

BY DONNA ROGERS, EDITOR-IN-CHIEF

PROBLEM-SOLVING COURTS: CHANGING LIVES



Five different counties' dramatic success stories.

Problem solving courts, have come of age in 2014—25 years after the first Drug Court was established in Miami-Dade County, Florida. Statistics bear out dramatic results in reducing recidivism.

For example, over the past 20 years the numbers in Orange County Superior Court, California, confirm an avoidance of 650,000 days of custodial beds for a savings of \$75 million.

Since the early days, this proven effective means of treating drug offenders has expanded into many treatment areas. Today 2,734 drug courts and another 1,122 problem-solving courts are in operation in all 50 states and U.S. territories. They include mental health courts, community courts, reentry courts, DWI courts, veteran's courts, co-occurring courts, theft courts and others.

In 1994, to help guide others, leaders from the first 12 drug courts in the nation founded The National Association of Drug Court Professionals (NADCP), and since then have provided support and training to its colleagues. In 1997 it established a specialized institute called the National Drug Court Institute, which today serves as the preeminent source for comprehensive training and cutting-edge technical assistance to the entire drug court field. Since its inception, the institute has trained more than 36,000 drug court professionals.

Yet, while the diminished recidivism results for offenders are quite dramatic, it is not to say the outcomes are attained easily. Those involved in the field say those positive results are garnered by high-intensity treatment programs by multi-disciplined justice agencies working together, including courts, probation, parole, and health care agencies. Here are some of their stories.

By 2003 Stone County, in rural Missouri, was experiencing a substantial increase in methamphetamine convictions. Judge Alan Blankenship, associate circuit judge, says that offenders were sent to prison and “95% were released to community but they came out somewhat worse than when they went in. What we were seeing was our criminal justice response to addiction behavior wasn't working.” The area had little, if any, professional substance abuse therapy available. The judge and the prosecuting attorney attended training at NDCI and established their Drug Court in 2004, and six years later also established a DWI Court. The Drug Court can handle upwards of 100 participants at one time, and the DWI court handles 15 to 20 felony cases

concurrently.

They now utilize a host of professional drug and mental health providers, he notes emphatically.

Furthermore, Stone County has found that eight of 10 of its clients suffer from co-occurring disorders that are sometimes masked by the substance abuse, adds Shawn W. Billings, treatment court administrator, 31st & 39th Judicial Circuits.

The treatment team uses standardized screening tools such as the RANT (Risk and Needs Triage) and GAIN (Global Appraisal of Individual Needs) to ascertain the prognostic risk and criminogenic needs, says Billings. Members of the Drug Court team have now also gone through specialized treatment modality training for such commonly co-occurring disorders as PTSD often found in returning military personnel and for gender-based trauma such as domestic violence.

The treatment is intensive. Offenders go through urine analysis twice a week, attend Moral Reconciliation Therapy group therapy (MRT is a proven cognitive-behavioral program for substance abuse treatment and for criminal justice offenders), meet with counselors one-on-one and participate in a probation period. If they have not graduated from high school, participants are also required to pursue their GED. The minimum length of stay is 18 months.

“We also have a medication-assisted treatment [MAT] program for severe alcohol and opium addicts,” furthers Judge Blankenship. “It eliminates cravings for alcohol and opiate drugs so they can benefit from cognitive therapy. It’s been a real game changer.”

In contrast, Cook County in Chicago runs a specialty court program that is connected to the Cook County Jail, where 11,000 inmates are housed, explains Lawrence P. Fox, director of Specialty Courts, Office of the Chief Judge. A larger program, it was instated in 1998 and it has grown to include the criminal courthouse within Chicago, and five suburban courts. Fox was judge at the time the court was conceived and was asked by the supervising judge to establish and preside over a specialty court that was to be used for offenders in violation of probation. “Offenders have far fewer choices when they violate probation. They have no right to jury trial, they have a bench hearing only,” he says. “We have them in a situation where they are more likely to agree to a drug program than go to the penitentiary....That’s one reason it has been so successful.”

Repeat Offenders, Not Diversion

Being a big city, Chicago has more than enough multiply-convicted felons, so all its programs target such people, which are considered more appropriate, the experts say, explains Fox. He furthers that “It is worth the effort to target these people. The bigger the effort, the bigger the reward.”

When the Chicago specialty courts started out, they reached out to 130 to 150 clients at any given time; now that number is 400 to 500, plus youthful offenders, notes Fox. Burgeoning is the mental health court where many have very serious mental health conditions as the primary disorder, but a great percentage also have substance abuse, he points out.

While the Cook County program is relatively large, they limit their numbers because “these are time-intensive cases, and are very, very challenging, especially the mental health courts,” says Fox. Because they come with co-occurring disorders is hard for these clients to conform and comply—they are exhausting to the probation officer, case manager, and others on the team, he concludes.

As with most problem-solving courts in the nation, the Orange County Superior Court’s program is voluntary for participants. And like others, its four-phase program is a collaboration among the Courts, the Probation Department, the Orange County Health Care Agency, the offices of the Public Defender and the District Attorney, the Sheriff’s Department and other local law enforcement agencies, explains Paul W. Shapiro, collaborative courts officer, Orange County Superior Court, Santa Ana, Calif.

It is all voluntary, all adults, and it is a post plea program for felony drug possession—for those whom we feel they might be better served in treatment courts, he says.

After arrest, candidates are sent back to the Justice Center (there are four) in the jurisdiction where they live, he describes. Once there, the person in custody is placed in a holding cell to await arraignment. “They have the opportunity to see and hear what goes on at end of the [Collaborate Court] session and are asked if want to participate.”

“These new offenders in orange jump suits hear how difficult others in program have it but how they’ve changed,” he details. They plead into the program with a guilty plea and are placed on formal probation. “They cannot be convicted of drug sales or crimes of violence or sex, or have gang ties,” to get into the program, he says. Otherwise they are eligible. When they hear others’ success stories, it is hoped that they may be ready to make a commitment and really be in a situation to change their lives.

The duration of the process will be at least 18 months. It might be the hardest thing they’ve ever done. Shapiro describes: “It is very difficult, their days are structured 24/7. They undertake group counseling, unannounced house calls by probation, must have a job or full-time school, and must associate with a different group of friends.”

Their treatment program is devised for them by the Health Care Agency and will also comprise individual counseling and 12-step programs. Everything is supervised by probation, and the monitoring may include IIDs for their car, transdermal alcohol monitoring devices—like SCRAM, or other types of e-monitoring if necessary.

Orange County’s Collaborative Courts encompass a DUI court, Drug Court, Mental Health Court and a Vet’s Court, the latter of which was the second in the nation to be established, says Shapiro. He says many have co-occurring issues, such as veterans, for example, who also may be homeless or on the verge of homelessness.

In 2002, its Drug Court was one of the first four in the state of Minnesota, says Heidi Heinzl, adult drug court coordinator, Second Judicial District, Ramsey County Adult Substance Abuse Court (ASAC), St. Paul, Minn. Since then they have established a DUI court and a standalone Mental Health Court, and last year they formed a Vet’s Court. All of its programs are voluntary, and candidates need to be willing to participate, she says. For Drug Court, candidates must have been convicted of a felony.

ASAC serves between 55 and 65 people at any given time; 174 people have graduated. It is a well-rounded treatment program. “We have 30-plus treatment providers with a variety of treatment modalities,” states Heinzl. These include: faith-based; 12-step model; cognitive/behavioral and motivational enhancement techniques and pharmacology, she says. The treatment continuum can and will involve: detox, residential programs, outpatient programs, continuing care and support group meetings. And the types of treatment utilized include co-occurring, gender-specific, GLBT and other culturally sensitive programs.

Further, ASAC staff provides Motivational Enhancement Therapy (MET), and gender-specific cognitive behavioral groups (Helping Women Recover for women, Thinking for a Change for men and Driving with Care for DWI participants).

In addition, ASAC developed an in-house Psychiatric Court Clinic (PCC) that provides psychiatric services that are intended to bridge the gap between immediate intervention and community resources. Services include: assessment and diagnosis of mental illness; medication management and health education; and preparation for community integration. Any participant may be referred to the PCC by their case manager, regardless of their insurance status, if there a belief psychiatric intervention is necessary or would be beneficial.

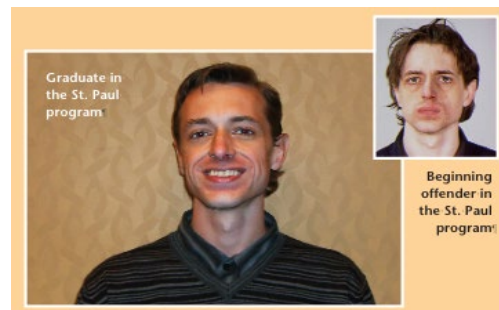
There were 92 individuals served in ASAC in 2012-2013. Of the 43 individuals who left the program, 29 (67%) graduated. These graduates were in the program for an average of 716 days (1.96 years) and were sober for an average of 598 days (1.64 years). To date, ASAC has served 381 participants and 174 individuals have

successfully completed the program, notes Heinzl.

“Our program focuses on treating the whole person. They may be chemically free but unless they are in recovery we will not see recidivism go down,” she says. They also try to provide a few extra services to get them on track—such as earning a GED, employment, housing and a driver’s license. They have also begun a 501c3 not-for-profit agency to fund raise for participant requests, i.e., to provide rent and transportation monies.

Five hundred miles to its south, the St. Charles County, Missouri, Adult Drug Court, is alive and vibrant. It was established in 2000 and eventually grew to six different tracks, says Julie Seymore, treatment court administrator, St. Charles County Treatment Courts. These include Adult DUI, Co-occurring, Family, Revocation Track (for those already on probation) and this past January saw the addition of Vet Court. We had a lot of young people that were repeat offenders, Seymore explains, 17-to-23-year olds with substance-abuse-related charges. Also “we saw many veterans from current conflicts, and even those going back to the Viet Nam War, diagnosed with PTSD and TBI (traumatic brain injury). We want to offer them extra resources while holding them accountable for their actions.”

The court averages between 200 and 300 participants at any given time, she says, and has 1,000 graduates. Like other courts mentioned here, it was named a national mentor court by the National Drug Court Institute, and serves as a model for those wishing to establish a new court. It is one of just 10 in the nation that hold that designation (Stone County Circuit Court, Cook County WRAP, and Ramsey County Adult SA Court are also mentor courts). A local university is now conducting a recidivism study for them, but Seymore points to the numbers they last have collected. “Less than 7 percent of our graduates have gotten re-offenses and convicted and we’re very proud of that. I venture to guess it’s still under 10 percent.”



Successful Re-entry & Positive Outcomes

However you name them—Specialty Court, Problem-Solving Court, Collaborative Court—they have accomplished amazing results for participants’ lives. The following are a few statistics from those this writer spoke with.

In Ramsey County, at the one-year and three-year follow-up, fewer ASAC participants re-offended. In the one-year post Drug Court exit study, only 8% reoffended compared with 33% in the comparison group. They also had fewer convictions than those in the comparison group. In 2012-2013, there were 3,977 drug tests conducted and less than one percent were positive. There were 10 graduates (34%) who improved their educational status by attending college or obtaining a GED/diploma. Perhaps even more impressive, of those who graduated and were eligible for employment, 100% were employed at graduation or were full-time students while 54% of those who were terminated were employed or full-time students when they left the program.

From the inception of Orange County Superior Court Drug Court in 1995 through 2013, 1,911 participants have graduated from the program. The recidivism rate for Drug Court graduates, three years after graduation, is 28.8% for any crime, compared with a recidivism rate for comparable non-participants of 74%. In 2013,

seven drug-free babies were born to program participants, bringing the total since inception to 143 babies born free of addiction.

Shapiro explains their success. “Back in ’95, Drug Courts seemed like a promising practice. Since then it has become a proven treatment that is an alternative to incarceration. They work, they are very effective at changing people’s lives, keeping them out of the criminal justice system forever.

“Many people believe [all offenders] need to be locked up,” Shapiro comments. “But it is not a long-term solution...but changing their lives is a long-term solution.”

If nonviolent offenders are kept out of jail, then jails and prisons are available for serious and violent offenders, he says. “Public safety is served by that.”