Innovations in Problem-Solving Justice

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Create a more effective and humane justice system through:

- operating programs
- original research
- tools to launch new strategies
New York

The Center functions as the state court system’s independent research and development arm

National/Global

The Center provides technical assistance, training and research -- aiding reformers around the world
Trends in Problem-Solving Justice

- Review: What’s a Problem-Solving Court?
- Trends in Problem-Solving Courts
- Obstacles and Challenges
Got a Problem?

- Substance addiction
- Mental disorder
- Domestic violence
- Neighborhood crime
- Low public trust in justice system
- Justice process issues
- Community reintegration for formerly incarcerated people
- Juvenile delinquency
- Human trafficking
- Sex offenses
- Other

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“In one way or another, all of [these] judicial experiments are attempting to solve the kinds of cases where social, human, and legal problems intersect.”

“To dispose of a case is not the same thing as to resolve it.”

Problem-Solving Courts

NEW GOALS
Courts seek to address the problems of victims, communities and defendants

NEW METHODS
- Creative partnerships
- Access to more & better information
- Judicial monitoring
- Using data to track impacts
Problem-Solving Courts
(c. 4,500 as of 12/31/14)

Drug Courts (c. 3,100):
- Adult drug court
- Campus drug court
- Co-occurring disorders court
- DUI court
- Family drug court
- Juvenile drug court
- Reentry drug court
- Tribal wellness drug court
- Veterans treatment court

Other Problem-Solving Courts (c. 1,400):
- Adult mental health court
- Child support court
- Community court
- Domestic violence court
- Gambling court
- Gun court
- Homeless court
- Human trafficking/Prostitution court
- Juvenile mental health court
- Reentry court
- Sex offender court
- Truancy court
- Other problem-solving courts
Six Common Elements: Treatment and Community Courts

1. Enhanced Information

2. Community Engagement

3. Collaboration
Six Common Elements: Treatment and Community Courts

4. Individualized Justice

5. Accountability

6. Outcomes

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Crime

Arrests for Prostitution

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Common Elements: Domestic Violence Courts

1. Dedicated calendars and judges
2. Victim services
3. Offender accountability

(Otherwise, varies by model and region)
# Trends: Drug Courts

*Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States, 2016, National Drug Court Institute*

## Table 4. Growth of Drug Courts from 2009 to 2014

<table>
<thead>
<tr>
<th>Drug Court Model</th>
<th>12/31/2009</th>
<th>12/31/2014</th>
<th>Difference</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult drug court</td>
<td>1,317</td>
<td>1,540</td>
<td>+223</td>
<td>+17%</td>
</tr>
<tr>
<td>Adult hybrid drug/DUI court*</td>
<td>354</td>
<td>407</td>
<td>+53</td>
<td>+15%</td>
</tr>
<tr>
<td>Campus drug court</td>
<td>5</td>
<td>3</td>
<td>–2</td>
<td>–40%</td>
</tr>
<tr>
<td>Co-occurring disorders court</td>
<td>NR</td>
<td>62</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>DUI court</td>
<td>172</td>
<td>262</td>
<td>+90</td>
<td>+52%</td>
</tr>
<tr>
<td>Family drug court</td>
<td>322</td>
<td>305</td>
<td>–17</td>
<td>–5%</td>
</tr>
<tr>
<td>Federal district reentry drug court</td>
<td>30</td>
<td>29</td>
<td>–1</td>
<td>–3%</td>
</tr>
<tr>
<td>Federal district veterans treatment court</td>
<td>NR</td>
<td>6</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Juvenile drug court</td>
<td>476</td>
<td>420</td>
<td>–56</td>
<td>–12%</td>
</tr>
<tr>
<td>Reentry drug court</td>
<td>29</td>
<td>26</td>
<td>–3</td>
<td>–10%</td>
</tr>
<tr>
<td>Tribal wellness drug court</td>
<td>89</td>
<td>138</td>
<td>+49</td>
<td>+55%</td>
</tr>
<tr>
<td>Veterans treatment court</td>
<td>19</td>
<td>266</td>
<td>+247</td>
<td>+1,300%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,459</strong></td>
<td><strong>3,057</strong></td>
<td><strong>+598</strong></td>
<td><strong>+24%</strong></td>
</tr>
</tbody>
</table>

*Hybrid drug/DUI courts are a subset of adult drug courts and are not counted separately in the total tallies. NR: not reported.*
## Trends: Other P-S Courts

*Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States, 2016, National Drug Court Institute*

### Table 8. Growth of Problem-Solving Courts (Other than Drug Courts) from 2009 to 2014

<table>
<thead>
<tr>
<th>Problem-Solving Court Model</th>
<th>12/31/2009</th>
<th>12/31/2014</th>
<th>Difference</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult mental health court</td>
<td>288</td>
<td>392</td>
<td>+104</td>
<td>+36%</td>
</tr>
<tr>
<td>Child support court</td>
<td>46</td>
<td>62</td>
<td>+16</td>
<td>+35%</td>
</tr>
<tr>
<td>Domestic violence court</td>
<td>206</td>
<td>210</td>
<td>+4</td>
<td>+2%</td>
</tr>
<tr>
<td>Gambling court</td>
<td>1</td>
<td>0</td>
<td>−1</td>
<td>−100%</td>
</tr>
<tr>
<td>Gun court</td>
<td>6</td>
<td>2</td>
<td>−4</td>
<td>−67%</td>
</tr>
<tr>
<td>Homelessness court</td>
<td>25</td>
<td>22</td>
<td>−3</td>
<td>−12%</td>
</tr>
<tr>
<td>Juvenile mental health court</td>
<td>NR</td>
<td>37</td>
<td>−</td>
<td>−</td>
</tr>
<tr>
<td>Parole violation court</td>
<td>6</td>
<td>3</td>
<td>−3</td>
<td>−50%</td>
</tr>
<tr>
<td>Prostitution court</td>
<td>8</td>
<td>18</td>
<td>+10</td>
<td>+125%</td>
</tr>
<tr>
<td>Reentry court</td>
<td>26</td>
<td>30</td>
<td>+4</td>
<td>+15%</td>
</tr>
<tr>
<td>Sex offender court</td>
<td>NR</td>
<td>9</td>
<td>−</td>
<td>−</td>
</tr>
<tr>
<td>Truancy court</td>
<td>352</td>
<td>314</td>
<td>−38</td>
<td>−11%</td>
</tr>
</tbody>
</table>
Trends: Community Courts

► Model: geographically-focused court working with community to solve local problems

► Approximately 70 in U.S. in planning or operation

► Other countries: Canada, Australia, Singapore, Israel, South Africa, perhaps others (Argentina in planning)

► Growth in community court models in centralized courthouses and in existing community centers, libraries, etc.
Trends: Future Expansion

Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States, 2016, National Drug Court Institute

Figure 7. Drug Court Models Likely to Be Expanded in the Next Three Years

- Most likely to be expanded
- Also likely to be expanded
Other Trends:
Problem-Solving Courts

➤ Evolutions of models (ex: community courts, drug courts)
Other Trends: Community Court Model

- **Original**: standalone building in community
  - Midtown Community Court, Manhattan, NY

- **Evolution**: focus on neighborhood from centralized court
  - Municipal courthouse, Olympia, WA

- **Evolution**: court embedded in neighborhood facilities, such as community centers and libraries
  - Community center, So. Dallas, TX
  - Downtown library, Spokane, WA
Other Trends:
Opiate Crisis Intervention Court

- Buffalo, NY – adaptation of drug court model (2017)
- Problem: 300 deaths from opioid overdoses in 2016, up from 127 in 2014
- Gets users into treatment within hours of their arrest instead of days
- Requires check-in with a judge every day for a month instead of once a week
- Uses strict curfews

City Court Judge Craig Hannah, Buffalo, NY

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Other Trends: Problem-Solving Courts

- Evolutions of models (ex: community courts, drug courts)
- Sharper focus on who’s appropriate (ex: drug courts)
- Reaching deeper for unserved clients (ex: drug courts)
- Testing ground for new ideas:
  - Technology
  - Risk/needs tools
  - Evidence-based interventions
- Diversion programming earlier in the process
  - Police
  - Prosecutors
Obstacles/Challenges

► Front-end costs, both within courts and externally

► Perceived effects of justice reform (e.g., Proposition 47)

► Proportionality

► Shortages of transportation, housing, treatment, employment, etc
Obstacles/Challenges

- Racial equity (e.g., drug courts: *participation* rates for African-Americans + Hispanics lower than for arrestees, probation and incarcerated populations; also *graduation* rates substantially lower than other participants)

- Gender equity (e.g., drug courts: women about one-third of drug court participants in 2014 (proportionate) but *graduation* rates substantially lower)

- Metrics, technology