

TM Drug Court Overview

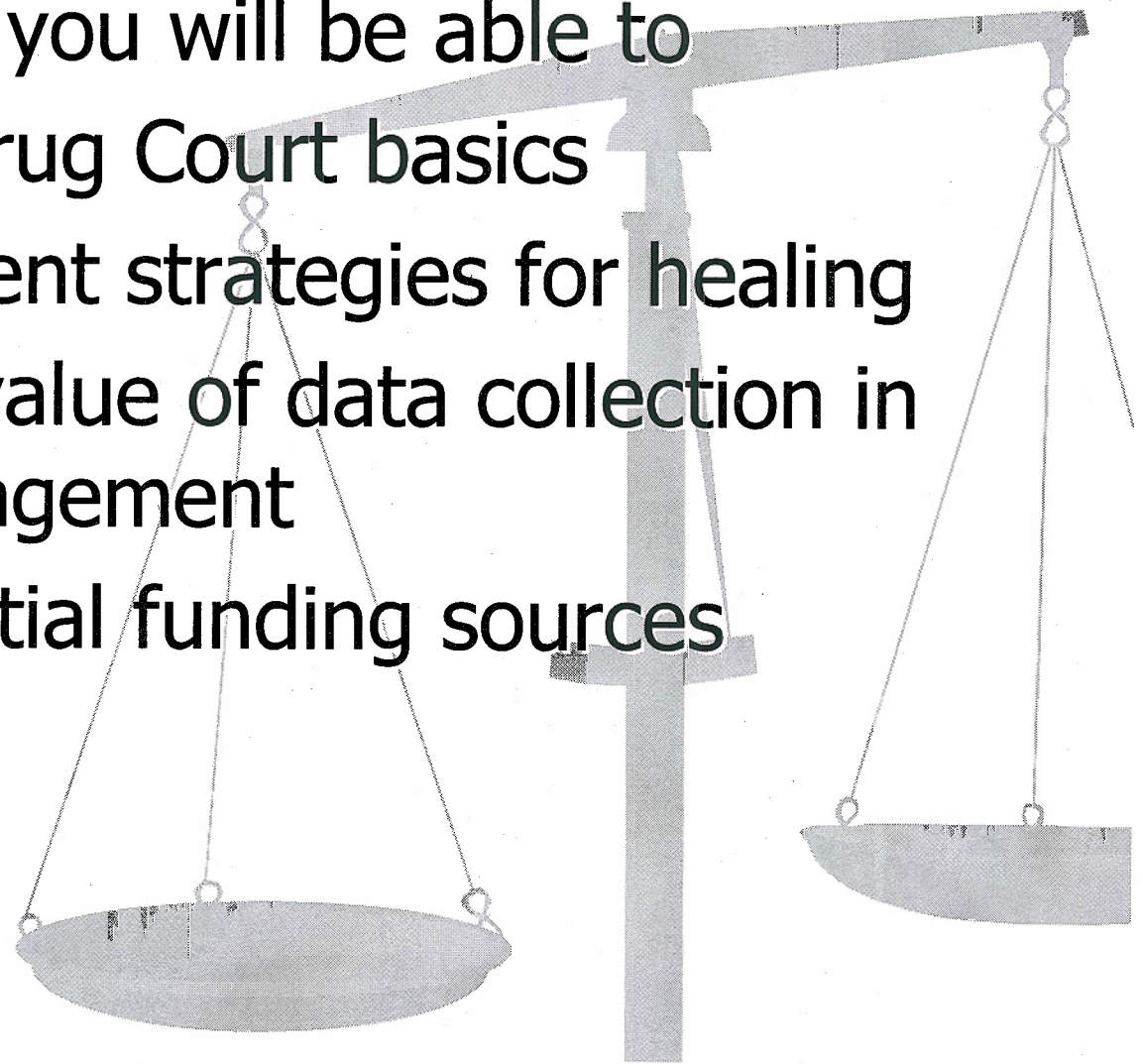
Presenter
Dale W. Brien



Objectives

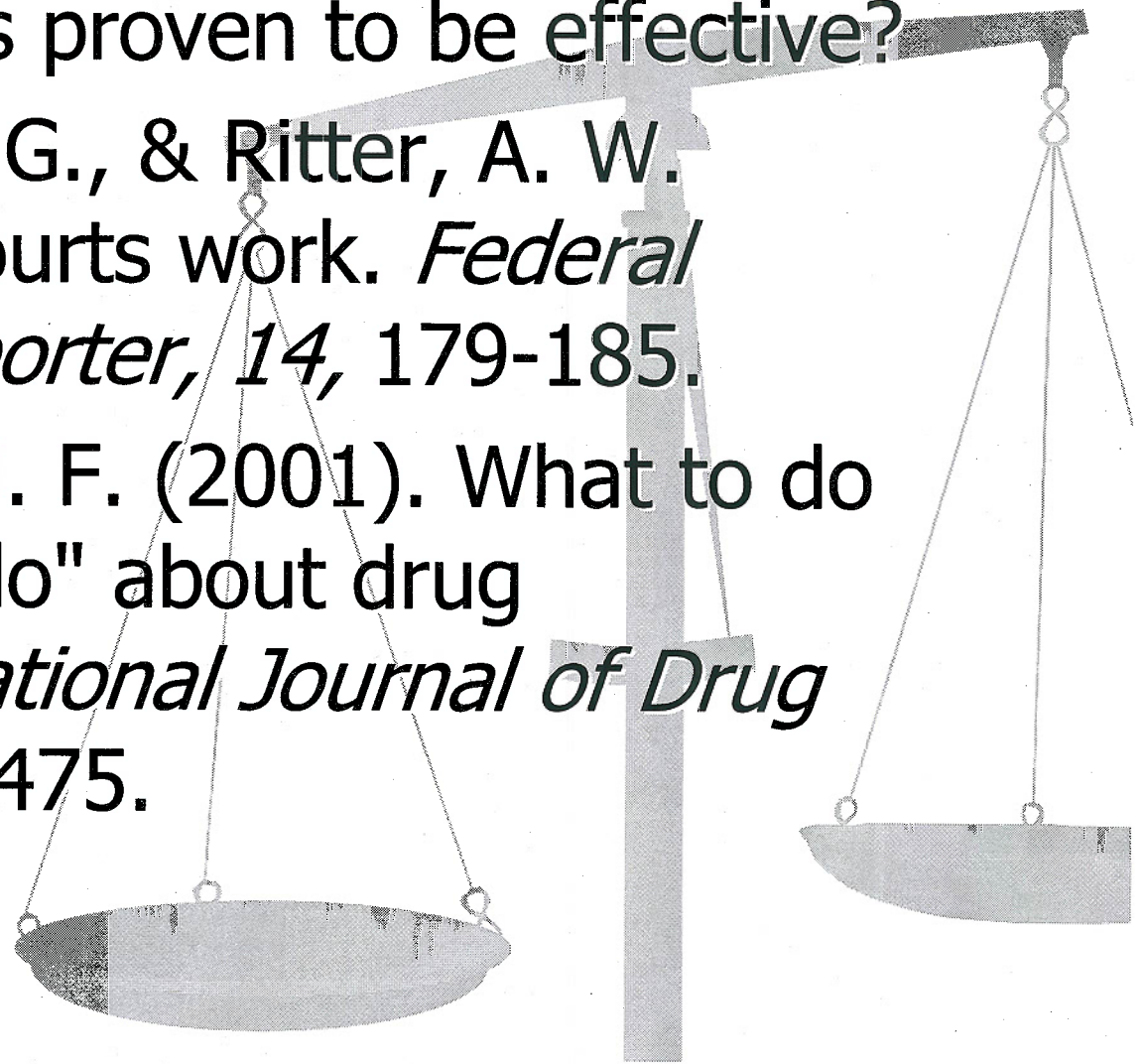
After this session you will be able to

- ➔ Understand Drug Court basics
- ➔ Identify different strategies for healing
- ➔ Appraise the value of data collection in Program Management
- ➔ Identify potential funding sources



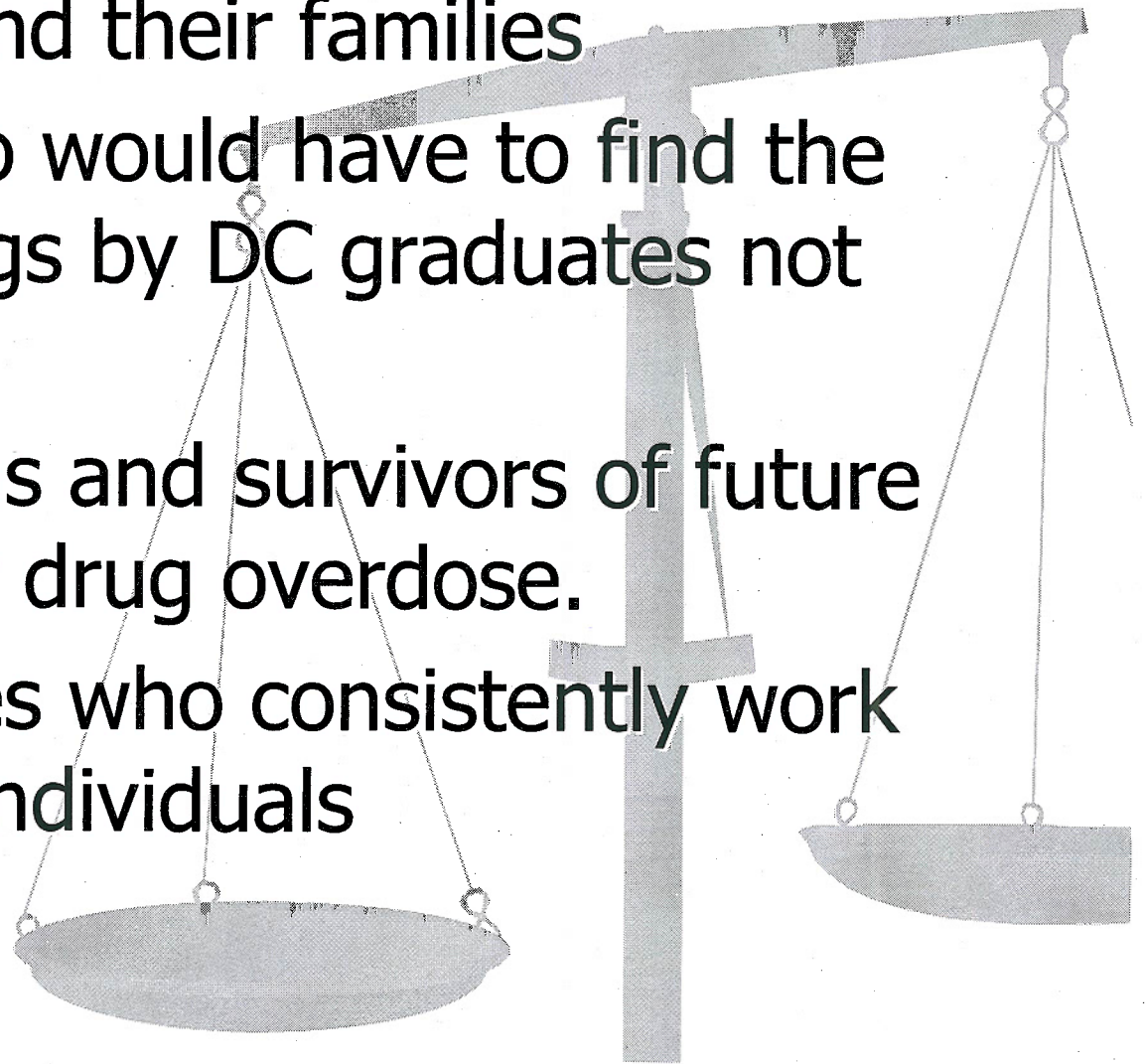
First Question

- Are Drug Courts proven to be effective?
- Yes, Meyer, W. G., & Ritter, A. W. (2002). Drug courts work. *Federal Sentencing Reporter*, 14, 179-185.
- No, Anderson, J. F. (2001). What to do about "much ado" about drug courts? *International Journal of Drug Policy*, 12, 469-475.



Tell That To:

- 60 Graduates and their families
- The person who would have to find the \$732,582 savings by DC graduates not going to jail.
- Unknown victims and survivors of future DUI fatalities or drug overdose.
- Helping agencies who consistently work with the same individuals





Turtle Mountain Alternative Court

MaDonna Marcellais, Judge

Dale W. Brien, Director

Vacant, Probation Officer

Terry Jerome, Licensed Addiction Counselor

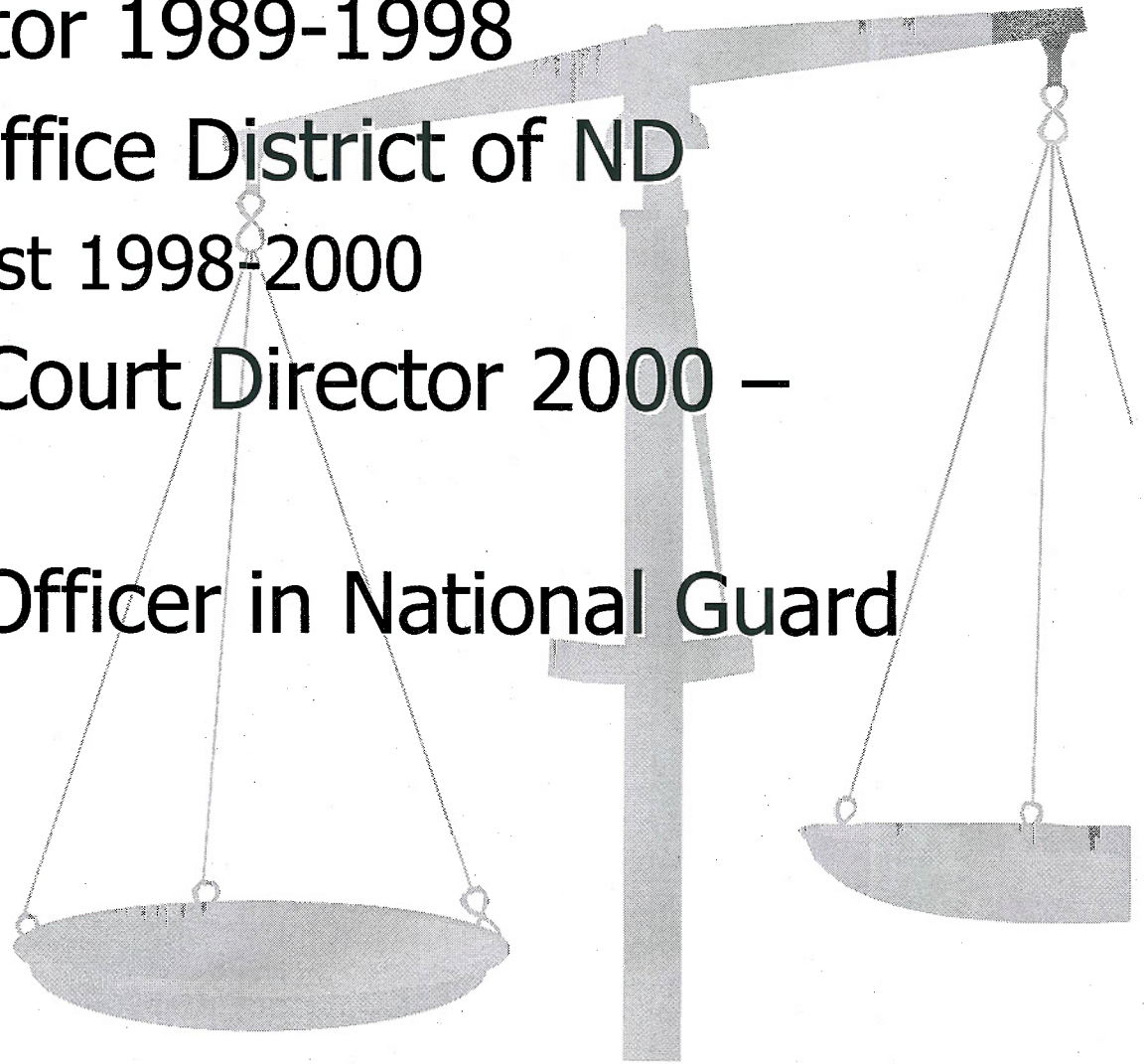
William Marcellais, Tribal Prosecutor

Terry Baker, Public Defender



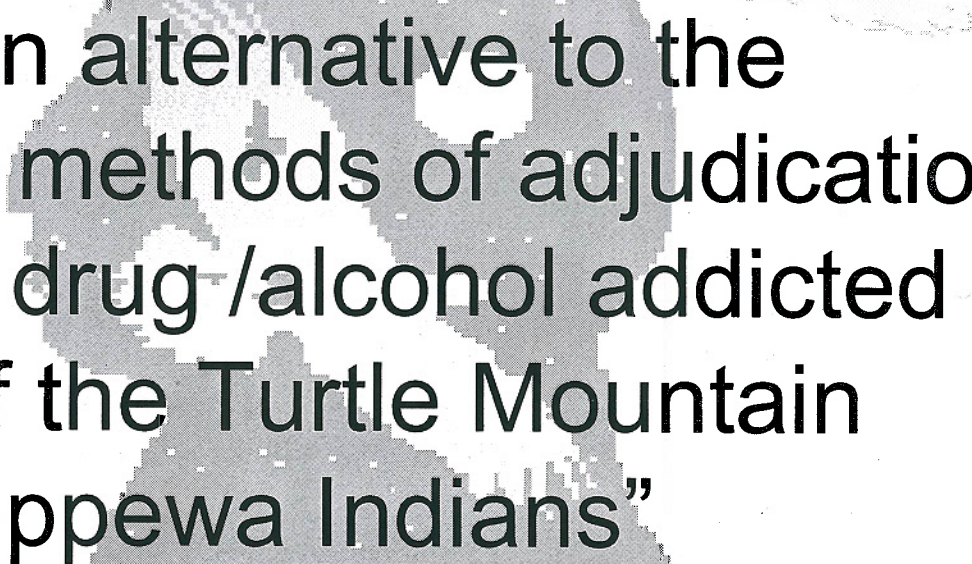
Dale W. Brien

- TM VOCA Director 1989-1998
- US Attorney's Office District of ND
 - Victims Specialist 1998-2000
- TM Alternative Court Director 2000 – Present
- Commissioned Officer in National Guard



Mission Statement

“To provide an alternative to the established methods of adjudication by Treating drug /alcohol addicted members of the Turtle Mountain Band of Chippewa Indians”



Goal of the Mission Statement

Successful graduates who give back to others by:

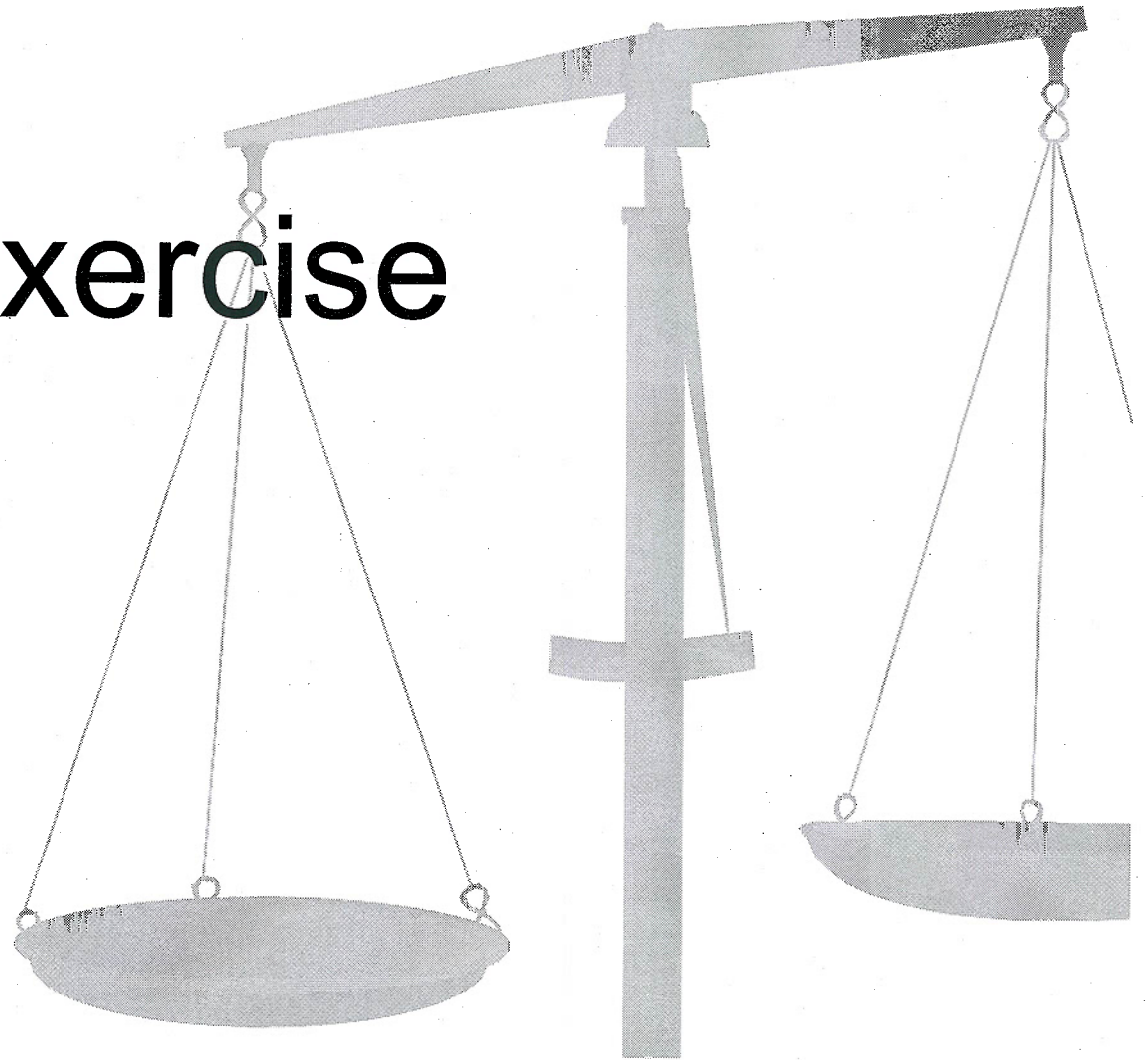
- Speaking at group meetings
- Living a drug-free lifestyle
- Involved in community events
- Buffalo Shield with name and graduation date on it
- Jacket with Alternative Court logo and name on it.



Turtle Mountain Alternative Court

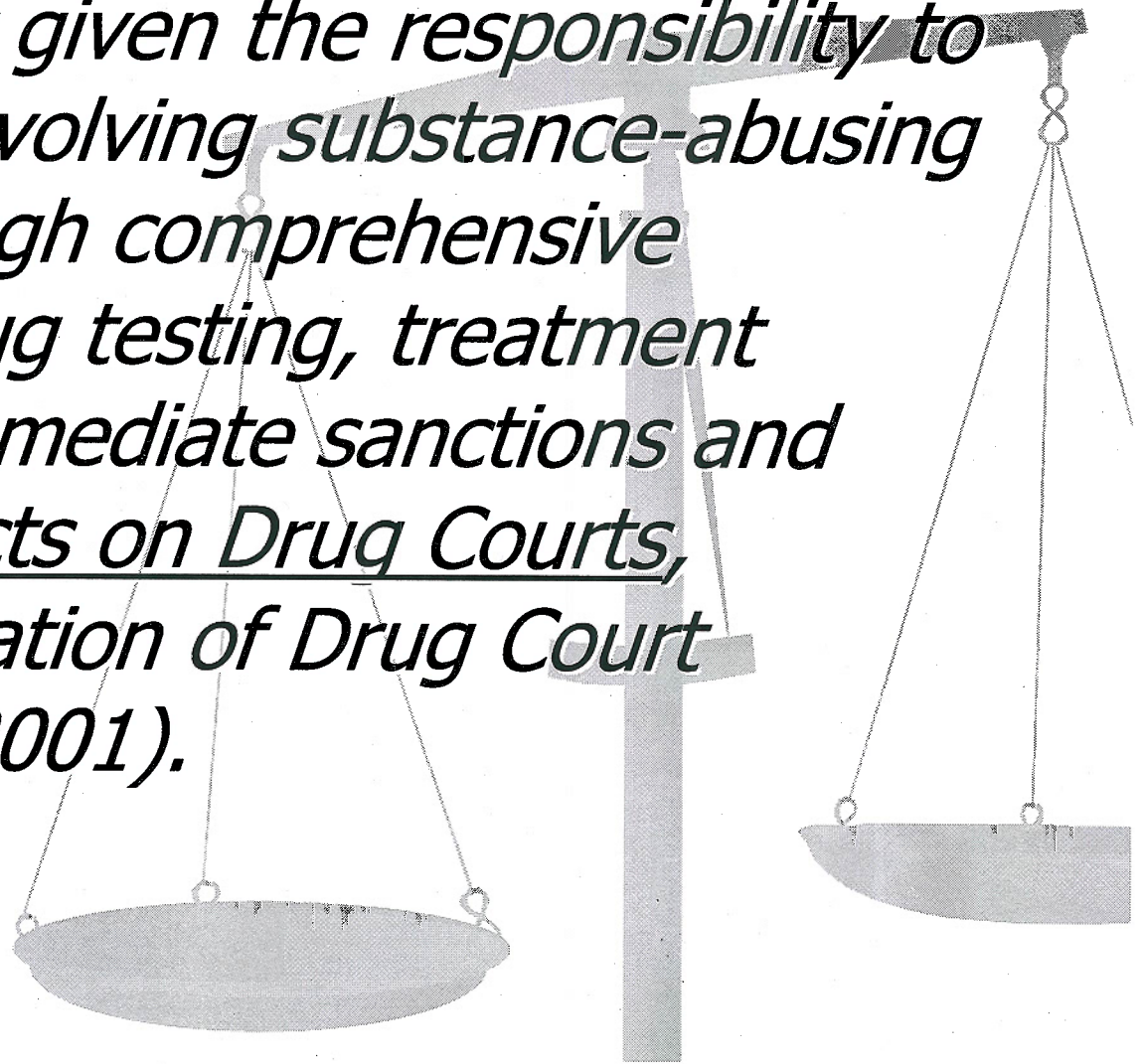
- **Program Start Date** January 1999
- **Length of Program** 11 to 18 months
- **Program Ages** 17 to 60 Years (Average Age is 31.76)

Exercise

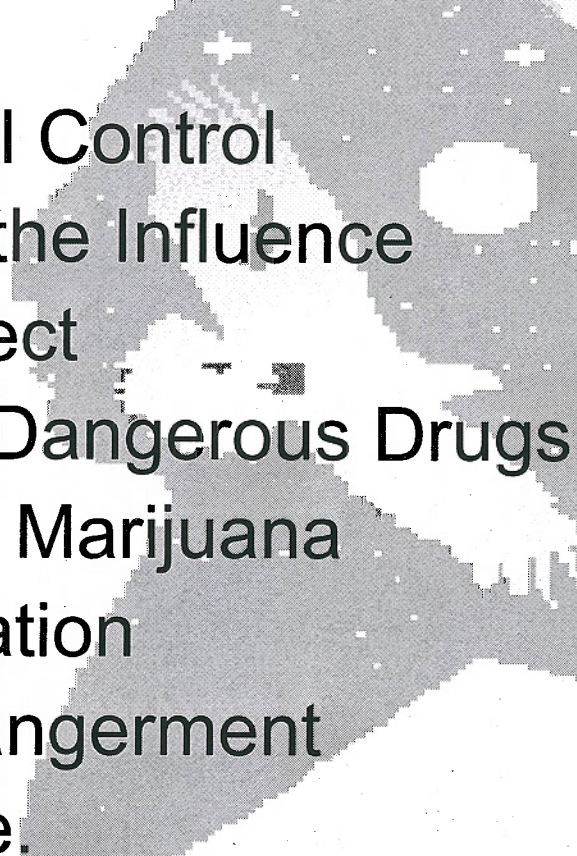


Drug Court Defined

- *"a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives" (Facts on Drug Courts, National Association of Drug Court Professionals, 2001).*

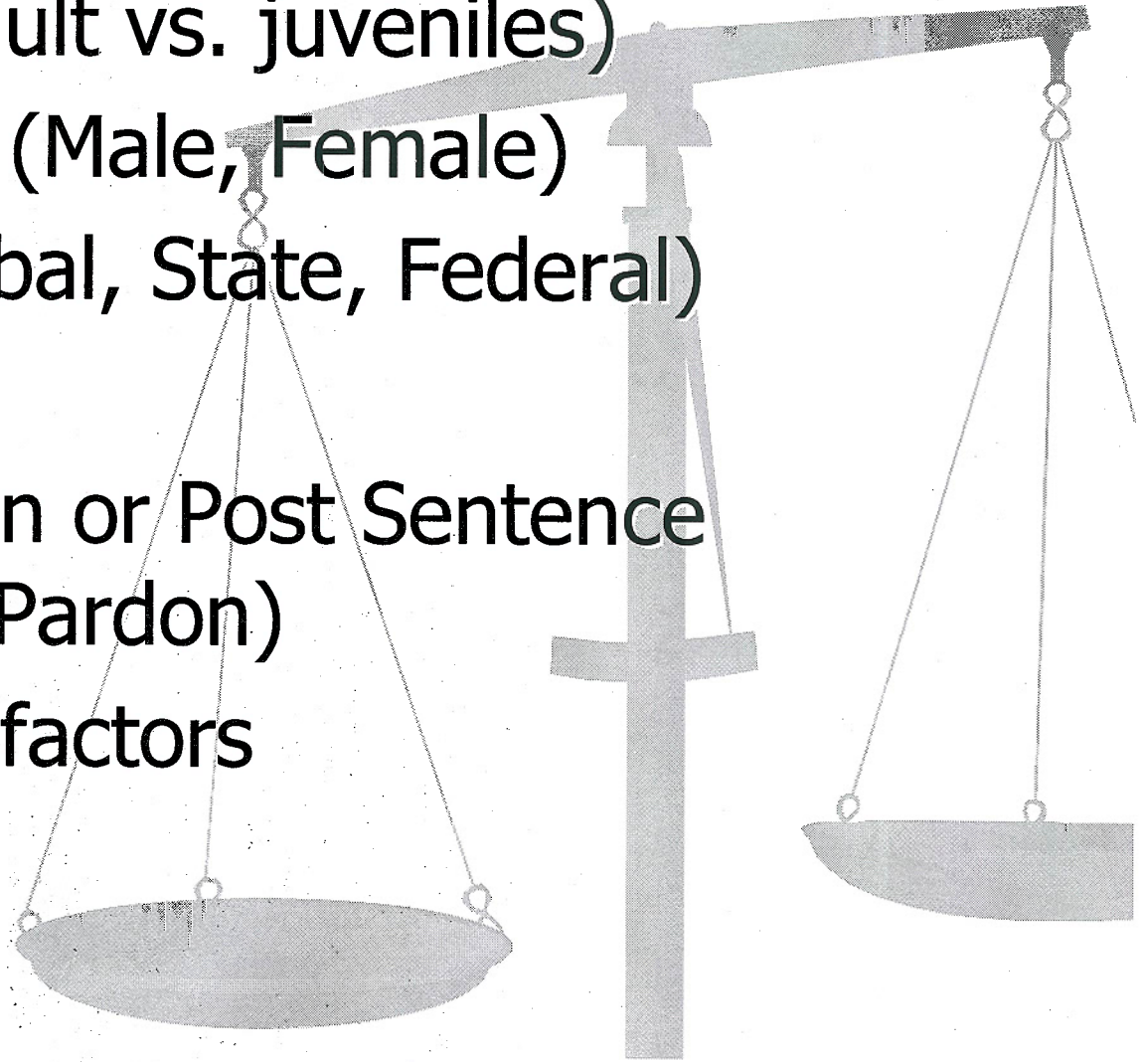


Referring Charges

- Abandonment
 - Actual Physical Control
 - Driving Under the Influence
 - Failure to Protect
 - Narcotics and Dangerous Drugs
 - Possession of Marijuana
 - Probation Violation
 - Reckless Endangerment
 - Zero Tolerance.
- 

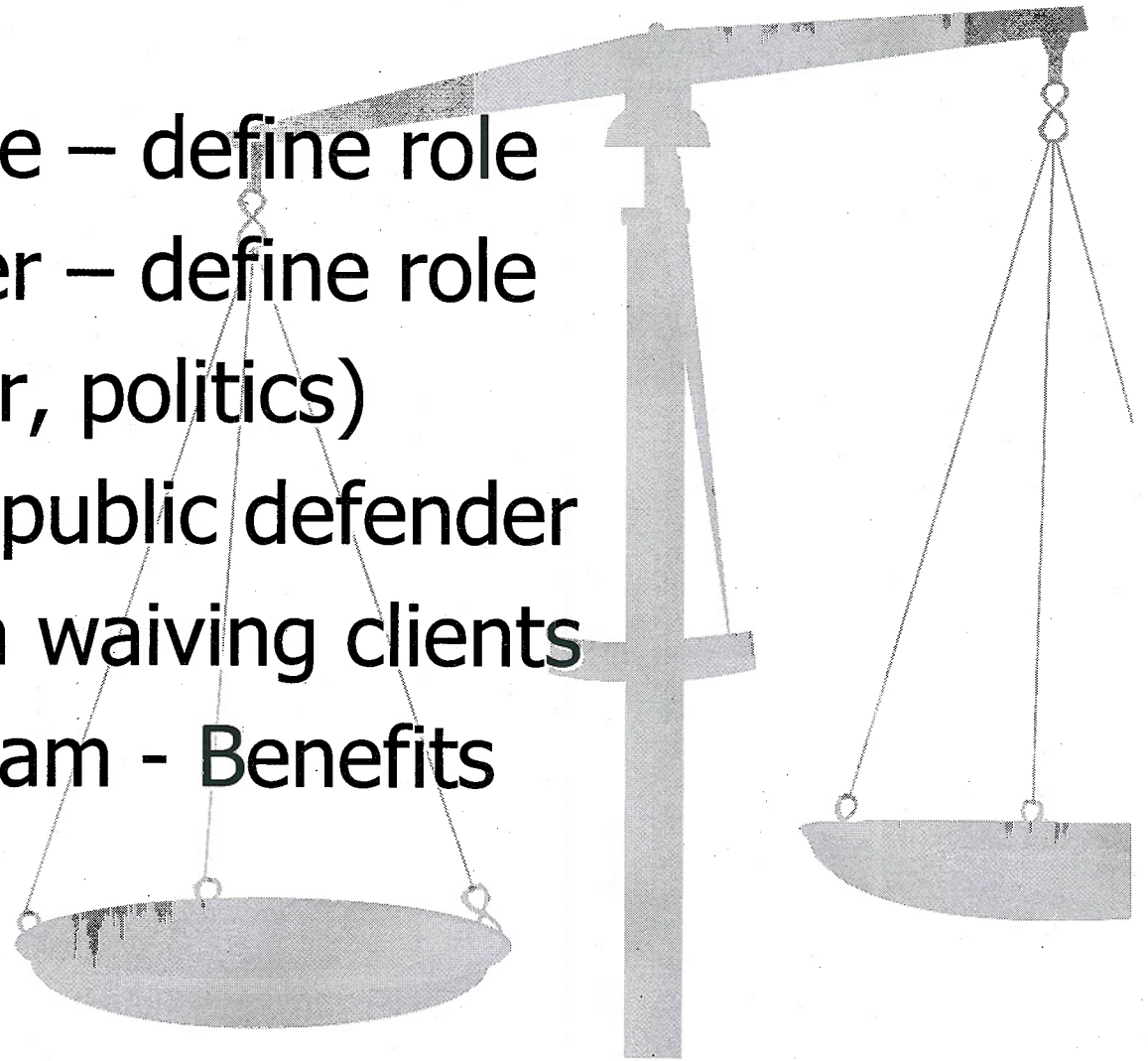
Making It Unique - Design

- Age Groups (Adult vs. juveniles)
- Gender specific (Male, Female)
- Jurisdiction (Tribal, State, Federal)
- Voluntary
- Pretrial Diversion or Post Sentence (Expungement/Pardon)
- Disqualification factors



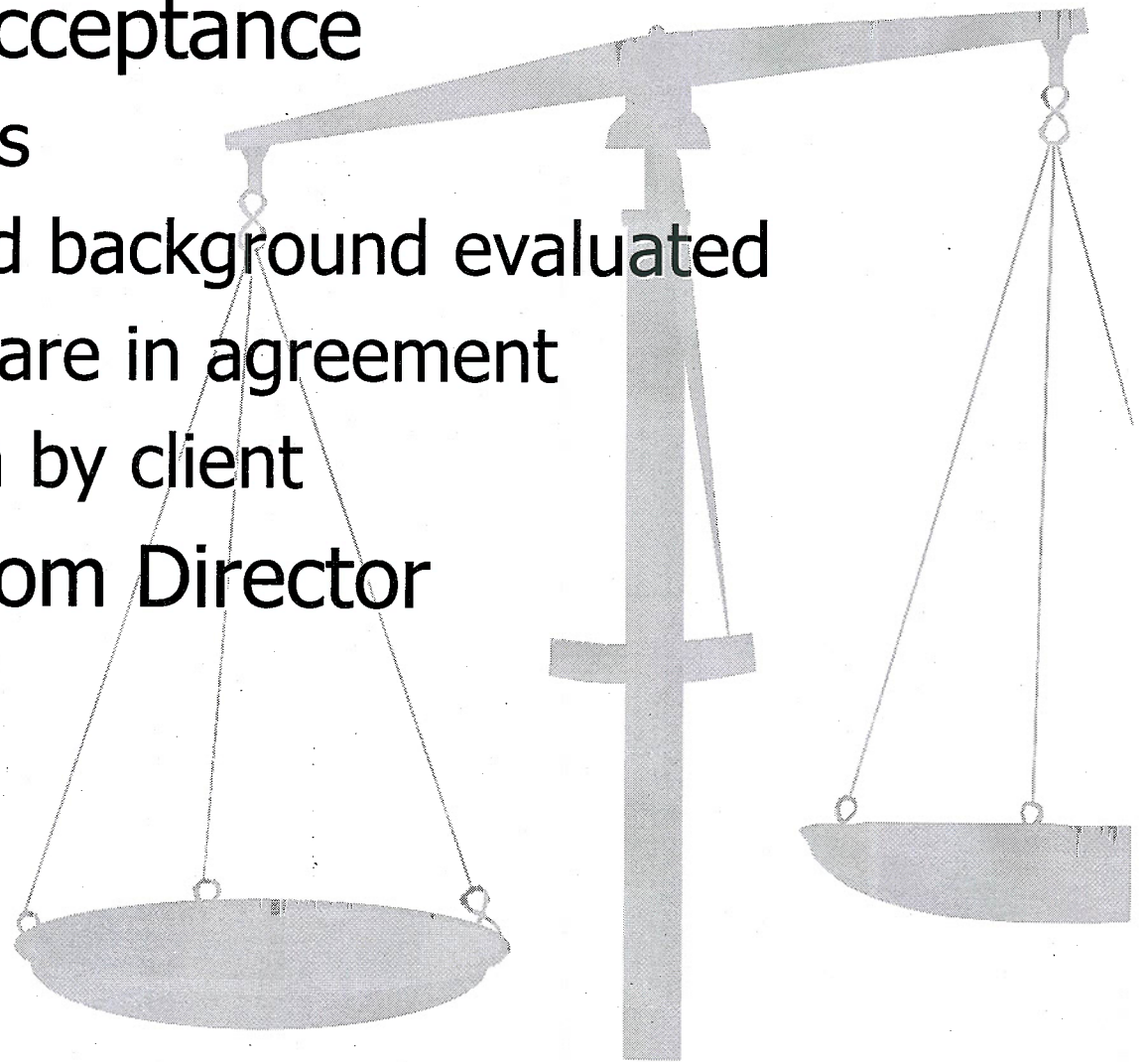
Making It Unique - Staff

- Judge profile
- Counselor profile – define role
- Probation Officer – define role
- Director (Funder, politics)
- Prosecutor and public defender
- PTSD factors on waiving clients
- Working as a team - Benefits



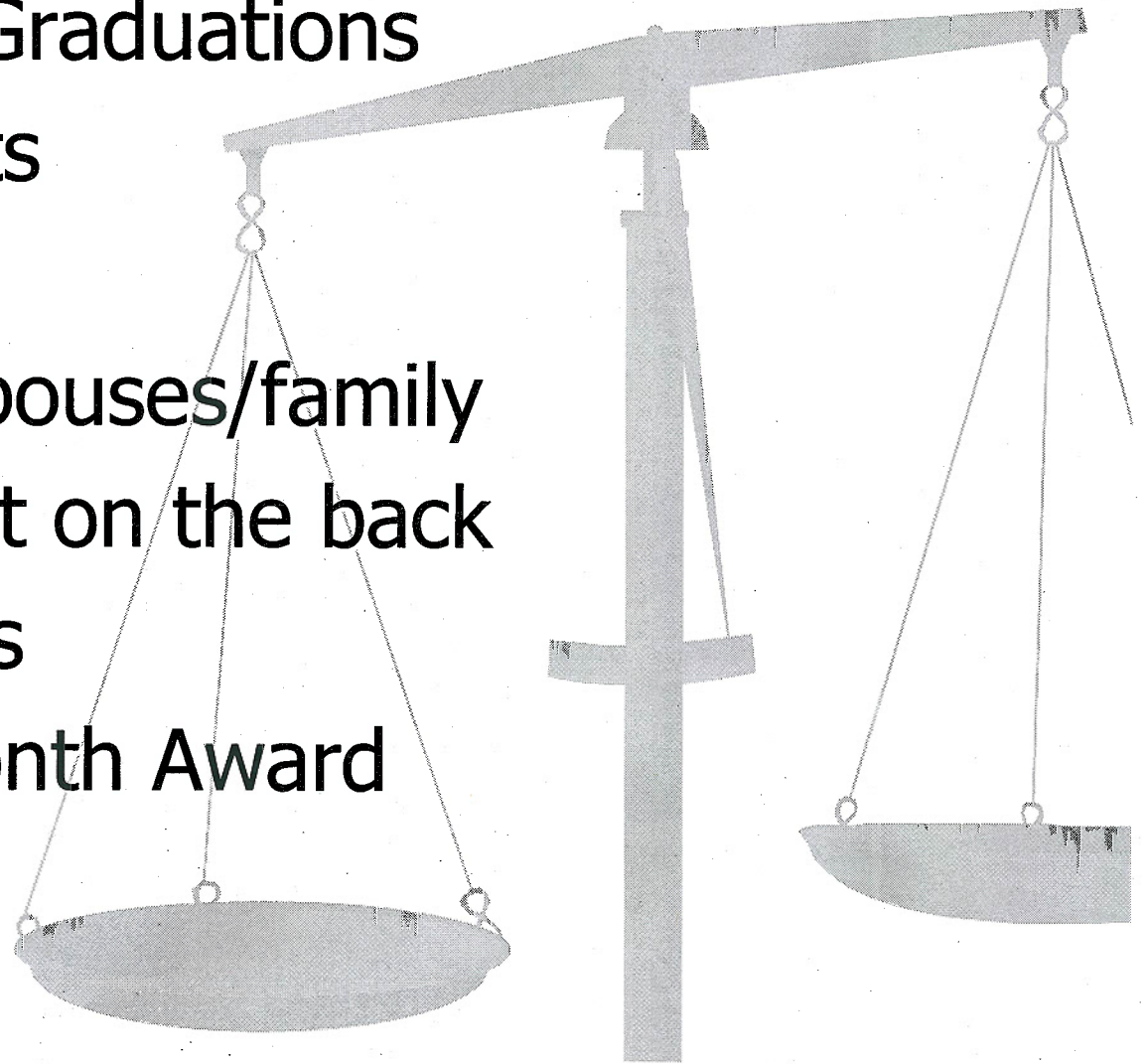
Making It Unique - Intake

- Procedure for acceptance
 - Minimum 5 days
 - Intake form and background evaluated
 - Staff members are in agreement
 - Possible speech by client
- Initial speech from Director



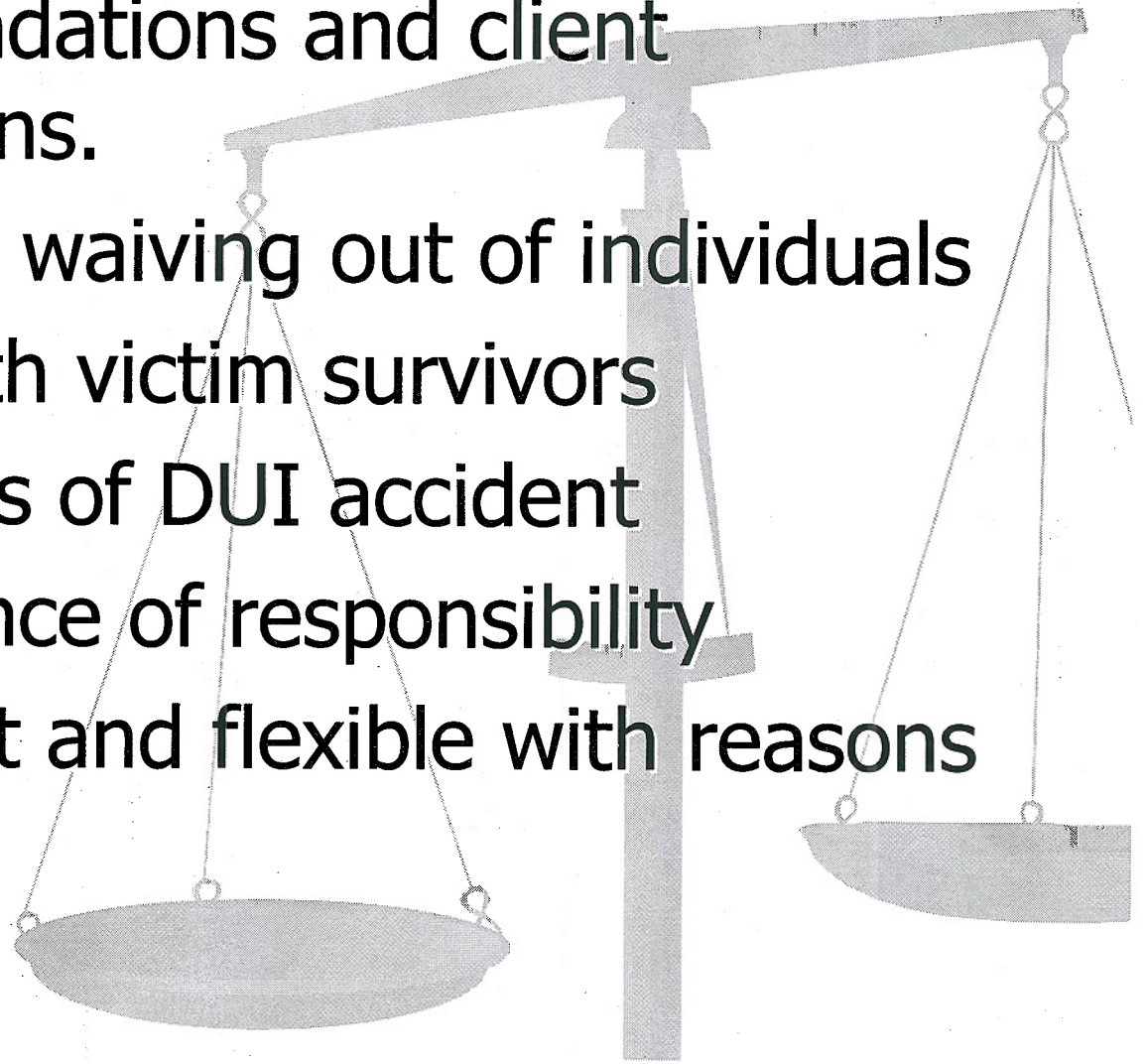
Making It Unique - Positives

- Celebrations – Graduations
- Graduate jackets
- Family picnics
- Working with spouses/family
- Frequent pats at on the back
- Pizza certificates
- Client of the Month Award



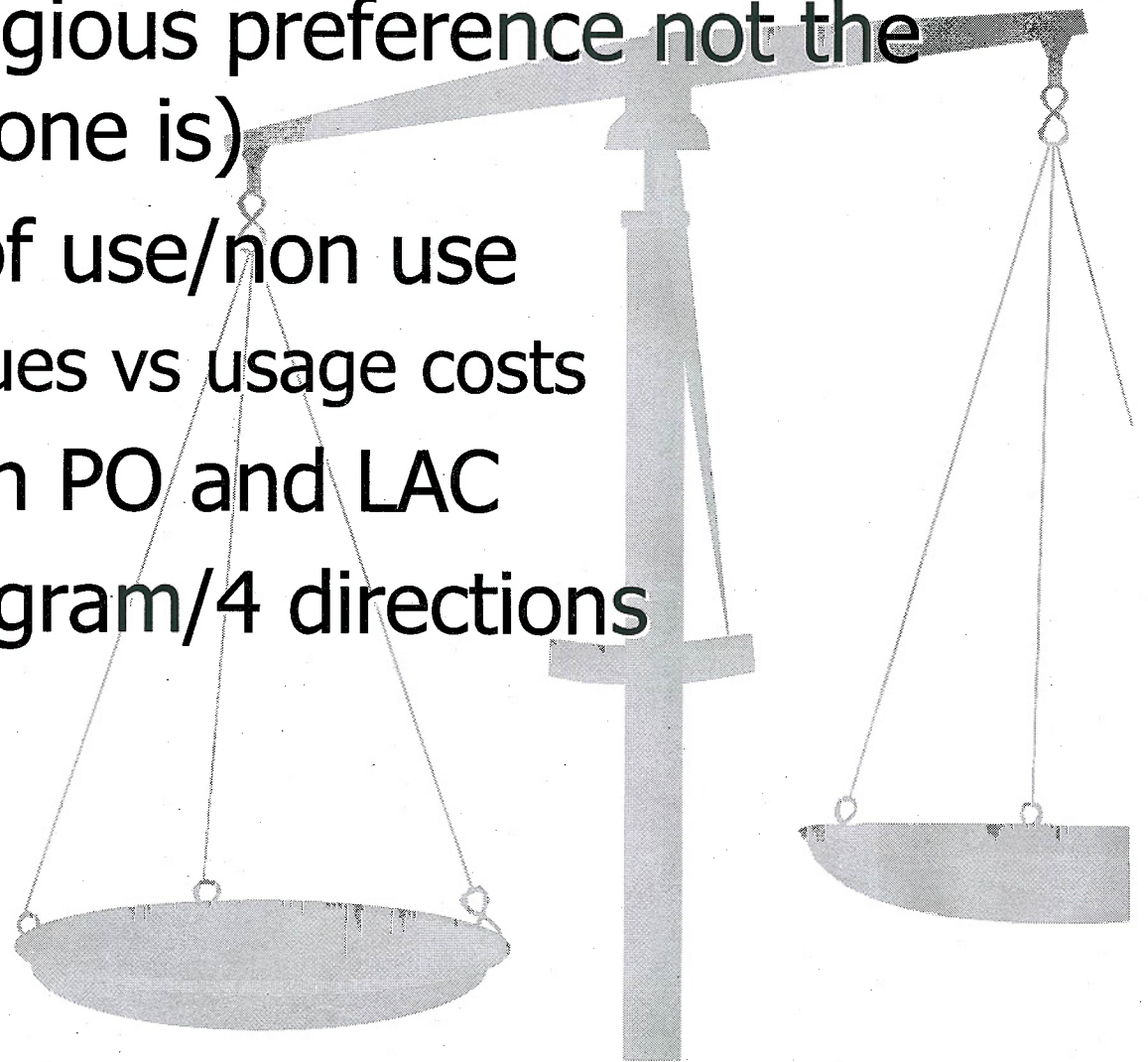
Making It Unique - Sanctions

- Staff recommendations and client recommendations.
- Clients input on waiving out of individuals
- Face to face with victim survivors
- Reports on costs of DUI accident
- Clients acceptance of responsibility
- Being consistent and flexible with reasons



Making It Unique - Other

- Spirituality (Religious preference not the key but having one is)
- Pros and cons of use/non use
 - \$10 a month dues vs usage costs
- One on one with PO and LAC
- 4 phases of program/4 directions

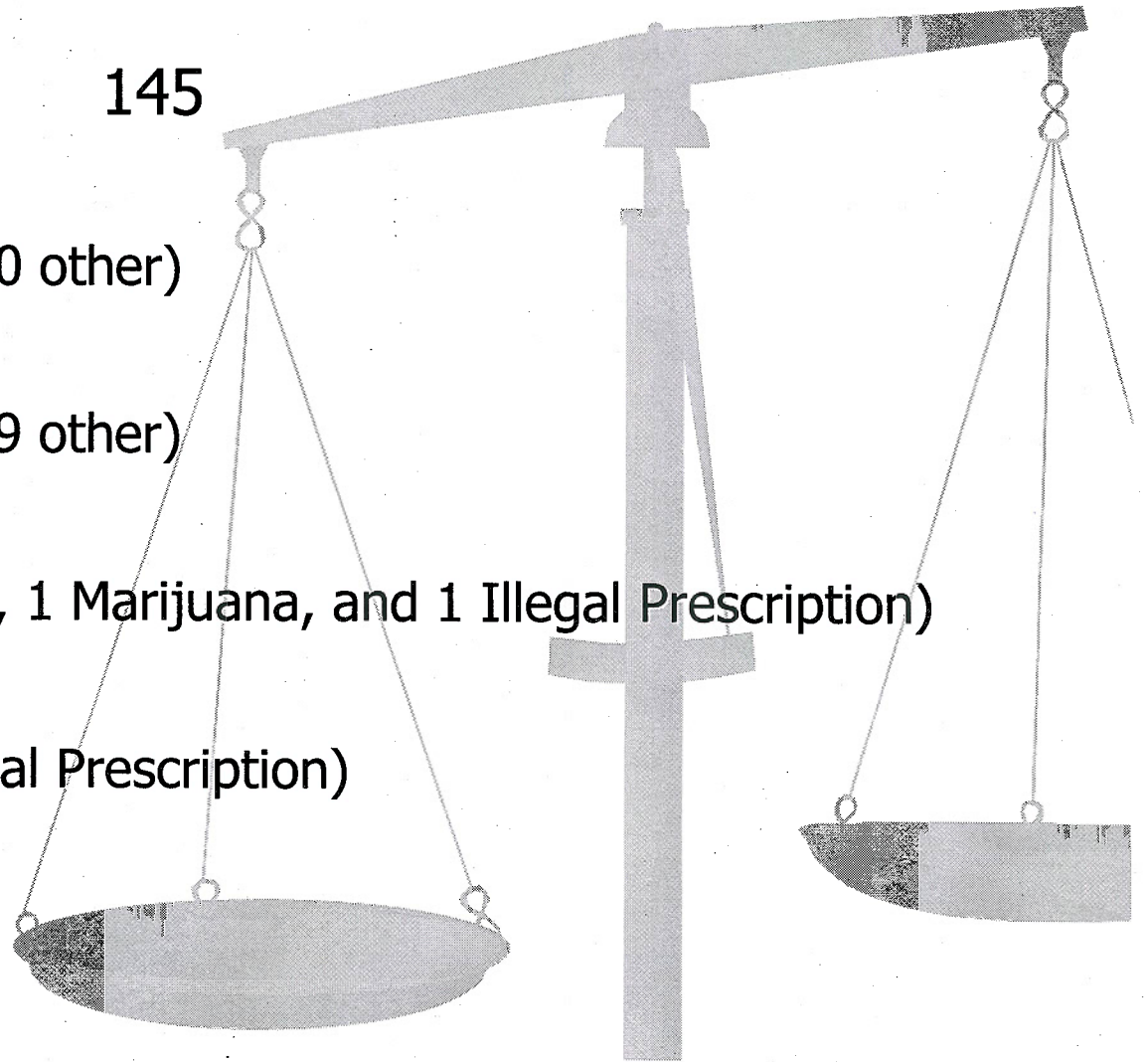


Program Database



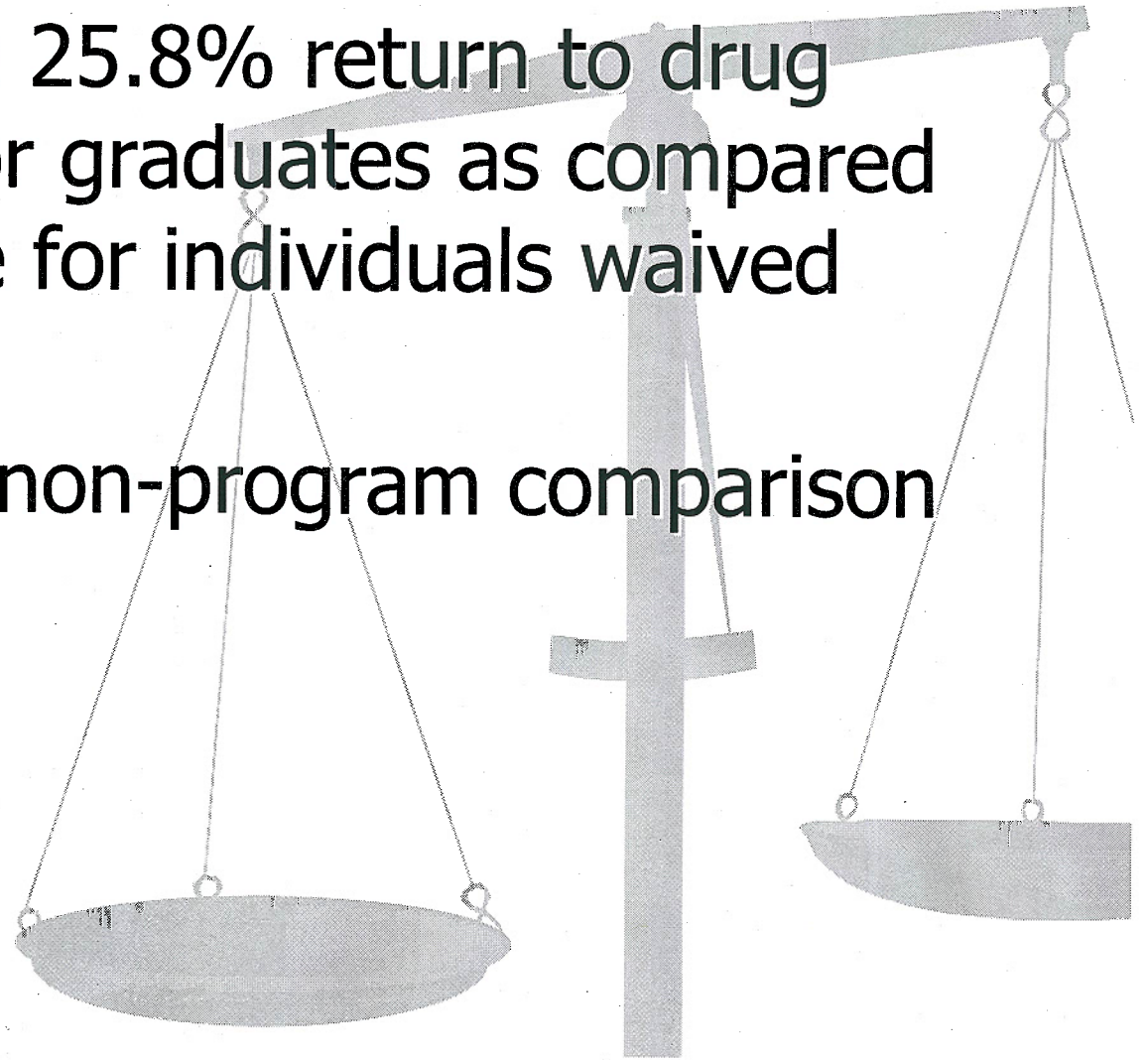
Statistics

- **Total # of Clients** 145
- **# of Graduates**
 - 62 (32 Alcohol and 30 other)
- **Total Waived Out**
 - 69 (40 Alcohol and 29 other)
- **Total Warrants**
 - 10 (5 Meth, 3 Alcohol, 1 Marijuana, and 1 Illegal Prescription)
- **Current Case Load**
 - 4 (3 Meth, and 1 Illegal Prescription)



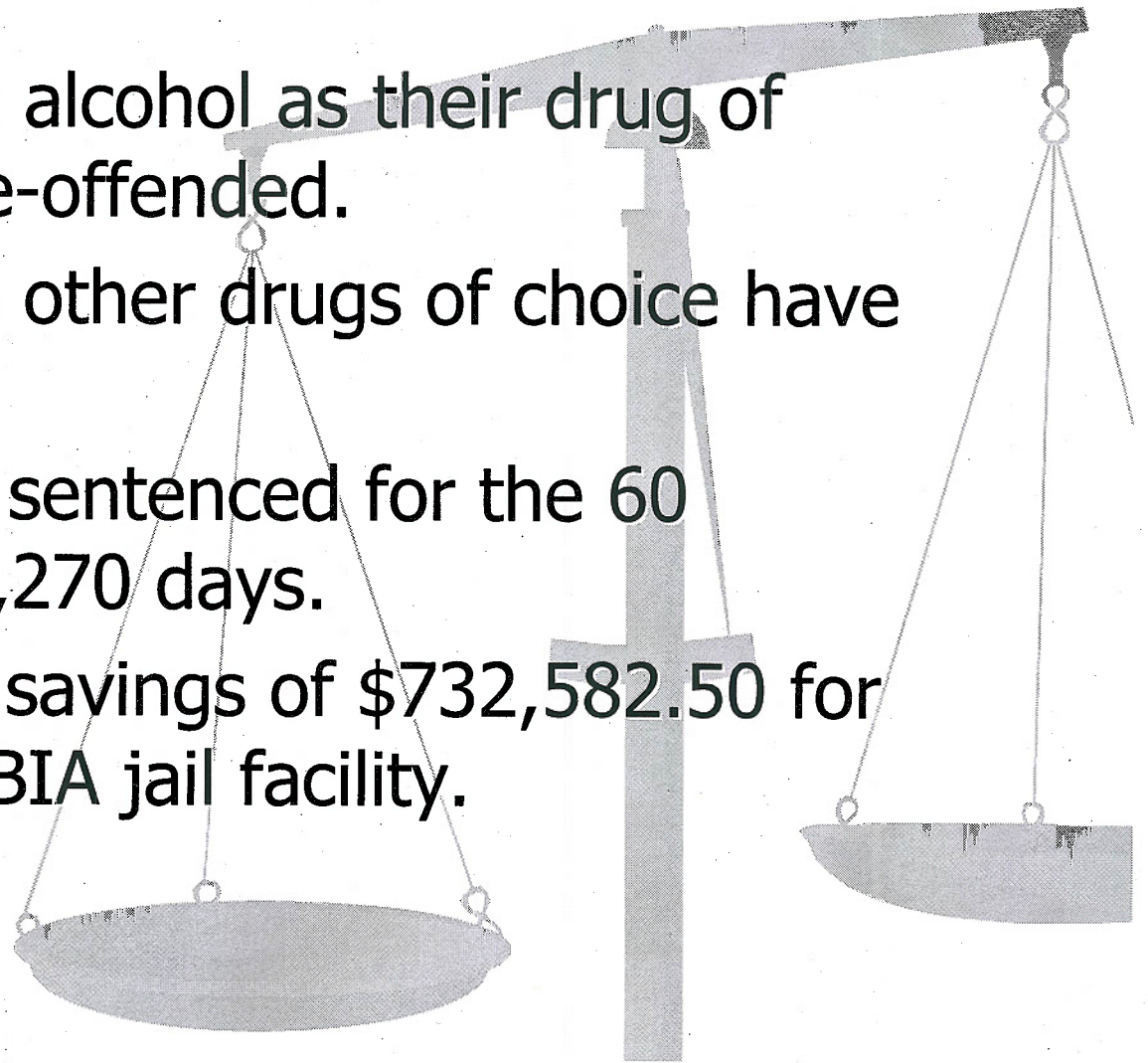
Recidivism Rates

- Records show a 25.8% return to drug related crime for graduates as compared to a 39.7% rate for individuals waived out.
- Need to collect non-program comparison group.



Accomplishments

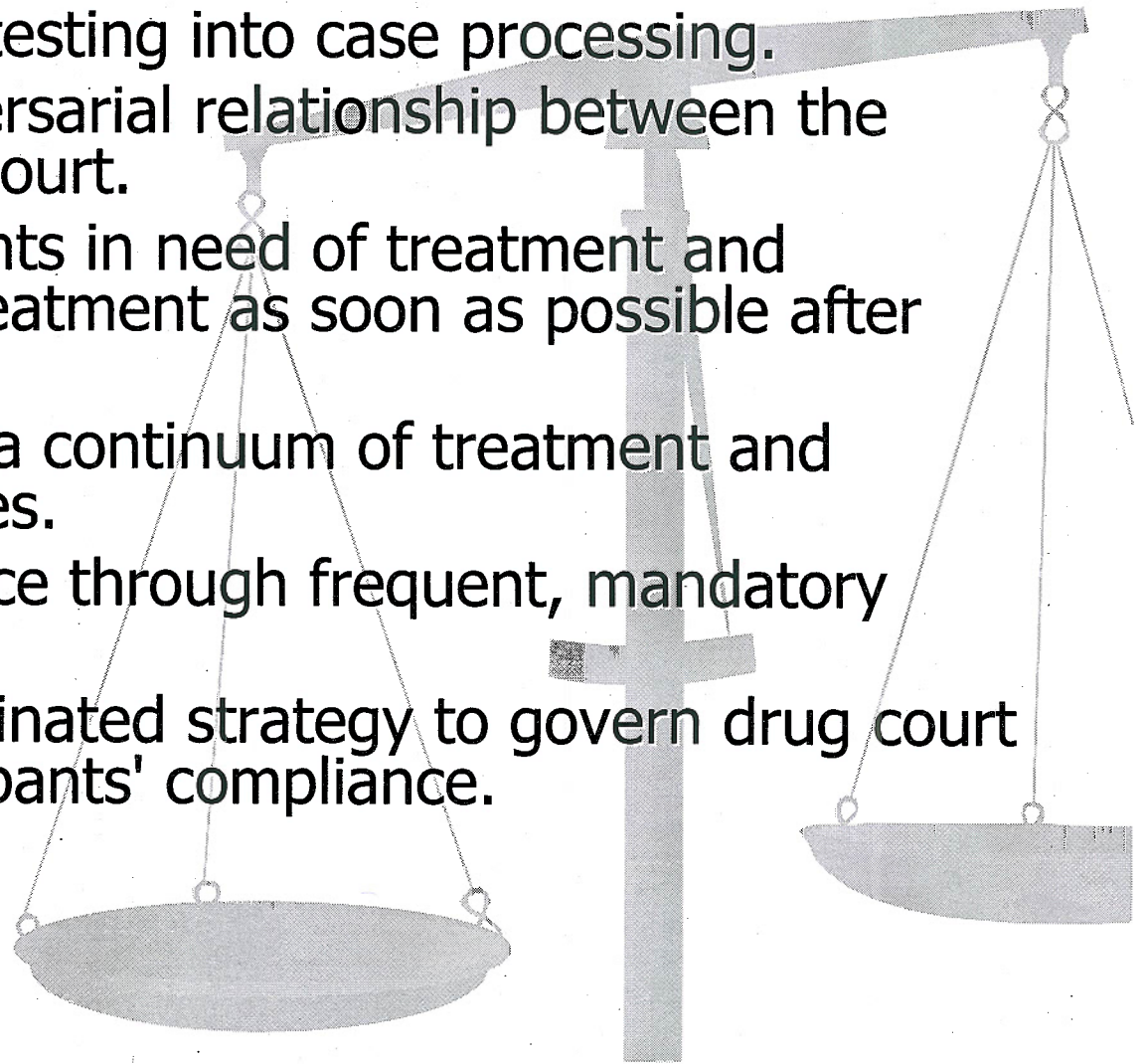
- 27 graduates with alcohol as their drug of choice have not re-offended.
- 17 graduates with other drugs of choice have not re-offended.
- The total jail time sentenced for the 60 graduates was 11,270 days.
- $\$65 \times 11,270 =$ A savings of \$732,582.50 for our overcrowded BIA jail facility.



10 Key Components

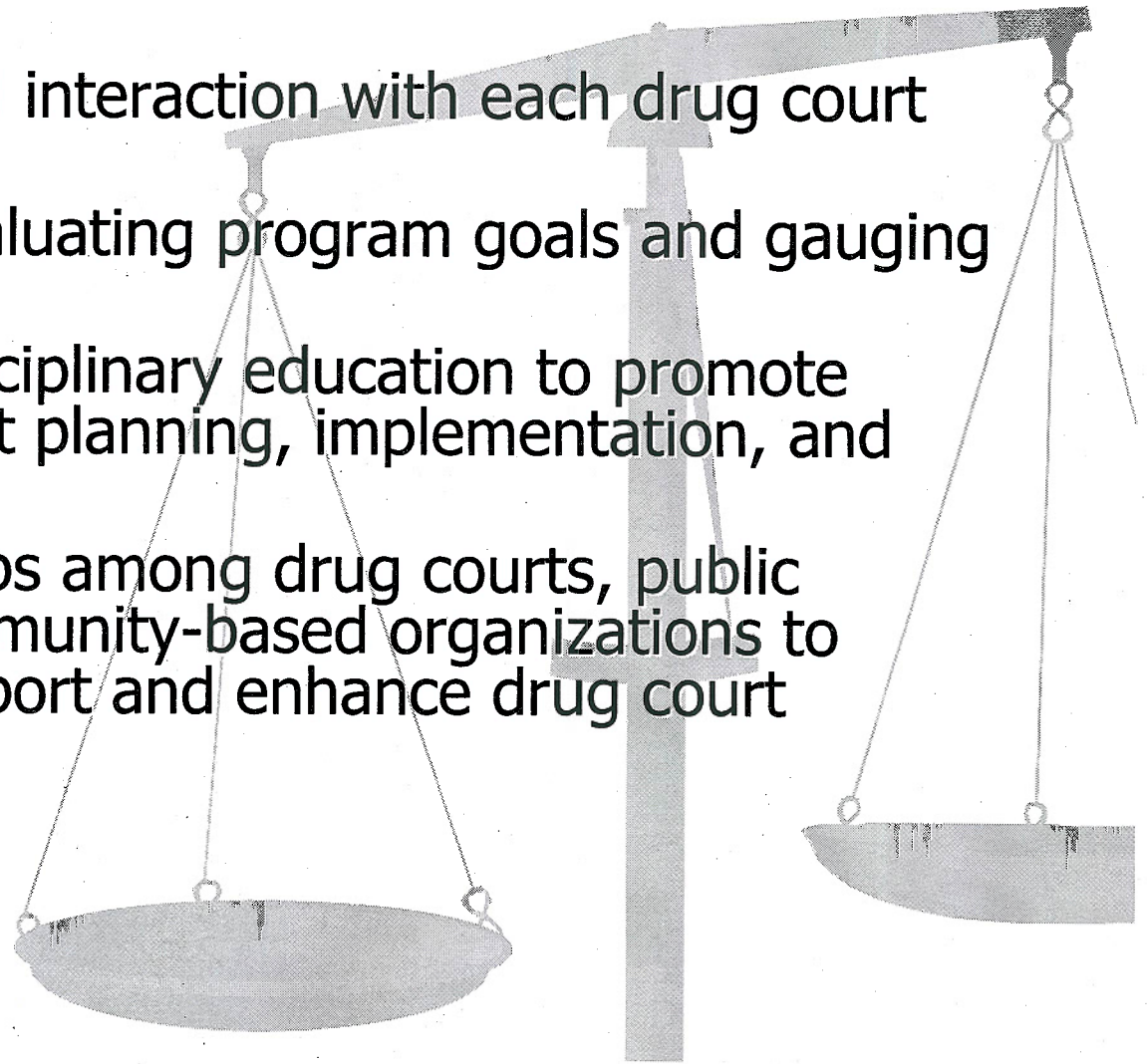
Defining Drug Courts, Drug Courts Program Office, 1997

1. Incorporating drug testing into case processing.
2. Creating a non-adversarial relationship between the defendant and the court.
3. Identifying defendants in need of treatment and referring them to treatment as soon as possible after arrest.
4. Providing access to a continuum of treatment and rehabilitation services.
5. Monitoring abstinence through frequent, mandatory drug testing.
6. Establishing a coordinated strategy to govern drug court responses to participants' compliance.



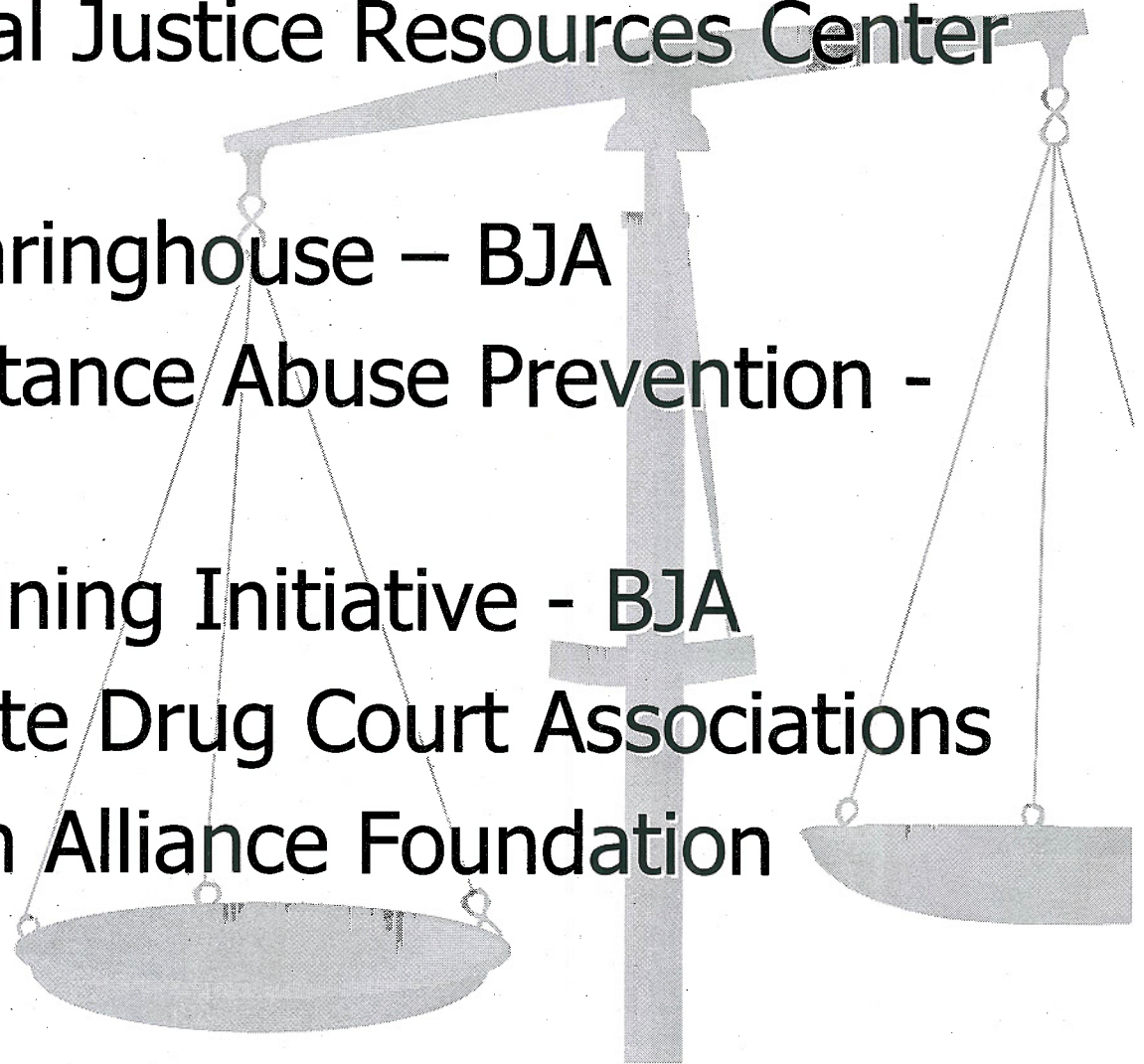
10 Key Components - Continued

7. Maintaining judicial interaction with each drug court participant.
8. Monitoring and evaluating program goals and gauging their effectiveness.
9. Continuing interdisciplinary education to promote effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations to generate local support and enhance drug court effectiveness



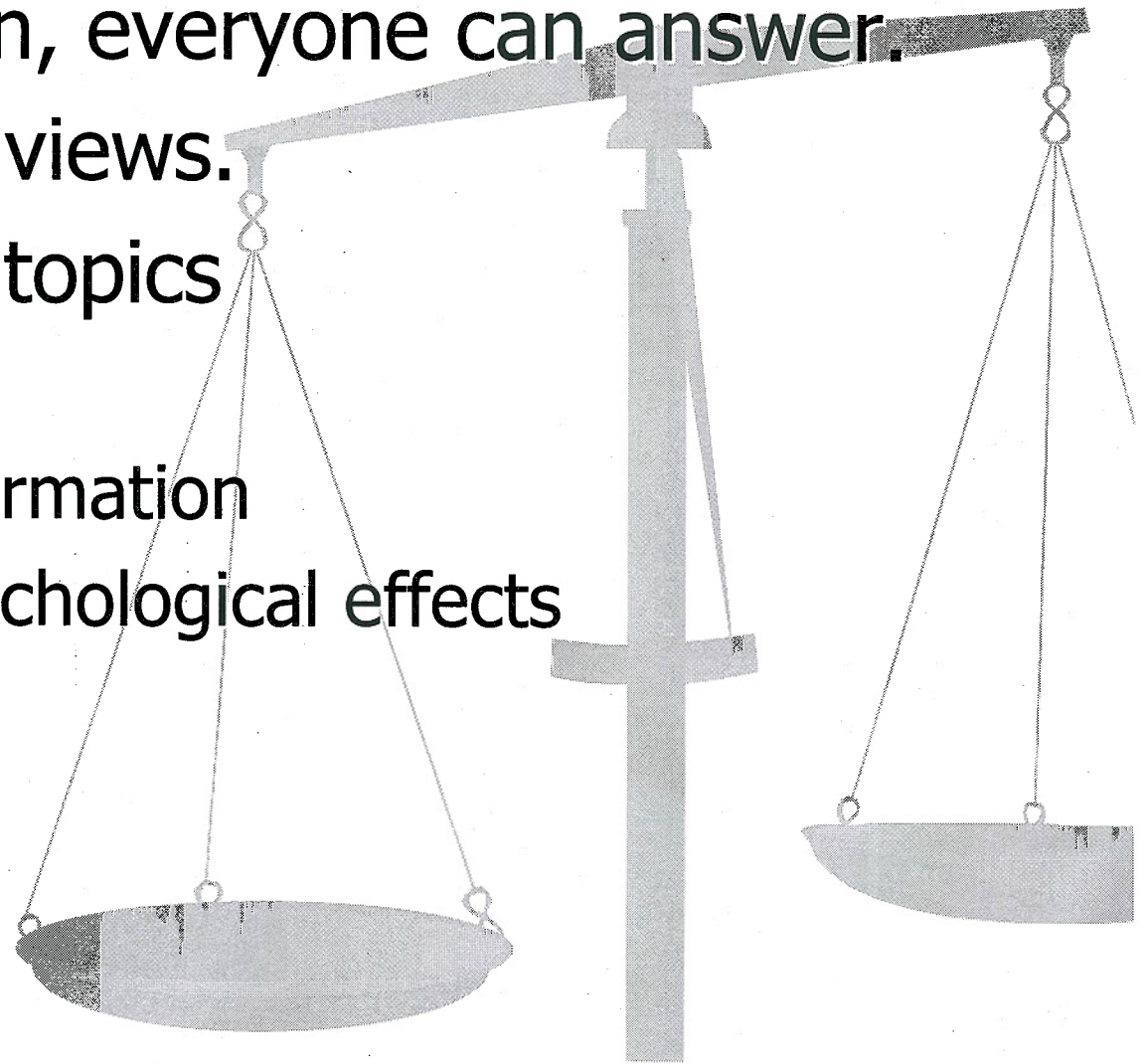
Resources

- National Criminal Justice Resources Center - BJA
- Drug Court Clearinghouse – BJA
- Center for Substance Abuse Prevention - SAMSHA
- Drug Court Planning Initiative - BJA
- Congress of State Drug Court Associations
- Native American Alliance Foundation



DiscussMeth@methresources.gov

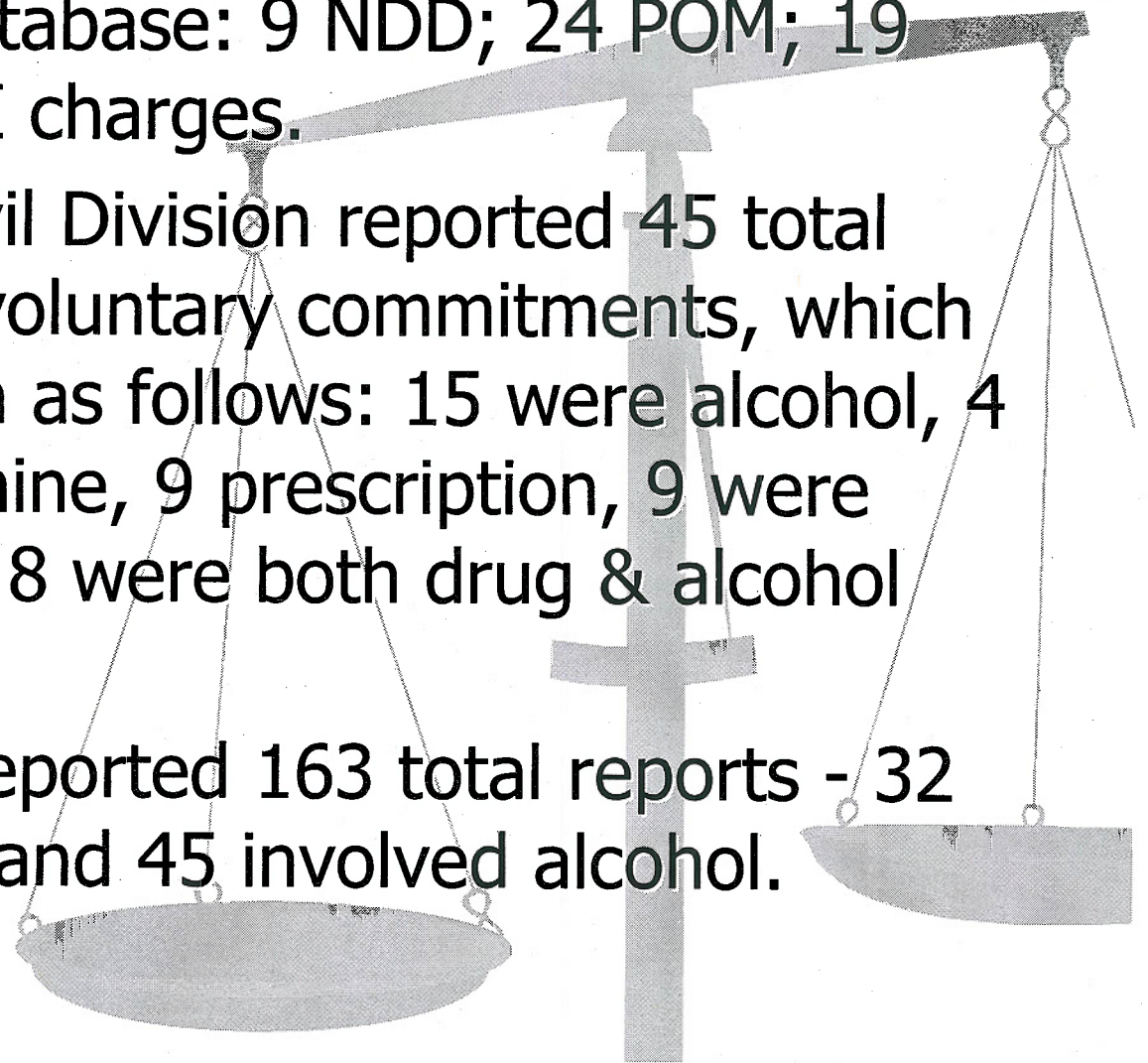
- Ask the question, everyone can answer.
- Wide variety of views.
- Wide variety of topics
 - Meth clean-up
 - Sentencing information
 - Clinical and psychological effects
 - Drug Courts
 - Etc.



Recent Stats

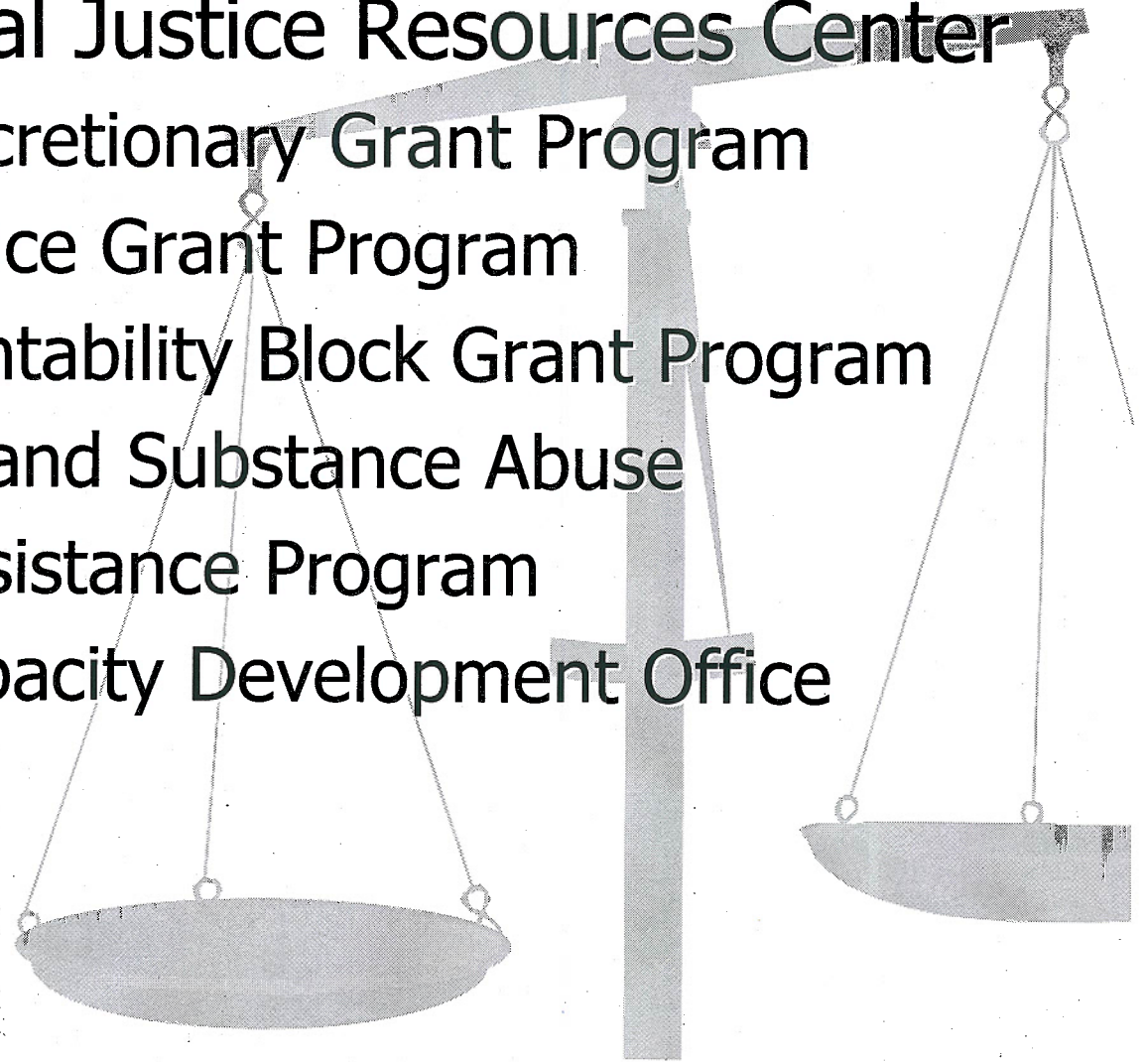
July 1, 2007 – October 30, 2007

- Tribal Court Database: 9 NDD; 24 POM; 19 ZT; and 53 DUI charges.
- Tribal Court Civil Division reported 45 total petitions for involuntary commitments, which are broke down as follows: 15 were alcohol, 4 methamphetamine, 9 prescription, 9 were other drug and 8 were both drug & alcohol related.
- Child Welfare reported 163 total reports - 32 involved drugs and 45 involved alcohol.



Funding

- National Criminal Justice Resources Center
 - Drug Court Discretionary Grant Program
 - Justice Assistance Grant Program
 - Juvenile Accountability Block Grant Program
 - Indian Alcohol and Substance Abuse
 - Tribal Court Assistance Program
 - Community Capacity Development Office



Funding - Continued

- Substance Abuse and Mental Health Services Administration
- Robert Wood Johnson Foundation
- Drug Confiscation Funds
- Edward Byrne Memorial Discretionary Grant





Turtle Mountain Alternative Court

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