

Drug & Mental Health Courts

Report to Governor Butch Otter
and the
1st Regular Session
of the 60th Idaho Legislature



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Idaho Drug Courts Reduce Recidivism, Save Dollars, and Protect Idaho Communities

Two important Idaho drug court outcome evaluations have recently demonstrated the effectiveness of Drug and DUI Courts in Idaho.

Adult Felony Drug Court Outcomes: Idaho felony drug courts were examined to determine their impact on recidivism. Recidivism was defined as any court filing for a significant new offense for which the offender was found guilty. Dr. Shelley Johnson Listwan of Kent State University, and Dr. Edward Latessa of the University of Cincinnati reviewed data from ten felony drug courts across the state. This evaluation showed that collectively **these Idaho felony drug courts achieved statistically significant reductions in recidivism** for participating offenders compared to a matched comparison group who received traditional criminal justice system management, including probation and in some cases, prison.

Felony Outcome by Number of Individuals and Percentage Rate of Recidivism

July 2002 – June 2006	All Drug Court Participants	Drug Court Graduates	Comparison Group
Overall Population in Study	702	290	691
New Offenses (recidivism)	203 (29.5%)	56 (19%)	237 (37.3%)

Outcomes for 4 Well-established DUI Courts Mirror the Positive Outcomes Found in Idaho Drug Courts

Idaho DUI Court Outcomes in 4 Courts over 4.5 years	All Participants in the 4 Courts	DUI Court Grads in the 4 Courts	Comparison Group
Number of Individuals	216	164	200
New Offenses (recidivism)	50 (23%)	29 (18%)	74 (37%)

DUI Court Outcomes: In addition to these overall outcomes, Idaho DUI courts show very high compliance and graduation rates. Of 95 total terminations from the 12 Idaho DUI courts, 91 (90%) were graduations.

The Idaho Interagency Committee on Substance Abuse Treatment and Prevention is convening a study group to assess how to further strengthen Idaho's overall system of responding to persons who drink and drive. With the additional treatment funding provided in 2008, DUI courts will be able to serve an additional 150–200 persons per year in DUI courts, an important element of the overall strategy to address DUI offenses by affecting long-term behavior change. These data are very encouraging. They demonstrate that drug courts are effective in reducing recidivism, saving taxpayer dollars including expenditures for enforcement and court costs, costs of incarceration, and very direct costs to victims, families, and communities. These effective alternative community-based sanctions enhance public safety while turning tax users into tax payers.

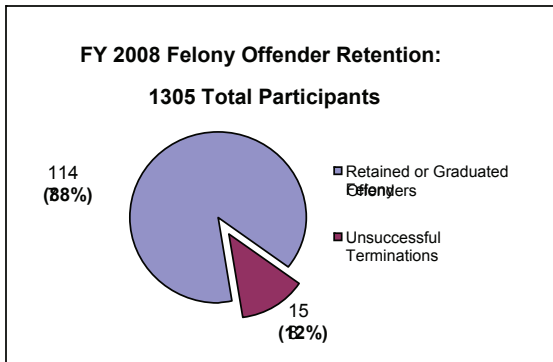
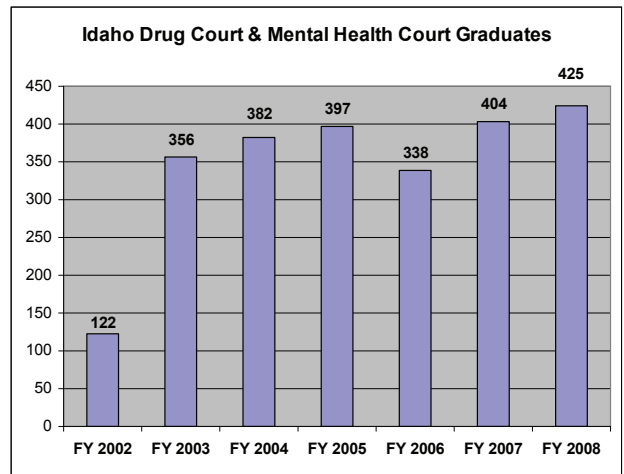
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Drug Courts and Mental Health Courts Expanded

Idaho's first two drug courts were established at the end of 1998. After ten years of operation, Idaho now has 54 drug and mental health courts. Legislative support in 2008 provided funding to extend misdemeanor drug courts and DUI courts by an additional 150 offenders at any given time. Idaho judges have long voiced a need for more sentencing alternatives for misdemeanor offenders. Such alternatives must be designed to reduce future criminal behavior as well as reduce current prison use. The new funding allowed the courts to begin to respond to this need.

Number of Participants Increased

Throughout the past fiscal year, drug courts and mental health courts supervised a total of 1,983 offenders. This represents a 9.1 percent increase compared to the prior year total of 1,817. Collectively, the adult drug courts supervised 1,484 offenders, mental health courts supervised 289 offenders, and juvenile drug courts supervised 210 youthful offenders. Each month, Idaho drug courts and mental health courts are providing supervision and treatment to an average of 1,119 individuals. During FY2008, there were 425 graduates from Idaho Drug and Mental Health Courts, up from 404 graduates in FY2007.



Community-Based Sentencing Alternatives Can Reduce Prison Growth

In FY2008 1,305 of the adult offenders participating in drug courts were charged with felony offenses and faced a potential prison sentence, if not supervised in the community. Of these felony defendants 1,147 (87.9%) either remained in drug court or mental health court or had successfully completed all requirements and graduated at the end of the year. This represents a significant number of offenders who were managed in the community rather than being sentenced to prison, resulting in significant cost savings to Idaho taxpayers. Idaho drug and mental health courts demonstrate the viability of community-based sentencing alternatives which combine effective treatment and community accountability and provide encouragement for developing other such options through interagency and inter-branch collaborations.

Families and Meth – Breaking the Cycle of Addiction and Child Abuse

Idaho now has four Child Protection Drug Courts – Lewiston, Twin Falls, Pocatello and Idaho Falls. At the start of FY2008, there were two operational courts. Two new courts began operating in the summer of 2008. The oldest of these four courts has now seen 20 families graduate from the court. A national outcome evaluation of four Child Protection Drug Courts throughout the country found that when parents participated in the Child Protection Drug Court their children spent less time in out-of-home placement and, when returned to parental custody, were less likely to be abused and removed again. Parents participating in a Child Protection Drug Court were significantly more likely to enter and complete substance abuse treatment and to regain custody of their children. Because Child Protection Drug Courts in Idaho emphasize services, not only to address parental substance abuse and other debilitating issues but also to meet the needs of the children, it is believed that there is a real chance to end the intergenerational cycle of substance abuse and child maltreatment. Comprehensive day treatment services to the entire family are the centerpiece of a new treatment model being piloted by the Road to Recovery – Discovery House Program in Pocatello. Two of the Idaho Child Protection Drug Courts are part of a national child abuse initiative funded by the Administration for Children and Families and will receive extensive evaluation through Idaho State University over the next four years.

Mental Health Courts Continue to Grow

Idaho's ten Mental Health Courts continued to increase enrollments, reaching 289 participants by the end of the fiscal year. These individuals are clearly facing a prison term without this community option. Currently, the Department of Health and Welfare Assertive Community Treatment teams deliver highly intensive services to participants. Individuals with very serious and persistent mental illness become stabilized and recover. Intensive supervision from the Department of Correction ensures

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strict accountability and strengthens the teamwork necessary to both protect the community and ensure the greatest opportunity for participant success. During FY2008, 21 individuals graduated from Idaho's mental health courts. One mental health court graduate was honored by the Idaho Division of Vocational Rehabilitation as Region 3 *Rehab of the Year*. Looking ahead, Idaho was selected as one of only four states to participate in the prestigious Chief Justices' Criminal Justice / Mental Health Leadership Initiative. Through this project, sponsored by the National Council of State Governments, Chief Justice Daniel Eismann will convene a "Summit" in January 2009 to explore further effective approaches to the provision of community-based diversion and sentencing alternatives for persons with mental illness in the criminal justice system.

34 Drug-Free Births

One of the most encouraging outcomes from the drug and mental health court effort is the positive experience of babies born to participants, drug-free. Not only do these babies represent an untold financial saving to our communities but they also begin life without the significant handicap of being born affected by drugs or dependent upon drugs. In addition, their mothers are able to give them the care and nurturing they need for normal development. In FY2008, 34 babies were born to women in our Drug and Mental Health Courts bringing the total to 155 drug-free births since the beginning of our problem-solving courts.

Drug and Mental Health Courts Continue Their Efforts with Juvenile Offenders

In addition to drug and mental health courts supervising adult offenders, there are seven drug courts and one mental health court pilot project enrolling juvenile offenders. In FY2008, these courts supervised a total of 210 juveniles and 26 participants completed all court requirements and graduated. Issues facing juveniles are often more complex because of intertwined family issues and strong peer influences that often encourage delinquent behavior. A particularly challenging issue is to find community residential options for those adolescents who cannot return home to their family but who are too young for independent living.

The pilot juvenile mental health court, with sessions in Idaho Falls and Rexburg, is presided over by the Honorable Michael Kennedy, now a Senior Judge, whose commitment to these youth and to this project brought him back from retirement. This court, like all drug courts and mental health courts, connects treatment and accountability, services and supervision into a seamless response.

The court recently had its first graduate and has found particular promise in a treatment approach referred to as "Wrap-around." This service engages the entire family and utilizes their strengths and resources to meet the needs of their child. Families in the juvenile mental health court are supported by a wide array of community services and a dedicated mental health court team.

Partnerships Are Critical to Success

The Idaho Drug Court and Mental Health Court Act identifies "forging partnerships" as one of the important expectations of Drug and Mental Health Courts. Idaho Drug Courts and Mental Health Courts owe their growth, operations, and successes to the active collaborations of a growing number of agencies and organizations across the state. These agencies and organizations, working in concert with the Idaho Supreme Court and the Idaho Legislature, have accomplished national recognition and local effectiveness. Major contributors to these collaborative efforts have been the Idaho Departments of Correction and Juvenile Corrections; the Idaho Department of Health and Welfare, Behavioral Health Program, and the department's management services contractor, Business Psychology Associates, Inc.; county adult and juvenile probation departments; the Division of Vocational Rehabilitation, the National Alliance on Mental Illness; and many community-based addiction and mental health treatment agencies. Special recognition is due the Idaho Office of Drug Policy for continuing leadership and support of this work.

Trial Judges Are Willing to Expand Courts to Meet the Need

The evidence supporting the effectiveness of drug courts is compelling. The evidence is also promising in support of the effectiveness of several of the newer applications of the drug court approach: child protection drug courts, DUI courts, and mental health courts. Idaho's judges in each of the seven judicial districts have continued to commit significant personal and professional resources to ensure the continued operation and success of these courts. They remain willing to expand these courts as well as to look to the problem-solving court model for potential new applications for providing community-based sentencing alternatives that promote public safety, rehabilitate individuals, reunite families, and strengthen communities while reducing prison and jail costs.

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A Mother's Story (written by a 2004 graduate of an Idaho Drug Court)

My name is Lisa, and I would like to start by telling you how incredibly honored I am to have been asked to share my story. No matter how painful it might be, I feel the need to share the story of how I came to know about drug court.

Before I ever got into drug court, I had an amazing husband who I loved with my whole heart and soul. We had an incredible daughter and a beautiful home we had bought together. I had a great job with a promising future. I was well liked by coworkers and friends. To the outside world, my life must have seemed perfect. The thing no one knew was, I was an addict who was actively using and hated myself more than I could ever love anything else. Every morning when I awoke, I felt only shame and self-loathing. I knew that I was worthless. I wanted to ask for help, but I didn't know how. I knew that if anyone was to find out what I was really like, no one would want to have anything to do with me, and I would lose everything that I had ever cared about.

I hit rock bottom when I found out that we were going to have a baby, and I couldn't stop using. The night before I was arrested, I begged to God to please help me stop because I didn't want to hurt our baby. No matter how badly I wanted to quit using, and no matter how badly I wanted and loved the child inside me, I didn't have the strength. I was completely powerless over my addiction. The very next day I was arrested, and that is when I was introduced to drug court.

When I was first accepted into drug court, I made myself a deal. All I had to do was make it the five months until my baby was born, and then I could end it all. I was so tired of living with the guilt and shame of what I had done to the people I loved the most, that I was ready to kill myself. I knew my children would be better off without someone like me as a mother, and I wanted my husband to find someone worthy of his love. I was sure that I had never brought anything but pain to anyone I had ever come in contact with. For the first month I was in drug court, this was my plan, and I thought about it every day.

However, drug court had other plans for me. For the first time in a long time, I was made to feel and to deal with these feelings. I was finally surrounded by people just like me, who understood exactly what I was going through. I was given a counselor and made to attend weekly groups. I was required to see the judge on a regular basis and there was lots and lots of homework assignments. Gradually, before I even knew it was happening, things began to turn around for me. I began to feel hope. I began to dream about a future without fear and self-loathing. For the first time in a long time, I wanted to live.

I am not the same person I was three years ago. I received the most amazing gifts in drug court – things like insight to my fears, understanding of my disease, confidence, and self-esteem. From my weakness has come my strength.

Drug court does amazing things with very limited resources. As I have told my mentees on the numerous occasions they have called me to tell me how much they hate their counselor, or the judge, or the drug court coordinator – no one involved in drug court wants to see you fail. They don't do it for the money, or for the hours or for the weekends off. They don't do it for the glamour and prestige that comes from working with a bunch of addicts. They do it because they truly care. To them, we are not bad people trying to get good, but, rather, sick people trying to get well.

- ♥ *We lie to them, and we fight them, and I am willing to bet, we sometimes even break their hearts, and yet, they are still there.*
- ♥ *They acknowledge our failures, and they are still there.*
- ♥ *They acknowledge our shortcomings, and they are still there.*
- ♥ *They make us confront our weaknesses, and they are still there.*
- ♥ *They know, in our pasts, we have almost destroyed the lives of those who love us more than anything in the world, and done things so horrific we can hardly bear to speak of them, and, the damndest thing is, they are STILL there.*

Well I am here today as a testament to what becomes of a person when drug court is always "there". They heal. And they love. And they are finally happy and whole. And as long as I live, I will be grateful to drug court for being there. Thank you.



On a happy note: This drug court graduate remains clean, sober, and gainfully employed to-date!