



BROOKINGS COUNTY DRUG COURT

IT WORKS!

History

- ▶ 1980's – number of drug arrests skyrocketed as result of crack cocaine epidemic leading to increased proportion of drug offenders in jails and prisons
- ▶ Trend continued in 1990's – drug offenders accounted for 20% of total growth of state prison populations
- ▶ National Drug Intelligence Center predicts cocaine to continue to be a leading threat to the US and for domestic methamphetamine production to increase
- ▶ Mexican and Asian DTOs are expected to increase operations in US

Impact

- ▶ Drug abuse affects many facets of society:
 - ▶ *Family*
 - ▶ *Community*
 - ▶ *Health*
 - ▶ *Environment*
 - ▶ *Crime*
 - ▶ *Economy*

The Answer

- ▶ Miami, Dade County, Florida → created first Drug Court in 1989
- ▶ Became model for all other states
- ▶ 3 primary goals:
 - ▶ *Reduce Recidivism*
 - ▶ *Reduce Substance Abuse Among Participants*
 - ▶ *Rehabilitate Participants*

What is Drug Court?

- ▶ Court-managed
- ▶ Alcohol/drug intervention treatment program
- ▶ Provide cost-effective alternative to traditional criminal case processing
- ▶ Voluntary
- ▶ Includes regular appearances before Drug Court Judge
- ▶ Frequent and random drug testing
- ▶ Substance abuse counseling in individual and group settings
- ▶ Mental health counseling
- ▶ Educational classes
- ▶ System of behavior modification based on incentives and sanctions
- ▶ Intense community supervision by Drug Court Team
- ▶ Can be successfully completed within 18 months to 2 years

The Traditional Model

- ▶ BUSTED – Arrested and jailed
- ▶ Court appearance
- ▶ Bond
- ▶ Attorney assigned
- ▶ Preliminary Hearing or Grand Jury
- ▶ Arraignment
- ▶ Pre-trial motions and hearings
- ▶ Trial
- ▶ Pre-sentence
- ▶ Sentence → incarceration or probation

FAST TRACK ACTION

- ▶ Quick entry – goal is less than 30 days from arrest to sentencing
 1. Legal Screen by State's Attorney
 2. Info to Defense Attorney, CSO and Drug Court Coordinator
 3. Defendant applies
 4. Risk/Needs Assessment by CSO
 5. Treatment Needs Assessment by Treatment
 6. Staffed by Drug Court Team
 7. Determination of Acceptance → Sentenced to Drug Court, or Denial → Traditional Process

Eligibility

- ▶ Felony offenders not on parole
- ▶ 18 and older
- ▶ Voluntary basis
- ▶ Must have less than 7 lifetime DULs
- ▶ High-Risk/High-Needs Offenders
- ▶ **Excludes present convictions for distribution of controlled substances or marijuana**
- ▶ **Excludes any individual required to register as a sex offender**
- ▶ Excludes any individual convicted of a violent offense

Brookings County Drug Court

► Mission Statement

- The mission of the Brookings County Drug Court is to enhance public safety with the goal of developing sober, productive, law-abiding citizens by holding the offender accountable while providing supervision, treatment, and life skills in a judicial setting.

What does it take to graduate?

Graduation Requirements:

- ❑ Complete Phase 5
- ❑ Paid all fees on current file
- ❑ 90 days continuous sobriety
- ❑ Employed
- ❑ Acceptable housing
- ❑ In program for at least 18 months

The Team Approach

- ▶ Probation
- ▶ Chemical Dependency and Mental Health Counselors
- ▶ Prosecutor
- ▶ Defense Attorney
- ▶ Law Enforcement
- ▶ Judge
 - ▶ *Weekly Team update on each participant's completion of requirements*
 - ▶ *Discuss specific problems or concerns*

Financial Impact

- ▶ Funded by the South Dakota Legislature
 - ▶ Includes treatment costs
 - ▶ Drug testing costs
 - ▶ Defense attorney contract
 - ▶ CSO and Coordinator salaries
- ▶ Decreased costs to County
 - ▶ Less incarceration days in County Jail
 - ▶ Decreased court expense
 - ▶ Successful, contributing citizens

Update

- ▶ Current Participants- 13
- ▶ Graduates- 6 Participants
- ▶ Terminated- 6 Participants
- ▶ 36% Male
- ▶ 64% Female
- ▶ Ages:
 - ▶ 29% are of 19-30 years of age
 - ▶ 57% are 31-40
 - ▶ 14% are 41 or older
- ▶ Drug of Choice
 - ▶ 57% Methamphetamine
 - ▶ 14% Alcohol
 - ▶ 7% Opioids
 - ▶ 7% Marijuana
 - ▶ 15% Other LSD, for example

Update

- ▶ Current Participants have 28 children, collectively
- ▶ The budget allocated by the state funds salaries, treatment, office supplies, travel and training for State employees
- ▶ No State funds are used for incentives, special needs of participants, graduations- *nothing* extraneous

The Goal

When an addict rises
out of addiction and
crime, we all rise!