

Appendix B3

County Drug Court Profiles:

**Spokane County Drug Court
Program Profile**

SPOKANE COUNTY ADULT DRUG COURT

PROGRAM PROFILE

June 2000

BACKGROUND

Initial planning for the Spokane County Felony Drug Court program began in November 1993 when the Spokane City Public Defender introduced the concept to the Spokane County Law and Justice Council. Council membership included representatives from all of the law and justice agencies in Spokane County and a number of key citizens concerned with issues of law and justice and confined populations in the County. The Council Chairman appointed a committee, including representatives from the Offices of the Prosecutor and Public Defender, the District Court, law enforcement and substance abuse treatment agencies, and other key individuals in the community, to explore the feasibility of a drug court program in Spokane County Superior Court. Over the next two years the Committee, chaired by a District Court Judge, led the effort that culminated in the implementation of a Drug Court program in Spokane County Superior Court in January 1996. Under the leadership of the Law and Justice Council, a Bureau of Justice Assistance (BJA) Correctional Options Grant Program (COGP) Drug Court Planning Grant was obtained to help support the planning and early implementation of the program.

The program in Spokane County is a court-supervised, pretrial program that requires regular participation in treatment, urine testing, and court appearances before the Drug Court judge. Individuals who elect to enter Drug Court waive their rights to a speedy trial, agree to stipulated facts in the police report, and enter into a treatment contingency contract with the Court. Upon successful completion of the Drug Court program charges are dismissed. If the defendant fails to meet the program requirements, s/he is sentenced on the standing charges.

From its inception, the program had strong and consistent leadership from Judge James Murphy who volunteered to be the first Judge of the Drug Court and continued in the position until January 2000 when he was replaced by Judge Teri Eitzen. Judge Murphy's leadership, commitment to the Drug Court program, and stature in the community have been consistently identified as major factors in the success and wide-spread community support of the program.

A process evaluation of the first two years of the program (1996-1998) was done by Dr. Donna Schram of the Urban Policy Institute. A longitudinal evaluation, conducted by the Alcohol and Drug Abuse at the University of Washington, of the development, characteristics, and impact of participation on Drug Court clients is currently in progress. This program description is one component of the longitudinal study. The information upon which this report is based comes from interviews with Drug Court Team members and review of relevant program documents.

DRUG COURT PROGRAM CHARACTERISTICS

Funding Source(s)

Drug Court planning and implementation grants from the Department of Justice/ Bureau of Justice Assistance / Office of Justice Programs have provided the major resources for the development and implementation of the Spokane County Drug Court. The Drug Court also received funding from the BRYNE grant (a Federal program administered by the State Department of Community, Trade and Economic Development) to enhance and strengthen the graduated sanctions component of the program. Spokane County has contributed to the program in two ways: first, the county has provided required match funds; and, second, the services of the prosecutor, public defender, and project manager have been provided at no cost to the Drug Court program. Department of Justice funding was exhausted at the end of June 2000. The program is now supported by State and County funding. In addition, BRYNE grant funds support some of the treatment costs.

Planning Process

Who were the players?

Planning for the Spokane Drug Court started in late 1993 when Kathy Knox, then with Washington Defender's Association, introduced the concept to Spokane County Law and Justice Council, a group made up of representatives from all of the law and justice agencies in Spokane County and citizens concerned with issues of law and justice and confined populations in the County. The Council Chairman appointed a committee with representatives from the Offices of the Prosecutor and Public Defender, the District Court, law enforcement and substance abuse treatment agencies, and other key individuals in the community, to explore the feasibility of a drug court program in Spokane County. This committee, chaired by Judge Rick White, District Court Judge, led a two year planning effort that culminated in the implementation of a Drug Court program in Spokane County Superior Court in January 1996. With strong staff support from the Law and Justice Council, a BJA/COGP Drug Court Planning Grant was obtained to help support the planning and early implementation of the program.

Program goals and objectives

The overall mission of the Spokane County Drug Court program is to divert certain drug dependant offenders from confinement into a highly structured and cost effective pre-trial release program that combines treatment, education, and intensive supervision to reduce drug use and associated criminal activity. The more specific goals of the program are to:

- Reduce reliance on incarceration for select non-violent drug dependent offenders by providing a cost effective alternative to traditional criminal case processing;
- Reduce drug use and related criminal activity by motivating defendants to participate in treatment and educational programs incompatible with drug use;
- Hold drug dependant offenders accountable to the court and the community by structuring their activities and applying a continuum of rewards and sanctions;
- Integrate alcohol and drug treatment services with justice system case processing;
- Use a non-adversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;
- Identify eligible participants EARLY for immediate referral to the program;
- Provide access to a continuum of treatment and rehabilitative services;
- Monitor abstinence by frequent drug testing;
- Require ongoing judicial interaction with drug court participants;
- Monitor and evaluate achievement of program goals and program effectiveness;
- Promote effective programs through interdisciplinary education of planning teams;
- Forge partnerships among drug courts, public agencies, and community-based organizations;
- Strive to ensure that drug court graduates return to society as drug-free contributing members;
- Establish and support a system of after-care for drug court graduates. (Kenny, 1999)

Target Population

Individuals 18 years old or older who have been arrested on certain drug charges or crimes related to drug use, who meet well defined, strict legal criteria for drug court participation, and who have a documented history of dependency/addiction to controlled substances are eligible to be considered for admission to Spokane Drug Court. The more specific eligibility criteria will be discussed later in the report.

Implementation Process

What facilitated implementation?

Implementation of the program was facilitated by a number of factors. A key factor was the inclusive nature of the planning process that was, in turn, facilitated by the support of the Spokane County Law and Justice Council. The Council had a history of working together on issues of law and justice and confined populations in

Spokane County. The Drug Court planning committee was constituted under the authority of the Council and the Council provided structure and staff support for the planning activities. Central to the planning process was the commitment of the planning committee to develop a Drug Court program that reflected the needs and resources of Spokane County.

The consistent leadership and strong support of the program by Judge James Murphy, the Drug Court judge until January 2000, is consistently cited as an important factor in the implementation of the program. He fostered a strong sense of team work among members of the Drug Court team and, as a well known and widely respected member of the community, has been an effective advocate for the program in Spokane County. The ongoing support of the Spokane County Law and Justice Council has also been an important factor in implementation. James Smith, a staff member of the Council, in his role as Drug Court Project Director has been a key player in obtaining the planning and implementation grants that have supported the program.

Degree of Implementation

The Spokane County Drug Court is a fully implemented program that has been in operation since January 1996. In a 1999 report to American University Justice Programs Office, the program reported an enrollment of 151 individuals since implementation. Fifty-one participants (34%) had successfully completed the program while 39 (26%) remained active in the program. Sixty-one individuals (40%) had unsuccessfully terminated. Two individuals were on bench warrant status at the time of the report. (Percents have been rounded.) Based on an assessment of community needs and the available resources, the program was designed to provide services for approximately 50 drug court participants at any one time. This number has proven to be an accurate reflection of the demand for the program. There are no plans to expand the program at this time.

The Drug Court Summary Report for 1998 shows the following patterns of participation in 1998. Of the approximately 870 individuals arrested on charges that merited initial screening by the Drug Court Prosecutor, approximately 200 individuals (23%) met the legal criteria for Drug Court entry. Of those eligible approximately 25% opted into the program while 60-65% opted out. The remaining 10-15% were either pending or, for a variety of reasons, were not contacted about the drug court option before release from custody. (These are approximate numbers and should not be interpreted as exact numbers of individuals in any category.) These patterns are consistent with the observations of the Drug Court Prosecutor and Public Defender who estimate that approximately 5% of individuals with drug related arrests finally enter the Drug Court program (communication with Mary Doran, Prosecutor, and Michael Kenny, Public Defender, 26 May 1999).

Program Modifications

With one major exception the program as initially implemented has functioned well. After the first six months of operation, the Drug Court team identified the need to reexamine the court response to client non-compliance and the use of sanctions. Although sanctions such as increasing the frequency of urine testing and returning clients to a more intensive treatment phase were a part of the program, team members were concerned about the clarity, consistency, and continuum of sanctions and their application. In response to these concerns the team worked to expand the continuum to include a wider range of services, and to develop clear guidelines about the consequences of non-compliant behaviors such as dirty or missed urines and failure to meet treatment expectations. Judge Murphy was an integral part of the team work since final decisions about sanctions are made by the Drug Court judge. The individualized yet consistent use of a "stair step" of sanctions designed to support rehabilitation and treatment participation was described by several team members as key to the success and effectiveness of the program.

Central to the program of graduated sanctions was the addition of a number of options that increased structure and supervision for non-compliant drug court s. These options included a day reporting program, the potential for electronic monitoring, a work release/work crew program, and increased access to either recovery house or inpatient resources. Byrne grant funds were obtained to cover some of the additional costs associated with these options.

Organization

Frequency of Court

The Spokane Drug Court meets weekly. The Drug Court team meets before the court session to review the cases that will be heard and to consider other issues pertinent to the program. Participants describe the team meeting as a time of information sharing, case discussion, and decision making.

Team Members/Key Players

Members of the Drug Court team include the Judge, the Prosecutor and Public Defender who are permanently assigned to the program, a Judicial Clerk who coordinates and tracks the graduated sanctions program, two Department of Corrections (DOC) Community Corrections Officers (CCOs) (1.5 FTEs), a Drug Court Case Manager from North East Washington Treatment Alternatives TASC (Treatment Alternatives to Street Crime) program, and the Drug Court Project Manager who manages the Drug Court in addition to his other Law and Justice Council responsibilities. While the judicial roles (Judge, Prosecutor and Public Defender) are similar to those in other Drug Court programs in the State, the Spokane program is unusual in the role of CCOs as integral members of the Drug Court team.

Although they are DOC employees, the CCOs report directly to the Drug Court Judge, and, under the authority of the pretrial release order and specific instructions from the Judge, provide supervision and monitoring of clients in the community. They are expected to verify client compliance with all aspects of the court ordered program as long as the individual remains in the program. In addition to supervision and monitoring activities, the CCOs can, on the order of the Judge, execute warrants, make arrests, and transport offenders to designated sanction locations. In most of the other Drug Court programs in Washington, warrants and arrests of Drug Court participants are handled by local law enforcement officials as a part of their many other duties. The integration of law enforcement in the Spokane program facilitates law enforcement input pertinent to Drug Court participants and strengthens their linkage with the Drug Court program.

Who are the treatment providers?

Although one agency, Spokane Addiction Recovery Center (SPARC), is the primary treatment provider for the intensive outpatient treatment services that are the core of the program, the Drug Court Program has access to a continuum of more intensive services. Development of the continuum was facilitated through the graduated sanctions program and the associated Byrne Grant funding. The more intensive treatment options include detoxification services at Spokane Care Services, recovery house and in-patient services through SPARC, New Horizons, and American Behavioral Health. Participants may also be referred to the Grieger Correction Center for men and the Eleanor Chase House for women. The referral process as well as more specific characteristics of the treatment program will be discussed in following sections of the report.

Participants Movement Through Drug Court Program

Criteria for Drug Court Admission

The Spokane program has the following very specific legal eligibility criteria.

An individual may qualify for the program if:

1. Charged in Superior Court with Possession of Schedule 1, 11, or 111 Controlled Substances; or Forged Prescriptions; or Conspiracy to Possess Controlled Substances; or Conspiracy to Deliver Controlled Substances. Evidence of intent to sell will be presumed if the offender is in possession of more than the following amounts:

Heroin	1 gram
Cocaine	10 grams
Crack Cocaine	2 grams
Methamphetamine	10 grams
LSD	10 dose units

Marijuana

90 grams

The prosecutor may opt the offender out of Drug Court, within 14 days, if quantities exceed the amounts stated above.

2. Arrested for Possession with Intent to Deliver, but CHARGED in Superior Court with Possession of a Controlled Substance, if offender opts in prior to setting of a trial date and/or amending the charge.

The prosecutor may opt the offender out, within 7 days, if quantities exceed the above amounts.

3. Charged with Possession of a Controlled Substance with Intent to Deliver (small amount and detective agrees) will be considered on a case-by-case basis.

4. Charged in Superior Court with Felony Theft, Possession of Stolen Property, Trafficking in Stolen Property (all in the first or second degree); Forgery; Unauthorized Issuance of a Bank Check; and Taking a Motor Vehicle without the Owner's Permission, and the offender petitions for admission into Drug Court prior to setting a trial date, if the following conditions are met:

A. The offender must have:

- A documented history of heroin, methamphetamine, cocaine or other controlled-substance addiction.
- A verified sworn statement from the offender documenting a causal connection between the addiction and the felony property offenses.

B. The offender must execute a promissory note and a Confession of Judgement for the full amount of restitution payable to all victims.

C. The total amount of restitution cannot exceed \$2500.00.

D. There must be a reasonable basis to believe the offender can successfully complete the Drug Court Program.

E. The offender must petition the court for entry into the program prior to setting a trial date by following the procedure below:

- Complete a Drug Court petition setting forth all eligibility criteria
- Provide the complete petition to the Drug Court Prosecutor who will schedule a court date before the Drug Court Judge
- Attend a Drug Court hearing, execute a waiver of speedy trial, and participate in a pre-Drug Court evaluation by a certified drug treatment provider (TASC), as directed by the Judge.
- Attend a Drug Court hearing to determine whether there is a reasonable basis to believe he/she can successfully complete the program. This determination is made by the Judge after input from the Drug Court team.

The prosecutor may opt the offender out of Drug Court, within 14 days, if the victim(s) requests the offender be excluded.

5. Have no other pending felony charges at arrest, other than drug possession, except as provided in criteria 3 above for verified heroin, methamphetamine, or cocaine addiction.

6. Have no prior adult or juvenile sex or violent offenses as defined by RCW 9.94A.030 (31) and (36), (1994).

7. Case-by-case consideration of people charged with the gang unit.

8. The Prosecutor may opt the offender out of Drug Court, within 14 days, if law enforcement requests exclusion

for public safety reasons.

9. Have no hold from another jurisdiction (Washington or another state).
10. Prior program participation candidates considered on a case-by-case basis.
11. Have demonstrable Spokane area residence (job, school, family).
12. Willingness to participate in an intensive treatment, education, and closely monitored program.
13. No felony charges for crimes against property or persons committed while an active participant in Drug Court.
14. Participation in the Felony Drug Court program will not bar prosecution for any other current offenses.
(Spokane County Prosecuting Attorney, 1999)

How/When is the decision made of offer Drug Court option?

The initial decision to offer the Drug Court option is made by the Prosecutor who reviews the daily booking reports for individuals who have been arrested for eligible offenses. The Prosecutor screens these records for non-qualifying offenses or conditions and immediately (ideally the next judicial working day) refers all eligible individuals to the Public Defender. The Public Defender (ideally the next judicial working day) sees the offender in jail to explain the Drug Court program and provide written information about the optional nature of participation and program requirements. If the individual is interested in the program, every effort is made to have the defendant appear before the Drug Court Judge on the same day for further explanation of the program and to begin the two-week assessment and decision-making process. The Drug Court team is committed to this rapid processing whenever possible to expose the potential participant to the drug court option before they are released from jail and enter the relatively slow traditional judicial processing common to many of the eligible charges. To accomplish this goal the Drug Court Judge is available to see potential participants on a daily basis.

In situations in which this expedited process does not occur and the defendant is released from jail before s/he is seen by the Public Defender, the Public Defender either contacts the offender directly or sends a letter advising the individual of the Drug Court option. If the offender does not respond to Public Defender's contacts, the case goes through regular court processing where it may later be referred to Drug Court for consideration.

What information about Drug Court is the Defendant provided?

The Public Defender is the primary source of initial information about Drug Court. Not only does he/she inform the defendant of the Drug Court option and the requirements and responsibility of drug court participation, but s/he also acts as legal council to the individual in reviewing the charges and the potential consequences of the decision to participate or not in the drug court program. Both verbal and written information about Drug Court is provided. The goal at this early stage of the Drug Court process is to provide enough information so that the offender understands the option and can make an informed decision to either remain in the regular court process or consider the drug court option.

If the individual decides to consider Drug Court, the process during the next two weeks, the opt-in period, is designed to provide more detailed information from a number of Drug Court team members including the Judge, the Drug Court Case Manager, and the treatment provider. The goal during the opt-in period is to direct experience with the program requirements including treatment and urine testing so that the offender can make an informed, competent decision about entering Drug Court.

During the opt-in period program information is provided in a variety of ways, including verbal and written descriptions of the program requirements and the consequences of non-compliance. TASC provides a detailed orientation packet as a part of the assessment process. In addition, there is an experiential component to the information process. Potential participants are required to participate in treatment activities and urine testing. They may also be required to attend Drug Court sessions where they can observe Drug Court clients and their experiences with the program. Finally, at the time of entry into Drug Court the defendant signs a Drug Court Waiver and Agreement

that clearly states the terms of participation and the consequences of unsuccessful termination and graduation from the program.

Evaluation for treatment

The first clinical intake and screening is done by the Drug Court Case Manager at North East Washington Treatment Alternatives (NEWTA). After appearing before the Judge, the individual is given a next day appointment with the Case Manager. Individuals released from jail are expected to get to the appointment, while those still in custody are sent from jail by cab. The initial intake includes an orientation to the Drug Court program, and an alcohol and drug history. If there is no evidence of alcohol/drug dependency or if the person denies substance use, an alcohol/drug screening is done to determine if s/he is appropriate for the program. If there is no evidence of chemical dependency, the individual is not considered an appropriate candidate. Individuals found to have a chemical dependency problem are given an intake appointment at a treatment agency. With the exception of those who need a detox placement most are referred to SPARC. The individual is tested (UA/BA) for substance use as a part of the intake process.

The participant is required to attend treatment including monitoring by NEWTA until the court date for a status hearing, usually two weeks after the initial appearance, when the offender and the Court reach a decision (opt in or out) about Drug Court participation. The treatment agency, SPARC, also does some evaluation in the initial two-week period. If the individual has not participated in treatment and maintained clean urines during the opt-in period but wants to participate to Drug Court, s/he cannot opt-in at that time. Depending on the circumstances and reports from members of the Drug Court team the opt-in decision time may be extended, or the drug court option may be withdrawn and the individual returned to regular court processing. If the individual opts-in to the program at the status hearing, a more complete clinical assessment is then done by the Drug Court Case Manager. Data from the extended evaluation, including an ASAM (American Society of Addiction Medicine) level of care evaluation, an assessment of recovery issues and a determination of social needs, provides the basis for further work with the participant by the Drug Court Case Manager and other members of the Drug Court team.

When does the defendant actually become a Drug Court Client?

Individuals do not formally enter Drug Court until after the status hearing when the decision is made by the individual and the Judge to enter the program. At that time, those who elect Drug Court sign a Drug Court Waiver in which they agree to treatment requirements, stipulate to the facts contained in the police report, waive rights to a speedy trial, and acknowledge their understanding of the conditions and consequences of participation. Individuals who decide against Drug Court participation at the status hearing are considered program opt-outs and return to regular Superior Court processing.

Consequences of non-completion

Termination from the program is the most severe response to client non-compliance, and usually occurs only after other interventions have been exhausted. The decision to terminate is made by the judge although the participant may ask to leave the program or may drop out. If participants fail to appear or abscond they are placed on bench warrant status. In any case, the consequence of non-completion is being sentenced by the Drug Court Judge to serve the sentence appropriate to the original charge(s). Although all members of the Drug Court team provide input about the individual's compliance with the program and can recommend program termination, the final decision about program retention and completion remains with the Drug Court Judge.

Court/Participant Interaction

With whom? How often?

Upon entry into the Drug Court program the participant's primary interaction with the Court is with the Judge. Most of the other participant/program interactions are with the Drug Court Case Manager, one of the CCOs, or treatment agency staff. Interaction with the Judge occurs during court sessions with the frequency determined by the treatment phase, compliance with program requirements, and general progress in meeting the goals of the Drug Court program

During Phase 1, usually about 1 month long, the defendant appears before the Judge every week. In these court sessions the Judge asks about treatment participation, and an explanation of any lapses in participation. The Judge actively reinforces expectations, and may impose other requirements or sanctions to encourage better compliance. The Judge takes a very active role with the defendant during this period. In the other 4 phases of the program individuals appear before the Judge as scheduled depending on progress in treatment and compliance with other requirements. Appearances are scheduled based on information supplied by Drug Court team members at the weekly team reviews of client progress. During all phases of the program the Judge continues to play an important role in making expectations clear, and encouraging compliance through the use of both sanctions and incentives.

The importance of the Judge-client interactions and the sense of relationship that develops is apparent in observing the Spokane County Drug Court. Participants share details of their lives such as the progress of relationships with significant others, problems with children, and problems they are having meeting treatment requirements, and controlling their substance use. Judge Murphy and Judge Eitzen appear to know the defendants as individuals and provides firm limits as well as praise and encouragement.

Monitoring Participant Compliance

The Court has a primary role in monitoring compliance with all aspects of the treatment program and in responding consistently and quickly to incidents of non-compliance. Aspects of treatment that are monitored include abstinence from substance use, participation in Twelve Step programs, and court-ordered treatment activities. In the Spokane program the CCOs also have a very strong role in monitoring compliance in the community. They are described by all team members as “the eyes and ears” of the Judge.

Substance Use

Court ordered urine analysis, done by TASC, is used to monitor substance use. Frequency of testing depends on program phase and may be increased regardless of phase requirements if results are positive. Individuals in Phase 1 and 2, usually about 3 months, are tested twice weekly. In Phases 3 and 4, usually about 5 months, weekly testing is done. In Phase 5, typically 4 months, testing occurs every other week. Although these are the standard test frequencies, individual UA requirements can vary based on treatment progress, drug of choice, and overall compliance.

In addition to urine analysis, the CCOs supervision and monitoring function are an important component of monitoring substance use. In their home visits and other community-based work the CCOs pick up important information about the extent to which the individual is moving toward a drug-free life-style, and share this information with other members of the Drug Court team.

Positive UA results are reported to the Judge and Drug Court team members by the Drug Court Case Manager. Although team members are involved in recommendations about what actions should be taken in response to dirty UAs, the final decision rests with the Drug Court Judge. Sanctions are a common response to positive urine analysis findings. Sanctions are discussed later in the report.

Treatment Participation

Participants are expected to attend community based support group meetings (NA/AA) at specified frequencies depending on program phase. In Phases 1, 2 and 5 two meeting a week are required. The requirement is increased to 3 meetings weekly in Phases 3 and 4. An attendance record sheet that must be signed at each meeting and presented to the Drug Court Case Manager who keeps team members informed about individuals who fail this requirement. Continued failure leads to an appearance before the Judge and may lead to the imposition of sanctions. Sanctions are a common response to failure to attend support group meetings.

Participation in outpatient treatment activities, including group and individual treatment, at specified frequencies depending on program phase is monitored at the agency level, and reported to the Drug Court Case Manager who keeps the Court informed. (Treatment services are also reported in TARGET.) Participation is

reviewed with the defendant by the Case Manager and the Judge if there are problems with compliance. Individuals who fail to meet treatment expectations may be scheduled for more frequent court appearances and may receive a range of sanctions. The specified frequencies are as follows: In Phases 1 and 2 participants are required to attend three 2-hour groups a week and one individual session weekly. In Phases 3 and 4 two 2-hour group sessions weekly and an individual session every 3 weeks is required. In Phase 5 the requirement is reduced to 1 2-hour group weekly and a monthly individual session.

The Spokane program also specifies the number of contacts participants are required to have with the Drug Court Case Manager and the CCOs in each phase of the program. This participation is also monitored as an indication of program compliance. In all phases of the program participants are required to see both the Case Manager and a CCO twice monthly.

In summary, the responsibility for monitoring participant behavior in relation to Drug Court program requirements is shared among treatment providers, the Drug Court Case Manager, the CCOs, and the Judge. While members of the Drug Court team have input into the response to non-compliant behavior, the Judge has the final responsibility for the judicial response to participants who do not meet the requirements.

Sanctions

Progressive sanctions are used in response to violation of program requirements. Sanctions are expected to emphasize client accountability to meet the strict expectations and requirements of the program, and to provide more structure and support when it is needed. Although final sanction decisions are made by the Judge, the public defender, prosecuting attorney, and Drug Court Case Manager, and CCOs are involved in the process. Sanctions include but are not limited to:

- Increased support group (NA/AA) attendance;
- Increased case management contacts;
- Day reporting;
- Work release/work crew program;
- Electronic monitoring;
- Community service hours;
- Jail time.

Consistent, swift imposition of sanctions, an important tenant in Drug Court programming, depends on several factors: timely information sharing between the treatment providers and the court; consistent application of sanctions by the Judge, and a structure that supports the ability of the Drug Court to implement the sanctions. The integral role of the CCOs and their power of arrest gives the Spokane program a strong internal structure to carry out sanctions in a swift and consistent manner.

Incentives

Incentives are used to recognize and reward participation and progress. The most frequently used incentive is public recognition of progress during court sessions and acknowledging to the participant and the entire court the participant's hard work and accomplishments. Other incentives used by the Spokane Court include sobriety medallions, peer group support and praise, and, of course, dismissal of charges at graduation.

Graduation

To graduate the participant must successfully complete the Drug Court program and demonstrate stable recovery through a four month period of clean urine testing. Graduation is subject to approval by the Drug Court Judge. Successful completion of the program is marked by a graduation ceremony in which the progress and accomplishments, as well as plans to support continued recovery are reviewed. Participants are encouraged to bring friends and family members to graduation. Charges for the offense that led to admission to Drug Court are dismissed at that time.

TREATMENT PROGRAM CHARACTERISTICS

Number of Provider Agencies

As discussed earlier the Spokane Drug Court uses one primary agency, Spokane Addiction Recovery Center (SPARC), as the outpatient treatment provider with access to a continuum of more intensive services as they are needed. Development of the service continuum was facilitated through the graduated sanctions program and the associated Byrne Grant funding. Detoxification services are provided by Spokane Care Services. The other more intensive treatment options include recovery house and inpatient services through SPARC, New Horizons, and American Behavioral Health. Participants may also be referred to the Grieger Correction Center for men and the Eleanor Chase House for women. These facilities provide supervised living, work release/work crew programs, electronic monitoring, and support for participation in outpatient treatment.

Funding

Treatment services are funded in a number of ways. In addition to treatment funding for from the DOJ Grant, Byrne Grant funds are used for some of the more intensive treatment options. Every effort is made to fund eligible low-income/indigent clients through state contracts such as ADATSA or Title 19 programs such as TANF and Work First. Spokane County funds are used for some of the matching funds required to access State and Federal treatment dollars. Individuals who have insurance or the resources for private payment are expected to pay for treatment. There are no participant fees in the first two phases of the program. However participants can be, but are not necessarily, charged up to \$30.00 monthly during phases 3-5. Although rarely imposed, as a part of the Drug Court Waiver Agreement individuals may be required to pay a participant fee of up to \$300.00 based on ability to pay.

Overall Treatment Services

Although the core treatment approach is intensive outpatient services, a comprehensive continuum of services is available. Services include detoxification, inpatient treatment, and a range of outpatient services including group and individual counseling, education, and relapse prevention. In addition, participants who need a more structured living environment may be placed in the Grieger Corrections Center for men and the Eleanor Chase House for women. These facilities provide supervised living, access to work release programs, electronic monitoring, and support for continued outpatient treatment.

Spokane County TASC provides case management services for Drug Court participants in addition to the other program functions it provides. Case management services include coordinating all aspects of treatment and ancillary support services and keeping the Drug Court team informed of these services and participant progress. In addition, the Case Manager meets with each participant a minimum of two times monthly to focus on recovery issues and developing a life style that supports recovery. Specific case management activities include helping the individual connect with NA/AA groups; referral to and support for engagement in community-based work, education, and job training activities; and assistance with housing.

Treatment Program

The treatment program was designed within the program structure specified by the Drug Court. This structure and related program requirements are based on recommendations and standards from the Center for Substance Abuse Treatment, US Department of Health and Human Services (1996), and the National Association of Drug Court Professionals (1997), and are common to drug court programs across the country.

Treatment is expected to last a minimum of 1 year and is divided into five phases. The treatment activities and completion criteria for each phase are clearly defined. Although an expected time period for each phase is specified, the time an individual remains in each phase is determined by the Judge with input from the drug court team. The purpose of Phase 1, INTERVENTION, is to provide an orientation to treatment and to assist with detoxification. A formal evaluation is done and the treatment plan developed. Participants in Phase 1 are required to attend Drug Court weekly, attend two verified NA/AA meetings weekly, and be drug tested twice weekly. Outpatient treatment requirements include 3 2-hour groups and one individual session each week. Although not common, Phase 1 may include detoxification or inpatient services.

The purpose of Phase 2, **RESTRUCTURING**, is to get the participant involved in treatment and to begin developing a life style that internalizes and demonstrates the principles of drug-free living. Requirements include twice weekly drug tests, two verified NA/AA meetings each week, drug court appearances as scheduled and continued participation in 3 2-hour treatment groups and a bi-weekly individual session. In addition, the participant must meet with the Drug Court Case Manager and a CCO twice monthly. Completion of Phase 2 typically requires about 2 months.

Phase 3, **STABILIZATION**, is designed to assist participants to apply what has been learned to a daily life characterized by recovery. Requirements include weekly drug testing, court appearances as scheduled, 3 verified NA/AA meetings weekly, 2 2-hour treatment groups with an individual session every third week, and continued twice monthly meetings with the Case Manager and a CCO. More emphasis is placed on the use of community resources in Phase 3. Among these resources are a skill development program, legal assistance, medical help, and employment and educational services. Typically Phase 3 lasts about 2 months.

Phase 4, **RELAPSE PREVENTION**, is designed to reinforce progress and support maintenance of a drug-free life. Requirements include weekly urine testing, Drug Court appearances as scheduled, 3 verified NA/AA meetings weekly, 2 2-hour treatment groups with an individual session every third week, and continued twice monthly meetings with the Case Manager and a CCO. Typically participants spend about 3 months in Phase 4.

The goal of Phase 5, **APPLICATION**, typically a 4 month period, is to provide support while the participant demonstrates a stable and drug-free life-style. Two verified NA/AA groups weekly are required; urine testing is done twice monthly; and the participant continues to appear before the Judge as scheduled. Treatment requirements are reduced to 1 2-hour treatment group weekly with a monthly individual session. Participants are still expected to meet with the Case Manager and CCO twice a month and to develop a detailed Recovery Plan. Graduation is considered when the participant has been able to meet all of the Phase 5 requirements consistently for approximately 4 months.

Acupuncture is available, on a voluntary basis, during all phases of the treatment program. It is offered as an adjunct treatment modality and is considered by members of the Drug Court team to aid individuals in dealing with symptoms of withdrawal and with the stresses of developing a drug-free life-style.

Length of Treatment Program

The standard length of drug court programs is approximately 1 year. However, the time required to complete the program varies among programs and is influenced by a number of factors including the tolerance of a specific Judge and Drug Court team to relapse, and the requirements for graduation or dismissal. The Spokane Drug Court program is designed as a 1 year program although individual participants may require more time to complete the program. The average length of time various groups of participants spend in the Drug Court program will be examined later in the ADAI study.

Treatment Reporting

The Spokane Drug Court program has implemented a computer network that links all members of the Drug Court team that is somewhat unique among Drug Court programs in Washington. Led by the Drug Court Program Manager and using the CADI software package, all team members, with the exception of the treatment providers, have access to electronic participant records. The team has developed a system of reporting and specific data entry responsibilities among team members that ensures that relevant information from each aspect of the program is available to all team members. While the system is not without problems, including slow data entry due to modem use, and concerns about the time required for data entry, it is a definite strength of the Spokane Drug Court program. Treatment providers are not a part of the network. The primary treatment provider, SPARC, provides information about treatment to the Case Manager who is responsible for reporting treatment participation to the Drug Court team. Treatment services provided by SPARC and other treatment agencies that are funded with state funds are reported on TARGET, DASA's computerized information system.

Characteristics of Individual Treatment Program

In this section the treatment program at SPARC, the primary treatment agency, will be described. SPARC is a 12-Steps based program that provides a range of services primarily to low-income and indigent clients. Drug Court participants are referred to SPARC by the Case Manager, where they are seen the day following referral. The Drug Court program is separate from the other SPARC treatment programs; however, when appropriate, Drug Court participant can also participate in regular program activities at SPARC.

A single SPARC staff member is assigned to the Drug Court program. This person is responsible for evaluation, development of the treatment plan, and group and individual treatment for Drug Court participants. Depending on the Phase assignment, group work is focused on education, relapse prevention, anger management, and parenting. The frequency of group and individual treatment is determined by the court assigned program phase. The SPARC staff member describes the Drug Court treatment program as quite similar to other SPARC programs with more emphasis placed on education. Another difference between the Drug Court treatment program and other SPARC programs is that SPARC provides no case management services for Drug Court participants. The case management functions this group are provided by the Drug Court Case Manager, through the TASC program. The SPARC staff member works closely with the Case Manager to keep him informed of participants' progress and needs.

Revised June/July 2000 with input from DC Program Manager

REFERENCES

Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration. (1996) Treatment Drug Courts: Integrating Substance Abuse Treatment with Legal Case Processing. (DHHS Publication No. SMA 96-3113), Rockville, MD.

Kenny, M. J. (ed.) (1999) Spokane County Adult Drug Court Practices and Procedures Manual. Spokane County Drug Court, Spokane, WA.

National Association of Drug Court Professionals, Drug Court Standards Committee. (January 1997) Defining Drug Courts: The Key Components. Drug Court Programs Office, U.S. Department of Justice.

Spokane County Prosecuting Attorney. (October 1997) Felony Drug Court Eligibility Criteria (effective for February 1999). Spokane, WA.