



## Specialty Courts

*Also known as Therapeutic Courts and Problem Solving Courts*

**What are Specialty/Therapeutic Courts?** Specialty Courts are designed to address the root cause of a person's criminal behavior so that the person can stop cycling back into the criminal justice system for the same charges. Most specialty courts involve some kind of treatment. Generally, judges, attorneys, and service providers are all actively involved in monitoring defendants as a team.

### What are Spokane City and County Doing Now?

**Behavioral Health Adult Felony Therapeutic Drug Court (TDC):** The Spokane County Superior Court TDC began in 1996. The TDC's mission, according to its website, is to direct people charged with a felony who have an alcohol or drug addiction from jail into a "highly structured and cost-effective pretrial release program that combines treatment, education, and intensive supervision to reduce drug use and associated criminal activity." The TDC goals and outcomes are to: "Reduce reliance on incarceration for non-violent drug dependent participants; reduce substance abuse and related criminal activity; reduce the impact of drug-related offenses on criminal justice resources; return Drug Court graduates to society as drug-free contributing members." People with a prior violent or sex offense, or who were found to have intent to sell or produce drugs, may be ineligible. Successful completion of the 12-month (minimum) program results in dismissal of the felony charge.

<http://www.spokanecounty.org/superiorcourt/content.aspx?c=1090> (8.24.12)

**Mental Health Therapeutic Court (MHTC):** Spokane County District Court has a MHTC that takes cases involving people with a serious and persistent mental illness who have committed non-violent misdemeanor offenses. According to its website, the MHTC represents an effort to increase effective cooperation between the mental health treatment system and the criminal justice system, and "maintains the premise that crimes committed by mentally ill persons are not simply a law enforcement or criminal justice problem, but a public health problem." The Court reports having achieving the following outcomes for the mentally ill misdemeanor population: 1) Improved access to mental health treatment services; 2) improved well-being; 3) reduced recidivism; and 4) improved public safety. The MHTC takes participants with both city and county misdemeanor charges. In 2011, the MHTC had 425 participants.

Link: <http://www.spokanecounty.org/districtcourt/content.aspx?c=1564> (8.24.12)

A Spokane County consultant, Leon Evans, reported to the County Commissioners on June 27, 2012, that the net economic benefit to the local community was between \$3,000 and \$13,000 per participant in the Mental Health Court and the Therapeutic Drug Court.

***Veteran's Court:*** Spokane County District Court has a Veteran's Court that began in September 2010. According to its website, "Veterans Treatment Courts are hybrid Drug and Mental Health Courts that use the Drug Court model to serve veterans struggling with addiction, serious mental illness and/or co-occurring disorders. They promote sobriety, recovery and stability through a coordinated response that involves cooperation and collaboration with the traditional partners found in Drug and Mental Health Courts, with the addition of the U.S. Department of Veterans Affairs health care networks, the Veterans' Benefits Administration, volunteer veteran mentors and veterans and veterans' family support organizations." Generally, the Court serves veterans who have been charged with a misdemeanor or criminal traffic offense. Offenders with convictions for sexual and serious violent offenses are excluded.

One of the conditions of probation is that each defendant attends twelve monthly sessions of the Spokane Veterans Forum (SVF) and communicates regularly with a SVF mentor. The SVF meetings are attended by community resource agencies that offer financial, legal, job search, housing, and other services to veterans.

Link: <http://www.spokanecounty.org/districtcourt/content.aspx?c=1938> (8.24.12)

Personal story: Jerry Gutman is one of approximately 40 SVF mentors. Jerry is a veteran himself and is committed to providing support to other veterans. He says that the veterans he mentors are often homeless, jobless, have financial problems, have family difficulties and are struggling with service-related conditions such as PTSD and traumatic brain injury. "We owe our veterans a large debt of gratitude and we need to act to back up this moral obligation. We SVF mentors establish a supportive relationship with each veteran assigned to us. We encourage and reinforce the positive steps that the veteran takes in his/her road to rehabilitation and offer alternative courses of action if our veteran encounters difficulty in his/her struggle to overcome the effects of the mental and physical trauma encountered during military service."

***Intensive Supervision Therapeutic Court (ISTC):*** Spokane County District Court's ISTC handles cases involving people who have been convicted of three or more DUI's in the past ten years and who are chemically dependent. The ISTC mission is to compel these offenders to address their chemical dependency, criminal thinking, and behavior through comprehensive supervision, treatment services, and a system of incentives and sanctions. By addressing the underlying issues, the ISTC intends to reduce recidivism and enhance community safety. Individuals with prior sex or violent crime convictions are assessed for eligibility on a case-by-case basis.

Link: <http://www.spokanecounty.org/districtcourt/content.aspx?c=2906> (8.24.12)

## **How Can Spokane City and County Improve?**

The people who work within the specialty courts described above should be recognized for their exemplary efforts. These courts and the professional staff who run them are necessary components of an effective criminal justice system. The County should continue to fund and expand these courts. Regular team training has been shown to improve outcomes and should be offered. Team training in drug courts results in 5 times the cost savings.

In addition, the County's consultant, David Bennett, made some specific recommendations for the specialty courts, which should be implemented. David Bennett and Donna Lattin, "Spokane County Corrections Needs Assessment Master Plan Draft," February 14, 2008 ("Bennett Report").

With regards to **Mental Health Court**, Bennett recommended expansion of this court to include some felony cases; the Court currently is limited to misdemeanors and felony reductions. Bennett Report, Ch. 4, p. 42. Bennett also recommended expanding **Drug Court** eligibility by conducting case-by-case reviews of participants, rather than adhering to blanket exclusions for numbers of past convictions, types of crimes, or past participation in drug court. By opening up the program to high-risk, high-need participants, the County would reach the offenders who might benefit the most from this kind of intensive program. Bennett Report, Ch. 4, p. 56. Consultant Leon Evans, concurred in this recommendation. Leon Evans, Report to County Commissioners, June 27, 2012.

Throughout his Report, Bennett recommended increased program accessibility for participants and increased cooperation between City and County court systems. In line with these recommendations, the Smart Justice Campaign supports specialty court participation by individuals who have pending City charges, County charges, or both, and allowing all charges to be addressed within the one specialty court.

The evidence shows that a person must enter a therapeutic court within 20 -50 days of his/her arrest to be able to profit from the intervention. This means the offender's risk and needs must be evaluated soon after arrest and referrals made to the appropriate court earlier rather than later.

### **Links for More Information:**

Center for Court Innovations, <http://www.courtinnovation.org/>

NADCP - National Association of Drug Court Professionals,  
<http://www.nadcp.org/nadcp-home/> Specific information about the efficacy of drug courts

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National Drug Court Institute, <http://www.ndci.org/ndci-home/> Training, research and publications re: drug courts.

Substance Abuse and Mental Health Services Administration, <http://www.samhsa.gov/>

Fred Osher, M.D. and Faye S. Taxman, Ph.D., "Understanding Criminogenic Needs: Untangling the Role of Mental Health and Substance Abuse," Making the Most of Second Chances, February 24, 2011,  
[http://www.nationalreentryresourcecenter.org/documents/0000/0999/Taxman\\_Osher.pdf](http://www.nationalreentryresourcecenter.org/documents/0000/0999/Taxman_Osher.pdf)  
(9.27.12).

**Sources of Information:**

David Bennett and Donna Lattin, "Spokane County Corrections Needs Assessment Master Plan Draft," February 14, 2008, Chap. 4, pp. 6, 42, 56.  
[http://www.spokanecounty.org/data/countysheriff/jep/Needs%20Assessment%20\(5Mb\).pdf](http://www.spokanecounty.org/data/countysheriff/jep/Needs%20Assessment%20(5Mb).pdf)

Leon Evans, Report to the Spokane County Commissioners, June 27, 2012.

Douglas Marlowe, J.D., Ph.D., "Best Practices In Drug Courts and Reentry Courts," September 12, 2012, presentation to Federal STEP Reentry Court, Spokane, WA.

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**For more information on the Smart Justice Campaign go to [www.smartjusticespokane.org](http://www.smartjusticespokane.org)  
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