

FEATURE ARTICLE

SAFE
court



Survivors Acquiring Freedom and Empowerment

Ann Johnson
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SAFE Court

Ms. Ann Johnson is the Human Trafficking Section Chief for Harris County's District Attorney, Devon Anderson. Ms. Johnson earned a Bachelor of Arts degree from the University of Texas and her law degree from South Texas College of Law. After graduation, she worked as a briefing attorney for the Honorable Leslie Brock Yates with the Fourteenth Court of Appeals. Afterward, Ms. Johnson became a prosecutor with the Harris County District Attorney's Office.

In 2005, Ms. Johnson left the District Attorney's Office and entered private practice, where she represented citizens with civil, criminal and juvenile matters. Her docket included the representation of many child victims of prostitution, and she was a founding member of the GIRLS Court, a specialized court dedicated to assisting children ages 10-17 in the juvenile justice system who may be at risk or be victims of human trafficking.

Ms. Johnson also pursued an active appellate practice,

"The Helping Hands"

When each person starts the SAFE Court program, they are given a blank picture with two hands. The SAFE Court team wanted a way to identify each client without using their personal information. Each participant paints one hand when they come in and the other before graduation. Everyone signs around it and then it gets framed and presented to the graduate at the ceremony. The helping hands logo is meant to represent where you were in the beginning and the helping hand of where you are at the end. People make it through the program because they had the sheer will and strength to turn things around. This painting is a nice reminder for them of how strong they are and that it's possible to stay on the right track.

litigating cases in the First and Fourteenth Courts of Appeals and the Texas Supreme Court. In one of her most significant cases, *In re B.W.*, the Texas Supreme Court reversed the prostitution conviction of a 13-year-old child. This case of first impression created a framework for protecting child victims of exploitation and human trafficking. Ms. Johnson described the *In re B.W.* ruling as "the point that began to turn a very large ship." She stated that "just like turning a very large ship, there has been a lot of work that had to be done to keep it turning and there's been a ton of resistance." She later returned to the District Attorney's Office in 2013 as the human trafficking specialist for District Attorney Mike Anderson. District Attorney Anderson was committed to tackling this issue since Houston is a hub of human trafficking. At the time, there was no road map (to advocate for victims of human trafficking charged with prostitution) but a strong commitment to finding new solutions.

This new commitment resulted in the DA's Office identifying a subset of this prostitution population, young offenders who had not been identified as children, but who had been in the "game" since they were 13 or 14 years old. This is when the United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA) provided Harris County District Attorney's Office with a Smart Prosecution

Grant for a Prostitution Prevention Program called SAFE (Survivors Acquiring Freedom and Empowerment) Court. This program was established as a pretrial, 12-month prostitution diversion program providing supervised, targeted intervention and treatment for young adults between 17 and 25 years old charged with misdemeanor prostitution—not current human trafficking victims—in order to keep them from a conviction.

A number of community organizations helped provide support during the start of this Smart Initiative program including: GIRLS Court, STAR Court, The Texas Department of Family and Protective Services, the Children's Assessment Center, the Houston Area Women's Center, Community Supervision and Corrections Department (CSCD), Bridge over Troubled Waters and The Harris County Criminal Courts at Law. Also, according to Ms. Johnson, key partners in the success of SAFE Court are Harris County Probation and the Honorable Pam Derbyshire in Harris County Court #7, who presides over SAFE Court. Another key participant is research partner Dr. Lisa Muffic, Assistant Director of the Crime Victims' Institute and Associate Professor of Criminal Justice and Criminology at Sam Houston State University. Dr. Muffic and her research team provide an independent ongoing evaluation of the SAFE Court program. They collect and analyze data, report on the structural and procedural aspects of SAFE Court, and assess factors that impact SAFE Court outcomes. This research is vital to the success of SAFE Court.

Thanks in large part to all of these people, the following has been accomplished in Harris County:

The Harris County District Attorney's Office recognizes a 3-pronged approach to combat human trafficking: 1) victim identification 2) buyer/demand prosecution 3) pimp and promoter prosecution.

- The Harris County District Attorney's Office identified 18 potential victims, originally charged with prostitution, in 2013. The specialist position has been expanded to a human trafficking section with five prosecutors resulting in a 1,466 percent potential victim identification rate increase with 264 cases dismissed as of August 30, 2016.
- Texas law was changed to distinguish between prostitution sellers and buyers on September 1, 2015, with 90 buyer cases filed in the remaining year. This year 644 buyer cases have been brought against the demand.
- 56 pimp or promotion related charges were filed within the first year of the program's implementation. To date,

101 such cases have been filed this year.

Within the first year, the District Attorney's office identified 887 potential SAFE Court participants from a pool of defendants.

- 88 (12%) people agreed to participate in the probation assessment
- 73 (8%) signed a contract that would divert criminal charges.
- 128 SAFE Court potential clients were dismissed with human trafficking victimization concerns

Due to the unexpected number of program participants, the DA's Office had to modify its approach. At the start of the program, it was anticipated the program would serve 20 individuals within the first year. It was a very gratifying when 73 individuals signed a contract. The team looks forward to continue focusing on protecting victims and prosecuting those who exploit them.

SITE ACTIVITY

LOS ANGELES

PROJECT: Introducing New Tools Using Evidence and Risk Assessment to Confirm Eligibility for Prosecution Treatment (INTERCEPT)

SITE HIGHLIGHTS: The LA City Attorney's Office is planning to expand its Neighborhood Justice Panel (NJP) from 9 to 12 panels in the upcoming months. Two of the new panels will be in the INTERCEPT target area.

Hollywood, an INTERCEPT target area, received a broader variety of case referrals in August. Typically, Hollywood case referrals were for alcohol-related offenses. This month, case referrals included crimes of vandalism, petty theft and battery.

On August 20, The Los Angeles Times published the op-ed article "What's the Best Way to Handle Petty Crime? Restoring the Community and Offender" written by

NJP panelist Diana Wagman. Ms. Wagman discussed NJP program's benefits, writing, "In late 2014, Los Angeles City Attorney Mike Feuer and his staff put into motion the Neighborhood Justice Program. Built on a restorative justice model, the program is a way for first-time offenders who commit a nonviolent, non-weapons-related and non-drug-related misdemeanor to take responsibility for their actions and work with the victim and the community to repair the harm. Since October 2014 the Neighborhood Justice Program has dealt with 828 participants at panels in nine city neighborhoods. As of June 1, 766 participants have successfully completed their obligations. The participants have given 7,334 hours of community service. The average one-year recidivism rate is very low - 3%." The entire article is posted on smartprosecution.org.

WEEKLY NEWS: Graduation Ceremony for Public Safety Youth Career Program

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BALTIMORE

PROJECT: Implementing Evidence-Based Risk Assessment during the Pretrial Phase
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Site Highlights: Dr. Baldwin reported a 100% response rate to the Wilder Collaboration Factors Inventory (WCFI), an annual survey designed to assess the health and development of the collaborative.

A Peer-to-Peer site visit to Louisville, Kentucky is scheduled for late October. The purpose

of the two-day site visit is for the team to learn from a jurisdiction that has successfully implemented a pre-trial risk assessment for decisions regarding bail and pretrial release.

WEEKLY NEWS: Baltimore Task Force Aims to Warn Drug Users Away from Fentanyl on the Streets

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ST. LOUIS

PROJECT: The Gun Redirect Program

SITE HIGHLIGHTS: As of August 22, 16 people were admitted into the program, with 4 more participants awaiting plea dates. The program participation numbers continue to grow: in July, 14 individuals enrolled, and eight individuals were enrolled in June.

Missouri Governor Jay Nixon vetoed Senate Bill 656—Missouri's Concealed Handgun Carrying Bill. The bill would allow certain individuals to carry a concealed weapon without a permit. To carry a concealed weapon, applicants must not have a history of mental illness, complete a gun safety training class and pass a criminal background check. The bill is going before the Missouri State Legislature in September for a vote regarding the governor's veto.

Project Lead Pippa Barrett will co-present "Evidence-Based Strategies for Prosecutors" with Harris County Project Lead Ann Johnson at BJA's Smart Suite Summit in Arlington, Virginia on September 7.

WEEKLY NEWS: Downtown St. Louis to Get More Than 2,000 New Streetlights

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SAN DIEGO

PROJECT: *The Community Justice Initiative (CJI)*

SITE HIGHLIGHTS: As of August 18, 22 former participants completed exit surveys about their experiences with CJI. The team is working on creating an incentive to encourage survey completion.

The site completed 147 proxy assessments to determine risk level for program participants. The majority of assessments involve young adults, from 18-25 year old, with a mean age of 30.6. The participants' ages range from 18-66 years old.

As reported in the last month's Expanded Newsfeed, the site completed and distributed 117 CJI surveys to prosecutors and the defense bar (Survey topics included: opinion of CJI program, how the program is functioning, program buy-in, etc.). The site reports that it received a 46% response rate (54 responses) and that the survey results were "overwhelmingly" positive.

WEEKLY NEWS: SDPD and SDSU Police Team Up to Reduce Crime

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HARRIS COUNTY

PROJECT: *SAFE Court (Survivors Acquiring Freedom and Empowerment)*

SITE HIGHLIGHTS: A Trauma-informed care training program for SAFE Court stakeholders is being planned for April 7, 2016.

A Peer-to-Peer site visit to New York City Criminal Court, Queens Prostitution Diversion Court, is scheduled for October 20-21. The Center for Court Innovation (CCI) is coordinating the site visit. CCI will lead roundtable discussion on key topics and convene New York City stakeholders to meet with the Harris County Team.

Project Lead Ann Johnson will co-present "Evidence-Based Strategies for Prosecutors" with St. Louis Project Lead Pippa Barrett at BJA's Smart Suite Summit in Arlington, Virginia on September 7.

WEEKLY NEWS: New Crime Tool for Harris County Residents

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COOK COUNTY

PROJECT: *Misdemeanor Deferred Prosecution Enhancement Program (MDPEP)*

SITE HIGHLIGHTS: As of August 1, 61 participants have been enrolled in the program since its inception in January 2015. 89.7% MDPEP participants successfully completed the program, 10.2% were removed from the program.

The Arnold Foundation has awarded funding to a researcher from University of Chicago and a researcher at Washington University in St. Louis to conduct a data-driven evaluation of Cook County State's Attorney's Office diversion programs, including Smart Prosecution's MDPEP. The researchers' goal is to develop a template for jurisdictions seeking to implement diversion programs. Additionally, a researcher from Berkeley has approached

Cook County about a proposal (funded through the Arnold Foundation) to look at Diversion Programs and evaluate impact on participants versus traditional prosecution.

The office drafted a proposal to the Medicaid Oversight Agency in Illinois, requesting an eligibility determination to receive reimbursement under the Medicaid Administrative Claiming Program (MAC).



SAN FRANCISCO

PROJECT: *Case Strategies Unit (CSU)*

SITE HIGHLIGHTS: CSU Analyst Matt Yee and Prosecutor Archie Long are working with a Stanford graduate student to implement CSU's focused deterrence strategy.

As follow-up to CSU's King County (Seattle) site visit to learn about Car Theft Initiative/ ATTACK Unit model, CSU prosecutors are meeting with the San Francisco Police Department (SFPD) this month to explore a similar model for SFPD.

CSU is formalizing its relationship with San Francisco Patrol Branch Task Force (PBTF) to expand its crime problem solving operations.

CSU is expanding its forensics laboratory for cell phone examination to include audio/ video forensic analysis. A forensic analyst and investigator are joining the laboratory.

The San Francisco District Attorney's Office is slated to host the next Intelligence-Driven Prosecution (IDP) Conference in Spring 2017.

WEEKLY NEWS: SFDA Office Kicks Off Public Education Campaign to End Campus Sex Assault with Training at UC Hastings

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KINGS COUNTY

PROJECT: *The Brooklyn Young Adult Justice Initiative*

SITE HIGHLIGHTS: As of August 1, there are 1,614 cases pending in the program. The site notes unexpected volume recently with over 100 cases daily (on average the Part handles approximately 50-75 cases per day).

As of August 16 the site's research partner Center for Court Innovation (CCI), developed a survey for Kings County District Attorney's Office (KCDA). The survey is expected to be sent to all stakeholders in September including: prosecutors, defense attorneys, legal aid, Brooklyn defender services and judges. KCDA will work with CCI to develop an internal survey for Prosecution Unit Staff.

WEEKLY NEWS: Gun buyback takes 59 guns off Brooklyn streets

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