

State of Vermont
Office of the Court Administrator
January 2006

Report to the General Assembly
on the
Pilot Project
for
Drug Court Initiative Committees

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State of Vermont Pilot Project on the Drug Court Initiative

Pilot Project Goal: To develop an approach to provide accountability, assessment and suitable services for persons who have been charged with committing a crime or a delinquent act, and who have a substance abuse problem.

“The drug court treatment model is a challenging departure from the adversarial criminal court model. The team approach to treatment, rewards, and sanctions is the foundation for building a safe community and insuring sobriety and recovery for individuals with substance abuse addictions. I am gratified for the opportunity to participate in this innovative response by the court, the criminal justice system, and community agencies.”

Judge

“I’ve learned a lot in drug court. I’ve learned I’m the only one in charge of my sobriety....I am trying to stay clean not only for myself but for the person I’ve longed to become.”

Participant

“Without this program I know I would either be dead or in jail.”

Participant

“This is the first holiday we were clean. We stayed home and watched the kids play with their toys. It was good.” Participant

Introduction

In 2002, under Act 128, *An Act Relating to a Pilot Project for Combating Drug Crimes*, the Vermont legislature established a pilot project, creating drug court initiative committees.

Bennington, Chittenden, and Rutland counties were designated to create drug court initiative committees. The Court Administrator designated Lamoille as the fourth county.

Act 128 sunsets on March 1, 2007. 18 VSA 4251

What is a Drug Court?

- Drug court is a specific court docket in which a defendant with substance abuse dependence voluntarily opts for intensive supervision and treatment as an alternative to regular court processing.
- The drug court intervention, which lasts approximately 12 months, focuses on the chronic behaviors of criminal defendants in conjunction with treatment for the purpose of reducing recidivism and substance abuse among nonviolent offenders and increasing their likelihood of success.
- As an alternative to jail, drug courts identify substance abusing offenders and place them under intensive court monitoring and community supervision, coupled with long-term treatment.
- Drug courts include early, continuous, and judicially supervised treatment, mandatory periodic drug testing, community supervision and use of incentives and sanctions and other habilitation services.
- Drug courts represent the coordinated efforts of the judiciary, prosecution, defense bar, probation, law enforcement, treatment, mental health, and child protection services to intervene and break the cycle of substance abuse, addiction and crime.

Other types of Treatment Courts include: Family Treatment Court, Mental Health Court, Domestic Violence Court, and Juvenile Drug Court.

Progress and Outcomes: *The three pilot courts are presently staffed and operating. Bennington is currently ready to take participants. The chart below shows some of the data collected on the drug court participants in these drug court initiative counties. Chittenden, Rutland and Bennington Drug Courts are all using the federal adult drug court model.*

Several other courts have expressed interest and in some cases have started planning their drug court process. Below the chart is additional information on the counties who have committees exploring the possibility of a drug court.

Drug Court Initiative Counties	Chittenden County Adult Drug Treatment Court	Rutland County Adult Drug Treatment Court	Bennington County Adult Drug Treatment Court
	The numbers include information on participants from the program's inception.		
Operations			
Date Started	March 2003	January 2004	Ready to Begin*
Total Participants	69	52	
Total Graduates	10	9	
Terminated/Withdrew	28/4	24/8	
Gender	34 F / 35 M	30 F / 22 M	
Average Age	22	27	
Race	98% Caucasian 2% African Am.	99% Caucasian 1% African Am.	
Drug of Choice	Heroin	RX drugs	
Drug-Free Babies*	2	2	
Jail Sanctions Used	18 Participants	32 Participants	
Average Jail Time	5.5 days	11.4 days	
Charges (Participants have multiple charges by the time they enter a drug court program)	False Pretence Uttering a Forged Instrument, Retail Theft-Felony, Burglary, Gr. Larceny Petty Larceny	Viol. of Cond. of Release Violation of Probation Retail Theft Uttering a Forged Instrument Petit Larceny	*The Bennington Drug Court Team identified 2-10 participants who are facing substantial jail time and have no other options for treatment available to them.

Lamoille County: The Lamoille team developed an intensive outpatient substance abuse treatment program to build treatment capacity prior to exploring a drug court. The Legacy Program, located at Behavioral Medicine at Copley Hospital, is a rehabilitative model that aims to reduce the incarceration rate of substance abusers who exhibit criminal behavior and reduce the cost of drug-related crime. The program began in June 2005. Four clients have completed the intensive 13-week program; 3 of the 4 have continued with aftercare. Currently, there are 5 clients, with 2 more to start.

Washington County: The Washington County drug court taskforce has been meeting for over a year and is getting close to implementation. Community resources, specifically substance abuse and mental health case management, are being reviewed for the ability to serve the drug court population.

Windham County: The Windham County drug court team has been pulling together community resources to address the needs of drug court participants. The team is has met with the Judge, the public defender, state's attorney, and other local service providers. The next step is to meet together.

Progress and Outcomes: Other Courts are implementing different types of drug courts or drug court-type processing. Chittenden County has a Family Treatment Court as well as a Mental Health Court. Caledonia County is in the early stages of implementing its Substance Abuse Intervention Program (SAIP). Modeled after the Family Treatment Court, it targets parents with substance abuse issues who have come to the attention of the Department of Child and Families and the Family Court for issues of abuse and neglect.

	Chittenden County Family Treatment Court	Chittenden County Mental Health Court
Date Started	November 2002	October 2004
Total Participants	47	31
Total Graduates	10	3
Terminated / Withdrew	16 /10	
Gender	45 F / 2 M	23 M / 8 F
Average Age	28	36.4
Race	96% Caucasian, 2% Asian, 2% Latino	96% Caucasian, 4% African-American
Drug of Choice	Heroin	Marijuana
Drug-Free Babies*	5	0
Child-Parent Reunification	13 children reunited with their parents	0
Jail Sanctions Utilized	Not utilized.	7 participants - 6 clients averaged 4 days; 1 client averaged 42 days
Substitute Care Cost/Savings	\$7,300 / year per child plus child care	0
Charges	A report of child abuse and/or neglect to DCF due to substance abuse triggers a referral to the Family Treatment Court.	The most common offenses: disorderly conduct, unlawful mischief and retail theft

Other Drug Court related activity:

In May 2005, the Court Administrator’s Office applied for and received a Department of Justice Grant for \$194,660.00 to develop a statewide management information system and evaluation process that will enable the collection of both local and statewide data as well as developing a statewide evaluation. The MIS will also allow local drug court teams to be networked for daily operations of the drug courts.

Cost / Benefit Analysis: *Drug-Free Babies – The estimate of the total lifetime costs for caring for children that were prenatally exposed to drugs or alcohol ranges from \$750,000 to 1.4 million. Information from 35 studies is cited, prepared over a period of 17 years (1985 – 2001). This includes a variety of cost components: hospital costs relating to delivery and immediate intensive care of the infant, detox costs for drug-exposed infants; foster care costs; first year medical costs, special education costs; costs relating to developmental deficiencies, etc. *Office of Justice Programs - Drug Court Clearinghouse at American University, Estimated Costs related to the Birth of a Drug and /or Alcohol Exposed Baby. March, 2002.*

Drug courts are a fairly new phenomenon in Vermont. Information is being gathered to conduct a cost/benefit analysis. Since there are presently 32 graduates statewide, an analysis cannot be completed to draw conclusions at this time. Additional information is available about cost benefits nationally.