

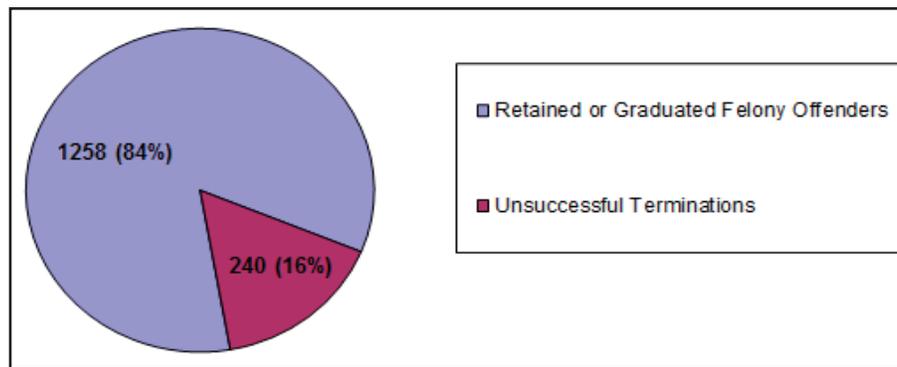


# Drug and Mental Health Courts

## Community-Based Sentencing Alternatives Reduce Prison Growth

In FY2010, 1,498 of the adult felony offenders participating in drug and mental health courts faced a potential prison sentence if not supervised in the community. Of these offenders, 1,258 (84%) either remained in drug court or mental health court, or had successfully completed all requirements and graduated at the end of the year. This represents a significant number of offenders who were managed in the community rather than being sentenced to prison, resulting in significant cost savings to Idaho taxpayers.

**FY2010 Felony Problem-Solving Court Retention:  
1,498 Total Participants**



## Drug Courts and Mental Health Courts at Capacity

Idaho's first two drug courts were established at the end of 1998. After twelve years of operation, Idaho now has 56 drug and mental health courts. Idaho drug and mental health courts are now near or above their funded capacity, but cannot meet the need in many communities. However, the current economic situation limits the ability to expand existing courts or add new courts. This ceiling on capacity will have an impact on the ability of drug and mental health courts to continue to reduce the number of offenders being sentenced to prison.

## Number of Offenders Served and Graduates Increased

Throughout the past fiscal year, all drug courts and mental health courts combined supervised a total of 2,316 felony, misdemeanor, and juvenile offenders. This represents a 3.2% increase compared to the prior year total of 2,244. Collectively, the adult drug courts supervised 1,783 offenders, mental health courts supervised 300 offenders, and juvenile drug courts supervised 191 youthful offenders. During FY2010, there were 641 graduates from Idaho drug and mental health courts, up from 576 graduates in FY2009.

## New Courts Planned

During FY2010, the planning required to establish new courts was undertaken Canyon County (DUI Court), Shoshone County (Drug Court), and Elmore County (Drug Court). These courts were established through reallocation of existing court, probation and treatment resources in the respective judicial districts. However, reaching their full potential will be delayed until additional funds are available to support needed treatment, probation supervision, and court-related costs.



Report to  
Governor C.L. "Butch" Otter and  
the 1st Regular Session of the  
61st Idaho Legislature

*Idaho Judiciary*

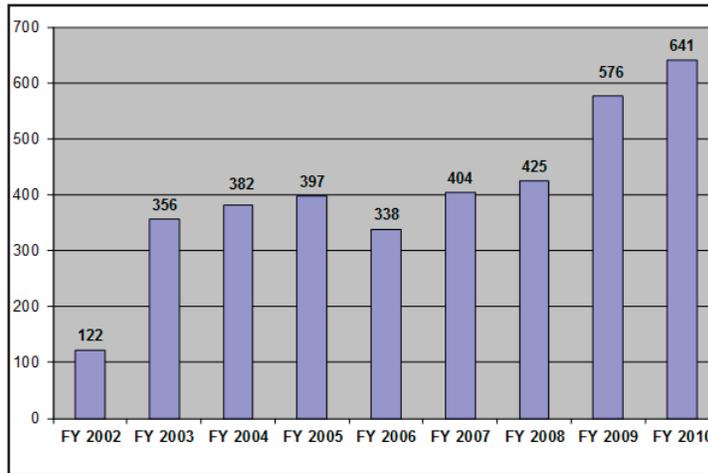
### Idaho Supreme Court

451 W. State Street  
P.O. Box 83720  
Boise, ID 83720-0101  
208.334.2246  
FAX 208.947.7590  
www.isc.idaho.gov

Patricia Tobias  
Administrative Director  
of the Courts  
ptobias@idcourts.net

## Idaho DUI Courts Document Their Effectiveness

The incidence of felony DUI offenses is growing in Idaho and the demand for DUI courts serving both felony and misdemeanor DUI offenders continues to grow as well. These courts are an effective response to the crime of driving under the influence of intoxicants, with promise for achieving long-term public safety not offered by punitive sanctions alone. Idaho DUI courts have very high compliance and graduation rates. In 2010, of 109 total terminations from Idaho DUI courts, 97 (80%) were graduations. Further, an outcome evaluation of four well-established Idaho DUI courts determined that DUI court graduates had only half the recidivism compared to those in the comparison group while DUI court resulted in a 32% reduction in recidivism for all participants, not just graduates, over the comparison group.



Idaho Problem-Solving Court Graduates

## Families and Meth – Breaking the Cycle of Addiction and Child Abuse

In FY2010, the four child protection drug courts served 85 parents. The current child protection drug courts are located in Lewiston, Twin Falls, Pocatello, and Idaho Falls. Because child protection drug courts in Idaho emphasize services not only to address parental substance abuse and other debilitating issues but also to meet the needs of the children, it is believed that they offer a real chance to end the intergenerational cycle of substance abuse and child maltreatment. A five-year federal grant has enabled three of these court to expand considerably and to undertake a thorough evaluation of outcomes in these courts. This will allow analysis of the desirability of further expansion of these courts in future years.

## Over 228 Drug-Free Births for Idaho Problem-Solving Courts!

One of the most encouraging outcomes from the drug and mental health court effort is the number of babies born drug-free to women participating in drug court. Not only do these healthy babies represent a major financial saving to our communities but they also begin life without the significant handicap of being born affected by or dependent upon drugs. In addition, their mothers are able to give them the care and nurturing they need for normal child development. In FY2010, 30 babies were born to clean and sober women in our drug and mental health courts, bringing the total to 228 drug-free births since the beginning of Idaho's problem solving courts.

## Drug and Mental Health Courts Continue Their Efforts with Juvenile Offenders

In FY2010, a total of 191 juveniles participated and 42 graduated from Idaho's seven juvenile drug courts. Issues facing juveniles are often more complex because of intertwined family issues and strong peer influences that often encourage delinquent behavior. The pilot juvenile mental health court, with sessions in Idaho Falls and Rexburg saw 11 graduates in FY2010. Many juvenile mental health court participants would otherwise be committed to the Department of Juvenile Corrections at a very significant cost to the state.



## In the Words of a Drug Court Graduate

*"Before coming in to the drug courts program my life was hopeless. I had no future. Growing up as a kid I was lost and alone. I was a troublemaker uncontrollable by my parents. Because of this I was sent away to youth ranches, group homes, foster homes, and even jail. At 16, I left home and was living on the streets. I started using drugs and alcohol on a daily basis. From 18 – 24, I was in and out of county jail. I went to Cottonwood Correctional Facility twice. At age 24, I went to prison for 4 years for burglary. While in prison there was one problem that I didn't get any help with and that was my drug and alcohol addiction. In April 2009 I was busted for possession and my 3rd DUI. I was offered to be in the drug court. Through this program I was given back my life. I am a new person with hopes and dreams and a new outlook on life. Today I am clean and sober and living a life that in the past was only a dream. But today is a reality! I have a Future. -- Garry B.*

-- In Memoriam --

### Judge Brent J. Moss

*The firmament of Idaho mental health courts was dimmed this year with the passing of the Honorable Brent J. Moss, Idaho's first mental health court judge. Judge Moss is credited with pioneering the community-based management of felony level offenders with mental illness, nationally, as well as mentoring the development of all of the subsequent Idaho mental health courts. Judge Moss was nationally recognized as both an expert and champion for mental health courts and was the only judge honored with the Robert Wood Johnson Community Health Leadership Award.*