# final_logo_pc [Converted] **Therapeutic Courts and the Pandemic Talking Points 2021**

**Behavioral health court needs**

Behavioral and therapeutic courts at all court levels would all benefit from an AOC-housed state-wide management and research. The 2021 AOC budget includes this important resource.

As of 2020, there were around 100 therapeutic courts operating in Washington State consisting of drug courts, juvenile drug courts, family treatment courts, driving under the influence (DUI) courts, mental health courts, veterans’ courts, community courts, and domestic violence courts.

Courts have seen an increase in the number of individuals with behavioral health needs accessing and involved in the justice system, and laws and policies addressing behavioral health issues that impact the courts.

Therapeutic courts are not in every community nor are the programs consistently organized and evaluated to ensure best practices. Already busy courts have to develop these programs by themselves which requires a tremendous amount of work.

**Therapeutic Courts and the Pandemic**

In light of the COVID pandemic, additional steps must be taken by behavioral and therapeutic court judges and leadership to reach out to potential users and partners.

The COVID pandemic has taken its toll on our local communities and country, and courts are no different. At every level, courts have struggled to process cases and keep justice moving forward. Participants in therapeutic courts such as drug court, mental health court, veteran’s court, and community court have been particularly hard hit.

Therapeutic courts rely heavily on developing community with the participants. Peer involvement is essential. Not being able to gather together in person has created significant challenges for participants to connect with case managers, court staff, judges and each other.

Another big challenge has been the drop in referrals to therapeutic courts statewide. This may have come from confusion over whether therapeutic courts were still accepting referrals. We are and we hope those referrals will return.

**Successes highlight the benefits to individuals and communities**

Behavioral and therapeutic courts rely on research to prove and sustain their success.

Therapeutic courts focus on a restorative instead of retributive justice model. These courts identify the root of a person’s involvement with the criminal justice system and focus on services to prevent re-offending. Therapeutic courts are forward looking—asking what we can do to prevent further offense. Statistics show dramatically lower re-offense rates between those who participate in therapeutic courts and those who do not.

An abundance of research papers and evaluations indicate that therapeutic courts are effective at reducing recidivism and saving costs. Drug courts have been found to reduce recidivism by around 10%[[1]](#footnote-1). Mental health courts, veterans’ courts, and community courts may be less studied than drug courts, but have shown similar reductions in recidivism among their participants[[2]](#footnote-2).

Other positive individual and societal benefits from therapeutic courts:

* Drug court participants were more likely to be employed than non-participants[[3]](#footnote-3).
* Community courts have been associated with substantial drops in the quality-of-life offenses like prostitution and street vending in their surrounding neighborhoods[[4]](#footnote-4).
* Other studies have shown veterans’ court participants have improved housing, mental health, and social connectedness outcomes[[5]](#footnote-5).

The Washington State Institute for Public Policy (WSIPP) conducts regular cost-benefit analysis of a variety of adult and juvenile justice system interventions and has consistently found therapeutic courts to produce cost-savings through combinations of reductions in recidivism and improved individual and social outcomes for participants. Their most recent summaries found the following benefits for therapeutic courts (dollars saved/1 dollar spent):

* Mental Health courts: $5.56
* Reentry courts: $3.36
* Drug courts: $2.82

\*Additional types of therapeutic courts exist in Washington State, but there may not be a sufficient number of published social science evaluations done on them to qualify for the WSIPP cost-benefit analysis.

1. Gottfredson et. al, 2003; Lowenkamp et. al, 2005; Mitchell et. al., 2012 [↑](#footnote-ref-1)
2. Hamilton, Holbrook, and Kigerl, 2019; Rossman et. al., 2012; Tsai et. al., 2018 [↑](#footnote-ref-2)
3. Peters and Murrin, 2000 [↑](#footnote-ref-3)
4. Sviridoff et. al., 2002 [↑](#footnote-ref-4)
5. Knudsen and Wingenfeld, 2016; Tsai et. al., 2016 [↑](#footnote-ref-5)