



CJD

**Criminal Justice Division
Office of the Governor**

Specialty Court Programs

*Prepared for the House Select Committee
on Opioids and Substance Abuse*

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March 27, 2018

Texas Government Code 121-126 & 129

What is a Specialty Court?

Specialty Courts: A specialty court provides specialized direct services (usually drug treatment) to offenders as an alternative to incarceration. Offenders must comply with the terms of the program for typically 12-24 months by remaining sober, not being rearrested, and attending court sessions on a consistent basis. Courts must comply with best practices approved by the Texas Judicial Council.

Program Types: Texas defines a specialty court as either a drug, family, veterans, mental health, commercially sexually exploited persons, or public safety employees treatment court.

Successful Completion: An offender is able to petition the court to enter an order of nondisclosure of criminal history record information for the offense for which the offender entered the specialty court program.

CJD's Role: A specialty court may not operate until it has received written verification from CJD of the program's compliance. The specialty court must provide CJD with a written notice of intent, any authorizing resolution, and a copy of the CSCD strategic plan that incorporates duties.

Funding Picture

Drug Court Program Fees

Sec. 123.004 Texas Government Code allows a drug court program established under Chapter 123 to collect from the participant:

- (1) a reasonable program fee not to exceed \$1,000; and
- (2) an alcohol or controlled substance testing, counseling, and treatment fee in an amount necessary to cover the costs of the testing, counseling, and treatment.

Fees may be paid on a periodic basis or on a deferred payment schedule at discretion of the judge, magistrate, or coordinator and the fees must be based on the participant's ability to pay.

Specialty courts may establish a program fee to locally sustain their court

Funding Picture

General Revenue-Dedicated Drug Court Account No. 5174

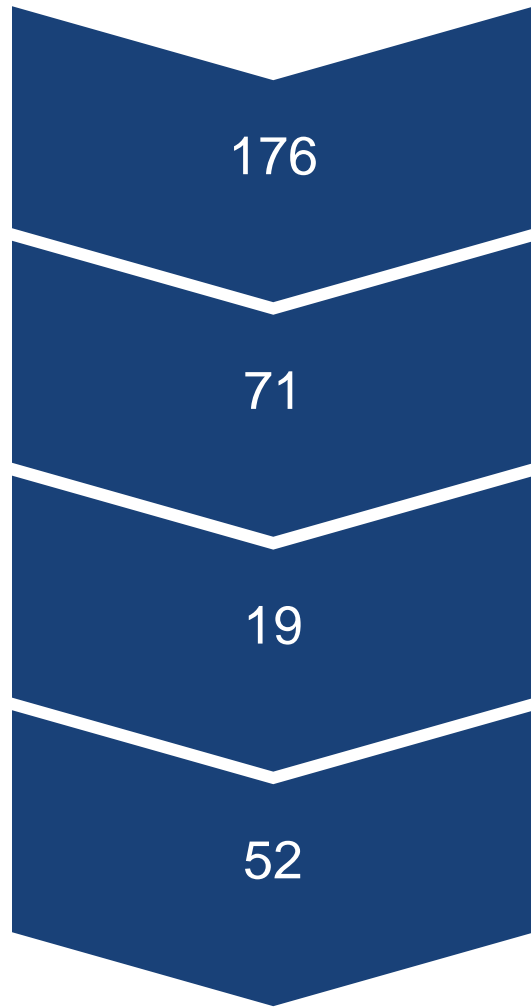
Drug Court Acct. 5174. Court costs (\$60) associated with intoxication and drug offenses that are class B misdemeanors or higher are remitted from counties and deposited into Drug Court Acct 5174.

Counties are able to retain up to 60 percent of these court costs. 10 percent as a service fee and an additional 50 percent if the county has established a drug court program.

Rider 12 Drug Court Grants. Included in amounts appropriated above in Strategy B.1.1, Criminal Justice, is an estimated \$2,000,000 in General Revenue-Dedicated Drug Court Account No. 5174 each fiscal year of the 2018-19 biennium from revenue collected on or after September 1, 2017 and deposited to Revenue Object Code 3704, Court Costs, for the purpose of making grants to counties for drug courts in accordance with Subchapter A, Chapter 102, Code of Criminal Procedure, Article 102.0178(g).

Funding Picture

CJD funds many specialty courts beyond appropriated levels



Registered specialty courts in Texas

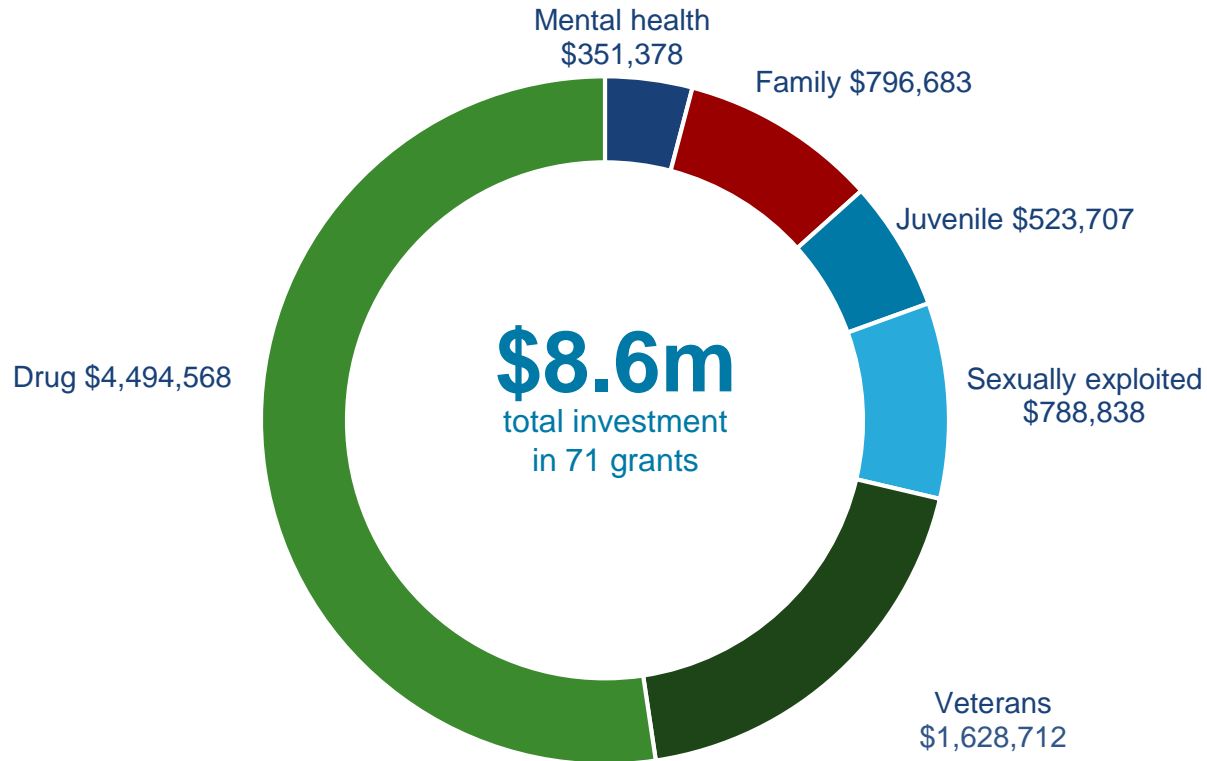
Specialty courts funded by Office of the Governor's Criminal Justice Division

Specialty courts funded via GR-D Drug Courts Acct. 5174.

Specialty courts funded by CJD via other funding sources

2018 funding by type of program

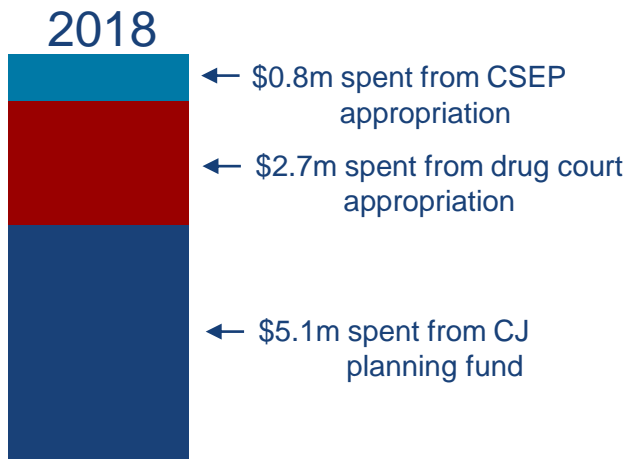
CJD investments focus \$8.6m on specialty court programs



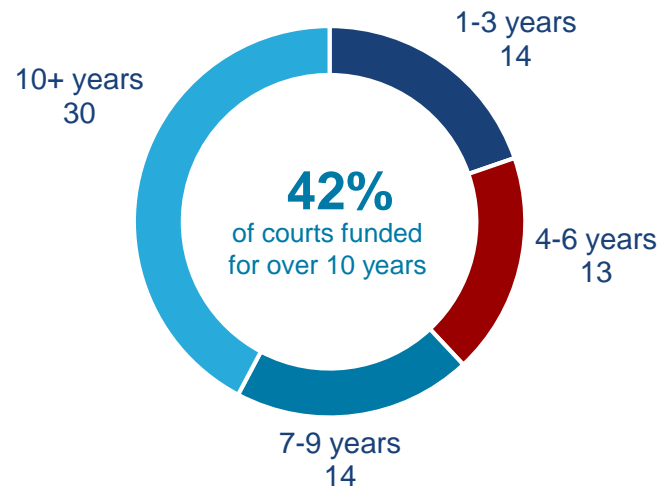
\$121k = average grant

Funding lifecycle

Long-term sustainability



Actual funding by source

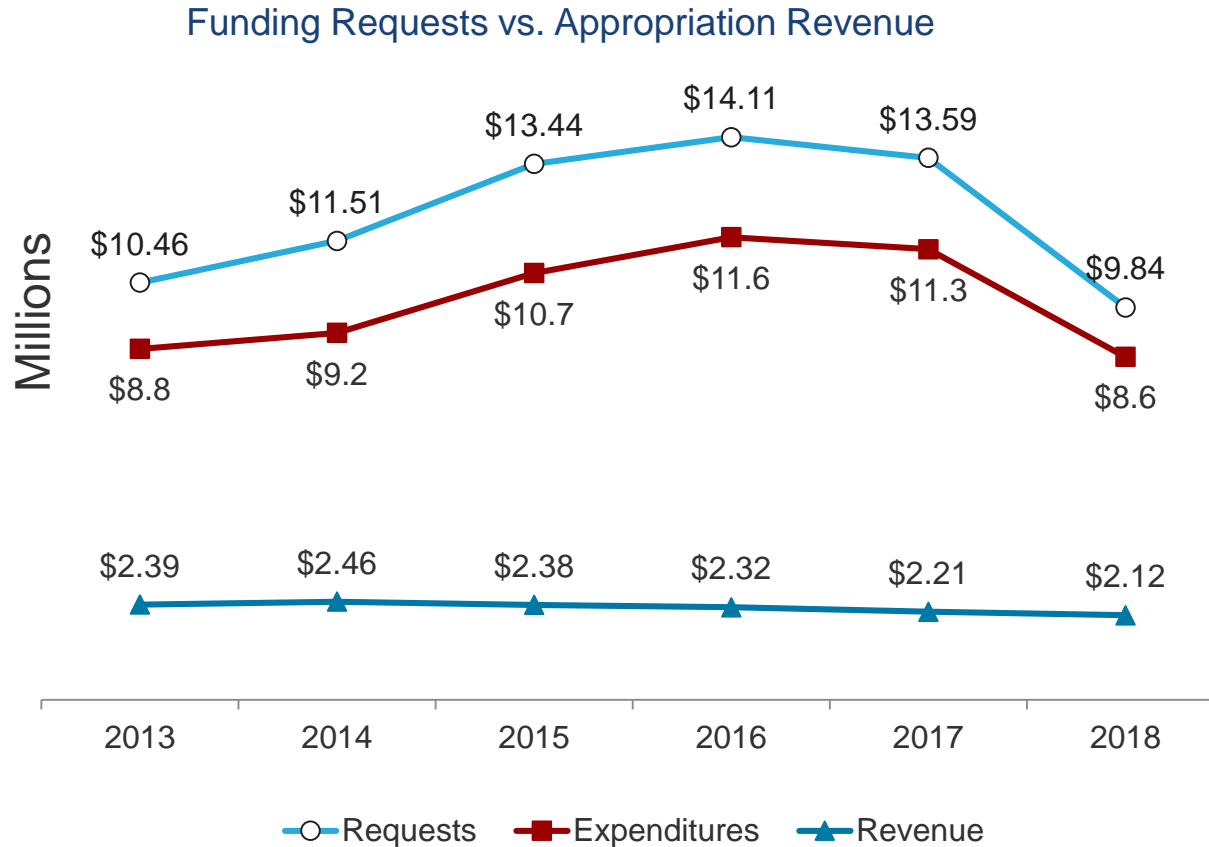


Years of funding



History of Specialty Court Programs

Annual requests greatly exceed available GR-D 5174 revenue





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Specialty Court Programs Pt. II

*Prepared for the House Select Committee
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August 7, 2018

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Defined in Statute

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Specialty Courts

Overview

➤ Alternative to Incarceration

Specialty courts serve high-risk high-need individuals who have substance abuse or behavioral health conditions through a structured non-adversarial approach that incorporates treatment.



POSITIVE JUDICIAL IMPACT

- Reduce recidivism through accountability, and treatment.



GRADUATED SANCTIONS

- Rewards and consequences based on participant performance



SOBRIETY

- Produce law abiding citizens
- Safer communities and families

Specialty Court Programs

Types of Court Programs



ADULT DRUG

- Repeat offenders and probationers
- Recovery and treatment support services
- Chemically dependent population



VETERANS

- Drug court model for veterans or active duty suffering from PTSD or mental health problems from military service



JUVENILE DRUG

- Juveniles involving substance abuse
- Specialized treatment focused on drug, neurodevelopmental, and behavioral changes.



CSEP

- Offenders arrested for prostitution
- Trauma, sexual abuse, and drug addiction



FAMILY DRUG

- Substance abuse disorders
- Family reunification or prevent child removal into CPS from parental drug use



MENTAL HEALTH

- Serious mental health diagnosis
- Co-occurring disorders
- Substance abuse treatment
- Mental health support



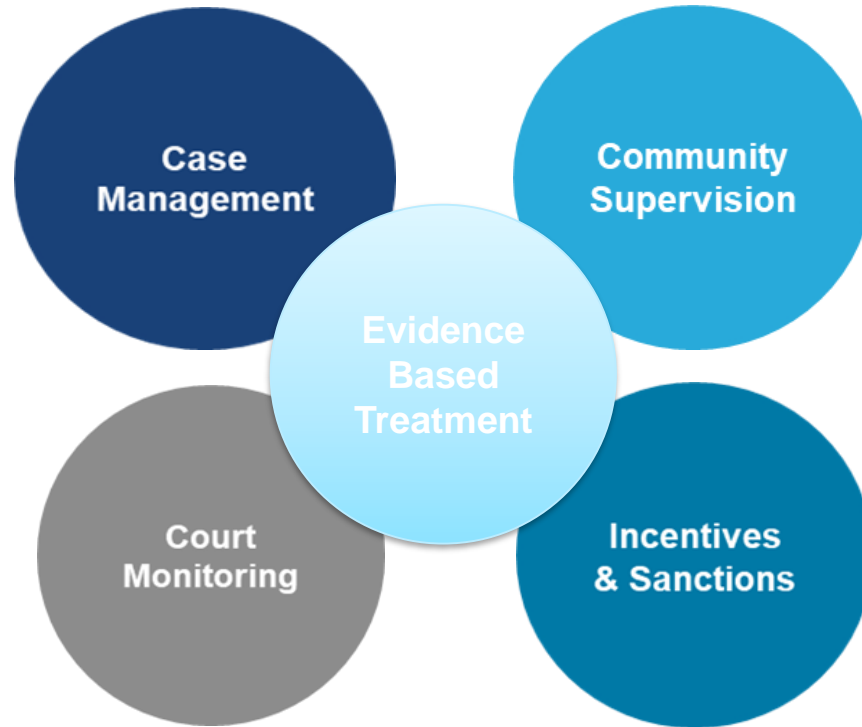
PUBLIC SAFETY EMPLOYEES

- Drug Court model
- Police, Fire, EMS, Correctional employees suffering from brain injury, mental health occurred from job-related duties.

Drug Court Approach

Key Elements

- Risk and needs of offender should determine the strategies appropriate for addressing individual's criminogenic needs.



Collaborative, structured, intensive approach leading to positive criminal justice outcomes

Risk and Criminogenic Need

Which Participants are Targeted?

High Risk refers to the likelihood that an offender will not succeed on standard supervision and will continue to engage in the same pattern of behavior that got him or her into trouble in the first place.

Criminogenic Need refers to clinical disorders or functional impairments that may reduce the likelihood of continued engagement in crime.

Substance Abuse
Alcohol or Drug Use

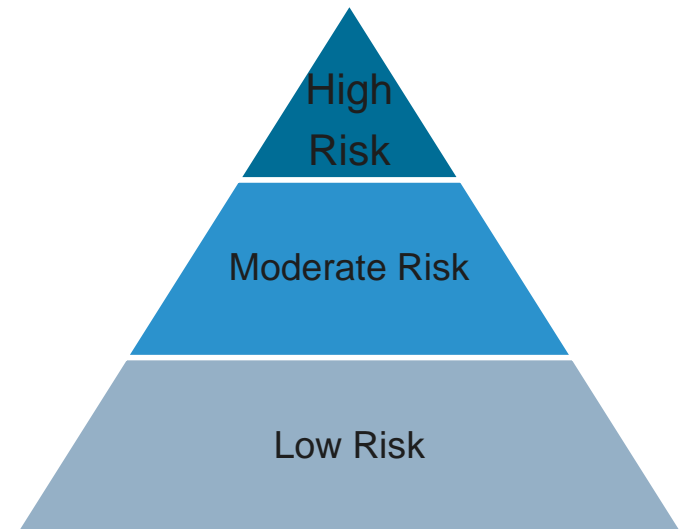
Employment and Education
Family and Marital Relations



Criminogenic Need

Criminal History
Prior Arrest/Incarceration


Mental Health*
Clinical Disorders*



Texas Risk Assessment System (TRAS)

Predicting Recidivism

- Developed to assess the risk and needs of offender placed on probation or parole
- Offers assessment tool that is predictive of *recidivism* for different offender populations being supervised in the community
- CJD mandated the risk scoring of all arrested adult participants in CJD-funded specialty courts using Texas Risk Assessment (TRAS) felony tool by collecting individual line-item data
- TRAS classifies the **risk level** of offenders in the system while also identifying both **criminogenic needs** and barriers to programming



TRAS Risk Score	TRAS-predicted 18 mo. re-arrest
High	42-50%
Moderate	31-38%
Moderate/Low	20-23%
Low	8-11%

Model Drug Court

Best Practice Standards adopted by the Texas Judicial Council

- High Risk/High Need Participants
- Meet twice monthly
- Judge spends at least 3 minutes interacting with each participant
- Graduated incentives and sanctions
- Drug testing on a frequent, random basis



- Treatment followed by continuum of care
- Supportive social services
- Caseloads are capped at 35-65 for probation officers and addiction counselors
- Multi-disciplinary Team
- Measure relevant processes/practices

Drug Courts

Opioid Epidemic

- Drug Courts divert individuals arrested for drug and/or alcohol offenses to court-monitored drug treatment programs
- Drug dealers or traffickers not allowed in participation
- Treatment can include medication-assisted treatment (MAT)
- Engage drug-involved offenders in programmatic and treatment services, social services and mental health services to help addicted offenders into long term recovery
- Decreases substance abuse and associated criminal behavior
- Reduction in jail/prison use and lower criminal justice system costs overall





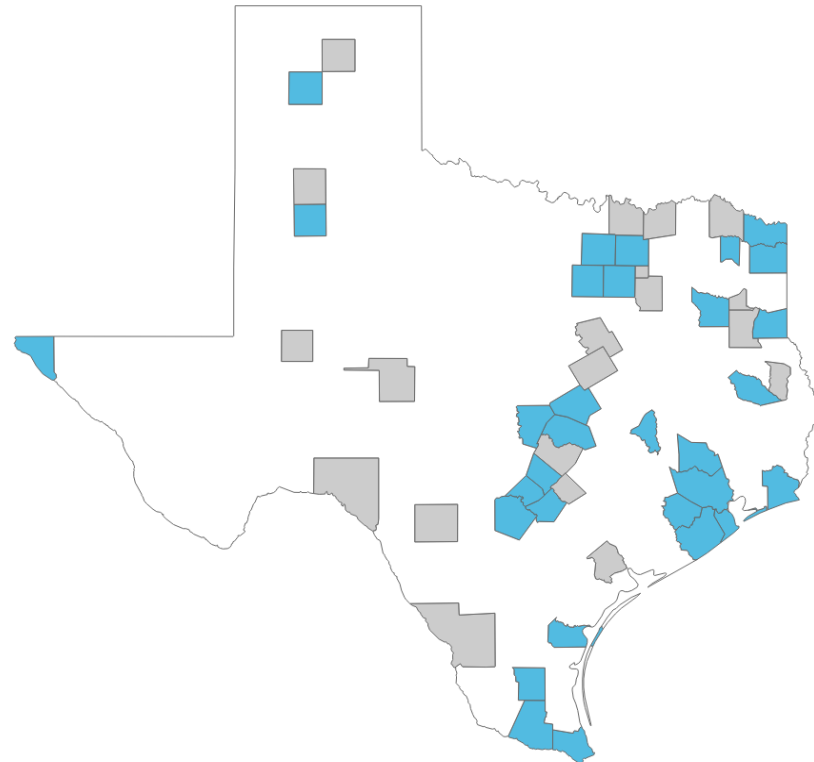
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Specialty Courts

Specialty Courts in Existence

-  CJD Funded Specialty Court
-  Registered Specialty Court Operating Without CJD Funding



There are 176 registered specialty courts in Texas -- 71 receive some level of grant support from CJD.

FY2017 Program Results

Totals indicate varying levels of success by court

6,284

Participants

1,794

Successful graduates

805

Failed program or were rearrested during participation

36%

of participants had mental health issues

32%

of participants were unemployed upon enrollment

82%

of participants scored "high" or "moderate" risk

95%

of graduates were housed at graduation

93%

of graduates were employed or supported at graduation

16

Months to graduate (on average)

16%

Re-arrested within 1 yr. of graduation*

*CJD-funded courts only

Further program outcomes will become available later this year as FY18 concludes.



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