

Rural Recovery Service Collaboration

Substance Use Disorders and the Legal and Correctional System

Presenters



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America's criminal justice system isn't known for rehabilitation. I'm not sure that, as a society, we are even interested in that concept anymore.

- Steve Earle

I don't drink these days. I am allergic to alcohol and narcotics. I break out in handcuffs.

- Robert Downey, Jr.

Objective:

HOW CAN RURAL RECOVERY SERVICES PROVIDE TREATMENT, SUPPORT, INTERVENTION, ASSESSMENT, AND ASSISTANCE TO CRIMINAL-LEGAL INVOLVED PERSONS WITH SUBSTANCE USE DISORDERS AT AT EACH STAGE OF THE CRIMINAL LEGAL PROCESS, PRE- AND POST-SENTENCING?

Learning Objectives

- 1. Explore issues surrounding the use of recovery and treatment support as an alternative to incarceration in rural communities.**
- 2. Discover what members in the legal system are essential to develop a cooperative effort to divert individuals from the legal system.**
- 3. Discover what agencies and individuals are necessary to provide treatment and recovery services.**
- 4. Identify points of intervention in the legal system to offer substance abuse disorder services for those charged or convicted of a crime.**
- 5. Provide information surrounding the challenges and resolutions to promote diversion as an alternative to incarceration.**



Addressing Justice Impacted Individuals

Who Are They?

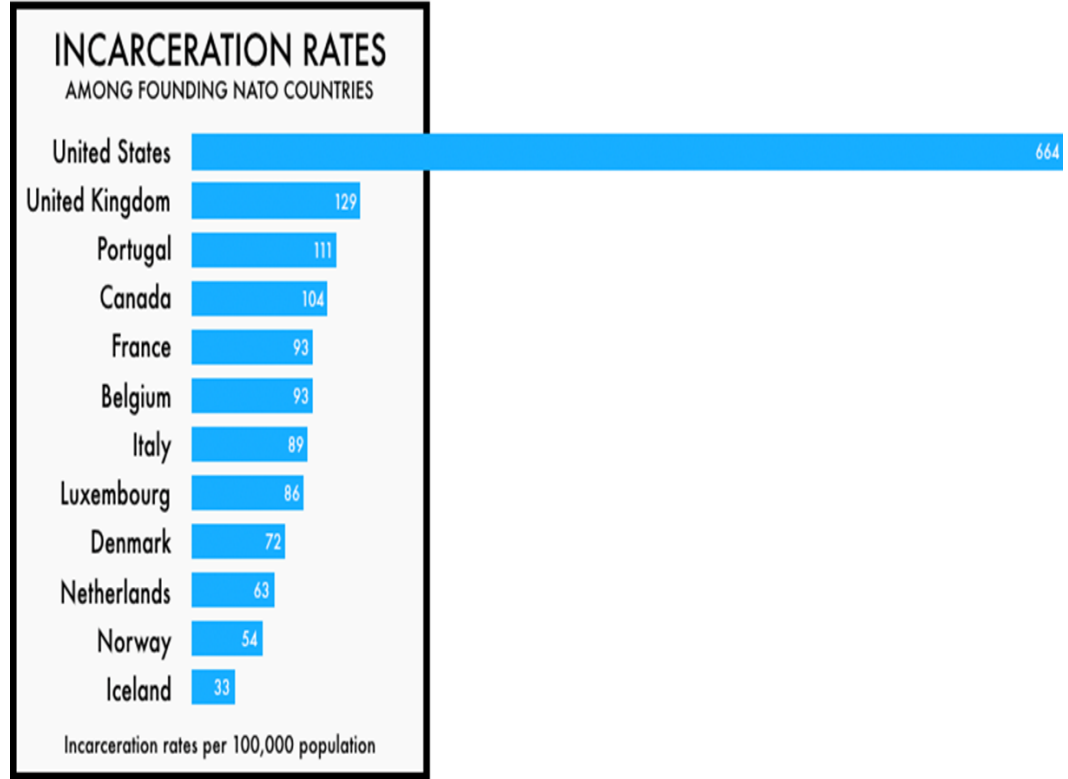
- Fathers/brothers/sons
- Mothers/sisters/daughters
- Neighbors
- Friends
- Co-workers
- White collar/Blue collar workers

Potentially anyone!

From Where Do They Come?

- Jail/Prison
- Violation of community supervision
- Emergency Departments
- 911 call dispatch
- Arrestable offense/behavior

Mass Incarceration



Source: <https://www.prisonpolicy.org/global/2021.html>

Mass Incarceration

The U.S. incarcerates at higher rates than any other country

1 in 5 people incarcerated in the WORLD are in the U.S.

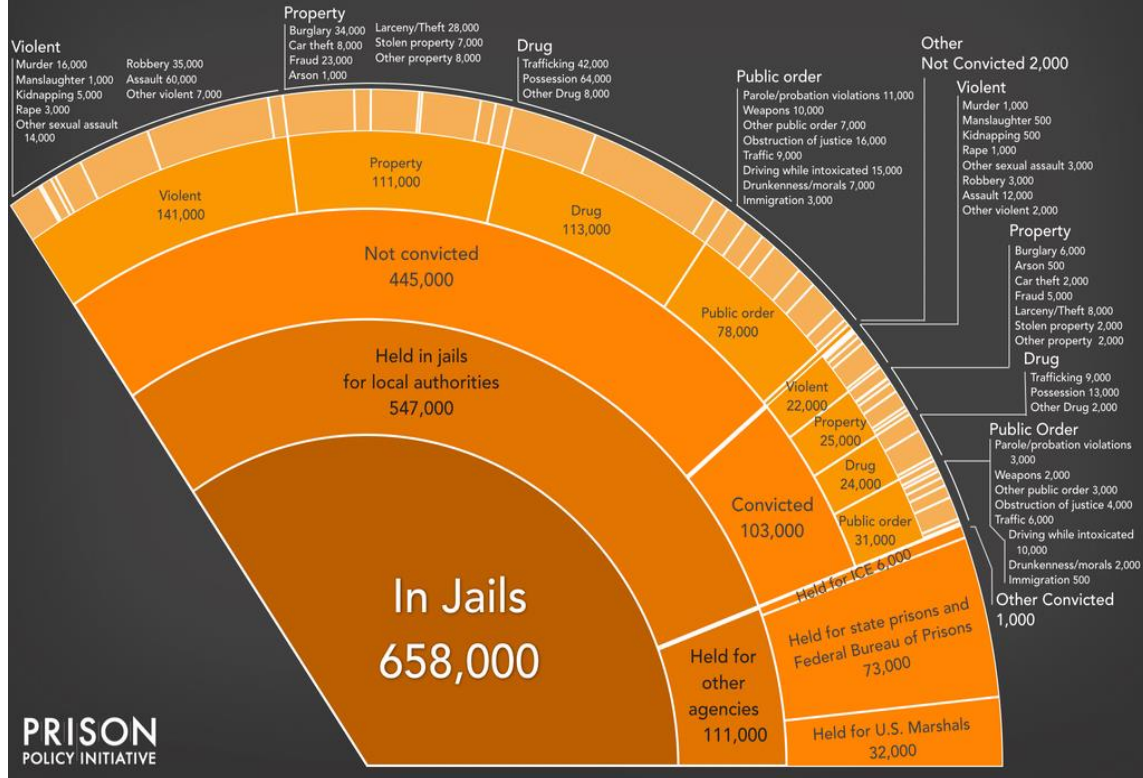
1 in 5 incarcerated are for drug offenses

There are 2 million people in prisons and jails in the U.S. This is a 500% increase over the last 40 years.

The active process itself of substance abuse disorder involves an arrestable act – possession of a substance, possession of paraphernalia, distribution or being under the influence. Untreated, it perpetuates the revolving door of incarceration.

1 in 3 people behind bars is in a jail. Most have yet to be tried in court.

Over 80% of those in jail under local authority have not been convicted and are presumed innocent. If you include the 111,000 people held in jails that rent out space to other agencies, 67% of all people in jails are unconvicted. Either way, jail incarceration rates are driven largely by local bail practices.



Jail Population FYI

Pre-trial Detention

- Most people in jail are not convicted but are locked up awaiting trial.
- These individuals are “presumed innocent” yet detained.
- Why?
 - Many detained in local jails are there because they cannot afford to pay the set bail
 - The median bail for felonies is \$10,000. This represents eight months of income for the typical person detained for not making bail.
- The growth in the total jail population over the last 25 years is a direct result of the increase of pre-trial detention – not an increase of those convicted.

What are Alternatives to Incarceration?

- Diversion
- Residential Treatment/Recovery Center
- Supervised or unsupervised release with behavior health services
- Specialty courts

Are there risks being that these individuals may come from jails or prisons?

Yes:

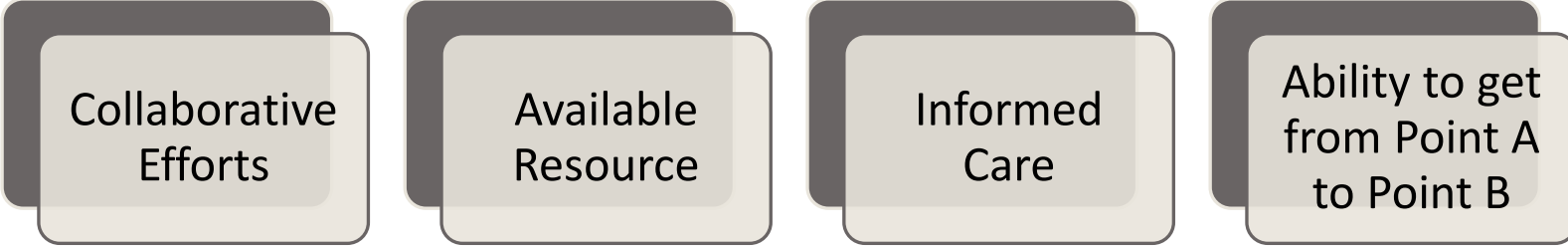
- Overdose
- Unmet behavioral health needs

No:

- The courts and/or correctional officials have deemed the individual appropriate for community placement

Using Treatment and Recovery Programs as an Alternative to Incarceration

What Does It Involve?



Collaborative
Efforts

Available
Resource

Informed
Care

Ability to get
from Point A
to Point B

Identifying
Individuals in
Need of
Services

Who?

How?

Where?

Has Using
Alternatives
to
Incarceration
Proven
to be
Successful?

MD: Baltimore Co. Opioid Affected Youth Initiative (OAYI)

- Social Workers screen all juvenile clients for opioid affectedness (personal or family use)
- Provide weekly case management
- Assist client's probation requirements
- Collaborate with attorneys
- Include family caseworkers: provide community support, etc.

Services in Western Maryland

Provide with mental health, substance use & alcohol addiction disorders.

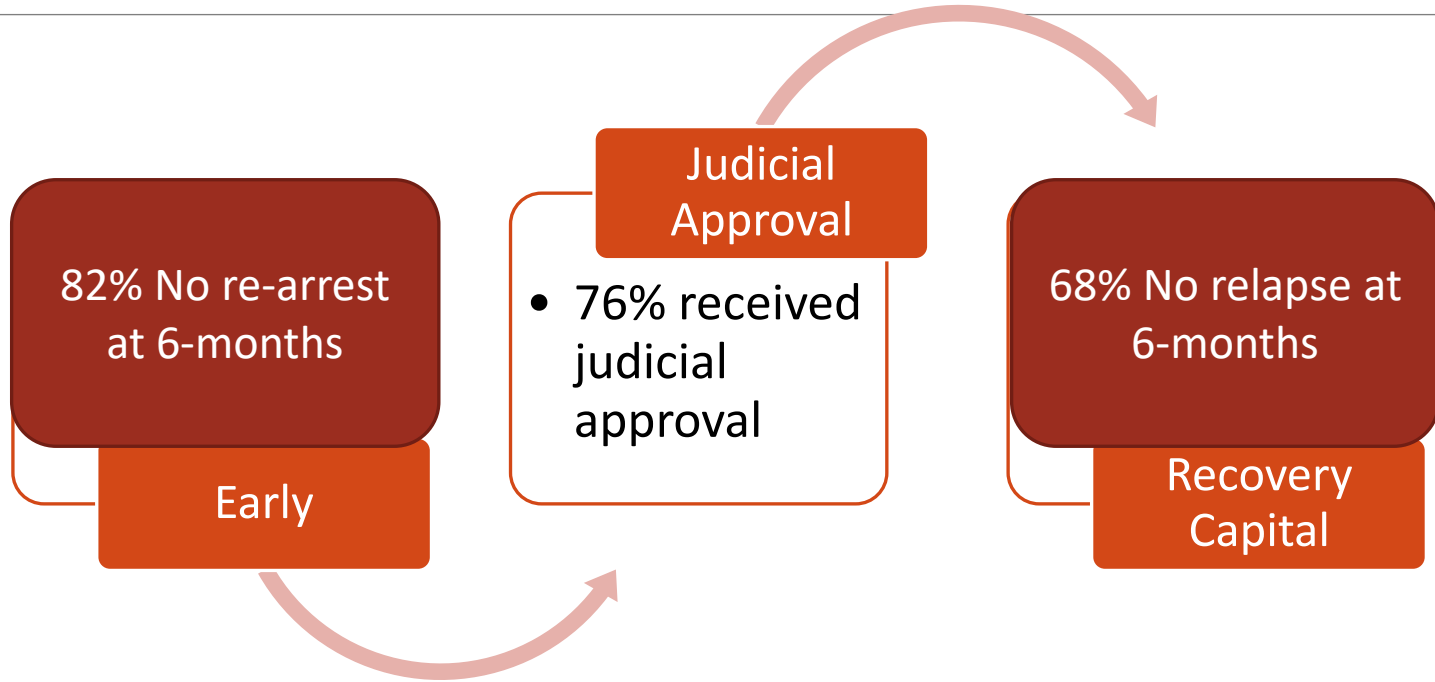
Bail review
intervention Attend
bail reviews, bail
hearings, and other
court proceedings

Screening,
Assessments, and
Plans

Community Referrals

Case Management
Support

WV Public Defender Recovery Coach Project





Participants in the Process

Players to Engage in the Legal and Correctional system

- Judges
- Prosecuting Attorney
- Public Defender
- Law Enforcement and 911 Dispatch
- Jailers
- Probation and Parole
- Community Corrections
- Treatment Court Personnel
- Dept. of Public Advocacy or Statewide Indigent Defense System

Players to Engage in the Community

- Local Treatment Service Providers
- Recovery Homes
- Recovery Specialist and Recovery Community
- Medical Community – Hospitals, Critical Care
- Local Elected Officials
- Community Organizers
- Faith Community

Unlikely Allies

- Rural Justice Collaborative
<https://www.ruraljusticecollaborative.org>
- National Drug Court Institution
<https://www.ndci.org>
- National Center for State Courts
<https://www.ncsc.org/opioids/training-for-court-professionals>
- <https://www.sentencingproject.org>
- <https://www.fletchergroup.org>
- <https://www.publicdefenders.us>
- State Department of Corrections
- County Commission

Stages to Implement Diversion and Alternative Sentencing

A Review of the Legal Process

Legal and Correctional Intervention

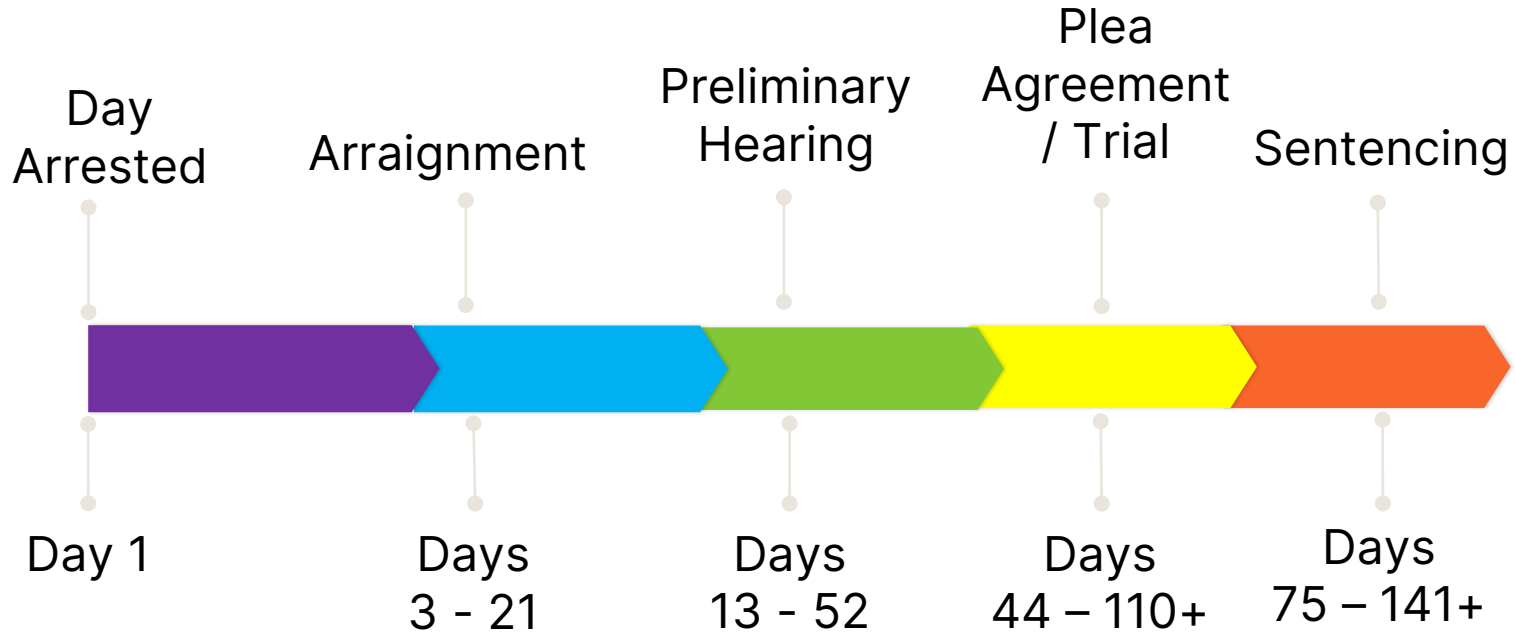
- Arrest/911 calls/Emergency Dept.
- Jail/Pretrial Release/Bond Condition
- Arraignment/Indictment
- Post Conviction
- Community Supervision/Probation/Parole

How Do People Fall Through the Cracks?

- Lack of communication
- Ideas on how to support
- Offender opts to serve jail time rather than a treatment or recovery program



Stages for Intervention



What is Significant at Each Stage?

- What is at stake for compliance or non-compliance?
- Pro tips

Challenges and Recommendations

- Communication Barriers
- Silo-ing
- Clinical vs. Duration
- Lack of Knowledge
- Availability and Access to Services
- Staff Availability



- Trust the Process
- Staff Training
- Education Seminars
- Transparency
- Open Communication
- Open Minds
- Collaboration

Q & A

Resources

- <https://books.google.com/books?id=LGiqBQAAQBAJ&dq=samhsa+sequential+intercept+model>

[+jail&lr=](#)

- Back of your mind (COVID, justice-involved persons, SUD treatment)
- [https://www.asam.org/quality-care/clinical-guidelines/covid/managing-justice-involved-](https://www.asam.org/quality-care/clinical-guidelines/covid/managing-justice-involved-people-with-addiction)

[people-with-addiction](#)

- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2797119/>
- [https://nida.nih.gov/publications/principles-drug-addiction-treatment-research-based-guide-](https://nida.nih.gov/publications/principles-drug-addiction-treatment-research-based-guide-third-edition/frequently-asked-questions/what-role-can-criminal-justice-system-play-in-addressing)

[third-edition/frequently-asked-questions/what-role-can-criminal-justice-system-play-in-addressing](#)

- https://www.uc.edu/content/dam/uc/ccjr/docs/articles/Treatment%20Dosage%20and%20Risk%20Principle_A%20Refinement%20and%20Extension%20-%20JOR%20article.pdf
- https://www.academia.edu/28696535/The_effect_of_treatment_completion_and_length_of_stay_on_employment_and_crime_in_outpatient_drug_free_treatment
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2851043/>
- <https://www.prisonpolicy.org/reports/pie2022.html>