

DRUG COURTS, CHIEFS OF POLICE AND SHERIFFS: A BROADER LOOK AT LAW ENFORCEMENT



*Presented in partnership by the National
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Drug Courts, Chiefs of Police and Sheriffs: A Broader Look at Law Enforcement

Prepared by the National Association of Drug Court Professionals.

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CHAPTER 1

Drug Court: A Model of Community Policing

Community policing is not a program but a mindset. Together, how can we change the community?

Commissioner Sylvester M. Johnson, Philadelphia Police Department, Philadelphia, Pennsylvania.

For the first time in history, drug treatment courts are growing faster than drug prosecution courts.¹

Judge John R. Schwartz, Rochester Drug Treatment Court, Rochester, New York.

Why is Drug Court an Effective Community Policing Strategy?

Moving in New Directions

Two major trends are waging a powerful impact on law enforcement's efforts to confront drug issues in their communities. The institutionalization of community policing, along with the rapid development of the drug court program, suggest a whole new way of doing business. Increasingly, police departments across the country are taking the position that managing drug problems involves more than just suppressing crime; it is equally as important to deal with the underlying causes that drive drug abuse and the criminality of drug-using offenders. Citing drugs as the biggest problem in Philadelphia, Commissioner Sylvester M. Johnson, provided perspective on the need to do something different about the scourge of drugs on the community:

We lost 700 lives in one year because of drugs. We had a sting called, Operation Sunrise. We made numerous arrests, confiscated a lot of drugs and a lot of money, but we were not changing the quality of life. The addiction issue is like a reverse sting. If you lock up an addict and release him, the person still comes out an addict.

Commissioner Sylvester M. Johnson, Philadelphia Police Department, Philadelphia, Pennsylvania.

The Drug Court Movement

Starting in Miami with a model program in 1989, drug courts have proliferated across the country at a phenomenal rate. In little more than a decade, over 1,200 drug courts are either in existence or in the planning stages.

Often referred to as a “marriage” between treatment and the court, a drug court is:

a special court given the responsibility to handle cases involving drug-using offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives. Drug court programs bring the full weight of all interveners (judges, prosecutors, defense counsel, substance abuse treatment specialists, probation officers, law enforcement and correctional personnel, educational and vocational experts, community leaders and others) to bear, forcing the offender to deal with his or her substance abuse problem.²

We're not just dealing with the symptoms. Now we're looking at the roots. It's not just a case. It's a person.

Bruce J. Winick, Professor of Law, University of Miami, Coral Gables, Florida.³

In 1995, we had a huge drug bust. We brought in close to 300 people. It created a huge glut in the court system. What were we going to do with all those people? This got me to thinking about doing more than just running people through the court process and doing something beyond simply looking at someone as a number. We look at them in sentencing, we read the person's investigation reports, and we read a little about their lives in maybe five to 10 minutes. But you don't know much about who that person is as an individual. They do have all these real life problems. Just like we do. There is no us and them.

Chief Circuit Judge Mary C. Noble, Fayette Circuit Court, Lexington, Kentucky.

¹ Schwartz, John R. and Linda Pedley Schwartz, “The Drug Court: A New Strategy for Drug Use Prevention,” *Obstetrics and Gynecology Clinics of North America*, 25:1, March 1998, p. 255.

² National Association of Drug Court Professionals and the Office of Community Oriented Policing Services, U.S. Department of Justice, *Community Policing and Drug Courts/Community Courts Working Together within a Unified System*, 1998, Appendix B, p. vii.

³ Winick, Bruce J., National Association of Drug Court Professionals' (NADCP) 8th Annual Adult Drug Court Training Conference, June 13-15, 2002, “Plenary Session 1: Drug Policy Reform: The Drug Court Model,” June 13, 2002.

Community Policing

Like the drug court movement, the movement to institutionalize community policing has taken hold. Current data from the Office of Community Oriented Policing Services, U.S. Department of Justice indicates that more than 11,000 police departments and sheriffs' offices have received grants to hire or redeploy over 92,000 officers and deputies across the country.⁴ Community policing promotes a holistic approach to dealing with crime through the development of partnerships between the police, and as Chief Charles H. Ramsey of the Metropolitan Police Department of the District of Columbia noted, "basically anyone who has a stake in the quality of life of the community."⁵

"Community policing refers to the way the entire department conducts its business and how it interacts with the community. Community policing has the full attention of the department and every member of the community has an equal opportunity to become involved in its initiatives."⁶

Community Policing and Drug Court

Drug court is a model of community policing. It is shaped around principles of prevention, empowerment, collaboration and cooperative problem solving. Drug court is a proactive way to address community problems that stem from quality of life crimes, including drugs, in one way or another.⁷

The drug court program recognizes that working alone, neither the police nor the courts can respond adequately to the overwhelming problems of drug abuse. Rather, the hope for substantive and meaningful solutions to drug-related crimes derives from working together--building strong partnerships between the courts, the community, law enforcement and a variety of agencies. Commissioner Sylvester

Johnson of Philadelphia highlighted the importance of drug court as a community policing strategy:

Traditional policing is not working. Just locking people up is not the answer. We will never arrest our way out of this problem. We will never change the quality of life without the community, without drug courts, without the clergy, without partnerships.

Commissioner Sylvester M. Johnson, Philadelphia Police Department, Philadelphia, Pennsylvania.

Resistance to Drug Court

In spite of the remarkable success of drug court, "the linkages between drug court and law enforcement are not there yet," noted Beverly Alford, Assistant Director of Training and Technical Assistance, U.S. Department of Justice, Office of Community Oriented Policing Services. Several jurisdictions across the country reported significant hurdles in their attempts to garner police support for the program. Judge Karen Freeman-Wilson (ret.), Chief Executive Officer of the National Association of Drug Court Professionals (NADCP), provided perspective on the difficulty of establishing partnerships with law enforcement:

We've been extremely successful as a whole in working with treatment, becoming good consumers of treatment and integrating treatment into the court system. We've been more challenged in working with law enforcement so that people also understand the law enforcement aspect of drug courts in addition to the treatment aspect of drug courts.

Judge Karen Freeman-Wilson (ret.), Chief Executive Officer, National Association of Drug Court Professionals, Alexandria, VA.

⁴ Office of Community Oriented Policing Services, U.S. Department of Justice, "COPS Fact Sheet: Training and Technical Assistance," www.usdoj.gov/cops.

⁵ Ramsey, Charles H., "Preparing the Community for Community Policing," cited in Dennis J. Stevens, *Policing and Community Partnerships*, Upper Saddle River, NJ, Prentice Hall, 2000, p. 31.

⁶ Stevens, Dennis J., *Case Studies in Community Policing*, Upper Saddle River, NJ, Prentice Hall, 2002, p. 14.

⁷ National Association of Drug Court Professionals and the Office of Community Oriented Policing Services, U. S. Department of Justice, *Developing Linkages between Law Enforcement and the Courts: Community Policing and Drug Courts/Community Courts Project: A Three Year Progress Report*, 2000, pp. 2-6.

A major roadblock to getting buy-in from law enforcement relates to the issue of readiness. Drug court is “a whole new way doing of business,” posing considerable challenges to traditional policing. Many officers find it difficult to trade off years of training and street experience for a program that changes traditional enforcement practices. As Chief James R. Bueerman of California stated,

Police cultures are exceedingly difficult to change. They are one of the strongest cultural dynamics. It takes years to anchor changes within the police culture.

Chief James R. Bueerman, Redlands Police Department, Redlands, California.⁸

The Essential Role of Law Enforcement

Law enforcement is critical to a drug court program’s success. If drug court is to be effective and long lasting, significant attention must be given to engaging the support and commitment of the police:

I would submit to you that law enforcement officers are not just part of the drug court team, not just a liaison to the court and not just an afterthought in the court process. Law enforcement is just as important as the judges, the public defenders, the prosecutors the treatment providers, the probation officers and the case managers.

Judge Karen Freeman-Wilson (ret.), Chief Executive Officer, National Association of Drug Court Professionals, Alexandria, VA.

The link between drug courts and law enforcement is vital for the success of the program participants. The sheriffs and the police know what is going on in the streets and that information is necessary for the integrity of the drug courts to assure compliance with the rules.

Judge Richard C. Giardino, Fulton County, Johnstown, New York.

The Benefits of Drug Court as a Community Policing Strategy

An Active Voice in Problem Solving

Drug court provides law enforcement with a mechanism to empower the community or as Commissioner Sylvester Johnson of Philadelphia suggested, to help citizens learn how to “take over their own neighborhoods.” In the context of community policing, law enforcement takes direction from the community in addressing what they identify as the key issues of concern. The citizens, rather than the police, set the priorities for problem solving and change.

Community policing is akin to a value-based partnership designed on the premise that communities are best at determining what their problems are. They live with the problems, so most often they know what the solutions should be.

Beverly Alford, Assistant Director of Training and Technical Assistance, U.S. Department of Justice, Office of Community Oriented Policing Services, Washington, DC.

Improved Interactions between the Police and the Community

Efforts to engage the community in productive partnerships are an ongoing challenge for law enforcement, particularly in poor and high crime areas where there is no history of getting along with the police. “Drug court can help law enforcement change the way it is perceived in the community.”⁹

I did a presentation with a drug treatment provider, and I was extremely pleased that for once, I was not going to be the bad guy. Here was this room full of parents, and they’re so used to having the police officer pointing fingers at their kids. They often easily dismiss the cop as picking on their kid and being paranoid. The treatment provider said to the parents, “the video where you just saw a kid abusing

⁸ Buerrman, James R., NADCP Conference, “Workshop Session E-9: In Support of Drug Courts: A Police Executive’s Response,” June 14, 2002.

⁹ Developing Linkages between Law Enforcement and the Courts: Community Policing and Drug Courts/Community Courts Project: A Three Year Progress Report, 2000, p. 5.

and selling drugs for four years---that's your kid in your community." The treatment person doing this gave it a whole different spin. So the community is very pleased to see a joint effort with police officers and treatment offering something other than a last straw resort of "come and lock up my kid."

Lieutenant Neil C. Thompson, Drug Court Liaison, Virginia Beach, Virginia.¹⁰

In Jacksonville, Florida, the police department's office of community oriented policing has been instrumental in providing a bus to take youths to the juvenile drug court's "Clean It Up, Green It Up" site, an area adopted to enhance the beauty of the city. Additionally, the youths are involved in a ride-along program with uniformed officers and see the world of law enforcement from the front seat of a police car. The sheriff gives speeches with the state attorney and encourages the young people to get involved with the community.

In Philadelphia, Pennsylvania, the police reach out to the community through the "Heads Up" program. Aimed at young people, the program shows films of celebrities and famous sports figures involved with drugs. "One of the first photographs we show," said Commissioner Johnson, "is Darryl Strawberry, a guy making over five million dollars playing baseball, ruining his life over drugs." A particularly powerful aspect of the program includes prisoners telling their stories and parents talking about what it feels like to lose their kids to drugs. To date, the program has reached over 44,000 young people.

In Lexington, Kentucky, for the past seven years, Major Mike Bosse has presented "Straight Talk On Drugs," a program sponsored by the Mayor's Alliance on Substance Abuse. "Straight Talk" is designed for parents only, because the Alliance believes that the people with the most influence on young people are their parents. The program

includes more detail than police traditionally have been willing to share with the public concerning how drugs are used and what evidence is left behind when a young person may be using. Parents are shown how drugs are administered and often concealed. "Parents often need some physical evidence to overcome the initial denial and begin dealing with the problem rather than continuing to enable the behavior," explained Major Bosse. "Straight Talk" is presented at schools, churches and in some workplaces during lunch hours. "During these programs," noted Major Bosse, "I have always discussed the drug court initiative which generates very good questions from those in attendance."

Increased Credibility and Accountability

As police across the country educate their communities about drug addiction and crime and the drug court program, citizens continue to gain a better understanding of what police are doing about these related issues. As a result, the community and the police come to the table with more realistic expectations of law enforcement's ability to handle drug-related crimes. Police are released from the heavy expectation of having all of the answers to these complex matters.

Working together is an enormous vehicle for strengthening your relationship with the community. It's something to which communities really respond favorably. The police are much more ahead of the courts in terms of thinking about their communities and identifying problems with their communities.

Julius Lang, Coordinator, Midtown Community Court, New York, New York.¹¹

¹⁰ Thompson, Neil C., NADCP Conference, "Workshop Session C-9: Linkages with Law Enforcement," June 14, 2002

¹¹ Lang, Julius, NADCP Conference, "Workshop Session C-9: Linkages with Law Enforcement," June 14, 2002.

More Information

With greater police presence and involvement in the community, the level of trust builds, laying the foundation for more open communication and exchange of information between the public and law enforcement. Since her participation in the drug court program, strong community ties have helped Sheriff Gia Martinez considerably:

I get a phone call a day. I don't have to push people to give information. They are seeing their own kids using drugs.

Deputy Sheriff Gia Martinez, Salt Lake City Sheriff's Department, Salt Lake City, Utah.

Now that families know we are trying to help their family members, they will call us in a way they haven't before. One participant, no matter who he called, his mother, his grandmother, they would call us and turn him in.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

A Broader Base of Support

Many police departments have found that once the community learns about drug court, it is eager to support the program. The issue is getting the information out to the public. The rewards of organized efforts to educate the community about drug court have included financial and political support. In Oklahoma City, legislators were so impressed with police presentations on the cost savings of drug court that the state received a line item for 3.5 million dollars to fund the drug court program.

Community agencies play a significant role in sustaining the positive impact of drug court. Many jurisdictions are recognizing the untapped potential of agencies such as The Salvation Army and Alcoholics Anonymous. Several are discovering the value of bringing the faith community to the table. As Beverly Alford of the U.S. Department of Justice noted,

They have housing, mentoring services and lots of influence in the community, and these are people who vote! The faith community is willing and able. They have the resources and they do this for free. If you get the faith community as partners in this process, they are very good at keeping people on track. They are the ones that help the families of your participants.

Beverly Alford, Assistant Director of Training and Technical Assistance, Office Of Community Oriented Policing Services, U.S. Department of Justice, Washington, DC.

A Long-term Strategy

For decades, law enforcement has searched for effective strategies to build stronger community ties, particularly as it relates to getting the community more directly involved in responding to issues of substance abuse. Drug court epitomizes this effort. It is not a one-time program or a short-term project. Moreover, it reaches beyond the local neighborhood. Drug court is a long-term solution that recognizes the importance of having everyone at the table to ensure continuing success.

Drug court provides law enforcement with a practical, concrete approach for addressing drug and drug-related crime issues in the community. It brings mutual benefits to the community and to law enforcement. As a community policing strategy, drug court draws on the distinctive expertise and experience of law enforcement, as well as the unique resources and insights of the community in which it serves. Drug court affirms that law enforcement and the community can work together successfully.

CHAPTER 2

Drug Courts and Law Enforcement Linkages: What's in it for Law Enforcement?

You can only go so far with handcuffs.

Julius Lang, Coordinator, Midtown Community Court, New York, New York.¹²

A Viable Alternative to Incarceration

Drug courts provide an effective solution to drug use and drug-related crime through the innovative use of comprehensive supervision, drug testing, judicial monitoring and sanctions and incentives. Coercive treatment is a hallmark of the drug court program. Given a choice, most addicts will not enter a treatment program.

People need the pressure to accept drug treatment. Treatment is the most important ingredient. Drug treatment court plays an essential role in getting people to recognize they have a problem because they are in denial.

Bruce J. Winick, Professor of Law, University of Miami, Coral Gables, Florida.¹³

Treatment works best when addicts are held accountable in the context of the judicial system.

The Honorable Asa Hutchinson, Administrator, Drug Enforcement Administration, U.S. Department of Justice, Washington, DC.¹⁴

Initial Reservations

A number of police executives noted that at first, they were hesitant to become involved with a drug court program. Many were concerned about draining already taxed resources. Money, personnel, community concerns about its effectiveness and skeptics among the rank and file were issues with which to contend. How does a police chief justify dedicated personnel and resources to the drug court process?

The Benefits of Drug Court

Trying to sell law enforcement on the merits of drug court can be a difficult undertaking. More often than not, the officers who come “kicking and screaming” their way into the drug court program end up staunch supporters of the program. What accounts for this change in attitude? What do officers come to realize about drug court that may not be apparent from the start? The answers are tied to one irrefutable fact: drug court works.

If you are talking about a seven percent recidivism rate, you're talking about a lot of man-hours not being expended on repeat calls for service. You're talking about a lot of resources in terms of vehicles and fuel and uniforms not being expended. Those are the things chiefs and sheriffs understand in a time of shrinking budgets.

Chief A.L. Gaskin, Roanoke Police Department, Roanoke, Virginia.

Some of the toughest, most cynical officers in our department sneak people into drug court. I mean sneak, because they don't want their colleagues to know what they're doing and because they're caught up in the drama of being a cop. These folks do it because they know it works.

Chief James R. Bueerman, Redlands Police Department, Redlands, California.¹⁵

Acknowledging his initial resistance to drug court, Sheriff Keith Cain of Kentucky, was won over while observing participants take charge of their lives:

The success I have seen is personally watching a young lady's life change for the better. Had drug court not been in place, that young lady's life would have been destroyed. I think that's a pretty easy sell.

Sheriff Keith Cain, Daviess County Sheriff's Department, Owensboro, Kentucky.

¹² *Ibid.*

¹³ Winick, NADCP Conference, June 13, 2002.

¹⁴ Hutchinson, Asa, NADCP Conference, “Plenary Session 1: Drug Policy Reform: The Drug Court Model,” June 13, 2002.

¹⁵ Bueerman, NADCP Conference, June 14, 2002.

Drug Court Stops the Revolving Door of Drug Addiction and Crime

The rapid growth of drug courts across the country reflects excitement and energy for an approach to dealing with the non-violent drug offender that has not existed before. Increasing numbers of police departments are conducting fact-finding missions to learn more about drug court, and many law enforcement agencies are making department-wide commitments to support the drug court process.

An outstanding benefit of drug court, and one that many in law enforcement regard as its greatest “sell,” is the dramatic decline in repeat offenses by drug-addicted felons. Instead of processing the same people repeatedly, officers become part of an organized effort to rehabilitate the offender. Drug court provides officers with a viable tool for dealing with issues of drug addiction and crime in a substantive way.

Probably 75 percent of all our criminal activity is drug-related. We have taken every program I think under the sun—COPS, DARE, GREAT, and we weren't getting any results as far as I could see. Each program targets a specific part of the community and does some good, but we're still seeing the same people. We're seeing several families as fourth generation drug addicts. There's got to be some way to reach these people, and I think drug court provides us another opportunity and option that we're very good at.

Chief Drew Juden, Director, Department of Public Safety, Sikeston, Missouri.

Drug Court and Law Enforcement Personnel Work Collaboratively as Partners

Typically, police have complaints about the courts for various reasons. From their points of view, the court is a “big part of the problem” in law enforcement's efforts to manage substance abuse and crime.

As Sergeant Vanessa Price of Oklahoma stated, testifying in court was “more like a burden:”

I didn't want to be in court and listen to the DA telling me what I needed to say on the stand, because I knew what happened; and then be examined by a defense attorney who was going to tell me that I didn't know what I was doing, that I wrongfully accused their client. So although I tolerated it because it was a responsibility of my job, court was not a place I wanted to spend my time.

Sergeant Vanessa Price, Drug Court Liaison, Oklahoma City, Oklahoma.¹⁶

Under the drug court structure, this scenario takes a completely different turn; something “revolutionary” happens. The traditional adversarial courtroom relationship becomes a coordinated system of law enforcement, the court and the treatment community working together to help offenders confront their addiction problems.

The traditional adversarial system is one of fighting it out. In drug court, the adversaries are all on one team trying to encourage success for someone.

The Honorable Asa Hutchinson, Administrator, Drug Enforcement Administration, U.S. Department of Justice, Washington, DC.¹⁷

In sharp contrast to the traditional “nail ‘em and jail ‘em” philosophy, drug court concentrates on developing a plan of action that will yield good outcomes for the participant. “Once a defendant is accepted into the drug court program, the team's focus is on the participant's recovery and law abiding behavior, not on the merits of the pending case.”¹⁸

My chief approached me and wanted me to be the liaison for our department. I thought it was going to be a token position—the judge takes charge and you don't say a word. But I found out that we play a legitimate and vital role in the program. The judge respects our opinion and solicits our opinion on everything. We recommend whether the person needs to be in treatment. A high percentage of the

¹⁶ Price, Vanessa, NADCP Conference, “Workshop Session C-9: Linkages with Law Enforcement,” June 14, 2002.

¹⁷ Hutchinson, NADCP Conference, June 13, 2002.

¹⁸ The National Association of Drug Courts Professionals and the Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice, *Defining Drug Courts: The Key Components*, January 1997, p. 11.

people we recommend stay in treatment. The police support the process.

Lieutenant Tobe Green, Glynn Brunswick Narcotic Enforcement Team, St. Simons, Georgia.

Collaboration is the main tool of the drug court program. “The drug court process uses a collaborative effort among criminal justice system participants who traditionally see each other as adversaries in a process mediated by a detached, neutral referee.”¹⁹

Drug courts create new and different roles for the judge, the prosecutor, the defense counsel, the treatment providers and the police. In effect, the offender becomes the “client” of the court, and law enforcement becomes a therapeutic member of the drug court team. Drug courts transform these roles because the therapeutic nature of the court cannot work without this transformation. The metamorphosis of these roles allows the goal of the court to become primarily therapeutic while remaining a legal institution.²⁰

At first, officers find it hard to trust the non-adversarial approach. The notion of working as a team in the court as they have come to know it is a foreign concept. Some police officers admitted that prior to drug court, they never considered working collaboratively with other disciplines. Lieutenant Cynthia Herriott began working in the drug court with similar misgivings:

Normally, I saw going to court as going into an arena. My intent was to see who would win. Would it be the police, the prosecutor or the defense attorney? But what I found was something different. There are no hidden agendas. You come to a point where you can work together. There's nothing you can't work out. We had to learn to work together for the process to work.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

Perhaps no role on the drug court team comes under more scrutiny and has more influence on how officers respond to drug court than the role of the judge. The judge is the leader of the drug court program.²¹ The success of drug court is inextricably linked to how the judge uses the power and authority of the court.

We push the team concept to avoid misunderstandings of people's roles.

Judge Richard C. Giardino, Fulton County, Johnstown, New York.

According to Judge Michael M. Feeder of New York, if drug court is going to work, “there cannot be one player who has a stronger voice. I have to put my ego aside.” Judge Virginia L. Cochran of Virginia expanded on this point of view: “Police think drug court is a closed session. I tell them it is not. To institutionalize drug court you can't be the only one doing it.” Reinforcing the importance of the need for law enforcement and the court to work together, Judge Amanda F. Williams of Georgia stated, “my major role is public safety. I must have respect for the roles that come to the table.”

Offenders are Held Accountable in Drug Court

Immediate intervention is a key component of the drug court program. As Chief Randy Reed of Arkansas stated, some forms of probation are not working. In drug court, Chief Reed said, “offenders do face consequences for their actions.”

In contrast to the traditional court system, which may or may not adjudicate a drug offender's case for months after the original arrest, drug courts place the defendant into the program immediately. In some instances, the defendant may find himself or herself inside a drug treatment court within two days of release from the original arrest.²²

¹⁹ Hora, Peggy Fulton, William G. Schma and John T.A. Rosenthal, “Therapeutic Jurisprudence and the Drug Treatment Court Movement: Revolutionizing the Criminal Justice System's Response to Drug Abuse and Crime in America,” 1999, *Notre Dame Law Review*, Vol. 74, p. 469.

²⁰ *Ibid.*, p. 476.

²¹ *Ibid.*

²² *Ibid.*, p. 473.

That there is instant punishment is particularly reassuring to law enforcement. “Police are not used to seeing immediate sanctions or regular, constant and immediate feedback,” said Lieutenant Cynthia Herriott of New York. Dealing with offenders immediately following their arrest is a critical step in the treatment process.

The arrest creates an immediate crisis and can force substance-abusing behavior into the open, making denial difficult. The period immediately following an arrest or apprehension provides a critical window of opportunity for introducing the value of treatment.²³

There is a concept in criminal justice called the certainty of punishment. If you do A, then B happens. The problem with our judicial system is that B hardly ever happens, and when it does, it's so far disconnected from the time you did it, there's almost no deterring connection in value. In drug court it happens right now.

Chief James R. Bueerman, Redlands Police Department, Redlands, California.²⁴

Drug court plays an essential role in getting offenders to take responsibility for their addictions. Structured goals are an important feature of the drug court program. Participants must enter a behavioral contract to submit to testing, court appearances and counseling. Drug courts reinforce good behavior and sanction non-compliance. The following are comments from some drug court graduates:

*Drug court didn't go for any of my games.*²⁵

*There comes a time when you are perfectly ready to change your life. I had been in treatment before, but I didn't have the supervision I had with drug court.*²⁶

Drug Court is Cost Effective

Current research indicates that drug court is a cost-effective way to deal with substance abusing offenders. They generate savings in jail costs, especially pretrial detention. In addition, there are substantial cost savings in probation, supervision, police overtime and other criminal justice costs.²⁷ For example, in Washington, DC, a year of drug court costs between \$1,800 to \$4,400 per participant. This compares to between \$20,000 to \$30,000 per year to jail an offender.²⁸

In California, cost effectiveness assessed in terms of incarceration costs and fees or fines paid by the drug court participants concluded that California drug courts saved approximately \$43 million. A total of 425,014 jail days were avoided, with an averted cost of approximately \$26 million, and a total of 227,894 days were avoided, with an averted cost of approximately \$16 million. Participants who completed a drug court program paid almost \$1 million in fees and fines imposed by the court.²⁹

According to the Drug Court Clearinghouse at American University, savings in jail days alone have been estimated by some programs to be at least \$5,000 per participant. Additionally, 61 percent of drug court treatment providers report that the annual cost of treatment services per client ranges between \$900 and \$3,500. Given this range, the average annual cost per defendant for treatment services is far lower than the \$20,000 minimum annual cost of incarceration.³⁰

²³ *Defining Drug Courts: The Key Components*, January 1997, p. 13.

²⁴ Bueerman, NADCP Conference, June 14, 2002.

²⁵ E., Joe, NADCP Conference, “Plenary Session 2: Drug Court: The Road to Success,” June 14, 2002.

²⁶ D., Sue, NADCP Conference, “Plenary Session 2: Drug Court: The Road to Success,” June 14, 2002.

²⁷ Belenko, Ph.D., Steven, *Research on Drug Courts: A Critical Review*, National Center on Addiction and Substance Abuse at Columbia University, 1998, pp. 1-42; and Adele Harrell, Ph.D. “Understanding the Impact of Drug Courts,” unpublished report, The Urban Institute, Washington, DC, 1999.

²⁸ *Notre Dame Law Review*, Vol. 74, p. 503.

²⁹ Corren, Blaine, “Study Bolsters Drug Court Claims,” *Drug Court News*, The Judicial Council of California Administrative Office of the Courts Partnership, May-June 2002, pp. 1-6.

³⁰ American University's Drug Court Clearinghouse, *Adult Drug Court Treatment Provider Survey*, January-March 2000, pp. 28-29.

The closing of two-thirds of the jail space in Hudson Falls, New York, created significant problems with boarding out costs. Drug court gave the sheriff's department a solution. In its first year of operation, drug court saved the sheriff's department over \$1 million in jail bed costs.

Reporting on cost savings for one of the longest running drug courts in Virginia, Lieutenant William L. Althoff indicated that the Roanoke Drug Court saved the state \$18,000 a year, per successful participant. "Compared to \$4,300 per year, per participant in drug court, it costs \$22,500 to put them in prison," noted Lieutenant Althoff.³¹

Over time, the cost of running drug court is far less than dealing with repeat offenders whose crimes are driven by substance abuse. "If you can get someone into drug court within a week of the date of the arrest, you save an incredible amount of man-hours for your jurisdiction. You can make a drug court referral without burdening a detective to come to court," noted Judge Virginia Cochran of Virginia.

Our judge has saved the county some money by getting people within two to three weeks into the drug court, and then we never see them again—I mean that's perfect! We don't want to see them again. We want to see them working somewhere. We're trying to figure out how to get more people involved.

Sheriff Scott Lancaster, Clay County Sheriff's Office, Green Cove Springs, Florida.

Recidivism is Low in Drug Court

Current survey reports conducted by American University suggest that recidivism rates continue to be significantly reduced for drug court graduates and, to a lesser degree, for individuals who enter but fail to complete the program.³² Overall recidivism rates can be as low as four percent.³³

The recidivism rate for those we throw out of drug court or who fail drug court is one-half of those who have graduated from the program. So even though they are not graduates of drug court, their recidivism rates still are reduced, demonstrating that there are some indirect benefits.

Judge Dennis Fuchs, Salt Lake City, Utah.

In the 23rd Judicial Circuit Court of Virginia, which serves the county of Roanoke, city of Salem and town of Vinton, the post-program felony reconviction rate for graduates is 3.2 percent and 34.5 percent for non-graduates. The overall conviction rate, including misdemeanors, for graduates is 12 percent and 55.9 percent for non-graduates.³⁴

During the first phase of a three-year evaluation for a juvenile drug court in Ogden Utah, the average number of arrests per drug court juvenile decreased from 1.8 pre-drug court to 0.7 post-drug court, a 61 percent decrease. For the comparison sample, average arrests decreased from 1.1 to 0.5, a 55 percent decrease.³⁵

³¹ Althoff, William, NADCP Conference, "Workshop Session E-9: In Support of Drug Courts: A Police Executive's Perspective," June 14, 2002.

³² American University's Drug Court Clearinghouse, *2000 Drug Court Survey Report: Program Operations, Services and Participant Perspectives: Executive Summary*, November 2001, p. 5.

³³ *Research on Drug Courts: A Critical Review*, 1998, pp. 1-42

³⁴ Shoemaker, Donald J., *Evaluation Report for the Drug Treatment Court Program, Twenty-third Judicial Circuit of Virginia*, Virginia Polytechnic Institute and State University, Blacksburg, VA, 1999.

³⁵ Belenko, Ph.D., Steven, *Research on Drug Courts: A Critical Review, 2001 Update*, National Center on Addiction and Substance Abuse at Columbia University, June 2001.

Drug Court Plays a Significant Role in Making the Community Safer

Drug courts show drug-addicted offenders that they can live clean and sober lives. Overall, drug court graduates re-offend less, spend less time in prison and are more likely to complete treatment than other types of offenders.³⁶

A number of programs, such as the drug court in Sikeston, Missouri, mandate that offenders get jobs and complete their GEDs before graduation.

Participants in Brunswick, Georgia, are required to articulate their future goals as a part of their treatment regime. Before their release, participants in a re-entry program in Farmington, Utah must secure jobs and a safe place to live. Drug court graduates re-enter the community as employees, consumers and taxpayers. They develop significant relationships, reconnect with their families and generally, become contributing members of society. One drug court graduate noted, “drug court gave me the tools to live life on life’s terms.”

I have heard countless stories from those who have said, “I’ve tried eight or nine different treatment programs. I’ve been in residential programs, and I’ve tried this and that, and nothing has worked. And finally, drug court worked for me. It worked for me and my family.” The program helps participants and their families change their habits and their lifestyles, and they stop using drugs. We realize that there will be some who will relapse after completion of the program, but they have developed a support system and knowledge of addiction that will encourage them to seek additional treatment to respond to the situation.
Judge Leslie Miller, Pima County Superior Court, Tucson, Arizona.

Drug courts provide closer, more comprehensive supervision and much more frequent drug testing and monitoring during the program than other forms of community supervision. In addition, drug use and criminal behavior are substantially reduced while offenders are participating in drug court.³⁷

The reduction in drug-related crime and associated calls for service, unfetter the police to focus on other crimes. Getting involved with drug court helps officers to rediscover and reaffirm why they came into public service in the first place: to help people. Many officers view drug court as an opportunity to make a difference, especially in the lives of the young children who often become ensnared in the destructive cycle of drug abuse. In line with this thinking, Commissioner Sylvester Johnson of Philadelphia stressed that drug court is more than a cost saving tool for law enforcement. Drug court helps law enforcement preserve the quality of life.

We cannot just keep on comparing costs of drug court and money saved, to life. I think that what you are saving is life. You’re saving families. You’re saving innocent people getting killed. A person on drugs can ruin an entire family. Drug court helps that entire family by putting that person on the right track, and that’s what you are saving.

Commissioner Sylvester M. Johnson, Philadelphia Police Department, Philadelphia, Pennsylvania.

³⁶ Gebelein, Richard S., “The Rebirth of Rehabilitation: Promise and Perils of Drug Courts,” *Sentencing and Corrections*, May 2000, Vol. 6, pp. 1-7.

³⁷ *Ibid.*

CHAPTER 3

Identifying and Breaking Down Barriers to Drug Court and Law Enforcement Collaborations

Perception is fact, regardless of whether it is true or false.³⁸

Chief Francis D'Ambra, Manteo, North Carolina.

WHY IS LAW ENFORCEMENT RELUCTANT TO EMBRACE DRUG COURT?

Negative Perceptions - What the Skeptics Say

The most severe critics refuse to take drug court seriously, referring to it as a boutique court or a “hug-a-thug” program. Detractors of the program insist that drug court is simply a fad and not likely to become mainstream. Skeptics of the program have gone as far as to suggest that drug court is “yet another program that will fail.”

General Concerns

Drug Courts are Soft on Crime

Perhaps the greatest barrier standing between law enforcement and drug court is the perception that drug court is soft on crime. The belief that drug court coddles criminals and does not amount to any kind of real punishment is a major source of frustration for the police.

Cops typically associate punishment with crime, and because of the lack of knowledge and lack of understanding, they don't associate drug court with punishment. So, it's not ok. If they don't understand what the person has to go through, there is this feeling the person got away with it.

Chief A.L.Gaskin, Roanoke Police Department, Roanoke, Virginia.

RECOMMENDATION:

Educate Law Enforcement about the Drug Court Process

Information counts. People still view drug court as soft on crime because they do not understand the concept. Drug court is more responsibility for the offender. The root cause of many misperceptions and misunderstandings about drug court can be attributed to a lack of knowledge about the drug court program. Several jurisdictions recommended adding drug court to the community policing curriculum and providing in-service training about drug court for tenured officers. Moreover, educating new officers in the academy frequently is suggested as a highly effective way to generate interest and enthusiasm in the drug court concept. In Rochester, New York and Lexington, Kentucky, drug court liaisons developed a videotape production to spread the word about drug court.

Begin with the academy where officers are fresh and not burned out. You have to break into that mentality and vision of what a police officer ought to be. We're getting smarter about what our role is.

Major Mike Bosse, Fayette County Drug Court, Lexington, Kentucky.

Drug Court Personnel Act Like Social Workers

Not wanting to be associated with “touchy-feely” work is a crucial issue for many in law enforcement. Officers are concerned that somehow, drug court will turn them into social workers. Drug court puts an entirely different spin on what it means “to protect and serve.” The idea of supporting, rather than punishing, an offender conflicts with many officers’ perceptions of police work. As Chief Randy Reed of Arkansas stated, “we know how to put people in jail. We do that well.”

³⁸ D'Ambra, Francis, “Community Partnerships in Affluent Communities,” cited in Dennis J. Stevens, *Policing and Community Oriented Partnerships*, Upper Saddle River, NJ, Prentice Hall, 2002, p. 19.

RECOMMENDATION:

Educate Law Enforcement Regarding the Skills that Their Profession Brings to the Drug Court Team

Drug court is a multifaceted, complex process placing law enforcement in situations that require a variety of skills, including social work. In drug court, officers not only are public safety officers but they are consultants, experts, problem solvers and spokespersons for the drug court program.

Judges rely on the immeasurable contributions of law enforcement to facilitate the drug court process. Officers help to distinguish who is an addict from who is a dealer. They perform a critical gate keeping function, providing the court with key information about the offender. “The liaison helps us move through the courts faster,” said Judge Amanda Williams of Georgia. Judge John Schwartz of New York described another advantage: “The best source of information is the police. They are working the streets. When the police tell me what’s going on, I reach a comfort level.”

Officers may not want to be called social workers, but in my experience with police work, any police officer that doesn't have a part of the social worker in him, that doesn't deal with complaints and talk to people and try to educate them and work with them, is useless on the street anyway. If you go in with a hard-nosed attitude of “you're going to do it my way, because I said so,” you usually don't get very good results out of anybody. Drug court is useless if you don't want to be a social worker. Any good officer has some social worker in him.
Officer Chris Woodyard, Drug Court Liaison, Fayette County Drug Court, Lexington, Kentucky.

Drug Court Admits the Wrong People

Making the case against drug court even stronger is the misperception that drug court protects criminals and puts violent offenders and drug dealers back on the streets. Why does this attitude persist? This perception is possibly due to a recurring problem with drug use in society and misplaced beliefs about the causes for this.

RECOMMENDATION:

Adopt Policies that Will Clearly Delineate Eligibility Standards

Drug court generally is aimed at the non-violent offender. Law enforcement, if involved during the planning stages of the drug court, has a say in who should or should not be admitted. As Chief Randy Reed of Arkansas noted, “You’re picking up the best of the worst when it comes to drug court.” Typical of many jurisdictions across the country, the Oklahoma City Drug Court does not take any dealers and sellers. “The offender must be facing time. Distribution and manufacturing will not get you in,” explained Judge Charles Hill of Oklahoma.

In most jurisdictions, officers participate in staffing. The staffing process involves members of the drug court team conferring about the progress or status of a drug court participant prior to open court. All team members share information from each of their disciplines’ perspectives and reach a consensus about what the next steps will be with regard to the offender.

The court relies on the informed views and experience of law enforcement to help determine an offender’s suitability for the program. A number of jurisdictions indicated that an ongoing challenge facing the drug court team is trying to clarify what constitutes a violent offender. Officers play a critical role in helping the court with this issue. Law enforcement should be at the table during the planning process to help develop effective criteria.

Turf Wars

Turf issues override everything. “Often, drug court members spend more time fighting each other, than anything else,” noted Sheriff Keith Cain of Kentucky. Drug court is a threat to conducting business as usual for all involved. Police are concerned about losing their confidential informants to drug court. Treatment is concerned about revealing any information to police that that may create even more problems for a participant, and so forth.

RECOMMENDATION:

Work Together to Find Options for Mutual Gain

To achieve the goal of drug court, particularly in a time of economic uncertainty, turf wars must be replaced with collective efforts to share valued resources. Each agency within the law enforcement community shares the common goal of improving public safety. How can each department work together to achieve even more effective results? More attention must be given to cooperation and collaboration rather than competition. For example, agencies could apply collaboratively for grants, and law enforcement should establish partnerships with probation. Drug court imposes several rules on offenders that facilitate, rather than add to, probation's work with the participants.

A Lack of Knowledge about Addiction

Law enforcement and allied professionals know very little about addiction. They see the outcomes but do not understand the causal factors that lead to the problem. Current research stresses the importance of bridging the "informational disconnect" surrounding addiction. If any headway is to be made in fending off the myriad problems of substance abuse, addiction must be understood in the context of several factors. Scientific evidence is pointing the way to looking at addiction as an illness and not as a moral failing or character flaw of the individual.

The most common public perception is that drug addicts are weak or bad people, unwilling to lead moral lives and control their behavior and gratifications. To the contrary, addiction is actually a chronic, relapsing illness, characterized by compulsive drug seeking and use.³⁹

Viewing addiction as a chronic illness implies that offenders may relapse and use again after a period of sobriety. Therefore, the notion that somehow, participants will remain sober from the moment they enter the drug court program is a misguided and unrealistic perception. In other words, total abstinence is not a reasonable expectation. The most reasonable expectation is a significant decrease in drug use and long periods of abstinence, not curing the illness but managing it, as is the case for other chronic illnesses.⁴⁰

RECOMMENDATION:

Education about Addiction is Critical

Officers play a significant role in helping offenders through recovery. To sustain the therapeutic ideal of the drug court program, and to demonstrate appropriate support for participants as they move through treatment, law enforcement must be knowledgeable about the physical and psychological dynamics of drug addiction.

You can't be effective if you don't understand the power of addiction--the control of the drug.

Sheriff Keith Cain, Daviess County Sheriff's Department, Owensboro, Kentucky.

Why do drug users keep taking drugs? Dramatic advances in the neurosciences and the behavioral sciences reveal that "the brain is the core of the problem."⁴¹ Essentially, experts explain that addiction is a brain disease. Virtually all drugs of abuse have common effects, either directly or indirectly, on a single pathway deep within the brain, in the mesolimbic reward system. Activation of this system appears to be the reason why drug users continue to take drugs. This is not unique to any one drug; all addictive substances affect this circuit.⁴²

³⁹ Leshner, Ph.D., Alan I. "Addiction is a Brain Disease and It Matters." *National Institute of Justice Journal*, October 1998, p. 4.

⁴⁰ *Ibid.*, p. 6.

⁴¹ *Ibid.*, p. 5.

⁴² *Ibid.*

Reframing addiction in biological terms helps to understand the power of the substances. Even if the condition initially comes about because of a voluntary behavior (i.e., drug use), an addict's brain is different from a non-addict's brain, and the addicted individual must be dealt with as if he or she is in a different brain state. People now need to see the addict as someone whose mind (i.e., brain) has been altered fundamentally by drugs.⁴³

As many jurisdictions across the country learned, sending offenders to jail or prison without treatment was ultimately ineffective. If we know criminals are also drug addicted, it is no longer reasonable to simply incarcerate them. If they have a brain disease, imprisoning them without treatment will be futile. They will continue their drug use and continue to commit crimes to support their habits. It is, therefore, counterproductive not to treat offenders who are addicts.⁴⁴

Drug Relapse Behavior is Unpunished

The lack of understanding about addiction perpetuates the erroneous perception that relapse to drug use is not punished. In drug court, unlike in the traditional system, relapse to drug use is expected but also sanctioned.

We use graduated sanctions. Drug court relapse is handled expeditiously as compared to the regular court.

Presiding Circuit Judge David A. Dolan, 33rd Judicial Circuit, Sikeston, Missouri.

Relapse is, and continues to be, a major challenge in the treatment of addictive disorders of substance abusing offenders. Relapse occurs not only frequently but also rapidly during treatment. Two-thirds of relapses occur within the first 90 days of treatment.⁴⁵

Addicts don't miraculously change their lives after one intervention, and it is unrealistic to anticipate immediate change. To expect that a person will enter the court program and never relapse is unrealistic.

Judge Leslie Miller, Pima County Superior Court, Tucson, Arizona.

Relapse is a failure to maintain behavior changes over time. It can be viewed not only as the event of resumption but also as the process in which indicators or warning signs appear prior to the using event.⁴⁶

Relapse is a portion of the manipulative behavior tied to the disease. We need to understand addiction.

Major Mike Bosse, Fayette County Drug Court, Lexington, Kentucky.

Statistics indicate that from 60 to 80 percent of offenders who have long-term drug use histories commit crimes while under the influence. They further demonstrate that the same percentages will recidivate if not provided with a continuum of care services after an initial treatment episode.⁴⁷

I don't think we can gloss over the long-term success of drug court, because I think it comes in different forms. Many of the people I see had weekly contact with the police prior to drug court. After graduation from drug court, they may have police contact once or twice a year on minor matters. While not perfect, that's a positive change.

Judge Richard Giardino, Fulton County, Johnstown, New York.

RECOMMENDATION:

Demonstrate that Drug Court is "Smart on Crime"

In the drug court setting, when an offender is sanctioned for relapse, the team has considered the totality of the offender's circumstances. Strict

⁴³ *Ibid.*, p. 6.

⁴⁴ *Ibid.*, p. 5.

⁴⁵ National Association of Drug Court Professionals, "General Information on Relapse," unpublished materials, 2002.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

compliance at the outset may be an unrealistic expectation, particularly for individuals who experience severe cravings or withdrawal symptoms. Unable to satisfy such expectations, the individual might be tempted to give up. It might be preferable to establish a series of graduated, attainable expectations that constitute steps toward the desired behavior. This is called shaping.⁴⁸

In drug court, the focus is on “smart punishment” or what is in the best interest of the participant. Smart punishment is not really punishment at all but a therapeutic response to the realistic behavior of drug offenders in the grip of addiction. The type of sanctions given by a drug treatment court to a drug offender serves to underscore the therapeutic perspective and goal of the drug treatment court concept. A drug court’s therapeutic orientation compels the court and its participants to pursue and utilize relationships, methods and ideas which will reinforce and support the goal of getting the individual to stop using drugs.⁴⁹ Judge Keith Spaeth of Ohio explained this type of punishment:

In-patient providers kick the clients out, but drug court lets them stumble. We work on getting the “yes” from the participants. It’s a learning process.

Judge Keith Spaeth, Butler County, Hamilton, Ohio.

Given the difficulties of addiction, how does drug court support offenders in their attempts to recover, and what measures are taken to ensure compliance? Many drug court graduates attribute their success to following a highly structured treatment plan including clear sanctioning guidelines for infractions and incentives for good behavior. A number of commentators have surmised that close monitoring of attendance, substance use and criminal activity, combined with the imposition of

increasingly severe sanctions for successive infractions are at least partly responsible for the success of drug courts.⁵⁰

Consistent with the flexible nature of the drug court program, jurisdictions use a variety of sanctions and incentives. Every jurisdiction applies sanctions and incentives in terms of its unique characteristics. What works in Las Vegas may not be effective in the rural community of Johnstown, New York. The following are examples of sanctions that may curtail undesirable behavior and incentives that reinforce improvement and compliance.

Sample Drug Court Sanctions

1. One day work release programs
2. House checks
3. Graffiti removal
4. Daily reporting
5. Verbal chastisement from the bench
6. Jail period variable-but disclosed in advance for accountability purposes
7. Failure to Appear (FTA) Bench Warrant
 - 1st FTA-\$5,000
 - 2ND FTA- \$10,000
 - 3RD FTA- \$50,000
8. Send bailiff out to pick them up
9. Ignition interlock device
10. Attend victim panel
11. Extended probation term
12. View mean judge

Sample Drug Court Incentives

1. Verbal encouragement
2. Early phase promotion/phase advancement
3. Reduction in testing
4. Award of chips for use for such things as a round of applause when needed, a get-out-of trouble-once card

⁴⁸ Marlowe, Ph.D., Douglas B., and Kimberly C. Kirby, Ph.D., “Effective Use of Sanctions in Drug Courts: Lessons from Behavioral Research,” *National Drug Court Institute Review*, 1999, Vol. 2, p. 8.

⁴⁹ *Notre Dame Law Review*, Vol. 74, p. 470.

⁵⁰ “Addiction is a Brain Disease and It Matters,” p. 3.

5. Gimmicks. Pens, pins, T-shirts, cups, tokens or stars on charts of progress hung in the courtroom. These are often items that community groups who want to help and be involved can get or donate and are good to spur community involvement.
6. Public graduation and advancement ceremonies with roles for all
7. Restoration of lost privileges because of relapse or some other infraction
8. Assignment to “help” the judge distribute awards
9. Help get driver’s license back
10. Movie, zoo, sports events tickets. Note: local junior college/college athletic directors can donate sports events tickets
11. Loan of bicycles (gifts from the police department)
12. Days off custody commitment

A Bias Against Treatment

Law enforcement is geared to enforcement rather than treatment. Ingrained attitudes about what police should do to ensure public safety are difficult to change. It is hard for many officers to accept the notion that incarceration may not be the best way to deal with people who are struggling with drug problems. As the Philadelphia Police Commissioner stated,

If we arrested every dealer and seller, we would still have a problem, because people are addicted.
Commissioner Sylvester M. Johnson, Philadelphia Police Department, Philadelphia, Pennsylvania.

RECOMMENDATION:

Demonstrate that Drug Court is More Difficult for Offenders than Incarceration

Drug court is not a passive experience for the participant. It is not a matter of waiting out a sentence in a cell. The punishment or “hammer” for many offenders comes in having to take responsibility for their behaviors. As one drug court participant stressed,

*On paper drug court looks like a simple program. For a simple program, it was really hard!*⁵¹

Successful completion of the drug court program requires offenders to become fully engaged in the treatment plan and to follow through on each step of the process.

One of the things that has helped in our county is that the participants make a lot of noise about wanting to be in jail rather than drug court because the program is so much tougher for them. And they tell everybody; not just their buddies or their attorneys. They tell the law enforcement people, and that gets out there. Drug court is a lot tougher than just going to jail and doing their time.
Judge Michael M. Feeder, Misdemeanor Drug Court, Hudson Falls, New York.

Probation is ten times easier than drug court. If they choose drug court and fail, they’re going to be facing time, because there is no judge that’s going to put them on less intense supervision.

Judge Karen B. Flowers, District Court, Lancaster County, Lincoln, Nebraska.

Resource Issues

Funding Shortages

Even if law enforcement is in favor of starting a drug court program, funding concerns can overwhelm a department’s efforts to become involved. Law enforcement agencies across the country reported deep budget cuts, staff shortages and dim prospects for obtaining funds in the future. As Judge Tom Castlen of Kentucky noted, “life beyond grants is an obstacle.”

Budget constraints pose difficult challenges in terms of officers’ time and person power. Essentially, there are not enough people to go around. Departments are faced with a tough balancing act: Who will do the monitoring and the testing? Will the sheriff’s department be available to transport the in-custody

⁵¹ Y., Frank, NADCP Conference, “Plenary Session 2: Drug Court: The Road to Success,” June 14, 2002.

offenders? Additional concerns have arisen around gender issues and the need for more women officers. Given this constellation of problems, how does a department support drug court in the face of dwindling resources?

RECOMMENDATION:

Work “Smarter” with Existing Resources

Difficulties with funding compel law enforcement agencies to be creative. As Judge Mary Noble of Kentucky observed, “everywhere there is not enough money for law enforcement. The leadership must look inside for what they have.” How can agencies within the law enforcement community work together to support the drug court process? Capitalize on the ability of the department to be a 24-hour service. Build partnerships within the system based on time, experience and access.

We had resource problems when there were shortages. We partnered with probation and treatment. I couldn't do all of the curfews, but between probation, parole and some of the treatment people, we shared the curfews, and the surprise visits. We shared information as far as who could be found where. We can give time, experience and access to certain agencies. We dealt with a lack of funds by working with our ability to be a 24-hour department.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

Public Safety or Drug Court?

Some jurisdictions believe that if the police chief or sheriff is not supplying a full-time officer to drug court, they are not being supportive. However, if the jurisdiction is already working under tight budget constraints, the law enforcement agency must determine where the drug court fits into its list of priorities.

RECOMMENDATION:

Evaluate Individual Department Needs

Drug court is not stagnant. As a flexible and dynamic process, drug court encourages departments to determine the nature and extent of their involvement with the program. Not all drug courts require a full-time officer. There are no hard and fast rules for effective participation in the drug court process. What matters is a department's consistent and committed support. In forming a linkage with drug court, law enforcement primarily should be concerned with what will work for the department.

You have to make this process work for you. You have to tailor it to what works well for your department. If you have a small department, you may not need to put an officer in the court every day. It may be enough that the chief commits to giving priority to the bench warrants for drug court participants that come out. It may suffice that the police department will take over doing curfew checks and verify that participants are at home or make referrals to drug court. These are some of the things you can do that don't necessarily require you to give up a full-time body.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

Lack of Knowledge of Addiction on the Part of Funding Sources

According to a number of jurisdictions, legislators and other public officials lack knowledge about addiction and its impact on people's lives. They associate drug addiction with a lack of will power and do not understand why people just do not say “no.” In light of these attitudes, legislators and other public officials are reluctant to support drug court. How would they justify the costs to their constituencies? How is drug court more effective than existing programs aimed at drug addiction?

RECOMMENDATION:

Bring Funding Sources to the Table to be a Part of the Solution

Not unlike the public they serve, legislators and other public officials tend to think about drug addiction as something that happens to someone else. The key, as many law enforcement officers advised, is to engage public officials as stakeholders in the drug court program. Identify activities and experiences that tell the story of addiction, and facilitate an understanding of the drug court process.

Educate people on the diversity of individuals going through drug court. There is no wall where drug abuse stops.

Chief M. T. Berry, Oklahoma City Police Department, Oklahoma City, Oklahoma.

The following are the most frequently recommended strategies to engage legislators and other public officials, valued for gaining both the commitment and the financial backing from funding sources:

- Include drug court participants as speakers in presentations;
- Invite legislators and other public officials to visit drug court;
- Invite legislators and other public officials to drug court graduation;
- Ask legislators and other public officials to deliver the keynote address at graduation;
- Submit articles periodically to area newspapers; or
- Invite local media to do stories on drug court.

Lack of Cost Benefit Analysis

Some courts are not equipped to prove quantitatively that their programs are making a difference. Closely associated with this issue is the perception that drug court serves too small a target population to make an effective overall reduction in prison size. Proponents of drug court suggest that this particular observation is another misconception.

It's a myth that we're not making enough progress. One thousand five hundred teams are serving 73,000 adults. Drug court represents hope and success. There are fewer people using than a decade ago.

The Honorable Asa Hutchinson, Administrator, Drug Enforcement Administration, U.S. Department of Justice, Washington, DC.⁵²

RECOMMENDATION:

Prove Drug Court Works

Hard data convinces reticent legislators and other public officials to take a “gamble” on drug court. Collect data from the inception of the program. Evaluate your program on a regular basis. Share your statistics and your successes up front.

Increasingly, drug courts are being urged to collect “better data” and more “real time data” to validate their favorable outcomes. In a recent critical review of research on drug courts, Steven Belenko, Ph.D. of the National Center on Addiction and Substance Abuse at Columbia University indicated a “continuing need for better precision in describing data sources, measures and timeframes for data collection.”⁵³

I think that once your program gets established, you need to demonstrate your success and then you're able to convince others to help you with that funding. I think it's essential that everyone look at their own unique system. Look at ways to work within that system to pull out resources there. It might not be readily apparent, but maneuver things and be creative in ways that draw those extra funds.

Judge Karen B. Flowers, Lancaster County District Court, Lincoln, Nebraska.

⁵² Hutchinson, NADCP Conference, June 13, 2002.

⁵³ *Research on Drug Courts: A Critical Review, 2001 Update*, p. 2.

Legal Concerns

New Criminal Activity by Participants

What happens if a drug court participant commits a robbery or other violent crime while in the program? Are law enforcement's hands tied in these situations? Is law enforcement allowed to arrest an active drug court defendant? If not, how do officers meet their commitment to safeguard the community? Law enforcement is concerned about the possibility of a drug court participant becoming involved in certain types of criminal behavior while enrolled in the drug court program. Behavior of this nature may jeopardize the ability of law enforcement to support the drug court process. Public support is a key part of law enforcement's ability to work with this process.

RECOMMENDATION:

Establish Criteria for Expulsion from the Program

Law enforcement's hands are not tied if defendants commit a new crime. Drug court participants are suspended from drug court until the outcome of the new charge is determined. If the defendants are convicted, they are terminated from the drug court program. If the team understands that relapse is a part of the recovery process, drug possession or use may not be considered a new crime for the purposes of arrest and prosecution. When evaluating the criteria for new criminal behavior, this factor should be taken into account, and it should be made a part of the criteria when establishing policy.

A Question of Ethics

The perception that defendants waive all of their rights in drug court is very real and has led to a number of ethical considerations involving law enforcement issues, confidentiality laws and privacy rights. For example, what is the defense lawyer's

obligation to the drug court team in terms of what the offender does? What information about the defendant do other team members have the right to know?

RECOMMENDATION:

The Entire Drug Court Team Must Understand Each Member's Role and Ethical Limitations

The drug court team works together to achieve the primary goal of the drug court program, which is the recovery of the offender. Many jurisdictions create memoranda of understanding or contracts defining all terms at the onset, including the consequences for non-compliance with the planned treatment regime and a relapse to drug use.

It is not a question of the defense attorney selling out a client but the client opting into a disposition. I never had a problem selling drug court to my client even if he had to give up search and seizure issues. With the client's concurrence, you are doing the best for the client.

Judge James R. Swanson, 23rd Judicial Circuit, Roanoke, Virginia.

We tell participants that drug court personnel will be privy to information. We're working as a team to help you recover.

Judge Maria Ransdell, Fayette District Court, Lexington, Kentucky.

To help officers gain perspective on legal issues, the Roanoke Police Department trains officers to think about what they do as important actors in a large, complex system.

We are prepared administratively for drug court because we trained our officers, "you are not the law in Roanoke, but you are part of a system of law. It's not the policeman's job to put offenders in jail. Your job is to build the best case you can. What happens from there is the court's decision." When I learned that, something indeed happened. I gained

a broader perspective on upholding constitutional rights. This eased the ability of Roanoke to implement drug court.

Lieutenant William L. Althoff, Criminal Investigations Unit, Roanoke, Virginia.⁵⁴

Overcoming the Obstacles

An interesting paradox is at work with the drug court program. Problems and issues, which appear to threaten drug court success, have given rise to creative problem solving and the development of strong partnerships within the law enforcement and court communities. The unifying question influencing both attitudes and actions surrounding drug court is, how can we work together to be even more effective? Law enforcement and the courts must work together in order to be successful. Identifying the barriers to drug court, working together to overcome the obstacles and putting recommended strategies in place is critical to the success of any program.

The proliferation of drug courts across the country suggests that jurisdictions are meeting the challenges of drug court head on. Working together, law enforcement and the courts are debunking negative perceptions about drug court. Novel solutions to resource issues and funding problems are being implemented. In the minds of many supporters, the benefits of drug court outweigh the obstacles.

Something is working. We kept putting people through the court system, and that wasn't working. Is drug court the best way? Is it going to work all the time? Absolutely not. But it does work a remarkably large amount of time.

Judge Michael M. Feeder, Misdemeanor Drug Court, Hudson, Falls, New York.

It's very important to have people in your planning sessions that share the vision of the drug court program. You've got to put your egos aside and believe that what you're doing is for the greater good.

Lieutenant Neil C. Thompson, Drug Court Liaison, Virginia Beach Police Department, Virginia Beach, Virginia.⁵⁵

⁵⁴ Althoff, NADCP Conference, June 14, 2002.

⁵⁵ Thompson, Neil, NADCP Conference, "Workshop Session C-9: Linkages with Law Enforcement," June 14, 2002.

CHAPTER 4

Introducing Law Enforcement to Drug Court

If we don't have buy-in from everyone, we won't have drug court.

Judge Virginia L. Cochran, Virginia Beach General District Court, Virginia Beach, Virginia.

There is no question that law enforcement is indispensable to drug court. So what is the formula for getting a police department to buy into the drug court concept? As many well-established drug courts have learned, gaining the backing of the police is not a “one-size fits all” proposition. Each level of law enforcement (i.e., line officers to management to executives) requires different, pertinent information.

Address the Concerns of Police Executives

At the command level, law enforcement agencies must explicitly address issues surrounding costs and manpower. As a number of law enforcement officials indicated, if administrators are going to be swayed by anything, it will be by straight talk about budget numbers.

Develop an economic argument for drug court. Several jurisdictions have learned that frank discussions on cost savings to a department can be very effective in getting the attention of police officials and moving them one step closer to giving drug court a chance.

If you want to actually reach chiefs and sheriffs, I think what you have to do is talk about the resources that are not being expended as a result of your low recidivism rate. With drug court, it's less cost and more bed space for the real violent people.

Chief A. L. Gaskin, Roanoke Police Department, Roanoke, Virginia.

When you approach law enforcement, tell them about the direct savings in time and manpower. What you are saving is preliminary hearings--defendants waive their rights. You're saving on witness costs. Officers do not have to appear in

court. They do not have to go to trial. For every officer that does not have to appear in court, he's back out on the street that much earlier.

Judge Dennis Fuchs, Salt Lake City, Utah.

Involve All Levels of Law Enforcement at the Very Beginning of the Planning Process

The single, most effective strategy for getting law enforcement on board is to ensure that the police are involved in every facet of planning and implementing the drug court program.

I think the most important part is contacting law enforcement early on. We didn't spring it on them so they wouldn't have an opportunity to build up negative thoughts before they knew anything about it. They didn't read about it in the paper.

Judge Tom Castlen, Daviess County Circuit Judge, Owensboro, Kentucky.

Obtain Buy-in At All Levels from the Outset

Although line officers are touted as the “critical part to the solution,” news about drug court often reaches them sporadically and usually not through formal communications. “These are the people whose lives are on the line. They should be afforded as much respect as anyone,” says Judge Virginia Cochran of Virginia.

Getting the street cop involved at the very beginning is essential. Drug court initiatives can be derailed when the essential role of the street cop is not factored into the planning process. Based in democratic principles, drug court implies a whole new way of sharing information. Top-down systems must re-examine the pitfalls of one-way communication. Making drug court work requires an open, two-way flow of information, with the executives learning from the line officers and vice versa.

Three months into drug court, I learned that the guys on the street were not happy. The chief understood drug court. His detectives understood it, but it hadn't gotten down to the street. That was really a problem, because if it stays up at the top and doesn't filter down, it's an issue.

Judge Amanda F. Williams, Brunswick Judicial Circuit, Brunswick, Georgia.

Encourage Officers to Observe Drug Court in Action

Mandating officers to drug court is a common practice and a quick remedy, but forcing them into drug court is shortsighted. As Major Mike Bosse of Kentucky stated, "drug court is not a matter of ordering cops to believe in it."

Drug court involves more than following policies and procedures. Drug court is a philosophy and a work strategy. It requires a willingness to adapt to a whole new way of thinking and acting. Officers need time to absorb the drug court concept and build trust in the process. If drug court is to be effective, considerable attention must be given to purposeful and timely integration of the line officer. The street cop must be engaged by design rather than by default. Engaging law enforcement early, and on a consistent basis, helps to foster ownership and long-term commitment to the drug court process.

If you can get police involved from the very beginning so that they can be stakeholders in the whole process, it makes drug court so much more important. It gives them an opportunity to have input on how the whole process is going to affect law enforcement. Having input makes it a little easier to swallow other than the chief says you have to do it, or state statute says you've got to do it.

Sergeant Vanessa Price, Oklahoma City Police Department, Oklahoma City, Oklahoma.⁵⁶

Invite Respected Officers to Speak to Fellow Officers about Drug Court

"It's easier to have patrol talk about drug court than being ordered to go," said Patrol Officer Robert Horton of Ohio. Fellow officers are in a better position to gauge attitudes at the street level. "It's important to have a patrolman rather than a supervisor to connect with the officers. You lose personal contact every time you go up in the system," noted Major Mike Bosse of Kentucky.

A number of jurisdictions post high marks for utilizing the drug court liaison as an emissary for drug court. Typically, the executives will select a liaison who is a popular, well-respected officer. As Judge James R. Marschewski of Arkansas noted, "the liaison carries information and excitement about drug court back to the rank and file."

Change the Reward System

Actions speak louder than words. A reward system sends clear messages about the mission of the organization and what it values. Change the reward systems in police departments to reflect support of the drug court process.

Change indicators of success from the number of people you arrest and citations you write, to "what kind of problems did you solve?"

Chief James R. Bueerman, Redlands Police Department, Redlands, California.⁵⁷

Get Support from the Top

Effective change does not happen without leadership from the top. Officers are more likely to embrace the drug court concept if they know the chief stands behind the program. Many line officers have stated that they have had to start at the top, as there would be no credibility, unless they told fellow officers that the chief was the leader of the program. Officer Chris Woodyard of Kentucky focused on the motivating influence of the rank officers in drug court:

⁵⁶ Price, NADCP Conference, June 14, 2002.

⁵⁷ Bueerman, NADCP Conference, June 14, 2002.

Having a rank guy on the street is important. Officers have little contact with rank. The mentality is, “if rank does it, the chief wants it.”

Officer Chris Woodyard, Fayette County Drug Court, Lexington, Kentucky.

If leadership doesn't believe in drug court, you can't expect cops to believe in it. When departments go from one administration to another, and the new person says it's a bunch of malarkey, then that turns the inroads around.

Chief James R. Bueerman, Redlands Police Department, Redlands, California.⁵⁸

Judges Should Speak at Roll Calls and Shift Briefings

Many drug courts owe their success to using roll calls and shift briefings as opportunities to talk about drug court. When judges take the time to go where officers are and speak candidly about drug court, a noticeable “meltdown” in negative attitudes seems to occur. One judge noted referrals to drug court increasing up to 40 percent following a visit to roll call.

Team Members Should Meet Informally with Law Enforcement

Effective drug courts require trust and respect between and among team members. Several jurisdictions have developed highly successful linkages based on informal meetings and interactions with the police. District attorneys often have good relationships with the police chief and can arrange informal meetings. Going on police ride-alongs can be very effective in demonstrating an interest in what police do and in learning about drug issues from their perspective.

I went out once a month with metro cops and found they were more willing to come to drug court.

Judge John M. Memmott, 2nd Judicial District, Farmington, Utah.

Reveal the Facts and Dispel the Myths about Drug Court

Team members should talk to law enforcement about the tax money saved and the reduced calls for service and clarify officers' expectations about drug court. What happens when an officer becomes a part of the drug court team? Officers should be informed about what offenders must do to get through drug court. Team members should let officers know that participants are held accountable for their behavior.

The planning sessions really changed my mind about drug court. The judge explained what drug court is and what it is not. The senior officers think immediate sanctions are the best thing since sliced bread.

Sheriff Terry Wagner, Lancaster County Sheriff's Office, Lincoln, Nebraska.

Emphasize Personnel and Officer Time Savings

When we first began this program, the drug court staff asked the sheriff's department to give up an officer, when we direly needed him on the streets. The major selling point was that a lot of officers would be staying in their job assignment instead of sitting in court. Every day, at least two or three of our officers are being pulled into court, and it's not for half an hour. They may be stuck there for a half-day or a full day. If it's a felony case, it's not one time but multiple times to get that adjudicated to the end. So, knowing that officers would be on the street made a big difference in our department.

Deputy Sheriff Gia Martinez, Salt Lake City, Utah.

⁵⁸ *Ibid.*

Invite the Most Skeptical Officers to Drug Court

Find creative ways to engage officers in the drug court program. When Judge Michael Feeder of New York invited a deputy to drug court, he had an underlying purpose:

I invited one of the biggest critics in the sheriff's department when I knew I was going to sanction somebody. I brought him in to see the good part of drug court – the graduation. And then I let him watch the whole process. We keep the people being sanctioned until the end of the evening. I sanctioned a defendant and gave the commitment order to the deputy. By that point, the deputy was pretty excited about the whole process. Here's somebody who had been brought in the night before and was being sanctioned right away. The deputy went back and told all the other deputies, and anyone who would listen, what a great thing drug court was. That really helped to sell it to everyone else in the department.

Judge Michael M. Feeder, Misdemeanor Drug Court, Hudson Falls, New York.

Invite the Arresting Officer to Graduation

The profound effect of graduation from drug court is legendary. “Graduation is a moving experience and sells the program,” said Judge Dennis Fuchs of Utah. Graduation is a particularly gratifying experience for the arresting officer who usually has no idea what happens to offenders following an arrest. It also is enlightening for senior officers who have maintained a “wait and see attitude” concerning the effectiveness of the program. Drug court shows officers that what they are doing is worthwhile, making a difference to the community and enhancing public safety. The opportunity to witness participant success is a strong factor in winning their support.

Chief M. T. Berry of Oklahoma took steps to ensure that his department witnessed the positive outcomes of drug court. He stated, “I made a point to go to the drug court graduations, and later, I went accompanied by my deputies.”

In Brunswick, Georgia, participants are required to invite the arresting officer to the drug court graduation. Invitations from drug court participants are tradition in Roanoke, Virginia and Charleston, South Carolina, as well. Many jurisdictions invite police executives to deliver the keynote address.

I invite other judges to speak at graduation. If you can get them involved, 15 percent or more of your problems are over. It's the initial preconceptions that are the big obstacle.

Judge John M. Memmott, District Court, Farmington, Utah.

I never met anyone who wanted to be a drug addict.

Judge John R. Schwartz, Rochester Drug Treatment Court, Rochester, New York.

Often you don't even recognize the defendant by the time graduation comes around.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

I've never had somebody not say thank you.

Judge Michael M. Feeder, Misdemeanor Drug Court, Hudson Falls, New York.

Educate the Community about Drug Court

Judges have wide ranging influence and “PR power.” Build a base of support outside of the court. Think about the people who really are being impacted. Go to people directly. “Be there on the radio, on TV, the Rotary and the Lions Club,” said Judge Leslie Miller of Arizona.

We should educate the community about drug courts and speak to community groups whenever possible. I've been amazed by the number of people who approach me after I speak and say indicate that they would be willing to pay more taxes to support drug courts. While they dislike paying taxes, they would agree to raise them for this purpose.

Judge Leslie Miller, Pima County Superior Court, Tucson, Arizona.

Getting Buy-in

The more law enforcement personnel knows about drug court, the more likely they are to embrace the drug court concept. According to jurisdictions across the country, the lack of information and education about drug court is one of the biggest obstacles to getting law enforcement on board.

When I was assigned to drug court, I thought I was being sentenced like one of the defendants, until I found out more about drug court. It didn't take long to sell me on the program.

Lieutenant Tobe Green, Glynn, Brunswick Narcotic Enforcement Team, Saint Simons, Georgia.

Any attempt to gain the support of law enforcement must consider the unique issues of the police, from executives to cops on the street. Careful attention should be given to structuring the facts about drug court. Administrators will want to know about costs, and officers will ask, “what's in it for me?” Successful drug courts anticipate these issues and are prepared to respond directly to law enforcement's concerns.

There is no substitute for observing the drug court program. Efforts to win the support of law enforcement must balance information and education with opportunities to see what actually happens in drug court. In this way officers separate the facts from the myths surrounding drug court and develop a more informed view of how their role fits into the drug court process.

CHAPTER 5

Creating A Mindset for Drug Court: Recommended Best Practices

Education is our greatest hurdle. Attitudes about drug court are slowly getting better. It always goes back to education.

Lieutenant Kevin Fielding, Davis County Police Department, Farmington, Utah.

Drug Court and Law Enforcement Moving Forward

What makes drug court a viable option for law enforcement? Once drug court is implemented, how do the courts sustain a strong collaborative relationship with the law enforcement community? As focus group participants considered these issues, they identified several attitudes and ways of thinking that need to be in place if drug court is going to work.

First, there is no perfect model of a drug court program. The optimal model of a drug court will vary from one jurisdiction to another. What works well in an urban district may not be effective in a rural area. Each jurisdiction will define success with drug court differently and in terms of the unique characteristics. Drug court must reflect the needs of the population that it serves.

The measure of an effective drug court is not necessarily based on full-time participation of the police. However, drug courts work well where there is consistent, dependable and informed collaborations with the law enforcement community.

There is not one best way to plan or implement a drug court program. Many drug courts profiled in the Appendix of this monograph started before funding was available or guidelines were fully developed. The lack of predetermined plans and uncertain funding did not deter a number of law enforcement agencies that wanted to move forward and explore the possibilities of an approach that held the promise of a remarkable solution to a seemingly impenetrable problem.

Invariably, questions arise as to whether drug court calls for a certain personality or temperament. Isn't drug court best suited for "touchy feely types?"

Who should be appointed to drug court? Does it matter if an officer comes from the rank or file? Judge Dennis Fuchs offered a thought provoking response to these issues:

I think it's important for people who are starting out, or even for those who have been involved in drug court, to understand that it isn't necessarily the personnel that makes the program. Sometimes it's the program that makes the personnel. If you start these programs with people who are reluctant, the program will usually convert them. There are no magic personalities that make drug court successful. We are not looking for that magic person.

Judge Dennis Fuchs, Salt Lake City, Utah.

Finally, it is important to recognize that drug court is an evolving concept. The inherent flexibility of drug court allows jurisdictions to grow into their programs.

The first thing I learned is that we should never set drug court in stone. Drug court must stay fluid.

Judge Michael M. Feeder, Misdemeanor Drug Court, Hudson Falls, New York.

Innovative Strategies

Drug court is a creative program. Various applications of the drug court model are evident in a number of jurisdictions, including juvenile drug courts, family drug courts, DUI courts and mental health courts. Collaboratively, law enforcement and the courts are developing workable solutions to the difficult and persistent issues attached to drug abuse and its concomitant crime.

The Community Service Sanction Program

When a citizen's referendum prohibiting the courts from using incarceration for sanctions was passed in Arizona, law enforcement stepped in to help the Pima County Drug Court with a significant obstacle. "We reinvented ourselves to impose immediate sanctions," stated Judge Leslie Miller. Although not involved in the daily activities of the drug court,

the sheriff's department helped out by establishing a work crew for the drug court. Participants reported to the jail, underwent testing and then worked all day in a number of outdoor, community service activities.

The Community Service Sanction Program in Pima County, Arizona is a structured, work-related program that is heavily supervised and monitored. In lieu of incarceration, drug court participants are mandated to begin community service on the day following their appearance in court, at a location and period of time determined by the court.

Offenders participate in a variety of service agencies such as Goodwill, the Humane Society and the Boy/Girl Scouts. Each of the community services involves a minimum of nine hours. Participants may have to report as early as 5:45 AM to complete their service obligations. Tardiness is viewed as a non-appearance. Participants must be on time and stay for the time required by the community service.

The community service providers provide feedback on the participants' progress including attendance and any problems that may lead to an offender's dismissal from the service. "We've tried to set up a seamless a process, one that mandates less work on behalf of the service provider. We know if we become too onerous with them, they won't be interested in us," said Judge Miller.

Drug Court Community Service Mandate

In Brunswick, Georgia, drug court requires the offenders to participate ten hours per month in a community charity of their choice during the last phase of treatment, which is at least four months. The participants must report to drug court personnel on the charity that they served and what they gained from the service. The community service report becomes part of a mandated speech that each offender gives at graduation. Community service brings great satisfaction to the participants, and it is a "bonus" for the drug court and the community. As Judge Amanda Williams noted, "these

people become ambassadors, giving back to the community, and people recognize that people with drug problems can be rehabilitated."

The Alcho-Sensor Testing Program

In Hudson Falls, New York, some offenders who were "dirty" were going undetected, due to the court's sporadic testing process. The court and the police collaboratively developed the Alcho-Sensor Testing Program. Officers give the Alcho-Sensor Form to drug court participants three times each day. Failure to bring in the form is equivalent to a "dirty test."

The Alcho-Sensor Program creates frequent contact between the offender and the police department in a positive way that contributes to the success of the drug court program. Officers who may have dealt with a participant under negative circumstances, now become involved in a supportive, reinforcing relationship with the drug court participant.

"The Alcho-Sensor Program works as a tool to build a relationship with law enforcement because they know that if they are keeping track of the clients, and there is a problem, their word will be taken to heart, and defendants will be sanctioned," explained Judge Feeder.

Electronic Home Monitoring (EHM)

In Virginia Beach, Virginia, drug court and law enforcement worked together on the problem of monitoring hard-core alcoholics by using Electronic Home Monitoring (EHM). The EHM machine is installed in the offender's home and may ring at any time. The offender must answer the machine and blow into a tube. An instant redial of the participant's blood alcohol content is immediately transmitted to the sheriff's department.

The Virginia Beach Drug Court received a local law enforcement block grant to pay for the EHM equipment and the monitoring services of the sheriff's department. Offenders are responsible for putting in extra telephone lines for the EHM machine at their own expense.

The Work Center for Women

Since methamphetamine arrived in Farmington, Utah, in the late 1990s, drug cases escalated from 400 to 1,800 per year, over a five-year period, along with a rapid increase of women on drugs from 10 percent to 50 percent. “The impact of methamphetamines was particularly great on women because it involved families and children,” noted Judge John M. Memmott.

To address the unique problems of women and addiction, the Davis County Drug Court set up a residential program for women. Instead of putting money in the jail system, the drug court placed money into a work program that provided opportunities for women to work and develop a number of job-related skills. The Work Center represents a productive collaboration of the drug court, treatment provider, law enforcement and corrections personnel. “We found that the treatment for women on methamphetamines almost mandates a residential program. You can’t do intensive outpatient work because of the nature of methamphetamine addiction,” explained Judge Memmott.

Treatment is aimed at helping women confront the root causes of their drug abuse. “When we started with drug abuse first, we found we weren’t as successful. We had to deal with the esteem and abuse issues that led to the addiction,” explained Judge Memmott. Women participate in the Center for at least four months. The program is structured to separate women from co-dependent relationships, particularly spouses and boyfriends. “When we get them jobs and into educational programs,” noted Judge Memmott, “it’s amazing how many women voluntarily end up leaving the person that’s causing the problem in the first place.”

Peer Reviews

Problems with non-compliance are handled through peer reviews in some jurisdictions.

In Roanoke, Virginia, “seasoned” drug court participants play an active role in the compliance review

of newer drug court placements. The participants sit in judgment of fellow drug court participants and determine what should happen to individuals who break the rules.

Drug court participants determine low level sanctions and recommend community service assignments to the probation and parole staff handling the cases for drug court. The compliance review process “helps participants in understanding the total impact and benefit of the drug court program,” noted Judge James R. Swanson.

In Salt Lake City, Utah one of the “lighter sanctions” for a participant’s non-compliance is to go before a peer review panel of three to four drug court graduates. According to Judge Dennis Fuchs, peer reviewers tend to be “a lot more honest” with the offenders and in some cases, hand out harsher punishment than the court would.

The E-Mail Network

In Hamilton, Ohio, the police department uses the Internet to enhance communication and information flow between the drug court and law enforcement. “Getting information back and forth is one of the most important things, especially if someone is messing up,” explained Officer Robert Horton. “You want to make sure you can go from the police to the probation officer to the court to get something done as quickly and efficiently as possible.”

The Hamilton Police Department updated their Field Interview Cards (FIs) to include all participants in drug court. If officers have contact with a participant who is violating one of the rules, they transmit the individual’s name and location by e-mail. All the FIs go to Officer Horton who then informs the probation officer.

For the past five years, law enforcement in Las Vegas, Nevada, has listed all drug court participants into a computer system. Officers call in to a message center to indicate the nature of any contacts with the participants whose names are then “flagged” in the computer program. The treatment provider,

the public defender's office, the prosecutor, and the court can call the message center immediately to find out what's going on with a participant. According to Detective Todd Williams, "the system enables hundreds of officers to be the judge's eyes and ears. It might be just a stop on the corner at 2:00 in the morning and you know curfew has been broken or that there are paraphernalia problems. The officers don't have to do anything. They don't have to make out a card. They just have to pick up the phone and say John Smith was doing this, and this is where he was. Just so you know and the judge knows."

Re-Entry Programs

The Residential Substance Abuse Program (RSAP)

To help offenders make a successful transition to sober life, the drug court in Farmington, Utah takes people still serving terms and assigns them to the Residential Substance Abuse Program (RSAP), a six-month program of intensive supervision that involves participants in a variety of work detail situations. Three counselors run the program. As part of the treatment, the judge meets with the participants once each month in an open session. Participants must secure jobs and a safe place live to be considered for release from the program. In terms of savings, the costs of participation in the RSAP Program are 10 percent of what it would cost to house the participants in prison.

The drug court in Oklahoma City, Oklahoma currently is experimenting with convicted felons, who are eligible for a split sentence (i.e., X number of years in prison and X number of years out of prison). "We are negotiating pleas wherein, they will go in and do some time. This satisfies a great segment of the community," noted Judge Charles Hill. One of the terms for time out of prison requires participants to successfully complete the drug court program or risk having their sentences revoked.

In most reentry drug court programs, participants spend time in jail and then go into a drug court program. In Las Vegas, Nevada, "we do it the other way," proclaimed Judge Jack Lehman. Since December 2000, the Clark County Drug Court has taken the unique approach of taking people directly out of prison and moving them into a very highly structured reentry program. The focus is on individuals who have one to two years to complete their sentences. The reentry process begins with house arrest for a few weeks, followed by curfews. Gradually, the participants are granted more rights and freedoms. Full-time staff from probation and parole meets with the participants at least once each week. Currently, 50 offenders are participating in the reentry program. The first graduation included seven participants, and the program has a five percent recidivism rate.

Citizens Police Academy

To expand the base of community support for drug court, the Rochester, New York Police Department conducts a Citizens Police Academy. The department targets specific groups to which it wants to reach out and then conducts an "academy." Citizens learn about the police department and the drug court process. The academy has been a particularly effective mechanism for getting the faith community involved with drug court participants.

What we are sharing with our COPS-funded law enforcement and the faith community partnerships is that the police are good at coming up with the solutions and the community is better at knowing what the problems are. So, if you can get them to the table together, you have a better chance of coming up with long term results.

Beverly Alford, Assistant Director of Training and Technical Assistance, U.S. Department of Justice, Office of Community Oriented Policing Services, Washington, DC.

CONCLUSION

Drug court works. It makes good business sense, and it makes good public safety policy. Drug court produces savings for the police department in terms of resources and officers' time. Local governments and federal budgets also are positively impacted. Drug court enhances the credibility of law enforcement in the community. Working together, the community and the police identify creative and workable solutions to combat the problem of drugs and crime.

Once officers set foot in drug court and experience the process for themselves, there is no turning back. As many in law enforcement have learned, the majority of criticisms directed at drug court are unfounded. Clearly, drug court is tough on crime, and offenders do get their "just desserts." Several jurisdictions suggest that the best way to counter misperceptions about drug court is to continue talking about the program.

Law enforcement is not incidental to the drug court process. Officers are not token team members, and their perspectives are not ignored. In the drug court setting, law enforcement is necessary and critical to achieving the mission and goals of the drug court program.

It is law enforcement that will make the revolving door a thing of the past. I envision a time when it will be something we talk about with the young police people, judges and sheriffs. And they will try to imagine what that revolving door was really like. Wouldn't it be great to just share the "revolving door" as a story and not as a reality?

Beverly Alford, Assistant Director of Training and Technical Assistance, U.S. Department of Justice, Office of Community Oriented Policing Services, Washington, DC.

Positive experiences with drug court have strongly influenced how officers perceive their role. Many have come to view drug court as an opportunity and a responsibility:

One of my goals is to try and change the way our community is looked at. We're known as the drug capital of the world in many national magazines and that's not a badge we want to wear. We're trying to change that, and if this is an avenue that gets us there, we'll be committed to come on board with drug court.

Chief Drew Juden, Director, Department of Public Safety, Sikeston, Missouri.

Our goal as law enforcement is to take care of our clients, which is the community. And if that means supporting drug court which is going to result in less crime, than I think we have a moral and ethical obligation to stand behind drug court.

Lieutenant Cynthia Herriott, Rochester Police Department, Rochester, New York.

You get to the point where you realize you have to do something else. You get sick of dealing with the same people generation after generation. I got into drug court because I wanted to see something different for that baby if no one else. Drug court is where accountability meets responsibility for law enforcement. I know cops are not the hug-a-thug types of people, but generally, I think they are very caring people. It is our responsibility to try to do what's right and to try to do what's best. Drug court allows us that opportunity.

Sergeant Vanessa Price, Oklahoma City Police Department, Oklahoma City, Oklahoma.⁵⁹

⁵⁹ Price, NADCP Conference, June 14, 2002.

Appendix

Profiles of Law Enforcement Linkages

Law enforcement is indispensable to drug court.

*Judge Brian Davis, 4th Judicial Circuit,
Jacksonville, Florida.*

*If you want your program to succeed, you must
have the support of law enforcement.*

*Judge Amanda F. Williams, Brunswick Judicial Court,
Brunswick Georgia.*

Fort Smith, Arkansas

Recognizing the need to involve law enforcement, Judge James R. Marschewski assembled a planning team to develop the Sebastian County Adult Drug Court. He consulted with the chief of police, the county sheriff and the prosecutor as well as members of the community and business leaders. He also educated legislators about the drug court process.

Newly established in January 2002, the drug court obtained seed money from the U.S. Department of Justice for research and evaluation. Additionally, the legislature awarded \$800,000 to the state's department of community corrections to fund counselors and probation officers specifically for drug courts. The Fort Smith program is now one of seven drug courts in the state.

According to Police Chief Randy Reed, "seeing people graduate successfully" is an especially impressive aspect of the drug court program. Enthusiastic about drug court, the department educates officers about the program on a continuous basis. "We all recognize that it's time to do something different," noted Chief Reed. "We have to keep moving forward."

Tucson, Arizona

Tucson started its drug court in 1998. Although not involved in the daily operations of the program, law enforcement has been an enthusiastic supporter of the drug court from the onset. As Judge Leslie Miller noted, "our law enforcement has been great. They are tired of arresting the same people."

A planning team for the drug court included representatives from the court system, probation, pretrial services, the county attorney's office,

the public defender's office, the police department, the sheriff's department, MANTIS (a multi-agency law enforcement drug task force) and the treatment community. Due to significant cost savings in personnel and crime lab resources resulting from implementation of the drug court program, law enforcement gave a substantial portion of its community block grant to the drug court.

Law enforcement works with the court in providing information to immediately identify potentially eligible participants. "Law enforcement provides arresting information and reports in an expedited manner to ensure that we can bring people into the program within 14 days of their arrest," explained Judge Miller.

A recent review of 260 graduates revealed that only five graduates had been arrested on felony charges. "This is a tremendous success rate," noted Judge Miller, "and certainly not one found in the average group of probationers who successfully completed probation."

Jacksonville, Florida

Recognized for his work in the development of Jacksonville's adult and juvenile drug courts, Judge Brian Davis asserted that, "drug court could not have occurred without the involvement of law enforcement." Law enforcement has been involved with Jacksonville's juvenile drug court since it started in 1997. The partnership began when the sheriff gave the drug court \$399,000 to fund the first two years of the program. The sheriff also provided a full-time police officer to work as a mentor to the juveniles. This mentorship continues today.

Officers assist the drug court by recommending cases where they have made an arrest. These cases are followed up by the drug court liaison officer and the state attorney for immediate screening and assessment for the drug court.

The juvenile drug court continues to involve the Cultural Council of Greater Jacksonville to get the youths involved in the arts. A new program launched in October 2002 teaches life skills to the participants throughout the year.

Brunswick, Georgia

Brunswick started a drug court with a grant from the U.S. Department of Justice in 1998. “In our planning,” recalled Judge Amanda Williams, “we noticed a hole. Law enforcement was missing. Upper law enforcement knew what we were doing, but street law enforcement did not know. I decided I needed to get them on board.” Within 90 days of operation, the important linkage between drug court and law enforcement was solidified.

According to the drug court police liaison, Lieutenant Tobe Green, drug court is “not just a matter of going through the motions, and the judge does not set up smoke screens.” Before offenders come to drug court, Lieutenant Green meets with the sheriff’s department, the prosecutor and probation personnel to determine an individual’s suitability for drug court. Arrest data from the incident report helps the court to understand the officer’s thoughts at the time that he or she made the arrest and the criminal histories of the offenders.

Based on a preliminary evaluation of the program, the Brunswick Drug Court recently added a women’s group to the program. Plans are underway to survey all graduates of the drug court program to see if there are any common threads showing successful completion predictors.

Lexington, Kentucky

Believing that the judiciary has the power to address drug abuse and addiction, Judge Mary Noble spearheaded plans for Lexington’s drug court in 1995. Law enforcement has been a key player in the development and implementation of drug court from the beginning. “We had to have law enforcement agree with the idea of drug court, or we would not make it work,” exclaimed Judge Noble.

A dynamic linkage of the judiciary and law enforcement is evident in the drug court program formally known as Fayette Drug Court LINKS. Police officers participate in the handling of cases, follow offenders’ progress through recovery and participate in drug court graduations. Drug Court Liaison Officer Chris Woodyard, when talking

about the significance of his role in the program stated, “I have a say in what goes on.” Dedicated to working with the community to address drug issues, officers are very active in citizen police academies, fund raisers and service agencies.

Owensboro, Kentucky

Since January of 2000, law enforcement, the judiciary and the community have worked together to combat the stranglehold of drugs on Daviess County. Impressed with the accomplishments of drug court in neighboring Lexington, Owensboro started its drug court without any federal or state grant monies.

Law enforcement, the community and the courts all began to develop Owensboro’s drug court, simultaneously. “We are learning we can’t do this job by ourselves,” noted Sheriff Keith Cain.

Judge Thomas Castlen explained the impetus for establishing the linkage between law enforcement and the drug court in Daviess County: “We tried to put people in prison as long as possible, but the fact is, they left families behind. We would see families engage in the same type of drug using behavior. It dawns on you that this problem is not just about dealing with the same people. It’s cross-generational, it’s cross-occupational and it’s across income levels. Everybody is affected by drug abuse and there have been so many families destroyed. This is the message we were getting. That’s what convinced us. That’s what got us all on board.”

Sikeston, Missouri

Beginning with a successful run of a juvenile drug court in 1995 and the establishment of an adult drug court in 1999, Judge David Dolan has been able to rely on law enforcement to support both programs in Sikeston. Excited about the impact on the community of the drug court programs, one cooperative sheriff printed and distributed bumper stickers that read, “Hugs vs. Drugs!”

Currently, two deputy police officers are assigned full-time to drug court and “do nothing but drug court,” stated Judge Dolan. “It’s the best thing we

have going.” The officers’ positions are funded by a grant from the state department of alcohol and drug abuse.

Sikeston is a multi-jurisdictional district. “We have a unique situation with our deputies because they are deputy sheriffs in one county but have privileges and opportunities in the other. With cooperation between the two sheriffs, there is no slow down in getting things done,” explained Judge Dolan.

According to Deputy Sheriff Brenda Bickford, “so far no [program graduate] has been in trouble.” Before graduating from the adult drug court, participants must have a GED and a job. Sikeston also is starting a family drug court.

Lincoln, Nebraska

Law enforcement was involved with plans for the Lancaster County Drug Court in Lincoln at the outset. “The chief of police and the sheriff personally were a part of the planning process,” explained Judge Karen B. Flowers. “They were enthusiastic; so much so that they provided the first dollars that allowed us to get up and running.”

The planning team for the drug court included representatives from law enforcement, criminal justice, human services, government funded and private treatment agencies and the Criminal Justice Department of the University of Nebraska. Lincoln’s drug court started in June of 2001.

Currently, law enforcement assists the court by picking up participants who have been issued bench warrants. Informally, officers share information with the court about participants who are seen in places where they should not be or in the company of people who have been ruled off limits while they undergo the drug court treatment plan.

As the drug court moves into its second year of operation, law enforcement is considering the court’s request to do “bed checks” in the late hours as an extension of its supervision. Additionally, law enforcement has been asked to assign a full-time officer to drug court.

Las Vegas, Nevada

Representing one of the longest running drug courts in the country, Las Vegas started its drug court in October of 1992. Judge Jack Lehman reported that since its inception, the court has graduated approximately 3,000 participants.

Law enforcement has been a cooperative and willing partner in the drug court program from the outset. Today, officers assist the court with bench warrants, provide information on the potential participants for the program, monitor participants for compliance and attend the graduations. Las Vegas keeps all officers informed of who is in the drug court program through a computerized system, which flags all drug court participants. “They are listed like any gang member,” said Detective Todd Williams. “Our department is behind the program.”

“We count recidivism as arrest within three years of graduation. After ten years, our recidivism rate is 17 percent. Compare that to the recidivism rate of our state prison where they keep stats very closely, and that’s 80 percent,” exclaimed Judge Lehman. “I think drug courts have a very, very significant impact.”

Las Vegas recently implemented a reentry drug court program to help offenders successfully enter into a sober life in the community. “It’s working extremely well,” said Judge Lehman.

Hudson Falls, New York

Eager to implement a drug court and “sick of the regular way of doing business,” Judge Michael M. Feeder started the drug court in Hudson Falls in 2000 informally, primarily by himself and with a credentialed treatment coordinator. Brainstorming sessions focused on two key questions: if drug court is going to work, which players need to be involved and to what could they object?

“We found it was critical to invite everyone at the very beginning— the community, the politicians and law enforcement—and it paid off,” explained Judge Feeder. The planning strategy involved talking

to people who would be most likely to resist drug court and addressing their concerns immediately. Judge Feeder noted, “the first person I went to was the sheriff. Putting drug issues at ease for him was great. He had a productive task force going. His biggest concern was that we would take away his leads and informants. Now the sheriff’s department loves the program.”

Providing law enforcement with a clear picture of how important they are in the drug court process helped to build a strong relationship with the state and local police and the sheriff’s office. The Hudson Falls Drug Court runs on the principle that law enforcement has an “equal voice” on the drug court team.

Johnstown, New York

Law enforcement was involved in the planning of the Fulton County Drug Court from the very beginning. Since the program’s inception in 1998, law enforcement has been a strong supporter of drug court. Law enforcement participated in a planning team for the drug court which also included the public defender, the district attorney, the director of probation, social services and Catholic Charities personnel and representatives from treatment and mental health agencies.

According to Judge Richard Giardiono, “law enforcement became very enthusiastic once they were actively involved. Many officers thought of the program as easy on offenders. Now they routinely refer people to the drug court program.” After two years of operation, the drug court received a grant to help fund a sheriff’s investigator who frequently conducts random drug and alcohol tests at participants’ homes.

In an effort to stay well-informed about drug addiction and to get a better perspective on where drug court participants are sent for treatment, Judge Giardino and the drug court team attend out of county AA meetings and visit in-patient residential facilities.

Rochester, New York

Rochester’s drug court began in 1995 with very few guidelines, no political backing, no federal funding and a highly resistant police department. According to Judge John Schwartz who founded the Rochester court, “we were able to get the community behind us. They knew what wasn’t working.”

Securing the backing of law enforcement took place in three phases. First, we got rank and file on board, and “we convinced the police chief that drug court was a good thing” recalled Judge Schwartz. Second, a videotape production of officers who believed in drug court was shown at roll calls. Third, the arresting officers were invited to drug court graduation. “I never brought an officer into drug court that wasn’t sold,” noted Lieutenant Cynthia Herriott.

Today, law enforcement stands fully behind the drug court program. “The police department was our biggest enemy. Now they’re our biggest ally,” exclaimed Judge Schwartz. Since its inception, 700 participants have graduated from the drug court.

Hamilton, Ohio

The Butler County Drug Court began in September of 1996. Although not involved in the planning of the program, Judge Keith Spaeth reported that law enforcement always has shown support for drug court in a variety of ways. Law enforcement routinely tells the court about defendants who they know to be drug dependent and in need of treatment and also informs the court about defendants who are mainly traffickers and not drug dependent. Law enforcement also works closely with probation and attends the drug court graduations.

In the last two years, the drug court successfully has involved eight law enforcement agencies in the county. “We have done that by inviting them to our quarterly planning meetings and by asking a different police chief to speak at each of our graduations,” explained Judge Spaeth. “Our drug court team has visited the larger agencies, our assistant prosecutor has completed in-service training at roll call and we have a liaison from each of the eight agencies with whom our drug court coordinator and the assistant prosecutor have regular contact.” Since the end of 1997, the drug court has held graduation ceremonies every six months.

Oklahoma City, Oklahoma

Starting in 1998, the Oklahoma City Drug Court went through a period of resistance from both law enforcement and court officials. Today, law enforcement and the court have established a cooperative working relationship with respect to the drug court. According to Special District Judge Charles Hill, the chief of police was instrumental in creating a climate of receptiveness for drug court. “I did not know what drug court was or what it did,” recalled Chief M. T. Berry. “I did know that offenders came back worse when coming from the penitentiary. A partnership with the court sounded great to me.”

The drug court has a liaison and a deputy sheriff who partner to complete a number of activities and administrative responsibilities for the program. The officers complete background checks on potential participants and work closely with the drug court team to monitor offenders once they are accepted into the program. “We monitor sanctions to maintain the graduated sanctions portion of the program,” said Sergeant Vanessa Price. Additionally, the liaison and the deputy sheriff search for any offenders who may abscond from the program. Law enforcement also participates in public speaking and discipline-specific training and education on the drug court program.

Charleston, South Carolina

With the support of a state planning grant, Charleston started its first drug court in 1999. “Our toughest job,” recalled Judge Irvin Condon, “was getting buy-in from the prosecutors.” In a full-scale effort to gain the support of prosecutors and law enforcement, Judge Condon invited a former police officer turned drug court judge from another jurisdiction to speak to a group of prosecutors and law enforcement personnel.

Observing participants going through the drug court process and successfully completing the program greatly influenced law enforcement’s decision to become involved with the drug court program. The chief deputy now is the drug court’s biggest advocate. Approximately two to six deputies rotate through the drug court program and attend staffings. Officers escort offenders coming from jail to drug court as well as those going to jail from the court. The warrants division assists the court by immediately picking up those for whom the judge issued bench warrants. As participants on the drug court team, law enforcement supports the program’s goal to do what is best for each participant. “We follow the disease model. What everyone is striving for on that team is for each participant to get better,” explained Judge Condon.

None of the drug court graduates from Charleston has been re-arrested for drug-related felony level crimes.

Farmington, Utah

Farmington started its drug court in 1999. Looking back on getting the program off of the ground, Judge John M. Memmott recalled, “I think if we stopped and said, can we really do this, we probably wouldn’t have done it.”

Similar to a number of drug courts, Farmington started with no funding. However, support from key legislators and the governor made a difference in obtaining grants from the state. The judge and the county attorney invited law enforcement to join the drug court team.

Today, a detective provides field supervision for the drug court participants. At one time, the sheriff's office provided drug testing. Currently, private industry funds the court's drug testing, using eye-scans to test the participants for drug use. "The private sector is willing to underwrite expenses because they want to ensure that this technique works," said Judge Memmott.

The drug court reports an 11 percent recidivism rate.

Salt Lake City, Utah

Salt Lake City started its drug court in 1996. "We had no money, but we started drug court anyway because everyone was in favor of it," recalled Judge Dennis Fuchs. Law enforcement was invited to join collaborations on drug court at the outset, including the Salt Lake Police Department and the county sheriff's office. Today, the linkage between the court and law enforcement is a "good relationship" with officers involved in several activities to support the drug court program.

Officers assigned to the program conduct home visits and drug tests to ensure that offenders follow their treatment plans and live in a drug-free environment. Officers also assist the court in imposing sanctions for program noncompliance. "Participants cannot graduate from drug court without paying their fees and until their accounts are zero," explained Judge Fuchs. The drug court's recidivism rate is running close to 15 percent.

Roanoke, Virginia

Law enforcement has played a vital role in the development of Roanoke's drug court since its inception in 1995. "All chiefs and sheriffs in the city of Roanoke, Roanoke County and the city of Salem, are a bunch of entities that work together to make this thing happen," noted Judge Jim Swanson. According to Judge Diane Strickland, "we did not get the federal grant for which we applied, but we were not deterred."

Inspired by the pioneer efforts of the drug court in Miami, Florida, Roanoke formed a multidisciplinary advisory committee in 1994, bringing in

representatives from the police, the sheriff, probation and parole. Growing in size to 30 members, the advisory committee worked for one year. All of the planning members shared an unmitigated enthusiasm for the drug court concept.

Law enforcement is involved in all drug court graduations. "We are always invited to graduation," noted Chief A. L. Gaskins. Invitations are sent to every arresting officer so that he or she can see the positive effect of drug court on the offenders. Regarded as very special events, graduations are held semi-annually with 12 or more participants. Law enforcement presents certificates to the graduates.

Virginia Beach, Virginia

According to Judge Virginia Cochran, law enforcement is a major asset to the drug court program. Virginia Beach applied the drug court model to its misdemeanor DUI court in 1997. "We started on a shoestring budget with one community corrections worker and one participant and then built up from there," noted Judge Cochran. There were no set plans or committees. Instead, the focus was on action. "We went to several conferences on drug court and learned who should be involved. We had to backtrack a lot," Judge Cochran explained.

Gradually, the judge formed a steering committee which included the city attorney and the prosecutor. Law enforcement came on board in 1999, two and one-half years after the DUI drug court was in operation. To enhance their understanding of the drug court concept, representatives from the police and sheriffs' departments were sent to drug court conferences. Skeptical about drug court, the police attended breakout sessions on cost-effective issues and bypassed sessions focused on the role of law enforcement in drug court. Today, a police lieutenant in charge of special investigations is a member of the steering committee. Impressed with the savings aspect of drug court, he has become the program's strongest ally.



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