

For some, drug court is last, best chance

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By SHAWNE K. WICKHAM
New Hampshire Sunday News
[August 12, 2017 8:24PM](#)



Judge Kenneth Brown applauds for a drug court participant who remained clean at Hillsborough County Superior Court North in Manchester. Also pictured is clerk Janet Cyr. (DAVID LANE/UNION LEADER)

- **Judge reports drug court up and running**

MANCHESTER - One by one, they stand before the judge, who asks with paternal concern about their jobs, families and health.

This is New Hampshire's newest "drug court," which convenes each Tuesday in Courtroom 4 in Hillsborough County Superior Court North. For the high-risk offenders selected to participate, it could be their last best chance to change - or even save - their lives.

"Jennifer" (it's not her real name) is a 43-year-old mother of three. She used to be an international flight attendant, a job that took her to exotic places. But at home, she was battling depression, childhood trauma and domestic abuse.

"Then in 2000, I found heroin, and it took the pain away. And then just one thing led to another," she said.

She wound up in a downward spiral of addiction, petty crime and jail. "There's a lot of shame and guilt in my story," she said.

Drug court, she says, "saved my life."

Jennifer was facing 3 1/2 to seven years in prison for credit card fraud when she was offered the chance to participate in drug court last spring. She was among those standing before Judge Kenneth Brown on a recent Tuesday, updating him on her job and new home.

She's been clean and sober since March, she tells the judge.

Brown asks about her 15-year-old son, who was raised by Jennifer's mother while Jennifer was in and out of jail. Now he's coming to live with her.

"I'm truly grateful," she tells Brown. "I wish I did this 10 years ago. ... Having my job, getting all these things back, taking care of myself... It's getting easier."

Drug court participants are screened by both the county attorney's office and Serenity Place, which runs the treatment side of the program. Participants face prison if this doesn't work.

"This is sort of their last best chance of getting back into the community and being a positive influence," said Brown.

He has no doubt about the importance of the work. "We're saving lives," he said.

Daily check-ins

Participants agree to random drug testing, curfews, classes and meetings with their case managers several times a week. They check in daily with Serenity Place.

Alex Casale, the statewide drug offender program coordinator for the Superior Court, describes the target population as "high-risk and high-need." The need part is their chemical dependency; the risk is whether they can complete the program.

"These people will fail out of every other intervention," Casale said.

But the success of other drug courts in New Hampshire, he said, is proving that "if you give them really intense treatment and really intense supervision, then they respond really, really well."

Sixty percent of participants in Strafford County's drug court graduate, an unheard-of success rate for this population, Casale said.

"If you put all those people in probation, nine out of 10 will fail," he said. "And the other one will go missing."

Scott Harrington, chief probation/parole officer for the state Department of Corrections, sits on the drug court team that reviews each case prior to the weekly courtroom session, to determine who's compliant and who's not. The team includes prosecutors and defense attorneys, representatives from police, fire

and corrections, and case managers from Serenity Place.

Harrington agreed it's the last chance for some of these folks. "The next step for them is most likely state prison and/or, unfortunately, death," he said.

But he's optimistic about their chances of success.

"We have guys and gals in the program that are highly intelligent; they have education; they're artistic; they have families," he said. "And if it wasn't for this substance abuse issue, they would probably be very productive individuals, moving forward, making a good living out there and not having to worry about criminal justice on their backs."

Drug court uses a carrot and stick approach, Harrington said. Those who are non-compliant have to do community service, undergo additional drug tests or wear a GPS device. For those who make progress, curfews and other rules relax.

Praise goes a long way

In the courtroom, Brown deals with the non-compliant folks first, those who failed a drug test or didn't show up for community service. It's not a deal-breaker, it turns out.

One young man, Mike, has been in jail for the previous week. "I apologize," he tells Brown.

"Thank you for apologizing. I appreciate that," Brown replies. "Welcome back."

Another man missed community service imposed after an earlier infraction. He lives in Hillsborough and transportation is difficult, he tells the judge. "Is it time for you to start thinking about moving closer?" Brown asks.

For those in recovery, "housing is a massive problem," says Manchester Fire Chief Dan Goonan, a member of the drug court team.

Brown asks another man why he missed two urine tests.

"I want to express my concern that you're turning toward the dark side a little bit," Brown tells the young man. "Is that where we are? I'm worried."

He sends him out for a urine test, tells him he's keeping him on GPS for now and instructs him to check in every day.

After the non-compliant folks, Brown moves on to those doing well, including Jennifer. For them, another week without using is a victory, earning praise and respect from the judge - plus a candy bar and a glass bead. Four beads can be exchanged for a gift card.

Most of these folks, Brown said, haven't heard much praise in their lives, "so little things go a long way."

"Candy bars and tokens don't mean much to some of us walking the streets but it means a lot to these people," he said.

A man named Tim is upbeat as he gives an update on his work and his kids. He's thinking of getting into kayaking, he tells Brown: "It's stuff I liked as a kid. I want to get back to it."

"Keep up the good work. We're proud of you," Brown says. Then he leads a round of applause as Tim, grinning, takes his bead and candy bar from the clerk.

Brown earned a reputation for giving out tough sentences from the bench. But drug court requires a different approach, he said. "They're very proud of having so many days straight and sober, and I commend them for that."

What surprised him most about drug court is how even the toughest cases respond to the ongoing support the program offers.

"Some of these people will be on the non-compliant list for months and months. You're almost ready to throw up your hands and think they could do better in jail than with us," he said. "And then they turn themselves around."

swickham@unionleader.com