)

Greatest Challenges

- According to MCC staff, traditional criminal justice measurements of success, such as recidivism rates or quick exit from the sex trade, are not as applicable for short-term interventions. Moreover, they can produce iatrogenic consequences of increased failure. Instead, staff works to:
 - Voluntarily engage clients in services after their mandates are completed
 - Make referrals to support services as needed
 - Connect clients with long-term trauma-focused counseling
 - Provide support planning for leaving prostitution, pimps, or other perpetrators
- Insufficient resources provided to allow defendants to change their lives.

Brooklyn Criminal Court

The main focus of this court is to get women the services needed and into programs that are trauma-based and will assist in their recovery process. The defense attorney plays a major role in advocating for the needs of the women. Judge Betty Williams presides over the prostitution court calls.

There are two separate programs that the women work with directly. The STAR program focuses on young girls in the sex trade. The EPIC program works with women as they attempt to recover and heal.

Queens County Criminal Court

The Queens County Prostitution Diversion Court began operating in September 2004 under the leadership of Judge Fernando Camacho. Judge Camacho was seeing a revolving door of prostituted women and girls, who were struggling to get out of the life. This court began before the STARS model was developed and used pre-existing community-based programs to provide necessary services for the women. The Queens court calls for prostitution charges occur on Friday mornings and is now led by Judge Toko Serita.

The Queens Criminal Court takes a very comprehensive and collaborative approach in responding to those facing prostitution charges, involving the DA, defense, service providers, and court staff. Judge Toko Serita and the dedicated prosecutor and defense attorneys work very closely with GEMS, SAVI (Sexual Assault and Violence Intervention), and the New York Asian Women's Center. The court works to provide services related to substance abuse, inpatient mental health care, LGBTQ specific needs, and programs for victims of international sex trafficking.

Bronx Criminal Court

Contact: Maria Almonte, Project Director, Bronx Community Solutions, almontem@courttinnovation.org

The Bronx Community Solutions (BCS) is unique in the four New York borough courts. This is the only court that does not have a separate court call for prostitution charges. These prostitution charges are not separated from other low-level misdemeanor offenses. While there is not an assigned judge or defense attorney for women facing these charges, there is deliberate effort to try to have all the cases come before the same judge and district attorney to provide some consistency and accountability.

Bronx Community Solutions has several alternatives to incarceration programs located in Bronx Criminal Court. The Services to Access Resources and Safety (S.T.A.R.S.) program is a specialized alternative to the BCS prostitution initiative. This initiative screens women who are charged with prostitution-related offenses for domestic or sexual victimization so they may receive appropriate services through their social service sentence. The program provides the courts with meaningful alternatives to jail for those arrested for prostitution. The program also provides defendants with the supervision and support they need to successfully complete their mandates, and most importantly, lead productive, crime-free lives.

Bronx Community Solutions draws from five police precincts in the Bronx with the highest rates of prostitution.

Model and Program Details

The collaborative nature of the S.T.A.R.S. program is key to addressing the complex and multi-layered challenges of the arrested girls/women served in the prostitution diversion initiative at Bronx Community Solutions (BCS).

- Issues include trafficking concerns, extensive trauma, physical, emotional, and psychological abuse, substance abuse, shelter, and educational and vocational opportunities.
- The program includes a specialized S.T.A.R.S. case manager and a clinical social worker. They work with court players in providing recommendations for court mandates.
- Project services are court-based, for ease of access and continuity. This means that clients can go right to their

intake/assessment from arraignments and that they are able to be present during each step of the process – pre-arraignment, arraignment, and service provision.

- S.T.A.R.S. provides individual, trauma-focused counseling sessions, targeted referrals and follow-up, plus court advocacy if/when needed. This program has been successful in engaging clients in services they otherwise would not have had access. These services include long-term counseling and drug rehab programs.
- Sanctuary for Families, a BCS partner, helps victims and their children build safe lives by offering a range of high-quality services to meet their complex needs. These services include clinical, legal, shelter, children’s and economic stability services.
- BCS also works with several precincts in the Bronx who have a high rate of prostitution within the community. BCS staff conducts prostitution outreach shifts to reach the most vulnerable of this population. Accompanied by a helpful police lieutenant from the local precinct, BCS staff does mobile outreach in the middle of the night in areas that are known to be hot spots of prostitution activity. The staff introduces themselves to individuals engaged in prostitution and attempts to connect with them in a non-punitive context.
- The above-noted partnerships and staffing has increased the range of services Bronx Community Solutions can provide for women who are charged with prostitution-related offenses and increases the alternative sentencing options available.

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PRIDE Court in Allegheny County, Pennsylvania

Presiding: Judge Kevin Sakinoski

Contact: Johnna Zacharias; Director of Services, 412-431-3363, jzacharias@crchealth.com

PRIDE (Positive Recovery Intensive Diversion Experience) Court is a treatment court for prostitution offenses. Allegheny County, which includes the city of Pittsburgh, is home to the (seemingly) longest running problem-solving court devoted specifically to prostitution. Since December 20, 2004, the PRIDE Court has used comprehensive social services, substance abuse programming, and mandatory work or school participation to help over 300 individuals with multiple prostitution offenses.

Johnna Zacharias, Director of Services, and a local police officer developed the idea for PRIDE Court after hearing a presentation by Norma Hotaling of SAGE in San Francisco. The PRIDE program services are modeled after SAGE programming. The John School associated with PRIDE began in 2001 and the court services began December 20, 2004.

Judge Kevin Sakinoski presides over the court and he has been specifically trained to understand the court population. The aim of the court is to address the underlying problems faced by individuals in prostitution.

Model

PRIDE Court is held every other Monday and is a holistic program based upon a trauma-informed model. The participants are introduced to the program during the lock-up. Ms. Zacharias speaks with women before their first court hearing. The district attorney looks through all court reports to perform the initial screening.

Individuals who chose to participate in the program report to the PRIDE program at noon on Thursday for orientation and a 2-hour group session. If individuals do not report by the following Thursday, then an arrest warrant is issued. Individuals must successfully complete three goals in order to leave the program:

- Successful completion of drug and alcohol treatment (intensity varies by individual).
- Completion of once-weekly treatment programs.
- Participation in employment or education services.

Eligibility

- Anyone with a current prostitution charge (women, men and transgendered individuals).
- No violent offenses, though exceptions are made depending on type of offense or how long ago the offense occurred.
- If severe mental health issues are present, then the person may not be suitable for program.

Program Details

The PRIDE program lasts one year with all the resources centered at the office. Judge Sakinoski is very involved, and conducts regular program visits and shows a willingness to modify the program and services as needed. The district attorney, police, adult probation officer and other court personnel are all involved in the treatment program.

Individuals involved in the program are given access to a variety of services. Some examples of these services include:

- Drug and alcohol assessment and treatment on site, at varying levels (detox, inpatient rehabilitation, 28 day program, dual diagnosis program).
- Once-weekly programs on Thursdays.
 - Educational Groups (provided by PRIDE and partner organizations)
 - Healthy relationships
 - Fact vs. fiction regarding prostitution
 - Nutrition session
 - Parenting session (including how to parent while in recovery)
 - Advocacy assistance; issues of foster care, housing, utilities, etc.

- Mental Health Services.
 - On-site psychiatric assistance with a psychiatrist
 - Individual and group counseling
- Health Services.
 - STD education and testing
 - HIV and Hepatitis C education
 - Free gynecological care
 - Volunteer medical professionals teach once a month women's health series
 - Debunking myths about women's health (how you get cancer; how to perform breast exams)
 - Answering health questions
 - Mammograms and pap tests
- Employment assistance through workforce development programs.
 - Assistance in finding work with a criminal record, interviewing, explaining resume blanks, filling job applications
 - On site employment specialist from the YMCA, once a month
- Education assistance
 - Local GED training center
 - Vocational rehabilitation program—can offer cosmetology school training, college career assessments, etc., funded through state's Office of Vocational Rehabilitation
- Housing assistance
 - Connect to HUD-funded programs—HUD programs can sometimes take 6 months to a year to make contact
 - Connect to “Penn-Free Programs”—Based on sobriety, length of time and amount of assistance varies due to ever-changing funding

Supervision and Sanctions

Individuals participating in the PRIDE program are subject to intense supervision. Each participant is assigned one probation officer for the duration of the program. The probation officer participates in the program, which generally results in participants being more willing to engage with the probation officer rather than being fearful of him/her. PRIDE views the probation officer as another resource to assist participants.

- Program Expectations:
 - Curfew of 8 am-8pm
 - Enforced by non-electronic monitoring
 - P.O. or Director can call them at any point during the day
 - 24/7 drug testing [author could not verify what this means]
 - Participants have until 5 pm next business day to provide urine sample
 - Too many positive drug results can result in jail sanctions

Individuals who are sentenced to the PRIDE program but do not participate, or who break the program rules, are subject to a series of graduated sanctions.

- Individuals who are sentenced to the program but do not show up have an arrest warrant issued.
 - Reasons for not appearing can include transience, substance abuse, and/or trying to find partner/significant other.
- Every week, 10 to 15 women are in court for review hearings.
 - Review progress or rule violations
 - Graduated sanctions for rule violations: 1st sanction is 10 days in jail, 2nd time is 20 days, 3rd time is 30 days.
 - Reasons for sanctions could include: breaking curfew, drug usage, etc.
- There is an alternative incarceration facility (community release center) if court deems it necessary to revoke probation. The women are sentenced to complete the program. They sleep at the release center at night and come to PRIDE program during the day.

Funding

- John school program (see Appendix).
 - \$347.50 fee paid by each participant, which directly funds PRIDE program
- Various fundraising activities pay for expenses like bus passes and treatment costs that are not covered by John school funds.

John School

- See Appendix

Success of the Program

According to Zacharias, most participants come against their will in the beginning and start to relax as time progresses.

- Since the program's inception (through 7/25/10), 446 individuals have been sentenced and referred to the program, 311 individuals have received services (about 70%).
 - 79 graduates total (10 in 2010), or about 25% of those that receive services
 - These numbers don't reflect those still currently active in the program
- Upon graduation, participants receive a bracelet with a butterfly charm (the program's symbol).
- Rate of recidivism: only 5 (of the 79 graduates) are known to be re-arrested for prostitution in Allegheny County since its inception. This doesn't include arrests for other charges, or for other counties. Some may have gone back to prostitution, but those numbers may not be available for a few reasons:
 - Population is transient
 - Accelerated Disposition Program—arrested, lodged in jail and in court within 72 hours
 - Local magistrates—cases can get dismissed at this level

Greatest Challenges

- Housing is the biggest challenge—the program would like to have an on-site housing program with supportive services; the participants would get a subsidy for first 2-3 months and security deposit, with participants gradually paying more of rent.
- Keeping track of population after completion and recidivism rates.
- Ensuring social service providers understand the population involved in prostitution.

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PRIDE Court in Dallas, Texas

Presiding: Judge Peggy Hoffman

Contact: Judge Peggy Hoffman, 214-653-5680, phoffman@dallascounty.org

PRIDE (Positive Recovery Intensive Diversion Experience) Court is a treatment court for prostitution offenses in Dallas County. PRIDE Court began in January 2009 as a pilot program and officially started in 2010 when the court was able to hire a full time case manager and counselor. The court works with individuals facing a misdemeanor prostitution charge and with first time felony defendants as the District Attorney's Office agreed to file these cases as misdemeanors. PRIDE court was developed to address the underlying issues that lead individuals to enter and remain in prostitution such as substance abuse, mental health and past traumas.

The PRIDE Court is an evolving court. The court team has quarterly operational meetings to assess what is and is not working. The team believes it is important to learn from their experiences and mistakes to better assist the women.

The court was created to work in conjunction with the Dallas Police Department's Prostitution Diversion Initiative. The court meets every Thursday afternoon with Judge Peggy Hoffman presiding.

Model

- PRIDE Court is a pretrial diversion court, which follows the National Association of Drug Court Professionals' drug court model.
- The court team consists of public defenders, the district attorney, case manager, counselor, service providers and Judge Hoffman.
- Participants are referred to PRIDE Court through the Prostitution Diversion Initiative, but the majority of the defendants enter from jail after being arrested for prostitution.
- The counselor and case manager receive daily reports of who has been charged. After these individuals are evaluated for initial eligibility, the list of potential participants is given to the District Attorney to do a National Crime Information Center (NCIC) background check to ensure they are objectively eligible.
- Once participants are found eligible, they are brought to PRIDE Court and screened by the case manager or counselor for willingness to enter the program and for substance abuse.
- PRIDE Court is voluntary, so if individuals agree to participate in the program the defense attorney reviews the program with them and a Personal Recognizance (PR) bond is signed.
- The misdemeanor charge is dropped upon completion of the program. (Rephrase: Completion of the program is rewarded by having the misdemeanor charge dropped.)

Eligibility

- Women, men and transgendered individuals are all eligible.
- Participants must be facing a misdemeanor prostitution charge or a first-time felony prostitution charge.
- The person cannot have violent offenses in their background.
- The person cannot currently be on probation or parole.
- Participants cannot have any pending felony charges.
- Participants must score at least 75 out of 100 on the Willingness to Change tool (the Willingness to Change tool is a document with 10 questions that gauges an individual's willingness to make efforts to change and fully participate in the program).
- Participants must be willing to abide by PRIDE Court rules.

Program Details

The goal of the PRIDE Court is to help prostituted individuals become sober, obtain housing, become employed, return to school, and reunite with family. This goal is obtained through individuals participating in the 6 different phases of the program. The program is highly individualized for each participant and will typically take 12 months to complete.

- Phase I: Inpatient Treatment/Stabilization (0-2 months in program)
 - Participants go to inpatient substance abuse treatment
 - They report to court every Friday
 - Obtain any necessary medication
 - Address issues of safety
 - Take urine tests
- Phase II: Transitional Housing/Outpatient Treatment (2-4 months in program)
 - Participant spends 60 days in one of the several different houses provided by the PRIDE Court team
 - Intensive and supportive outpatient therapy begins with the inpatient treatment provider
 - Report to court every Friday and to case manager once a week
 - Attend individual counseling once a week with the court counselor and attend weekly group sessions
 - Attend any necessary AA and NA meetings and meet with sponsor
 - Begin job search, education, reuniting with family
 - Obtain ID and other official documentation
 - Take urine tests
- Phase III: Independent Living (4-9 months in program)
 - Participants will obtain individual housing through service providers or return to family home when appropriate
 - Obtain employment
 - Obtain GED and other education
 - Reunite with children
 - Continue any necessary AA and NA meetings and continue to contact sponsor
 - Report to court every Friday
 - Report to case manager once a week
 - Attend individual counseling once a week and group counseling once a week
 - Have weekly and random urine tests
- Phase IV: Graduation Phase (9-12 months in program)
 - Report to court every other Friday
 - Report to case manager every other week
 - Attend individual counseling every other week
 - Attend aftercare groups with court counselor once a week
 - Maintain sobriety
 - Remain in stable housing
 - Remain in stable employment
 - Random urine tests
- Phase V: Graduation
 - Participants will have spent a minimum of one year in the program
 - Successfully complete all counseling
 - Be employed or in school
 - Be living independently
- Phase VI: Alumni Group
 - Voluntarily attend court
 - Mentor active participants
 - Attend holiday gatherings

Supervision and Sanctions

The PRIDE Court is able to provide a variety of rewards and sanctions to the participants. Each team member has input on the rewards and sanctions given to participants.

- Rewards are typically given for completing inpatient care, remaining sober for 100 days, completing transitional living, and through the PRIDE Court Point System.
 - In the Point System, participants receive 1 point each week for complete compliance and 1 extra point is given each week to a participant who worked extra hard. 6 points will get a participant a reward.
 - Participants can receive a wide range of rewards from a PRIDE Court t-shirt after 100 days of sobriety, gift cards, bus passes, makeup, and praise or applause from team and other participants.
- Participants can potentially receive sanctions for having a positive urine test, missing meetings, continuous tardiness to meetings, disrespecting others, disregarding transitional house rules, lying, failing to seek employment and/or education, or absconding from the program.
 - Sanctions are given progressively through essays, community service and jail time.
 - Other sanctions can include attending more AA/NA meetings, electronic monitoring, having to repeat a phase, behavior contracts with housing and/or PRIDE Court and termination from the program.
- If a participant absconds from the program, then a warrant is issued for her arrest and the program case remains active for 30 days. If s/he is rearrested and still wants to be in the program, or if s/he voluntarily returns without an arrest, then the court team will decide whether or not to readmit her.

Funding

- The court is funded through a 3 year, \$350,000 implementation grant through Bureau of Justice Grant that pays for a counselor, case manager, training, supplies and limited housing.

Success of the Program

- The first graduation was held in May 2010 with 2 graduates.
- At last contact in 2011, 8 participants were expected to graduate in 2011.

Greatest Challenges

- It is difficult to provide sufficient funding for housing.
- Enticing defendants to enter and remain in program is a challenge as jail time can be easier on misdemeanor cases.

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Project Dawn Court in Philadelphia, Pennsylvania

Presiding: President Judge Marsha Neifeld

Contact: Mary DeFusco, mdefusco@philadefender.org

Leshia Sanders, (215) 683-1584, Leshia.Sanders@courts.phila.gov

The Project Dawn Court (PDC) is a problem solving court in Philadelphia, Pennsylvania geared towards addressing female survivors of Commercial Sexual Exploitation (CSE). The Project Dawn Court began in late January 2010 with 10 women. PDC is committed to providing treatment for these women that targets the underlying psychological trauma that leads to a life of prostitution. Participants do remain within the criminal justice system; however, women are not treated as hardened criminals, nor stigmatized as “prostitutes.” By acknowledging and treating these women as survivors of rape, sexual assault and child abuse, then they can obtain the services they need to move beyond this part of their life.

PDC operates under the auspices of the Philadelphia Municipal Court, which is headed by the Honorable Marsha H Neifeld, who also presides over this court.

In May 2012, under the supervision of Judge Neifeld, an enhanced version of the Project Dawn Court began operations based upon the procedures and policies of the nationally renowned Philadelphia Treatment Court. The twin goals were to decrease the number of people in Philadelphia county jails and reduce the recidivism of this population of women.

PDC will be held twice a month beginning in November 2012.

Model

- The Project Dawn Court is heavily rooted in trauma treatment and recovery since it collaborates with community-based services to help the women.
- Members of the Philadelphia Municipal Court, Philadelphia County District Attorney, the Office of Adult Probation and the Defenders Association collaborate to consider and refer women already incarcerated on prostitution and prostitution-related offenses.
- Women who participate in the program sign a contract that bypasses the normal pathways of Philadelphia’s criminal justice system and instead commits them to this problem solving court.
 - If the defendant agrees and the Assistant District Attorney does not object, then the defendant will come into PDC by entering a nolo contendere (no contest) plea before the PDC Judge. All existing probation and/or paroles will be terminated at that time. The PDC Judge will accept the plea, hold the verdict under advisement, and place the defendant on PDC probation without verdict for one year.
 - Entry into PDC does not constitute a conviction for any purpose unless the PDC Judge enters a verdict of guilt upon termination of the program.
 - The PDC nolo contendere plea colloquy thoroughly outlines the legal consequences facing the women who enter PDC. The consequence could be several years of incarceration and fines.
 - If the defendant completes the program successfully, then charges are dropped. After one year with a clean record, there is also the possibility of record expungement.
- Women are assigned to a trained parole officer who specializes in dealing with issues of CSE.

Eligibility

Defendants will only be accepted to the Project Dawn Court, after an eligibility review. The defendants must meet these initial conditions to be considered for participation:

- Must have an open case of prostitution or a prostitution related offense.
- No convictions for murder, manslaughter, aggravated assault, kidnapping, rape, involuntary deviate sexual intercourse, arson, possession of an instrument of crime, robbery, or gun charges. Only defendants charged with non-violent offenses will be considered unless an exception is expressly made by the District Attorney’s Office.
- At least three prior cases of prostitution or charges related to prostitution (e.g. obstruction of highway).
- Meets the clinical criteria necessary for substance abuse and/or mental health treatment as established by the

Pennsylvania's Client Placement Criteria for Adults, Mini Mental State Exam or other official screening measure (e.g. psychiatric assessment).

- Philadelphia County resident or homeless in Philadelphia.
- Medicaid eligible.
- Agrees to comply with the program and probations rules and regulations.

Program Details

The program is based on each individual's needs and past experiences. The women receive behavioral health evaluations and are placed in community programs tailored to their needs. The participants will go through each phase of the program at their own speed to foster a successful healing and recovery process. Women can complete this program in a year; however, some may need more time to graduate due to the individualized nature of the program and the fact that phases may be restarted. The crux of this program is enrollment in weekly outpatient group therapy sessions.

The Pennsylvania Client Placement Criteria (PCPC) summary sheet prescribes the appropriate treatment modality from the following four levels: outpatient, intensive outpatient, short-term residential and long-term residential. Outpatient treatment consists of no more than five hours of group and individual treatment sessions per week. Intensive outpatient treatment consists of no more than ten hours of group and individual treatment sessions per week. Short and long-term residential treatment provide the most intensive level of care; the defendant resides twenty-four hours a day, seven days a week, in a clinically-driven community with clinical services on site.

PDC involves a 4-phase program. The phases are 30 days, 90 days, 100 days, and 125 days, respectively. The women must complete each phase before moving to the next phase. Phases must be restarted if individuals violate expectations. Women receive a certificate and group recognition for completing each new phase. Throughout all the phases, women continue probation at intervals that are designated by the probation officer and the court (these are often weekly), and submit to urinalysis.

- In Phase I: The women are typically referred to an inpatient substance abuse program, often a co-occurring disorders treatment program.
 - The goal is to send women to a treatment facility that focuses on trauma.
 - Women are sent to inpatient facilities that only serve women or have a women's unit.
 - The treatment program usually focuses on co-occurring disorders rather than substance abuse solely.
- Phase II: Women continue substance abuse treatment.
 - Depending on each woman's situation, the person will live in a sober living home, transitional housing unit or a sober family member's home (if appropriate) while going through outpatient treatment.
 - Sexual trauma therapy often begins in this stage as participants get stabilized and acclimated to a treatment routine.
- Phase III: Sexual trauma therapy begins within 100 days of phase III.
 - This is the crux of the program. The participants are currently doing a combination of individual and group trauma therapy.
 - The starting point for trauma therapy is a collaborative decision and is personalized. The participant should be stable in substance abuse treatment and be addressing their mental health needs. If a person is experiencing acute mental health issues, then this will delay the start of their trauma counseling.
 - Women are enrolled in weekly outpatient group therapy sessions with local service providers that specifically address how these women ended up in the sex trade, thus digging deep in their backgrounds to heal the intense traumas they have faced in their lifetimes.
 - Women typically reach this phase after participating in the program for 4-6 months as they become sober and more stable.
 - Civil legal needs also begin to be addressed, as well (housing, benefits, family reunification)
- Phase IV: Trauma healing is continued.
 - Along with trauma healing, women work with the program to understand what their daily needs will be after they graduate. They begin to work towards addressing these needs:
 - Housing
 - Mental health needs
 - Job/education
 - Physical health needs

- When a participant successfully completes the program, then any of her cases that are brought into the court are dismissed with prejudice. If a PDC graduate is not re-arrested within one year, then the vacated and dismissed cases will be expunged from her record.

Supervisions and Sanctions

- Sanctions are graduated, based on of the individual's specific needs and history, and they range in the severity and frequency of the woman's noncompliance. She can be assigned to:
 - Write an essay explaining why she used a substance, perform community service, observe court proceedings for a day in the jury box, or spend up to a week in jail. Each sanction is more severe than the next.
- If a woman absconds from the program, then employees from PDC will work to get her back in the program if she is seeking out support.

Funding

- The First Judicial District is responsible for designating a municipal court judge to sit for the PDC and for providing the courtroom and courtroom personnel for the monthly PDC court dates in addition to housing the PDC court coordinator. The District Attorney's Office and the Defender Association are both responsible for designating staff from their office that will participate in the PDC and represent the interests of their respective agencies. The Adult Probation and Parole Office will continue to supply the appointed Probation Officer to the PDC, with half of her case load dedicated to the PDC, while also assigning and housing a new officer to a full time PDC case load.
- Treatment costs are paid for by the state medical card based on a Forensic Intensive Recovery Evaluation, which determines the level and length of care.

Success of the Program

- 28 women have participated in the Project Dawn Court pilot program.
- 12 of the original participants have successfully graduated from PDC.
- Between May and September 2012, 24 new women have been admitted into the enhanced version of PDC.

Greatest Challenges

- Educating treatment providers that women who are victims of prostitution, require different therapy services than the general drug and alcohol rehab population.
- Women must be stable with their substance abuse and mental health treatment before beginning trauma counseling. It is often difficult for the women to stay clean for long periods of time without addressing the underlying trauma issues.
- PDC is still in the process of developing a fluid court program for all involved stakeholders.

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Shdaimah, Corey, personal communication, September 6, 2012

STAR Court in Dallas, Texas

Presiding: Judge Lena Levario

Contact: Judge Lena Levario, 214-653-5832, lena.levario@dallascounty.org

The STAR (Strengthening, Transition and Recovery) Court is a problem solving court for individuals in prostitution that focuses on addressing the underlying issues that lead to prostitution. This court opened on July 21, 2008 and is based on the model developed by local county drug courts. Alternatives to incarceration are provided through treatment and supervision.

Criminal District Judge John Creuzot created the program, and he recruited Criminal District Judge Lana Myers to assist with the court planning process in early 2007. Judge Lana Myers left the court in December of 2009 and Judge Lena Levario is now presiding.

The court is named STAR to emphasize positive and empowering intent and to discourage calling it prostitution court. The goal of the court is to address the underlying issues that lead to prostitution and to give individuals the tools they need to leave prostitution. In turn, this will reduce recidivism and ensure public safety through judicial oversight.

Model

STAR Court uses Cognitive Behavior Treatment (CBT) with the participants. STAR Court believes, based on recent studies, that persons who commit crimes share a pattern of thinking; the most effective way to reduce recidivism is to address these criminal-thinking patterns through CBT.

The defense attorney or the prosecution attorney refers the women to the program. It is the attorneys' responsibility to identify women who are eligible and interested in the STAR Court program. Once women have been identified, then CATS performs the assessment to make treatment plan recommendations.

All STAR Court participants must first finish inpatient substance abuse treatment before coming to court. Participants must also be under the care of a psychiatrist. All STAR Court participants must comply with recommendations from their psychiatric treatment provider. Mental health case workers also participate in STAR Court by attending staffing and court sessions.

The STAR Court is on Mondays at 2 pm with a court team consisting of Judge Levario, the public defender, the probation officer, the therapist, mental health case managers and community advocates. The court sees 35 total participants at a time. There is no waiting list for the court; however, alternative plans can be given if the court does not have an opening.

The program is designed for chronic offenders and provides more aggressive judicial oversight. The court is dual diagnosis, with substance abuse and mental health services incorporated as well.

Eligibility

- Only women are eligible in the STAR court program.
- Candidates must have a history of prostitution, substance abuse and mental illness, or are currently on probation for felony prostitution (those with the highest risk of re-offending).
- Women are required to have the mental capacity to complete the program.

Program Details

The goal of the STAR Court is to break through the anti-social and criminal thinking patterns. The program follows an evidence-based approach using the book, "Criminal Conduct & Substance Abuse Treatment: Strategies for Self-Improvement and Change" by Dr. Harvey B. Milkman and Dr. Kenneth W. Wanberg. The STAR Court counselor uses a program titled, "Criminal Conduct & Substance Abuse Treatment for Women in Correctional Settings: Female-Focused Strategies for Self-Improvement and Change, Pathways to Responsible Living" by Harvey B. Milkman, Kenneth W. Wanberg and Barbara A. Gagliandi. A program titled, "Seeking Safety: A Treatment Manual for PTSD and Substance Abuse" by Lisa M. Najavits, Ph.D is also used.

The court and the services provided to the participants are designed to work closely with the Dallas Police Department and break the cycle of arrest and incarceration.

The participants must complete five phases. Participants typically complete them in 15-18 months.

- Phase I: Intensive outpatient therapy for substance abuse and weekly individual therapy sessions with the counselor.
- Phase II-IV: Participants work through supportive outpatient therapy and continue with monthly individual therapy sessions with the counselor. Women progress through group and individual counseling sessions. Participants receive trauma counseling and work through a CBT workbook with this component being referred to as Fresh START. Concurrently, women work a 12-step program while completing all other conditions of community supervision.
- Phase V: The participants leave the STAR Court probation officer to report to a field officer. The purpose of this phase is to transition them into life independent of STAR Court. Women will continue to attend counseling groups and individual therapy sessions monthly.
- Once a participant has been successful in the field for a year, then they will be released from all conditions of probation.

Supervision and Sanctions

- Defendants are subject to intense supervision by both a probation officer and Judge Levario.
 - Stronger probation than typical courts.
- Court-ordered meetings.
 - Judge, defense attorneys, licensed counselor, evaluator, and a probation officer attend the weekly meetings.

Funding

- The original grant covers services provided under the dual diagnosis model that provides for one community supervision officer and one counselor.
- There has been no additional funding for the court. The court relies on available community-based services.

Success of the Program

- The court is successful because it breaks the criminal thinking pattern and participants have regular meetings with the judge.
- The court saw its first graduation of 5 women on 9/28/09.
- The court saw its second graduation of 7 women on 4/09/10.
 - The women were in the program from 12 to 15 months.

Greatest Challenges

- Finding funding for support services and progressive sanctions for probation violators.
- Difficult to discern the crossover between specialty courts (for ex. Drug court and STAR court).
- Unforeseen nuances correlated with serving this population.
- The program does not provide housing unless the women are in inpatient substance abuse or mental health services.
 - If the woman is not in inpatient treatment, then she may live back at home or with family.
 - The court can order women to avoid contact with certain individuals such as a pimp.

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Trauma-Informed Probation (TIP) Court in New Castle County (Wilmington), Delaware

Contact: Commissioner Mary McDonough, (302) 255-0861, Mary.McDonough@state.de.us.

Joanna Champney, Associate Executive Director, Delaware Center for Justice, 302-658-7174, jchampney@dcjustice.org.

Taylor Fullman, Stand Up for What's Right and Just (SURJ), 302-426-9252, tfullman@surj.org.

In New Castle County, Delaware, women were continuously cycling through the Court of Common Pleas with charges related to prostitution. Fines were doing very little to help these women leave the sex trade.

Commissioner Mary McDonough, a judicial officer at the Court of Common Pleas, and Basha Silverman, formerly of Brandywine Counseling and Community Services, co-founded the Prostitution Diversion Program Coalition to begin addressing the revolving door among the women. During their first meeting, in March of 2010, a diverse cross-section of individuals came together from law enforcement, judges, social services, and homeless service providers. The group came to a consensus in that first meeting that a new approach was necessary.

Brandywine Counseling and Community Services received a grant through the U.S. Office of Women's Health's "Coalition for the Healthier Community" grant program. The one year grant allowed the Coalition to research the health needs of women in Delaware's commercial sex trade and create a strategic plan to respond to the health needs through a coalition-based approach.

The coalition was renamed the Delaware Coalition for Health and Justice (DCHJ). The change was to avoid the stigma attached to the word "prostitution" and to be more inclusive of women currently involved and those at risk of becoming involved in prostitution and other related behavior. This also leaves room in the future to broaden the goal and address other issues that women in this target population typically face.

The DCHJ researched the health needs of prostituted women in New Castle County, Delaware and how other courts, specifically prostitution courts, respond to issues of the sex trade. The group gathered data on the women's major health needs, their most recent consumed services, and other crucial needs through focus groups with women involved in prostitution and intensive surveys.

The Trauma-Informed Probation (TIP) Court began in January 2012 and it is adapting as it learns from its practical experience.

Commissioner McDonough, a judicial officer, presides over the TIP Court, a half-day calendar that is currently scheduled for one Thursday per month. In November, the TIP court will progress to twice per month on the 1st and 3rd Thursday of the month.

Model

- Individuals are generally referred to the Trauma Information Probation Court once on probation, through identification by Commissioner McDonough or one of the five other judges within the court system, public defenders, probation officers, or TASC worker (a behavioral health treatment case manager).
- Admission to the TIP Court is voluntary for those who are willing to participate.
- TIP Court is a post-plea model for those already on probation.
- The players involved in the court include:
 - Designated judicial officer (Commissioner McDonough)
 - Probation officer
 - Treatment Access Center staff to do substance abuse evaluations, arrange for mental health evaluations, and monitor the women's cases (case management),
 - 2 "care advocates" (case managers, but emphasizing care and sensitivity) who have an expansive role to assist participants for up to 12 months.
 - Attorney General's office (state prosecutor) is newly involved.
- Meetings are held prior to the TIP calendar hearing to review cases. Commissioner McDonough, public defender, prosecutor's office, probation, TASC worker, and care advocates are included in these case review meetings. These parties discuss what has happened since the last calendar hearing, recommendations, women's needs, and medical updates and other private matters that should not be discussed in the open courtroom.
- TIP Court violation of probation and status hearings are used to discuss the participants' needs, progress, and violations. Although the hearings have mainly focused on violations of probation and other challenges, there will be more time for positive status hearings when TIP goes to two calendar days per month.
- TIP Court can now also do a plea calendar for those arrested on new charges while already in the TIP program. The prosecutor's office has agreed to help expedite the participants in having those new charges addressed and re-engaging with the program.

Eligibility

- The person must have a criminal history that involves prostitution and prostitution-related offenses (such as loitering for drugs, walking on highway without a light, etc.); however, they have included a few participants with extensive trauma in their background. Most have extensive misdemeanor criminal history.
- Only those on probation who have already pled no contest or guilty.
- Currently there are no gender restrictions, though almost all referrals have been women.
- No other factors, such as violent background or severe mental health issues, have been screened as of yet, but are being considered.

Program Details

TIP Court works in tandem with the Women In Support of Health (WISH) program to serve the needs of the participants.

- WISH is a collaboration of several non-profit social service organizations created to implement the service goals of the Delaware Coalition for Health and Justice's strategic plan. WISH is comprised of four direct service providers:
 - Brandywine Counseling and Community Services
 - Beautiful Gate Outreach Center provides Care Advocacy (case management with care) to help individuals navigate the systems of social services by reducing client-identified barriers to treatment and medical services.
- 1 year long program
- First 3 months the women would receive intensive care, with appointments at least weekly
- Months 4-12, the Care Advocates maintain at least monthly contact
 - Survivors of Abuse in Recovery (SOAR) provide trauma counseling services. This is a gender-specific group based intervention utilized to facilitate trauma recovery among women who have histories of sexual and physical abuse.
 - Stand Up for What's Right and Just (SURJ), a program of the Delaware Center for Justice, provides advocacy training for justice-involved women. This is a series of workshops and trainings on the topic of effective self-advocacy for women in the program.
- WISH is specifically set up to serve more than just court-mandated individuals. The target population is women 18 years and older living in New Castle County, DE, engaging in prostitution or other behaviors that place them at risk of HIV or who are HIV positive. The integrated intervention places special emphasis on reaching women of color, especially Black women, since women of color are disproportionately affected by HIV/AIDS in Delaware.

In addition to WISH, the TIP Court offers other services to participants, including:

- Emergency housing at Hope House, so that there is a safe, drug free place to stay; however, due to demand, Hope House can no longer reserve a bed for TIP/WISH women but will house them through the usual intake process.
- Seeds of Change gardening program—serves as a way to work off past fines from previous charges/citations, as well as entry-level experience in the landscaping industry. A retired botanist volunteers to coordinate this effort, and another volunteer will assist in transporting women to the garden site. They are exploring the idea of engaging participants with neighborhood residents in a community gardening project.
- Free haircuts offered by a salon owner.

Supervision and Sanctions

The probation period for TIP participants is about 1 year. The length of time on probation can be shortened or lengthened depending on whether the participants are excelling in their treatment and recovery or if they face additional violations.

The participants typically begin at Level 3 Probation, which consists of weekly reporting, and progress to Level 2, which requires reporting once a month. Level 1 is unsupervised, or no reporting, which is not applicable to TIP participants.

Meetings with the probation officer and TASC case manager are consolidated. Joint meetings are offered to participants to avoid being overwhelmed with too many appointments in too many places. Care advocates are also part of the joint meetings and often transport clients to and from the meetings.

In terms of sanctions:

- The curfew is normally 10 p.m. but can be earlier (8 p.m.) as a sanction for non-compliance.

- No loitering in certain areas.
- If participants have had multiple chances in community-based treatment but are not compliant, then the court looks to inpatient substance abuse treatment. If that should fail, then the court may look to a secure facility for treatment.
- Termination from program (though still on probation). This would be for repeated violations of probation, which could include new arrests, failure to engage in treatment, curfew violations, failure to report, absconding from probation, falling off the radar, etc.

Funding

For the Delaware Coalition for Health and Justice and WISH:

- Phase 1: Funded by the Office on Women's Health for one year to conduct a needs-assessment to identify the health needs of the community, and the development of a strategic action plan to address the identified needs.
- Phase 2: Five years of funding from the Office on Women's Health for the implementation of the proposed intervention model.

The Trauma Informed Probation Court currently does not have designated funding. However, there will be funding available beginning in October 2012 from the federal Office of Violence Against Women through a collaborative grant with the Superior Court Mental Health Court designated for victims of domestic violence and sexual assault. Many of the participants are expected to fall into this category.

Success of the Program

TIP Court began in 2012, so outcome data is not yet available beyond the fact that three women have graduated from it.

- Had first graduate on September 20th, 2012, after 8 months, with a celebration in the courtroom. Two others with intense trauma background but no prostitution-related offenses also graduated, at the 6-month mark.
- There are currently 27 active participants in TIP.

The WISH program provided information about the success of their new program, although this does not necessarily reflect the success of TIP participants.

- Of the approximately 50 women in the WISH program, about 35-40 have been or are currently in the TIP Court Program.
- As the first year comes to an end, of the total 50 women:
 - 10 women have stable permanent housing
 - 20 women are currently active in drug treatment
 - 5 women have reconnected with family and children
 - 2 are employed
 - More than 10 women have achieved sobriety for an extended amount of time

Greatest Challenges

- Resources, resources, resources! There are waiting lists for treatment beds, housing, outpatient treatment, etc.
- Trust is an issue. Due to the trauma that the participants have experienced, developing trust takes a long time and it is difficult for some women to open up and share painful experiences. It is a priority for the TIP court to work to earn participants' trust.
- Enrollment & retention in WISH.
- Need appropriate available resources within a flexible timeline.
- Understanding that women will only be successful if it is a desire of theirs and that relapse is a part of recovery. They have to be ready and willing to change.

References:

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 Fullman, Taylor, personal communication, January 13, 2012 and September 10, 2012
 McDonough, Mary, personal communication, September 25, 2012

WIN (Women In Need) Court in Las Vegas, Nevada

Presiding: Judge Cynthia S. Leung

Contact: Judge Cynthia S. Leung, 702-229-2040, Cleung@LasVegasNevada.gov

The Women in Need Court (WIN Court) is a specialty prostitution court in Las Vegas, Nevada that sees women with misdemeanor prostitution charges. The court takes a comprehensive community-based approach to provide treatment for the wide array of needs and issues the women struggle with on a daily basis.

WIN began in October 2007 to address the underlying needs of women facing prostitution charges in Las Vegas. WIN works to provide the women tools to end the cycle of chronic offending of prostitution and drug-based charges.

Model

The WIN Court meets every Thursday at 2pm with Judge Cynthia S. Leung and takes a comprehensive, community-based approach to providing services to the women that can last up to two years. The court team consists of Judge Leung, a prosecutor, a contracted Public Attorney and a court coordinator who also works as the women's therapist and a defense attorney. The entire court team is trained in how to be most effective with the women.

The WIN Court takes an individualized approach with the women. They follow a basic model of service and treatment; however, eligibility and requirements can be altered to fit the needs of the women when appropriate.

Once women are in custody, they are informed of their opportunity to participate in the WIN Court. The court coordinator does a needs assessment with each woman who is interested in the program. A woman will then verbally state that she wants to participate in the WIN Court and plead guilty to her original charge. The 180-day jail sentence is suspended as a part of her plea.

Eligibility

- Women with misdemeanor prostitution charges.
- Women with felonies in their criminal record are able to participate but they cannot be violent felonies.

Program Details

- Women will immediately be referred to an inpatient or outpatient substance abuse treatment program based on individual needs after joining the Win Court.
- Participants attend Women's Education Groups twice a week focused on:
 - Trauma
 - PTSD
 - Physical and sexual abuse
 - Parenting
 - Self-Esteem
 - Empowerment
 - Life Skills
- Women receive educational assistance to obtain their GED.
 - A teacher in the community provides tutoring.
- Job readiness and vocational training are provided to help women find employment.
- Individuals are expected to remain sober during the program and attend Alcohol Anonymous and Narcotics Anonymous classes regularly.
- The participants will attend court every week for the first 90 days of the program. They will attend court every other week to report on their progress after the first 90 days.
- The original charge will be dismissed upon completion of the program. An individual can have her record sealed immediately if her charge was dismissed.

Supervision and Sanctions

- There is no set manner of contempt other than to address what is actually behind the behavior. There are a variety of sanctions or combinations of sanctions that can be used. The important aspect of the sanctions is that the WIN Court team addresses the behavior quickly.
 - A woman may be required to write an essay explaining why she chose to break a rule, write her own obituary, or be given three to five days in jail.
- Jail time is given progressively with each correction.
- Three to four corrections will generally result in termination of the program, but termination is not mandatory.
- If a woman runs away in the very beginning of her program, then she will most likely not be allowed back.

Funding

- WIN Court is a recipient of federal grants.
- Nevada's Administrative Office of the Courts provides grant funding awarded through the Specialty Court Committee.
- Criminal fines throughout Nevada are collected and placed into a fund for all specialty courts that WIN can access.
- They are considering the possibility of private funding to support the court.

Success of the Program

- The WIN Court has seen 14 women graduate from the program.
- They are only aware of one woman who has returned to the sex trade since graduation.
- Two women have begun attending community college.
- Two other women are pending community college registration for the spring semester.

Greatest Challenges

- Acquiring the necessary funding is difficult.
- Providing women with immediate access to beds in substance abuse in-treatment programs is a challenge, even when the programs give the WIN Court priority.
- There is a reputation of Las Vegas providing a glamorous life for women in the sex trade. It can be hard for people to overlook this reputation and care for those the industry is hurting.
- The politics of Nevada push for the legalization of prostitution throughout the entire state. It is difficult for a court providing specialized treatment for prostituted women to work around such politics.

References:

DiFore, Beth. Personal communication, Jan 4, 2012

Leung, Cynthia. Personal communication, Feb 25, 2011

WINGS Project and “Feathers” in Cook County, Illinois

Presiding: Associate Judge Rosemary Grant Higgins

Contacts: Judge Higgins, 773-674-7418, Rosemary.Higgins@cookcountyil.gov

Daria Mueller, 312-641-4140 ext. 241, daria@chicagohomeless.org

The WINGS (Women in Need of Gender Specific Services) Project and “Feathers” are specialized, treatment courts for women charged with felony prostitution in Cook County, Illinois. Illinois is unique due to the fact that a person can have her criminal charge easily upgraded to a felony on her second prostitution conviction, and recidivism rates are high. The WINGS Project was created to address a revolving door that leaves many women with felony convictions, prison time, and very few resources. The court takes a holistic approach in providing comprehensive, community-based services to assist women as they work to recover from the trauma experienced through the commercial sex trade.

The concept of the WINGS Project began with the leadership of Judge Paul Biebel, presiding judge of Cook County Circuit Court, Criminal Division, Judge Rosemary Grant Higgins, and Daria Mueller from the Chicago Coalition for the Homeless. Stakeholders, including representatives from the Cook County State’s Attorney Office, Cook County Sheriff’s Department of Women’s Justice Services (DWJS), Cook County Adult Probation, Cook County Public Defender, Cook County Commissioner Bridget Gainer, Treatment Alternatives for Safe Communities (TASC), Chicago Police Department, rape crisis center advocates, and other local advocates and social service providers, all came together to discuss and plan for the implementation of WINGS.

The WINGS Project is housed at the Cook County Criminal Court at 26th and California, and is presided over by Judge Higgins in courtroom 206. The WINGS Project and Feathers court calls are held on the last three Fridays of the month, beginning at 9:30 a.m. This court has a designated team of state’s attorney’s assistants, public defenders, probation officers, TASC case managers, and Rape Crisis Center victim advocates, and relevant social service providers who review each participant’s case and offer their insight and recommendations for treatment for each participant to Judge Higgins.

The WINGS Project held its first court call on January 21, 2011. TASC case managers reached a point of capacity in their caseload in September of 2011, but Judge Higgins made the decision to continue to have all felony prostitution cases assigned to her courtroom. Thus, a new “overflow” court call began being heard on the last Friday of the month. As of August 2012, both WINGS and Feathers court calls occur together on the last three Fridays each month. This overflow court call of women who would have otherwise been eligible for the WINGS program was dubbed “Feathers.” The main difference is that Feathers lacks the intensive case management that TASC provides to WINGS participants, and there are fewer resources due to the larger volume of women. Probation officers have taken on the role of case manager and pull together whatever suitable resources they can find to refer Feathers participants to a wide array of available programs and services.

The WINGS Steering Committee, which began in early 2012, is convened by Judge Higgins on a bi-monthly basis. The steering committee includes a representative from each system involved. The committee serves to provide support and make recommendations for the court’s consideration.

The treatment court is still evolving. The court is willing and open to making changes and adjustments to ensure the WINGS Project is fully equipped to assist women in their recovery process.

Model

The court team usually meets before the cases are heard to discuss the details of each participant’s case. Public defenders talk with their clients about their rights, options, and the benefits of the program during each court call. The women have additional access to a Rape Crisis Center victim advocate who helps participants (and their family members) understand the program and provide additional support. Efforts have also been made to pay attention to ensure that pimps and/or abusers do not overhear sensitive information if they attend a participant’s court date.

- Women who are eligible for the program and wish to participate plead guilty to their original charge of prostitution, and get sentenced to 2 years of intensive probation with services in lieu of state prison time. The alternative is a 1-3 year sentence in Illinois Department of Corrections.
- If a woman pleads guilty to the WINGS program, then a TASC case manager completes a comprehensive needs assessment and confers the initial treatment plan with the Judge.
 - Official WINGS participation was closed after September 2011, until further notice due to TASC caseload capacity.
- If a woman pleads guilty and enters into the Feathers program, then the court team works together with the participant to determine her needs and what services are available to meet those needs.

- Assessments or reports are done with the majority of women eligible for WINGS or Feathers through the Sheriff's Women's Justice Program to determine needs, behavioral concerns, readiness, mental health issues, etc. The reports are submitted to the defendants' judge and public defenders.
- If she is not out on bond, then she will be held in the Sheriff's Department of Women's Justice Services (Division 17 of the Cook County Jail) where she will receive substance abuse, mental health treatment and other gender-responsive programming until she is stable and ready to receive community-based services. Typically, this is a 90-120 day program.
- If there is a waiting list for entry to Division 17, then the woman is held in Division 4 until she can either be placed in Division 17 or the Women's Sheriff's Furlough program. The furlough program is a type of day reporting program (Monday-Friday from 9-5 p.m.) for women on probation. Women are electronically monitored for up to 6 months while in the furlough program.
- Treatment begins in Division 17 (up to 120 days) and is integral to the furlough program as well. This treatment is a gender-specific, trauma-informed curriculum.

Eligibility

- Women facing felony prostitution charges. Transgendered individuals are not denied from the program. Two transgendered individuals (female-identified) are currently participants in Feathers.

Program Details

The WINGS Project and Feathers take a comprehensive, community-based approach to providing services. All services available to the women are individualized. Trauma-informed care is part of the curriculum in some of the substance abuse treatment, counseling and housing programs, although not all specifically subscribe to this approach. The program will take two years to complete. Women may receive services from a wide variety of social service providers in the areas of:

- Inpatient and outpatient substance abuse treatment (inpatient can be between 30-90 days, depending on program)
- Recovery home care
- Shelter and transitional housing as needed
- Long term supportive housing with Heartland Human Care Services and other housing providers
- Individual and group trauma counseling
- GED/HSED training or literacy services
- Job training and placement assistance (job readiness, therapeutic job program, etc. (soft skills)); subsidized transitional jobs, vocational training, etc. (hard skills))
- Family law advice and services (e.g. family reunification)
- Survivor mentorship
- Mental health treatment
- Medical health care referrals
- Support groups, i.e. AA, NA, PA

Supervision and Sanctions

Participants in WINGS and Feathers voluntarily plead into the program, which carries a sentence of 2 years of intensive probation with services. The POWER probation officers supervise participants once out of custody. The POWER probation program is a gender-responsive program of Cook County Adult Probation.

- Participants report to their POWER probation officer while on probation, and submit to drug testing.
- If a person is in the Sheriff's Furlough program, then the participant may complete up to 6 months in this day reporting program. The participant will be electronically monitored, submitting to on-site drug testing, and reporting by phone to her probation officer.
 - A participant's movements are restricted while on furlough. If she doesn't show up, or moves outside of the restricted area in-between her home and the furlough program site without prior permission, then she can be issued a violation. If she cannot be found, then a warrant for her arrest is issued. She can also be charged with escape.
 - Electronic monitoring may be terminated early.
- If a person relapses, then it is not an automatic violation of the program—especially if it is reported before testing.
- Repeated relapse and failures to report to probation generally result in re-incarceration at the Cook County Jail. Treatment is rendered through the Sheriff's Women's Justice Center. Individualized assessments of the participant's

readiness to return to the community for treatment and services are used to determine the next discharge dates.

- Re-arrest may result in re-incarceration in Division 4 or Division 17 of the jail, but does not necessarily mean discharge from the program.
- Discharge from the program occurs when a participant is no longer interested in participating in WINGS/Feathers and would rather take a state prison sentence.

Funding

There is no funding specifically designated for WINGS or Feathers; therefore, only existing resources are used. Significant efforts are made on an ongoing basis to identify appropriate services in the community and enlist them to take referrals.

Success of the Program

As of September 2012, there are currently approximately 150 active cases in WINGS and Feathers.

- 28 women entered into the WINGS Project. 15 are still active in the program. 1 case was transferred to a different judge. 2 participants have died. 1 is out on warrant, and the rest took prison time in the Illinois Department of Corrections. The first graduation would not occur until early 2013.
- 182 individuals entered the Feathers project and approximately 135 are still in the program. The first Feathers program completion would not occur until the fall of 2013.
- While the data is not yet available, anecdotal information points to many other measures of success among most active participants. This includes being in stable housing, completion of 30 or more days of inpatient and/or outpatient treatment, long periods of sobriety, lack of re-arrest, GED attainment, gainful employment, etc.

Greatest Challenges

- Lack of funding.
- There is a high volume of women coming through this court and not nearly enough services to meet their needs, particularly in regards to inpatient treatment programs and housing options.
- Having multiple providers requires much coordination to know what resources are available and when, as well as what care is appropriate to the needs of women in the sex trade. In addition, there is inconsistency with services.
- Trauma-informed care may not always be a central component of programming.
- A lack of intensive, wraparound (non-probation) case management for each participant is a setback.
- Clinical assessments of participants are not uniform or provided to the court in a timely manner.
- A felony conviction will remain a barrier even for program graduates.

References:

Higgins, Rosemary Grant, personal communication, August 20, 2012.

Mueller, Daria. (Author of report.)

Court-Affiliated Diversion Programs for Prostitution

The following section covers the court-affiliated diversion programs for prostitution and prostitution-related offenses (or history) in the United States. These diversion programs work with courts that generally do not have one dedicated judge or court personnel who have certain days or times set aside to only deal with prostitution related offenses. There may be multiple judges or one judge who hears a variety of different kinds of cases; however, there is generally a collaborative effort or system set in place that ensures that individuals with prostitution-related offenses are court-ordered, or diverted, into these programs. Some of these programs are not true diversion in the sense of entirely avoiding jail time or a conviction, but all of the projects have the aim of providing treatment and services to help individuals exit the sex trade and avoid future arrest, i.e. they offer a diversion from prostitution and future criminal justice involvement

There are seven diversion programs covered in this report, but only six are in this section. One diversion program was grouped with the New York City Prostitution Diversion Problem-Solving Courts covered in a previous section. There are likely to be more diversion programs than listed in this report, and the authors hope to hear from individuals involved with these projects so we can add to this section of the report at a later date.

The following six programs are covered in this section of the report as court-affiliated diversion programs for prostitution offenses:

- Misdemeanor prostitution court call with Pillars and Footprints programs at Maybrook Court, Cook County in Maywood, Illinois
- Project Fresh Start in Wayne County (Detroit), Michigan
- Prostitution diversion collaboration in Portland, Oregon
- Prostitution Diversion Initiative—New Life in Dallas, Texas
- Prostitution Diversion Program in Phoenix, Arizona
- Specialized Pre-trial Diversion Program at the Early Resolution Court in Baltimore, Maryland

Misdemeanor Prostitution Court Call with Pillars and Footprints Programs at Maybrook Court, Cook County, in Maywood, Illinois

Presiding: N/A

Contact: Serena Curry, Volunteer Coordinator and Medical/Legal Advocate at Pillars, 708-995-3877

Pat Murphy, Supervisor of Advocacy at Pillars, 708-995-3874

Lynn Siegel, Vice-President of Domestic Violence and Sexual Violence Services at Pillars, 708-995-3690

Tricia Ford, Director of CCHC - Footprints, tricia.ford@cchc-rchm.org

Vernita Shavers, Footprints, vernita.shavers@cchc-rchm.org

The Pillars' Post-Arrest Diversion Program and the Footprints' Unhooked and Bridge programs are misdemeanor prostitution alternative sentencing programs in Maywood and Chicago, Illinois. Pillars runs the Post-Arrest Diversion Program while Footprints at Christian Community Health Center provides services for the Unhooked and Bridge program. Different programs and services are available to the women depending on the charges filed. Pillars and Footprints are both open to accepting participants from the felony court in Cook County (WINGS and Feathers), any woman who is interested in voluntarily participating, or via referral from another social service organization.

Christian Community Health Center - Footprints has provided alternative sentencing programs designed to address the rehabilitative needs of women involved in the sex trade since its inception in 2006.

Pillars' involvement with the program began with the pilot in May 2009. The program officially began in February 2010 with the onset of more formalized procedures.

The Sheriff's Women's Justice Program (SWJP), is a third option for women in this diversion court project. SWJP offers a gender-responsive treatment program within the Cook County jail (WRP), a day reporting program (SFFP), and a program for pregnant and postpartum women and their preschool age children in a secure, off-site substance abuse treatment facility (MOM's program).

The court call occurs weekly on Tuesdays, beginning at 1:30pm., Several judges currently preside over the court on a rotational basis.

Model

- Screening Process:
 - A public defender screens and presents cases to Pillars, Footprints, and the Sheriff's Women's Justice Program (SWJP).
 - A recommendation will be made based upon criminal history and current charges.
 - An assistant state's attorney then reviews cases for eligibility.
 - The defendant is approached with her options, agrees to plead and the service providers complete initial intake and screening
 - The judge has final say in accepting women to the program.
- Sentencing/Program Entry Options
 - Deferred Prosecution components:
 - The State defers prosecuting the defendant on the initial charge(s).
 - If program is completed successfully, then charges are dropped.
 - Unsuccessful completion can result in state prosecuting the initial offense
 - Supervision components:
 - Defendant pleads guilty to offense and is placed on Supervision. Supervision is typically for 1-2 years.
 - If defendant complies and successfully meets the mandates of the court order (example: completes the Pillars Program, pays fines, complies with Social Services Department, etc.), then the conviction will be removed from the defendant's record.
 - If she does not follow the court's orders, then the conviction will remain in place.

- Conditional Discharge components:
 - Defendant pleads guilty and is placed on Conditional Discharge (typically for 1-2 years).
 - If the defendant complies and successfully meets the conditions of the court order, then the person will be allowed to remain discharged and serve the remainder of her sentence while not in custody
 - If she does not meet the conditions of her discharge, then the defendant may serve the remainder of her sentence in custody. It is possible that her sentence could be reinstated and be ordered to participate in another program or meet other mandates of the court while still remaining out of custody.
 - The conviction remains in place regardless of whether or not the defendant successfully meets the conditions of the court order.
- Individuals involved:
 - Court Mandated Programs/Providers:
 - Pillars: Pillars Post-Arrest Diversion Program
 - Footprints: Unhooked, Bridge (120 day-reporting) program and AMEND (a “John School”)
 - SWJP: Women’s Residential Program (WRP), Sheriff’s Female Furlough Program (SFFP), and MOM Program
 - Court and Law Enforcement Personnel:
 - Cook County Sheriff’s Police Department, Vice
 - ASA’s and PD’s, serving on a rotational basis
 - Social Service Department, Diversified Caseload Unit
 - Clerk’s Office
 - Rotating judges

Eligibility

- Class A misdemeanor: ‘Prostitution’
 - Pillars’ Diversion Program
 - Footprints Unhooked and Bridge (120 day-reporting) programs
 - SWJP
- Class A misdemeanor: ‘Soliciting a Ride’
 - Pillars’ Diversion Program
 - Footprints’ Unhooked and Bridge (120 day-reporting) programs
 - SWJP
- Class B misdemeanor: ‘Solicitation of a Prostitute’
 - Footprints AMEND program (a “John School”)

Program Details

The Pillars Post-Arrest Diversion program requires participation in a 12-week psycho-educational support group, designed to be a victim-centered, gender-specific, trauma-informed, empowerment model.

- The group meets for two hours each week for a total of 24 hours of attendance.
- Participants can have no more than two consecutive absences from group before being deemed non-compliant; however, expectations can be made on an individual basis.
- Women may receive referrals for additional supportive services (i.e., domestic violence shelter program, substance abuse treatment, sexual assault counseling and/or legal advocacy, women’s health, mental health, housing, etc).

Footprints offers a myriad of evidenced-based psycho-educational workshops that discuss the violence and trauma commonly associated with the sex trade. The program provides participants with case management, on-site therapeutic and substance abuse services, peer support, legal advocacy, medical screenings, and HIV & STI testing. Footprints has two program options:

- Unhooked is an intensive one-day seminar designed for women charged with misdemeanor prostitution related offenses, and is geared toward women with first-time offenses.
- Women with a more lengthy criminal record may be mandated to Footprints’ Bridge (120 day-reporting) program.

Supervision and Sanctions

- The defendant typically receives a sentence of “reporting Supervision” or “reporting Conditional Discharge”
 - Registers and reports to the Social Service Department and is monitored for compliance.
 - Defendant must authorize release of information between social service providers and courts to communicate compliance.
- Individual may receive sentence of “non-reporting Supervision” or “non-reporting Conditional Discharge”
 - Less likely sentence.
 - Reports directly (and only to) the judge.
- Deferred prosecution is rare and does not require reporting to social services department.
- Defendant may be court ordered to participate in increasingly restrictive programs, offered by the aforementioned service providers, up to and including jail time in SWJP.

Funding

- Pillars, a rape crisis center, uses roughly \$30,000 in funding from Cook County to operate their Post-Arrest Diversion Program.
- Any other designated funding sources, if any, for this project are unknown.

Success of the Program

Pillars Diversion Program, as of January 2011:

- In progress—13 or 34%
- Completed—13 or 34%
- Did not complete—12 or 32%

Greatest Challenges

According to Pillars:

- Lack of referrals—the biggest challenge currently is that Pillars is no longer receiving many referrals from the Maybrook Courthouse (the main referral source for Pillars Diversion Program).
 - When the program began in 2010, there were many women referred each week to Pillars because of their misdemeanor charges. It seems that women now are no longer being arrested and brought to Maybrook. The concern is that they are being charged with felonies instead of misdemeanors, but this is not known to be a fact. Since prostitution is such a difficult crime to track, there is a lot of uncertainty as to why this is happening. Pillars is trying to come up with new ways to keep the program running due to the low referral rate. This includes looking towards the felony court, like WINGS/Feathers, as another referral source.
- Location—Pillars is located in Berwyn, a western suburb of Chicago, which is a transportation obstacle for women in Chicago. Some are reluctant or nervous to travel that far.
 - Pillars is brainstorming ways to move the group to a more central location.

References:

Cartwright, Lillian, (formerly of Pillars), personal communication, September 2010.

Curry, Serena, personal communication, February 2012 and August 9, 2012.

Ford, Tricia, personal communication, April 2011.

Project Fresh Start in Wayne County (Detroit), Michigan

Presiding: Judge Leonia J. Lloyd

Current Contact: Debra F. Gatson; Director of Probation/DTC Project Director Debra.Gatson@36thdistrictcourt.org

Project Fresh Start is a community-based project in conjunction with the 36th District Drug Court - Drug Treatment Court, the Wayne County Sheriff's Department, the City of Detroit Health Department and the Detroit Police Department.

The Wayne County Sheriff's Department (Beth Roberts-Liaison) saw the same women continuously going to jail for prostitution related charges. With limited jail space and concerns from the community, the Wayne County Sheriff's Department and 36th District Court - Drug Treatment Court wanted to create a legitimate treatment plan to help individuals leave the commercial sex trade industry. Judge Leonia J. Lloyd presides over the court and the Director of Probation is Debra F. Gatson.

Project Fresh Start began in April of 2004 as a collaborative effort of the Wayne County Sheriff's Department and the 36th District Court - Drug Treatment Court. Project Fresh Start works to address the diverse issues that individuals in the sex trade face throughout their rehabilitation process by providing them with services in behavioral and lifestyle rehabilitation, mental and physical health care, substance abuse treatment and life skills development.

The goals of the program are to:

- Make the services more collaborative and available for the victims to successfully leave the sex trade industry.
- Provide legitimate healing from a long-term stint in the sex trade industry and the effects of substance abuse.

Model

Project Fresh Start is an 18-24 month diversion program within the 36th District Court - Drug Treatment Court. The program uses a community-based, holistic approach to providing healing and recovery to those who have experienced continued trauma in Detroit's commercial sex trade. Recovery in the program is determined by each woman's unique circumstances and experiences.

Eligibility

- The women must have 10 misdemeanor counts of prostitution/disorderly conduct citations on their record.
- The women cannot have any serious felony offenses on their record.

Program Details

The women must complete four different phases during Project Fresh Start. Some may need a whole year to go through the substance treatment phase while others will only need 90 days. Time spent within each phase is determined by each individual's recovery process.

- **Phase I: Initial Arrest, Sub-Acute Detoxification (with Wayne County Sheriff and 36th District Court-Drug Treatment Court)**
 - The women will meet with the Judge at the drug court after several charges of prostitution-related offenses and arrests.
 - The judge sentences the women to a 7-10 day stint in jail for detoxification purposes.
 - The participant meets with a counselor who does a medical and mental needs assessment and their readiness for short-term treatment.
 - The counselor recommends to the judge that the women return to jail to prepare more for treatment or to be released to a community-based treatment program.
- **Phase II: Residential Treatment (with 36th District Drug Court and City of Detroit Bureau of Substance Abuse Prevention Treatment and Recovery (BSAPTR))**
 - The women appear before the judge when they are ready for community treatment. The participants are given the option of facing time for each prostitution related charge on their record or participating in Project Fresh Start.
 - If she chooses Project Fresh Start, then she will immediately leave for a 24-hour intensive residential drug treatment.
 - There is no waiting list for these women to get into a program since beds are already set aside for them in treatment facilities.
- **Phase III: Transitional Housing (City of Detroit BSAPTR)**
 - The women move into transitional housing after drug treatment.
 - The clients go through STD prevention education, parenting and life skills, counseling, GED prep and testing,

employment prep, substance abuse counseling, domestic violence and victimization services.

- Women cannot leave the housing grounds without a mentor present.
- Phase IV: Detroit Recovery Project - Community Integration (with City of Detroit BSAPTR)
 - Final phase and graduation phase.
 - Women are assisted with employment opportunities, housing, weekly relapse prevention meetings, peer mentoring and 24-hour support services.
 - The client's record is completely expunged of all misdemeanor charges upon graduation.

Supervision and Sanctions

- If a woman runs away while in the program, then the Fresh Start officers will go out and re-arrest her the next day. She then has a choice to re-enter the program or do the full time for her prostitution tickets.
- If a woman breaks a rule of Fresh Start or her treatment program, then she will immediately go back to jail for 10-30 days determined by the Judge.
- She is given up to three violations and then the judge will typically terminate her from the program and have her face jail time for all of her tickets (90 days for each ticket). Time in the program does not count toward jail time.

Funding

- The Edward Byrne Memorial Fund (state fund) funds law enforcement.
- Substance abuse treatment is funded entirely by BSAPTR.
 - (They have used up to \$1 million per client due to health related issues and needed surgeries for the women.)
- Court process funded by 36th District Drug Court
- Small grant from the city

Success of the Program

- Total number of women in the program: 298
 - Total number of women who have absconded from the program: 71
 - Terminations: 97
 - Graduated: 99
- They have had women leave the program with a college education, jobs and/or regaining custody of their children from Child Protective Services.

Greatest Challenges

- Lack of resources within the Sheriff's Department has limited the "sweeps" that brought a large number of women to Project Fresh Start.
- The leadership in the Sheriff's Department is always shifting and changing. Project Fresh Start staff must constantly have to try to work with new people; some are not always excited about Fresh Start.
- Funding is always an issue since it affects all available resources.
- The majority of the women in Project Fresh Start are uninsured, which limits the treatment program resources for which the women are eligible.

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Prostitution Diversion Collaboration with Life Works Northwest's New Options for Women (NOW) program in Portland, Oregon

Contact: Carey Cogswell, Mental Health Therapist and Supervisor, NOW/Life Works Northwest, 503-761.5272 ext. 6935, careyc@lifeworksnw.org

Life Works Northwest has been running a program for women involved in prostitution in Portland, OR since 1997. This was originally a county-funded program where women received mental health treatment and addiction services. Funding progressively decreased over the years and the program was closed in 2006.

In December 2008, with pressure from community residents in an area with a high rate of street level prostitution, a new collaborative prostitution diversion program officially began. The City of Portland Police Bureau funds this project, partnering with New Options for Women (NOW), a program of Life Works Northwest, the district attorney, a sexual assault resource center, the FBI, human trafficking advocates, other social service providers, and a designated coordinator.

The goal of the program was to decrease prostitution on 82nd Ave (a "track" in Portland that saw 40-50 women engaged in prostitution every day in 2008, and home to many sex shops, strip clubs, etc.) by offering the women help and a way out of the life. Community members were concerned both with their own family's safety and that the women on the track would have access to social services.

Prostitution has decreased and there have been dramatically fewer arrests on 82nd Ave since the start of the program; however, the goal remains, at least, to help women with a recent history of prostitution exit the sex trade through treatment and obtain a viable and legal employment.

Model

- Prostitution arrests are referred to the New Options for Women (NOW) program and into the collaborative system designed to address the women's cases.
- Multiple judges (about 10) handle prostitution arrests, but one district attorney handles all prostitution cases. The district attorney recommends a court order to NOW "to follow all treatment recommendations."
- Women are on bench probation for at least 18 months. They generally do not have to report to the judge directly unless they are out of compliance and warrants need to be issued (or other sanctions are deemed necessary).
- The Prostitution Coordination Team meets weekly to staff all clients, including ones who never made it to the program or who lost contact with the program. The team consists of the district attorney, four police officers, NOW treatment providers, advocate(s) from a sexual assault resource center, a coordinator, and the FBI and human trafficking advocates (to a limited degree). Everyone signs a release of information in order to share information in these staffings. The coordinator from the Police Bureau reports to the judges.
- The prostitution charge remains on the participant's record regardless of program completion; however, there is an affiliated program that offers an orientation class for women with a first prostitution offense. If a woman completes this class and has no new charges, then her charge can be dismissed.

Eligibility

- Female.
- At first, an arrest on 82nd Ave made a woman eligible.
- Later, due to decrease in arrests on 82nd Ave, eligibility was expanded to include any woman with a prostitution arrest or a recent history of prostitution
- Case by case basis: high level of criminality, history of violence, recruiting or pimping are factors that may lead to being screened out of the program by team

Program Details

- NOW is a one-stop shop of mental health treatment and addiction services specifically geared to women with a recent history of prostitution.
- Women are court-ordered to attend the program, but they also take referrals from police and other organizations.
- NOW is comprised of a staff of three. There is a mental health therapist (dual diagnosis), addictions counselor, and a peer mentor who survived prostitution and is in recovery from addiction.
- Being clean and sober is not mandatory in beginning of the program.
- Program is at least 6 months, though often longer. Treatment length varies based on the needs of individual clients.
- Intensive outpatient addiction treatment—9 or more hours per week during the beginning phase of treatment.
- Mental health services include group and individual counseling, psychiatric services, case management, and financial assistance for the cost of medications.
- Peer mentor delivers most of the case management for the program, takes clients to recovery meetings, and provides skills training. Meeting is based on individual needs but is usually several hours per week at the start of treatment.
- Referrals are made for housing, employment services, food, clothing, utility assistance, medical care, etc.
- The program consists of 3 phases:
 - Phase I focuses on meeting basic needs and safety planning. In this phase, women obtain an identification card and a social security card. They go to medical appointments, and work on increasing motivation and participation in program.
 - Phase II is where the women focus on a long-term plan working toward housing, employment, stabilized mental health, sobriety, etc. The women write goodbye letters to prostitution.
 - Phase III is when women are becoming employed or enrolling in school, as well as lining up their community resources (support groups, church, etc.) to ensure their stability after graduation. NOW wants the participants to have a legal source of income or financial aid before discharge, plus sobriety within the last 30 days of the program. Clients will have a continuing care plan.
- Many women use the program multiple times and are not barred from re-entering the program after relapsing, dropping out of or completing the program previously.

Supervision and Sanctions

Judges offer different sanctions. Court appearances are mandated when a participant is out of compliance; non-compliance is defined as below 75% attendance.

Funding

Funding is entirely through the City of Portland Police Bureau.

Success of the Program

The weekly meetings and close professional relationships among the members of the Prostitution Coordination Team makes for a strong collaboration and aids in the success of the program. Success rate is measured by completion of 2/3 treatment goals in the areas of mental health and addictions treatment.

- Less prostitution/fewer arrests on 82nd Ave.
- 173-179 unique women have accessed the program, many multiple times; episodes of care would be closer to 350.
- “Failures to appear” have decreased.

Outcomes from the 2010-2011 fiscal year:

- 85% of the women served were not rearrested for prostitution during treatment.
- 68% were in safe, stable housing.
- 63% were abstinent from drugs and alcohol for 30 days prior to discharge.
- 33% were employed or in an educational program.

Outcomes for the period of June 1, 2011 through December 2011:

- Success in treatment, defined by completion of 2/3 of all individual treatment goals during this reporting period, is 47.6% for clients receiving addictions services, and 52% of clients were abstinent from drugs and alcohol upon treatment episode closing.
- 47.5% completed treatment successfully in mental health services, and 71% of clients showed a reduction in mental health symptoms.

Note from Carey Cogswell: "When considering successful completion rates, it is important to note two considerations: First, that successful completion for NOW clients requires accomplishments across multiple criteria: abstinence, reduced mental health symptoms, lack of arrests, improved housing and employment, development of a recovery-oriented support system, etc. Although the interventions varied, results from three published studies indicate about 25% of women involved in prostitution-exiting programs were able to leave street prostitution successfully at the end of the reported intervention (Dalla, 2006; Davis, 2000; Saphria & Herbert, 2004). One study estimated it took an average of 5.6 exiting attempts before a woman was successful (Saphria & Herber, 2004). The experiences of the NOW clients are similar: Staff report that they see ongoing changes, coupled with relapses and several interventions before clients are able to successfully transform their lives."

Greatest Challenges

The project has been criticized for not meeting benchmarks and for a low success/graduation rate, but there is a lack of understanding of what should be expected and what success looks like. NOW is currently engaging in a formal evaluation to define benchmarks and success for participants. Ms. Cogswell advises that other diversion programs ensure that numbers are well tracked from the beginning of the program.

- With 10 different judges, occasionally some may not be as amenable to referring women with prostitution arrests to NOW, but generally they do.
- There is a dilemma for the treatment or service provider to report non-compliance knowing the consequences that may result for the participant.

References:

Personal communication, Carey Cogswell, August 3, 2012.

Prostitution Diversion Initiative—New Life (PDI-NL) Dallas Police Department, Dallas Texas

Presiding: N/A

Contact: Renee Breazeale, Community Liaison, Dallas County District 1, County Commissioner Maurine Dickey, 214.653.7552 renee.breazeale@dallascounty.org.

The Dallas Police Department started a program in April 2007 that would change the Dallas' approach to individuals in prostitution—to treat them as victims rather than criminals. The police department saw a drain of resources due to the revolving door of prostitution (from jail to probation and back onto the street and into the only life the individuals knew). The change in approach brings services to the street where prostitution occurs. This change offers the individuals in prostitution a complete exit strategy out of the sex trade through services rather than jail time.

Law enforcement takes the stance that prostitution is not a victimless crime since the women trapped in the vicious cycle of prostitution are victims themselves. The Dallas County Sheriff's website states that, in referring to PDI, "by being pro-active, giving these women the necessary tools to be productive citizens not only benefits the women and the surrounding communities; it allows Law Enforcement to take less of a re-active approach to prostitution."

The PDI-NL Program works in conjunction with the Dallas County District Attorney's Office, City Attorney's Office, County Courts, Dallas County Sheriff's Office, Dallas County Health and Human Services, Parkland Hospital, and about 30 social service and faith-based organizations. New Life (NL) refers to the treatment, recovery, and case management phase for women accepting participation into the program.

Dallas Police Sergeant Felini initially approached Renee Breazeale with an idea that would take a multi-disciplinary approach in offering a complete exit strategy for women wanting out of the sex trade industry. Breazeale was employed through Homeward Bound at the time, a partner program and residential drug treatment center. The process began with a concentrated effort by Breazeale and Sargeant Louis Felini of the Dallas Police Department to develop relationships with local social service agencies, public health departments, hospitals, courts, faith-based organizations, and universities. The original group of participating agencies grew to 125 individual members, with a representative steering committee meeting on a more regular basis.

The program has three distinct goals:

- To offer women in prostitution a complete exit strategy from the sex trade.
- To shift police department's approach with those in prostitution; to offer services instead of incarceration.
- To address street level prostitution immediately and on-site.

More recently developed as an extension of the PDI-NL was the creation of a High Risk Potential Victim's DNA database. The database is led by the Dallas County Sheriff's Office in collaboration with the University of North Texas Center for Human Identification. This first-of-its-kind database is a voluntary program for which individuals in the sex trade can submit a DNA sample that can help identify them if reported missing or found deceased. The purpose of the database is for post-mortem identification purposes only. In a pilot survey asking individuals in the sex trade whether they would like to submit a DNA sample if they were given the opportunity, all responded that they would like to participate. Reasons for participating included: gives value to their life, provides emotional resolution for their families in the event of their death, and law enforcement could advocate for them in catching their killer. 239 voluntary DNA samples have been submitted to date.

Model

One of the most important things done before the street initiative launched was establishing the roles of everyone involved (police, social service organizations, volunteers), ensuring that no toes were being stepped on and everyone knew their role.

The PDI program sets up a staging area on the streets on the first Wednesday of the month at sites identified by the DPD Vice Unit as "hot spots" for prostitution activity. The staging area is typically constructed in a square format with mobile trailers bordering each side for privacy for participants. Convening in the staging area are medical personnel, social services, courts and law enforcement.

Entry onto the staging area is by arrest or by voluntary walk-on for prostituted persons who wish to avail themselves of on-site

care and services. Food and clothing are provided on-site. Advocates who were also formerly involved in the sex trade assist them through the multi-step process. All participants are searched, checked for outstanding warrants and debriefed by the Vice Unit. The participant moves onto triage where a brief assessment is conducted by licensed social workers and/or medical psychologists to determine the most immediate needs (physical health, mental health, or substance abuse) for entry into the program.

The person is then taken for a medical screening. The Dallas County Health and Human Services test for any sexually transmitted diseases and HIV on-site in their mobile laboratory. Rapid testing allows participants to know results before leaving the staging area. Participants are provided with an identification card with their true name to help them access services that require identification should they choose to not accept treatment and return to the streets.

After testing, the participants are taken before an on-site judge. The judge accepts a plea from the defendant. If the defendant pleads no contest or guilty, then the judge evaluates the social services recommendations and issues a court order that requires the defendant abide by the social services' advice. Transicare provides immediate transportation to services that night for those choosing treatment. Depending on the criminal charge pending against them, the women have the opportunity to accept this offer for immediate diversion, be released with a citation, or go to jail. For those going to jail, they are diverted to one of two prostitution courts: the PRIDE or STAR courts for a second opportunity to be diverted into treatment services.

- PDI is set up as an on-site operation to offer an immediate diversion from jail through services offered by NL partners. Individuals are introduced to the program and invited to participate in available services.
- Entry into the program is voluntary unless it is part of a condition of pretrial release.
- STAR and PRIDE courts, as well as 3 judges that are willing to take overflow cases, work with PDI through referrals in court outside the night of initiative or through the individuals that are brought into jail on the night of the initiative.
- The police pick up as many individuals as are beds available.
- Also, individuals who are picked up by a police officer on a solicitation charge on the nights that the PDI program is operating are brought to the staging area.

Initial years of the PDI were focused on truck stops as the staging area. The PDI was created to be a flexible model with the ability to be mobile. Over the last two years, initiatives have moved to other areas within the city to determine whether successes seen at the truck stops would also be seen with a different geographic population.

Eligibility

- Must be 17 years of age or older.
- Any individual in prostitution at the PDI staging area site or individuals that are picked up by a police officer on the night of the initiative (beds permitting).
- Individuals are presented with the opportunity to enter the program outside of the night of initiative as well.
 - Those arrested and sent to jail that night can later be referred to NL services through one of the other treatment courts in Dallas (PRIDE or STAR).
 - Individuals who cannot get treatment that night can begin within the next few days.
 - Police may refer individuals to the NL treatment program on other nights.
- Women with felony cases are processed through the court diversion and will be processed through the STAR or PRIDE courts for entry into treatment services.
- Women are still eligible if there are outstanding warrants or felony charges for cases other than prostitution that have to be addressed first; however the person would go through the PRIDE court. The PRIDE court works with social services to enter the woman into the NL program.

Program Details

- Setup of the site starts around 6pm with a meeting of everyone involved at 7pm.
 - Currently, PDI runs from 7 pm - 12:00 am.
- A staging area is set up with medical personnel, social services and courts convening on-site.
 - Individuals enter the staging through arrest or voluntary walk-on.
- Once on-site, the individuals are searched, checked for outstanding warrants locally and debriefed by the Vice Unit.

- Individuals are accompanied by an officer and assigned an advocate (a survivor of prostitution or community volunteer).
- Individuals appear before an on-site judge for observed violation. If the individual refuses entry into the program, then the person is either taken to jail and charged or issued a citation and returned to point of contact.
- Assessments determine immediate substance abuse and mental health treatment needs, and gather information.
- Food, clothing, emergent care and STD screenings, treatment and education are provided on-site.
- A photo ID is also made for the women on-site indicating her engagement in the PDI/NL and eligibility at any time for related services. The ID card can be used at other social service and treatment agencies where identification is needed to get services (PDI or not PDI related) in the future.
- Available resources are presented to the individuals; the person is immediately evaluated as to whether they would be a good fit for diversion in order to avoid jail time.
- Treatment Options:
 - Participant can then immediately enter a 45-day treatment facility.
 - The treatment will either be residential drug treatment or residential mental health treatment with mentorship and peer advocacy support.
 - Treatment programs are trauma-focused, grounded in the cognitive-behavioral therapy for co-occurring PTSD and addictions therapy program; the “Seeking Safety” curriculum is used.
 - If treatment goals are met, then the participant is eligible for 60-day transitional housing, job training, outpatient mental health services, mentorship to assist with recovery, and assistance with getting or reinstating SSI benefits.
 - If the individual is still in need of housing, then s/he may be referred to a women’s housing site in severe cases (i.e. to address clinical needs).
- Upon program success and completion, the Dallas County Attorney’s Office and community court will take into consideration for resolution of any case pending against the participant.
- Individuals can reenter program if they choose to leave. In severe circumstances, if they are asked to leave, then the person may reenter as many times as necessary.
 - If the participant leaves the program against medical advice, and participation was a condition of pretrial release, then the participant’s status will be revoked and a bench warrant will be issued.

Funding

All organizations operating on the night of the initiative, outside of law enforcement and judiciary, do so on a voluntary basis. Both Dallas Police Department and Dallas County Sheriff Office utilize reserve officers who also participate on a voluntary basis.

- Federal Block Grant dollars are used for substance abuse and mental health treatment
- Medicaid can cover residential treatment for 14 to 21 days.
- Private foundations pay for residential stay (\$144 per day), transitional housing (\$500 per month), and the cost of bus passes (\$50 per month)

John School

An ancillary program called Dallas Offender Program for Exploitation (DOPE) was developed as a related program to the PDI-NL to address “johns” (the demand side of the sex trade). DOPE is a John’s School led by the Dallas County Sheriff’s Office.

See Appendix.

Success of the Program

According to the 2011 Annual Report:

- Findings from October 2010-September 2011
 - 190 individuals were contacted.
 - 66% (125) of contacts wanted to enter into treatment
 - 62% (118) of contacts were eligible for immediate diversion to treatment services
 - 5 (2%) completed the initial phase of treatment this past year; 2 of the 5 have not been re-arrested. This does not include those still currently in treatment (and may never complete treatment). This number may be underestimated

since treatment completion data was not available for 20 individuals entering Homeward Bound treatment services.

- Data from 2007-2011:
 - 728 individuals have been contacted.
 - 411 (56%) were eligible for immediate diversion and 49% of those eligible opted for treatment.
 - 57 completed treatment at the end of the fourth year, and 42% were not subsequently re-arrested of the 57 that completed treatment.

According to the 2010 Annual Report:

- Crime decreased by 60% (2009-2010) in beats where truck stops are located compared to the year before PDI was implemented.
- Individuals who enter the program other than the night of the initiative show higher success rates than those who enter on the night of the initiative.

Greatest Challenges

- More data is needed to determine if short-term successes lead to long-term successes.
- Many of the individuals relapse after going through PDI and NL.
- These individuals have high levels of re-entry into NL.
- Manpower and the availability of beds determine the number of individuals that are immediately diverted into the program.
- It is difficult to have wide a range of interpreters to address the language barriers.

Note from Dr. Martha Felini: “The PDI-NL was never intended to end prostitution or decrease prevalence of prostitution, as the demand turns out women on a daily basis. Rather, the PDI-NL was created to identify those that want out of the sex trade industry and provide a safe and complete exit strategy. As the front page of the Annual Report indicates: “for the sake of one.” Once we identify these sex workers as victims, we have a responsibility to go after even that one person to rescue them.”

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Felini, Martha, personal communication, September 24, 2012.

Prostitution Diversion Program, Phoenix, Arizona

Presiding: N/A

Contact: Martha Pérez Loubert, Diversion Program Administrator

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The city of Phoenix implemented a Prostitution Diversion Program (PDP) in an effort to divert people charged with prostitution from further sex trade exposure and extensive criminal records. The process saved the city money in jail costs. Through a Request for Proposal (RFP) process, Catholic Charities Community Services Inc. has the contract in providing the program and services to this population. Martha Pérez Loubert is the Diversion Program Administrator responsible for writing the RFP and implementation and administration of the program.

The PDP was piloted in September 1997 through February 1999. The program became a permanent program in 2001. There was initial hesitation in serving this population through a city diversion program since many were not sure of its benefits. However, people began to understand the worth of the PDP through educating the community on its effectiveness with numerous studies, recidivism rates and the money saved from keeping individuals out of the jail system,

Model

The Prostitution Diversion Program (PDP) is a diversion program run through the city of Phoenix Prosecutor's Office that works with those facing misdemeanor prostitution charges. This diversion program works to connect individuals with Catholic Charities' DIGNITY (Developing Individual Growth and New Independence Through Yourself) Diversion Program to assist in successful transitions out of the sex trade.

The majority of individuals are identified in the Madison Jail. Individuals attend court within the jail, and are informed of their option to participate in the Prostitution Diversion Program if eligible. The person must sign a plea agreement stating their intent to participate in PDP by pleading guilty to the charge. The person understands that if they do not complete the program, then they will face these convictions in the city of Phoenix's municipal court.

Eligibility

- The individual must be facing misdemeanor prostitution or "manifestation for prostitution" (when a person manifests an intent to commit or solicit an act of prostitution while in a public setting.)
- The individual cannot be facing any felony charges. In Arizona, an individual's fourth misdemeanor prostitution conviction is upgraded to a felony.
- The individual cannot have had a previous case dismissed by the Prostitution Diversion Program.
- Both women and men are eligible for the PDP program. On average, the PDP sees 10 men a year.
- The individual must be at least 18 years old.

Program Details

The PDP works with the women and men in Phoenix, Arizona who have misdemeanor charges in the Phoenix municipal court for prostitution and the manifestation of prostitution. PDP is a 6-month program that works with the participants on multiple levels to help them make successful transitions out of the sex trade industry.

- If the individual has a hold on a separate case, then they must serve jail time first before participating in PDP. She/he must contact the program immediately upon release to remain eligible.
- The individual is released from jail and has 5 days to make contact with Catholic Charities to set up an intake assessment.
- After initial contact is made, the individual has 30 days to complete her/his intake.
- Once in the PDP, the participants will attend numerous therapeutic groups and meetings.
 - One of the components of the program is to attend 36 hours of educational counseling for one week. This week of educational counseling is held once a month. He/she meets at Catholic Charities from 8-5pm Monday through Thursday and 8-12pm on Friday. Individuals cannot be late nor can they leave the property during this intensive

- week. Participants must complete the education counseling in 5 consecutive days.
- Weekly groups for Life Skills (10 sessions minimum)
- Weekly groups of Circle of DIGNITY (prostitution anonymous - 10 sessions minimum)
- The participants must attend 10 sessions of appropriate addictions groups, 10 PA (prostitution anonymous) groups and a minimum of 4 groups with ESUBA.
- ESUBA (“abuse” spelled backward) deals with critical trauma and abuse issues for those in the sex trade. There are 12 ESUBA classes available to the participants. Participants can attend all classes but are only mandated to attend 4.
- The participants meet with a Job Developer who works with employers who hire individuals with a criminal record.
- The participants must make weekly contact and complete the PDP within 6 months.
- If an individual successfully completes the program, then their charge is dismissed. Their record will show the arrest and charge, but it will show that the charge was dismissed due to participation in the Prostitution Diversion Program.

Supervision and Sanctions

- If 5 days have passed without the individual making contact with Catholic Charities after the plea agreement was signed, then Catholic Charities staff will attempt to make contact 3 different times with the client. If contact has still not been made within 30 days, then the individual’s case is closed and noncompliant by filing a motion to execute sentence and enter judgment is filed.
- If an individual’s case is closed from PDP at any point for not continuing to participate, then she/he will face jail time as indicated in the plea agreement they signed.
- The plea agreement will indicate an additional 15 days in jail to what is mandatory by law. For example, a first offender faces 15 mandatory days in jail; however, the additional time will increase to 30 days by accepting a PDP plea agreement. This is done as an incentive to complete the program.
 - In Phoenix, prostitution convictions are given the following number of days in jail based on the number of their prostitution convictions:
 - 15 days in jail for the first prostitution offense
 - 30 days in jail for the second prostitution offense
 - 60 days in jail for the third prostitution offense
 - Felony charge (180 days in jail) for the fourth offense and will no longer be eligible for PDP

Funding

- The city of Phoenix provides all funding for the diversion program.

Success of the Program

The PDP success rate has been measured by its recidivism rates done in three different studies for those who completed the program. The recidivism rate has continued to drop with each new study.

- In 2000, the recidivism rate from the pilot program was 31%.
- In 2004, the recidivism rate was 26%.
- In 2010, a study was done in partnership between the city of Phoenix Prosecutor’s Office and Arizona State University for those in the PDP program between 2004-2006, with a recidivism rate of 14%.
- The PDP is currently working with the Department of Public Safety to determine the success rates of the fiscal years between 2006 and 2010.

Greatest Challenges

- The main challenge is trying to get individuals to participate in the program. The PDP is more work, effort, and time than doing the original sentence in jail.
- The city provides such a small amount of money and it is difficult to provide all of the services that could benefit the participants.

- It can be difficult for Catholic Charities to make initial contact with the participants because their phone number can be disconnected or incorrect.

References:

Bauer, Cathy, personal communication, December 10, 2010

Loubert, Martha Perez, personal communication, multiple dates from December 2010 - August 2011 and August 8, 2012.

Specialized Pre-Trial Diversion Program in Baltimore, Maryland

Presiding: N/A

Contact: Sue Diehl, SPD Case Manager

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Baltimore was experiencing continued issues with street level prostitution. In 2007, community members decided to work together to bring about a resolution regarding the effects that the sex trade was having on their neighborhood. Representatives from the State's Attorney, law enforcement, health and mental health professionals, police and social workers formed a task force to address the issue. The Baltimore City Office of the State's Attorney took the lead to develop a steering committee and to apply for funding to hire a social worker. In addition to the neighborhood representatives and original task force members, representatives from the University of Maryland Schools of Social Work and Law were added to the Steering Committee.

The program began in August 2009 as the Specialized Prostitution Program (SPD), an enhancement to the operating pre-trial diversion program, and initially planned to develop a problem solving court. SPD works to help women, men and transgender individuals in the sex trade address their needs in an effort to help them remain out of the commercial sex industry. The SPD staff makes a concerted effort to ensure that everyone who accepts the program is treated with dignity and respect. The perspective is that the individuals are coming for help rather than punishment. Beginning in 2012, the program changed its name to Specialized Pre-trial Diversion and included individuals with other charges who are eligible for diversion with a history of prostitution.

Model

The Specialized Pre-trial Diversion Program runs within the Early Resolution Court (ER). The ER Court is an initial appearance or arraignment court that addresses low level, "victimless" crimes in the city of Baltimore. The SPD is assigned two Pre-trial Services workers with a caseload size of 80 persons. Four part-time social workers (2FTEs) and access to substance abuse assessors complete the staffing.

All persons charged with prostitution are given an initial court appearance on a Monday in ER Court. The Assistant State's Attorney reviews the cases and their eligibility for SPD is checked. The Office of the Public Defender (OPD) represents all defendants without private counsel in ER Court. The State's Attorney notifies the OPD of an offer for SPD for eligible individuals. The OPD conveys the offer if there is space available in the program, and the defendant may accept or refuse. There is no upfront plea since SPD is considered a pretrial/pre-plea diversion program. A summons to return to ER Court in 90 days is given.

Eligibility

- Individuals cannot have a prior violence-related charge.
- Individuals can be brought in on a charge other than prostitution but must have a history of prostitution.
- Individuals cannot currently be on parole or probation.

Program Details

- SPD is a 90-day program.
- Eligible persons may accept the State's offer presented by the Public Defender.
- Individuals are assigned to a social worker and a pre-trial services agent will work as a team to help address the individual's needs and transition out of the sex trade.
- Each person receives a substance abuse assessment.
- The Monday court call begins with the women who have successfully completed SPD. They are given a certificate, a rose and applause. This is done to celebrate their accomplishments, and also to calm the nerves of individuals waiting to accept SPD for the first time, thus letting them know that success in this program is possible.

- The Judge must approve the individual's participation in the program after the State's Attorney informs the individual of the program requirements. Each individual meets with a pre-trial agent following their court appearance, and receives a substance abuse assessment with possible referral to treatment. A urine sample is obtained. An appointment with a social worker is scheduled for later in the week.
- The social worker and individual develop an Individualized Service Plan (ISP) that addresses specific identified needs which may include:
 - Substance abuse treatment (inpatient or outpatient based on the individual's needs and goals)
 - Mental Health treatment
 - Obtaining ID
 - Obtaining health insurance and health services
 - Education
 - Housing
 - Child care/custody
 - Employment
 - Financial assistance
 - Trauma services
- Weekly meetings with the social worker and pre-trial agent are scheduled simultaneously.
- Individuals need to have clean urine tests when tested (at least once a month). If not, then treatment services may be changed.
- The individual returns to court at the end of 90 days.
- If they have completed the program, through work on their ISP, not being arrested, and being drug free the state will nolle prosequi (drop) the charges. The individual has the option to have this charge expunged as well.
- Occasionally a second 30, 60 or 90-day extension is given.
- SPD will support individuals who reside out-of-town and would prefer to return to and receive services in their hometown. If they do well, then they will not need to return to court.

Supervision and Sanctions

- SPD is a Pretrial/Pre-plea diversionary service, therefore, there are no graduated sanctions for those who participate in the program.
- If they fail to show up for their court date, or repeatedly do not follow through with the goals developed on their service plan, then their case is forwarded to a trial court for prosecution. This was the other option at the time of the initial court appearance.

Funding

- SPD was funded by a 2-year grant from the Governor's Office of Crime Control and Prevention.
- The Abell Foundation is funding the present expanded program.
- The funding is for social worker positions.
- The present grant includes funding for transportation, food and flowers for the court presentation.

Success of the Program

- Since the SPD began in August 15, 2009 through August 17, 2012:
 - 3148 individuals have been charged
 - 2013 were not eligible
 - 1135 were eligible
 - 574 accepted to participate
 - 44 refused to participate
 - 182 were not served due to lack of space
 - 223 individuals did not show for their court date

- 197 did not complete the program
- 299 have successfully completed the program (60%).
- The successful completion rate has improved by 65% since the program began using dated bus passes for those without transportation to the facility.

Greatest Challenges

- Individuals entering the program lack identification documents and/or health insurance that may prevent admission to treatment.
- It is difficult to find housing and employment within the 90 days, especially with no income.
- Finding continued funding for social worker positions is always a challenge.

References:

Burns, Margaret T. and Sviatko, Joseph. (2008, July 10). City State's Attorney's Office awarded \$71,000 state grant for prostitution court pilot program. Office of the State's Attorney for Baltimore City. Retrieved from http://www.stattorney.org/Press_Release/2008/7102008_2.htm

Diehl, Sue, personal communication, February 11, 2011, January 13, 2012, and August 17, 2012

Kearney, Brendan. (2008, July 10). Prostitution court to focus on diversionary tactics. *The Daily Record*. Retrieved from <http://www.mddailyrecord.com/article.cfm?id=11929&type=UTTM>

Leon, Chrysanthi S. and Shdaimah, Corey (2012). JUSTifying scrutiny: state power in prostitution diversion programs. *Journal of Poverty*, 16, 250-273.

Upcoming Prostitution Diversion Project in Washington D.C. —*NOT ONLINE YET*

Presiding: N/A

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There has been some attempt to develop a specialty, treatment prostitution court or diversion program within D.C.'s community court system over the past 5 years; however, this project still in the developmental stages for the time being.

A workgroup meets quarterly with all the stakeholders, including the Office of CSOSA (Probation), the Polaris Project, and consultants from the National Center for State Courts. An independent contractor has conducted a study of prostitution in the D.C. area to help determine the best design and approach for this upcoming court model. This report has yet to be finalized, and there is no funding yet to support the new project. The expectation is that the new court model will come online in 2013.

Washington D.C.'s community court system currently has 6 misdemeanor courts based on police service areas. Pre-trial services assess defendants for any special needs and may make referrals to one of the core service providers they utilize. Each defendant is subject to drug testing. A determination may be made if the person wants to opt into a diversion program with treatment or community service. 6 different judges within this system also handle misdemeanor prostitution cases.

Reference:

Williams, Anntinette, personal communication, February 11, 2011, January 11, 2012, and August 28, 2012.

Appendix: John Schools

PRIDE Court John School in Allegheny County, Pennsylvania

In order to provide additional sources of funds for the PRIDE program and to re-educate individuals who buy sex, the same agency that provides services for individuals in the PRIDE program also offers a John School. The fees paid for the John School are redirected to pay for services. Arrested individuals are offered the chance to complete the program. The case is postponed (charged, but not tried) until the person completes the John School class and returns to court with a certificate of completion. The charges are dropped at that point.

- Class Details:
 - 6-hour class, 3rd Saturday of the month
 - 5-25 individuals per class
 - Mostly arrested through stings
 - Rate of arrests is very weather-driven (less stings or arrests in winter); can be canceled due to lack of participants
 - Only 1 opportunity to attend program, but does not need to be a first offense
 - 650 individuals have attended the program
 - 3 participants have been re-arrested in the county
- The class covers the following topics:
 - Purpose of being in the class
 - Court/legal process for individuals ordered to the class
 - Personal questions or details of individual cases are never shared
 - Legal consequences for individuals arrested for prostitution across the country

- ▶ Vehicle seizures, publishing names/pictures in newspapers, billboards, etc.
- How program came into existence—community clamor to rid the neighborhood of prostitution
- Laws against prostitution
 - ▶ Discussion of legalization, Nevada’s laws, etc.
- Explanation of solicitation charges—possibility of how bad it could be (statutory rape charges, etc.)
- Health department talks about STDs, etc.
 - ▶ Pictures of STD-infected individuals for shock value
- Police officer shares examples of scarier cases
 - ▶ i.e. Boyfriends beating up johns, cars stolen, women living with HIV who continue to engage in prostitution, etc.
- Program Director talks about the reality of the experiences of women in prostitution and dispels myths
 - ▶ Women’s history of abuse, lack of education lack of options in general, and desperate circumstances
 - ▶ Mental health and substance abuse issues, recovery process
- Community member talks about the impact on her neighborhood
- Survivor of prostitution talks about her experience (a graduate of program who is well prepared for the experience)

Prostitution Diversion Initiative DOPE John School in Dallas, Texas

The John School, Dallas Offender Program for Exploitation (DOPE), is being run through New Life. DOPE held its first session on March 26th, 2011. Three DOPE school classes have occurred so far in 2012 and another is scheduled in December.

- There will be a sliding fee scale of \$200 to \$250 - the official cost will be \$250.00Structure
 - If individual completes an 8-hour course, then the charge is expunged from the person’s record.Includes individuals and presentations from:
 - ▶ DA’s office
 - ▶ Victim of prostitution
 - ▶ CBT Component
 - ▶ Sex and Love Addicts Anonymous
 - ▶ Health Department (STD info)

Footprints AMEND Program in Maywood, Illinois

No information was made available.