

# Problem Solving Courts: What Are They, Do They Really Work, What Are Veteran's Problem Solving Courts?

Presentation to:

**State Administration and Veterans'  
Affairs Committee**

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# The Problem (national data)

- Between 64% to 81% of adult arrestees test positive for illicit drugs (not including alcohol)
- Over half of juvenile arrestees meet clinical criteria for a SUD
- 64.5% of incarcerated adults meet medical criteria for an alcohol or other drug use disorder
- Between 50-80% of child abuse and neglect cases are drug related
- 61% of domestic violence offenders have substance abuse problems.



# What is a Drug Court

A **pecially designed** court calendar or docket, the purposes of which are to achieve a **reduction in re-offense** and **alcohol and other drug abuse** among substance-abusing offenders.

Research shows Drug Courts are the **most successful and cost effective** strategy for dealing with **high risk/high need, drug-addicted offenders** in the criminal justice system.



# Are All Drug Courts the Same?

- Framework of 10 Key Components based on evidence-based practices including:
  - A full continuum of evidence-based treatment and recovery services-minimum of 12-18 months.
  - Random-observed, biological drug testing (EtG, breathalyzer, urine) and electronic monitoring to confirm abstinence
  - Supervision and monitoring by case manager and drug court team

- Staffing by drug court team before each drug court docket
- Frequent status hearings with Judge
- Immediate sanctions and incentives
- Provision of ancillary services in addition to treatment
- Mandatory attendance at self-help meetings

New Evidence-based standards for adult/family drug courts



- First Drug Court started in Florida in 1989
- Nearly 3,000 Drug Courts in the United States
- Adult Drug Courts
- Juvenile Drug Courts
- Family Drug Courts
- DWI Courts
- Veterans Drug Courts
- Tribal Drug Courts
- Co-occurring Courts
- Mental Health Courts
- Truancy
- Domestic Violence
- Gambling
- 28 drug treatment courts in Montana



# Drug Court Team

Drug Court team is responsible for drug court operations and participants are closely supervised by the team including at a minimum:

- Judge
- Assistant Prosecutor
- Assistant Public Defender
- Law Enforcement Representative
- Probation Officer
- Treatment Provider Representative
- Drug Court Coordinator



# Drug Courts Avoid Costs

- Drug Courts avoid costs for every dollar invested.
- Drug Courts reduce crime (re-offense)
- Drug Courts reduce costs – reduced rearrests, probation supervision, police overtime, jail days, reduced welfare/food stamps, increased employment and taxes paid, reduced foster care placements and health care utilization.





# The Verdict Is In: Drug Courts Work

- Drug Courts are the most researched criminal justice/correctional program ever.
- Seven meta-analysis conclude that Drug Courts significantly reduce recidivism.
- GAO confirmed that drug courts significantly reduce drug use and crime and save money for taxpayers



# The Verdict Is In: Drug Courts Work

- Drug courts are better at engaging and retaining felony offenders in treatment and other related services
- Drug Courts provide closer, more comprehensive supervision than other forms of CJS/community supervision
- Drug Courts save money



# The Verdict Is In: Drug Courts Work

- Drug Courts are better at reducing drug use and criminal behavior while participants are in the drug court program
- Drug Court clients have lower in program and post program recidivism (re-offense) rates.
- Drug Court clients are more productive
- Retention and graduation rates remain high compared to other programs



# Multi-Site Drug Court Evaluation Study - 2011

- NIJ funded (Urban Institute, Center for Court Innovation, RTI International) to evaluate the effects of drug courts on substance use, crime, and other outcomes
- 23 drug courts, and 6 comparison sites
- 1784 offenders over four years



# Key Findings

- Drug courts produce significant reductions in drug abuse relapse.
- Drug courts produce significant reductions in criminal behavior.
- Drug courts saved money through improved outcomes, savings to victims, significantly fewer crimes, rearrests, and days incarcerated. Drug courts saved an average of \$5,680 per participant in this study.



# Veterans Treatment Court

Modeled after adult drug courts, Veterans Treatment Courts oversee criminal cases involving military veterans who were arrested at least in part due to a drug dependency problem/mental illness.

There are 130 special courts for veterans in 40 states including Montana (Yellowstone, Cascade and Missoula County)



# How is the Veterans Treatment Court Different

- Vet court allows for veterans to go through the treatment court process with people who are similarly situated and have common past experiences, strengths, and needs.



- Additional Drug Court Team Members: Veterans Justice Outreach Officer, Mental Health System Representative, NAMI Representative, Mentor Representative and others





# How are Veteran Treatment Courts Different?

- Eligibility and Disqualification Criteria maybe different - Combat-related mental health diagnosis, combat service, violence, domestic violence, violent history, sex offenses, weapons offenses, residency requirements



- Vet Court is a hybrid of drug and mental health treatment courts with a strong mentoring component
- Sanctions/incentives more consistent with Co-occurring Drug Court
- Veterans are affected disproportionately from: homelessness, strained family relationships, mental health issues, alcohol and other drug abuse issues, and other medical problems and so helping to resolve these issues is primary.



- A unique and vital component of a Vet Court is the Veteran Mentor program made up primarily of Veterans who served in Vietnam, Korea, Operation Desert Shield, Operation Enduring Freedom, and Operation Iraqi Freedom. These mentors serve a variety of roles, including coach, facilitator, resource advisor, sponsor, and supporter



- Drug court teams receive interdisciplinary training in veteran treatment issues, the VA and services available, veteran volunteer mentors, veterans and veterans families support organizations, and other issues specific to Vets.





**“The establishment of drug courts, coupled with (their) judicial leadership, constitutes one of the most monumental changes in social justice in this country since World War II”.**

**General Barry McCaffery**



# Montana Drug Courts

- Statewide Data Collection  
(admission/discharge/re-offense with interface to Full Court)
- Biennial Drug Court Conferences-August, 2008 in Butte, September 2010 in Helena, April 2012 in Billings, April 2014 in Missoula
- Monthly video conference with all drug court coordinators for information / training

# Drug Courts in Montana

- Legislature provides approximately \$2,000,000 G.F. per biennium

## 14 funded Drug Courts:

- Missoula County Family
- Butte- Silver Bow Family,
- Gallatin Multijurisdictional,
- Yellowstone County Family
- 7<sup>th</sup> Judicial District Adult (Sidney)
- Missoula Juvenile Drug Court



- Billings Adult Misdemeanor
- Custer County Adult Felony
- District 7 Juvenile (Sidney)
- 8<sup>th</sup> Judicial District Juvenile (Great Falls)
  - 8<sup>th</sup> Judicial District Adult & Veterans Court (Great Falls)
    - Missoula Co-Occurring
  - 9<sup>th</sup> Judicial District Adult Drug Court (Shelby/Choteau)
- 13<sup>th</sup> Judicial District Adult (Yellowstone County)

## Additional courts (14) are funded with other revenue streams:

- U.S. Department of Justice (BJA/OJJDP)
- U.S. Dept. Health and Human Services -- Substance Abuse and Mental Health Service Administration
- Montana Department of Transportation
- Montana Board of Crime Control
- Local government funding
- Also 4 Native American Tribal Drug Courts

- 13<sup>th</sup> Judicial District Adult
- Yellowstone County Impaired Driving
- Butte Silver-Bow DUI
- 7<sup>th</sup> Judicial District DUI
- Chippewa Cree Adult and Family
- Northern Cheyenne Adult
- Crow Juvenile
- Fort Peck Family and DUI Courts

- Billings Mental Health Court
- Billings Municipal DUI Court
- Missoula Veteran's Treatment
- 13<sup>th</sup> Judicial Veteran's Treatment
- Hill County DUI and Adult Treatment Court