

Superior Court of California County of Orange



Collaborative Courts 2011 Annual Report

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Introduction

Collaborative court programs are specialized court tracks that combine judicial supervision with rigorously monitored rehabilitation services. Their focus is on problem-solving — accomplished by integrated treatment and social services, a team approach to decision-making, strict oversight and accountability, and frequent, direct interaction between the judicial officer and the participants. Collaborative courts have been shown to increase public safety and to save money by stopping the revolving door of incarceration and re-arrest for many offenders. They also provide profound human and social benefits.

The Orange County Collaborative Courts, which began in 1995 with one Drug Court at the Central Justice Center, have expanded to embrace a wide variety of court tracks at five Justice Centers. In the pages which follow, the accomplishments during 2011 of Orange County's nationally recognized Collaborative Courts are recounted. The substantial monetary and social benefits that have resulted from these programs are a tribute to the unwavering support of the Orange County Board of Supervisors, and to the commitment and hard work of the staff from the partnering agencies that comprise the Collaborative Courts.



"Seven years ago, I grimly stood in the doorway of my courtroom waiting to preside over my first Drug Court. I knew very little about Drug Court other than it involved a 'collaborative' approach to processing drug cases and, it seemed to me, focused more on coddling than consequences. The room became silent as I prepared to enter ... I glanced into the crowd expecting the usual sights: nervous fidgeting, sweaty faces, bored fatigue, and phony respect. I expected impatient silence and tired resignation. I expected surly disinterest and defiant stares. Instead, I saw something unexpected: I saw eyes filled with hope."

from a 2007 essay by Hon. Matthew Anderson

"These are people whose lives are being put back together. ... For anybody who says, 'Drug courts are soft on drugs and don't make a real difference', you now have really strong evaluative research that says they do make a difference."

from a 2011 interview with Gil Kerlikowske,
Director of the Office of National Drug Control Policy
(the federal "Drug Czar")

"I contrast my life from today to when I was still stuck in my addiction, and I realize that so much has changed. Today, I am healthy both mentally and physically, I have the ability to maintain wholesome relationships, I am seeking to move forward in life."

from a participant's 2011 phase advancement speech

CHAPTER 1 Drug Court

Located at four justice centers, the adult Drug Court program works with seriously addicted offenders to help them achieve sobriety and rebuild their lives. The voluntary, four-phase program is a collaboration among the Court, the Probation Department, the Health Care Agency, the offices of the Public Defender and the District Attorney, the Sheriff's Department, and other local law enforcement agencies. The program includes intensive probation supervision, individual and group counseling, regular court appearances, frequent and random drug and alcohol testing, and residential treatment or residence in a "sober living" facility as necessary.



Hon. Ronald Klar, who has presided over Drug Court for ten years, congratulates a program graduate

Defendants admitted into the Drug Court program work with their treatment care coordinator and Probation Officer to develop and follow a life plan, remain clean and sober, and have consistent attendance at all court hearings, probation meetings and counseling appointments. In order to complete the program, they must also obtain suitable housing, complete their education if needed by obtaining a high school diploma or GED, and find stable employment. Team members oversee and assist their progress and, at the regular team meetings, discuss areas of concern and make recommendations to the judicial officer.

During their appearances in court, participants are rewarded with incentives for program compliance or given sanctions for non-compliance. Phase advancements and graduations include written self-evaluations by the participants, which are read aloud in court. At these times, the people in the audience are able to understand clearly the dramatic life changes the participants are undergoing.

Funding for Drug Court comes from several sources. The Orange County Board of Supervisors approves annual budget allocations for the Probation Department, Health Care Agency, and the offices of the District Attorney and the Public Defender, all of which allocate personnel who are essential to the success of the program. The State of California provides annual funding, under the Drug Court Partnership Act of 1998 and the Comprehensive Drug Court Implementation Act of 1999, through an appropriation to the County that is designated for the implementation and operation of Drug Courts.

Drug Court, continued

Additional funds for treatment and other participant services come from grant awards. During fiscal year 2010-2011, \$40,191 was received from the California Administrative Office of the Courts for drug and alcohol testing, bus passes for participant transportation to appointments and court appearances, participant incentives, and training for Drug Court team members. An additional grant was received from the Bureau of Justice Assistance in the amount of \$200,000 to enhance services for female abusers of methamphetamine by helping to cover the costs of substance abuse therapists, residential treatment, and drug and alcohol testing.

The Community Courts Foundation, a non-profit agency founded by Executive Director Kathy Burnham, obtains grant funding and donations to provide vital support to the participants in Drug Court and the other treatment court programs — including help in accessing restorative dental care, emergency medical care, assistance with educational and personal needs, and incentives for program participants who are achieving their program goals. Each year, the Foundation hosts seminars to provide education in areas such as financial literacy, employment skills, job searches, and self-improvement.

At the start of 2011, there were 373 participants in the Drug Court program countywide. During the year, 462 defendants were evaluated for admission, 218 of whom were admitted into the program; 8 participants were transferred to another treatment Court program which better suited their needs; and a total of 120 participants were terminated from the program, 75 of them because of program non-compliance. A total of **111** program participants successfully graduated during the year. As of December 31, 2011, there were **354** participants in the Drug Court program.

Since its inception in 1995, the Orange County Drug Court has admitted 4,169 participants and, as of December 31, 2011, **1,775** participants had graduated from the program. As set forth in more detail on the following pages, the recidivism rate for Drug Court graduates, three years after graduation, is **29.6%** for any crime, compared with a recidivism rate for comparable non-participants of **74%**. In 2011, **8** drug-free babies were born to program participants, bringing the program total since inception to **130** babies born free of addiction.



Drug Court Judicial Officers 1995-2011

Hon. David McEachen
Hon. David Velasquez
Hon. Ronald Kreber
Hon. Erick Larsh
Hon. Carlton Biggs
Hon. Gail Andler
Hon. Wendy Lindley

Hon. Gerald Johnston
Hon. Allen Stone
Hon. Michael McCartin
Hon. Mary Fingal Schulte
Hon. Geoffrey Glass
Hon. Ronald Klar
Hon. Matthew Anderson

Hon. David Thompson
Hon. Peter Polos
Hon. Jomoa Moberly
Hon. Glenda Sanders
Hon. Linda Marks
Hon. James Odriozola
Hon. Michael Cassidy

“Today I am no longer a junkie, I am no longer a criminal, and I am no longer a person who consistently disappoints my family, friends, and loved ones. ... My attitude is different and I am different as well. I feel like I have a purpose in life.”

from a participant's 2011 phase advancement speech

Drug Court - Results and Benefits

Low Recidivism

An important measure of the success of Drug Court is the reduction in the rate of recidivism, or re-arrest, for graduates of the program. The Orange County Drug Court matches some of the highest reported success rates in the country*, **reducing recidivism by 60%**.

In a 2007 study of Drug Court at the West Justice Center**, the arrest records of a group of 1,685 defendants who were eligible for but did not participate in Drug Court programs in California were reviewed three years after the date of their program eligibility. It was found that **this control group had a recidivism rate of 74% for any crime**.

By contrast, each year the arrest records of Orange County's Drug Court graduates are reviewed and any arrest within three years after their completion of the program is noted. The **Drug Court graduates have a recidivism rate for any crime of 29.6%**.

Cost Savings

The alternative sentence of Drug Court saves the County of Orange and the State of California the costs of housing the defendants in jail or prison. To ensure accuracy, cost savings calculations are made only for program graduates, and any incarceration days that result from in-program sanctions are subtracted from the total number of jail or prison days that were stayed as a result of the alternative sentence. The cost of a jail bed day is set at \$116.21, which is an average of the 2010 costs at the five Orange County jail facilities. The cost of a prison bed day is set at \$134.25, based on an annual per prisoner cost of \$49,000.00 (CDCR Facts and Figures, Q4 2008).

In 2011, the Drug Court program **saved 20,748 jail bed days**, resulting in a **cost savings of \$2,411,125** and **saved 13,270 prison bed days**, for a **cost savings of \$1,781,498**. Since inception, the Drug Court program has saved approximately \$21,913,122 in jail bed costs and \$12,939,240 in prison bed costs.

The Administrative Office of the Courts, in a cost study*** that tracked and valued the time of each person involved with selected Drug Court programs in California, including those at the Central Justice Center and Harbor Justice Center, found that both programs yielded a net cost savings compared with processing the offenders through "business as usual", and noted that **every dollar invested in the Drug Court program at the Central Justice Center resulted in a net benefit of \$7.30**.

* Adult Drug Courts, US Government Accountability Office, December 2011, pp.19-20

** California Drug Courts: Costs and Benefits; Phase II, Piloting the DC-SET, Superior Court of Orange County, West Orange Drug Court Site-Specific Report; Shannon M. Carey, Ph.D., et al., October 2007

*** California Drug Courts: A Methodology for Determining Costs and Benefits; Phase II: Testing the Methodology, Final Report submitted to the Administrative Office of the Courts; Shannon M. Carey, Ph.D., et al., April 2005, at p.31. The full report is available at www.courtinfo.ca.gov/programs/collab/documents/drug_court_phase_II.pdf

Drug Court - Results and Benefits, continued

Recidivism Data for Participants, Three Years after Graduation						
Justice Center	Central	Harbor	North	West	total	percent
total graduates	539	399	291	172	1401	100%
re-arrested, any charge	169	119	84	44	416	29.6%
re-arrested, any charge	31%	30%	29%	26%		29.6%
convicted, any charge	158	108	74	44	386	27.5%
re-arrested, substance abuse	142	94	69	33	338	24.1%
re-arrested, substance abuse	26%	24%	24%	19%		21.5%

Drug-Free Babies

Drug-addicted babies are a healthcare nightmare. The costs of their initial hospitalization and other specialized care can amount to hundreds of thousands of dollars, and there are likely to be significant, ongoing medical and socialization challenges as they grow up.* Special perinatal training and program management are offered to Drug Court participants to ensure that pregnant mothers deliver drug-free babies — another important measure of the program’s success, both in human and in economic terms.

During 2011, **8 drug-free babies** were born to women participating in Drug Court, bringing the cumulative total to **130** drug-free babies born since the inception of the program.

Other Program Benefits

Community service hours are an essential component of the Drug Court program. Community service is utilized as both a sanction when participants are not in compliance with the program and as a productive use of time for those participants who are not working or going to school. Participants performed **1,368 hours of community service** in 2011.

During the year, **111** Drug Court participants graduated from the program, free of addiction and employed or pursuing educational goals. Substantial social and economic benefits result when drug-addicted offenders, who are often jobless and homeless, are transformed into responsible, tax-paying members of society — though these benefits may be hard to quantify. Similarly clear but difficult to value with precision are the future costs to crime victims which are avoided, and the enhancements to the quality of life of the community that are gained by helping drug-addicted offenders to transform their lives.

* see, e.g., Bureau of Justice Assistance (BJA) Drug Court Clearinghouse FAQ Fact Sheet, November 10, 2004 (<http://www1.spa.american.edu/justice/documents/1995.pdf>)

DRUG COURT					
2011 Program Totals					
Justice Center	Central	Harbor	North	West	total
active as of 12/31/2010	126	100	93	54	373
defendants evaluated for admission into program	115	173	142	32	462
admitted during 2011	90	44	66	18	218
transferred from another Drug Court program	0	0	2	1	3
terminated — window period	8	10	21	3	42
terminated — extenuating circumstances	3	0	0	0	3
transferred to another Drug Court program location	0	5	0	0	5
transferred to another treatment court program	7	0	1	0	8
terminated — program non-compliance	20	27	20	8	75
graduated	35	32	27	17	111
active as of 12/31/2011	148	72	90	44	354
drug-free babies born during the program	0	4	2	2	8
jail bed days saved	4281	7478	5157	3832	20748
prison bed days saved	4532	4036	3150	1552	13270



“I never thought I could finish this program. I wanted to quit and go to jail. I thought that was the easy way out, but I knew it wasn’t the solution. I needed help, not punishment, so I continued the program. It was one of the best decisions I have ever made.”

from a participant’s 2011 phase advancement speech

DRUG COURT - Demographic Information

2011 Admissions

Justice Center		Central	Harbor	North	West	total	percent
admissions		90	44	66	18	218	100%
gender	female	45	12	26	7	90	41%
	male	45	32	40	11	128	54%
age	18 - 21 years	12	7	7	2	28	13%
	22 - 30 years	29	22	26	7	84	39%
	31 - 40 years	23	7	20	3	53	24%
	41 - 50 years	22	4	10	4	40	18%
	51 - 60 years	4	2	3	2	11	5%
	over 60 years	0	2	0	0	2	1%
race / ethnicity	African-American	6	1	4	0	11	5%
	Asian	4	0	4	2	10	5%
	Caucasian	69	34	39	14	156	72%
	Hispanic	11	4	17	2	34	16%
	Native American	0	0	1	0	1	0%
	other	0	5	1	0	6	2%
education	needs HS / GED	22	8	28	5	63	29%
	has HS / GED	33	13	33	4	83	38%
	some college	22	19	3	4	48	22%
	college degree	13	1	1	2	17	8%
	no information	0	3	1	3	7	3%
marital status	married	9	3	13	1	26	12%
	separated	0	0	5	0	5	2%
	divorced	16	1	7	1	25	12%
	single	64	40	40	16	160	73%
	widowed	1	0	1	0	2	1%
parental status	with minor children	21	4	33	1	59	27%
employment	employed	19	16	13	4	52	24%
	unemployed	70	22	52	10	154	70%
	no information	1	6	1	4	12	6%
primary drug	alcohol	2	2	1	0	5	2%
	cocaine	1	0	4	0	5	2%
	heroin	23	14	12	6	55	25%
	marijuana	9	3	6	1	19	9%
	methamphetamine	49	10	41	10	110	51%
	opiates	3	1	1	0	5	2%
	prescription drugs	3	7	1	0	11	5%
	other	0	7	0	1	8	4%

DRUG COURT - Demographic Information							
2011 Terminations							
Justice Center		Central	Harbor	North	West	total	percent
terminations		20	27	20	8	75	100%
gender	female	9	11	9	1	30	40%
	male	11	16	11	7	45	60%
age	18 - 21 years	5	7	3	1	16	21%
	22 - 30 years	6	12	8	3	29	39%
	31 - 40 years	4	8	7	1	20	27%
	41 - 50 years	4	0	1	2	7	9%
	51 - 60 years	1	0	1	1	3	4%
	over 60 years	0	0	0	0	0	0%
race / ethnicity	African-American	1	0	2	0	3	4%
	Asian	2	1	0	1	4	5%
	Caucasian	11	22	12	6	51	68%
	Hispanic	5	4	5	1	15	20%
	Native American	0	0	1	0	1	1%
	other	1	0	0	0	1	1%
education	needs HS / GED	8	5	6	2	21	28%
	has HS / GED	7	12	11	5	35	47%
	some college	5	10	2	1	18	24%
	college degree	0	0	1	0	1	1%
marital status	married	1	1	5	0	7	9%
	separated	0	2	0	0	2	3%
	divorced	3	2	2	1	8	11%
	single	16	21	13	7	57	76%
	no info	0	1	0	0	1	1%
parental status	with minor children	4	4	10	3	21	28%
employment	employed	8	11	9	3	31	41%
	unemployed	12	15	11	5	43	57%
	unknown	0	1	0	0	1	1%
primary drug	alcohol	1	3	1	0	5	7%
	cocaine	0	2	1	0	3	4%
	heroin	3	9	3	4	19	25%
	marijuana	2	0	1	0	3	4%
	methamphetamine	12	8	13	4	37	49%
	opiates	1	1	0	0	2	3%
	prescription drugs	1	4	1	0	6	8%
	ecstasy	0	0	0	0	0	0%

DRUG COURT - Demographic Information							
2011 Graduations							
Justice Center		Central	Harbor	North	West	total	percent
graduations		35	32	27	17	111	100%
gender	female	14	14	10	8	46	41%
	male	21	18	17	9	65	59%
age	18 - 21 years	1	5	2	1	9	8%
	22 - 30 years	14	13	13	7	47	42%
	31 - 40 years	11	5	5	4	25	23%
	41 - 50 years	5	8	6	4	23	21%
	51 - 60 years	4	1	1	1	7	6%
	over 60 years	0	0	0	0	0	0%
race / ethnicity	African-American	2	0	0	0	2	2%
	Asian	1	0	1	1	3	3%
	Caucasian	19	28	17	14	78	70%
	Hispanic	12	2	8	2	24	21%
	Native American	0	0	1	0	1	1%
	other	1	2	0	0	3	3%
education	needs HS / GED	15	4	10	5	34	31%
(at admission)	has HS / GED	10	17	13	5	45	40%
	some college	9	11	4	7	31	28%
	college degree	1	0	0	0	1	1%
marital status	married	7	1	4	5	17	15%
	separated	1	1	1	0	3	3%
	divorced	6	4	2	2	14	13%
	single	21	26	19	10	76	68%
	widowed	0	0	1	0	1	1%
parental status	with minor children	17	9	14	9	49	44%
employment	employed	12	14	7	6	39	35%
(at admission)	unemployed	23	18	20	11	72	65%
primary drug	alcohol	1	0	1	0	2	2%
	cocaine	3	2	1	0	6	5%
	heroin	6	10	0	1	17	15%
	marijuana	4	2	4	0	10	9%
	methamphetamine	20	11	21	16	68	61%
	opiates	0	0	0	0	0	0%
	prescription drugs	1	7	0	0	8	7%

CHAPTER 2 DUI Court

DUI Court admits second- and third-time DUI offenders, with the goal of helping them to achieve sobriety while reducing the dangers that driving under the influence presents to the community. Based on the Drug Court model, the program was designed in 2004 by a committee of stakeholders under the leadership of Hon. Carlton Biggs, and is presently offered at four justice centers. In addition to sobriety, the program emphasizes rebuilding family ties, maintaining employment and a stable living environment, and pursuing educational goals.

The program is a minimum of twelve months in length and includes regular court appearances, substance abuse treatment, intensive probation supervision, individual and group counseling, frequent and random drug and alcohol testing, and residential treatment as necessary. Participants are helped to access ancillary services such as educational guidance, vocational rehabilitation, employment skills training, job searches, medical and dental treatment, housing, child care, and family reunification. The participants are assisted through a collaboration that includes the Superior Court, the Probation Department, the Health Care Agency, the offices of the Public Defender and the District Attorney, the Sheriff's Department, Mothers Against Drunk Driving (MADD), and local law enforcement agencies.

In 2011, the DUI Court program was supported by grant funding from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration, and by a portion of the Penal Code §23649 alcohol problem assessment fees. The ongoing dedication of staff resources to sustain DUI Court is provided by Health Care Agency, the Probation Department, and the offices of the District Attorney and the Public Defender, through annual budget allocations from the Orange County Board of Supervisors.

The DUI Court at the Harbor Justice Center in Newport Beach was selected by the National Center for DWI Courts (NCDC) to be an Academy Court for 2011-2013. The designation enables the program to continue for three more years as one of only four sites in the country serving as a model for the establishment of similar programs in other jurisdictions. Representatives from the NCDC memorialized the Academy Court designation in conjunction with a graduation ceremony for DUI Court program participants on May 9, 2011, at the Harbor Justice Center.

In 2011, a total of 205 defendants were admitted to DUI Court, and **136 participants** successfully completed the program. Since its inception in 2004, a total of **779** participants have graduated from DUI Court.



DUI Court Judicial Officers 2004-2011

Hon. Carlton Biggs
Hon. Matthew Anderson
Hon. Michael Cassidy
Hon. Debra Carrillo

Hon. Douglas Hatchimonji
Hon. Donald Gaffney
Hon. Joe Perez
Hon. Wendy Lindley

DUI Court - Results and Benefits

Low Recidivism

As the California DMV sets forth at p.44 of its 2011 Annual Report, the results of a long-term recidivism study show that **21%** of second-offense drunk drivers and **25%** of third-offense drunk drivers in the state were convicted of a subsequent DUI offense within five years. In contrast, during the seven years from the inception of the DUI Court program in 2004 through the end of 2011, of the **779** program graduates, **only 36** have been convicted of a subsequent DUI offense — a **recidivism rate of 4.6%**.

Cost Savings

A significant benefit of the DUI Court program is the savings to the County of the cost of incarcerating the DUI offenders, who serve their mandated sentences through electronic home confinement. The average cost to house an inmate at one of the five county jail facilities is \$116.21 per day. In 2011, the DUI Court program **saved 27,782 jail bed days**, resulting in a **cost savings of \$3,228,546**. Since its inception, the DUI Court program has saved 109,481 jail bed days, resulting in a total savings of \$11,302,652.

Other Program Benefits

Community service hours are an essential component of DUI Court — both as a graduation requirement and as a sanction when participants are not in compliance with the program. During 2011, participants performed **1,183 hours of community service**.

In addition to its direct financial benefit, DUI Court produces a tremendous savings in human lives by reforming repeat-offense drunk drivers who are eventually likely to cause death or serious injury to themselves or to innocent victims. The value of these avoided costs are not easily calculated, but are clear nonetheless.



from the 2011 phase advancement speeches of several participants:

“Under the influence... my behavior caused me to lose so much. I lost friends, jobs, and relationships. I dropped out of school. I felt like a failure, and it just made me want to drink more so I wouldn’t have to deal with it.”

“It was a constant battle with myself. I knew all the drinking was affecting my health, but my dependency on alcohol wouldn’t allow me to take that first step to sobriety.”

“Every time I drank I would get behind the wheel and think, Well, I didn’t get caught driving yesterday, I’ll get away with it again.”

“A few shots and a couple of beers later, I rolled the dice and decided to drive home.”

“It was like a time bomb, and it actually happened that night. I thank God it was only me in the car hitting a light pole.”

DUI COURT					
2011 Program Totals					
Justice Center	Central	Harbor	North	West	total
active as of 12/31/2010	41	88	43	29	201
defendants evaluated for admission into program	73	219	140	80	512
admitted during 2011	37	86	46	36	205
transferred from another DUI Court program	1	1	0	1	3
terminated - - window period	2	6	1	4	13
terminated - - extenuating circumstances	0	0	1	0	0
transferred to another DUI Court program	1	1	0	0	2
transferred to another treatment court program	1	0	0	0	1
terminated - - program non-compliance	8	7	1	3	19
graduated	24	56	32	24	136
active as of 12/31/2011	47	103	50	42	242
drug-free babies born during program	0	0	0	0	0
jail bed days saved	4,877	8,572	10,348	3,985	27,782
prison bed days saved	0	0	0	0	0

“Today, I help other alcoholics and addicts and I’m proud to promote sobriety. I have learned skills and have the necessary tools to help me cope and to make proper decisions.”

from a participant’s 2011 phase advancement speech

DUI COURT - Demographic Information							
2011 Admissions							
Justice Center		Central	Harbor	North	West	total	percent
admissions		37	86	46	36	205	100%
gender	female	15	30	10	12	67	33%
	male	22	56	36	24	138	67%
age	18 - 21 years	1	3	1	1	6	3%
	22 - 30 years	23	34	20	14	91	44%
	31 - 40 years	6	25	13	10	54	26%
	41 - 50 years	5	10	8	7	30	15%
	51 - 60 years	1	13	3	2	19	9%
	over 60 years	1	1	1	2	5	2%
race / ethnicity	African-American	0	3	2	0	5	2%
	Asian	2	3	1	5	11	5%
	Caucasian	18	60	14	18	110	54%
	Hispanic	16	17	27	13	73	36%
	Native American	0	0	0	0	0	0%
	other	1	3	2	0	6	3%
education	needs HS / GED	5	5	8	2	20	10%
	has HS / GED	12	16	19	14	61	30%
	some college	15	49	10	16	90	44%
	college degree	5	16	9	4	34	16%
marital status	single	24	53	28	28	133	65%
	married	7	15	8	5	35	17%
	separated	0	3	4	0	7	3%
	divorced	6	15	5	3	29	14%
	widowed	0	0	1	0	1	0%
	no information	0	0	0	0	0	0%
parental status	with minor children	4	10	19	3	36	18%
employment	employed	21	62	34	14	131	64%
	unemployed	15	22	10	12	59	29%
	no information	1	2	2	10	15	7%

DUI COURT - Demographic Information							
2011 Terminations							
Justice Center		Central	Harbor	North	West	total	percent
terminations		8	7	1	3	19	100%
gender	female	2	2	0	1	5	26%
	male	6	5	1	2	14	74%
age	18 - 21 years	0	0	0	0	0	0%
	22 - 30 years	4	2	1	4	10	52%
	31 - 40 years	1	2	1	1	5	26%
	41 - 50 years	1	1	0	0	2	11%
	51 - 60 years	2	0	0	0	2	11%
	over 60 years	0	0	0	0	0	0%
race / ethnicity	African-American	0	0	0	0	0	0%
	Asian	0	0	0	0	0	0%
	Caucasian	6	6	1	1	14	74%
	Hispanic	2	1	0	1	4	21%
	Native American	0	0	0	0	0	0%
	other	0	0	0	1	1	5%
education	needs HS / GED	0	0	0	0	0	0%
	has HS / GED	1	0	0	1	2	11%
	some college	5	6	1	0	12	63%
	college degree	2	1	0	2	5	26%
marital status	divorced	1	1	0	0	2	11%
	married	0	1	0	0	1	5%
	separated	0	0	0	0	0	0%
	single	7	5	1	3	16	84%
parental status	with minor children	0	0	0	0	0	0%
employment	employed	3	2	0	2	7	37%
	unemployed	4	4	1	1	10	52%
	unknown	1	1	0	0	2	11%

DUI COURT - Demographic Information							
2011 Graduations							
Justice Center		Central	Harbor	North	West	total	percent
graduations		24	56	32	24	136	100%
gender	female	6	13	6	7	32	24%
	male	18	43	26	17	104	76%
age	18 - 21 years	0	1	0	0	1	1%
	22 - 30 years	15	18	15	9	57	42%
	31 - 40 years	6	14	10	7	37	27%
	41 - 50 years	32	18	3	7	30	22%
	51 - 60 years	1	5	3	1	10	7%
	over 60 years	0	0	1	0	1	1%
race / ethnicity	African-American	0	0	0	1	1	1%
	Asian	1	1	2	2	6	4%
	Caucasian	12	45	13	14	84	62%
	Hispanic	11	8	16	7	42	31%
	Native American	0	0	0	0	0	0%
	other	0	2	1	0	3	2%
education	needs HS / GED	7	4	1	2	14	10%
(at admission)	has HS / GED	9	14	15	8	46	34%
	some college	8	22	10	9	49	36%
	college degree	0	16	6	5	27	20%
marital status	married	6	11	9	7	33	24%
	separated	1	2	0	1	4	3%
	divorced	2	11	2	2	17	13%
	single	15	32	21	14	82	60%
parental status	with minor children	7	6	13	4	30	22%
employment	employed	15	39	25	17	96	71%
	unemployed	8	15	7	7	37	27%
	unknown	1	2	0	0	3	2%

Chapter 3

DUI Outreach

Choices and Consequences

Choices and Consequences is an educational outreach program developed by Hon. Kimberly Menninger which vividly depicts the dangers of drunk and distracted driving. During 2011, it was presented to **more than 8,000 students in twelve presentations** at schools throughout Orange County. The program was supported in 2011 by a grant from the California Office of Traffic Safety, through funding from the National Highway Traffic Safety Administration.



Orange County Deputy District Attorney Andrew Bugman presents the people's case against a DUI defendant during a presentation at San Clemente High School (photos courtesy of OC Register)

Program partners include the Orange County District Attorney's office, the offender's defense counsel, the Orange County Sheriff's Department, and the program presenters. Choices and Consequences is brought to the students through a 90-minute campus assembly and includes:

- the live sentencing of one or more DUI defendants — preceded by an overview of the case from the prosecutor, and followed by a question and answer session with the defendant;
- an interactive presentation by Judge Menninger on the legal and monetary costs of drinking and distracted driving;
- a presentation by a former DUI offender who lost scholarships and other educational opportunities as a result of his substance abuse;
- interactive discussions about how to avoid making bad, life-altering decisions, led by two youth counselors who have worked with teens exposed to trauma; and
- a film presentation on distracted driving, created by the family of a teenager who died on prom night in an accident caused when the driver reached for a pack of gum.

This year, presentations were made at St. Margaret's Episcopal School in San Juan Capistrano, Hebrew Academy in Huntington Beach, Woodbridge High School in Irvine, Tarbut V' Torah Community Day School in Irvine, El Modena High School in Orange, San Clemente High School, Fountain Valley High School, Yorba Linda High School, and twice each at Villa Park High School and Hillview High School in Santa Ana.

Since the inception of the program, **34** presentations have been made at local schools, to more than **17,700** students.

CHAPTER 4

Mental Health Courts

Orange County's Mental Health Court programs are all based on the Drug Court model, and all are convened at the Community Court, under the guidance of Hon. Wendy Lindley.

Opportunity Court and Recovery Court

Opportunity Court and Recovery Court, which began during 2002 and 2006 respectively, have evolved to include the same criteria for admission. They are voluntary programs for non-violent drug offenders who have been diagnosed with chronic and persistent mental illness. The collaborative teams consist of the judicial officer and representatives from the Health Care Agency's Mental Health Services division, the Probation Department, and the offices of the District Attorney and the Public Defender.

Participants are served through the Health Care Agency's Program for Assertive Community Treatment (PACT) if they meet the eligibility criteria of that program regarding recent hospitalizations and/or incarcerations; and if ineligible for PACT, participants are served through other sources of treatment. A variety of services are offered through the programs, including mental health and psychiatric care, drug and alcohol abuse counseling, family counseling, and residential treatment if appropriate. In addition to these services, program participants are also provided with referrals to medical care, employment counseling, job skills training, and government benefits assistance

At the end of 2011, a total of **85 participants** were active in the Opportunity Court and Recovery Court programs.

WIT ("Whatever It Takes") Court

The WIT ("Whatever It Takes") Court is a voluntary program for non-violent offenders who have been diagnosed with chronic and persistent mental illness, and who are homeless or at risk of homelessness. WIT Court began in 2006, and is funded through the Proposition 63 Mental Health Services Act

The program involves regular court appearances, frequent drug and alcohol testing, meetings with the WIT Court team, and direct access to specialized services. The team consists of the judicial officer, representatives from the Health Care Agency's Mental Health Services division, the Probation Department, the offices of the District Attorney and the Public Defender, and the Mental Health Association of Orange County (MHA).

Health Care Agency has contracted with MHA to provide a variety of services to participants, including mental health and psychiatric services, drug and alcohol abuse counseling, residential treatment, family counseling, and peer mentoring. In addition to these services, program participants are also provided with access to medical services, employment counseling, job training and placement, and assistance with obtaining government benefits and housing.

At the end of 2011, **93 participants** were active in the WIT Court program.

Mental Health Courts, continued

Assisted Intervention Court

Assisted Intervention Court is a new program for some misdemeanor offenders who have mental health problems which are so serious that ultimately the defendant will be determined to be incompetent to stand trial. Pending that determination, however, many of these defendants will languish in custody for weeks or months without receiving any treatment for their mental illness. Instead, through the Assisted Intervention Court, potential participants are identified for evaluation by partnering agency personnel and, if accepted into the program, are afforded immediate mental health treatment through Health Care Agency and a subcontracted mental health services provider.

The program has a format that is similar to other treatment court programs offered at the Community Court. The program phases last for a minimum of twelve months, during which time the participant may be provided residential treatment, if appropriate. Assisted Intervention Court is funded through the Proposition 63 Mental Health Services Act, and has a capacity of 25 participants. By the end of 2011, **21** participants had been admitted to the program.

Mental Health Courts						
2011 Admissions by Mental Health Disorder						
	Opportunity Court	Recovery Court	WIT Court	Assisted Intervention Court	total	percent
admissions	33	33	73	21	160	100%
Bi-Polar Disorder	16	18	32	6	72	45%
Schizophrenia	3	3	7	6	19	11.9%
Major Depressive Disorder	8	3	7	0	18	11.2%
Schizoaffective Disorder	0	2	6	3	11	6.9%
Post-Traumatic Stress Disorder	3	1	2	0	6	3.8%
Mood Disorder NOS	3	6	14	2	25	15.6%
other mental illness	0	0	5	4	9	5.6%

“For as long as I can remember, I thought that I was meant to live this life where I was just supposed to be sad all the time. I thought there was no hope for me.
 ... Every person that either helps run this program or is in this program with me has changed my life. I can’t ever repay you or thank you enough.”

from a participant’s 2011 graduation speech

Mental Health Courts — Results and Benefits

Low Recidivism

An important measure of the success of the mental health court programs is the low rate of recidivism, or re-arrest, for graduates of the programs. In determining the rate of recidivism, the arrest records of all program graduates are reviewed each year after their graduation, and any arrest since graduation is noted. As shown in the chart below, the overall rate of re-arrest for any offense for mental health program graduates is **27%**.

Mental Health Courts					
Recidivism Data for Participants					
	Opportunity Court	Recovery Court	WIT Court	total	percent
total graduates as of 12/31/2011	76	23	52	151	100%
re-arrested, any charge	25	4	12	41	27%
% re-arrested, any charge	32%	17%	23%	27%	27%
convicted, any charge	21	3	10	34	22.5%
re-arrested, substance abuse	21	2	7	30	19.8%
% re-arrested, substance abuse	27.6%	8.7%	13.5%	19.8%	19.8%

Cost Savings

Mental health court programs provide significant savings to both the County and the State because of the reduction in 911 calls, arrests, trials, and incarcerations, as well as the reduction in hospitalizations and involuntary commitments. To compute the cost savings just from avoided incarcerations, the cost of a jail bed day is calculated at \$116.21, which is an average of the 2010 costs at the five Orange County jail facilities; and the cost of a prison bed day is set at \$134.25, based on an annual per prisoner cost of \$49,000.00 (CDCR Facts and Figures, Q4 2008).

The calculation of the jail and prison bed cost savings is made only for program graduates, and any incarceration days that result from in-program sanctions are subtracted from the total number of jail or prison days that were stayed as a result of the alternative sentence. In 2011, the mental health court programs together **saved 2,251 jail bed days**, resulting in a **cost savings of \$261,589**. They also **saved 2,552 prison bed days**, which resulted in an **additional cost savings of \$342,606**.

Other Program Benefits

Community service hours are an essential component of the mental health courts. Community service is utilized as both a sanction when participants are not in compliance with the program and as a productive use of time for those participants who are not working or going to school. During 2011, participants performed **2,662 hours of community service**.

Mental Health Courts - Demographic Information

2011 Admissions

		Opportunity Court	Recovery Court	WIT Court	total	percent
admissions		33	33	73	139	100%
sex	female	15	15	36	66	47%
	male	18	18	37	73	53%
age	18 - 21 years	5	2	11	18	13%
	22 - 30 years	12	19	16	47	34%
	31 - 40 years	4	6	18	28	20%
	41 - 50 years	7	5	17	29	21%
	51 - 60 years	3	1	10	14	10%
	Over 60 years	2	0	1	3	2%
race / ethnicity	African-American	7	0	6	13	9%
	Asian	1	1	3	5	4%
	Caucasian	22	23	51	96	69%
	Hispanic	3	4	10	17	12%
	Native American	0	0	0	0	0%
	other	0	5	3	8	6%
education	needs HS / GED	8	7	17	32	23%
	has HS / GED	14	14	36	64	46%
	some college	8	10	13	31	22%
	college degree	3	2	7	12	9%
marital status	married	1	4	2	7	5%
	separated	3	1	8	12	9%
	divorced	3	5	19	27	19%
	single	26	23	44	93	67%
parental status	with minor children	5	7	22	34	24%
employment	employed	3	6	0	9	6%
	unemployed	30	27	73	130	94%
primary drug	alcohol	4	4	11	19	13%
	cocaine	1	1	0	2	1%
	heroin	11	5	17	33	24%
	marijuana	5	2	9	16	12%
	methamphetamine	7	14	32	53	38%
	opiates	0	2	2	4	3%
	prescription drugs	1	0	0	1	1%
	other	4	5	2	11	8%

Mental Health Courts - Demographic Information						
2011 Terminations						
		Opportunity Court	Recovery Court	WIT Court	total	percent
terminations		22	8	54	84	100%
sex	female	11	6	30	47	56%
	male	11	2	24	37	44%
age	18 - 21 years	4	0	8	12	14%
	22 - 30 years	7	4	14	25	30%
	31 - 40 years	4	1	17	22	26%
	41 - 50 years	4	3	10	17	20%
	51 - 60 years	1	0	4	5	6%
	Over 60 years	2	0	1	3	4%
race / ethnicity	African-American	4	0	2	6	7%
	Asian	0	0	2	2	2%
	Caucasian	14	8	41	63	75%
	Hispanic	2	0	8	10	12%
	Native American	0	0	0	0	0%
	other	2	0	1	3	4%
education	needs HS / GED	7	1	13	21	25%
	has HS / GED	6	2	22	30	36%
	some college	6	3	15	24	28%
	college degree	3	2	4	9	11%
marital status	married	1	2	0	3	4%
	separated	4	0	8	12	14%
	divorced	4	1	11	16	19%
	single	13	4	35	52	62%
	widowed	0	1	0	1	1%
parental status	with minor children	4	2	17	23	27%
employment	employed	3	0	1	4	5%
	unemployed	19	8	53	80	95%
primary drug	alcohol	3	3	7	13	15%
	cocaine	2	1	4	7	8%
	heroin	7	0	14	21	25%
	marijuana	2	0	2	4	5%
	methamphetamine	5	3	24	32	38%
	opiates	0	0	0	0	0%
	prescription drugs	0	0	0	0	0%
	other	3	1	3	7	8%

Mental Health Courts - Demographic Information						
2011 Graduations						
		Opportunity Court	Recovery Court	WIT Court	total	percent
graduations		5	4	13	22	100%
gender	female	3	4	9	16	73%
	male	2	0	4	6	27%
age	18 - 21 years	0	0	1	1	5%
	22 - 30 years	0	3	1	4	18%
	31 - 40 years	1	1	5	7	32%
	41 - 50 years	4	0	4	8	36%
	51 - 60 years	0	0	2	2	9%
	over 60 years	0	0	0	0	0%
race / ethnicity	African-American	0	0	0	0	0%
	Asian	0	0	1	1	5%
	Caucasian	5	3	8	16	73%
	Hispanic	0	0	3	3	13%
	Native American	0	0	0	0	0%
	other	0	1	1	2	9%
education (at admission)	needs HS / GED	2	1	1	4	18%
	has HS / GED	1	1	4	6	27%
	some college	1	0	8	9	41%
	college degree	1	2	0	3	14%
marital status	married	0	0	2	2	9%
	separated	1	0	4	5	23%
	divorced	1	0	4	5	23%
	single	3	4	3	10	45%
	widowed	0	0	0	0	0%
parental status	with minor children	1	0	10	11	50%
employment (at admission)	employed	1	0	0	1	5%
	unemployed	4	4	13	21	95%

"This recovery program helped me to walk through the darkest days of my life."

from a participant's 2011 graduation speech

CHAPTER 5

Combat Veterans Court

Combat Veterans Court was established in November 2008 to serve combat veterans with mental health issues who have become involved with the criminal justice system. This groundbreaking program — the first to be established in California, and the second in the nation — embodies a new approach that has been encouraged by an amendment to Penal Code section 1170.9, which now says that if a person convicted of a criminal offense is a military veteran and can show that he or she is suffering from post-traumatic stress disorder, substance abuse, sexual trauma or other psychological problems, the court may order that person into a treatment program instead of jail or prison.

A full-time case manager, funded by a grant obtained by the VA Long Beach Healthcare System, and a half-time Deputy Probation Officer, funded by the County, guide participants through a phased program that includes mental health counseling, self-help meetings, weekly meetings with a care coordinator and a Probation Officer, the development of a life plan, frequent and random drug and alcohol testing, and regular court-review hearings. The VA Healthcare System also provides residential and outpatient treatment for seriously addicted substance abusers, and handles other health-related issues. New partnerships have been formed with other service providers to offer additional support to veterans in the program, including an active network of peer mentors.

The program, which is held at the Community Court, has attracted national attention as an innovative and effective way to help combat veterans overcome the issues that impede their full re-integration into society, while protecting public safety and reducing the costs associated with recidivism. The program has been designated as a Mentor Court by the National Association of Drug Court Professionals.

During 2011, more than one-hundred twenty judicial and administrative personnel from across the country visited Combat Veterans Court in order to learn best practices in the creation and operation of these vital programs. Also visiting the Court were, among others, reporters from the LA Times, the Associated Press, the Real Orange television program, Telemundo network, and CBC News – Canada, as well as representatives of the California Administrative Office of the Courts, students from the University of Southern California and from California State University, and a program officer from the California Endowment, who attended with a group of the grant funder's local community partners.

Eleven participants graduated during the year, bringing the total since inception to **18** graduates. At the end of 2011, **46** participants were active in the program.



Combat Veterans Court — Results and Benefits

No Recidivism

An important measure of the success of Combat Veterans Court is the rate of recidivism, or re-arrest, for graduates of the program. In determining the rate of recidivism, the arrest records of all program graduates are reviewed each year after their graduation, and any arrest since graduation is noted. Of the 18 participants who have graduated since the inception of the program, **none have been re-arrested.**

Significant Cost Savings

Combat Veterans Court provides significant savings to both the County and the State because of the avoided costs of housing the defendants in jail or prison. To compute the cost savings from avoided incarcerations, the cost of a jail bed day is calculated at \$116.21, which is an average of the 2010 costs at the five Orange County jail facilities. The cost of a prison bed day is set at \$134.25, based on an annual per prisoner cost of \$49,000.00 (CDCR Facts and Figures, Q4 2008).

The calculation of the jail and prison bed cost savings is only made for program graduates, and any incarceration days that result from in-program sanctions are subtracted from the total number of jail or prison days that were stayed as a result of the alternative sentence. During 2011, the Combat Veterans Court program **saved 1,624 jail bed days**, which resulted in a **cost savings of \$188,725**. The program also **saved 960 prison bed days**, resulting in an additional **cost savings of \$128,880**.

Benefits to Society

After the war in Vietnam, U.S. combat veterans returned home to an indifferent, if not hostile, reception. During the years which followed, our society as a whole seemed to turn its back on the returning veterans, and to ignore the terrible psychological damage that many had suffered as a result of their combat experience.

In those years, many addicted veterans found themselves on the wrong side of the "war against drugs". Mentally ill veterans often ended up in jail, and then were released untreated to a life on the streets. Homeless veterans found themselves reviled as an unpleasant nuisance. Incarceration, homelessness, and exile from society were the coin with which these deeply troubled soldiers were repaid for their service.

When combat veterans - steeped in violence and stress - become involved in the criminal justice system and are sent to jail or to prison, it is nearly certain that, upon their release, their withdrawal, their repressed anger, and their alienation will have gotten worse, not better.

Through the Combat Veterans Court, we can help these veterans to reclaim their lives, and to repair the collateral damage to their families caused by their PTSD. Through compassion, we can make our communities safer; and our society can be proud, rather than ashamed, of the way it treats those who have sacrificed so much for us.

Combat Veterans Court Receives Kleps Award

In 2011, the Orange County Combat Veterans Court was named the recipient of a prestigious Ralph N. Kleps Award for Improvement in the Administration of the Courts. The Kleps Award, which is given every two years by the California Judicial Council, recognizes innovations that enhance the integrity, accountability and responsiveness of the judicial branch.

The award was presented by William Vickrey, of the California Administrative Office of the Courts, in a ceremony held on July 20 at the Central Justice Center, and was accepted by Hon. Wendy Lindley and the members of the Combat Veterans Court team – a collaboration that includes the VA Long Beach Healthcare System, the Probation Department, the offices of the District Attorney and the Public Defender, and the Health Care Agency.



Hon. Wendy Lindley and Presiding Judge Thomas Borris,
with William Vickrey (l.) and the Kleps Award

At the ceremony, Mr. Vickrey read a letter from Chief Justice Tani Cantil-Sakauye, who commended the Superior Court's vision and commitment to excellence, and praised the Combat Veterans Court as "a shining example of the ingenuity and creativity" that are mainstays of the California courts.



Documentary Film, Videos Feature Combat Veterans Court

Orange County's Combat Veterans Court is featured in *Other Than Honorable*, part of the documentary series, *In Their Boots*, about the impact of the wars in Iraq and Afghanistan on the lives of U.S. service personnel. The 46-minute film depicts the challenges faced by returning combat veterans who become involved in the criminal justice system, and the therapeutic alternative to incarceration that is offered by the Combat Veterans Court. It can be viewed at: <http://www.intheirboots.com/itb/shows/special-presentations/other-than-honorable.html> .

Combat Veterans Court is also featured in videos by CNN and the California Judicial Council, which can be viewed on the Internet at www.youtube.com by searching with "Second Chance for Veterans", and "Kleps Award: Orange County's Combat Veterans Court", respectively.

COMBAT VETERANS COURT - Demographic Information

2011 Program Totals

		admissions	percent	terminations	percent	graduations	percent
total		24	100%	9	100%	11	100%
gender	female	1	4%	0	0%	0	0%
	male	23	96%	9	100%	11	100%
age	18 - 21 years	3	13%	0		0	
	22 - 30 years	12	50%	6	67%	5	45%
	31 - 40 years	8	33%	1	11%	3	27%
	41 - 50 years	0	0%	0	0%	0	0%
	51 - 60 years	0	0%	0	0%	2	18%
	over 60 years	1	4%	2	22%	1	9%
race / ethnicity	African-American	0	0%	0	0%	2	18%
	Asian	0	0%	0	0%	1	9%
	Caucasian	14	58%	7	78%	6	55%
	Hispanic	10	42%	2	22%	2	18%
	Native American	0	0%	0	0%	0	0%
	other	0	0%	0	0%	0	0%
education	needs HS / GED	0		0		0	
(at admission)	has HS / GED	10	42%	7	78%	6	55%
	some college	8	33%	1	11%	4	36%
	college degree	4	17%	1	11%	1	9%
	no information	2	8%	0	0%	0	0%
marital status	married	3	13%	1	11%	2	18%
	separated	1	4%	1	11%	1	9%
	divorced	6	25%	2	22%	0	
	single	12	50%	5	56%	8	73%
	unknown	2	8%	0	0%	0	0%
parental status	with minor children	5	21%	1	11%	1	9%
employment	employed	4	17%	2	22%	4	36%
	unemployed	16	67%	5	56%	6	55%
	unknown	4	17%	2	22%	1	9%
primary drug	alcohol	17	71%	5	56%	8	73%
	cocaine	0	0%	0	0%	0	0%
	heroin	1	4%	1	11%	0	0%
	marijuana	1	4%	1	11%	0	0%
	methamphetamine	3	13%	1	11%	3	27%
	opiates	1	4%	0	0%	0	0%
	prescription drugs	0	0%	0	0%	0	0%
	other	1	4%	1	11%	0	0%

CHAPTER 6

Homeless Outreach Court

Homeless Outreach Court was started in 2003 as a way to address the outstanding infractions and low-level misdemeanors of homeless people, while connecting them to a wide range of supportive services. This innovative program is held at three sites in the County – in Tustin, at the Orange County Rescue Mission, and in Santa Ana at the Mental Health Association of Orange County’s homeless shelter and at the Community Court.

The program provides a compassionate response to the fact that the homeless participants, many of whom suffer from chronic mental illness, may receive infractions simply because they are homeless, with the ironic result that such charges may hinder their efforts to obtain the government disability assistance that could aid in their rehabilitation. Instead of the usual court sanctions of fines and custody, program participants receive credit for accessing appropriate physical and mental health care; for attending alcohol or drug-dependency recovery meetings; for engaging in community service activities; for attending classes in life skills, computer skills, and literacy; and for becoming employed.

Homeless Outreach Court is an unfunded collaboration of the Court, the Public Defender, the District Attorney, the Orange County Department of Housing and Community Services, the Health Care Agency, the Veterans Administration, the Orange County Legal Aid Society, local law enforcement agencies, and a variety of homeless services providers. The Public Defender has assumed the primary responsibility for the task of managing the very large caseload — which at the end of the year numbered **850 participants**.

In 2011, **322** people completed the program. During the year, participants in the program completed **3,170 hours of community service**. Since the inception of Homeless Outreach Court, 1,320 people have completed the program and have been helped to access the tools they need to regain their self-sufficiency.



Community Court Hosts International Visitors

In March, a representative from Community Legal Services in Melbourne, Australia, devoted three days to an in-depth education about the Community Court — observing team meetings and court sessions, and interviewing staff from the Superior Court, its justice partners, and the on-site service providers — in order to gain a solid understanding of effective practices in anticipation of establishing a Melbourne community court.

On July 27, a delegation of criminal justice officials from the Republic of Armenia, including the highest-ranking judicial officer in that country, visited the Community Court to learn about the Combat Veterans Court and to observe a session of the Homeless Outreach Court. The guests were introduced to the concept of collaborative justice and to these therapeutic alternatives to incarceration as part of a week-long education regarding the U.S. criminal justice system, pursuant to their work in formulating a national code of criminal procedure for Armenia.

The tour, arranged by U.S. District Court Judge David O. Carter, was sponsored by the U.S. Department of Justice Office of Overseas Prosecutorial Development, Assistance, and Training.

CHAPTER 7

Dependency Drug Court

Located at the Lamoreaux Justice Center, Dependency Drug Court is a family reunification program designed to address the issues of parents whose children have been removed from the home by the County because of the parents' abuse of drugs or alcohol. Participants who qualify for acceptance into this program must comply with the specific requirements of each program phase, which include frequent and random drug and alcohol testing, individual and group counseling, regular court appearances, and attendance in perinatal or parenting classes.



Hon. Richard Lee presides over Dependency Drug Court

The Dependency Drug Court program is a collaborative effort that includes the Social Services Agency, the Health Care Agency, the Orange County Counsel, the office of the Public Defender, the parents' retained legal counsel, and the Law Offices of Harold LaFlamme, which has been retained by the County to provide legal representation for the children.

Funding for Dependency Drug Court comes from several sources. The Orange County Board of Supervisors approves annual funding for the County agencies which allocate personnel and services that are essential to the success of the program. In addition, grant funding for the program is obtained through the Comprehensive Drug Court Implementation Act, allocated to the County by the State and administered by the Orange County Health Care Agency.

From the inception of the program in 2005 through the end of 2010, each of the six judicial officers assigned to hear dependency matters also presided over a Dependency Drug Court calendar. Beginning in 2011, the Dependency Drug Court calendars were combined, and all are now heard in one courtroom.

In 2011, 63 assessments were conducted, which resulted in **23** new admissions to the program. During the year, **34 parents** graduated from the program, **118 children** received services, and **63 children** were reunified with their parents — who had achieved sobriety and willingly undertaken the responsibility of providing a safe and nurturing home for their family.

Dependency Drug Court — Results and Benefits

Cost Savings from Early Reunification

During 2011, **63 children** were reunified with parents who had graduated from the program, and were now clean, sober, and committed to raising their children in a safe and secure environment.

A study updated in 2010 for the Social Services Agency* found that families in the Dependency Drug Court program reunified an average of **143 days earlier** than those who did not participate in the program. Early family reunification translates directly into a cost savings to the County because of the avoided costs of out-of-home placement. **The total annual savings to the County for 2011 is estimated to be more than \$690,750.**

Since the inception of the Dependency Drug Court program, **433** children have been reunified with their parents significantly earlier than would otherwise have been the case. It is estimated that the savings to the County in the costs of out-of-home placement since the inception of the program has amounted to more than \$5,893,750.

Increased and More Stable Reunification

As noted in the 2010 Social Services Agency study, at pp. 16-17, parents who graduated from Dependency Drug Court were more likely to reunify with their children than parents who did not graduate. Among families admitted from 2005 through 2009, **more than 95%** of the children whose mothers or fathers graduated from the program were returned to their home, **compared with fewer than 67%** of the children whose parents started but did not complete the program.

The study also reports, at p.18, that the sustainability of reunification tends to be greater among parents who graduate from Dependency Drug Court compared to parents who terminate, as reflected in **fewer re-entries to foster care.**

* Orange County Dependency Drug Court Summary Report; Robin O'Neil, Ph.D., April 2005 – December, 2010; prepared for the Orange County Social Services Agency (at p.25).



Dependency Drug Court Judicial Officers 2005-2011

Hon. Gary Bischoff
Hon. Donna Crandall
Hon. John Gastelum
Hon. Dennis Keough
Hon. Carolyn Kirkwood

Hon. Ronald Kreber
Hon. Gary Vincent
Hon. Caryl Lee
Hon. James Marion
Hon. Salvador Sarmiento

Hon. Jane Shade
Hon. Maria Hernandez,
Hon. Cheryl Leininger
Hon. Douglas Hatchimonji
Hon. Richard Lee

DEPENDENCY DRUG COURT - Demographic Information

2011 Program Totals

		admissions	percent	graduations	percent	terminations	percent
total		23	100%	34	100%	13	100%
gender	female	20	87%	25	74%	13	100%
	male	3	13%	9	26%	0	0%
age	18-21	3	13%	1	3%	2	15%
	22-30	12	52%	20	59%	5	38%
	31-40	7	30%	10	29%	6	46%
	41-50	1	4%	3	9%	0	0%
	51-60	0	0%	0	0%	0	0%
	61+	0	0%	0	0%	0	0%
race / ethnicity	African-American	0	0%	0	0%	0	0%
	Asian	1	4%	1	3%	0	0%
	Caucasian	12	52%	19	56%	8	62%
	Hispanic	8	35%	13	38%	5	38%
	Native American	0	0%	1	3%	0	0%
	other	2	9%	0	0%	0	0%
education	no diploma or GED	8	35%	8	24%	4	31%
	HS diploma / GED	5	22%	15	44%	4	31%
	some college	10	43%	11	32%	5	38%
	college degree	0	0%	0	0%	0	0%
marital status	single	14	61%	18	53%	8	62%
	married	5	22%	8	24%	4	31%
	separated	3	13%	6	18%	1	8%
	divorced	1	4%	2	6%	0	0%
	widowed	0	0%	0	0%	0	0%
employment	employed	3	13%	9	26%	1	8%
	unemployed	20	87%	25	74%	12	92%
primary drug	alcohol	6	26%	7	21%	2	15%
	cocaine	1	4%	0	0%	0	0%
	heroin	2	9%	1	3%	1	8%
	marijuana	3	13%	5	15%	2	15%
	methamphetamine	11	48%	19	56%	7	54%
	prescription drugs	0	0%	1	3%	1	8%
	other	0	0%	1	3%	0	0%

CHAPTER 8

Juvenile Drug Court

Juvenile Drug Court, which is held at the Lamoreaux Justice Center in Orange, was established in 1998 to address the serious substance abuse issues of minors. The goal of the program is to support the youthful offender's commitment to sobriety by providing the treatment and supervision needed to promote abstinence from drug and alcohol abuse and to deter criminal behavior. The program is supported by grant funding obtained through the Juvenile Justice Crime Prevention Act.

The Juvenile Drug Court team includes representatives from the Court, Health Care Agency, the Probation Department, the offices of the District Attorney and the Public Defender, and any retained counsel. Minors participating in the program are required to attend frequent progress review hearings with the judicial officer; remain clean and sober; attend weekly self-help groups; participate in group, individual, and family counseling; attend skills-building classes and other educational activities; and follow the terms and conditions of probation.

On April 8, participants in Juvenile Drug Court attended the third annual Independent Living Conference, at which they were given practical advice with regard to creating a resume, filling out job applications, interviewing with prospective employers, and conducting job searches to find current job opportunities. They also attended presentations about setting and achieving goals, important things to know when they turn 18, effective communication, living on a budget, and stress management. To encourage the participants to embrace a wider view of life's rewards, youth attending the event also went on a wilderness hike, an activity in which many had never before participated. The Independent Living Conference was presented by Community Service Programs, Inc. (CSP) in partnership with the Community Courts Foundation.

CSP offers participants culturally competent mental health services – including clinical assessments; case management; individual, family and group counseling; crisis intervention; behavior modification plans; and referrals to community supports. During 2011, a total of **41** Juvenile Drug Court participants and their families received these "wraparound" services.

The 4th Annual Career Conference was presented on October 24. At the event, participants explored a number of different careers that may be available to them, as well as some of the agencies that can assist them in obtaining the skills they need to achieve their vocational goals. The conference featured a variety of professionals who explained the educational and other requirements of their jobs, and answered questions from the participants. A representative from Working Wardrobes provided each of the participants with attire appropriate for seeking professional training and employment.

At the beginning of 2011, Juvenile Drug Court had 34 active participants. During the course of the year, 29 additional participants were admitted into the program, 14 participants were terminated (1 without fault) and **17 graduated**. These participants typically started using drugs before their 14th birthday and nearly all of them were using drugs several times per week at the time of their admission. At the time of their graduation, all had been clean and sober for at least 60 days, some for as long as year and a half.

At the end of 2011, the Juvenile Drug Court program had **32 participants**, including five for whom warrants had been issued for failure to appear. Since the inception of the program, 509 participants have been admitted and **169** have graduated.

Juvenile Drug Court — Results and Benefits

Low Recidivism

An important measure of the success of Juvenile Drug Court is the reduction in the rate of recidivism, or re-arrest, for both the participants in the program and for the graduates of the program.

Despite having come into the program with an average of two prior arrests, and some with as many as six prior arrests, **only one** of the 2011 Juvenile Drug Court participants was arrested on a new law violation while in the program.

One hundred fifty-three graduates have had an entire year of follow-up since graduating from the Juvenile Drug Court program. Of these 153 graduates, **only sixteen (10.5%)** had a new referral to the Probation Department within one year of graduation. One hundred thirty-eight graduates have been out of the program for at least two years; and of these 138 graduates, **only twenty (14.5%)** had a new referral to Probation within two years of graduation.

Cost Savings

While participants are in the Juvenile Drug Court program, their time in custody is stayed and upon graduation the charges against them are dismissed. According to Orange County Probation's Fiscal Services Department, the average cost of housing a minor at one of the five Orange County juvenile correctional facilities is \$317.47 per day.

The 17 participants who graduated in 2011 had **2,907 days of custody stayed**, resulting in a **cost savings to the County of \$922,885**. The total cost savings since the inception of the program amounts to more than \$5,783,000.

Drug-Free Babies

For any juvenile struggling to become a responsible adult, having a newborn baby is a significant challenge. Having a drug-addicted baby is almost certain to make that challenge overwhelming for the parents, and very expensive for society.* In 2011, Juvenile Drug Court participants gave birth to **2 drug-free babies** while in the program, bringing to **20** the total number of drug-free babies born to participants since the inception of the program.

* see, e.g., Bureau of Justice Assistance (BJA) Drug Court Clearinghouse FAQ Fact Sheet, November 10, 2004 (<http://www1.spa.american.edu/justice/documents/1995.pdf>)



Juvenile Drug Court Judicial Officers 1998-2011

Hon. Ronald E. Owen
Hon. Robert E. Hutson

Hon. Donna Crandall
Hon. Maria Hernandez

Hon. Carolyn Kirkwood
Ref. Maureen Aplin

JUVENILE DRUG COURT - Demographic Information							
2011 Program Totals							
		admissions	percent	graduations	percent	terminations	percent
total		29	100%	17	100%	14	100%
gender	female	8	28%	4	24%	1	7%
	male	21	72%	13	76%	13	93%
age	13 years	0	0%	0	0%	0	0%
	14 years	0	0%	0	0%	0	0%
	15 years	4	14%	3	18%	2	14%
	16 years	14	48%	9	53%	5	36%
	17 years	11	38%	5	29%	7	50%
race / ethnicity	African-American	1	3%	1	6%	1	7%
	Asian	2	7%	0	0%	0	0%
	Caucasian	10	34%	6	35%	1	7%
	Hispanic	15	52%	9	53%	12	86%
	Native American	0	0%	0	0%	0	0%
	other	1	3%	1	6%	0	0%
education at admission	attending high school	4	14%	2	12%	3	21%
	attending	25	86%	15	88%	11	79%
	has diploma/GED	0	0%	0	0%	0	0%
	has some college	0	0%	0	0%	0	0%
marital status	single	29	100%	17	100%	14	100%
	married	0	0%	0	0%	0	0%
employment	employed	2	7%	1	6%	3	21%
	unemployed	27	93%	16	94%	11	79%
primary drug	alcohol	2	7%	0	0%	0	0%
	cocaine	0	0%	1	6%	0	0%
	heroin	3	10%	0	0%	0	0%
	marijuana	18	62%	12	71%	11	79%
	methamphetamine	5	17%	2	12%	2	14%
	opiates	0	0%	0	0%	0	0%
	prescription drugs	0	0%	0	0%	0	0%
	other	1	3%	2	12%	1	7%

CHAPTER 9

Truancy Court

Truancy Court, located at the Lamoreaux Justice Center, is the third and most intensive intervention level of the County's Truancy Response Program, which targets chronically truant youth* and their families. Established by Hon. Robert B. Hutson in 2001, the program has the goals of stabilizing school attendance in order to increase the chances of future academic success, and reducing the number of youth who go on to commit crimes that result in the filing of formal petitions pursuant to Welfare & Institutions Code §602. Truancy Court is supported through funding received by the County pursuant to the Juvenile Justice Crime Prevention Act.

When a student is identified as truant by a participating school district, the student and the parents are given notice to attend a mandatory meeting with school officials that is conducted by a representative from the District Attorney's Office. If the truancy problem is not corrected in response to this school-level intervention, the school district forwards a truancy referral to the Probation Department. If the student and the parents do not cooperate with the Probation Department in addressing the truancy problem, or if the student is younger than 12 years old, the family is referred to Truancy Court.

Truancy Court involves students and their parents in a collaborative effort to resolve the attendance problem. Partners include the District Attorney's Office, the Probation Department, the Department of Education, the Juvenile Court, the Public Defender, the Social Services Agency, the Health Care Agency, the community-based Parent Empowerment Program, and other support organizations. The students are monitored by the District Attorney and directed to attend school daily, and they must provide proof of attendance to the Court each week.

The Court will order the parents to attend the Parent Empowerment Program; and it may also refer the family for counseling services provided by the Health Care Agency and to the Cal-Works program through the Social Services Agency. A Public Defender assists the family in accessing community resources and helps them to comply with the Court's orders.

Truancy Court participants remain active until the chronic truancy problem, and such other issues that have contributed to problem, are remedied to the satisfaction of the Court. Participants may be under Court supervision for as little as two months, or for twelve months or longer, unless the family moves out of the County or a subsequent criminal charge is filed.

Community Service Programs, Inc. (CSP) offers participants culturally competent mental health services – including clinical assessments; case management; individual, family and group counseling; crisis intervention; behavior modification plans; and referrals to community supports. During 2011, a total of **41** Truancy Court participants and their families received these "wraparound" services.

During 2011, 175 truant youth were accepted with their parents into Truancy Court program, and **111 successfully completed** the program. Of those who were admitted during 2011, 77 were female and 98 were male; while 58% were Hispanic and 26% were Caucasian. Grade levels ranged from kindergarten to high school seniors, with a heavy concentration of students between the 8th and 11th grades.

* As defined by California Education Code section 48260, a student is truant if, without a valid excuse, during one school year he or she is tardy or absent from school for more than any 30-minute period on three separate occasions, or is absent from school for three full days, or any combination thereof.

Truancy Court — Results and Benefits

Improved Attendance

A key measure of the effectiveness of Truancy Court is the improvement in the student's school attendance. Of the 111 students who successfully completed Truancy Court during the year, **88.3% had an improved attendance rate**, and **61.3% had 90 or more consecutive days of perfect attendance**.



Program participant and high school graduate Shanessa McBath proudly displays her diploma (photo courtesy of OC Register)

During the year, Four students received their high school diplomas, two obtained GEDs, and four began Adult Education classes. Four students were referred to and graduated from the Sunburst Academy, a highly-structured school setting which also instills the values, skills, and self-discipline necessary to succeed. In 2011, the parents of 117 of the students in Truancy Court attended the Parent Empowerment Program, and 11 families participated in the In-Home Parental Assistance program.

Although 60 participants were terminated from the Truancy Court program during the year, nearly half of their parents attended classes in the Parent Empowerment Program, acquiring skills that can help them improve their children's chances for success.

Decreased Delinquency

Successful intervention to address chronic truancy also decreases the likelihood of subsequent criminal behavior. Of the 1,436 students who have successfully completed the Truancy Response Program since the inception of the program, **only 6%** were arrested for violating the law in the six months following their exit, **compared with 21.3%** of the 658 students who did not successfully complete the program.



Truancy Court Judicial Officers 2001-2011

Hon. Robert B. Hutson
Hon. Carolyn Kirkwood

Hon. Deborah Chuang

Ref. Maureen Aplin
Hon. Donna Crandall

CHAPTER 10

Dependency Teen Programs

Girls Court

One of two programs established by Hon. Carolyn Kirkwood for youth in the dependency system, Girls Court supports young women who have suffered trauma or abuse at some point in their lives. If unaddressed, the psychological effects of this abuse can put the girls at high risk of dropping out of school, using drugs, becoming homeless, and falling into the criminal justice system when they become adults. The program participants, many of whom are living in foster care group homes, receive appropriate treatment and counseling, and are helped to gain the skills and resources they need to build healthy relationships and to achieve stable, productive lives.

Under the direction of Commissioner Jane Shade, Girls Court is convened at the Lamoreaux Justice Center each week for case reviews. The team includes representatives from the Court, the Social Services Agency, Health Care Agency, the Probation Department, Orange County Counsel, Public Defender, Juvenile Defenders, the Department of Education, Court Appointed Special Advocates (CASA), Orangewood Children's Foundation, the Law Offices of Harold LaFlamme, and other appointed counsel. Funding for case management and many ancillary services is obtained from the Proposition 63 Mental Health Services Act .

Engagement, involvement, and participation are vital components of the program. The team members meet regularly with each girl to address challenges and to provide encouragement and support. In addition to frequent case reviews, the program includes a comprehensive assessment; joint case planning and management; educational and cultural activities; and linkage to role models and mentors.

In April, Girls Court participants were each provided with a formal dress and an invitation to "Belle of the Ball," an event which promotes self-esteem, grooming and manners. In June, the girls were given another opportunity to wear their dresses when a formal dinner was held to celebrate the end of the school year, to honor three girls graduating from high school, and to recognize one participant who was selected by Court Appointed Special Advocates (CASA) to receive a full college scholarship funded by a charitable trust.

On August 9, participants traveled to California State University at Fullerton for Teen College Day — a look at how college can be part of their life plans for future success. The event included introductions to campus life and dormitory living, as well as six classes designed to acquaint the students with a wide variety of subjects — including business, humanities, health, and the visual arts. So that the dream of college might become an achievable ambition for them, the attendees also had lunch with a representative of Guardian Scholars, a program that helps youth who are leaving foster care to reach their higher education goals.

Twenty-six girls were admitted into the Girls Court program when it began in 2009. During 2010, an additional nine girls were admitted, and six left the program – either because they turned 18 and became emancipated, or because they were made wards of the Court. At the beginning of 2011, 29 girls were active in the program, and during the year an additional 13 girls were admitted. Nine participants left the program, either through emancipation or because they became wards of the Court; and at the end of 2011, there were **33 participants** in Girls Court.

Girls Court — Results and Benefits

Increased Placement Stability

Because frequent changes of homes and schools can negatively impact a young girl's self-esteem, her ability to form positive relationships, and her behavior, one of the goals of Girls Court is to reduce the number of placement changes. Before entering the Girls Court program, the thirteen participants who were admitted in 2011 had an average of 7 placement changes each, with the range being from 2 to 20. Since being admitted into the program, **only one** of these girls has had a change in placement.

Fewer Runaway Incidents

Another measure of program success is the reduction in the frequency of AWOL, or runaway incidents where a girl leaves her foster home without permission — often to live on the street, or under the dubious influence of an older boyfriend. Of the thirteen girls who entered the program in 2011, 8 had a history of AWOL behavior. Of those eight girls, **half** of them **have not been AWOL** since they started Girls Court. The other four each had a single AWOL incident within two months of entering the program, but **have not been AWOL since**.

School Success

The Girls Court participants, whose education level at the time of entry has ranged from 8th through 12th grade, develop new attitudes toward their education. During the year, the number of participants who were suspended from school **declined 67%**, and the number of suspension days **declined almost 90%**. In addition, **none** of the participants were expelled from school, and **only one** of the participants was referred to the Truancy Court program.

Along with better attendance comes a new appreciation for achievement. During the year, **50%** of the participants **improved their cumulative grade point averages** by one-half point or more, with the average GPA increase **from 2.02 to 2.63**.

Law-Abiding Behavior

The alternatives that are offered to Girls Court participants help to change the way they interact with the society in which they live. Of all of the 42 girls who have been admitted into Girls Court since inception of the program, **only one had a law violation in 2011** — as a result of which a misdemeanor charge was filed.



Insecurities might lie deep within, but they never shine through
Because you're a strong individual and everyone sees it in you.
You know what's right and wrong, so always stick to the best.
An obstacle is nothing. You know you'll pass the test.

from a poem written by a Girls Court participant

GIRLS COURT			
Demographic Information			
<i>at entry, for all participants, since program inception</i>			
		total	percent
admissions		42	100%
age	12 years	1	2%
	13 years	1	2%
	14 years	5	12%
	15 years	14	33%
	16 years	17	40%
	17 years	4	10%
race / ethnicity	African-American	2	5%
	Asian	1	2%
	Caucasian	7	17%
	Hispanic	30	71%
	other	2	5%
history of substance abuse		22	52%
history of mental illness		38	90%
type of placement at admission	Orangewood Children's Home	3	7%
	Court return facility	3	7%
	group home	9	22%
	non-relative foster care	17	40%
	relative foster care	3	7%
	non-related extended family member	1	2%
	parent	3	7%
	hospital	1	2%
	runaway	1	2%
	transitional housing	1	2%
initial permanent plan	family reunification	2	5%
	legal guardianship	1	2%
	adoption	4	10%
	long-term foster care	35	83%

Dependency Teen Programs, continued

Boys Court

Boys Court was opened in 2010 at the Lamoreaux Justice Center to serve adolescent males in the dependency system. Most of these youth have had multiple foster care placements, and their unaddressed substance abuse, mental health, or other socialization problems have put them at high risk of becoming involved in the criminal justice system as adults.

The voluntary program is under the guidance of Hon. Maria Hernandez, who works with a team of representatives from a variety of partnering agencies – including Orange County’s Health Care Agency, Social Services Agency, the Department of Education, Probation Department, County Counsel, Public Defender, Juvenile Defenders, Court Appointed Special Advocates (CASA), Orangewood Children’s Foundation, and the Law Offices of Harold LaFlamme. Currently, there are **38 participants** in Boys Court.

Boys Court participants have faced exceedingly challenging circumstances so far in their lives. At the time of their entry into foster care nearly all were victims of neglect, and close to half had been left by their parents without any provision of support. Many had also suffered from a more violent abuse — either physical, emotional, or sexual. For most of the boys, one or both of their parents are either incarcerated, deceased, or “whereabouts unknown”. At the time of their entry into the program, 90% of the boys had been diagnosed with mental illness; 50% had a history of substance abuse; and 40% had a record of delinquency.

At the end of one year in the program, however, some progress had been made: 90% of all of the boys who were diagnosed with mental illness were voluntarily receiving therapy for mental health issues, and one boy had successfully completed therapy; and of the ten boys who had experienced at least one psychiatric hospitalization prior to entering the program, 60% did not need hospitalization during the year. All of the boys with a history of substance abuse were receiving treatment for their substance abuse issues.



Boys Court Offers Career Day

On March 4, 2011, a Career Day was held at the Lamoreaux Justice Center for the participants in Boys Court. The event featured a young man who spoke about the challenges he faced after leaving foster care, and the resources that had helped him to become a successful, independent adult. The attendees also received guidance on how to get and keep a job, and then met informally with a variety of professionals from the community — including a journalist, a veterinarian, police officers, an alternative energy entrepreneur, an oil industry manager, County public works employees, and a Marine sergeant.

The participants learned about the requirements of the different careers, and were able to ask questions about the experiences and rewards offered by each profession. Representatives from Golden West College and California State University, Fullerton were also present to provide information about higher education. Career Day was made possible by contributions of time and resources from members of the community.

CHAPTER 11 Domestic Violence Outreach

Heroes and Healthy Families

The Heroes and Healthy Families Conference, developed through a collaboration of the Orange County Superior Court, the non-profit Family Violence Project, and MCCS Marine and Family Services, is an all-day event for US military service personnel that is designed to increase their knowledge and understanding of the dynamics of family violence, post-traumatic stress, and risk-taking behaviors.

Originally developed for presentation at Marine Corps Base Camp Pendleton, the program has proven to be so effective that it has been expanded at the request of senior Marine Corps leadership and MCCS Marine and Family Services to reach an even wider audience. On February 8, 2011, the conference was held in Atlanta, Georgia before an audience of nearly **1,000** Marine Forces reservists; and on May 25, 2011, it was presented for the second year at Camp Lejeune, North Carolina, before more than **1,000** active duty Marines and Sailors.

Speakers and special guests at the event included Hon. Pamela Iles (ret.), as well as representatives from Headquarters Marine Corps and Marine Forces Reserve. Since 2004, more than **10,000** active and reserve duty Marines and Sailors have attended the Heroes and Healthy Families Conference.



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