WHERE JUSTICE & TREATMENT MEET: DRUG COURTS IN MASSACHUSETTS

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Outline

■ Define the drug court model

■ Involvement of UMMS

■ Characteristics of drug courts in Massachusetts
  - Participants
  - Courts’ needs from providers

■ Effectiveness of drug courts & the risk management approach
Therapeutic Jurisprudence

- TERM DEVELOPED BY LAW PROFESSORS DAVID WEXLER AND BRUCE WINICK

- FOCUSED ON HOW LEGAL PROCEDURES AND ACTORS CAN HAVE POSITIVE OR NEGATIVE EFFECTS ON THOSE BEFORE THE COURT

- SPECIALTY COURTS (OR PROBLEM-SOLVING COURTS) REPRESENT AN EXPANSION OF THE TJ CONCEPT

- THESE COURTS ARE PART OF A CONTINUUM OF APPROACHES TO HAVING COURTS ADDRESS PROBLEMS SUCH AS DRUGS AND MENTAL ILLNESS
Problem-Solving Courts

**COMMON ELEMENTS:**

- **TRY TO RESOLVE UNDERLYING PROBLEMS**
- **WITH AIM OF REDUCING RECIDIVISM**
- **MORE COOPERATIVE, LESS ADVERSARIAL BUT MINDFUL OF LEGAL RIGHTS**
- **APPRECIATION OF MENTAL ILLNESS AND SUBSTANCE ABUSE AS DISORDERS,**
- **REQUIRES COORDINATION WITH TREATMENT PROVIDERS**
- **ONLY AS EFFECTIVE AS THE AVAILABILITY AND QUALITY OF SERVICES**
Problem-Solving Courts Currently in Massachusetts

- DRUG COURTS
  - 29 (3 JUVENILE, 1 FAMILY)

- MENTAL HEALTH COURTS
  - 7

- VETERANS COURTS
  - 5
UMMS CENTER OF EXCELLENCE FOR SPECIALTY COURTS
Role of the CoE

- EOTC HAS CONTRACTED WITH UMASS MEDICAL SCHOOL LAW AND PSYCHIATRY PROGRAM

- THE CENTER’S ROLE IS TO SUPPORT THE EOTC IN EXPANDING AND IMPROVING SPECIALTY COURTS
  - RESEARCH
  - EVALUATION
  - TRAINING AND TECHNICAL ASSISTANCE
  - CERTIFICATION
  - LEGAL AND PROFESSIONAL LITERATURE REVIEW
  - WEBSITE – WWW.MACOE.ORG
DRUG COURTS IN MASSACHUSETTS
Primary Drug of Choice

- Alcohol
- Heroin/opioids
- Cocaine
- Marijuana
EFFECTIVENESS OF DRUG COURTS
Meta-Analytic Evidence for Drug Courts

■ Mitchell et al. (2012)
  - 92 adult drug court evaluations
  - Only 25% with rigorous designs

■ Average effect on reoffending – OR = 1.66*
  - Lowers recidivism by 50% to 38% on average
  - Effects lasting up to 3 years

■ Average effect on drug use – OR = 1.45 (ns)
  - Few studies have examined relapse (k = 4)

■ Usefulness varies by risk level of the participant
MA Drug Court Outcomes

New Arraignments for Graduates

Recidivism Rate of Graduates

1 Year

N = 179
MA Drug Court Outcomes

New Arraignments for Graduates

Recidivism Rate of Graduates

Average Recidivism Rate for High-Risk Male Offenders from Other Studies

N = 179

(Latessa et al., 2010)
MA Drug Court Outcomes
New Arraignments for Graduates

Recidivism Rate of Graduates

<table>
<thead>
<tr>
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<th>1 Year</th>
<th>2 Year</th>
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<tbody>
<tr>
<td>Non-Violent</td>
<td>0%</td>
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<td>179</td>
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Type of Arraignments – 2-year
Risk-Needs-Responsivity (RNR) Effective Case/Risk Management

Risk
- Match the intensity of the intervention with one’s level of risk for re-offending
- The “Who”

Need
- Target the individual’s criminogenic needs for intervention
- The ”What”
## Central Criminogenic Needs

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<tbody>
<tr>
<td>1. Antisocial Personality</td>
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<td>2. Antisocial Cognitions/Attitudes</td>
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<td>3. Antisocial Associates</td>
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<td>4. Substance Abuse</td>
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<td>5. Family/Marital Relationships</td>
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<td>6. Employment/Education</td>
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<td>7. Lack of Prosocial Rec Activities</td>
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- Emphasis in drug courts
- Most crucial to recidivism
Recidivism outcomes in targeting criminogenic vs. non-criminogenic needs

(Arrows: More Criminogenic Needs to More Non-Criminogenic Needs)

(Andrews et al., 1999; Carey, 2011; Dowden, 1998)
Risk-Needs-Responsivity (RNR) Effective Case/Risk Management

Risk
- Match the intensity of the intervention with one’s level of risk for re-offending
- The “Who”

Need
- Target the individual’s criminogenic needs for intervention
- The ”What”

Responsivity
- Match the mode & strategies of services with individual characteristics that would affect treatment response
- The “How”
Research Evidence: Relevance of Mental Health

- Treatment of criminogenic needs/risk has a larger impact on reoffending than mental health-related treatments (Skeem et al., 2011)

- BUT, presence of a mental health problem also is related to higher levels of criminogenic needs/risk (Schubert et al., 2011)

Message: Treat both the mental health and the criminogenic needs
# of studies (k) = 374 ; ES = .56

(Andrews & Bonta, 2010)
Conclusions

■ Drug courts combine a treatment philosophy with accountability

■ Drug courts are effective for reducing recidivism

■ Partnerships with clinicians/providers are crucial for success

■ These partnerships should attend to BOTH behavioral health concerns AND criminogenic needs to most effectively manage risk