

DWI Court Judges Tout Advantages of New Program

District Court Judge David Switzer told attendees at the recent DASEP (Drug Alcohol Safety Education Program) Conference that he had no idea if he was doing it right but "it seems to be working." In this case, the "it" is the DWI Court Program he launched after leaving the circuit court bench in January 2009 and becoming the District Court Judge for Garland County. Judge Switzer, along with Independence County District Court Judge Chaney Taylor, another recent DWI Court judge, joined State Drug Court Coordinator Carol Roddy, for a presentation of the advantages of DWI courts at the DASEP Conference in Hot Springs.

Using a Steven Colbert format, Roddy interviewed the two judges, asking why they appear to be so soft on crime and why they want to keep drunks out of jail. These purposely negative inquiries gave some comic relief to the occasion and allowed each judge to explain his rationale for bringing the DWI court program to his community. Judge Chaney, who admittedly has started his program off with some restraint, told of a young woman who recently entered the program, pregnant, and is now looking forward to having a drug-free baby. Judge Chaney has developed his team and attended two sessions of DWI court training, sponsored by the State Highway Safety Office.

Judge Switzer told the group that his program has quickly overcome his resources. He conducts his DWI court on his "day off." Garland County's District Court is not one of the new pilot courts whose judges are full-time. He said he has realized that only DWI (cont. on page 3)



District Court Judge David Switzer(l) and District Court Judge Chaney Taylor(r) join Terrell Rose, Director of DASEP during the annual conference.

18th West Judicial District Celebrates Quadruple Graduation

For the first time since its beginning five years ago, four drug court participants successfully completed the drug court program in the 18th West Judicial District without any sanctions and graduated together on November 4, 2009. Judge Jake Looney, Drug Court Judge for the 18th West Judicial District, told local reporter Andy Philpot that it was due to hard work on the part of each participant and the good staff they have to work with that this feat was accomplished.

Spotless completion of a drug court program requires determination on the part of the participants who manage to avoid factors that would result in set-backs for them in the program. Drug Court Counselors Steven Free and Ashley George celebrated this success with the four graduates who wore smiles on their faces during their last appearance before Judge Looney.

Funding for Drug Courts Receives Favor of Congress

In the first budget enacted by the new federal administration, criminal justice programs have been shown considerable favor by Congressional budgeters. The Omnibus Appropriations Bill enacted on December 14, 2009, to fund federal departments for the balance of fiscal year 2010, includes \$118 million for drug court programs through agencies throughout the federal system and \$45 million to the Department of Justice for drug courts. Drug court programs appear to be passing the test of being an evidenced-based strategy for dealing with the increasing costs of incarceration. In a recent posting, the Department of Justice and the Substance Abuse and Mental Health Administration have made additional grants available to drug courts from these funds. To access the requests for proposals, go to: <http://www.ojp.usdoj.gov/BJA/grant/10AdultDrugCourtSol.pdf> or <http://www.ojp.usdoj.gov/BYA/grant/10BJACSATDrugCourtSol.pdf>. The deadline for applications is February 11, 2010.

In a recent Newsweek article written by Dina Fine Maron, Arkansas Representative John Boozman is quoted as a staunch drug court supporter:

I'm a guy who watches the dollars, but in the long run I could argue that if we spend in this regard, it will save a lot more money down the line. That's a good deal for the taxpayers, society, and the families [of these offenders], he says. Newsweek, October 7, 2009.

As state budgets continue to tighten, appropriators are looking for new ways to save money and finding answers in problem-solving court programs. New entries into the field include veteran's treatment courts, re-entry courts, domestic violence courts, homeless courts and prostitution courts. These are added to the already established adult drug courts, mental health courts, juvenile drug courts and DUI/DWI court programs.

Arkansas is currently working on the establishment of the first veteran's treatment court program, a pilot funded through a rural health grant to the VA in North Little Rock, in the 23rd Judicial District. Members of the 23rd Judicial District Drug Court team recently travelled to Tulsa to observe the Tulsa Veteran's Treatment Court, presided over by Judge Susan Smith, a native of Blytheville, Arkansas.

Arkansas has two operational DWI courts, one in Batesville and one in Hot Springs. Both teams have received training grants from the Arkansas Office of Highway Safety in the past year. A DWI court team from Sherwood has been awarded a grant to attend DWI court training this year.



Judge Gunn Receives 2009 FBI Director's Award

The Washington County Courthouse Annex was the site on December 10, 2009, where Judge Mary Ann Gunn was awarded the 2009 FBI Director's Community Leadership Award. Judge Gunn was selected for the award for her personal initiative and novel approach in holding drug court on the campuses of local middle and high schools.

In a press release issued by the FBI, Judge Gunn was praised for managing "one of the most effective public services available in Northwest Arkansas: the Washington/Madison County Drug Court, a pre-trial diversion program for first-time, non-violent drug offenders." Congratulations!

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IIs and above should be directed to the program. Using volunteer help, however, he has established a way to work within the system to garner enough resources to get people into treatment if needed and monitor their progress in the program. Judge Switzer recounted a recent day in court where for the first time in his judgeship years, he reached down to shake the hand of the defendant. He said, "I told my wife when I got home that day that I had done something I had never done before--shook a defendant's hand. I was just so proud of him and all that he had accomplished." This is a good example of the interest judges take in problem solving dockets and why they work.

After the presentation, many of the DASEP professionals asked why more DWI courts were not being established in the state and wanted more information to take back to their judges on the program. DWI courts follow the model established for adult drug court programs that uses a non-adversarial approach to addressing the treatment needs of the offender while requiring strict monitoring and program compliance for continuance in the program. Although successful Arkansas participants at present still have a DWI conviction on their record, it is hopeful that the treatment coupled with random testing and monitoring over a twelve-month period will lead to fewer repeat offenders.

The more successful DWI courts throughout the country have adopted a 24/7 sobriety model that utilizes ankle bracelet monitoring and transdermal patches to keep closer tabs on offenders. Cost for the devices is often charged back to the defendant as part of program participation.

Reminder: The Drug Court Judges Committee of the Arkansas Judicial Council will meet at 11:00 a.m. on Friday, January 29, 2010, in room 101 of the Justice Building in Little Rock, Arkansas, to discuss treatment fund usage to date. Please plan to attend.

Juvenile Drug Courts Developing Performance Measures

The court intake/probation officers recently named to staff the ten juvenile drug court programs in the state met atop Mount Magazine with AOC staff to begin work on development of a data reporting system for the courts. Using a format similar to the monthly reporting form now utilized in adult drug court programs, the ten officers worked with AOC Juvenile Division Director Connie Hickman Tanner, Gabrielle Russ and Carol Roddy, to identify important information that should be collected by each court. Once data elements for these measures are identified in the new automated court system being developed for use by circuit courts, the data elements will be used to write aggregated reports at the state level and individual court reports to provide useful feedback information to the court programs.

During the two days of work, the officers selected approximately eighteen measures to collect data and report to the court. Many of these measures are similar to those named by the technical assistance team from the National Center for State Courts in their work with various states in the development of drug court performance indicators. Examples of those to be reported include:

1. Average number of days between eligibility determination and 1st court appearance.
2. Number of court hearings per case.
3. Average length of time in program by phase.
4. Number and type of incentives ordered.
5. Number and type of sanctions ordered.
6. Number of drug tests, date and results
7. Improvement in school performance.

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8. Number and percent having new charge/offense brought.
9. Level of family participation.
10. Program terminated (graduation, withdrawal, new charge, etc.)

Work is currently underway to place these elements in the Contexte data base under development for circuit court use. Juvenile drug court personnel will test the system in January for user feedback. Once completed, the system will provide juvenile drug court teams with the capacity to share case information using a password protected area that only team members can access. Ultimately, with computer terminals in the courtroom, hearings can be conducted based on information provided in the electronic case file, thus eliminating the duplication of paperwork for team staffings and court hearings.

Statewide Newspaper Features Miller County Drug Court Program

Beneath a photo featuring two drug court participants loading boxes of canned food, the Arkansas Democrat-Gazette, the only statewide newspaper, in its Monday, December 21, 2009 edition, featured the headline: *Service Project Helps Addicts--Former Drug Users Boost Self-Respect by Aiding Others.*

The article, describing a community service project of the drug court program and then detailing the drug court program itself, that ran three columns in the daily newspaper and included several quotes from current drug court participants and staff. Writer Lynn Larowe of the *Texarkana Gazette*, quoted drug court participant Henry Loudermilk as saying:

You feel a whole lot less like using when you feel good about something you're doing. There's a lot of people out there

who need help. The drug court people have treated us like family. Giving something back like this just makes you feel good.

The Miller County Drug Court donated 162 pounds of food to the Randy Sams Outreach Shelter for the holiday season.

Probation officer Jo Fredrickson attributes the success of the drug court program to Judge Joe Griffin:

We couldn't do anything without Judge Griffin. I can't say enough good things about the program and about the judge. Anything we need, he helps us do it. He had a million things to do but he took this on because he saw that it could work. In court, he knows about them, about their children, about their problems. It does change their lives.

Judge Griffin has presided over the 8th South Judicial District Drug Court since 2001. He is currently the chair of the Drug Court Judges Committee of the Arkansas Judicial Council, and represents drug court judges on the State Drug Court Advisory Committee.

Incentive Idea: The 22nd JD Juvenile Drug Court recently took participants bowling after a 30 day drug free time period for all participants. Probation Officer Jack Campbell narrowly won, beating a 17-year-old challenger.



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