

# ***Tennessee Drug Court Annual Report***



## **The Department of Finance and Administration Office of Criminal Justice Programs 2009-2010**

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**Office of Criminal Justice Programs  
Drug Court Program Mission Statement**

The Office of Criminal Justice Programs is committed to administering the Statewide Drug Court Program in accordance with the Drug Court Treatment Act of 2003. This Act charges the OCJP with the responsibility of appropriating federal and state funding as well as providing training, technical assistance, oversight, and evaluation. Through a coordinated effort of intensive treatment and judicial review, the drug court programs in Tennessee look to reduce substance abuse and criminal activity in order to provide safer communities for all citizens.

## Executive Summary

This report gives a detailed description of the Office of Criminal Justice Program activities for the State's Drug Court Program for fiscal year 2009-2010 (July 1, 2009 to June 30, 2010). It covers the five basic areas described in the Drug Court Treatment Act of 2003; funding, training, technical assistance, oversight, and evaluation. Activities pertaining to these five areas are briefly summarized below.

As a part of the Methamphetamine Initiative, Governor Phil Bredesen appropriated \$3.5 million recurring dollars for drug court programs beginning in the 2006/2007 fiscal year. The first \$2.0 million was designated for the four urban counties of Davidson, Knox, Hamilton, and Shelby, and the remaining \$1.5 million was to be used to establish new drug courts and improve operational drug court treatment programs throughout the State. Additionally, the OCJP uses the yearly accumulation of the Drug Court Treatment Act Fees to expand the number of grant contracts and training opportunities provided. With these funds in fiscal year 2009-2010, the OCJP funded operational Drug Courts.

There were several local and national training opportunities for drug court professionals to attend, including the 6<sup>th</sup> Tennessee Annual Drug Court Conference held in Nashville, Tennessee; the 15<sup>th</sup> Annual National Association of Drug Court Professionals Annual Conference held in Anaheim, California; and the 3rd Annual Tennessee Drug Court Coordinator's Training hosted by the OCJP and held at Montgomery Bell State Park.

Technical assistance has been provided to drug court programs by the OCJP for many years, and the increase in state funding for drug courts provides additional opportunities. The OCJP drug court staff maintains regular communication with drug court grantees in particular, but also provides assistance to operation and planning drug courts that do not receive funding through the OCJP. The drug court staff is available to assist courts in many ways, and has access to many helpful state and national resources.

The legislated Drug Court Advisory Committee and the Tennessee Association of Drug Court Professionals help and advise the OCJP on many issues related to the state's drug court program. This year, an additional 8 drug courts were certified. This certification gives each drug court program, state, and local stakeholders' affirmation that the drug court program follows the 10 Key Components outlined in the Drug Court Treatment Act, and provides additional opportunity for mentoring, information sharing, technical assistance, and a basis for evaluation. It also demonstrates the effort by drug court programs in Tennessee to meet the legislated goals for drug courts and to work towards continuous improvement.

The Office of Criminal Justice Programs collects annual data from all drug courts based on the Tennessee Performance Measures that were developed from the legislated goals. This report details the data collected from 47 drug courts; (39 adult drug courts, six juvenile drug courts, one family drug court and one DUI court) for the fiscal year 2009-2010.

# History and Overview

## The National Overview

Drug courts are specialized court programs that engage in a team approach with court and community based professionals. Built around theoretical concepts such as therapeutic justice and procedural justice, these specialized courts provide therapy and treatment for people in the criminal justice system typically with non-violent offenses that also have an addiction that exacerbates criminal behavior. The goal is to provide rehabilitation as an alternative to incarceration thereby saving tax dollars, reducing recidivism, and improving the lives of the participants and their families (Huddleston, Marlow, & Casebolt, 2008).

The first drug court concept began in Dade County, Florida, in 1989 (Senjo & Leip, 2001). It was in response to the criminal justice system's *revolving door* in which offenders become repeat offenders and are processed through the system again and again (GAO, 2005). In addition, because of changes in drug laws, increased drug enforcement, and sentencing and release policies, the number of people in jails and prisons for drug-related offenses has continued to rise (Bureau of Justice Statistics). Surveys have shown that 70% of inmates in jail committed a drug-related offense or regularly used drugs, and 80% of prisoners reported prior drug use. In addition, the number of people in jails and prisons that have mental illness has increased because of the well-known, "deinstitutionalization of psychiatric services" (Bureau of Justice Statistics).

Drug courts are intended to focus on the problem and not the symptom by treating the substance addiction. Today there are over 2300 drug courts across the country, and drug courts in several other countries around the world including Ireland, Australia, England, Canada, and Brazil (National Association of Drug Court Professionals, 2008). There is a growing body of evidence advocating the drug court model. As mentioned early there are over 2100 drug courts in the country (Huddleston et al., 2008). In the case of drug courts, Huddleston et al. (2008) state that, "[r]esearch verifies that no other justice intervention can rival the results produced by drug courts...over a decade of research [shows] drug courts significantly improve substance abuse treatment outcomes, substantially reduce crime, and produce greater cost benefits than any other justice strategy" (p. 2). The U. S. Government Accountability Office (GAO) reported on a literature review of drug court research as well as the results of 4 meta-analyses that found the same basic information about the successful interventions of adult drug courts as opposed to standard court and probationary interventions (GAO, 2005).

Drug court teams consist of the judge, the prosecutor, defense counsel, a drug court coordinator/administrator, treatment counselor(s), probation, law enforcement, and an evaluator. In addition, most drug courts have community programs represented on the team like transitional/halfway housing partners, gender-specific program partners, mental health services, and others. Unlike the typical court, drug courts process cases differently in that they use a non-adversarial approach. Although due process rights remain upheld, all members of a drug court team support a drug court participant throughout the program process unless circumstances warrant a more traditional approach (i.e., the participant is unable to maintain compliance). Drug courts are based on 10 Key Components which are guiding principles considered best practices, and a way of maintaining fidelity to the model. The 10 Key Components and their benchmarks were developed by the Drug Court Standards Committee and the National Association of Drug Court Professionals with funding and support from the U. S. Department of Justice, Office of Justice Programs, Drug Court Programs Office (U. S. Department of Justice, 1997). They are:

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.

Other specialized courts have also become involved in the same problem solving approach as drug courts. They are generally called problem solving courts and include courts such as: DWI/DUI courts, Mental Health Courts, Community Courts, Gambling Courts, Child Support Courts, Veterans Courts, and countless others. Although they address different issues and possibly different populations, these court types are all built around the same basic 10 Key Components as the drug court.

Drug courts fit nicely with the concepts of therapeutic justice, social control theory, and procedural justice, combining several different fields of thought (criminology, social psychology, sociology, developmental psychology) to create a program intended to stop the revolving door and focus more on the needs of the individuals using sound theory and practice. In this way, problem solving courts find ways to elicit compliance and ultimately rehabilitation, for individuals that have spent most of their adult lives being noncompliant (i.e., criminal behavior).

## **The State Overview**

Prior to 2003, there was no enabling legislation for drug courts even though drug courts had already been in existence in Tennessee since 1997. With a handful of drug courts already up and running by 2002, a group of stakeholders began to formulate a plan for sustaining the Tennessee drug court movement. Out of that plan came the Tennessee Association of Drug Court Professionals (TADCP) and *The Drug Court Treatment Act of 2003*, which the General Assembly passed and signed into law on June 13, 2003. In addition to enabling drug court programs, the new legislation named the Office of Criminal Justice Programs as the office to oversee the state's drug court program. As the State Administrative Agency for the U.S. Department of Justice, the Office of Criminal Justice Programs functions as a strategic planning office for state criminal justice system issues and administers approximately 400-500 criminal justice grants each year, including victim service projects, drug task forces, and other substance abuse initiatives.

In June of 2007, the Act was revised to include enabling language for juvenile drug courts, the addition of the \$75 fee for violations of probation, and the addition of language allowing the Office of Criminal Justice Programs to develop standards of operation for drug courts. As a result of this amendment, the OCJP worked with the Tennessee Association of Drug Court Professionals and the Drug Court Advisory Committee to develop standards of operation based on the 10 Key Components, and their benchmarks. This process became known as Certification, and serves as a way to ensure that the adult drug courts in Tennessee operate in such a manner that is consistent with the State legislation and with fidelity to the National Drug Court Model which has become an evidenced based program.

Aside from enabling legislation, the Act attended to several additional tasks. It created a funding stream for drug courts, established goals for drug court programs, and established the State Drug Court Advisory Committee. The committee is comprised of drug court professionals from Tennessee (see Appendix A) and its express purpose is to review program criteria established by the OCJP and advise the Commissioner of Finance and Administration on the allocation of granted funds. In May of 2008, the Drug Court Treatment Act was amended to increase the total number of members of the Drug Court Advisory Committee from five (5) to seven (7). The amendment provided for the Commissioner of Finance and Administration to appoint two additional members, one must be a drug court judge with two or more years of experience operating a drug court and one must be a drug court coordinator with two or more years of experience. In addition to these 7 members there are ex-officio members that serve at the will of the committee. A current list of the Drug Court Advisory Committee appointed and ex-officio members can be found in Appendix A. As the advising body on drug courts in Tennessee, the Advisory Committee meets quarterly or more frequently when necessary, and has worked with the OCJP on several issues this past fiscal year.

As administrators of the drug court treatment program, the OCJP is responsible for developing and implementing performance measures to be used by drug courts statewide. These measures will enable drug courts to identify their progress and help the state collect this information in a uniform manner. Additionally, the OCJP is tasked with collecting and reporting on other drug court data from across the state in an effort to keep track of the status of this initiative. The OCJP is also charged with the support of the Mentor Court Program which serves to offer technical assistance to drug courts in need. Another requirement as administrator of the drug court program is to sponsor and coordinate training to ensure that drug court personnel have the tools to accomplish their mission. Finally, the OCJP is responsible for the financial resources generated by the Drug Court Treatment Act and to award, administer, and evaluate drug court programs. The State Drug Court Coordinator manages all aspects of the statewide drug court program. Additional staff, including advisory, lends support to the program through direct involvement in activities related to the program.

### **Drug Court Programs: Fiscal Year 2009/2010**

There are currently 48 drug court treatment programs in Tennessee; 39 adult drug courts, 7 juvenile drug courts, 7 DUI Courts and 1 family treatment court. Most Tennessee drug courts are post plea and operate under general sessions and/or criminal court jurisdiction, depending on the program. As drug court programs continue to go through planning and implementation, so too does the Statewide Drug Court Program continue to increase and expand in an effort to meet the needs of those programs. The Office of Criminal Justice Programs, charged with oversight of the State's Drug Court Program, continues to respond to changes by constantly communicating with drug court professionals in the field, assessing the needs of programs, and adhering to the goals and objectives stated in the Drug Court Treatment Act of 2003. That

legislation, which enables drug courts to exist in Tennessee, charges the OCJP with a list of responsibilities. In an effort to simplify and streamline the planning and reporting of activity associated with the statewide program, the OCJP has categorized these responsibilities in to five basic priority areas:

- Funding
- Training
- Technical Assistance
- Oversight
- Evaluation

This annual report will address each of these areas to insure that the effort by the OCJP, its partners, and other drug court professionals is concisely explained.

The continued success of drug court programs in Tennessee cannot be given to one organization or person, but rather a collective body of drug court advocates that continue to work on improving access to resources and institutionalization of drug court programs. The Office of Criminal Justice Programs continues to collaborate with partners like the Tennessee Association of Drug Court Professionals (TADCP), the National Drug Court Institute (NDCI), the Administrative Office of the Courts (AOC), the National Association of Drug Court Professionals (NADCP), the National Center for State Courts (NCSC), the Governor's Highway Safety Office (GHSO), and the Tennessee Division of Alcohol and Drug Abuse Services.

### **Drug Court Program Funding: Federal, State, and Local Level**

The Department of Justice, Bureau of Justice Assistance (BJA), administers federal funds for drug courts. A portion of that funding goes to national centers like the National Drug Court Institute (NDCI) and the National Center for State Courts (NCSC) to provide technical assistance and training to states and local drug court programs. The other portion is used to provide discretionary grant funding for local and statewide drug court projects across the nation. Discretionary funding for drug courts through BJA has increased in recent years.

The OCJP has utilized State appropriated dollars as well as the drug court fee fund to grant awards to 36 drug courts across the State. The OCJP also uses Byrne JAG funds when necessary to shore up shortfalls in State funding to Drug Courts however those funds are usually minimal. During the 2010, the OCJP was able to grant additional Recovery Act funds to 39 drug courts for additional staff or contract staff; it provided implementation grant funding for two new courts and also provided funding to the Tennessee Association of Drug Court Professionals to assist the OCJP in the implementation of the annual drug court conference and the annual drug court coordinators' training. The Recovery Act grants were for two fiscal years of funding and will expire on June 30<sup>th</sup>, 2011.

As drug court programs continue to grow in number and without additional funding, the amount currently available to individual courts through the State will decrease as room is made for those additional programs. Also, the State revenue collected under the Drug Court Treatment Act that is used to provide grants to drug court programs will diminish as more counties implement drug court programs. Currently, the portion of the Drug Court Treatment Act Fees remitted to the state at the end of each fiscal year is around \$300,000. This is used to expand the funding for the drug court programs as well as fund the trainings provided to drug court programs each year. The Drug Court Treatment Act Fee fund and Federal funds may also be used when shortfalls in State appropriated dollars occur. As a result of drug courts expanding across

Tennessee and the limited funding, and to ensure fidelity to the Drug Court model and the State legislation, by fiscal year 2013 the OCJP will begin to only fund those adult drug courts that have met the requirements to become certified and remain in good standing with their certification.

There are some potential sources of funding in the form of grants through the Substance Abuse and Mental Health Services Administration (SAMSHA). The Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment has previously provided funding to expand or enhance substance abuse treatment services in drug courts and other problem solving courts to provide alcohol and drug treatment, recovery support services supporting substance abuse treatment, screening, assessment, case management, and program coordination to adult defendants/offenders.

Additional resources to drug court programs include the access of Access to Recovery (ATR) funding for treatment through the Department of Mental Health and Developmental Disabilities, Division of Alcohol and Drug Abuse Services as well as other treatment resources through that department. In addition, as a result of an amendment to the DUI Treatment Fund in April of 2008, state DUI fees assessed on DUI offenders can be used for treatment in drug court and other problem solving court problems.

The drug court report submitted to the OCJP yearly includes the types of funding sources currently available to the courts. This information allows the Office of Criminal Justice Programs to assess the resources available to drug court programs to report funding strengths and weaknesses, and it allows the programs to see what resources their peers are accessing that they may be eligible to receive as well. Individual drug courts reported as many as seven different funding sources and as few as one.

It should be noted here that while the vast majority of drug courts count on these OCJP grant awards all continue to have access to their local drug court fee account held at the county level and there are a few courts which continue to operate solely on those funds.

### **Training Tennessee's Drug Courts**

The 6th Annual Drug Court Conference was held again at the Downtown Nashville Doubletree Hotel, October 7-9, 2009. The Office of Criminal Justice Programs joined with the Tennessee Association of Drug Court Professionals to provide three day training to drug court professionals across the state. The agenda was developed over several meetings with feedback from the Tennessee Drug Court Advisory Committee as well as feedback received on the evaluations from the previous annual conference.

The conference began with an opening address by Tennessee Supreme Court Justice Cornelia A. Clark. After opening remarks Justice Clark also assisted in recognizing eight newly certified TN drug courts, which included: the 8<sup>th</sup> Judicial District Drug Court, the 10<sup>th</sup> Judicial District Drug Court, the 12<sup>th</sup> Judicial District Drug the Court, Coffee County Adult Drug Court, the DeKalb County Adult Drug Court, the Hamilton County Drug Court, the Montgomery County Drug Court and the Putnam County Adult Drug Court. The conference agenda focused on four specific tracks. The focus of these tracks included areas of treatment/social worker/community, law enforcement/case manager/probation-parole, administrative/coordinator/evaluator/ and legal/judge/attorney.

Local plenary and breakout presenters included Kathy Benson who spoke on Ethics-Boundaries and Confidentiality, Lieutenant Chris Clausi who spoke on Law Enforcement & Specialty Courts, Judge Casey Moreland addressed Mental Health Services for Participants, a local criminal defense attorney panel discussed legal issues, Dr. Peter Martin addressed Healing from Addiction, HIPPA compliance and 42 CFR part 2, David Parnell, who is locally and a nationally known public speaker, author, consultant and advocate for drug endangered children spoke on Facing the Dragon. Closing ceremonies consisted of Judge Bart Stanley, Jr. and drug court team from the 31<sup>st</sup> Judicial District Drug Court speaking on the DWI court model functions.

Additionally, there were many nationally known presenters at this year's conference. Presenters and topics included; Donald J. Mac Neil, sponsored by MEDTOX, spoke on Reducing Relapse/Randomization Drug Screens, Retired Judge Robert T. Russell, Jr. spoke on Due Process, Andy Buckner who spoke on Journey from Addiction to Life, Guy Wheeler, who was sponsored by NADCP/NDCl, spoke on Cultural Proficiency and Dr. Kenneth Robinson, sponsored by Correctional Counseling Inc. (CCI) spoke on Cognitive Behavioral Intervention.

In addition to the educational sessions and there was an opportunity for participants to observe the Davidson County General Sessions Drug Court (DC4), under the guidance of Judge Seth Norman, just a few miles away from the conference site.

Continuing Legal Education Hours were offered to attorneys and judges that attended. Evaluations were collected on each session and the evaluation data were compiled for review by the TADCP and the Drug Court Advisory Committee to plan for the next conference. Overall, feedback about the conference was excellent, and many suggestions on topics and locations for the next conference were offered.

The 3<sup>rd</sup> Third Annual Coordinator's Training for all drug court coordinators was held January 25 - 26, 2010, in collaboration by the OCJP and TADCP at Montgomery Bell State Park, just outside of Nashville. The training included the following topics; Updates on the 10 Key Components-what the research shows by Mike Finigan, President of NPC Research; Family Re-entry by national speaker Dee Ann Newell, Program Success & Innovations, and a Drug Court Annual Report presentation. The coordinators were provided opportunities to network and problem solve with one another. The training concluded with a joint luncheon of the Drug Court Coordinators and Re-entry Program specialists from across the State. This was the first time these two groups were together at such an event and provided a great opportunity to learn from one another as well as to learn from the State level panel regarding re-entry assistance. The panel consisted of Steve Meinbresse from the Tennessee Housing Development Agency (THDA), Vicky Harden with Volunteer Behavioral Health, Maggie Throckmorton with the Tennessee Department of Mental Health and Developmental Disabilities, and David Hansard with the United States Department of Veteran's Affairs. Overall feedback was positive, and the OCJP and TADCP plan to provide another coordinator's training in 2011.

On October 1-2<sup>nd</sup>, 2009, our State Drug Court Coordinator, Marie Crosson, attended the State Drug Court Coordinator's meeting in Washington, D.C. Topics of discussion included Federal Funding and Solicitation, Treatment Issues, Data & Management Information Software, Expansion of Problem Solving Court Models, Successful Strategies for Working with Reluctant Partners, Successful Strategies in Response to the Budget Crisis and an update from NADCP. Research Updates and Threats were covered by Doug Marlowe, Chief of Science, Law and Policy with NADCP.

The 16<sup>th</sup> Annual Drug Court Conference by the National Association of Drug Court Professionals was held in Boston, Massachusetts, June 3-5<sup>th</sup>, 2010. Many of Tennessee's drug court professionals were in attendance. More than 3300 drug court professionals attended almost 30 different tracks and 200 different sessions at the conference.

In addition to statewide and national training opportunities, there are opportunities provided by NDCI, NADCP, and the Bureau of Justice Assistance (BJA) for individual and team training. Each year, BJA funds training of planning teams for adult, juvenile, DWI, and family treatments courts provided by NDCI. These training opportunities all follow the Drug Court Model. Information and registration information for these trainings can be found on the Bureau of Justice Assistance website at <http://dcpi.ncjrs.gov/dcpi/index.html>.

The National Drug Court Institute also provides drug court specific practitioner training sessions for Drug Court Judges, Defense Attorneys, District Attorneys, Drug Court Coordinators, Treatment Providers, Corrections/Probation personnel. The latest information on these trainings is found at the following NDCI website <http://www.ndci.org/training>.

Next fiscal year, the 7<sup>th</sup> Annual Drug Court Conference is scheduled to be held December 8-10, 2010, at the Embassy Suites Hotel and Conference Center, Murfreesboro, Tennessee. The Rutherford County Drug Court has requested to take the lead in the planning for this Annual Drug Court Conference, with the OCJP oversight. The plan for this training to provide a range of topics that cover the drug court 10 key components such as; practical benefits of surrender, addiction treatment, mediations for participants, Identifying gangs which will cover the cultural competency certification requirement, EtG/EtS and other alcohol markers, 10 principles of changing behavior, developing family programs for treatment, cross-addictions, victim impact panel, court as theater, judicial styles and environment, sex addiction, pharmacology, the use of non-addictive medications in substance use, and spirituality and the 12 steps. Additionally, we expect to present 7 drug courts with their drug court certification plaques. We also expect approximately 25 exhibitors to provide booths and educational drug court information for the conference participants.

## **Technical Assistance to Drug Courts**

The Office of Criminal Justice Programs provides support to drug courts in the planning and operational stages. Courts in the planning stages frequently contact the OCJP to request planning materials and resources. The OCJP follows planning teams and when asked, aids these planning courts in locating helpful national and state resources such as the National Drug Court Institute, the National Association of Drug Court Professionals, mentor drug courts in Tennessee that can provide valuable information about starting a drug court in this state and that can offer the planning team to come visit their program, and a plethora of material accumulated over the years on how to plan and implement a drug court that follows the 10 Key Components. Planning courts are strongly encouraged to apply to participate in the NDCI Drug Court Planning Initiative funded through BJA. They are also strongly encouraged to visit nearby drug court programs.

The OCJP receives a great deal of information from federal and national partners that local drug court programs may not otherwise be privy to. The OCJP is able to distribute information regarding evidence based practices for drug court programs as well as the most recent research and evaluation results on drug court programs and practices. Training opportunities for drug court programs are also available around the country and are submitted to the OCJP for

distribution to local drug court programs. The OCJP regularly passes on information by placing it on the OCJP website, or via email to all drug court coordinators in the state.

Because of the additional state appropriated funding that became available in July 2006, most drug court programs in Tennessee are recipients of state funding through the OCJP grants. Through these new grants, the OCJP has been able to provide additional technical assistance on a variety of issues, including treatment protocol, standard case management practices, and compliance issues around the 10 Key Components. In addition, communication between the OCJP and the various drug court programs has increased significantly. It has allowed the OCJP and the TADCP an opportunity to engage drug court programs that otherwise have not been highly active at the state level.

## **Oversight of the Statewide Drug Court Program**

The Office of Criminal Justice Programs is charged with oversight of the statewide drug court program through the Drug Court Treatment Act of 2003. Through the Tennessee Performance Measures developed in 2004 by drug court professionals of the Drug Court Advisory Committee, drug court programs submit an annual report to the OCJP for collection and distribution. The OCJP reports these data annually, places it on the OCJP website.

Primarily through State funding, the Office of Criminal Justice Programs, this year was able to fund 36 drug courts across the State. State law defines rules and regulations around grant funding, which require another layer of oversight to those drug court programs that receive grant funds. Specific state and/or federal requirements must be met in order to receive funding through a state agency. Drug court grantees will be monitored by the OCJP Monitoring staff to verify grant compliance and least one time during the grant period, or more if necessary.

The Drug Court Advisory Committee (DCAC) is the legislated body that provides advice to the OCJP on program and funding issues for Tennessee's drug courts. The Drug Court Advisory Committee developed the performance measures that are reported on by drug court programs as well as the subsequent revisions and additions that have occurred to the performance measures over the years. The DCAC is the body that has advised the OCJP on the need for some type of standards or operating procedures for drug court programs in Tennessee, which is where the plan for Certification originated. Commencing in 2006 the DCAC meetings were opened to drug court programs to attend. The meetings began to revolve between for locations in the state: Jackson, Nashville, Chattanooga, and Knoxville. Drug Court programs from each of those areas were invited to attend the meeting in their region.

## **Evaluation**

In 2008 the OCJP applied for an evaluation grant with the Bureau of Justice Assistance and in the fall of that same year received a grant award. This evaluation grant will do three things. First, it will provide the necessary funds to access arrest data that is currently not available to local drug court programs but that is to be collected as part of the Tennessee Performance Measures and Goals. These performance standards and indicators are:

- Number of times admitted to jail and/or prison in the two years prior to admission to the drug court program.
- Number of times admitted to jail and/or prison in the two years after graduation or termination from the drug court program

- Amount of time in jail and/or prison in the two years prior to admission to the drug court program.
- Amount of time in jail and/or prison in the two years after graduation or termination from the drug court program.
- Number of felony arrests within one year of either graduation or termination from the drug court program.
- Number of misdemeanor arrests measured within one year of either graduation or termination from the drug court program.

The Drug Court Advisory Committee has recommended that these performance standards and indicators be gathered through periodic statewide evaluations conducted by outside evaluators. The data would be reviewed and a report would be submitted that document this arrest data in a way that would be useful to drug court programs and to the State of Tennessee. Second, there will be a quasi –experimental design evaluation implemented using three drug court programs to gather recidivism data. Last, the evaluation project will produce a cost analysis template that could be used by drug court programs to assess the costs and potential benefits of their program.

Drug court programs are also encouraged to do self-administered process evaluations to determine if their programs are doing what was intended. The data that drug court programs collect and report to the OCJP can be used by drug court programs for program evaluation and improvement. Resources are available for drug court programs interested in doing process evaluation and program improvement. As part of the certification process, the OCJP has recommended the drug courts utilize a free NDCI publication which defines how to do and internal process evaluation. This link is for the publication; [Local Drug Court Research: Navigating Performance Measures and Process Evaluations \(Monograph Series Six\)](#).

### **Statewide Drug Court Performance Measures Fiscal Year 2009/2010**

The 2003 legislation charges the Office of Criminal Justice Programs with evaluating state drug court treatment grants as well as collecting, reporting, and disseminating drug court data so that drug court programs may evaluate their own effectiveness. Through a partnership with the Drug Court Advisory Committee, the Tennessee Association of Drug Court Professionals, and the National Center for State Courts, the OCJP developed performance standards and definitions, and a reporting process for evaluation. The OCJP has now collected several years of data from Tennessee drug courts. Revisions to the original performance measures report have been made over the years and a “guide” was created that includes definitions and explanations of how to complete each data element so that data would be more uniformly reported, and therefore some comparisons and averages could be calculated. There are currently 48 drug court treatment programs in Tennessee; 39 adult drug courts, 7 juvenile drug courts, 7 DUI Courts and 1 family treatment court. There were Forty-seven (47) programs in Tennessee (39 adult drug courts, 6 juvenile drug courts, one DUI court and one family treatment court) submitted an annual report for the period July 1, 2009 to June 30, 2010.

**NOTE:** This report contains data submitted on the 2009/2010 Drug Court Annual Report. The data submitted by individual programs is reported as it was submitted and therefore may contain inconsistencies (programs may not have answered all questions or may not have answered the questions correctly). Contact the State Drug Court Coordinator with any questions.

## Individual Demographics

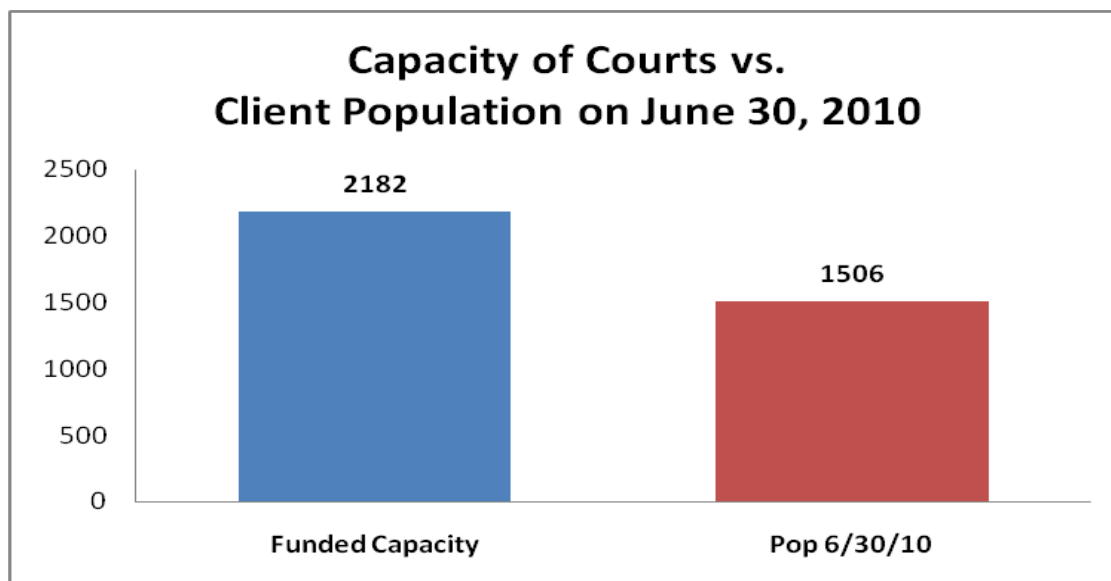
Of the 47 drug courts that submitted a report, 40 drug courts reported serving adults (39 drug courts and one DUI court), 6 reported serving juveniles, and one reported serving families. While some courts served only clients convicted misdemeanor offenses only and some served only those convicted of felony charges, the majority of courts served both. Drug court programs can serve jurisdictions in a variety of ways so some programs operate out of the criminal/circuit court level taking felony and misdemeanor offenders remanded up from the general session's court level, and vice versa.

## Statewide Performance Data

The 47 drug courts reported a total population as of June 30, 2009 (marking the beginning of the 2009/2010 fiscal year) of 1,431 participants. Drug courts collectively admitted a total of 1,465 participants during that year. Six hundred thirty-four (634) participants were reported as having graduated, 549 participants were terminated for non-compliance, and 211 participants were administratively withdrawn (see Drug Court Annual Report Guide for definitions). As of June 30, 2010, the total population of the reporting courts was 1502 (marking the end of the fiscal year).

Funded capacity is defined as the total number of participants the program is able to serve on any given day. Drug courts reported a funded capacity between 10 and 300. There are three drug courts who claim a funded capacity over 150. When those three large drug courts and the juvenile drug courts (typically a smaller capacity) are factored out, the average capacity of a drug court is 36 clients. Overall funded capacity for **all** reporting drug court programs was 2,182 while the counted number of clients in the program on June 30, 2010 was 1,502. This is only a snapshot of clients in program however it does indicate that on this day overall courts were operating at 69% of capacity on June 30, 2010.

**Chart 1.0**



Abstinence is monitored by frequent alcohol and other drug testing (Key Component 5). Using drug testing, courts can frequently measure compliance as well as abstinence, and participant's can receive immediate praise (incentives) for their progress, or an immediate sanction for non-compliance, plus an assessment of their treatment needs at that point. All 47 reporting drug courts submitted urinalysis data. Drug courts reported taking over 100,000 drug screens in fiscal year 2009/2010. Drug Court reports reflect that approximately 3% of all screens taken on drug court participants last year were positive. The data submitted by drug courts also reflect that the percentage of positive screens goes down as the participants move through the program.

In addition to the positive results of reduced drug usage as indicated by the urinalysis data other information collected from drug courts reflect the net gain of reduced drug use and the ability for these participants to be productive outside the confines of prison or jail. One hundred twenty-four participants had their drivers licenses restored. This is a positive for both the participant as

The cost saving aspect of drug courts over jails/prisons is not only seen in the reduced program cost but also in the participant's ability to pay their monetary debt to society. The table below shows this cost as reported by the drug courts through the annual report.

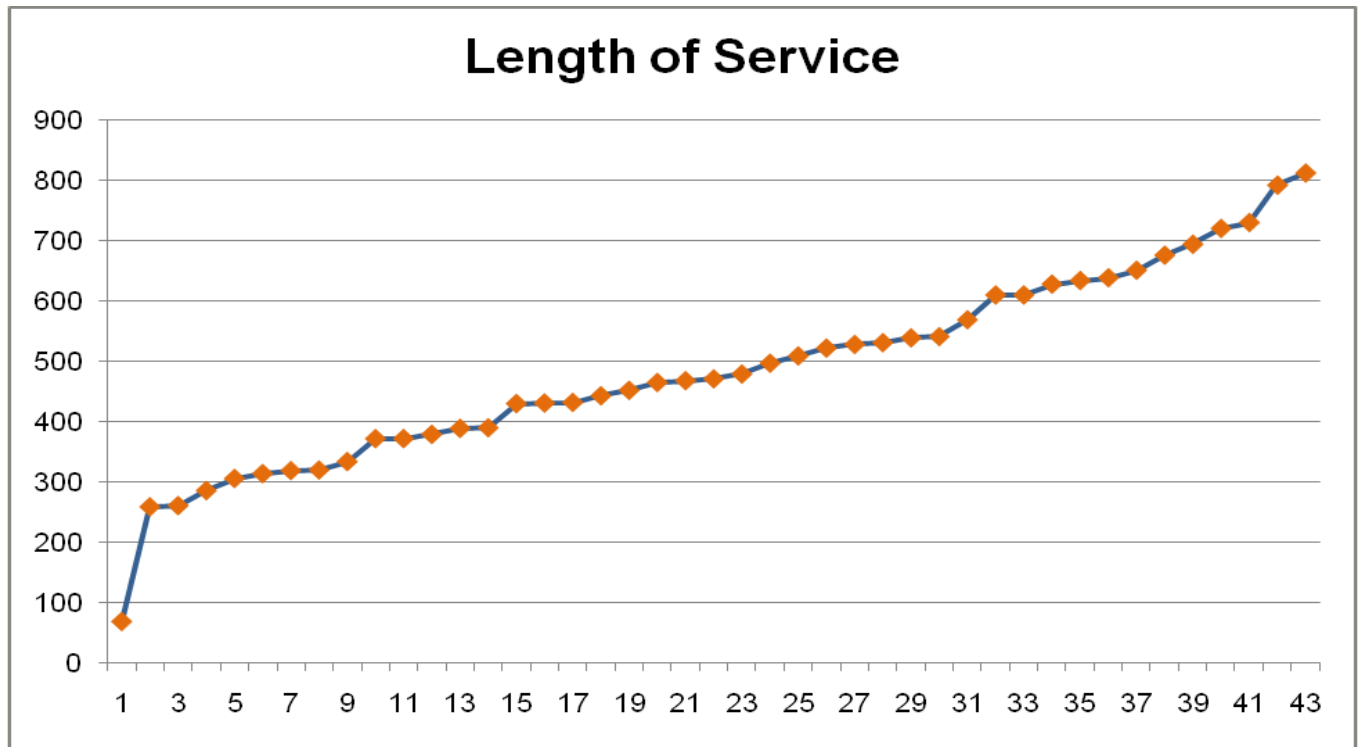
**Chart 2.0**

Amount of <b>child support</b> paid by participants	\$162,927
Amount of <b>finest and court costs</b> paid by participants	\$390,992
Amount of <b>restitution</b> paid by participants	\$62,480
Amount of <b>program costs</b> paid by participants	\$573,741
<b>Total Payments by participants</b>	<b>\$1,133,908</b>
Number of <b>community service hours</b> completed by participants	30,035
Community service hours @ minimum wage (\$7.25)	<b>\$217,754</b>

Graduation rates in drug courts are calculated by dividing the number graduated since inception by the total number who left the program through any means (graduation, termination, administrative withdrawal). The average graduation rate is approximately 45%. The graduation rates for courts in existence for a year or more **ranged from 18.6% to 86%**.

The OCJP also tracks the length average length of time participants are in the program until they graduate. The shortest average length of stay for any one drug court was 69 days while the longest length of stay was 812 days. The chart below shows the distribution of length of stay among 44 of the 47 drug courts. Data for three of the drug courts was either questionable or they had no graduates to track (new court).

Chart 3.0



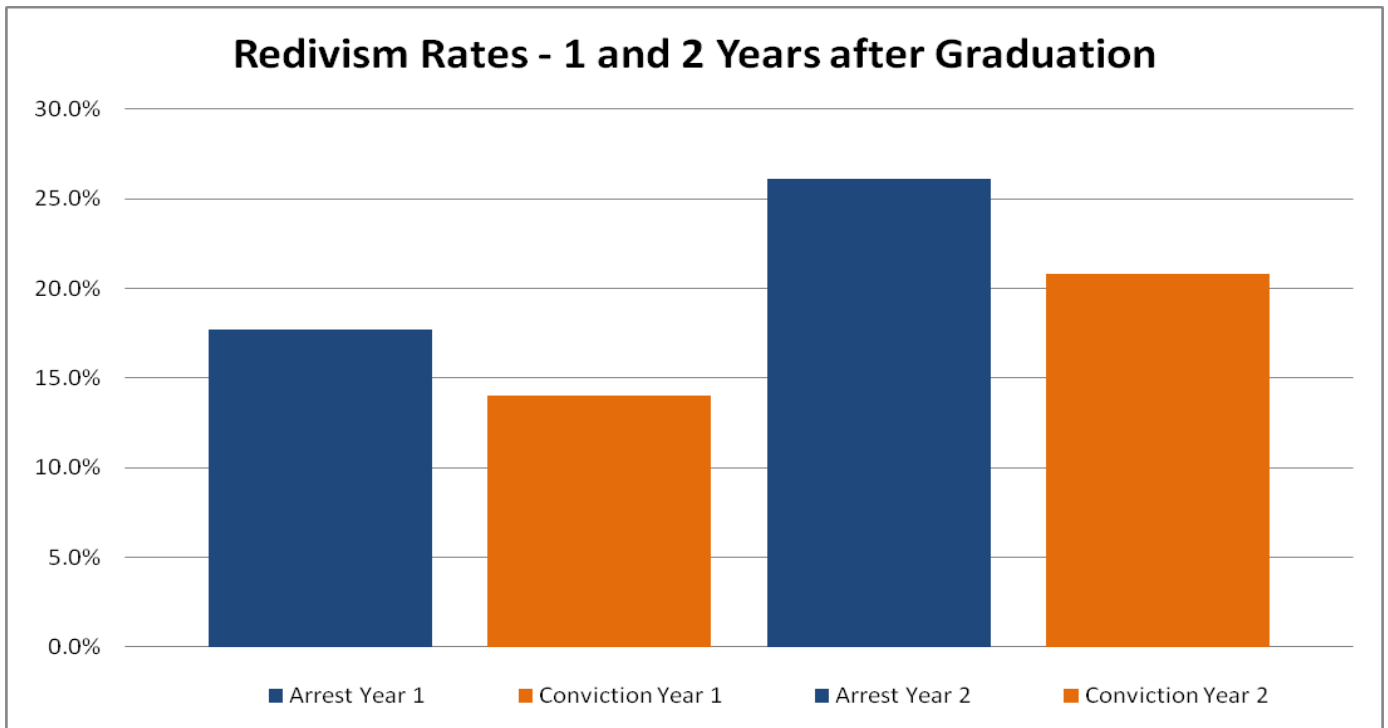
Drug courts reported arrest data for in-program arrests, arrests after one year of graduation, and arrests after two years of graduation for the 2009/2010 fiscal year as well as inception-to-date periods. In addition drug courts submitted data on conviction rates for participants in the program, one year and two years after graduation, and conviction data for program inception to date. There were some inconsistent data reported that are not included in these calculations. As the OCJP has continued to provide technical assistance, the inconsistencies have decreased. It should also be noted that some drug courts in Tennessee do not have graduates who have been released for one and two years, so they were unable to report portions of this data.

**NOTE: The few drug courts with very high recidivism rates are relatively new and have very few clients that meet the one and two year after graduation criteria, therefore any arrests by these clients may skew their total recidivism rate.**

The chart below shows, by court, the percentage of graduates since program inception that have been arrested within one year after graduation (Blue Line). Additionally, the chart shows the percentage of that same population who received one or more convictions within one year after graduation (orange line).



**Chart 6.0**

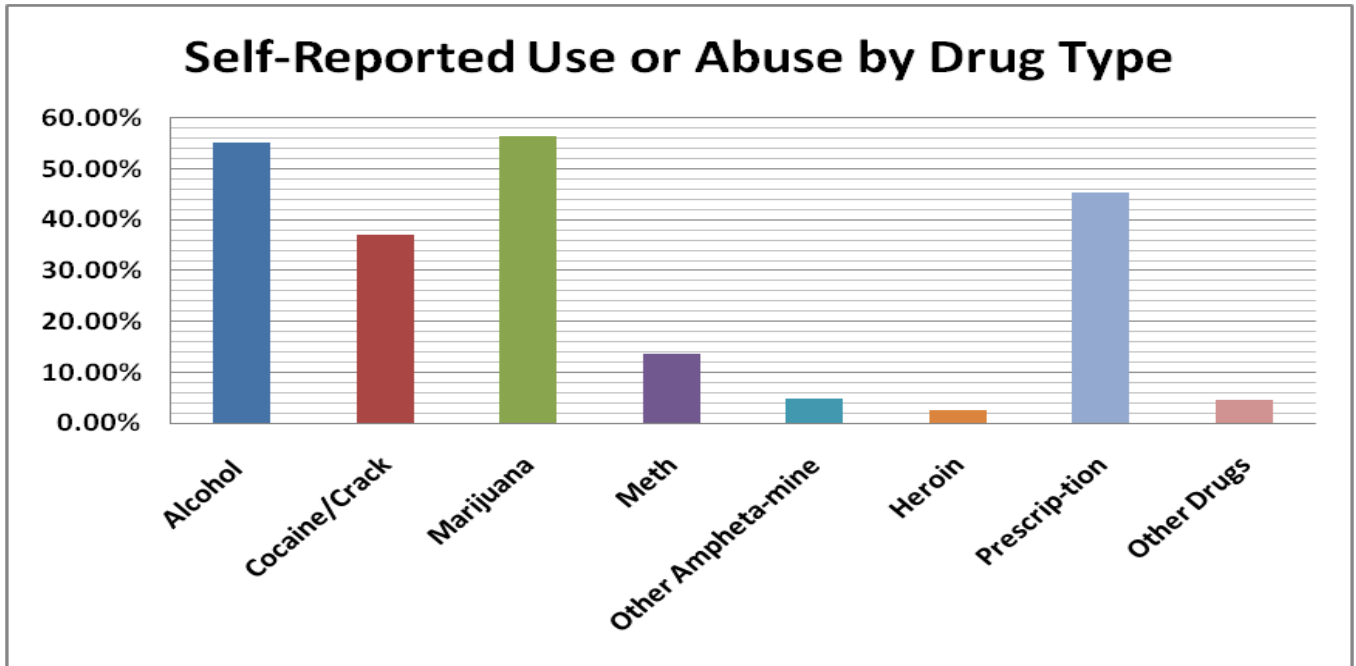


For new admissions in fiscal year 2009/2010, the drug courts collected and reported participants' primary drug of choice and all the drugs participants said they used/abused prior to drug court. All 47 drug courts reported collecting this information by client self report, using the Addiction Severity Index (ASI), by urinalysis results during intake or screening, the use of the Substance Abuse Subtle Screening Inventory (SASSI), the CAGE, Michigan Alcohol Screening Test (MAST), the Drug Abuse Screening Test (DAST), biopsychosocial assessments and court reports. Most drug court programs indicated more than one method of collection.

The following table describes the prevalence of drug use by drug type. Specifically, participants reported what drugs they used or abused. Therefore each drug shows what percentage of the participants admitted into the program used or abused that particular drug. Often clients claimed use or abuse of multiple drugs.

**NOTE: This data is derived from the courts which reported this data and is based on the FY 2009/2010 admissions only. This is not since program inception data.**

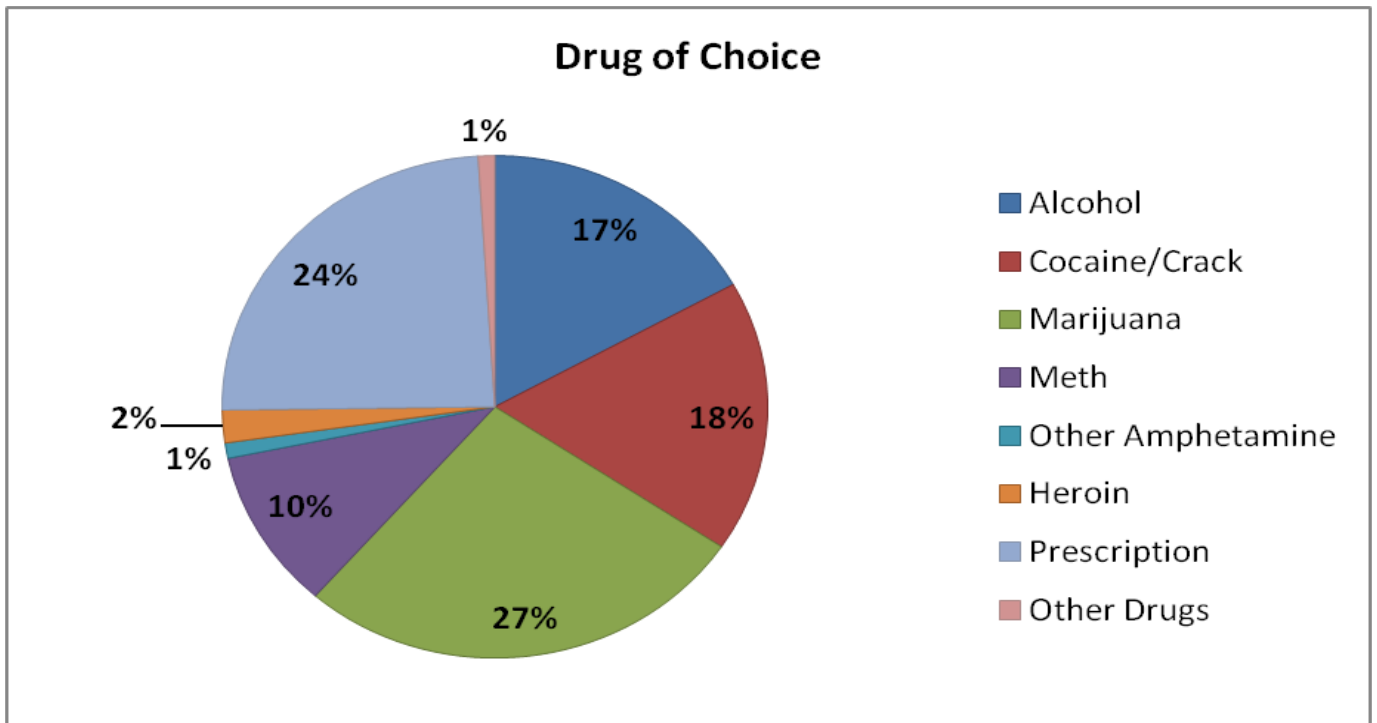
Chart 7.0



The pie chart below illustrates the percentage of drug court participants who identify these specific drugs as their primary drug of choice. The information suggests that marijuana is the drug of choice by participants admitted to the program FY 2009/2010. These numbers indicate an increase (5% over the past three years) in the percentage of participants claiming prescription drugs as their primary drug of choice.

**NOTE: This data is derived from the courts which reported this data and is based on the FY 2009/2010 admissions only. This is not since program inception data.**

Chart 8.0



## **Conclusion**

In fiscal year 2009-2010, the number of adult drug courts expanded as two new drug courts were formed; City of Milan Drug Court and the Fourth Judicial District Drug Court. The drug courts in general received many opportunities for training and technical assistance over the course of the year. In looking forward to 2010-2011 fiscal year, the drug courts, along with the Drug Court Advisory Committee and Tennessee Association of Drug Court Professionals will work with the OCJP and the consultants for the BJA Statewide Evaluation Grant, to further revise the annual report data set measures to ensure clear and concise language and consistently defined measures to enhance the quality of data received from the drug courts. Over the course of the next year, the BJA Statewide Evaluation will be fully underway and the development of the cost-benefit tool will be addressed.

***Tennessee Drug Court Annual Report***  
***Drug Court Advisory Committee Members***  
***Appendix A***



**STATE OF TENNESSEE  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
DIVISION OF RESOURCE DEVELOPMENT AND SUPPORT  
OFFICE OF CRIMINAL JUSTICE PROGRAMS  
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NASHVILLE, TENNESSEE 37243-1102**

**Mark A. Emkes**  
COMMISSIONER

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Revised 12.23.2010**

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Exofficio Members**

(Exofficio Members serve at the will of the Committee Members)

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***Tennessee Drug Court Annual Report***

***Drug Court Annual Report Guide***

***Appendix B***

## ANNUAL DRUG COURT REPORT GUIDE

This document provides guidance for each measurement or question. Please reference this document while completing the annual report. **Changes from the previous reporting period are noted in red.** If you have a question about how to answer one of the report questions, refer to this document or contact **Ann Moore at 532-3355 or Daina Moran at 253-8758.**

### *Drug Court Information*

Drug Court Name: The name of your drug court. The name is most helpful when there is some way to identify drug court's locations from one another. For example, "Drug Court Program for Adults" does not make a court easily identifiable because there are so many of them in the state.

Drug Court Judge: The presiding judge(s) over the drug court.

Counties Served: Indicate all the counties served by this drug court. The judicial district may include all the counties in the previous answer, but some drug court programs only serve a few counties within their respective judicial district.

Judicial District: a designated area of the state over which a circuit or criminal court has been empowered to oversee judicial matters.

Pilot: a drug court program is a pilot if it has a minimal amount of participants (less than 10) **and** it is not fully operational. The program may still be developing some of its components, phases, and/or resources.

### *Report Contact*

Provide accurate information about the person completing this report.

### *Funding Sources*

This information is helpful to get an over all view of the types of resources drug court programs can and do access. **If you are not sure, please contact OCJP.**

OCJP Grant -Grant funds received by OCJP.

Local government direct appropriations: If your local county appropriates funds within the county budget for the drug court program (excludes the Drug Court Treatment Act funds)

DUI Treatment Fees: Funds collected from DUI fees that the county delegates for drug court program funding.

Participant fees: Fees collected by drug court participants. Please indicate the participant fee assessed weekly or monthly.

Charitable contributions: Funds and donations raised through local fundraising opportunities and individual donations.

501c3: A drug court specific, non-profit organization established specifically to receive or raise funds for the drug court program

Direct Federal Grant: any grant received by a federal office for which the drug court program applied directly to that office or for which the drug court program received an earmark specifically for drug court program services.

Other: Any other funding provided to the drug court program for which the other categories do not apply.

JAG/ARRA: You are an ARRA recipient this fiscal year.

### *Type of Court*

Population: If you have more than one of these courts, each court serving a specific population should report annual data separately.

Charge: **Current charge that makes an offender eligible for your drug court.** More than one charge may apply.

Presenting Problem:

- DUI/DWI: **Your drug court only serves offenders** with Driving under the Influence charges.
- Drug Abuse: **Your drug court serves offenders with a current drug-related charge,** but does not take **offenders** with DUI/DWI offenses.
- Hybrid: **Your drug court** accepts **drug-related** charges including DUI/DWI's.

Co-occurring disorders: when participants are diagnosed with substance addiction and any other mental health diagnosis.

### *Drug Court Treatment Program Data*

Capacity Definition: the total number of participants that could be served in the program on any given day.

1. Total Funded Capacity: **How many participants can be served by your drug court at any given time (example: your drug court has the capacity to serve up to 25 people at a time)?**
2. Population as of midnight June 30<sup>th</sup> of the previous reporting year: this is a “snapshot” of the number of participants active as of the end of the last day of the previous reporting year. (Note: In no way is this figure meant to represent the average number of daily participants your program has had for the year.)
3. Admitted/enrolled: A person is considered admitted and/or enrolled on the 1<sup>st</sup> day of active program participation.
4. Graduated: The number of participants that have successfully completed the full drug court program and are no longer in active status.
5. Terminated: the number of participants that have been removed as a result of non-compliance.
6. Administratively withdrawn: This includes participants that are no longer receiving drug court services as well as the number of participants that have been removed from the program for some unforeseeable reason (i.e., absconders, those served with a warrant and waiting in jail for a hearing for termination, transferred to another court or jurisdiction, moved out of a jurisdiction, terminated for medical reasons, discovery of a violent charge after the fact, “aged-out” or parents move in juvenile courts). This does not include those terminated for non-compliance.

7. Average number of days between enrollment/admission and date of graduation (formula = SUM of days each participant was in the program from enrollment to completion, divided by the number of graduates in that reporting fiscal year).
8. Population as of midnight June 30<sup>th</sup> of the current fiscal year ending: this is a “snapshot” of the number of participants active as of the end of the last day of the fiscal year in which you are reporting.

**GOAL ONE: Reduce the use of jail and prison beds and other correctional services by non-violent chemically dependent offenders by diverting them into rehabilitative programs**

9. Once a participant has been admitted/enrolled, how many times were they admitted to jail or prison (do not include if participant **begins** program in jail)?
10. Once a participant has been admitted/enrolled, how many days did they spend in jail (this includes all participants that are in jail during the program for any reason)?

**GOAL TWO: Reduce incidences of drug use and drug addiction among offenders.**

11. Number of phases in your drug court program.
- 12 through 17. List the number of drug screens administered to participants in each phase of your program **during this fiscal year**. List the number of those that were positive for each phase.
18. This total should equal the sum of 12 through 17.

**GOAL THREE: Reduce crimes committed as a result of drug use and addiction**

**GOAL FOUR: Promote public safety through these reductions**

**Recidivism within 1 year of graduation:**

19. Fiscal year graduates from **July 1, 2008 to June 30, 2009**.
20. This is the number of participants from #19 who were arrested within one (1) year after their graduation date. Arrest= any arrest of any kind for any reason, limited to **local arrest data ONLY** (At this time, most programs are unable to access data outside their county, so it is more consistent for data collection purposes).
21. Calculate using formula:  $[(\#20/\#19) * 100]$
22. This is the number of participants from #19 who were convicted of a crime within on (1) year of their graduation date (**NOT the number of convictions**).
23. Calculate using formula:  $[(\#22/\#19) * 100]$

**Recidivism within 2 years of graduation:**

24. Fiscal year graduates from **July 1, 2007 to June 30, 2008**.
25. This is the number of participants from #24 who were arrested within two (2) years after their graduation date. Arrest= any arrest of any kind for any reason, limited to **local arrest data ONLY** (At this time, most programs are unable to access data outside their county, so it is more consistent for data collection purposes).
26. Calculate using formula:  $[(\#25/\#24) * 100]$
27. This is the number of participants from #24 who were convicted of a crime within two (2) years of their graduation date (**NOT the number of convictions**).
28. Calculate using formula:  $[(\#27/\#24) * 100]$

**Recidivism since the Start of Drug Court (inception):**

29. The answer to Question #4 in the “Since Start of Drug Court” column.
30. The number of graduates listed in Question #29 that graduated on or before **June 30, 2009**.
31. Of those listed in #30, how many were arrested for any reason within one year of graduation?
32. Calculate using formula:  $[(\#31/\#30) * 100]$
33. Of those listed in #30, how many were convicted of any crime within one year of graduation?
34. Calculate using formula:  $[(\#33/\#30) * 100]$
35. The number of graduates listed in Question #29 that graduated on or before **June 30, 2008**.
36. Of those listed in #35, how many were arrested for any reason within two years of graduation?
37. Calculate using formula:  $[(\#36/35) * 100]$ .
38. Of those listed in #35, how many were convicted of any crime within two year of graduation?
39. Calculate using formula:  $[(\#38/\#35) * 100]$

### ***In-program Recidivism***

40. The answer to Question #2, plus the answer to Question #3 in the “**2009-2010**” column.
41. Arrest: Include any and all arrested, not just local.
42. Convicted: Include any and all convictions.
43. Total number of participants enrolled since the beginning of the program. **This should equal #3, Since Start of Program column.**
44. Total number of participants arrested at least once since they began the program.
45. Total number of participants convicted of any crime at least once since they began of the program.

### **GOAL FIVE: Increase the personal, familial, and societal accountability of offenders**

#### **Restoration of custody rights/visitation rights:**

46. Custody rights restored through a legal process—not self-reported. Can be joint or full custody.
47. Visitation rights restored through a legal process—not self-reported. Any type of legally restored visitation can be reported.

#### **Birth of drug free babies:**

48. The woman must become pregnant while a participant in the program. Women who are pregnant at admission/enrollment do not count for this measure.
49. The woman must remain completely drug free (determined by negative urine drug screens) during the full term of her pregnancy.
50. Calculate using formula:  $[(\#49/\#48) * 100]$

#### **Employment, re-employment, and/or improved employment:**

51. Number of **fiscal year 2009/2010** graduates unemployed at admission and at graduation.
52. Number of **fiscal year 2009/2010** graduates that were employed part time at admission and at graduation (less than 32 hours week).
53. Number of **fiscal year 2009/2010** graduates that were employed full time at admission and at graduation (32 hours or more per week).

**Employment stability:**

54. Include only those graduates that retained the same employer for 6 months prior to graduation. This can include promotions or transfers within the same company/organization.

**Education gains:**

- 55 through 58. Do not include job skills training, resume writing, and other skill-improvement classes. Must be an accredited program or institution such as for a college degree, a nursing certification, or special driving permits.

**Child support payments:**

59. This includes an order by any court, including the drug court program's requirements. Does not include payments made by the participant that are by self-report and not court-ordered.

**Hours of community service:**

60. This includes an order by any court, including the drug court program's requirements. Does not include community service performed by self-report.

**Fines, court costs, program costs, and restitution:**

- 61 through 63. This includes an order by any court, including the drug court program's requirements for paying court costs and fines, program costs, supervision (such as probation fees), and restitution.

**Drivers License restoration:**

64. Number of participants with their driver's license restored during the fiscal year **July 1, 2009 to June 30, 2010**.

**GOAL SEVEN: Provide timely processing of non-violent chemically dependent offenders**

65. Average # of days between application to drug court and date of enrollment/admission (determined by documentation of a referral pending approval or acceptance). Calculation: add the # of days between referral and admission/enrollment for each participant admitted/enrolled in this fiscal year and divide that by the # of admissions/enrollments for the fiscal year.

**GOAL EIGHT: Increase graduation and retention rates of drug court program participants**

## **Drug Court Graduation and Retention Data**

### **Graduation Rate (inception):**

66. This is the same as the answer to #4 in the “Start of Drug Court” column on this report.
67. Add the answer to #4 and #5 from the “Since Start of Drug Court” column to get this answer.
68. Calculate using formula  $[(\#66/\#67) * 100]$ .

### **Retention Rate (inception):**

69. Add the answer to #4 in the “Since Start of Drug Court” column and the answer to #8.
70. The answer to # 3 in the “Since Start of Drug Court” column.
71. Calculate using formula:  $[(\#69/\#70) * 100]$ .

## **GOAL SIX: Promote effective interaction and the use of resources among local criminal justice agencies and community agencies.**

Be specific about the way in which your agency/organization collaborates with community partners in a meaningful way to benefit the participants or the community.

### **OTHER INFORMATION:**

Drug of Use for Fiscal Year Admissions:

Used/Abused: How many participants report using each of the listed drugs? It may be more than one drug per participant.

Primary Drug of Choice: How many participants reported each drug listed as their primary drug of choice? The total should equal the number of people admitted to the program this fiscal year. **For the purpose of this measure, identify only one primary drug of choice for each participant admitted to the program during this fiscal year.**

### **Demographic Information**

This includes the number of females and males that your program served this fiscal year and the number of females and males that graduated from your program this fiscal year.

In addition, please report data collected regarding race/ethnicity and age. Indicate the categories that you use for race/ethnicity and the categories that you use for age.

The National Association of Drug Court Professionals (NADCP) collects data each year for the Office of National Drug Control Policy for their report to Congress. Each year, this information is asked of OCJP and at the present, we are unable to report on it.

***Tennessee Drug Court Annual Report***

***6<sup>th</sup> Annual Drug Court Conference Agenda***

***Appendix C***

# 2009 Tennessee 6<sup>th</sup> Annual Drug Court Conference Agenda

Discipline 1	Treatment/Social Worker/Community
Discipline 2	Law Enforcement/Case Manager/Probation-Parole
Discipline 3	Administrative/Coordinator/Evaluator
Track 4	Legal/Judge/Attorney

Downtown DoubleTree, Nashville, TN

Continuing Education: Approval CLE'S, CEU'S. AA/NA Meeting: Registration Desk

Wednesday, October 7, 2009

10:30 am – 11:55 pm	Registration Opens
12:00 pm – 1:20 pm	<p><b>Opening Ceremonies</b> Presentation of the Colors (Flag)</p> <p><b>Welcome and Introduction:</b> Patricia Dishman Tennessee Office of Criminal Justice Program</p> <p><b>Keynote Address:</b> <b>The Honorable Cornelia A. Clark, Justice</b> <b>Tennessee Supreme Court</b></p> <p><b>Presentation:</b> Certified Drug Courts</p> <p><b>Remarks:</b> State Representative Joe Pitts, House District 67</p> <p><b>Presentation:</b> Rebekah Provost-Emmons, Christy Vernon Spirit Award</p> <p><b>Cumberland Ball Room</b></p>
1:20 pm - 1:30 pm	BREAK
1:30 pm - 3:00 pm	<p><b>General Session 1:</b></p> <p><b>Donald J. Mac Neil , MS</b></p> <p><b>Reducing Relapse/ Randomization Drug Screens</b></p> <p>Sponsored by MEDTOX</p> <p><b>Cumberland Ball Room</b></p>
3:00 pm – 3:15 pm	BREAK
3:15 pm – 4:45 pm	<b>Graduates Tell Their Story</b>
4:45 pm – 6:00 pm	<p><b>Networking Reception</b> <b>Exhibit Hall</b> <b>(appetizers provided)</b></p> <p>Visit booths and personally thank sponsors</p>

# 2009 Tennessee Drug Court Conference Agenda

Thursday, October 8, 2009

7:00 am – 8:30am	<b>Registration and Continental Breakfast</b>			
8:30 am – 9:45 am	<b>General Session 2: Updated Sanctions and Incentives</b> Honorable Robert T. Russell, Jr.			
9:45 am – 10:00am	Break			
10:00 am – 11:15 am	<b>Ethics- Boundary</b> <b>Kathy Benson,</b> <i>LADC, NCAC II,</i> <i>Pleiades Clinical</i> <i>Consulting Group</i>	<b>Law Enforcement &amp; Specialty Court:</b> <b>Lieutenant Chris Clausi, 2<sup>1st</sup></b> <i>Judicial Dist. Drug Court</i>	<b>Mental Health Services for Participants</b> <b>Hon. Casey Moreland, Judge</b>	<b>Due Process</b> <b>Hon. Robert T. Russell, Jr.</b>
11:30 am – 1:00 pm	<b>Lunch</b>  <b>C. West Huddleston, III - (All Rise Campaign)</b> <i>CEO and Executive Director of National Association of Drug Court Professionals</i>  <b>Keynote Speaker:</b> <b>Andy Buckner</b>  <b>Journey from Addiction to a New Life</b>  <b>CUMBERLAND ROOM</b>			
1:00 pm – 1:15pm	Break			
1:15 pm – 2:15 pm	<b>General Session 3:</b>  <b>Guy Wheeler</b>  <b>Cultural Proficiency</b>  <b>Meets Certification Requirement</b> <b>Sponsored by NADCP/NDCI</b>  <b>CUMBERLAND ROOM</b>			
2:15 pm – 2:30pm	Break			
2:30 pm – 3:45 pm	<b>Confidentiality - HIPPA</b> <b>Kathy Benson,</b> <i>LADC, NCAC II,</i> <i>Pleiades Clinical</i> <i>Consulting Group</i>	<b>Putting It All Together</b> <b>Lieutenant Chris Clausi, 2<sup>1st</sup></b> <i>Judicial Dist. Drug Court</i>	<b>Guy Wheeler</b> <b>Spirituality and Recovery</b>	<b>Criminal Defense Attorney Panel:</b> <b>Jake Lockhart,</b> <b>Erik Elms,</b>
3:45 pm – 5:00 pm	<b>General Session 4:</b>  <b>Dr. Peter Martin, Vanderbilt University</b>  <b>Healing Addiction</b>  <b>CUMBERLAND ROOM</b>			
5:00 pm – 6:00 pm	<b>Networking -Exhibit Hall</b> <b>Drawing for Giveaway- Must be Present to Win</b>			
6:00 pm – 7:00 pm	<b>DC4 Campus – Hon. Judge Seth Norman- Sign up at Registration Desk</b>			

# 2009 Tennessee Drug Court Conference Agenda

Friday, October 9, 2009

7:00 am - 8:30 am	Continental Breakfast
8:30 am - 9:45 am	<p>General Session 4: Dr. Kenneth Robinson</p> <p>Cognitive Behavioral Intervention</p> <p>Correctional Counseling Incorp. (CCI) Sponsored by CCI</p> <p>Cumberland Room</p>
9:45 am - 10:00 am	Break
10:00 am - 11:45 am	<p>Special Guest Artist - TBA</p> <p>Special Guest:</p> <p>Mr. David Parnell Facing the Dragon <a href="http://www.facingthedragon.com">www.facingthedragon.com</a> Dresden, TN</p> <p>Cumberland Room</p>
12:00 pm - 1:00 pm	<p>Closing General Session 5 (Luncheon-TADCP Members)</p> <p>DWI COURT MODEL - HOW IT WORKS 31<sup>ST</sup> DWI COURT The Honorable Bart Stanley, Jr &amp; Team</p>

# ***Tennessee Drug Court Annual Report***

## ***Certification Application***

### ***Appendix D***

TENNESSEE DRUG COURTS  
APPLICATION FOR CERTIFICATION

Drug Court Name:

Drug Court Start Date:

Type of Court:

Jurisdiction:

Application Contact Person:

Supervising Judge:

Name

Address

Telephone

Fax

E-mail

Drug Court Coordinator:

Name

Address

Telephone

Fax

E-mail

Program Financial Officer:

Name

Address

Telephone

Fax

E-mail

**Attachments Required:**

Attachment A: Drug Court's Policy and Procedure Manual

- For all other attachments, if the information requested is contained in the Drug Court's Policy and Procedure Manual, please indicate this along with the chapter and/or page number.

Attachment B: Drug Court Mission Statement, Goals and Objectives

Attachment C: Organizational Plan

- Drug Court Team Members (name, title/team function, agency, address, telephone and fax numbers, e-mail address, education level and credentials, length of time as a team member, and trainings attended).
- Treatment Provider Information (name, degree and license, title, agency, address, telephone and fax numbers, e-mail address, level of service-residential, IOP, outpatient, aftercare, MRT, ect; supervisor's name and credentials; copy of any forms used to communicate information between the agencies).
- Steering Committee Members/Advisory Body- if applicable (name, title, agency, address, telephone and fax numbers, e-mail address; meeting minutes for the last fiscal year).
- Describe the linkages your drug court has created between community groups and the criminal justice system.
- Describe the role your drug court has played in forming partnerships between the drug court program, law enforcement and offenders in the community.

Attachment D: Drug Court Phases Description

Attachment E: Drug Court Client Handbook

Attachment F: Contractors

- This attachment should contain information on each contractor (description of the services provided) and a copy of their contract with the court. If no contractors are being utilized by this court, this attachment does not apply.

Attachment G: Drug Court Program's Operational Budget

- This section should include the projected budget of the program including all projected income and expenses.

Attachment H: Most Recent Annual Report

Attachment I: Most Recent Process or Outcome Evaluation

- Submit most recent Process or Outcome Evaluation, (within the last year).
- If the drug court has not obtained a formal evaluation to date, must supply narrative description of program internal review, date of internal review and outcome of the review.
- Submit an overview of the Data Collection System for monitoring and reporting Performance Measures.

Attachment J: Signed statements from the Prosecutor(s) and Defense Counsel(s)

- Indicate their participation in the design of screening, eligibility, and case-processing policies and procedures to guarantee that due process rights and public safety needs are served.

Attachment K: Completed Certification Review Tool

# ***Tennessee Drug Court Annual Report***

## ***Certification Overview***

### ***Appendix E***

## **THE TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS ANNOUNCES A DRUG COURT CERTIFICATION PROGRAM**

As a result of the 2003 enabling legislation, the drug court movement in Tennessee has continued to expand. A mere handful of drug court programs existed before the legislation. Now there are 45 drug court programs and more drug courts being implemented every year. The Office of Criminal Justice Programs (OCJP) was named as the program office to oversee, monitor and evaluate drug court programs. The OCJP has been funding drug court programs since 2004 and is responsible for distributing state funding specifically for drug court programs. The OCJP also provides training and technical assistance to operational and implementing drug court programs and has done so since 2003.

As the statewide drug court program grows and more drug court programs are implemented, there is a greater need to standardize a way to establish that drug court programs are operating in a manner that is consistent with the minimum criteria established in the Drug Court Treatment Act of 2003. When funding is available through federal and state resources, programs are accountable to the standards determined to be best practices so communities can be assured that some measure of quality and effectiveness is present. The 10 Key Components are nationally recognized best practices adopted by the federal Department of Justice, Bureau of Justice Assistance, the National Association of Drug Court Professionals, The Tennessee Association of Drug Court Professionals, and the Tennessee General Assembly as passed in the 2003 legislation.

The Office of Criminal Justice Programs has been tasked with developing standards for drug court programs in Tennessee. In an effort to adhere to the 2003 legislation and with advice from the legislated body called the Drug Court Advisory Committee, the OCJP has developed a certification process based on the 10 Key Components and the benchmarks therein, for effective drug court programs. This certification process will be available by invitation to all drug courts interested in making application. Certification will be required to receive federal or state funding through OCJP. Drug Court Programs that are not certified will not be recognized as a drug court. Drug Court Program Performance Measures will not be collected from non-certified programs. Certified drug court programs will be the only programs reported to the State and Federal Government for census and performance data. The process for application for 2010 certification will be implemented as detailed below.

- Ø An invitation to apply for certification will be sent to the next most mature (oldest) drug court programs in November 2009. Those programs will be required to submit an intent to apply letter to OCJP.
- Ø Applications for certification will be reviewed in June of 2010 by a state-level panel using the document below. (NOTE: Your peers will not be reviewing your application.) The review panel will make a recommendation for approval on each application and applicants will be informed in writing of approval status.

- Ø Applicants that were not approved for certification will be given several weeks to resubmit corrections to deficient portions of their application and approval status will be provided in writing.
- Ø Certified programs will submit to desk reviews and site visits through-out the three year certification period.
- Ø For approved applicants, certification will begin September 1, 2010.

The 2010 Certification timeline is as follows:

November 3, 2009	Invitation letters will be emailed
December 14, 2009	Intent to apply letters due to OCJP; Certification Application available for completion and submission for the programs that submitted intent to apply in 2010
April 12, 2010	Certification Applications due to OCJP
May 26, 2010	Certification Review Panel meets
June 11, 2010	Notice of approval status in writing
July 9, 2010	Certification Application Revisions due to OCJP

For your review there are two documents included on this site to help drug court programs prepare for certification, the Certification Application to be completed, and the Certification Review document that the review panel members will use to review each application. If you have any questions about this process, please contact Marie Crosson at 615-253-2037 or [Marie.Crosson@tn.gov](mailto:Marie.Crosson@tn.gov), or Daina Moran at 615-253-8758 or [Daina.Moran@tn.gov](mailto:Daina.Moran@tn.gov).

[Certification Review Survey Tool](#)

[Certification Application](#)

[Rules Governing Licensure of Alcohol and Drug Abuse Counselors](#)

[Rules for Alcohol and other Drugs of Abuse Non-residential Treatment Facilities](#)

[Local Drug Court Research: Navigating Performance Measures and Process Evaluations](#)

[\(Monograph Series Six\)](#)- Free NDCI publication which defines how to do an internal Process Evaluation.