Empowering and inspiring Courts and communities to deliver transformative justice.

Wisconsin Association of Treatment Court Professionals
WHAT IS WATCP?

- WATCP is a professional organization representing the interests of problem solving courts in the State of Wisconsin.
- The Association is governed by Board of 22 multidisciplinary Directors elected by the Membership.
- The multidisciplinary membership includes judges, prosecutors, defense attorneys, court administrators, treatment providers, probation and community corrections officers, law enforcement, social service caseworkers, state stakeholders, and other professionals in the field of treatment courts.
WHAT ARE PROBLEM-SOLVING COURTS?

- The **problem-solving court** approach has been rapidly growing throughout the justice system.
- The most commonly known types of problem-solving courts are **drug treatment** courts and **OWI** courts, but a wide range of other specialty courts, such as **mental health**, **juvenile**, **domestic violence**, **tribal healing to wellness**, and **veterans** courts are also used to address underlying issues related to a participant's criminal behavior, substance use and mental health.
- Problem-solving courts work across disciplines and with other institutions to use interventions that treat the offender, while also holding them accountable for their criminal actions.
WHAT IS A DRUG COURT?

- A specially designed court calendar or docket, the purposes of which are to achieve a reduction in recidivism and substance abuse among nonviolent substance abusing offenders and to increase the offender’s likelihood of successful habilitation through early, continuous, and intense judicially supervised treatment, mandatory periodic drug testing, community supervision, and use of appropriate sanctions and other rehabilitation services (Bureau of Justice Assistance, 2005).
THE DRUG COURT TEAM

- Judge
- Prosecutor
- Defense Attorney
- Treatment Provider
- Probation Agent
- Law Enforcement
- Coordinator

Some courts might also include:
- Peer Support Specialist
- Psychiatry
- Medical Doctor
- Recovery Coach
- Drug Court Alumni
DRUG COURT PARTICIPANTS ARE

- Provided with intensive treatment and other services they require to achieve sobriety and become productive members of society.
- Held accountable by the Drug Court judge for meeting their obligations to the court, society, themselves and their families.
- Regularly and randomly tested for substance use.
- Required to appear in court frequently so that the judge may review their progress.
- Rewarded for doing well or sanctioned when they do not meet the minimum requirements of the drug court program.
THE DRUG COURT MOVEMENT

- First drug court founded in Miami Dade County, Florida in 1989
- First drug court started in Dane County, Wisconsin in 1996
- The Ten Key Components of Drug Courts were published in 1997\(^1\)
- National Association of Drug Court Professionals published Adult Drug Court Best Practice Standards Volume I in 2013\(^2\)
- Wisconsin Association of Treatment Court Professionals published Volume 1 of the Wisconsin Treatment Court Standards in 2014.
  - The draft of Volume 2 of the Wisconsin Treatment Court Standards is in the process of review and will be finalized in the fall of 2018\(^3\)

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\(^1\) [http://www.ndci.org/sites/default/files/nadcp/Key_Components.pdf](http://www.ndci.org/sites/default/files/nadcp/Key_Components.pdf)
\(^2\) [http://www.nadcp.org/sites/default/files/nadcp/AdultDrugCourtBestPracticeStandards.pdf](http://www.nadcp.org/sites/default/files/nadcp/AdultDrugCourtBestPracticeStandards.pdf)
PROBLEM-SOLVING COURTS IN WISCONSIN

- As of April 2018, Wisconsin has 85 operational problem-solving courts:
  - 35 Drug Courts
  - 17 OWI Courts
  - 10 Veterans Treatment Courts
  - 12 Hybrid OWI/Drug Courts
  - 4 Mental Health Courts
  - 4 Tribal Healing to Wellness Courts
  - 3 Family Dependency Courts

*Any courts currently being planned but are not operational are not included in this count.*
PROBLEM-SOLVING COURT FUNDING & SUSTAINABILITY

- Local financial support
  - County funding (tax levy, county board support)
  - Service Organizations (Lions Clubs, VFW, Knights of Columbus, etc)
  - 501c3 Organizations
  - Participant fees

- State funding
  - Wisconsin Department of Justice
    - Treatment Alternative and Diversion Program
  - Wisconsin Highway Traffic Safety Office
  - Funds training for OWI Court

- Federal funding
  - Substance Abuse and Mental Health Services Association (SAMHSA)
  - Bureau of Justice and Information Administration (BJIA) Adult Drug Court Grants
  - National Highway Traffic Safety Office (NHTSA)
- Enacted through 2005 WI Act 25 to support county efforts that provide treatment and diversion programs for non-violent adult offenders for whom substance abuse was a contributing factor in their criminal activity
- Projects began on January 1, 2007
- Focus on treatment courts and diversion programs
- Funded programs address public safety and reducing costs, jail/prison population, and recidivism
- Programs must demonstrate the use of evidence-based practices

TREATMENT ALTERNATIVES AND DIVERSION (TAD)
From 2007-2013, the TAD program was funded at approximately $1 million, and included 9 county sites.

In 2014, the TAD program was expanded by $3 million, and increased to 36 county and tribal sites.

For calendar year 2018, the TAD program has been further increased to a total of almost $6.5 million, and now funds projects in 51 counties and 2 tribes.
10 KEY COMPONENTS OF A DRUG COURT

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants’ compliance
7. Ongoing judicial interaction with each drug court participant is essential
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness

10 KEY COMPONENTS OF A DRUG COURT
COMPONENT #1: INTEGRATE SUBSTANCE USE TREATMENT SERVICES WITH JUSTICE SYSTEM CASE PROCESSING

- Drug courts use a team approach to promote recovery through a coordinated response to offenders with a substance use disorder
  - Collaboration of judges, prosecutors, defense counsel, probation authorities, other corrections personnel, law enforcement, pretrial services, local service providers, and the community
- Drug courts employ a multi-phased treatment process
### COMPONENT #2: NON-ADVERSARIAL APPROACH

- The prosecutor and defense counsel must shed their traditional adversarial courtroom relationship and work together as a team.
- Prosecutors and defense counsel participate in the design of screening, eligibility, and case-processing policies and procedures to guarantee due process rights and public safety needs are served.
COMPONENT #3: ELIGIBILITY

- Eligible participants are identified early and promptly and placed in the drug court program
- Eligibility criteria is based on established written criteria
- A participant’s initial appearance before the drug court judge occurs immediately after arrest or apprehension
COMPONENT #4: ACCESS TO CONTINUUM OF SUBSTANCE USE TREATMENT AND REHABILITATION SERVICES

- The therapeutic team (judge, treatment providers, lawyers, case managers, and supervisors) maintains frequent, regular communication to provide timely reporting of a participant’s progress and to ensure timely responses to compliance and noncompliance.
- The drug court team must consider co-occurring factors such as mental illness, homelessness, medical problems, unemployment to insure proper linkages to address these needs.
- Treatment services must be accessible.
- Treatment services must be compliant with federal and state regulations.
COMPONENT #5: DRUG TESTING

- Abstinence is monitored by random and frequent alcohol and other drug testing
- Testing occurs no less than twice a week in drug court
- Testing policies and procedures are based on established and tested guidelines
  - Directly observed
  - Verification of temperature and measurement of creatinine levels
  - Specific, written procedures for all aspects of urine sample collection, analysis, and result reporting
  - Documented chain of custody for each sample
  - Results are generally available within 24 hours
COMPONENT #6: COORDINATED RESPONSE TO PARTICIPANT COMPLIANCE

- The Court team maintains regular and frequent communication
- Reporting of progress for compliance and noncompliance is timely and the court responds immediately
- The Court team establishes a coordinated strategy, including a continuum of responses, to continuing drug use and other noncompliance behavior
- Responses to compliance and noncompliance are provided to the participant both verbally and in writing before orientation to emphasize predictability, certainty and swiftness of their application
COMPONENT #7: THE ROLE OF THE JUDGE

- The judge’s role as leader is paramount to the success of the program. They must possess recognizable leadership skills as well as the capability to motivate team members and elicit buy-in from various stakeholders.
- The selection of the judge to lead the problem-solving court team, therefore, is of utmost importance.
- The judge conducts regular status hearings to monitor participant performance.
COMPONENT #8: EVALUATION

- Drug Courts must have clearly defined and measurable program goals
- Goals should be described concretely and in measurable terms to provide accountability to funders and policymakers
- Drug courts should plan for process and outcome evaluations to assess the program’s effectiveness
COMPONENT #9: TRAINING

- Ongoing education ensures the drug court’s goals and objectives are understood by team members and managers.
- Team members should receive 40 hours of training per year.
- WATCP provides two annual training conferences to provide continuing education of drug court team members:
  - Statewide Spring Conference – over 500 participants
  - Statewide Fall Coordinator Conference – over 100 Coordinators, case managers, and Treatment providers
- Combination of National and State professionals provide relevant subject matter.
COMPONENT #10: COMMUNITY OUTREACH

- Drug court team members should engage in activities to build partnerships that will improve outcomes, support the drug court and ensure the best interests of the community are considered.

- The drug court should forge partnerships and linkages among drug courts, public agencies, and community-based organizations to generate local support.
TREATMENT COURT STANDARDS

- National Association of Drug Court Professionals (NADCP) has developed standards for operating Treatment Courts that follow Evidence Based Practices
  - Volume I (2013)
  - Volume II (2015)
- Wisconsin Association of Treatment Court Professionals (WATCP) Standards
  - WATCP Standards (2014)
  - Revised Standards Coming Soon (2018)
STATE RESOURCES FOR PROBLEM-SOLVING COURTS

- Statewide Problem-Solving Court Coordinator, Office of Court Operations: Katy Burke Ph: 608-266-8860, katy.burke@wicourts.gov
- Special Projects Coordinator, Office of the Director of State Courts: Tommy Gubbin, Ph: 608-266-8860, tommy.gubbin@wicourts.gov
- Justice System Improvement Specialist, Wisconsin Department of Justice, Justice Programs Section: Reneé Lushaj, Ph: 608-266-7464, lushajrg@doj.state.wi.us
- State Criminal Justice Coordinating Council (CJCC) https://cjcc.doj.wi.gov
  - Search current treatment court and diversion programs https://cjcc.doj.wi.gov/local-program-map
- Wisconsin Association of Treatment Court Professionals www.watcp.org
- WATCP Treatment Court Coordinator Conference – September 19-20th Holiday Inn and Resort Stevens Point, WI
- WATCP State Treatment Court Conference – Spring 2019
- Wisconsin Treatment Court Standards
- Wisconsin State Council on Alcohol and Other Drug Abuse Prevention Committee
NATIONAL RESOURCES FOR PROBLEM-SOLVING COURTS

- National Association of Drug Court Professionals: www.nadcp.org
- Annual National Conference
- Web resources (pdf documents)
- Volume I and II of the Adult Drug Court Best Practice Standards
- National Drug Court Institute: www.ndci.org
- Free webinars, request for onsite training and technical assistance
- Center for Court Innovation: www.courtinnovation.org
- National Center for State Courts: www.ncsc.org
- National Rural Institute on Alcohol and Drug Abuse: www.uwstout.edu/profed/nri
- National Center for DWI Courts: www.dwicourts.org
- Substance Abuse Mental Health Services Administration: www.samhsa.org
- Information regarding CLIA: