



Sarasota's new Community Care Court helps the homeless

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Innovative program gives Sarasota's nonviolent offenders repeat chances to succeed

So thin and knobby that she looks almost breakable, the woman with a lank ponytail stands before 12th Judicial Circuit Court David Denkin and declares herself unwilling to continue with the steps of an innovative new program that could keep her out of jail.

"I can't go to that Salvation Army," she tells him, adding that she has been homeless for most of her life. "Sometimes I stay outside because that's what I'm used to; it's a big transition to go inside. I'm willing to work with them if they'll let me be outside."

Denkin listens as she explains why life in a shelter isn't bearable for her. Then he says, "My question is this: If we come up with an alternative, are you at least willing to give it a try?"

Another woman — charged with trespassing and trailing a list of prior convictions so long that Denkin puts a stop to the recitation — is also dubious about yet another court program meant to free her from self-defeating patterns.

"I don't think I need it," she says. But she doesn't like the sound of jail time. "What else can I do about this?"

Denkin convinces her to hear what a caseworker has to say, and she returns from her conference ready to sign on for this new opportunity.

"Cool," she says to the judge, after hearing that she qualifies for services that could stabilize her life.

"Awesome."

What is happening in Denkin's courtroom is a subtle, incremental negotiation process that flips the tired old script of plea bargaining, one repeat offender at a time. Sarasota's Community Care Court — a quiet experiment in addressing the most stubborn category of homelessness — is the first of its kind in Florida.

And after six months of trial and error, founding partners in the program are ready to declare a modest and encouraging success: Of the pilot project's 21 individuals experiencing homelessness, five have graduated and had their criminal charges dismissed. Word is spreading in the community, the partners believe, that this is a way out of repeating the same fruitless mistakes.

Or, as one gray-haired man puts it to Denkin, "I just can't go on like this."

On this Wednesday session of Community Care Court, out of 40 cases called, another 10 or so agree to get with the program. Their nonviolent offenses, mostly open container violations, also include soliciting funds, trespassing, possession of designer drugs, driving with a suspended license and unlawful activity in a closed park.

Old hands at the criminal justice system, they are fluent in excuses:

"It was just pouring rain that day," says a trespasser.

"I didn't know that CBD was a designer drug," says a young man with plenty of attitude.

"I called but nobody called me back," says a man already enrolled in Care Court who failed to contact his case manager. "And then I lost my phone."

Convincing individuals that this program might change things for the better is a one-at-a-time challenge, Denkin says.

"Some people have an automatic response of either saying no or lying," he points out. "It's especially true of people who have addictions or other medical issues. We have to get past that distrust."

Critical puzzle piece

Denkin outlines at the beginning of the morning how this different kind of deal works. As each name is called, Denkin appears endlessly willing to explain everything again: "Community Care Court is a program that will help you get back on your feet, and you don't have to go to jail. If you do well, the charges get dismissed."

Appearing before him are shackled inmates in orange pajamas and those still on the outside, all scheduled by the Sarasota Police homeless outreach teams to attend this once-a-month arraignment session because they may qualify for the program. After six months, he's seen many of them often enough to know how to pronounce difficult names and remember previous promises. He has discussed their fates with an army of case managers, defenders, prosecutors, homelessness experts and law enforcement officers.

"We had talked about your case a couple of days ago," he tells one man. "We're going to figure out something."

The pilot adjudication process, for now applying to nonviolent offenses occurring within city limits, is an intricate collaboration among the court, the city of Sarasota, the state attorney's and public defender's offices, and the Suncoast Partnership to End Homelessness. A \$15,000 grant from the Gulf Coast Community Foundation covered administrative costs for the startup.

"It's a component to a larger, comprehensive approach to homelessness," foundation senior vice president Jon Thaxton said before a press conference Wednesday to publicize the Community Care Court. "We've built the on-street systems with the help of the sheriff and the city; we have the relationships established with the homeless persons. It gives us an opportunity to intervene in the process and disrupt that cycle of arrest, jail, release, re-offend, arrest, jail. It may be a small piece, but we think it's a critical piece to the puzzle."

Salvation Army area commander Major Charles Whiten is one partner in the new regional approach to homelessness who has been impressed so far by the Community Care Court's ability to shift the narrative for that sector of the population most resistant to lasting change.

"It's a point of enforcement, but it's really intended to direct people back to services — and to give them the opportunity to remove some of those things legally that would be obstacles to their housing, to their ability to be employed," Whiten said in a June interview. "We get to the point where we're ready for housing, we're ready to integrate them, and they've got these barriers, like a driver's license or court costs. The Community Care Court is asking: Do you want to have to live with this hanging over your head, or do you want us to help you re-engage and try something different?"

City homelessness response coordinator Kevin Stiff said other communities are already approaching Sarasota for advice on how to form courts of their own.

“We didn’t have a road map to build this,” he added. “We contact these individuals outside and in court multiple times. It isn’t going to be the first contact, or second contact or third contact; it’s maybe the 10th or 20th contact.”

City of Sarasota case managers Krystal Frazier and Carly Tolkacz, who conduct private conferences with those who appear at a Care Court session, said they have spent years building trust in the homeless community.

“Sometimes they’re resistant to taking our services when we meet them out on the street,” Frazier said. “But then when you get them in a setting like this, it seems more appealing.”

Coming to court and seeing that even inmates have a shot at improving their odds can be a motivator, they said. And so can talking to friends who have graduated from the program.

But it takes persistence, Frazier added, and lots of chances: “The people that said no today, that doesn’t mean the next time they come in, they’re out. They can say no and no and no, and then suddenly they want it.”