



Utah Drug Courts

Annual Report to the Legislature:

This annual report, required by Utah Code Ann. §51-9-201, summarizes the activities of Utah’s drug court program. Legislation that created and funded Utah’s drug courts was enacted in 2000. The creation of the drug court program, criteria for participation, and funding disbursements are found in Utah Code Ann. §78A-5-201. Appropriation of Tobacco Settlement funds to drug courts are addressed in Utah Code Ann. §51-9-201. The Legislature also appropriates State General Funds to support drug courts.

Effectiveness and Outcomes:

The general effectiveness of drug courts on reducing recidivism has been consistently established in studies from across the country (Belenko, 2001). The Government Accountability Office’s (GAO) review of adult drug court evaluations (2005) found that most studies have shown reductions in recidivism both during program and post-program (up to one year).

Utah drug courts have been the subject of at least 11 independent evaluations. All of the independent reports showed positive outcomes. Studies consistently show

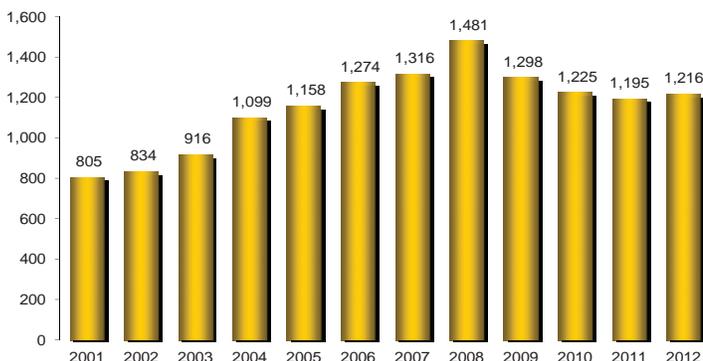
lower recidivism for drug court graduates than non drug court comparison groups and lower recidivism for drug court graduates than unsuccessful clients. Citations for all 11 of these independent evaluations are listed at the end of this report.

Drug courts also reduce costs. The findings of the Institute of Applied Research, an independent social science research firm, indicated that drug involved individuals who were placed in treatment instead of prison generally earned more money and took less from the welfare system than those who successfully completed probation. The drug court provides incentives to participate, consistent structure that supports behavior change, and treatment. These are keys to positive outcomes.

Utah’s Drug Courts Work. Data collected by the Division of Substance Abuse and Mental Health (DSAMH) shows:

- Over 16,000 Utahns have participated, or are participating in drug courts in Utah.
- Almost 9,000 Utahns have graduated from a drug court.
- Over 2,000 Utahns received treatment through drug courts in fiscal year 2012.
- 67% of participants decreased criminal involvement while in treatment in fiscal year 2012.
- 56% of drug court participants completed treatment in fiscal year 2012.
- Drug court participants showed 158% increase in abstinence from drugs while in drug court treatment in fiscal year 2012.

State Totals - Drug Court Participants Receiving Services on July 1



- Drug court participants showed a 43% increase in employment in fiscal year 2012.

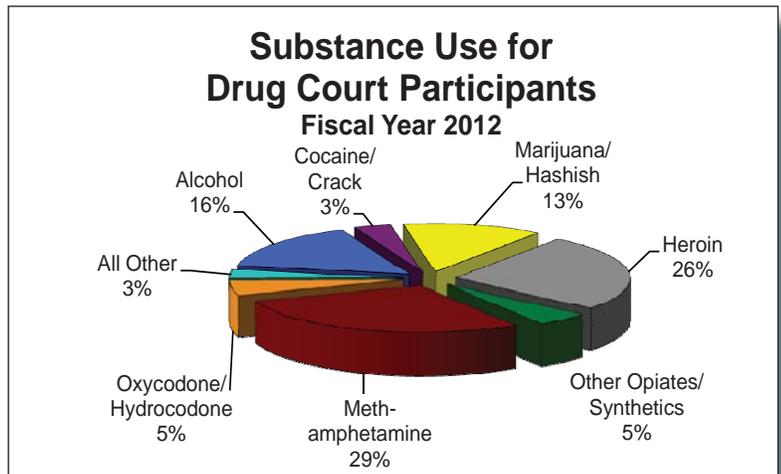
Utah Drug Courts:

Drug courts offer drug dependent participants intensive court-supervised drug treatment as an alternative to jail or prison. This is accomplished through the coordinated effort of the judiciary, prosecution, legal defense, probation, law enforcement, social services, and the treatment community. Intensive services are provided to individuals identified as high risk for recidivism and in high need of substance abuse treatment services. Successful completion of drug court can result in dropped charges, vacated or reduced sentences, or rescinded probation in the case of felony drug courts, and familial reunification in the case of family drug courts. These incentives provide additional motivation for participants to participate in treatment and to engage in the process of changing their behaviors

Three primary drug court models are funded by the legislature in Utah; adult felony drug courts, juvenile drug courts, and family dependency drug courts.

Adult Felony Drug Courts: Felony drug courts target adults charged with a felony drug crime. Though restrictions may vary by location and program, adult felony drug court is generally available to:

- Individuals charged with a drug related crime, in high need of substance use disorder

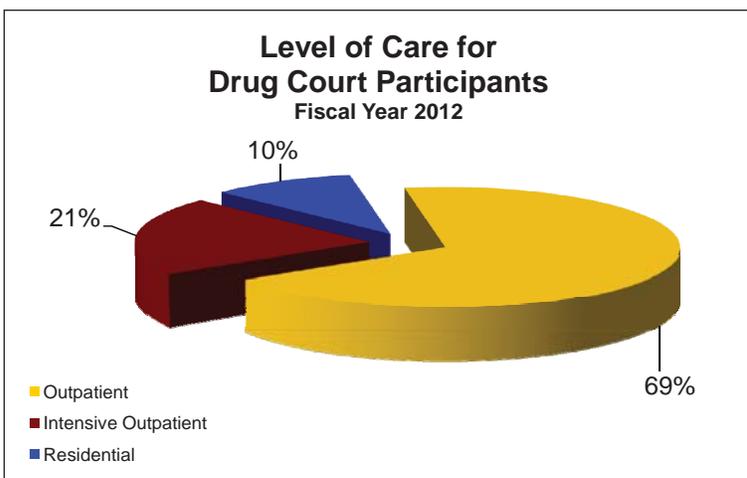


treatment and likely to reoffend based on screening. Examples of crimes individuals may be charged with are; forged prescriptions, possession with intent, and felony possession of a controlled substance.

- Individuals with at least one previous drug conviction for which a sentence was given
- Individuals who are in the country legally.

Juvenile Drug Courts: Juvenile drug courts provide increased structure and support to drug involved minors through judicial oversight. Juvenile drug courts require participants and their families to attend court as often as weekly. Participants are also required to attend treatment, school, and participate in community service. Treatment services are individually tailored and are developmentally appropriate.

Family Dependency Drug Courts: Family dependency drug courts have emerged in response to both drug-using parents who have neglected their children and the court's responsibility to enforce intervention in non-criminal, family cases. Family dependency drug courts employ a multidisciplinary team approach to address children safety and permanency issues as well as parental substance use. Parental accountability at all levels is enforced by the court's intensive supervision. As in adult drug courts, participants in family drug courts are required to take random and frequent drug tests and appear as often as weekly before the judge.



Quality Assurance for Drug Courts

DSAMH and the Administrative Office of the Courts (AOC) conduct annual site visits to ensure quality and monitor contract compliance. Contracts require drug

What you learn is that drug courts, which involve treatment for all the individuals and real support—along with sanctions when they fail—are a more cost effective method of dealing with drug problems than either probation or prison. (Institute for Applied Research, 2004)

courts to target eligibility towards those individuals who are at high risk for continued criminal behavior, and/or adverse parenting behavior

and who are in high need of treatment services. Drug courts are required to be certified by the AOC and this certification is reviewed every other year.

Adult Felony Drug Courts are required to follow the Ten Key Components identified by the National Association of Drug Court Professionals (NADCP).

Family Dependency Drug Courts follow: *Family Dependency Treatment Courts: Addressing Child Abuse and Neglect Cases Using the Drug Court Model*, 2004, by U.S. Department of Justice, Office of

To put it bluntly, we know that drug courts outperform virtually all other strategies that have been attempted for drug-involved offenders. (Marlowe, DeMatteo, & Festinger, 2003)

Justice Programs, and Bureau of Justice Assistance. Adolescent Drug Courts follow *Evidence-Based Practice Recommendations for Juvenile Drug Courts*, 2009, by National Center for Mental Health and Juvenile Justice and, *Juvenile Drug Courts: Strategies in Practice*, 2003 by U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance

Drug court retains offenders in treatment. The research suggests that retention is the most critical factor in successful outcomes. (Marlowe, DeMatteo, & Festinger, 2003)

State funded felony drug courts use the Risk and Needs Triage (RANT™). This

screening instrument identifies individuals best suited for drug court participation. Research indicates serving this target population of high risk/ high need individuals is cost effective and benefits the individual and the community. Data from the RANT™ reports to DSAMH indicate Utah drug courts are serving the targeted population. As of June 30, 2012, 89% of all individuals administered the RANT™ were classified as “high risk/high need.”

Appropriations and Funding for Drug Courts

Utah Code Ann. §78A-5-201 requires State General Funds appropriated to drug courts be allocated as follows: (i) 87% to the Department of Human Services for drug testing, treatment, and case management of drug court participants; and (ii) 13% to the Administrative Office of the Courts for increased judicial support costs. In addition to these dollars, local courts, legal counsel and counties provide additional funds and in-kind services to support drug courts.

Under the provisions of Senate Bill 15, Use of Tobacco Settlement Revenues, that was passed during the 2000 Legislative General Session, \$2,325,400 was appropriated to the Department of Human Services for drug courts in fiscal year 2012. Federal Block Grant (SAPTG), State General Funds, and the final year of a Bureau of Justice Assistance Grant provided the balance of funding to drug courts in fiscal year 2012. Total funding for statewide drug courts in fiscal year 2012 was \$3,889,155.

In fiscal year 2012 a review of the contracting and funding allocation process for Utah drug courts led to a new contracting approach. Local authorities were required to apply for funding for drug courts in their area of responsibility. Only drug courts that were certified or that had been scheduled for certification were eligible to apply. As a result of this application process, in fiscal year 2013, 41 of the 42 existing drug courts that are certified or have been recommended for certification have been funded. This is an increase in number over the 29 courts funded in fiscal year 2012. The list of these certified courts is shown on the following page.

The following chart shows funding source for drug courts since 2002:

Drug Court Funding					
	Tobacco Settlement Funds	Federal SAPT Block Grant Funds	State General Funds	State Asset Forfeiture Grant	Total Funds
2002	\$1,647,200	\$247,884	\$0	\$0	\$1,895,084
2003	\$1,647,200	\$247,884	\$0	\$0	\$1,895,084
2004	\$1,647,200	\$729,136	\$0	\$0	\$2,376,336
2005	\$1,647,200	\$799,136	\$0	\$0	\$2,446,336
2006	\$1,647,200	\$799,136	\$0	\$0	\$2,446,336
2007	\$1,647,200	\$898,588	\$435,000	\$75,000	\$3,055,788
2008	\$1,647,200	\$784,876	\$2,175,000	\$166,000	\$4,773,076
2009	\$1,647,200	\$800,000	\$2,175,000	\$92,840	\$4,715,040
2010	\$2,166,300	\$800,000	\$785,900	\$242,666	\$3,994,866
2011	\$2,325,400	\$800,000	\$275,900	\$317,000	\$3,718,300
2012*	\$2,325,400	\$800,000	\$275,900	\$274,625	\$3,889,155

*Includes \$213, 230 from the Bureau of Justice Assistance grant awarded to DSAMH.

The following chart shows the certified drug courts and judge.

Felony Drug Courts	
Bear River FDC	Thomas L. Willmore
Bear River FDC	Kevin K. Allen
Carbon Co FDC	George Harmon
Grand Co FDC	Mary Manley/ Moab
Emery Co FDC	Scott Johansen
Juab Millard FDC	James Brady
Sanpete Co FDC	Marvin Bagley
CUCC Tri-County FDC Manti	Wallace Lee
CUCC Tri-County FDC Richfield	Marvin Bagley
Davis Co FDC	John R. Morris
Wasatch FDC	Derek Pullan
Iron Co FDC	John Walton
Kane Co FDC	Marvin Bagley
Washington Co. FDC	James L. Shumate
San Juan Co FDC	Lyle R Anderson
SLCO FDC	Katie Bernards-Goodman
SLCO FDC	Mark Kouris
SLCO FDC	Randall Skanchy
Tooele FDC	Robert Atkins
Uintah Co. FDC	Clark McClellan
Utah Co. FDC	James Taylor
Utah Co. FDC	James Brady
Weber Co. FDC	Mark R. DeCaria

Family Dependency Drug Courts	
Grand Co FDDC	Mary Manley
Carbon County FDDC Price	Scott Johansen
Davis FDDC	Jeffery Nolan
SLCO FDDC	Charles Behrens
SLCO FDDC	Christine Decker
SLCO FDDC	Kimberly Hornak
SLCO FDDC	Frederic Oddone
Utah Co. FDDC	Mary T. Nonnan
Utah Co. FDDC	Sterling Sainsbury
Utah Co. FDDC	Kay A. Lindsay
Utah Co. FDDC	Suchada Bazzelle
Washington Co. FDDC	Karla Staheli
Weber Co. FDDC	Michelle E. Heward
Weber Co. FDDC	Janice L. Frost

Juvenile Drug Courts	
SLCO JDC	Kimberly Hornak
Tooele Co. JDC	Mark W. May
Utah Co. JDC	Kay A. Lindsay
Weber JDC	Sherene T Dillon
Weber JDC	Jeffery Nolan

Independent Drug Court Research

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