

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/a-different-type-of-night-court-is-keeping-people-out-of-jail>

Public Facing Advocacy Writing

In one Arizona county, a new justice initiative allows those with minor offenses to face a judge and resolve outstanding warrants without facing time. Its also significantly reducing the local jail population.

In 2016, Pima County, Arizona which includes the city of Tucson started holding evening and weekend court sessions for folks who havent committed a severe crime but who have outstanding warrants for failure to appear in court.

These warrant settling courts were created in part by the Community Collaborative, a group of judges, police, prosecutors, defense attorneys, community activists, and formerly incarcerated people who work together on local justice initiatives.

I reported on the collaborative and their work for *70 Million*, a new open-source podcast about the criminal justice system in the United States.

One day while visiting the court known as the Pima County Consolidated Justice Court I met Carlos Olivas. In a hurry to leave, he walked down the courts hallway as quickly as he could without drawing attention to himself. I didnt think hed stop when I jumped in front of him to ask for an interview. None of the dozen other people Id tried to speak to at court had stopped. But Carlos did, and agreed to talk to me. I noticed that he was drawing shallow breaths. He looked pretty shaken.

I was convicted for having possession of paraphernalia, Carlos explained when I asked him why he was in court that day. And, I missed a couple court dates. He was embarrassed to admit that, but he shouldnt have been. Many of the other people scurrying through the courthouse halls that day had also missed their dates and had come to court for the same reason Carlos had: to face a judge and hope to not get thrown in jail.

Months before I met him, police had found a marijuana pipe on Carlos. He thought that he didnt have to go to court for such a minor offence. He was wrong. After Carlos missed three court dates, the presiding judge ordered a warrant for his arrest. Carlos argued he never received notice of the warrant, so he had no idea that it existed. If a cop had pulled him over for speeding, Carlos couldve gone to jail.

Even if Carlos had known there was a warrant out for his arrest, it wouldve been difficult for him to handle it. Court hours are usually regular business hours. And Carlos worked everyday as an HVAC repairman. Going to court wouldve meant losing a day of work and maybe even losing his job.

Instead, the day I met him in late April, Carlos had just pled guilty to a misdemeanor, was ordered to see a drug diversion counselor, and could walk away a free man. More importantly, Carlos didnt have to miss a day of work. His court session took place in the evening.

Two years ago, Pimas jailhouse was near capacity. Local politicians were considering building a new jail to house the growing population of incarcerated people. While reporting in Pima County at that time, I met Francisco Juez, a man who in 2015 had a warrant out for his arrest for failing to appear in court to deal with a bike riding ticket. Like Carlos, Francisco didnt know that the warrant existed. Then one day, a police officer pulled him over for illegally riding his bike around a construction zone.

The officer realized that Francisco had an outstanding warrant and placed him in custody, where Francisco would sit for nine months because he couldnt afford to post bail. Eventually a judge determined that Francisco wasnt riding his bike illegally around the construction zone and set him free. But the damage was done. Francisco lost his job, and his teenage daughter hasnt spoken to him since. When he told me about his daughter, he wept.

The Community Collaborative was created with the intent of averting stories like Franciscos and preventing Pima County from having to build another jail. Since the warrant resolution court held its first session in June of 2016, 1,500 warrants have been quashed. As a result of this initiative and others promoted by the collaborative, Pima Countys incarceration numbers have fallen steeply.

By the end of our interview, Carlos seemed less stressed. The realization that he wasnt going to jail sank in. He even smiled when I asked him what he planned to do with the rest of his day. Just kick back at home, he said. Do some cleaning, drink a beer, chill with my kids.

Jesse Alejandro Cottrell is a reporter based in San Francisco whose work has appeared in NPRs Latino USA. He reported on the specialty court for [70 Million](#), a podcast from [Lantigua Williams & Co.](#), made possible by a grant from the [Safety and Justice Challenge](#) at the John D. and Catherine T. MacArthur Foundation.

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