



### **Agenda Action Form Overview**

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000026 in the amount of \$7,500 to recognize additional funds from the Durham County Alcohol Beverage Control Board for the Durham Drug Treatment Court.

### **Background/Justification**

Durham County's Criminal Justice Resource Center assumed operation and funding of the Durham Drug Treatment Court (DTC) Program in FY2011/12 when the NC Administrative Office of the Courts eliminated funding for all drug court programs across the state. As the field evolves, drug treatment courts across the country amend their programming to follow evidence-based practices. Some of the recommendations have been cost prohibitive for CJRC to implement. In 2019, staff approached the Durham County Alcohol Beverage Control (ABC) Board requesting an amendment to the type of agencies eligible to receive ABC Board grant funding. The ABC Board approved the request and the Drug Treatment Court received funding in FY20. CJRC reapplied for FY21 and received \$32,000, instead of the budgeted \$24,500. This budget amendment will recognize the additional grant amount.

This funding is intended to support and enhance critical program components. The components include alcohol and drug testing supplies, laboratory confirmation testing, medication assisted treatment, assistance with housing, transportation and client basic needs and supplies, as well as client incentives.

### **Alcohol & Drug Testing Supplies & Laboratory Screening and Confirmations**

Reliable alcohol and drug testing is essential to an effective DTC program. Alcohol and drug testing provide an accurate, timely, and comprehensive assessment of unauthorized substance use throughout participants' enrollment in the Drug Court. Alcohol and drug testing are performed frequently enough to ensure substance use is detected quickly and reliably. Urine tests are performed on each participant at a minimum of two times per week until participants are in the last phase of the program and preparing for graduation. The schedule of alcohol and drug testing is based on a color system and is random and unpredictable. DTC requires direct observations of drug testing. Test specimens are examined routinely for evidence of dilution and adulteration; this is achieved through laboratory screenings and confirmations. If a participant denies substance use in response to a positive result, the specimen is sent to the laboratory for confirmation.

As the impact of COVID19 grows, the DTC staff will increase the variety of testing mechanisms to include urine drug screens, lab screenings, oral swab testing and drug patches. The situation continues to change daily and as such, we will continue to monitor and follow the guidance provided by the CDC, local health department and our local government, in addition to doing all that we can to keep employees, clients and the community safe.

### **Medication Assisted Treatment (MAT)**

The current opioid crisis has highlighted the need for all treatment courts to adopt best practices related to medication assisted treatment (MAT). A study published in 2012 found that 56 percent



of drug courts offer MAT; however, 98 percent of drug courts reported opiate-addicted participants. Barriers to MAT include cost, availability and court policy. Buprenorphine or methadone maintenance administered prior to and immediately after release from jail or prison has been shown to significantly increase opiate-addicted offenders' engagement in treatment; reduce illicit opiate use; reduce rearrests, technical probation/parole violations, and reincarceration rates; and reduce mortality and hepatitis C infections. These medications are referred to as agonists or partial agonists because they stimulate the central nervous system (CNS) in a similar manner to illicit drugs. Positive outcomes have also been reported for antagonist medications, such as naltrexone, which are nonaddictive and nonintoxicating. Naltrexone blocks the effects of opiates and partially blocks the effects of alcohol without producing psychoactive effects of its own. Studies have reported significant reductions in heroin use and re-arrest rates for opiate-addicted probationers and parolees who received naltrexone. In addition, at least two small-scale studies reported better outcomes for participants who received an injectable form of naltrexone called Vivitrol.

### Treatment and Community Support

Treatment courts across the country are adapting to COVID-19 guidance and restrictions in creative ways. As we navigate through this challenging time, courts are adopting creative measures to ensure that clients' treatment needs are met. With the closures, suspension and limitations on face to face contact courts are forced to find new and innovative ways to communicate outside of the normal approach.

### Housing, Transportation & Client Basic Needs and Supplies

Participants receive wrap around and supportive services for conditions that are likely to interfere with their compliance in Drug Court. Depending on participant needs, supportive services may include housing assistance, mental health treatment, trauma-informed services, criminal-thinking interventions, family or interpersonal counseling, vocational or educational services, transportation assistance and medical or dental treatment. Participants receive only those services for which they have an assessed need.

Participants are unlikely to succeed in treatment if they do not have basic needs and necessities, a safe, stable, and drug-free place to live or adequate transportation to get there. The Durham DTC attempts to provide client basic needs and supplies in the form of hygiene kits, undergarments, groceries when not receiving SNAP benefits, clothing that cannot be obtained through donations, and work uniforms and supplies. Housing assistance is provided as funds are available, beginning in the first phase of Drug Court and continuing as needed throughout participants' enrollment in the program. Short-term housing assistance is provided in the form of transitional and/or supportive housing and rental assistance for 30 to 90 days. Supportive housing rates vary from \$125 to \$180 per week. In some cases, rental assistance is provided when clients transition from supportive housing to permanent housing. Transportation assistance is provided in the form of bus tickets and can be used to attend treatment sessions, employment and/or to attend other supportive service appointments. Participants receive daily, 5 day weekly or 31 day monthly passes based on need.



### Incentives

It is essential to recognize that punishment and positive reinforcement serve different, but complementary, functions. Punishment (or sanctions) is used to reduce undesirable behaviors, such as substance use and crime, whereas positive reinforcement (or incentives) is used to increase desirable behaviors, such as treatment attendance and employment. Therefore, they are most likely to be effective when administered in combination.

DTC places as much emphasis on incentivizing productive behaviors as it does on reducing crime, substance use, and other infractions. Studies have shown that Drug Courts achieve significantly better outcomes when they focus as much on incentivizing productive behaviors as they do on reducing undesirable behaviors. Studies have shown significantly better outcomes were achieved by Drug Courts that offered higher and more consistent levels of praise and positive incentives from the judge. Several other studies found that a 4:1 ratio of incentives to sanctions was associated with significantly better outcomes among drug participants.

### Policy Impact

Accepting the grant funds is consistent with the County's policy to support the drug court program in order to provide positive and healthy outcomes for residents involved in the criminal justice system.

### Procurement Background

N/A

### Fiscal Impact

This grant does not require a County match.

### Recommendation

The County Manager recommend that the Board approve Budget Ordinance Amendment No. 21BCC000026 in the amount of \$7,500 to recognize additional funds from the Durham County ABC Board for the Durham Drug Treatment Court.