



California Association of Drug Court Professionals

NEWSLETTER

FALL 2006◆◆◆◆Issue 8

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President's Message By Judge Stephen Manley

Dear Colleagues:

The recent Legislative Session ended on a very positive note for Drug Courts. In fact, the final approved funding for our many collaborative Drug Court programs throughout the State reached the level of nearly \$26 million, which is the highest funding level that we have ever received.

Our Dependency Drug Court effort has been rewarded, based on the success of our pilot programs, with an additional \$3 million in funding to expand the number of Courts across the State.

In addition, our Felony Drug Courts were reviewed by the Legislative Analyst's Office, and based on proven and projected reductions in prison costs, an additional \$4 million was appropriated by the Legislature in two funding cycles to expand the number of defendants participating.

If our existing and new Drug Courts meet the projections as to the number of clients entering and completing each fiscal year, the LAO projects an even higher level of prison savings to the State through Fiscal Year 2008-2009, if the Legislature continues to invest in Drug Courts.

Many of our Felony Drug Courts are taking this opportunity to evolve, and work with even more difficult defendants, including those in Mental Health Courts, and Prison Re-Entry courts.

Perhaps the greatest opportunity for expansion and evolution into a true "Drug Court System" was provided by Assembly Bill 1818 that passed by far more than the two-thirds votes required, and funded an increase in Proposition 36 treatment and supervision services of \$25 million, conditioned on each County accepting the new funding demonstrating a protocol to place Proposition 36 defendants with prison exposure in a Drug Court within the County. This new statute requires the utilization of

(cont page 2)



California's TIM SMITH Enters the National Drug Court Hall of Fame!

Timothy Smith has been dedicated to Drug Courts for over thirteen years. He has been instrumental in the development and in continued training for Drug Courts all over the United States. Mr. Smith is well known for his expertise and knowledge in the Southern, Central, and Northern areas of California.

Mr. Smith has numerous achievements; however he is best known for his ability to start programs. He provides oversight to 17 drug courts in the California area, a huge and respectable achievement. The most valuable and important contribution to the movement of drug courts is the strong belief that Tim Smith possesses: "Drug Courts Work". Nationally, Mr. Smith is known for his uplifting speaking and training abilities; his work's significant impact is from development of programs in terms of numbers, the quality of the programs, and the impact that they make on communities involved. Communities are improved by drug courts, lives are changed, and Mr. Timothy Smith continues to find opportunities to grow a drug court within communities that need them. His work is priceless and appreciated.

< _____ >

DATA QUIP: "If a tree falls in the woods and nobody reports it, then nobody gets firewood and it will be a long, cold winter." Jonathan Graham

APRIL 26 & 27, 2007

Saves these Dates! CADCP's Annual Conference!

Our conference will take place at the beautiful, downtown Holiday Inn Capitol Plaza Sacramento.

Conference dates are April 26 & 27 [Thursday & Friday]. Early Registration will be \$175 for CADCP members and \$200 for non-members. Attendees will make their own lodging arrangements.

A block of 200 rooms is set aside for April 25 and for April 26. With the CADCP code (ACA), the rate is \$108/single & \$118/double. The CADCP rate will apply from April 23 through April 30, 2007. Once the block is filled or after April 2, the CADCP rate will no longer apply.

Tell us who you want to hear, what topics you want addressed! Get in on making this CADCP's best conference yet! Submit your suggestions for workshop topics and presenters to: TIM SMITH tsmith@mhsinc.org

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***CADCP Membership
Still Only \$25!***

***Membership Year:
Jan 1, 2006 - Dec 31, 2006!***

President's Message (cont from page 1)

Dedicated calendars for the supervision of Proposition 36 defendants, with regularly scheduled reviews of treatment progress, and utilization of drug testing results to determine the appropriate level of treatment. The Legislature and Governor have made a strong statement about the value of Drug Courts and our well-established model to improve Proposition 36 outcomes.

Another very positive event during these past few months was the release of the Judicial Council and AOC cost analysis of drug courts demonstrating that not only are drug courts effective in reducing recidivism and drug use, they are also cost effective in terms of the investment made by the Courts themselves and all of criminal justice when the drug court model is put in place. This evaluation answers a long-standing concern often raised whenever a collaborative court is created: these "specialized" courts are "too expensive and time-consuming."

In fact, this study demonstrates that drug courts result in cost savings to the Courts themselves and the criminal justice system as a whole, including the Department of Corrections, in comparison to the traditional system of adversarial case processing for substance abusers.

In closing, I would like to remind all of us in the field, that when we are given great opportunities and increased resources, we must step up to the task and continue to demonstrate our effectiveness. In addition, we must keep up our advocacy and educational efforts, remembering that following the election in November, there will be new members of our Legislature who will need to be invited to visit a Drug Court, if they have not already done so, and attend a Graduation to observe the power of recovery.

Please make a commitment to be at our annual Conference this year to join us in participating in an outstanding educational program, as well as visiting Legislators and asking for their continued support.

Best regards, Judge Stephen Manley

CADCP Membership: \$25! JOIN! RENEW!

Greetings! I know this is the last quarter of the '06 membership year - so I want to encourage you to start thinking NOW

about signing up for next year AND - bring in one friend/colleague with you. The CADCP membership entitles you to a reduced registration fee at the annual conference, provides updates to you through the web site about relevant events and information, and most importantly, you are part of an elite group that promotes positive social change for individuals, families and communities. **All this for STILL only \$25.00 a year! JOIN CADCP!**

Membership applications are available on the CADCP website.

Yours in Service, Deborah Cima
CADCP Membership Chairperson

California Drug Court Cost Analysis Study

In 2000, the Judicial Council of California initiated a comprehensive study to examine the costs and benefits of its drug court programs and to identify cost-effective practices for such courts throughout the state. Adjudicating offenders in the nine drug courts chosen for the first phases of the study resulted in significant savings for the California criminal justice system. While other studies have shown that drug courts reduce drug use and criminal behavior, few of them have examined financial costs and benefits on a statewide level, until now. On launching this study, the Judicial Council recognized the need to compile definitive information about the fiscal impact of these innovative programs so that courts can make better informed policy decisions.

California Examines Its Own Drug Courts: A Methodology for Determining Costs and Benefits:

The Judicial Council contracted with NPC Research, Inc. in 2000 to study the costs and benefits associated with its drug courts. The study is being conducted in three phases. The first phase focused on developing the preliminary methodology and protocols for cost evaluation and consisted of an in-depth cost-benefit analysis of three case study courts. The second phase tested the methods developed in phase I by applying them to an additional six courts and resulted in the development of the drug court Cost Self Evaluation Tool (CSET) that the courts can use to conduct their own cost assessments. In the third and final phase of the project, the CSET will be tested and launched statewide. The nine drug courts chosen in the first two phases of the study represent a range of demographic, programmatic, and

CA Drug Court Cost Analysis Study (cont) geographic areas. The study team collected information on each drug court's processes and their associated costs, as well as participants' use of the system resources and outcomes related to recidivism.

The full report may be read by going to www.cadcp.org.

News from the AOC

At the 12th National Association of Drug Court Professionals (NADCP) conference (June 21-24) in Seattle, WA., the Administrative Office of the Courts' collaborative justice team sponsored a booth showcasing the efforts of the California Judicial Council's Collaborative Justice Courts Advisory Committee with respect to collaborative justice courts in California. Showcased at this booth were findings from the drug court cost study, the new judicial education curriculum funded by the State Justice Institute (one of the more popular publications distributed), and exhibits highlighting new Office of Traffic Safety funded initiatives in DUI prevention in youth courts. More information regarding the Drug Court Cost Study, which demonstrated savings to taxpayers of \$90 million statewide from adult Drug Courts, is available by contacting Francine Byrne at Francine.Byrne@jud.ca.gov at 415-865-8069. For information or copies of the judicial education syllabus, contact Wanda Chinn at 415-865-4268 or Wanda.Chinn@jud.ca.gov. Also highlighted was the August 7- 9 California Statewide Youth Summit, where peer/youth courts from across the state had the opportunity to network and share ideas about their respective peer/youth court programs. The announcement of this event, which included participation by over 100 youth, and information about the other collaborative justice projects were well received by conference participants. For additional information about the DUI prevention project and the California Youth Summit, contact Huong Bui at Huong.Bui@jud.ca.gov or 415-865-8592.

respond to treatment. It is illogical to

TO JAIL OR NOT TO JAIL **By Judge Glade Roper**

Although Drug Courts have been in existence for over 16 years, much is still unknown about what works and doesn't work. Even so, with new research being reported at every conference, it is unjustifiable for Drug Courts to make decisions and implement policies because they feel good or because "that is the way we have always done it." Team members, and especially judges, have the responsibility to constantly reevaluate policies and procedures and apply the principles that have been shown to work best. Failure to do so is irresponsible and lazy.

At our CADCP training conferences, experts have shared their research and showed that old ways of doing business may not be effective. In making reasoned decisions about imposing sanctions for drug use, various factors should be considered before adopting a fixed jail sanction for any drug use. There are two schools of thought about using jail as a sanction for drug use. Drug Courts should consider these factors in deciding whether or not to put participants in jail for using. There are undoubtedly other arguments on both sides, and all must be considered carefully.

Advantages of Imposing Jail

1. It sends a clear message that drug use will not be tolerated, both to the using participant and to other observing participants.
2. It requires no discretion. Once the sanction is mandated, there is no reason to spend time thinking about what to do. If someone uses, he automatically goes to jail.
3. It allows users to detoxify, assuming they are not able to use while in jail, an assumption that may not apply to many jails in the State.
4. It weeds out the un-addicted participants and helps them to stop using quickly.
5. It protects family members from harm while the participant is under the influence of drugs.
6. It provides a measure of consistency and, therefore, security to the participants to know that any drug use will be dealt with severely.
7. It is politically palatable.

Disadvantages of Imposing Jail

1. It disrupts any gains the participant may have made. For example, if the participant is employed, she may lose her job while in jail.
2. It conveys a punitive message rather than the message that the Drug Court is designed to help the addict.
3. It is expensive. It is costly for the sheriff to complete the booking process for someone who will be in custody only a short time.
4. It employs the strongest sanction too early, causing what Dr. Doug Marlowe calls "the ceiling effect." Once jail is imposed, there is nothing stronger to use as graduated sanctions.
5. If the participant is honest about the drug use, imposing jail punishes honesty instead of fostering it.
6. The participant may not associate the drug use with the punishment. For example, if the participant uses on Wednesday, talks to his sponsor, goes to a 12-step meeting on Thursday and talks about the use, meets with his counselor on Friday and explains what happened, does a relapse assignment over the weekend, meets again with his sponsor on Monday, feels that he has appropriately dealt with the use episode, goes to court Tuesday and gets put in jail, he is likely to feel frustrated and angry and not associate the use with the jail. Instead, he is likely to experience what Dr. Marlowe calls "learned helplessness," because even though he did his best to deal with the use, he is punished for his efforts.
7. It ignores the reality of addiction, which, according to Dr. Alex Stalcup, means that though their lives depend upon it, addicts may not be able to stop using immediately. He says it usually takes about 30 days of treatment for an addicted person to stop using; less than three months of treatment has virtually no effect.
8. The truly addicted person will be inclined to abandon the Drug Court and do custody time, since she is going to jail anyway despite her best efforts.
9. There is a difference between failing to comply with treatment and failing to

punish someone who is fully compliant with the treatment, just because the treatment doesn't work. We tell them what to do; they should not be punished for doing it. Stronger treatment is appropriate when treatment is ineffective. Punishment should be imposed on someone who does not comply with the treatment or lies about drug use.

Advantages of Not Imposing Jail

The participant who is honest about the use will feel supported and nurtured in her quest for recovery, and will consider the Drug Court to be a place to get help.

2. The participant will stay engaged in treatment when she uses rather than flee and abandon treatment.

3. Many other sanctions are available and can be imposed in escalating fashion, with jail as the last resort.

Disadvantages of Not Imposing Jail

1. Lesser sanctions will not deter some participants from using, and a weak sanction may do more harm than good, according to Dr. Marlowe.

2. The team has to consider each use episode and decide which sanction to impose based upon facts, such as whether the participant was honest about the use, how many use episodes have occurred, and how long the participant has been in treatment. Such decisions require time and thought.

3. Since drug users can be very manipulative, it leaves the Drug Court open to manipulation for a time.

Operating a Drug Court requires us to reexamine and abandon some traditional notions and procedures. We must review the latest research, consider what is most likely to help participants, and apply those principles that work best. It requires a constant effort to constantly reevaluate the program, but anything else is abdicating our duty to the participants and the public.

Letters to the Editor

The CADCP Board of Directors welcomes Letters to the Editor. You may send your letters to Dianne.marshall@mendocino.courts.ca.gov For your letter to be published; it must include your name. A 250 word limit is requested.

Excerpts from "Women Under the

***CADCP Membership Still
Only \$25!***

***Membership Year:
Jan 1, 2006 - Dec 31, 2006!***

Business Cards Demonstrate California Partnerships for Recovery!



The front of California's entry into NADCP's National Drug Court Month Competition with April Bullock and Dianne Marshall



More business cards shown on the back of the CADCP display.

The CADCP display was so popular, Californians who were in attendance at the NADCP Conference but had not submitted their business cards, attached them to the display there. Thanks to the Nancy Taylor, this display is now available through the Administrative Office of the Courts. *Many thanks to all who made the effort to collect and submit business cards for this display!* (cont page...)

NDCI 2006 COMPREHENSIVE DRUG COURT PRACTITIONER TRAINING SERIES

Drug Court Treatment Provider Training

November 14-18, 2006
National Judicial College, Reno, NV

Drug Court Community Supervision Training

December 5-9, 2006
National Judicial College, Reno, NV

These week-long, discipline-specific training programs are held by the National Drug Court Institute each year, recognizing the need to provide education, research, and scholastic information to new, transitioning, and experienced drug court professionals. Information is evidence and skills-based and offers the most comprehensive opportunity for drug court training available.

If you would like to attend any of these trainings, or want more information, please contact NDCI Meeting Manager Bobbie Taylor @ 703-575-9400, ext 16

Getting a Job with a Felony Prior

- Resources to assist your clients find employment with a felony in their backgrounds include:
- Man, I Need a Job!: Finding Employment with a Criminal History by Ned Rollo; published by the Offender Preparation & Education Network, Inc. www.openinc.org
- No One is Unemployable: Creative Solutions for Overcoming Barriers to Employment by Debra L. Angel & Elisabeth E. Harney; published by Worknet Training & Publications, Inc.; worknetts@aol.com
- No One Will Hire Me!: Avoid 15 Mistakes and Win the Job by Ron & Caryl Krannich, Ph.Ds; published by Impact Publications; www.impactpublications.com, www.winningthejob.com
- 9 to 5 Beats TEN to LIFE: How to (Re) Enter Society by Mike Davis; published by American Correctional Association; 1-800-222-5646

"Influence" by The National Center on Addiction and Substance Abuse at Columbia University.

- 17 percent of pregnant women smoke, 3 percent binge drink, and 3 percent use illicit drugs
- Smoking during pregnancy is responsible for 14 percent of premature births and 10 percent of infant deaths
- Drinking during pregnancy is the single greatest preventable cause of mental retardation
- Only little more than half (54.5%) of the pregnant women who drink say that a health care provider discussed drinking during pregnancy with them
- Approximately 70 percent of women who used illicit drugs or alcohol during pregnancy failed to disclose that information during prenatal exams
- Illicit drug use during pregnancy is one of the most frequently missed diagnoses in obstetrical medicine
- Women who abuse drugs during pregnancy typically are single parents with a history of sexual or physical abuse and with little or no financial, social, or childcare support**

The Opinion of Judy Murphy, Co-Founder, Moms off Meth: If children are removed or stay in the care of their parent, it is important to take a look at the underlying issues that many women (and men) face along with their substance abuse. Women who are in varying stages of recovery and are survivors of sexual and physical abuse as children and adults live in poverty, have little to no access to the resources that could help them (housing, treatment, transportation, insurance, etc). They have unaddressed mental and physical health issues, in addition to trying to get their children returned to their care. I have yet to work with any woman in the last 10 years who didn't feel enormous guilt and shame over what happened to her children while she was using. Support is needed for help and healing to occur.



California Association of Drug Court Professionals

January 1 – December 31, 2006

INDIVIDUAL MEMBERSHIP APPLICATION

(See Page 2 for Organizational Membership Application)

<input type="checkbox"/> Renewal <input type="checkbox"/> New

Name _____
Title _____
Organization/Agency _____
Address _____
City _____ State _____ Zip _____
County _____
Phone (_____) _____ Fax (_____) _____
E-Mail _____

Which category best describes your involvement in Drug Court?	
Which Category best describes your involvement in Drug Court?	
<input type="checkbox"/> Judicial Officer (01)	<input type="checkbox"/> Law Enforcement (06)
<input type="checkbox"/> Probation/Parole (02)	<input type="checkbox"/> Admin/Planning (07)
<input type="checkbox"/> Treatment (03)	<input type="checkbox"/> General Government (08)
<input type="checkbox"/> Prosecution (04)	<input type="checkbox"/> Elected Official (09)
<input type="checkbox"/> Defense (05)	<input type="checkbox"/> Other: (10) _____

If you wish to serve on a **CADCP Committee**, what is your particular area of interest? _____

Membership dues for the current calendar year are \$25.00 Checks payable to CADCP should be sent to: CADCP, P.O. Box 1089, San Leandro CA 94577-0126
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For questions call Deborah M. Cima, Membership Chair
 Tel: (909) 386-8575
 E-mail: dcima@courts.sbcounty.gov

January 1 – December 31, 2006
ORGANIZATIONAL MEMBERSHIP APPLICATION
(See Reverse for Individual Membership Application)
 ___ **Renewal** ___ **New**

Organizational Name _____ County _____
 Address _____ City/St/Zip _____

Please list up to **seven** individuals included in the Organizational Membership. Also, indicate one category code (see over for listing).

1. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

2. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

3. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

4. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

5. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

6. Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

7 Name _____ Title _____
 Phone (____) _____ Fax (____) _____
 E-Mail _____ Cat.Code _____

If any member wishes to serve on a **CADCP Committee**, please list below:

Name _____ Area of Interest _____
 Name _____ Area of Interest _____

Organizational Membership dues for the current calendar year are \$150.00
Please make check payable to CADCP and remit to:
CADCP, P.O. Box 1089, San Leandro, CA 94577-0126

California Association of Drug Court Professionals
P.O. Box 1089
San Leandro CA 94577-0126

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