

Considerations for Effective Deployment of Model Drug Treatment Courts

For Deschutes County Local Public Safety Coordinating Council November 7, 2023

Background:

In October 2023, the Deschutes Adult Treatment Court (ATC) model speciality court¹ program graduated its last participant after 17 years in operation first as a Family Drug Court model, then as an Adult Treatment Court model starting in 2021. There may be interest from Deschutes County officials and community members for the Local Public Safety Coordinating Council to coordinate a White Paper process that details the requirements and challenges of operating a model drug court program in Deschutes County.

Requisite components of an Adult Treatment Court model include:

- Single-judge Court
- Judicially supervised treatment for individuals with a substance use disorder as an alternative to incarceration
- Helping participants obtain skills to maintain long-term recovery and a pro-social lifestyle, including parent education to participants with children
- Comprehensive supervision and case management, including assisting participants with housing, vocational, educational, and employment needs
- Comprehensive grant, reporting and data management
- Comprehensive court coordination of multidisciplinary partners

The Family Drug Court supported success for many participants

An analysis in 2021 indicated that 121 individuals participated in the ATC (or Family Drug Court model) since 2011. 97% of participants identified as white. 16% of participants were assessed as low risk to recidivate, 30% as medium risk, and 54% as high risk.

66% of women participants graduated and 58% of men participants graduated. 34% and 42% were terminated, respectively. Successful graduation was correlated with less future criminal activity. Program termination was correlated with more future criminal activity, as measured by a return to a new term of community supervision or incarceration: Of those who successfully completed, 23% came back onto a new term of supervision or prison sentence after they graduated. Of those terminated, 74% came back onto a new term of supervision or prison sentence after they were terminated.

Challenges to sustaining requisite components

All stakeholders in Deschutes County have had a commitment to implement the Family Drug Court and then the Adult Treatment Court with fidelity to the program model. Fidelity means program participants all must make an extremely significant commitment to complete the extensive program requirements. The system must ensure that those participants receive

¹ [Adult Drug Court Best Practice Standards](#)

effective, evidence-based programs and access to all needed services in return. For the reasons described below, it became unsustainable to continue operating the program.

- **Inability to recruit or retain a qualified provider** for substance abuse treatment who could meet the state-required minimum Quality Assurance requirements
 - Extensive time required for staffing
 - No mechanism to bill for case management
 - High demand for services outside of the program
 - Program requirements not financially viable for prior treatment providers
- **Inability to hire a treatment court coordinator** within the Oregon Judicial Department
 - Special qualifications in anticipation of assisting a new treatment provider
 - Low number of any applicants, possibly due to the high cost of living in Bend
 - Few to no qualified applicants given the unique requirements of the position
 - Treatment court coordinator positions are posted as “limited duration” because they are grant funded instead of permanently funded.
- **Decreasing referrals of eligible participants.** By 2023, referrals had been decreasing for several years, which in 2021 caused the program to remove the requirement for participants to have children.
 - The maximum recent enrollment was 17 cases.
- **Historic partners in the program no longer able to participate**
 - Large numbers of staff vacancies, especially during and after the pandemic
 - High cost of living in Central Oregon
- **Resource intensive model, when implemented with fidelity.** Some organizations have had to prioritize their organizational work to maximize staffing available.
- **Lack of local residential treatment and insufficient clean, sober, affordable housing** made it difficult to implement the program model