

**A Message from
Honorable David L. Ashworth
Adult Drug Court Judge**

Measuring Success

How do you measure success? Is it the number of graduates? Is it the methodically collected information outlined in the Process Evaluation Report prepared by a well respected PH.D. from Millersville University? Perhaps it's the number of letters received by the "Team" thanking them for saving a life or reuniting a family. Or maybe success is measured best by the "totally clean" babies born since the program was started.* Whatever the measure, those of us involved in the Lancaster County Court of Common Pleas Adult Drug Court have seen tremendous changes in the lives of those Drug Court participants (and their families) with whom we have worked over the last two and a half years.

For those unfamiliar with the Drug Court concept, beginning in 2005, the Lancaster County Court instituted an Adult Drug Court based on proven national research and program models to provide participants with an opportunity to pursue treatment for their addiction(s) while addressing associated legal problems in a productive manner. The goal of any Drug Court is to break the "revolving door" of recidivism by addressing the underlying addiction(s) of its nonviolent offender participants. The Lancaster County Drug Court Team consists of a Judge, the Drug Court Coordinator with support staff, an Assistant District Attorney, an Assistant Public Defender, three Drug Court Officers, and representatives from Adult Probation and Parole Services, the Drug & Alcohol Commission, MH/MR, the treatment/counseling community and the Department of Sociology/Anthropology of Millersville University.

Each Drug Court participant is required to complete a four-phase, recovery oriented program lasting at least 12-18 months. Each phase is designed to assist the participant in maintaining sobriety through active participation in an appropriate treatment program, attendance at AA/NA meetings, development of short and long-term treatment/recovery goals, community service, employment and training, and educational goals. Participants appear regularly in court at the weekly Drug Court sessions held every Tuesday in Courtroom 12 at 1:30 P.M.

Drug Court is by no means an easy way out. We've tried very hard to dispel any such beliefs from the beginning. In fact, we've received word from the prison rumor mill that Drug Court is a "setup." We freely acknowledge that it is precisely that.... a setup. If you want to get clean and sober, it's a setup

for success. If, on the other hand, you want to continue with addictive, destructive behaviors, it's a setup for further incarceration. It's certainly not a "warm fuzzy" place to be if a participant chooses to continue with an active addiction. Sanctions for violation of Drug Court rules and regulations range from writing assignments to incarceration to discharge from the program and are based upon the nature and frequency of the violations. Participants are clearly advised at their guilty plea before entering that if they are unsuccessfully discharged from the program they will be sentenced more harshly than if they simply negotiate a plea outside of Drug Court. This is an "in-your-face" program where participants have frequent contact with members of the Drug Court Team and treatment providers and are expected to participate in and complete numerous treatment-oriented activities as they progress through the four-phases.

Participants who complete the four phase program successfully may apply for graduation. Those who qualify, participate in a graduation ceremony and may apply for dismissal, reduction and/or expungement of the original charges.

The beauty of Drug Court is the ability to "tweak" the program as it develops without getting bogged down in the bureaucracy of the "traditional" system. We have the opportunity to tailor our program to the needs of our participants and modify procedures without any red tape. If a participant is in need of job training or inpatient counseling, we can address those particular issues while still maintaining overall consistency throughout the program.

Addicts in general and Drug Court participants in particular often do not fit the stereotype "druggie" so often portrayed in the media. They come from all walks of life and all corners of our County. Our youngest participant is 19 and our oldest is a 54 year old grandmother. Our first graduate is an accountant who at the time of her arrest for prescription fraud had been abusing oxycontin for over 13 years and had been using up to 20 tablets a day. She successfully completed the program within one year without any sanctions, had her charges dismissed and expunged, kept her professional license and continues practicing as an accountant. Another graduate, who had been a heroin addict for thirty years, is gainfully employed as a regional truck driver and is celebrating over three years of sobriety. Following his graduation, I had the honor of performing his wedding in which he remarried his ex-wife. One of our more recent graduates had a successful career in the military and was later shot as a civilian in Washington, D.C. following which he spiraled out of control with his addiction. He's now working full time and enjoys spending his clean time with his grandchildren.

Does Drug Court work for everyone? Of course not. It must be remembered that we are working with people, many of whom have long since been written off by the traditional system. They have exhausted the resources of probation/parole and all that remains (absent Drug Court) is to have them return time and time again for relatively minor offenses or simply warehouse them in county or state prison. It is often said that when a person becomes an addict, their social and emotional development also becomes arrested. Our program has many 25 to 45-year-old participants with the emotional development of a fifteen-year-old.. Basic life skills that most people take for granted are taught on a regular basis. Taking responsibility for one's actions is a common theme and honesty (both with oneself and others) is stressed above all else. Not every participant is able to adhere to the strict requirements and demands placed upon them. I am constantly stunned, however, by the letters we receive from those who have been discharged and sentenced to state prison. These former participants frequently thank the Team for their efforts and acknowledge that they are finally able to use many of the "tools" they learned while in Drug Court.

We have also observed a number of unexpected, yet welcome behaviors on the part of many participants. All persons involved in Drug Court and the recovery process recognize that relapse, to a certain extent, is part of recovery. Drug Courts would not exist if every time a participant relapsed he/she was discharged. Relapse, however, does warrant a sanction and results in graduated periods of incarceration beginning with 48 hours. Obviously, there comes a point where a participant's continued drug use has to cause Team members to question the person's desire to stay clean; however, each participant is evaluated on a case by case basis. Participants have told us that prior to their entry into Drug Court, if they had tested dirty, they simply would have run away resulting in the issuance of a bench warrant. While in Drug Court, most who relapse choose to turn themselves in, serve the sanction and seek additional help. They want so much to stay in Drug Court that they voluntarily come to court knowing they are going to jail. That's huge! Other graduates have started an alumni association and several participants have chosen to join Team members as we are invited to speak to local organizations about Lancaster's Adult Drug Court.

Available space in Drug Court is limited, primarily by resources and manpower. Entry into the program is on a first-come, first-served voluntary basis. The Team estimates that approximately 2,500 defendants presently in the system would benefit from Drug Court. As of mid June, 2007, our Team has processed 567 applications and admitted 111 total participants. Twenty one people have graduated with 47 active participants and 11 approved applicants waiting to enter the program. Forty nine people have been discharged. Last year over 5,000 observed drug tests were performed.

President Judge Farina has authorized the creation of an account into which donations can be deposited to assist in funding incentives for those participants who consistently achieve excellence.

The best way to get the flavor of what Drug Court is all about is to visit Courtroom 12 any Tuesday afternoon. Get there early as it is always crowded. A truly unique group dynamic prevails as all participants are required to attend. Each participant is called before the Court to review his/her weekly progress. Participants are encouraged to be involved in the sessions. Applause is often heard during "phase-up" ceremonies as participants progress through the program. "Clean time" is celebrated and open, honest conversation is encouraged (i.e. demanded). The overall environment is much more relaxed and informal than a traditional probation/parole hearing or guilty plea and the Team develops a real relationship with the participants (I don't recall any other court proceeding in which I have been hugged by a defendant).

Is Drug Court a success? Only time will tell. For me, serving as the Drug Court Judge has been one of the most rewarding experiences of my career. I'll leave the final analysis of whether it is a "success" to those more learned in evaluating statistics.....better yet, why don't we ask any of the "totally clean" babies.

David L. Ashworth

*As of November 17, 2010, 11 babies have been born drug-free to participants in Drug Court.