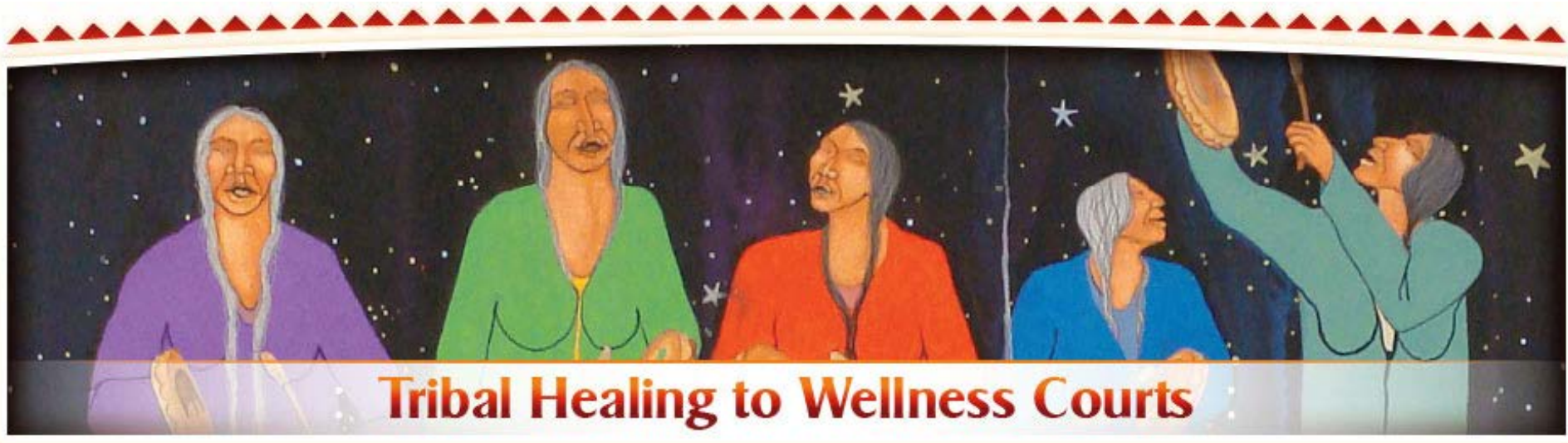




Clarifying the Process in Healing to Wellness Courts

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Some History

How did we get here?

- ▶ THWC started to take root in about 1999
- ▶ Modeled after the Drug Court model
- ▶ Drug Courts researched and Best Practices developed
- ▶ THWC – limited research and limited case law from Tribal Courts
- ▶ Best Practices = Standard of Care
- ▶ Do no harm

Why not just call them Drug Courts?

- ▶ Original Tribal Leaders and judges involved in process did not embrace the term “Drug Court”
 - ▶ Does not reflect our different cultures
 - ▶ Life is a journey – healing to wellness is a journey
- ▶ Key Components reflect some differences

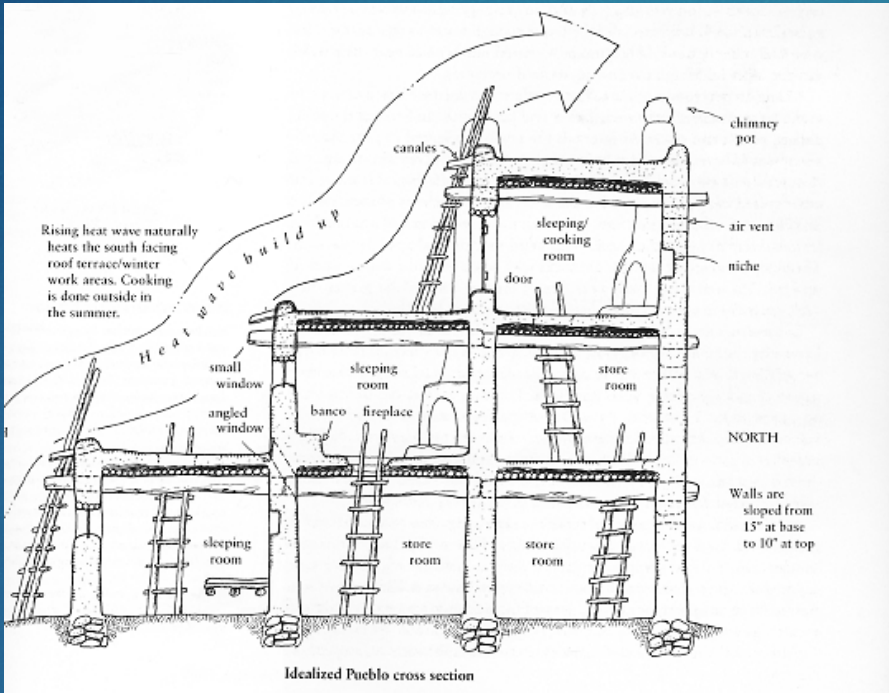
Why the differences?

- ▶ Different histories
- ▶ Different cultures
- ▶ Different organizational structures
- ▶ Different set of laws apply
 - ▶ Indian Civil Rights Act
 - ▶ Tribal Constitutions
 - ▶ Tribal Codes



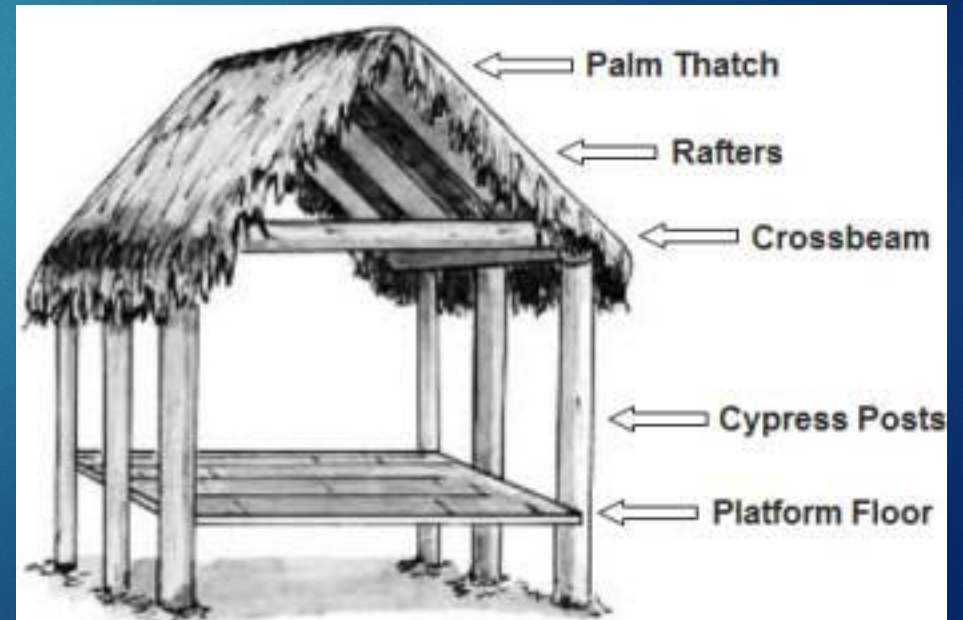
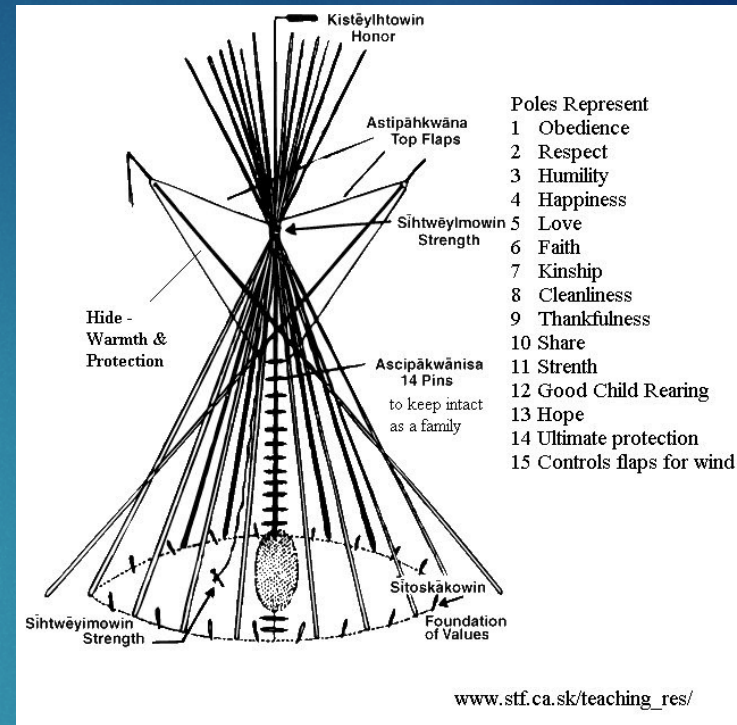
Let's Talk Key Components!

Key Components are the Framework



Cross section of Pueblo based on drawing by architect Victor Mindeleff (1880s)
From Nabokov and Easton 1989

www.warpaths2peacepipes.com



Comparison – Key Component 1

Tribal Component

- ▶ THWC brings together alcohol and drug treatment, community healing resources and the tribal justice process by using a team approach to achieve the physical and spiritual healing of the individual participant, and to promote Native nation building and the well-being of the community.

Drug Court Component

- ▶ Drug courts integrate alcohol and other drug treatment services with justice system case processing

Consider

- ▶ Community resources (think outside the box)
- ▶ Honestly ask and answer community challenges
 - ▶ Jurisdictional issues?
 - ▶ Transportation?
 - ▶ Rural location?
- ▶ Do you have access to the professional resources?
- ▶ Can you obtain access?
- ▶ Who is on your team?
 - ▶ Positions NOT personalities
- ▶ Cost Savings Impacts
 - ▶ Treatment provider available to answer questions – 9x cost savings
 - ▶ Prosecutor – 2x cost savings
 - ▶ Public Defender – 8x greater savings
 - ▶ LE attendance – better outcomes

Comparison – Key Component 2

Tribal Component

- ▶ Entry through various referral points and legal processes that promote tribal sovereignty and the participant's due process rights.

Drug Court Component

- ▶ Using a non-adversarial approach, prosecution and defense counsel propose public safety while protecting participants' due process rights

Consider

- ▶ Who are we letting in?
 - ▶ Persons
 - ▶ Crimes
 - ▶ Who can we realistically serve?
 - ▶ Who determines eligibility?
 - ▶ Legal v. Clinical eligibility
- ▶ Identifying eligibility requirements
- ▶ What tools do we need?

Comparison – Key Component 3

Tribal Component

- ▶ Eligible court involved substance abusing parents, guardians, juveniles and adults are identified early through legal and clinical screening for eligibility and are promptly placed

Drug Court Component

- ▶ Eligible participants are identified early and promptly placed in the drug court program.

Consider

- ▶ Small window of opportunity
- ▶ Balanced with what is realistic in your community – but not the status quo
- ▶ Starting clients in program sooner leads to better outcomes
- ▶ Research - Participants entering program within 50 days of arrest – 63% reduction in recidivism!

Comparison – Key Component 4

Tribal Component

- ▶ THWC provides holistic, structured, and phased alcohol and drug abuse treatment and rehabilitation services that incorporates culture and tradition.

Drug Court Component

- ▶ Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.

Consider

- ▶ Community's cultural resources
- ▶ Traditional arts & crafts
- ▶ Traditional story telling
- ▶ Culturally related community service
- ▶ Cultural historical vs. cultural religious
- ▶ Be cautious of cultural/religious beliefs of participants
- ▶ May see interest evolve over time

Treatment – What the research says

- ▶ Use of 1 or 2 primary treatment providers = 76% greater reduction in recidivism
- ▶ Significantly better outcomes if participants assigned a level of care based upon standardized assessments as opposed to relying on professional opinion/judgment
- ▶ 45% reduction in effectiveness if rely on in-custody treatment
- ▶ Best outcomes – 200 hours of counseling over treatment of 9-12 months
- ▶ Better outcomes – participant meets with treatment or CM 1/week in Phase 1
- ▶ Group counseling – EBP and appropriate for individual improves outcomes
- ▶ EBT – documented manuals w/ fidelity to model leads to better outcomes
- ▶ MAT can improve outcomes

Aftercare is Critical

- ▶ Greater relapse vulnerability 3-6 months following treatment
- ▶ 40-60% will relapse – 1 year post treatment
- ▶ Active engagement in peer support groups – better long term outcomes
- ▶ Research - Programs including phase focused on relapse prevention – 3x greater cost savings

Complementary Services

- ▶ Other services to teach participant to function are critical
- ▶ Parenting classes
- ▶ Education/Job Training
- ▶ Co-occurring conditions
- ▶ Trauma informed care
- ▶ Medical and dental services

Comparison – Key Component 5

Tribal Component

- ▶ THWC participants are monitored through intensive supervision that includes frequent and random testing for alcohol and drug use, while participants and their families benefit from effective team-based case management.

Drug Court Component

- ▶ Abstinence is monitored by frequent alcohol and other drug testing.

Supervision/Monitoring and Drug Testing

- ▶ Drug testing must be **frequent and random**
 - ▶ 2x per week throughout the program
 - ▶ Results within 48 hours – 68% cost savings
- ▶ Expectation of 90+ consecutive days of abstinence before commencement – 164% reductions in recidivism
- ▶ May require program/administrative changes

Comparison – Key Component 6

Tribal Component

- ▶ Progressive rewards (or incentives) and consequences (or sanctions) are used to encourage participant compliance with the THWC

Drug Court Component

- ▶ A coordinated strategy governs responses to participant compliance.

Consider

- ▶ Written information about expectations, incentives and sanctions important
- ▶ Timing of sanction or incentive is important – immediacy is best
- ▶ Sanction or incentive must be appropriate to avoid habituation or ceiling effect
- ▶ Jail
 - ▶ Expensive
 - ▶ Longer jail sanctions led to worse results and higher recidivism
 - ▶ Does not work alone

Comparison – Key Component 7

Tribal Component

- ▶ Ongoing involvement of a THWC judge with the THWC team and staffing, and ongoing THWC judge interaction with each participant is essential.

Drug Court Component

- ▶ Ongoing judicial interaction with each drug court participant is essential.

Consider

- ▶ Interaction Focus:
 - ▶ Response to client behavior
 - ▶ Listen, hear what your participants are saying
 - ▶ Watch what participants are doing, body language
 - ▶ Develop appropriate relationship
- ▶ Not limited to interaction with participant – includes the team
- ▶ Research
 - ▶ Longer period of time judge is assigned to Drug Court leads to better outcomes
 - ▶ Minimum 3 minutes of meaningful interaction higher reduction in recidivism
 - ▶ Seven minutes triples the positive outcome
 - ▶ Someone in authority cares

Comparison – Key Component 8

Tribal Component

- ▶ Process measurement, performance measurement, and evaluation are tools used to monitor and evaluate the achievement of program goals, identify needed improvements to the THWC and to the tribal court process, determine participant progress, and provide information to governing bodies, interested community groups and funding sources.

Drug Court Component

- ▶ Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

Consider

- ▶ Smaller communities = greater access to decision makers
- ▶ Be on the offense instead of the defense
 - ▶ Changing behaviors – hard work
 - ▶ Share successes
- ▶ Evaluation critical – funding tight
- ▶ Research
 - ▶ Paper files vs. electronic data base = 65% less savings
 - ▶ Modification after evaluation = 131% increase in cost savings

Comparison – Key Component 9

Tribal Component

- ▶ Continuing interdisciplinary and community education promote effective THWC planning, implementation and operation.

Drug Court Component

- ▶ Continuing interdisciplinary education promotes effective drug court planning, implementation and operations.

Consider

- ▶ Smaller communities = greater access to decision makers
- ▶ Circles not silos
 - ▶ Each discipline has it's own standards and needs
 - ▶ Successful operations require sharing
- ▶ Research – formal training for new hires = 57% greater reduction in recidivism

Comparison – Key Component 10

Tribal Component

- ▶ The development and maintenance of ongoing commitments, communication, coordination, and cooperation among THWC team members, service providers and payers, the community and relevant organizations, including the use of formal written procedures and agreements, are critical for THWC success.

Drug Court Component

- ▶ Forging partnerships among drug courts, public agencies and community-based organizations generates support and enhances drug court program effectiveness.

Consider

- ▶ Smaller communities = greater access to decision makers
- ▶ Written documents = public commitment
 - ▶ Council resolutions
 - ▶ Inter-agency MOUs
- ▶ On-going dialogue keeps everyone informed even when there are changes in leadership and employee changes

Major Differences in Key Components

- ▶ Emphasis on physical and spiritual wellbeing
 - ▶ Participant
 - ▶ Family
 - ▶ Community
- ▶ Promote Nation building and Tribal Sovereignty
- ▶ Holistic treatment
- ▶ Incorporating culture and tradition
- ▶ Participant and family benefit from case management

Lessons Learned

- ▶ Definition of success = management of expectations
- ▶ Participants will relapse
 - ▶ Response should be based upon where they are in the program and individual needs (therapeutic response or sanction?)
 - ▶ May see self sabotage behavior as participant gets closer to graduation/commencement
 - ▶ Relapse plans are important
- ▶ Team members in recovery – everyone's journey is different
- ▶ Not everyone is appropriate for THWC: this includes participants and team members

**GET
MORE
INFO**

www.wellnesscourts.org

www.ndcrc.org

www.tribal-institute.org

www.nadcp.org

Thank You

Please remember to complete your evaluations

Speaker Evaluation Form

Link: <http://bit.ly/2mxKUFM>