

## April 4, 2016; Drug Court Final Column

In this, my last column on the Superior Court Drug Courts, I wish to confront a complaint I've heard a number of times over the last few months. That is, drug courts let drug abusers off too easily. This notion was reinforced by what I considered a most unfortunate news media headline published on March 13, 2016 in an online article. In reference to a pending drug case against former senatorial and Agat vice-mayoral candidate Derick Baza Hills and his co-defendant Sara Mae Uche, the headline read: "Hills, Uche could have drug case wiped clean."

My objection is not with the content of the headline. Rather, I object to its tone. The clear implication is that Hills and Uche might get away with their alleged crimes because their cases will be "wiped clean." This snide implication does a disservice to both the adult and juvenile drug courts overseen by Judge Vernon Perez and Judge Anita Sukola, respectively, and their dedicated teams who oversee and monitor the drug programs as well as those offenders who successfully complete them.

Drug court requirements are by no means a barbeque on the beach for offenders. The programs for both juvenile and adult drug offenders are rigorous and demanding. A review of the process and requirements of the drug courts will highlight this point.

On the adult side, qualified participants who volunteer for the program must first plead guilty to the drug offense. The judge will defer acceptance of the plea. In exchange, offenders are obligated to participate in an intensive recovery program. If they succeed, their guilty plea will be dismissed and their arrest record expunged. However, if they fail to abide by the terms and conditions, the judge will then accept the guilty plea and the offender will face up to three years in prison and up to a \$5,000 fine.

Although the threat of significant prison time would keep most people in line, drug offenders aren't like most people. Their addiction often overrides reason and logic. So, the Superior Court's drug rehabilitation program is built around a closely monitored program of quick rewards and punishments. Those found eligible for the program participate in a four-phase program that can take up to two years to complete.

In Phase I, a psychiatrist or psychologist, and a case manager assess each participant. Based on the assessment, an individualized treatment plan is crafted. To move from one phase to another, a participant must have at least 10 consecutive clean drug tests and spend a minimum amount of time in each phase, ranging from 4 to 20 weeks. In addition, participants must attend a specified number of meetings with the case manager; actively participate in group and self-help sessions; perform a set number of community service hours; and follow all recommendations of the judge, case manager, and treatment provider. Participants must also attend

educational programs geared to address specified areas of need such as anger management, relapse prevention, violence prevention, and value clarification.

Rewards and punishments are swift and frequent. Rewards include a reduction in the amount of a fine or in the number of required community service hours. Offenses include failure to report to probation, non-compliance with the treatment plan, failure to show for a urinalysis and/or breathalyzer test, and testing positive for drugs and/or alcohol. Punishment can range from a warning to confinement in jail for a period of time ranging from one to seven days, or dismissal from the program altogether for chronic failure to abide with the rules and regulations.

Graduation requirements include:

- Participate for a minimum of 12 months in the Adult Drug Court program.
- Be drug and alcohol free for a minimum of 6 months
- Attend all required recovery meetings and recreational therapy.
- Complete all clinical group therapy sessions.
- Attend all vocational training sessions.
- Attend all meetings and scheduled home visits with case manager.
- Complete all community service.
- Pay minimum fine of \$540.
- Attend all court hearings
- Complete restitution.
- Write an essay outlining participants experience in the program

The juvenile drug court program has two tracks – an intensive track for youths with severe drug dependency issues and a non-intensive track for those with only minor drug and alcohol problems. The intense track uses a four-phase approach similar to the adult drug court.

Research indicates that drug courts reduce the incidence of repeat offenders and saves taxpayers money. More importantly, the special needs of drug offenders are met, giving them a fighting chance to turn their lives around and to become productive members of society.