

**TESTIMONY OF THE HONORABLE JAMEY H. WEITZMAN**

**Domestic Policy Subcommittee  
Oversight and Government Reform Committee**

**"Combating Drug Abuse and Drug related Crime:  
What is Working in Baltimore?"  
Field Hearing - Baltimore, Maryland  
October 1, 2007  
9:30 A.M.**

Good morning chairman Kucinich and members of the Domestic Policy Subcommittee of the Oversight and Government Reform Committee. I appreciate this opportunity to share insights regarding approaches to combating drug abuse and related violence in Baltimore.

Baltimore is a city where astonishing 1 out of 10 citizens use or are addicted to drugs. It has earned the dubitable distinction of having some of the highest rates: teen pregnancy, juvenile crime, school drop out, generational drug addiction, poverty, and single parent homes. Unfortunately, it is understandable why youth might seek gang affiliation to gain structure and to gain illusory self-importance. The grim reality is that more than half of all individuals arrested in Maryland are alcohol or other drug dependent. With over 150,000 criminal cases yearly in the district court alone, and 9,400 juvenile causes in Baltimore City, approximately 85% are estimated to be drug related. The human price associated with addiction is inestimable, but the cost to the State with respect to crime and the collateral health care and social consequences is staggering and in the billions of dollars. Violence is the leading cause of death of young African-American men in Baltimore City. According to the Annie E. Casey Foundation's Community Level Information on Kids data, both Baltimore's violent death and violent crime rates for juveniles is more than double the statewide rate. It takes little guesswork to accept that youth who stay in school, who engage in positive prosocial activities, and even become involved in spiritual activities are less prone to succumb to the drug culture, violence and gang activity.

Courts have increasingly become the institution of choice by the public and other branches of state government to address complex, problematic societal issues including drug related crime, family dysfunction, and repeated nuisance crimes in both urban centers and rural towns. Throughout the United States, courts are increasingly focusing on problem solving and alternative remedies not effectively accommodated by the current legal and adjudicatory process. Numerous problem solving courts are being established to provide sustained and meaningful resolutions for thousands of difficult cases that enter our courtrooms daily. The Maryland Judiciary has acknowledged the importance of these innovations by establishing The Office of Problem Solving Courts to oversee and guide the development of these courts in the state.

**Drug Treatment Court (DTC)** is of the best know and perhaps the first institutionalized problem solving innovation. DTC is a judicially led, coordinated system that demands accountability of all participants and ensures immediate, intensive and comprehensive drug treatment, supervision and support services using a cadre of incentives and sanctions to encourage offender compliance. Drug Courts represent the coordinated efforts of criminal justice agencies, mental health, social service, and treatment communities to actively and forcefully intervene and break the cycle of substance abuse, addiction, and crime. As an alternative to less effective interventions, drug courts quickly identify substance-abusing offenders and place them under strict court monitoring. In this blended system, the drug court participant undergoes an intense regime of substance abuse and mental health treatment, case management, drug testing, and probation supervision while reporting to regularly scheduled status hearings before a judge with specialized expertise in the drug court model. Additionally, drug courts provide support services that address problems that contribute to addiction such as: housing, job training and placement, GED readiness, life skills training and family/group counseling.

National evaluations demonstrate the effectiveness of DTCs in reducing recidivism, protecting public safety, providing effective treatment and realizing substantial cost savings.

This was markedly verified in a comprehensive Cost-Benefit/Avoidance Evaluation of the Baltimore City Adult District and Circuit Courts Drug Treatment Courts in 2003. Baltimore Drug Courts are one of the first in the nation and have been categorized by the evaluators as having the "most difficult" drug court population in the country due to its highly addicted population with extensive criminal records. Despite the obstacles, even this drug court demonstrated a cost savings of greater than \$2.7 million in total criminal justice savings over the three year study period. A performance evaluation of the Harford County Juvenile Drug court in 2006, also evinced equally positive results including: 1) 36% fewer juvenile and adult arrests than the comparison group, 2) 59% fewer days on probation than non-participants, 3) 60% less criminal justice costs (e.g., arrests, incarceration, probation) than non-participants.

Through the promulgation of key components, best practices and trainings, DTCs have laid the foundation and have provided an effective model upon which other problem solving initiatives can be based

**Teen Court (TC)** is a peer driven, problem solving innovation, which affords offenders the opportunity to be tried informally before a jury of peers. Sentences are based upon a menu of options which are holistically designed to address problems that contribute to delinquency and which may include: mandatory jury service, participation at the police athletic league, community service, peer mediation, anger management, restitution, and counseling. The Baltimore City Teen Court (BCTC) in particular utilizes a social worker to broker services to the offender and family to address needs such as housing, job placement, medical care, and individual and family counseling. Volunteer teens assume the criminal justice roles including that of attorney, bailiff, clerk and jury.

An important component of TC is youth volunteer leadership development. TC provides volunteers safe and constructive ways to spend after school hours, while developing critical thinking decision-making and leadership skills that will prepare them for their futures.

BCTC serves one of Baltimore's most impoverished and undeserved groups, youth ages 11-17. Negative messages, poor schools, diminishing service broken families and a juvenile justice system that largely ignores them until they commit a serious crime, impact this group. Despite the obstacles over seven years of operation, BCTC anticipates that 75% of the offenders will successfully complete the program and their sanctions within ninety days and that 75% of the offenders who successfully complete the program will not be rearrested within one year. This is in comparison to the 65% recidivism rate within the general Baltimore City juvenile justice population. Additionally, BCTC boasts that 30% of the youth offenders will transition to become youth volunteers who must remain in school and arrest free to qualify.

Teen Court is one of the fastest growing youth diversion programs with over 1300 youth courts nationally. They are one of the most effective early intervention delinquency prevention programs available according to The Department of Justice Office of Juvenile Justice and Delinquency Prevention. TCs are designed to reduce violence and criminal involvement thereby engaging juvenile offenders and volunteers in pro-social and positive peer leadership development focusing on self-control, accountability, responsibility and life skills developments. It affords at-risk-youth a chance to redirect their lives by accepting responsibility for their actions in front of their peers. Statistics suggest that peer-to-peer accountability makes a greater impression on adolescents than adult mandated sanctions.

#### **TRUANCY REDUCITION COURTS**

Truancy has long been identified as linked to many behavioral problems, school dropout and juvenile delinquency. Truancy reduction programs employ a broad based collaborative approach to identifying barriers to attendance, and to developing a supportive context for the family and child to improve. There are a number of models including school based, court based programs and those that operate through community service agencies. They all share the same goal of improving school attendance, raising grades and encouraging graduation.

A school-based model established by The University of Baltimore School of Law's Center for Families, Children, capitalizes on the stature and authority of a judge. The program consists of weekly in-school sessions with a volunteer judge, a team of school representatives, the child, and his/her family. It is based on an early intervention model and targets students who are "soft" truants—students who have from three to twenty unexcused absences—in the belief that this group retains academic, social, and emotional connections to school. The judge presides at weekly reviews and discusses with the child and family issues of attendance and other difficulties encountered during the week. Each child is rewarded with a small gift, and is invited to special field days and "graduation" from the program.

Judicially monitored truancy courts have been operational in the Lower Eastern Shore of, Maryland (Dorchester, Somerset, Wicomico and Worcester Counties) since 2005.

Chronic truancy leads to high school dropouts who are over-represented among prison and jail inmates. Studies further show that reincarceration rates for those completing educational programs while incarcerated are significantly lower. One study estimated that increasing the high school graduation rate by one percent would yield \$1.8 billion dollars in social benefits, largely as a result of preventing an estimated 94,000 crimes yearly. Lochner, L. & E. Moretti (2004) "The Effect of Education on Crime: Evidence from Prison Inmates," *American Economic Review* 94(1):155-189. While too soon to conduct evaluations of the Maryland models, preliminary data is encouraging.

#### **MENTAL HEALTH COURT**

Increasingly large numbers of mentally ill people are entering the criminal justice system each year. The criminalization of those with mental illness is a growing social problem, which burdens both the criminal justice and the public mental health systems. It is estimated that 16% of the incarcerated population suffer from a serious mental illness, and at least 75% of those have a co-occurring substance abuse problems. The traditional approach to processing criminal cases often creates a barrier that prevents the court from identifying and responding to the unique needs of mentally ill offenders.

These offenders frequently spend unnecessary time in jail, and lacking access to mental health treatment services on release, tend to be re-arrested and repeatedly cycled through the system. The needs of the community are not addressed, the costs to the taxpayer escalate, and defendants continue to struggle with the same problems and associated risks as before.

In cities like Baltimore, the mentally ill offender population is quite large and the problems are extreme. Agencies impacted by this group recognized the need to take action to change the course, and every agency, without exception, commit time, energy, and services to develop plans to address the particular needs of our jurisdiction.

Beginning in 2002, the Baltimore City Mental Health Court consolidated approximately 250 cases each year on one docket. This consolidation allows for case processing by a dedicated team of individuals trained in mental health law, who follow the cases throughout the process and provide systemic approach to addressing the needs of mentally ill defendants. Currently there are three operational Mental Health Courts in Maryland

These four Baltimore City programs are categorized as Problem Solving initiatives that are engaging children in meaningful life changes to avoid the maelstrom of violence. All are significant because they embody effective collaboration among criminal justice and other non-criminal justice's partnerships such as universities, faith based institutions, schools, businesses, and social clubs & law schools. Problem solving courts and related initiatives provide important and vital alternatives to handling juvenile offenses and related issues, but they are limited in scope.

Resources are needed for support agencies such as the National Association of Drug Court Professionals/National Drug Court Institute, and federal and State oversight agencies that facilitate the development of comprehensive Management Information Systems to generate reports and collect statistics necessary for evaluations. They provide technical assistance and training for the array of professionals that impact these programs. Commitment on the federal level for funding for comprehensive treatment is critical as well as to provide support for core functions.

Problem Solving Courts are collaborative in nature and funding and enhanced resources must be provided for all components or the program will falter.

Simply put, long term and sustained support funding is vital, for short term funding leads to short term results and multi-faceted issues of addressing youth violence and youth leadership development necessitates longer term interventions with more comprehensive answers.

