

# Virginia Drug Treatment Courts

Governor's Heroin & Prescription Drug  
Task Force

The Honorable Jerrauld C. Jones, Judge  
Anna Powers, Drug Courts Coordinator

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# Virginia Drug Courts

- What are Drug Courts?
- Who are Drug Court Participants?
- How do Drug Courts operate?
- Virginia Drug Court costs
- Where are Drug Courts?
- Why do we need Drug Courts?
- What is needed to grow Drug Courts in Virginia?
- How can we support Drug Courts?



# Drug Treatment Courts Are:

**Created by Statute in  
Code of Virginia  
Section § 18.2-254.1**



**A  
N  
D**



**Alternative  
Sentencing for Drug  
Addicted Defendants**

# Drug Courts Are

Specialized court dockets within Virginia's existing court system which:

- Provide judicial monitoring of offenders in the Drug Treatment Court Program
- The Drug Court provides comprehensive substance abuse treatment, intensive supervision and ancillary services.

Designed to:

- Stop the revolving door by breaking the cycle of addiction

# Drug Courts Are

Judicially supervised court dockets within Virginia's existing court system which:

- Protect community safety
- Improve public health
- Hold offenders accountable for their actions
- See drug-free babies delivered



# Virginia Drug Treatment Court Models

- **Adult: 23**

Criminal dockets in Circuit Courts serving adults with substance abuse problems. (+ 2 additional approved to operate but not started yet, Danville & Halifax County)

- **Juvenile: 8**

Criminal dockets in Juvenile and Domestic Relations Courts serving juveniles with substance abuse problems.

- **DUI: 2 regional (7 localities)**

Criminal dockets in General District Courts serving hard core drinking drivers.

- **Family: 2 (+ 2 currently not operational)**

Civil dockets in Juvenile and Domestic Relations Courts serving parents with petitions for abuse/neglect as a result of substance abuse

# Who are the Drug Court Participants?

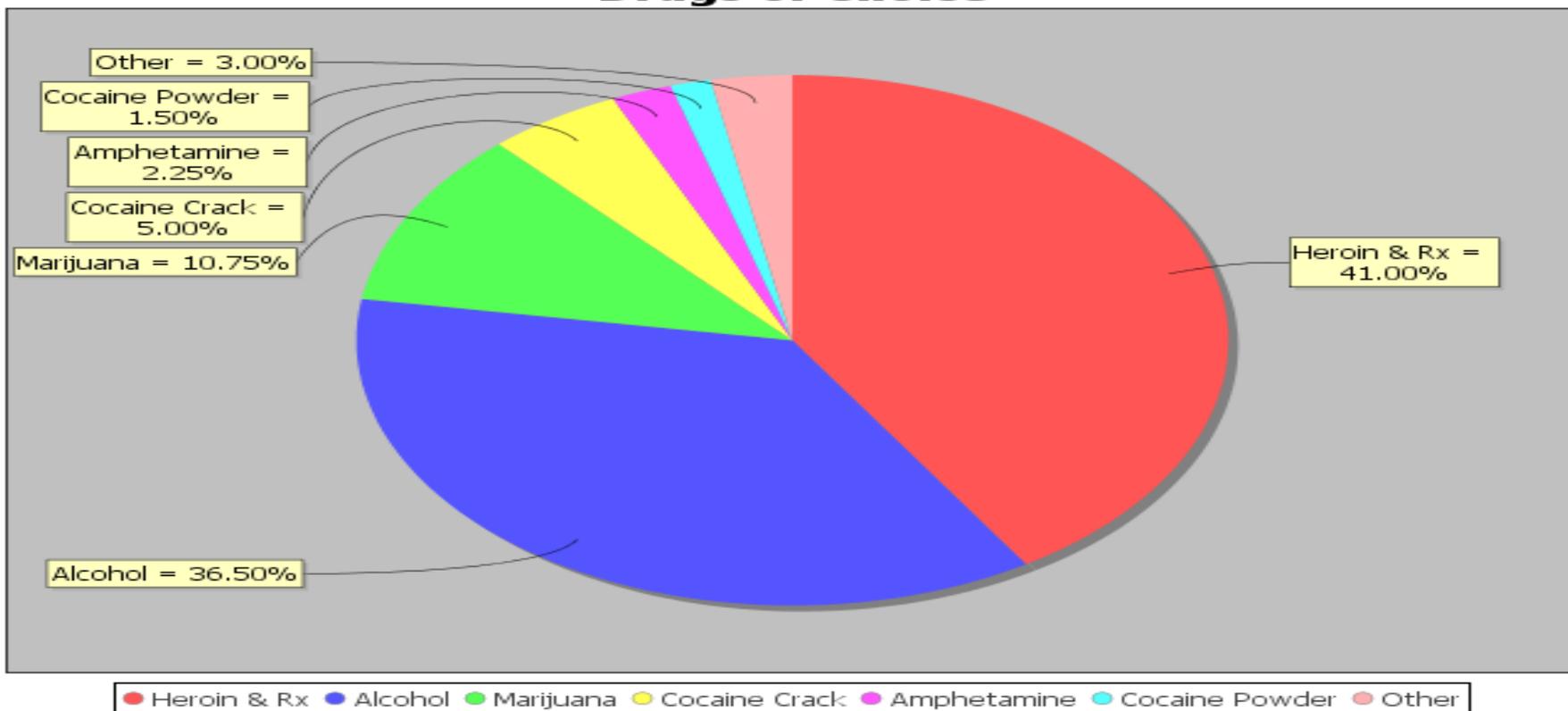
- Non-violent offenders with cases pending in Virginia's courts
- With substance addictions or chemical dependencies
- In Circuit Court-the offenders have drug offenses or drug-related offenses
- Participation, which is voluntary, must be approved by the Commonwealth's Attorney

# Drugs of Choice

**A summary of the drug of choice for program participants.**

<b>Locality</b>	Statewide	<b>Date:</b> 06/05/2015
<b>Models</b>	Adult Court, Veterans Court	<b>Assessment Dates:</b> 07/01/2013 - 06/30/2014

## Drugs of Choice



# Drug Court Participants

- Receive **treatment** and other services they are required to stay clean and to lead **constructive lives**, yet they are also held accountable by a judge for meeting their obligations to society, themselves and their families.
- Are regularly and randomly **tested for drug use**, required to appear frequently in **court** for the judge to review their progress, and receive **incentives** for doing well and **sanctions** for not living up to their obligations.

# How Drug Courts Work

- Collaboration of agencies
- Integration of services
- Immediate sanctions for noncompliance
- Immediate incentives for meeting specific milestones
- Intensive supervision
- Take a non-adversarial approach
- Judicial supervision - *“Nudge from the Judge”*



# How Do Drug Courts Work?

Drug Courts involve the collaborative efforts of the Court, Commonwealth's Attorney, Defense Attorney, Drug Court Administrators, Drug Court Case Managers or Probation Officers, Substance Abuse Clinicians, Law Enforcement Officers and in J&DR Courts- Social Services Staff & School representatives.

# How Do Drug Courts Work?

Drug Courts endorse **best practices** and **evidence-based practices/procedures**;

- 10 Key Components of Drug Courts\*
- Virginia Drug Treatment Court Standards
- Evidence-based treatment practices  
(*e.g. CM, CBT, MI, etc.*)

\* Defining Drug Courts: The Key Components (NADCP, BJA, 1997)

# Virginia Adult Drug Courts

- **Moral Reconciliation Therapy (MRT)**

A proven effective cognitive behavioral intervention that is curriculum based to address criminal thinking for substance abuse treatment, alcohol treatment, offender rehabilitation, etc.

- **Risk and Needs Triage (RANT)**

An assessment tool to identify and target the criminogenic high-risks and clinical high-needs participant. *Not a professional diagnosis.* Such individuals typically require a combination of services including intensive treatment, close monitoring, and accountability for their actions.

The screenshot displays the RANT assessment tool interface. At the top, it shows the case manager's name, 'White, Walter', and the case number, '001CC-13-00015421'. Below this, there are tabs for 'View', 'Assessment', 'RANT', 'Referral', 'Docs', and 'Notes (0)'. The 'RANT' tab is selected, and the 'Page Information' section is visible. A risk and needs matrix is shown, with 'High' risk and 'High' needs indicated by an 'X' in the corresponding cell. Below the matrix, there are sections for 'The following risk factors were identified:' and 'The following needs factors were identified:'. The risk factors include 'Deviant peer affiliations', 'Unemployment', and 'Unstable living arrangements'. The needs factors include 'Physical addiction to drugs or alcohol'. A note at the bottom states: 'This individual was classified as high risk and high needs. Such individuals typically require a combination of services involving intensive treatment, close monitoring, and accountability for their actions.'

		Risk	
		High	Low
Needs	High	X	
	Low		

**The following risk factors were identified:**

- **Deviant peer affiliations.** Associating with other offenders or substance abusers predicts a poorer response to treatment and supervision requirements.
- **Unemployment.** The failure to maintain regular employment or to engage in comparable productive activities such as school or housework is generally associated with a failure to meet supervisory obligations and conditions.
- **Unstable living arrangements.** A pattern of instability is generally associated with a poorer response to treatment and greater likelihood of failure to comply with supervision requirements.

**The following needs factors were identified:**

- **Physical addiction to drugs or alcohol.** This individual suffers from a loss of control over substance use that requires substantial clinical intervention.

**Note:** This triage screen was not designed to be a clinical assessment tool and should not be used for treatment planning or diagnostic purposes. It was designed to identify those risks and needs for offenders that have been proven by research to predict a poorer response to standard supervisory or treatment requirements. The goal is to use this information to match the offenders to those programs that are most likely to elicit the best outcomes.

# How? - Treatment?

- ❖ Providing a full continuum of substance abuse treatment services,
- ❖ Including outpatient treatment and, if needed, resources for inpatient treatment. Some drug courts offer MAT if available.
- ❖ Including individual, family and group counseling
- ❖ Including frequent and required drug testing
- ❖ Including required participation in community recovery group meetings, such as NA, AA or CA

# How? - Supervision?

- ✓ By providing intensive supervision of participants
- ✓ Including frequent meetings with a probation officer or case manager
- ✓ Including required employment
- ✓ Including required community service
- ✓ Including ancillary services, such as mental health treatment, life skills training or employment counseling
- ✓ Including curfew checks and random home visits by law enforcement officials.

# How? –the Court?



- § With intensive judicial monitoring
- § Drug Court Judge is the team leader for the Drug Court team
- § Drug Court team reviews the progress of each participant weekly
- § Judges impose sanctions for noncompliance and incentives for reaching specific milestones
- § Participants attend regular court status hearings

# How Drug Courts Work



- Participants must comply with Drug Court requirements for a 12-18 month period
- Participants are held accountable, and taught honesty
- Successful participants graduate and in some Drug Courts, receive a reduced or dismissed charge upon graduation.

# Drug Court Funding

\$2.9M are administered by the Supreme Court of Virginia to 14 (11 adult/3 juvenile) drug courts through a grant process.

Courts must comply with -

- Virginia Drug Court Standards (Evidence-based Practices)
- Drug Court Cost Saving Best Practices
- Drug court database entry
- Quarterly grant reporting compliance

\$100,000 for Drug Court evaluation

# Drug Court Funding

- The 14 original Drug Courts continue to receive these grants. (11 adult/3 juvenile drug courts)
- 17 Drug Courts operate with local in-kind support, a few have federal grants. (13 adult/4 juvenile drug courts & 2 family drug courts) 2 *programs not operating yet.*
- 2 DUI Drug Courts operate by offender-fees, based on the Alcohol Safety Action Program (ASAP) model.

# Drug Courts Save \$

Drug Courts divert offenders from incarceration, thereby offering several potential benefits:

- \$ Drug Courts **reduce prison costs** by reducing the inmate population and freeing up expensive jail and prison space for more serious offenders.
- \$ **Recidivism** rates of drug court participants as a whole (i.e., including both graduates and non-graduates) **far out-perform** the comparison group, the business-as-usual alternative (probation, jail, and/or prison).
- \$ Drug Courts provide **needed services** such as mental health & substance abuse treatment that may not be available in jail or prison.

# Drug Court Costs

## Average Total Cost of Drug Court per Participant by Transaction

The range of costs associated with participation on an annualized basis Ranges from **\$7,485.35** to **\$14,615.67**

Transaction	Unit Cost	Average # of Events for all DC Participants Per Person	Average Cost per DC Participant Per Person Per Event (n = 748)
Drug Court Assessment	\$183.20	1	\$183.20
Drug Court Staffing and Court Session	\$19.99	67	\$1,343.03
Drug Court Treatment	\$50.81	278	\$14,113.27
Drug Testing	\$6.76	126	\$854.27
Drug Court Supervision	\$15.19	142	\$2,160.85
Subtotal			\$18,654.62
Participant Fees	(\$753.80)	1	(\$753.80)
Total			\$17,900.82

The total average cost to taxpayer from referral to exit was **\$17,900.82**. (*typically longer than one year*)

# Drug Courts Save \$

On average, Virginia's Drug Courts save \$19,234 per person as compared to traditional case processing.

\$ Virginia drug courts have a robust and **sustained impact** on the **recidivism** compared to the “business-as-usual” alternatives.

\$ The **lower recidivism rate** of drug court participants leads to lower outcome and victimization costs for the drug court group

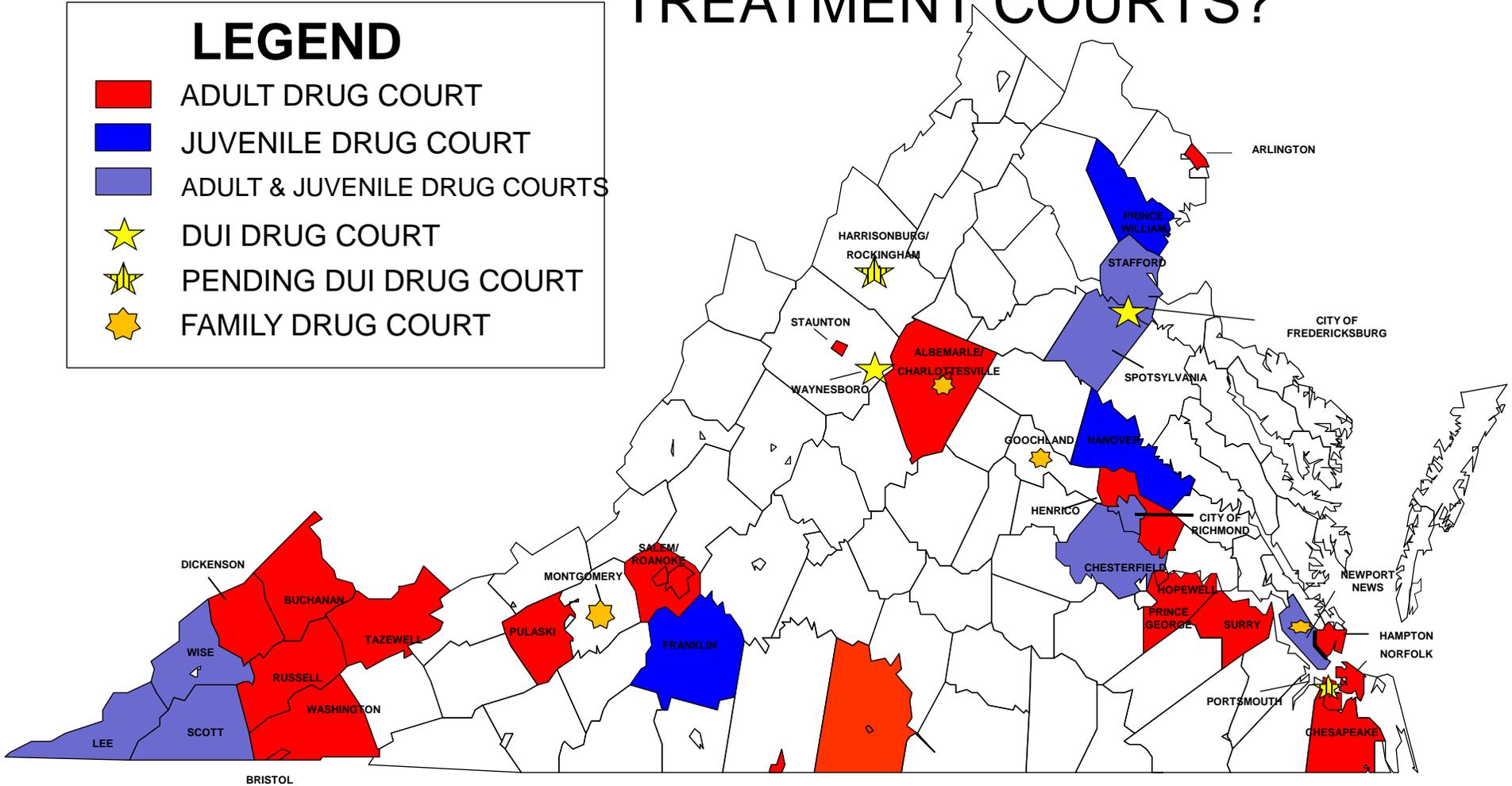
\$ These **lower outcome and victimization costs, & placement costs**, result in average savings of almost \$20,000 per drug court participant, relative to the costs of “business-as-usual” processing.

\$ Virginia drug courts are cost-effective.

# Where are Virginia's DRUG TREATMENT COURTS?

## LEGEND

- ADULT DRUG COURT
- JUVENILE DRUG COURT
- ADULT & JUVENILE DRUG COURTS
- DUI DRUG COURT
- PENDING DUI DRUG COURT
- FAMILY DRUG COURT



# Positive Effects of Virginia's Drug Courts

- **17%** of Adult Drug Court Completers are convicted of a new offense compared to those who did not participate (matched comparison) in a drug court (**53%** new conviction rate)\*
- The use of MRT does appear to be associated with a substantively significant **36%** reduction in recidivism\*
- **15%** of DUI Drug Court graduates convicted of new offense compared to **24%** of those who did not graduate DUI Drug Court.

\*Supreme Court of Virginia, 2012, RD369

# Recidivism after Treatment (JLARC Study)

## Drug Court completers

- % Arrested – 14%
- % Convicted – 14%
- % Incarcerated – 21%

## Non-Drug Court completers

- % Arrested – 38%
- % Convicted – 22%
- % Incarcerated – 81%

## Probation Completers

- % Arrested - 14%
- % Convicted – 4%
- % Incarcerated - 46%

## Jail Completers

- % Arrested – 36%
- % Convicted – 25%
- % Incarcerated – 46%

# Employment after Treatment (JLARC Study)

## Drug Court Completers

- % Employed – 79%
- Average earnings - \$42,629

## Non-Drug Court Completers

- % Employed – 72%
- Average Earnings - \$10,314

## Probation Completers

- % Employed – 32%
- Average Earnings - \$17,472

## Jail Completers

- % Employed – 7%
- Average Earnings - \$19,353

# Additional Benefits

- Drug Courts provide opportunities for offenders to continue **employment** and maintain connections with family and community, both critical for their return to society.
- Employed offenders **pay taxes**, rather than cost taxpayers.
- Drug Courts also provide opportunities to keep **non-violent offenders** from mixing with more serious violent populations.

# Why do we need Drug Courts?

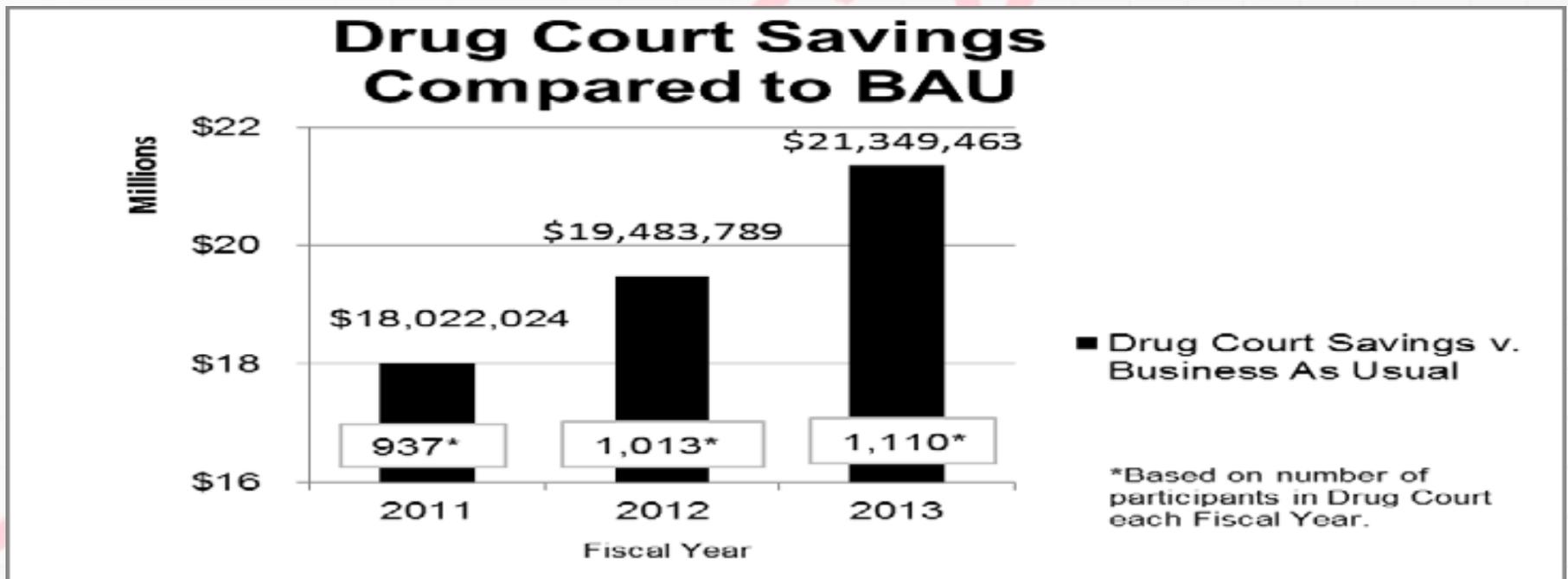
- ❑ We cannot solve the problems of drug abuse and drug related crime with incarceration.



- ❑ Drug Courts are the most effective alternative solution to the problems of drug abuse and drug related crime for eligible defendants.

# What is Needed to Grow Drug Courts in Virginia?

- Reinvest the savings generated by drug courts to fund drug courts. FY14 Adult Drug Courts served 1,114 participants = **\$21,426,676** saved.



# What is Needed to Grow Drug Courts in Virginia?

- Consider removing the General Assembly approval for new drug courts (§18.2-254.1.0.)
- *In 2009, a work group proposed a plan to address the long-term funding of drug courts in Virginia over a ten year period.*
- *About 30% funding increase every two years will add 2 more drug courts per year to those funded.*
- *In two years that = **\$1,752,000.00** to add 4 programs (less than 10% of savings generated annually)*

# How can you support Drug Courts?



- ✓ Attend a Drug Court graduation ceremony
- ✓ Learn more about Drug Courts at:
  - [www.allrise.org](http://www.allrise.org):
  - [www.vdca.net](http://www.vdca.net):
  - [www.courts.state.va.us/dtc](http://www.courts.state.va.us/dtc):
  - [www.nadcp.org](http://www.nadcp.org)
- ✓ Become a Drug Court supporter and advocate with policy makers in your locality

# Conclusion

- Drug Courts provided effective substance abuse treatment for addicted offenders while mandating **compliance** and **accountability**.
- Drug Courts have generated **cost savings** for the Commonwealth of Virginia.
  - ✓ ↓ **jail/prison time**
  - ✓ ↓ **criminality (recidivism)**
  - ✓ ↑ **recovered court costs, fees and child support**
- Drug Courts have bridged the gap among criminal justice, courts, treatment, social services and public health.

# Quote

*“Drug Courts are the single most powerful and innovative tool available to the criminal justice system in the fight against drug abuse.”*

Hon. Thomas Horne, Judge (Retired)  
Loudoun County Circuit Court

# Questions

