

Effective Treatment for Drug-Involved Offenders

Proceedings

New England Regional Conference

Education Development Center, Inc.
with funding from the State Justice Institute



*Regional conference on effective treatment for drug-involved offenders:
a training of trainers program for state judicial educators, judges,
and other court personnel (1993: Carlisle Education Center)*

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A Regional Conference on Effective Treatment for Drug-Involved Offenders:

**A Training of Trainers Program for
State Judicial Educators, Judges, and
Other Court Personnel :**

Carlisle Education Center
May 10-11, 1993

PROCEEDINGS

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Newton, Massachusetts 02158

Funded by
State Justice Institute
1650 King Street, Suite 600
Alexandria, Virginia 22314

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A Training of Trainers Program for State Judicial Educators,
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Proceedings of a Regional Conference on Effective Treatment for Drug-Involved Offenders: A Training of Trainers Program for State Judicial Educators, Judges, and Other Court Personnel

Part One

I. INTRODUCTION

An increasing number of individuals who appear before our nation's courts are substance abusers. Judges and other court personnel need information to increase their awareness of substance abuse issues and exemplary treatment programs to help them make better informed sentencing decisions for drug-involved offenders. To help meet this need, Education Development Center, Inc. (EDC), with funding from the State Justice Institute (SJI) developed and sponsored a two-day conference: *A Regional Conference on Effective Treatment for Drug-Involved Offenders: A Training of Trainers Program for State Judicial Educators, Judges, and Other Court Personnel* held on May 10-11, 1993 at the Carlisle Education Center. The conference was based on the recently published benchbook, *Effective Treatment for Drug-Involved Offenders: A Review and Synthesis for Judges and Other Court Personnel* developed by EDC.

This two-day training conference examined the appropriate role of the courts in addressing the problem of drug-involved offenders from early assessment to disposition. The training was specifically developed so that it could be replicated across the northeast through a regional network or joint training and dissemination supported by judicial educators.

II. DEVELOPMENT OF THE CONFERENCE

In preparation for the conference, EDC staff surveyed judicial educators in the northeast region to ensure that the two-day conference would reflect the informational and instructional needs of conference participants. Speakers and panelists for the conference were selected from a pool of individuals suggested by conference participants. Teaching methods recommended by judicial educators were utilized, including panel discussion, case discussion, small and large group activities and exercises, and group discussions. Participants had the opportunity to meet and network with each other informally during the course of the two-day event. In addition to the benchbook, each conference participant received an information packet that contained the agenda, the case study, materials for the activities and exercises, faculty list and bibliographies, participant list, and resource listings. The conference agenda was based on chapters contained in the benchbook *Effective Treatment of Drug-Involved Offenders*. The agenda was adapted to emphasize areas of particular interests as identified by judges and judicial educators.

Key Components of the Training Conference

The Regional Conference on Effective Treatment for Drug-Involved Offenders was designed as a two-day training. Several characteristics, central to the design, are important to understand.

Integrated: The training conference was designed for an integrated audience of judges, judicial educators, and other court personnel. Since a major goal of the conference was to provide a forum where professionals in the criminal justice system could come together to learn from one another, most of the sessions were structured either for a whole audience combined, or smaller integrated groups of representatives from various criminal justice disciplines. Evaluations of the conference indicated that a major benefit for the participants was the chance to interact and learn from one another.

Interactive: The training conference was developed based on the theory and practice of adult education: adults learn most in an educational forum that fosters discussion and interactive learning. Activities for the conference were developed to provide the greatest opportunities for skill-building in a stimulating and comfortable environment.

Case Study: "The Case of Billy Burroughs" is a fictitious case specifically developed for this training conference. EDC staff drew on several actual criminal cases and offender profiles to develop this composite. The case incorporates many issues judges face in determining appropriate sentences for drug-involved offenders. The case is modular in format and may be used in its entirety or broken into segments and used to emphasize different aspects of sentencing and treatment.

Replicating the Training Conference

This two-day training conference was developed in a modular format to enable local regions and jurisdictions to adapt and customize the training based on their needs and time constraints. Speakers and panelists recruited for the conference should represent a range of knowledge and expertise on the issues of effective sentencing and treatment for drug-involved offenders. Speakers and panelists selected for the conference should include:

- judges
- judicial educators
- district attorneys
- treatment providers
- probation and parole officers
- representatives from the media

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III. GOALS OF THE CONFERENCE

Over the course of the two-day conference, participants:

- increased their knowledge of substance abuse issues and exemplary treatment programs for drug-involved offenders
- examined court-related issues concerning drug-involved offenders and discussed the appropriate role of the courts in addressing this problem from early assessment to disposition
- discussed plans for incorporating training on effective treatment in their state's judicial education programs
- strengthened their linkages with fellow professionals responsible for judicial education throughout the region
- policy recommendations for future programs

IV. CONFERENCE AGENDA

The following is the agenda that was developed for the conference.

Agenda

May 10-11, 1993

Day One

Monday, May 10

- 9:45 Registration**
- 10:00 Welcome and Overviews**
Overview of Education Development Center
Welcome and Overview of the Carlisle Education Center
Overview of Training
- 10:40 Keynote Address**
Presenter:
Honorable Leslie G. Johnson, Director of the Mississippi Judicial College
- 11:15 Break**
- 11:30 Reports from the States: Status of Judicial Education Efforts**
Presenters:
selected participants representing all participating states
Teaching Method:
brief participant presentations
- 12:30 LUNCH**
- 1:30 Leveraging the System for More Effective Criminal Justice and Treatment**
Response: Balancing Treatment, Control, and Public Safety Issues
Presenters:
Amy E. Singer, Deputy Commissioner of Strategic Planning and
Programs, New York City Department of Correction
Dr. Robert Kinscherff, Instructor of Psychology, Harvard Medical
School
Teaching Method:
panel discussion, participant discussion
- 2:30 Introduction of the Case Study**
Presenter:
Michael Rosati, Director of the Carlisle Education Center
Teaching Method:
brief presentation, group activity

2:45 Assessment of the Drug-Involved Offender and Treatment Modalities

Presenters:

Dr. Robert Kinscherff, Instructor of Psychology, Harvard Medical School

Alan M. Schuman, President-Elect, American Probation and Parole Association

Teaching Method:

panel discussion, group activity and discussion

3:30 Break

3:45 Crafting an Effective Sentence

Presenters:

Honorable Robert P. Ziemian, Associate Justice, Dorchester District Court, MA

Susan A. Powers, Director and Deputy District Attorney, King's County, NY

Honorable Leslie G. Johnson, Director of the Mississippi Judicial College

Teaching Method:

group activity and discussion, panel discussion

4:30 Reactor Panel and Group Discussion

Presenters:

Honorable Richard C. Wesley, Supervising Judge of the Criminal Courts, Seventh Judicial District of New York

Honorable Richard S. Gebelein, Associate Judge, Superior Court of Delaware

Teaching Method:

panel discussion, participant discussion

5:00 Concluding Remarks: Day One

Presenter:

Michael Rosati, Director of the Carlisle Education Center

7:30 DINNER

7:30 Introductory Remarks

Presenter:

Honorable John C. Cratsley, Associate Justice of the Superior Court, MA

8:00 Evening Keynote Address

Presenter:

Dr. Marlene A. Young, Executive Director for the National Organization for Victim Assistance

Day Two

Tuesday, May 11

8:00 Effective Supervision Strategies/Coordination of Courts and Treatment Providers

Presenters:

Ronald P. Corbett, Jr., Deputy Commissioner, Office of the Commissioner of Probation

Honorable Richard S. Gebelein, Associate Judge, Superior Court of Delaware

Alan M. Schuman, President-Elect, American Probation and Parole Association

Dennis A. Humphrey, Executive Director, Massachusetts Committee on Criminal Justice

Teaching Method:

panel discussion, participant discussion

9:45 Reactor Panel and Group Discussion

Presenters:

Honorable Sally Ann Kelly, Associate Justice, Boston Municipal Court

Honorable Joseph K. West, County Court and Supervising Judge, Westchester, County, NY

Teaching Method:

panel discussion, participant discussion

10:30 Break

10:45 Resource Development, Funding, and Media Awareness

Presenters:

Dennis A. Humphrey, Executive Director, Massachusetts Committee on Criminal Justice

Emily Martin, Director of Training and Technical Assistance Division, OJJDP

Honorable Aaron Ment, Chief Court Administrator, CT

Elaine C. Ray, Editorial Writer, The Boston Globe

Teaching Method:

panel discussion, participant discussion

11:40

Components of an Effective Training Program

Presenters:

Robert Clayman, Executive Director, Judicial Institute, Massachusetts
Trial Court Elizabeth Hodges, Legal Counsel, The State of New
Hampshire Supreme Court

Teaching Method:

brief presentation, group activity and discussion

12:00

LUNCH

1:15

Working Teams: Adapting the Training to Local Needs

Presenter:

Karen McLaughlin

Teaching Method:

brief presentation, small group activity and discussion

2:15

Presenting the State Plans

Presenter:

Karen McLaughlin

Teaching Method:

participant discussion

3:30

Wrap-up and Conclusion

Presenters:

Michael Rosati, Director of the Carlisle Education Center

Karen McLaughlin, Project Director, Conference on Effective Treatment
for Drug-Involved Offenders

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PART TWO: PROCEEDINGS

I. WELCOME AND OVERVIEWS

Cheryl Vince-Whitman, *Vice President and Director*, Health and Human Development Programs, Education Development Center

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Michael Rosati, *Director*, Carlisle Education Center

Karen McLaughlin, *Project Director*, Conference on Effective Treatment for Drug-Involved Offenders, Education Development Center

Amy Singer, *Deputy Commissioner of Strategic Planning and Programming*, New York City Department of Correction and *Author of Effective Treatment for Drug-Involved Offenders: A Review and Synthesis for Judges and Court Personnel*

Kelly Brilliant, *Research Assistant*, Education Development Center

II. HIGHLIGHTS OF THE KEYNOTE ADDRESS

Speaker: **Hon. Leslie Johnson**, *Director of the Mississippi Judicial College*

"Drugs touch our minds, hearts, and souls, yet we cannot get leadership to change."

Hon. Leslie Johnson, *Director*,
Mississippi Judicial College

The Keynote Address was delivered by Hon. Leslie G. Johnson, Director of the Mississippi Judicial College. The following are excerpts from Hon. Johnson's address:

Alternative sentencing is the reality. In 1989, the Edna McConnell Clark Foundation did a study on individual's perceptions of crime in Alabama. The study found that most people link the use of alcohol and other drugs (AODs) to rising rates of crime. However, 84 percent of the people surveyed believed prison terms that cost the state 9 to 13 thousand dollars per prisoner per year were not the answer. They indicated that what was needed was alternative sentencing of the drug-involved offender that was more intensive than traditional probation.

As a judge, I never sent anyone to prison to be rehabilitated. Even if prisoners are trained for jobs while there, who will hire them? Prisons teach them to be better criminals. Even though there is no control over who would come out of the system, there was control over who is sentenced to prison.

While teaching a course at Yale, I had the opportunity to meet a student who told me that a judge had made a huge difference in his life. After the student had gone through the criminal justice system repeatedly, this particular judge finally placed him in a treatment program. The student relapsed immediately after the program, but he contacted the judge and pleaded for help. The judge personally helped the young man re-enter treatment. This time he succeeded and went on to apply and be accepted to Yale Law School and is now working as an attorney in Alabama.

We've got to take a new fork in the road. What we have done, doesn't work! There are better ways to punish, better ways to rehabilitate. People's AOD problems can be more effectively addressed in communities than in prisons.

III. REPORTS FROM THE STATES

"Our program at Riker's Island benefits the inmates as much as the students. For many inmates it is the first time they have the opportunity to turn their negative experience into something positive."

**Amy Singer, Deputy Commissioner of
Strategic Planning and Programming,
New York City Department of Correction**

Session Summary

Conference participants had an opportunity to present the judicial activities of their states in response to drug-involved offenders. Participants focused on state resources available to the courts, innovative programs, sentencing, and supervision strategies, as well as the lack of resources and current state needs. The following represents a sampling of state initiatives:

Connecticut: State Judicial Education in Connecticut has developed a mandatory three-week orientation program on alternatives to incarceration for judges. The program allows judges to spend an afternoon meeting with different treatment providers. Connecticut State Judicial Education has also compiled a database of information on treatment alternatives and pharmacology for judges.

Delaware: Delaware has initiated a sentencing accountability program with a treatment access center for drug-involved offenders. This also includes expedited drug-case management in which judges manage their own cases. Delaware has also recently initiated a day reporting center. Every year State Judicial Education hosts a summer drug and alcohol institute.

Maryland: In 1989, the Maryland State Legislature, with substantial assistance from Hon. Leonard Ruben, instituted a program for youth drug prevention entitled, "Live Your Dreams—Don't Use Drugs." This program offers elementary, junior, and high school students the opportunity to visit Judge Ruben's courtroom to witness the sentencing of drug-involved offenders. Students also listen to presentations by ex-addicts whose lives have been seriously impacted by AOD abuse; the students are also invited to participate in a question and answer period with the presenters and other members in a recovery group. Although no formal evaluations have been conducted, Hon. Ruben feels the program has helped the recovering individuals as much as the students.

Massachusetts: The Massachusetts Department of Correction has sent out a system-wide request for proposals for integrated, holistic approaches to combat recidivism of drug-involved offenders. The Department of Correction is also implementing special treatment programs for women. Hon. Sally Ann Kelly utilizes recovering addicts to speak to offenders about treatment programs. She currently serves on a board that is setting up a home for AIDS-infected women (between 27 to 40 percent of female offenders in her district are HIV positive).

Raymond Kelley, project director of the Substance Abuse Project for the Supreme Judicial Court of Massachusetts, reported that the Substance Abuse Project, with funding from SJI, has developed a series of seminars around the topic, "Substance Abuse and the Courts." Participants in the seminars include judges, probation professionals, other court personnel, as well as treatment providers in jurisdictions across the state. All attendees receive materials from the benchbook

develop from EDC. The first seminar held on October 1 had more than 100 people in attendance. The seminar included speakers, panels, and small group discussions around actual cases. Ray Kelley feels that these seminars foster better working relationships between the courts and treatment providers. The first seminar led to the development of an aftercare program for drug-involved offenders sponsored by the Cambridge Department of Justice and Cambridge Hospital. Ray Kelley said that the EDC conference enabled him to meet Hon. Aaron Ment, with whom he subsequently met on several occasions to develop his seminars.

Maryland: Baltimore is offering intensive probation in a holistic setting for drug-involved offenders. The program includes vocational training and acupuncture treatment. Hon. Jamey Weitzman invites 9th graders into the courtroom to witness "a day in the life of district court."

New Hampshire: The state has developed a DWI diversion program for first time offenders.

New Jersey: State judicial education is offering an on-going, 3 hour series on pharmacology and assessing the drug-involved offender entitled "A Guided Tour through the Wonderful World of Psychiatry" to educate judges in recognizing patterns of abuse.

New York: New York City has an effective "shock incarceration" program that includes an extensive drug treatment and education component. The program has a very high success rate and participants up to the age of 36 can be admitted.

New York City has an alternative program that was initiated by the Vera Institute. The program brings fifth graders to court. Susan Powers, Deputy District Attorney for the King's County DA's Office believes the impact of this program on court prosecutors is even more significant than the impact on the children.

The Riker's Island Correction facility also runs a program whereby school children are brought to Riker's to hear inmates speak on how drugs have impacted their lives.

Vermont: Vermont currently has no specific judicial education program on drugs, and attended this conference to learn about program options.

IV. LEVERAGING THE SYSTEM FOR MORE EFFECTIVE CRIMINAL JUSTICE AND TREATMENT RESPONSE: BALANCING TREATMENT, CONTROL, AND PUBLIC SAFETY ISSUES

Panelists: Amy E. Singer, *Deputy Commissioner of Strategic Planning and Programming*, New York City Department of Correction

Hon. Sally Ann Kelly, *Associate Justice*, Boston Municipal Court, Boston

Dr. Robert Kinscherff, *Instructor of Psychology*, Harvard Medical School

"Charity is scraps from the table, justice is being invited to the table."

As quoted to Hon. Sally Ann Kelly by
Kip Tiernan, founder of Rosie's Place
(a shelter for homeless people)

"The first thing we need is a system to leverage."

Dr. Robert Kinscherff, *Instructor of Psychology, Harvard Medical School*

Substance abuse and the crimes resulting from it command a large commitment from our nation's courts. An overwhelming number of cases brought before the bench relate in some way to alcohol and other drug use. Judges face complicated decisions when confronted with these cases and are often asked to make important public safety and treatment decisions without a full understanding of the range of treatment options. Judges are charged with the complicated task of balancing society's need for rehabilitative and control interventions for the drug-involved offender population. Frequently, they must decide on traditional probation and incarceration without adequate information regarding intermediate sanctions that offer a broader range of choices.

Summary of the Session

This discussion provided judges with information on the range of resources available to them for leveraging the system to increase public safety by providing better control and more effective treatment for drug-involved offenders. The following is a summary of the discussion by panelist:

Amy Singer: The task before us is enormous. Substance abuse has had the greatest singular impact on the court system. We need as many partners as possible to combat the problem. All coordination of resources starts with one person feeling they can be the catalyst for change. The influence judges have in the community is tremendous. Judges can attend legislative hearings, bring providers into the courtroom, and visit prisons. This is particularly important for inmates, because it signals to them that judges care. All good drug treatment is local. We can't underestimate the value of letting others know that people in AOD treatment do succeed. Share your success stories!

However, the criminal justice system must offer more than drug treatment alone. It must enable people to be self-sufficient through job-training and education. And we must be more patient with relapses. For recovering substance abusers a certain amount of slippage is common and it does not necessarily indicate treatment failure. Finally, as the money for these programs dries up, we need to reach out to nontraditional funding streams such as corporations and private foundations. Everyone else has a stake in combatting this problem.

Hon. Sally Ann Kelly: Very few people know the full extent of the addiction problem. Judges, the public, and defendants must be educated on the problem. There are addicts everywhere. What do we do in terms of public safety? Sometimes the answer is incarceration; sometimes we need to evaluate if addicts are really a public safety threat. We also need to be mindful that incarcerated people have access to drugs.

I treat addiction and crime as public health problems. Incarcerating people often stops their recovery process. I typically ask my defendants if they are really into attending self-help groups.

Dr. Robert Kinscherff: For years there has been a split between the recovery and mental health fields. This debate has outworn its effectiveness. We need to know what works under what circumstances. Many people are either controlled users of AODs or spontaneously stop using without external intervention. We need to be able to assess what treatment specific individuals need. Courts are having to take on expanded roles in what has been termed by David Wexler, "therapeutic jurisprudence." In treating a drug-involved individual you want to mobilize hope for the person, offer positive reinforcements, and set limits.

- (1) The **number one** predictor of treatment success is the idea that this person has something to lose that is intolerable for them, whether it be family, job, or liberty. A judge can sometimes help an offender "hit bottom."

- (2) The **number two** predictor of success is the duration of treatment, whether voluntary or involuntary.
- (3) The **number three** predictor is the degree of support the person receives from their social network.
- (4) The **number four** predictor is the correct assessment of their AOD problem and the matching of appropriate treatment. We need to get "assessment-skilled" people into the courthouse setting.

V. ASSESSMENT OF THE DRUG-INVOLVED OFFENDER

Panelists: **Dr. Robert Kinscherff**, *Instructor of Psychology*, Harvard Medical School

Alan Schuman, *President-Elect*, American Probation and Parole Association

"If you think there's a short-cut to stopping the drug-involved offender, you're wrong. Please let the professional assessment person do his/her job and take their evaluations seriously."

Alan M. Shuman, *President-Elect*,
American Probation and Parole Association,
in a speech to judges.

Assessment is a diagnostic process that provides information during several points in the judicial process on identifying the needs of drug-involved offenders, ascertaining what risk they pose to the community, and recommending treatment options. The correct identification of an offender's problem is key to determining effective supervision, whether an offender could benefit from treatment, and what treatment strategies may be most effective. However, assessment is intended to help inform judicial decisions; it is not intended to replace or make decisions for judges. In recent years the process of assessment has become increasingly formalized, with an emphasis on more uniform, reliable, and valid methods of assessment. As more standardized assessment processes have been developed, the use of substance abuse assessment has become increasingly important within the judicial system. This panel focused on considerations regarding substance abuse assessment, as well as specific assessment instruments.

In light of the strong relationship between drugs and crime, many drug treatment professionals urge that compulsory treatment be a more widely adopted technique for reducing criminal activity. However, legitimate concerns around issues such as the cost of treatment, its effectiveness, and public safety remain. These concerns were addressed during the second half of this panel.

Summary of the Session

The discussion began with a review of the various types of treatment available, followed by present findings on the effectiveness of the different modalities and treatment, in general. The following is a sampling of key points expressed by panelists.

Al Shuman: Seventy-five percent of the people that probation and parole handle are or were drug-involved. Judges need to understand the concept of AODs and relapse. It has been the primary part of our caseload for five years. We must develop a better understanding of what the drug offender is all about. To this end, the probation department in Washington has started training

probation officers to be certified addiction counselors. The broad objectives of an assessment should be to determine whether the person is a user, abuser, or drug-dependent. They should also assess any existing psychological or medical conditions the individual may have. Family counseling screening should also be a component of any AOD assessment. You can't talk about substance abuse in a vacuum; you need to also talk about AOD abuse and its relationship to family violence. AOD assessors should recommend an alternative sentencing plan that includes the appropriate treatment.

Dr. Robert Kinscherff: I thoroughly agree with Al Schuman. You don't need an M.D. or a Ph.D.; you do need someone who understands this population. I recommend using the following principles to guide an AOD assessment:

- (1) Substance abuse treatment should be the number one priority. You can't assist people who are still high or drunk.
- (2) Addiction is a learned behavior that serves a self-medicating role as a way to deal with a difficult life. Treatment is therefore a "re-learning" process. You need to expose people to what they can do, not just tell them what they can't do.
- (3) Pattern of use is important (casual user, problem user, abuser, or junkie); this points to the general functioning level of the individual.

Another important question to consider is how someone becomes an addict. If a certain behavior, such as AOD use, results in positive consequences for the individual, that behavior tends to increase. As the frequency of the behavior increases, negative experiences are accrued. Most people control their substance use at this time. However, the addict fails to perceive or fails to respond to these negative experiences; instead they begin to use more of the substance to escape the negative experiences. Eventually a major negative event occurs, commonly referred to in the addiction world as "hitting bottom." At this point, many addicts experience a turning point some time during their addictive behavior. This is the point that the criminal justice or treatment system has its first opportunity to intervene. For the most part the criminal justice system has not utilized this window of opportunity well. I recommend an eleven part evaluation, including:

- (1) drug history
- (2) medical history
- (3) family/employment functioning level
- (4) interaction with psychiatric malfunctioning: depression/anxiety attacks
- (5) detailed evaluation of individual's motivation to change
- (6) acceptance level of treatment goals and objectives
- (7) detailed assessment of the relapse potential
- (8) frequent scheduled or unscheduled urine screenings
- (9) treatment tailored to specific populations, such as women
- (10) any apparent brain damage, language disabilities due to AOD use
- (11) criminal record

VI. THE CASE STUDY

Since judicial decisions are based on individual cases, each with unique circumstances and varying deciding factors, the following panel and participant discussion was based on a hypothetical case study designed to incorporate many of the numerous factors judges need to consider in the adjudication process. The case, representing a composite of several actual cases that have been brought before courts in the United States, was developed by Michael Rosati, director of the Carlisle Education Center and Kelly Brilliant, EDC research assistant. Mr. Rosati introduced the case to the conference participants. Honorable Robert Ziemian, associate justice of the Dorchester District Court of Massachusetts, facilitated the participant discussion of the case. Panel members Susan Powers, director and deputy district attorney in King's County, New York, and Hon. Leslie G. Johnson, director of the Mississippi Judicial College provided additional insight and commentary.

The Case of Billy Burroughs

Part One: Apprehension and Arrest

Police are called to the scene of an elderly woman's home in a suburb outside a small city. Upon arriving at the scene, they apprehend a white male in his mid-twenties who has jumped from a first floor window. The woman is lying on the floor of the first floor of the house. She is conscious, but obviously in pain, reporting to the police that the male had broken into her home and pushed her to the ground in an attempt to leave the house. An ambulance is summoned to the scene to transport the woman to the hospital.

Upon questioning by the police, the young man identifies himself as Billy Burroughs. He appears calm, speaks clearly, and exhibits no overt signs of intoxication or drugged state, except that he seems to be totally unaware of the visible swelling of his right foot—an injury sustained during his jump from the first floor window. While speaking to the police, he frequently rubs and scratches his body. The patrol officers notice several abscesses on his left arm.

Burroughs is taken to the station for further questioning. He admits to breaking and entering into the woman's home, but explains that he had hoped no one was in the house at the time of his attempted burglary. His assault of the elderly woman occurred unintentionally as he was trying to leave. An hour into the questioning, he grows jumpy and irritable. Within two hours, he is loudly complaining of the pain in his ankle. In addition, he has begun to sweat profusely, shiver, and complain of nausea.

While listening to the panel discussion on assessment, please think about the type of information that you would need in order to properly evaluate this case.

Part Two: Assessment and Evaluation

Now that you have listened to the panel discussion on assessment, let's return to our hypothetical case. Due to time constraints, we have taken the liberty of preparing in advance an assessment and evaluation of the alleged offender, Billy Burroughs. Please take a few minutes to read this over.

Drug Testing

Through the results of a blood and a urine test, it is determined that the apprehended male had used both heroin and a small amount of alcohol prior to his arrest.

Criminal Record

Burroughs has been arrested twice for shoplifting and has had two prior breaking and entering arrests. He has one arrest for possession with the intent to distribute. This is Burroughs first arrest for assault.

Drug History and Current Use

Billy Burroughs began smoking cigarettes, marijuana, and drinking beer when he was fourteen years old. He reported that drinking alcohol and smoking pot helped him "fit in" with his peer group and escape difficulties in his home life. By the age of sixteen, he began experimenting with various stimulants and depressants, including amphetamines, cocaine, percodan, and dilaudid. While his use of alcohol remained constant, the stimulants he was using quickly lost their appeal. Burroughs reports that he much preferred the numbing "high" of the depressants. By age seventeen, he tried heroin for the first time. What started as a weekend "chipping" habit, gradually became a full blown physiological addiction. Burroughs reported that he currently injects heroin three to four times per day.

Medical History and Psychological Status

Burroughs has had several medical problems as a result of his drug use and accompanying lifestyle. In addition to the abscesses on his arm, he has suffered two hepatitis infections from the use of dirty needles. He has also been hospitalized for injuries relating to his drug use, including a broken wrist from a drug-related fight and a broken arm from a car accident. Burroughs currently presents no symptoms of the HIV infection or AIDS, but he has not been tested. He has never been treated or hospitalized for any psychiatric problems, but he self-reports that he has suffered from bouts of depression starting from the time he was thirteen years old to the present.

Treatment Experiences

Burroughs has had three treatment experiences in two separate outpatient, methadone detox clinics. His first treatment experience occurred at the time of arraignment for his first shoplifting offense. He sustained the clinic's required twenty-one day abstinence from heroin before appearing in court. Since it was a first, relatively minor offense, he was released with no mandatory treatment requirement. Burroughs could not sustain his abstinence from heroin and quickly resumed his habit. His second treatment experience was voluntary. He placed himself in the same clinic. This time he completed 60 days of the clinic's compulsory 90-day program. After 60 days however, Burroughs failed a urine test and was released from treatment. He waited the compulsory 30 days that the clinic requires clients who fail to remain abstinent and returned to treatment, but this time was only able to sustain 55 days of abstinence from heroin before relapsing. Burroughs has never sought or been required to obtain treatment for alcohol use.

Education, Occupational Status, and Family History

Billy Burroughs has a high school education and works sporadically in construction and other odd jobs. He is separated from his wife and two small children. He is several months behind in child support payments. Burroughs was raised by a divorced, single mother and is the second of four children. He reports that his mother was and is a problem drinker and made the circumstances of his growing up difficult at times. She has never sought any type of treatment for her problem with alcohol.

As in the past, Burroughs reports that he regrets his criminal behavior, is anxious to get into treatment again, and is willing to do whatever it takes to become "straight."

Part Three: Sentencing, Supervision, and Aftercare

Assume that Billy Burroughs is convicted. Referring to the panel discussion on sentencing and to Billy Burroughs' assessment and evaluation, how would you respond to the following questions?

Sentencing

- What factors would influence your sentencing decision in this case?
- Should the court order Burroughs to mandatory treatment? Why, or why not?
- If treatment is part of Burroughs sentence, what would be the most appropriate treatment modality for Burroughs? What factors would influence your decision on the type of treatment he should receive?
- How should treatment success be evaluated?
- What should happen if Burroughs does not complete treatment successfully?

Now that you have listened to the panel discussion on supervision, let's return to our hypothetical case. How would you respond to the following questions?

Supervision

What type of supervision should Burroughs receive after his conviction?

Aftercare

What are potential barriers to effective treatment for Burroughs? What could potentially foster a successful treatment experience?

If Burroughs successfully completes his sentence and treatment program, what type of aftercare services should be provided?

Conclusion

What issues does this case raise that are especially relevant to those you face in your own jurisdiction?

VII. CRAFTING AN EFFECTIVE SENTENCE: TREATMENT OPTIONS

Panelists: **Hon. Robert P. Ziemian**, *Associate Justice*, Dorchester District Court, Massachusetts

Susan A. Powers, *Director and Deputy District Attorney*, King's County, New York

Hon. Leslie G. Johnson, *Director*, Mississippi Judicial College

"What do you do with a drug-involved offender besides sentencing the offender to incarceration? There are very few long-term evaluations of treatment programs. How does a judge get the treatment community and the probation officers involved?"

Hon. Robert P. Ziemian, *Associate Justice*,
Dorchester District Court, MA

In the past few years, the federal government and many states have passed tougher sentencing laws that rely more heavily on incarceration for drug-involved offenders. Yet, while the public and many political leaders call for a more punitive approach, diminishing fiscal resources conflict with the demand for more prison beds. Furthermore, research indicates that incarceration and other punitive measures alone have not eradicated the drug problem. Research also suggests that retention in drug abuse treatment is the most powerful variable associated with changing drug abuse and related behaviors, including alcohol abuse and arrests. These findings coupled with the crowding of our prisons, indicate that incarcerating all drug-involved offenders is not the answer to the drug epidemic. Judges need to know the range of sentencing options, what impact a particular sentence will have on the offender, the system, and society at large. Sentences must have a clear rationale that can be articulated and understood by judges, offenders, victims, and the public.

Summary of the Session

This panel discussed the "sentencing landscape" or current climate in which judges make their decisions. It began with a brief discussion of sentencing issues, including mandatory sentencing, sentencing guidelines, and the use and value of discretion. The panel also discussed the efficacy of mandatory treatment and compulsory supervision, as well as specific sentencing options and programs implemented by the courts, district attorney's offices, and probation departments. The panel and conference participants framed their discussion of sentencing options around the case that was presented earlier in the conference. The following are excerpts of that discussion.

Hon. Robert Ziemian: In reference to the case, what do you do with the drug-involved offender after jail? What would be the most effective sentence for Burroughs?

Dan Ryan: The trial court judge sentenced him incorrectly the first time around. Burroughs should have had more intensive treatment. He was not properly assessed the first time around. He should have been ordered by the court to be placed in residential treatment.

Hon. Robert Ziemian: What do you do when the victim of the offender's actions and his or her family is sitting there?

Hon. Sally Ann Kelly: I would give him a split sentence: time and treatment.

Hon. Richard Wesley: For those of us from New York, Burroughs doesn't seem that bad!

Hon. Joseph West: In New York, we do not have an option of having the offender doing heavy time and then probation. Shock probation is six months in the local jail and then supervision.

Susan Powers: I would use the jail as a hammer to keep Burroughs in treatment.

Robert Clayman: In Massachusetts there is a fugitive arrest squad. Most people who come back to court, come back voluntarily.

Hon. Robert Ziemian: Robert Rufo has a great program in jail. You are going to have to spend the money to get him in jail anyway. There are very few long-term evaluations of treatment programs. How does a judge get the treatment community and the probation officers involved?

Dan Ryan: Probation should work as the link to resources for judges.

Hon. Leslie Johnson: We don't have "expert" probation officers. We often don't have the facilities to deal with these people. I often ask the offenders themselves about alternative sentencing. This can be very effective.

Hon. Jamie Weitz: I have ordered church time, community service, etc., with a great deal of success.

Robert Clayman: Unless the underlying drug-problem is attended to, these other good components (i.e., community-service) might not work. How can judicial education find the appropriate way to get people into treatment?

Hon. Leslie Johnson: I am a firm believer in putting people in jail for the first time. Straight probation without punishment is not effective.

Hon. Robert Ziemian: What makes Burroughs, the drug-involved offender, relapse?

Amy Singer: Does this individual get the most effective treatment?

Mike Rosati: Here is someone who has learned how to "scam" the system.

Hon. Joseph West: There seem to be no negative consequences for his actions.

Hon. Leslie Johnson: House arrest, electronic monitoring.

Hon. Leonard Ruben: This guy is a danger to society.

Hon. Leslie Johnson: One of the worst things the court can do is to give a sentence and not enforce it.

Ray Kelly: Many people relapse before recovery.

Susan Powers: I would like to mention the DTAP Program at this point. Success has to do with duration in treatment. Many people do not stay in treatment. This program is 15 to 24 months and it incorporates a maximum amount of "carrots and sticks." We target second time nonviolent offenders. We have a 70 percent retention rate and 36 percent of our program graduates are employed. The bad news is that we don't have enough treatment capacity. This is *a model* not the only model. One thing the experience of developing this program has taught me is that whatever you do, you must do in a collaborative mode. Let people voice their concerns and iron out problems upfront.

Hon. Leslie Johnson: You need the district attorneys' involvement. District attorneys used to divert minor cases with drug-involved offenders. Now they are more reluctant to do that because they want to stay more involved with the case.

Amy Singer: It seems to me that a 15 to 24 month residential program is not going to be able to be replicated in other jurisdictions.

Susan Powers: You must remember that this is a trade-off for prison and costs half as much. This is just a model for a particular population (second time, nonviolent offenders). Traditionally, the criminal justice system has utilized a 70/30 ratio—70 percent law enforcement punishment and 30 percent treatment. Hopefully, this might change.

Robert Clayman: The judiciary gets practically nothing for these programs. Getting money down to the local level is very difficult.

Hon. Robert Ziemian: But judges have a positive, constitutional reason for "not getting on board."

Hon. Leslie Johnson: But we saw the situation as so bad that we felt we needed to get others on board.

VIII. HIGHLIGHTS OF DAY ONE REACTOR PANEL AND GROUP DISCUSSION

Panelists: **Hon. Richard C. Wesley**, *Supervising Judge of the Criminal Courts*, Seventh Judicial District of New York

Hon. Richard S. Gebelein, *Associate Judge*, Superior Court of Delaware

Summary of the Session

Day One reactor panel responded to each of the topics discussed during the previous Day One panels. Conference participants had the opportunity to raise questions, make comments, and offer suggestions at this time.

Hon. Richard Gebelein: The treatment and criminal justice fields need to know more about each other. We need to provide a continuum of services including aftercare. In terms of the Burroughs case, the boat was missed early on; even a minor offender can have a serious drug problem. We, in criminal justice, have a terrible habit of reinforcing criminal behavior, not punishing the early offenders.

Hon. Richard Wesley: I think our shared experience has been that early identification and early response is the key to resolving these cases. Al Shuman's idea of training probation officers to be addiction counselors is a great one. In New York, we have many resources that we take for granted—such as urine testing, screening, etc... Many states don't have these resources. All of us should reach out to talk to each other—networking to exchange ideas, address the major issues of coordination treat, prevent, and obtain resources.

IX. EFFECTIVE SUPERVISION STRATEGIES/COORDINATION OF COURTS AND TREATMENT PROVIDERS

Panelists: **Ronald P. Corbett, Jr.,** *Deputy Commissioner, Office of the Commissioner of Probation*

Hon. Richard S. Gebelein, *Associate Judge, Superior Court of Delaware*

Alan M. Schuman, *President-Elect, American Probation and Parole Association*

Dennis A. Humphrey, *Executive Director, Massachusetts Committee on Criminal Justice*

"Speaking as a judge, a failed urine test is problematic. You can't condone a criminal act, yet you need to get people off the cycle of drugs. You need to understand people will relapse."

Hon. Richard Gebelein, *Associate Judge, Superior Court of Delaware*

"Residential treatment in state prisons has become a form of preferred housing. The hardcore drug addicted offenders get lost and fade into the background, often with no treatment. The population that comes forth is the population that needs treatment the least."

Dennis Humphrey, Ed.D.,
Executive Director, Massachusetts Committee on Criminal Justice

Judges and court personnel recognize that for any community-based, intermediate sanction to be effective, it must satisfy public safety concerns while meeting the rehabilitative needs of the offender. For safety concerns to be satisfied, proscribed escalating sanctions must be in place for failure to comply with conditions set at the time of sentencing. Monitoring and accountability are essential to protect the community and to support drug-involved offenders in their efforts to comply with the orders of the court. If there are failures, they must be dealt with swiftly and fairly, preferably prior to the revocation stage. If that is not possible, the judge and other court personnel must be prepared to send a message to the offender. This panel discussed matching offenders with supervision, control, and treatment programs appropriate to their assessed needs and perceived risks; aftercare or relapse prevention approaches to ensure that drug treatment continues; the value and uses of urine testing; and, although not a strategy by itself, the use of court appearances including revocation hearings to make a strong impression on offenders before their behaviors spiral downward.

Substance abuse treatment and criminal justice supervision strategies are not mutually exclusive. Some probation departments include highly trained probation officers who have become drug-treatment specialists. Many of the larger probation departments actually run residential programs and offer a continuum of services including Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) meetings. Likewise, many treatment programs are willing to monitor a drug-involved offender's behavior by taking urine samples, verifying attendance, and complying with any other special condition that the court imposes. Treatment programs that report incidents of noncompliance provide the feedback that the court needs to enhance the safety of the community and promote the principles of accountability. Because of the overlap between the treatment and

criminal justice systems, it is important for judges and others to know the capacity and expertise of their local public and private agencies.

Summary of the Session

This panel discussed how courts and treatment providers can coordinate their efforts more effectively to improve public safety while providing effective treatment to drug-involved offenders. The following is a sampling of the key points raised by the panelists.

Hon. Gebelein: We need better identification and coordination of resources. The treatment providers often complain that the court system doesn't understand them. Treatment providers often forget that the court has to consider public safety as well as treatment. Treatment providers claim that courts waste treatment; people are sent to residential treatment when they don't need it, and then no follow-up or aftercare is provided. Judges must retain judicial control and not waste probation resources.

Dennis Humphrey: When offenders come to prison, we know nothing about them. Everything we find out about the inmates comes directly from them, probation, parole, or the schools. We get very little information from the court. Treatment concerns of the offenders come very late in offenders' prison stays. Our first concern has to be public safety. We used to have relatively few drug-involved offenders. It is now up to 50 percent violent and 50 percent nonviolent drug-involved offenders. This is occurring because of mandatory drug sentencing. Forty percent of people who really need treatment would not submit to it voluntarily. *Coercive or mandatory treatment is effective.*

Ronald Corbett: We need to stop thinking in terms of correction people and treatment people.

Al Shuman: These two are not separate. We're not fighting with each other on this issue; we all want to treat the offender, as long as we can maintain public safety. People should be trained together. The process is critically important. Training across disciplines is essential. We need a "systems" approach. Intermediate sanction is not a single program but a policy-driven system. Your local jurisdiction and its policies should be driven by this type of data. People also need to know all the different sanctions that are available in terms of accessing funds. We need to move beyond "turf" boundaries to form a coalition-building process. We also need to ask the offender what makes a difference.

Dennis Humphrey: Correction and treatment professionals need a dialogue with the sentencing judge. It is easier to respond to a treatment request that a judge makes. There needs to be more effective coordination between all systems.

Al Shuman: Intensive probation is often much tougher than incarceration. Punishment does not equal incarceration; there are more severe sanctions than prison.

X. HIGHLIGHTS OF DAY TWO REACTOR PANEL AND GROUP DISCUSSION

Panelists: **Hon. Sally Ann Kelly**, *Associate Justice*, Boston Municipal Court

Hon. Joseph K. West, *County Court and Supervising Judge*,
Westchester County, New York

Summary of the Session

Day Two reactor panel responded to each of the topics discussed during the previous Day Two panels. Conference participants had an opportunity to raise questions, make comments, and offer suggestions at that time.

Hon. Sally Ann Kelly: How do we supervise a diverse, multicultural population? How do judges respond to this challenge?

Hon. Richard Wesley: Written communication in the defendant's language, translators, bilingual staff, etc. We need to be sensitive to the language barriers. We can't unmake who we are, but the way we conduct ourselves can make a difference.

Al Shuman: The staff has to be representative of the population both demographically and ethnically.

Dan Ryan: Cultural competence, cultural appropriateness. The program itself must reflect the values of the culture.

Hon. Joseph West: SJI should perhaps create a newsletter informing us about innovations in other state programs.

XI. RESOURCE DEVELOPMENT, FUNDING, AND MEDIA AWARENESS

Panelist: **Dennis A. Humphrey**, *Executive Director*, Massachusetts Committee on Criminal Justice

Emily Martin, *Director of Training and Technical Assistance Division*, Office for Juvenile Justice Delinquency Prevention (OJJDP)

Elaine C. Ray, *Editorial Writer*, The Boston Globe

"Our problem is not funding; it's using our funding wisely."

Hon. Aaron Ment, *Chief Court Administrator*, Judge of the Superior Court

Summary of the Session

Representatives from state and federal government agencies stimulated discussion among attendees concerning funding resources available for programs and education regarding the drug-involved offender.

Emily Martin: OJJDP's mission is to improve the juvenile justice system and prevent juvenile delinquency. Fifty million dollars is awarded to state agencies and 26 million dollars is awarded to discretionary programs; 10.6 million dollars is earmarked to special interest groups for children. Programs funded are categorized as: (1) research and evaluation, (2) training and technical assistance, and (3) special impact and model demonstration projects. The research projects we will be funding for this year include: (1) a study of conditions of juveniles in confinement; (2) conditions of confinement of juveniles in adult institutions; (3) juvenile justice in Native American reservations; and (4) causes and correlates in juvenile delinquency. One of the special impact projects we are funding is juvenile boot camps. We believe that juvenile boot camps will be much more effective than their adult counterparts because they provide a range of services, including aftercare and college preparatory school. Each year, OJJDP sends out a program plan with

requests for comments, then a final program plan published in the federal registry.

Cheryl Reynolds: SJI gives money to juvenile programs to deal with these issues.

Hon. Aaron Ment: We provide funding for a day incarceration program. Offenders are in a 4 to 6 month program that includes a 10 to 12 hour day in which numerous services are provided. When at home, they are monitored. We have a success rate (no recidivism) of 50 percent. This is only a short-term evaluation. We are beginning to conduct longer, longitudinal studies.

Dan Ryan: The question should be "does it work?" We need to be pragmatic. Also, is there parity of services for female offenders? We have realized that women and Latinos need different services.

Rai Kowal: Massachusetts is currently doing a day incarceration program for women that includes a daycare center for children.

Elaine Ray: None of the writers on the Boston Globe are experts in this area. We often have criminal justice professionals come in to speak with us. We are interested in hearing everyone's perspectives. Another opportunity is the OpEd page. We often ask experts in the field to contribute. Letters to the Editor is another way to utilize the print media. Make yourself available to reporters for expertise and quotes. If requested to provide something to a reporter, get back to him or her right away, because we usually are on strict deadlines.

XII. COMPONENTS OF AN EFFECTIVE TRAINING PROGRAM

Panelists: **Robert P. Clayman**, *Executive Director*, Judicial Institute,
Massachusetts Trial Court

Elizabeth L. Hodges, *Legal Counsel*, The State of New Hampshire
Supreme Court

"Think in terms of education plans not programs. You need to get a dialogue going among those who need to be trained. Conduct focus groups, needs assessments—these are all ways of connecting with your learners."

Robert Clayman, *Executive Director*,
Massachusetts Trial Court Judicial Institute

Summary of the Session

Components of an effective training for judges and other court personnel on effective judicial responses to drug-involved offenders will be the focus of this panel. This panel included discussions of content, as well as technique and methodology of an effective training program.

Libby Hodges: A good program is learner-based. Learning styles are important. Judges like written materials, informative lectures, the socratic method. Remember to "engage, infuse, and enervate."

Robert Clayman: Adult learners can learn from each other. If we don't engage you, we lose you. Evaluations can be helpful.

Components of Effective Adult Education

Effective training programs are based upon the following principles of adult education and learning

styles of the different types of adult learners (from *Adult and professional education: An overview* by Catherine A. McKinney and Carl Vinson in *Adult Education Perspectives for Judicial Education*, Diane E. Tallman, (Ed.) Judicial Education/Adult Education Project, State Justice Institute, 1992, pp. 2.3–2.4). While these concepts apply to most adult learners, their significance may vary depending on the learner, topic, and learning context.

Principles of Adult Education

- (1) Adults see themselves as self-directed learners. Learner participation should be high in adult education programs. This is based on the belief that adults are self-directed and want to take an active part in the learning process.
- (2) Learning focuses on solving immediate problems and improving performance. Adults often seek new knowledge and skills for their immediate use and are generally more interested in a single topic focus than a survey course.
- (3) An adult's readiness to learn is based on his or her need to cope with life tasks (i.e., job, family, civic responsibilities). The educator should always assess the learners' needs when planning a program.
- (4) Life experiences form the foundation for understanding new information. Adult educators should structure learning activities that utilize the experiences of participants. The backgrounds of the learners themselves can be used as a resource for instructors in presenting new ideas.

Types of Adult Learners

- (1) *Goal-oriented learner*: This is the most common type of adult learner. Learning decisions are guided by clear-cut goals.
- (2) *Activity-oriented learner*: For this type of learner, participation in an education program is based on reasons other than the stated purpose of the learning activity. Activity-oriented learners may participate in an education program primarily to network or socialize.
- (3) *Learning-oriented learner*: For this type of learner, education is an intrinsically valued activity. This type of learner focuses on the content of a learning activity.

XIII. HIGHLIGHTS OF THE WORKING TEAMS AND STATE PLANS: ADAPTING THE TRAINING TO LOCAL NEEDS

"Addiction touches everyone—judges, attorneys, probation, and parole officers. People in the court system need to face their own addictions and their family's addictions first."

Hon. Sally Ann Kelly, Associate Judge,
Boston Municipal Court

Summary of the Session

For a training to be effective, judicial educators and judges must consider the needs and resources available in their jurisdiction. During this session, participants broke out by state for small group discussions on strategies for adapting the training to their local needs. In addition, teams discussed developing regional approaches to judicial education. Following this section is the worksheet developed to aid participants.

Participant Recommendations

Participants generated a list for future conferences and to share resources and discussed next steps for continuing regional efforts. They came together to exchange ideas, make recommendations, suggestions, or to pose questions on adapting the training to local needs.

The following represents a list of needs that were generated by the group:

- (1) more education on substance abuse issues for judges and court personnel
- (2) education on substance abuse for probation officers
- (3) compendium of information on available resources for each state, including a compendium of effective treatment programs

Dan Ryan: Unfortunately, there doesn't seem to be a historical memory of what has already been tried. We are currently interviewing the various courts to develop a compendium of resources. The courts have clients that treatment providers need. Judges rely on probation departments to keep them abreast of these resources.

- (4) training for probation officers to become certified substance abuse counselors; this gives people a career track, as well as helps the system
- (5) more interaction between judges and probation officers
- (6) judges need to rid themselves of attitudinal baggage regarding drug-involved offenders
- (7) utilization of people in the court who are in recovery as models
- (8) need for individuals in the system—judges, lawyers, and court personnel—to face our own addictions
- (9) information on motivations of the drug-involved defendant as well as information on the pharmacology of AODs
- (10) information on programs for special populations of drug-involved offenders, such as women
- (11) improved coordination among agencies in the criminal justice system
- (12) improved coordination between criminal justice agencies and treatment, mental health, public health, and other systems

Instructions for State Teams

GOAL

The overall goal of the state team sessions is to develop a brief action plan, specific to your state, which would begin or enhance efforts to improve the way courts respond to cases with a drug-involved offender.

In addition, the state team should make recommendations on developing regional approaches to judicial education.

The action plan should be informed by the conference presentations and each individual team member. It should include specific tasks as well as steps to be taken by team members and others to implement the plan.

TASKS

Select a Team Leader who will present the state team plan to the conference participants. Develop a list of priority needs to improve the way courts respond to drug-involved offenders.

PRIORITY NEEDS

1. _____
2. _____
3. _____

Priority 1 Resources

Priority 2 Resources

Priority 3 Resources

Develop an implementation strategy for Priority 1.

Priority 1 Implementation Strategy

Develop a list of suggestions to foster a regional approach to judicial education.

1.

2.

3.

4.

5.

XIV. CONCLUDING REMARKS

Michael J. Rosati, *Director, Carlisle Education Center*

Karen A. McLaughlin, *Project Director, Conference on Effective Treatment for Drug-Involved Offenders*

Highlights and major points of the conference were summarized, along with a few, brief concluding remarks by the facilitators. Participants had an opportunity to raise questions or make comments.

Karen McLaughlin: *I want to thank you for your participation in this conference. It has been a thoughtful and productive session. Common themes have emerged from our sessions together and because of the commonalities of our experiences. Individually all of you were more than aware of the scope of the problem and collectively many of you will leave this conference with a better recognition of the severity of drug abuse and its impact on the courts systemically.*

Coordination. During the sessions and especially during the case study and reactor panels, you have identified coordination as a major theme of this conference and a major need in addressing the drug abuse problem within the court system. You identified a critical need for more coordination and communication among the agencies that must respond to control, treat, prevent, and provide awareness surrounding the impact of drug abuse. Many of you have suggested that the criminal justice system contributes to the problems because of fragmentation, a lack of resources, overlapping responsibilities, and a lack of information about others' roles.

Identification of resources. As potential participants, you were surveyed and your suggestions formed the basis of this conference. The resources session of the conference was not recommended by participants. Staff of the project thought it would be essential to include a resource section. We felt this session on resources would prompt you to go back to your jurisdiction to implement your state plans. Many of you have provided feedback which reinforced this notion.

Michael Rosati: *Alternatives to incarceration. Several participants provided information on the range of approaches successfully being used to reduce drug abuse and prevent crimes committed by drug abusing offenders. In addition to punishment, the criminal justice system must deter crime through fear of punishment and through treatment in order to reduce the number of repeat offenders who pass through our nation's court system each year.*

Early assessment and treatment. No matter where participating judges fell on the philosophical spectrum and how they differed in their views on sentencing, most conference participants agreed that comprehensive assessments of drug involved offenders at an early stage in the process was the most effective means of responding to drug abuse problems and preventing further crime. Through early assessment we increase the likelihood that diversionary sentences can be a viable alternative to incarceration, thus relieving the stress on our over-taxed system. In addition, early assessment can, in fact, dramatically improve the treatment outcome for the drug-involved offender.

It is our hope that this conference has provided participants with an opportunity to consider a number of practical alternatives to effective disposition of drug-involved offenders and has promoted a dialogue among professionals who are strongly committed to addressing the issues of public safety.

PART THREE

I. PARTICIPANT CONFERENCE EVALUATION AND SUMMARY

"This conference has been the singularly most creative event I have participated in since I've been on the bench."

Honorable Richard C. Wesley,
Supervising Judge, Seventh Judicial
District of New York

The following is a copy of the evaluation form that conference participants received.

Summary of Evaluations

In general, participants enjoyed the conference and felt they learned a great deal. The following comment provided by one participant seemed to reflect the thoughts of many: "I learned a great deal, made new contacts with experts, and am inspired to try new ideas in my community." Participants particularly found group interactions and group discussions enjoyable and enlightening. One participating judge said that this conference was the "singularly most creative conference" he has participated in since he's been on the bench.

Evaluations also included areas for improvement such as more varied instructional techniques, shortened time segments for the panels, and more emphasis on the benchbook from which the conference was developed.

II. UPDATES ON SELECTED STATE PLANS AND ACCOMPLISHMENTS

Delaware: Judicial educator Franny Maguire, reported that prior to the SJI conference, legislation was passed in Delaware to create a Treatment Alternative to Street Crime (TASC) Program. However, the conference provided several ideas and recommendations that she would like to see incorporated into the new program.

Massachusetts: Raymond Kelley, project director of the Substance Abuse Project for the Supreme Judicial Court of Massachusetts reported that the Substance Abuse Project, with funding from SJI, has developed a series of seminars around the topic "Substance Abuse and the Courts" that relied heavily on materials developed at this conference. Participants in the seminars include judges, probation professionals, other court personnel, as well as treatment providers in jurisdictions across the state. The first seminar held on October 1 had more than 100 people in attendance. All attendees received materials from the benchbook developed from EDC. The seminar included speakers, panels, and small group discussions around actual cases. Ray Kelley feels that these seminars foster better working relationships between the courts and treatment providers. The first seminar led to the development of an aftercare program for drug-involved offenders sponsored by the Cambridge Department of Justice and Cambridge Hospital. Ray Kelley said that the EDC conference enabled him to meet Hon. Aaron Ment, with whom he subsequently met on several occasions to develop his seminars.

New Hampshire: Elizabeth Hodges, legal council for the State of New Hampshire Supreme Court reported that New Hampshire planned a three-day inter-government branch conference on November 17 to 19 on the impact of substance abuse on the court, entitled, "Understanding Punishment Alternatives." The conference included participants from the legislative, executive, and judicial branches of government in New Hampshire. Topics addressed included the impact of substance abuse on the courts and pharmacology of various drugs. The "Case of Billy Burroughs," developed by EDC for the SJI conference, was utilized as a training tool for this conference.

New Jersey: Chief of Judicial Education for the state of New Jersey, Richard Saks, reported that the conference reconfirmed his conviction to develop and implement a workshop on the topic of effective sentencing for drug-involved offenders that would bring key judicial and key probation people together to share resources and ideas.

New York: Hon. Richard Wesley, Supervising Judge of the Criminal Courts for the Seventh District of New York reported that he has suggested several alternatives to jailing drug-involved offenders in Monroe County. Many of these proposals were derived from alternatives to incarceration presented at the SJI conference and are now in the process of being discussed and

reviewed by the County Executive and a number of county agencies. Examples of just some of the initiatives Hon. Wesley has proposed include: (1) day reporting centers; supervised release intake to collect and match data which is currently unavailable and could be used for alternative evaluation and planning (i.e., defendant's needs assessment linked with detention status, instant charge, criminal history, and success of alternative program); (2) enhancement of intervention/treatment options, including an expansion of the Alternative to Drug Prosecution Pilot Program (ADPPP) to include first time misdemeanors and second felony offenders based on the DTAP model; (3) home confinement with electronic monitoring; (4) misdemeanor intensive supervision program; and (5) urinalysis testing.

Hon. Joseph West reported that his district has recently developed an orientation program for newly elected judges in New York. Recommendations from the SJI conference have been incorporated into this program.

Vermont: Although, Judicial Educator Marna Murray reported that she thoroughly enjoyed the conference and came away from it with many new ideas and resources, no new initiatives have been developed in her state due to a lack of funding.

III. LIST OF ADDITIONAL RESOURCES

Alcoholics Anonymous
General Service Office, Inc.
Box 459, Grand Central Station
New York, NY 10163
(212) 870-3400

The Drugs and Crime Data Center & Clearinghouse
1600 Research Boulevard
Rockville, MD 20850
(800)666-3332

Narcotic and Drug Research Institute, Inc.
11 Beach Street
New York, NY 10013
(212)966-8700

National Association of State Alcohol & Drug Abuse Directors
444 North Capital Street, NW, Suite 642
Washington, D.C. 20001
(202) 783-6868

National Institute of Drug Abuse (NIDA), Drug Information and Treatment

National Clearinghouse for Alcohol & Drug Information
P.O. Box 2345
Rockville, MD 20852
(800) 729-6686
(301) 468-2600 (Local Calls)

National Institute on Drug Abuse (NIDA)
U.S. Department of Health and Human Services
Parklawn Building, 5600 Fishers Lane
Rockville, MD 20857
(800) 638-2045

Pre-trial Services Resource Center
1325 G. Street, NW, Suite 620
Washington, D.C. 20005
(202) 638-3080

State Justice Institute
1650 King Street, Suite 600
Alexandria, VA 22314
(703) 684-6100

National Center for State Courts
1110 North Glebe
Arlington, VA
(703) 841-0200
Referral Hotline
(800) 662-HELP (4357)

Office for Treatment Improvement

(301) 443-6549

**Bureau of Justice Assistance
Clearinghouse**
P.O. Box 6000
Rockville, MD 20850
(800) 688-4252

**National Consortium for Treatment
Alternatives to Street Crime Program,
(TASC)**
444 North Capital Street, NW, Suite 642
Washington, D.C. 20001

**Bureau of Justice Statistics
Clearinghouse**
P.O. Box 6000
Rockville, MD 20850
(800) 732-3277

Juvenile Justice Clearinghouse
P.O. Box 6000
1600 Research Boulevard
Rockville, MD 20850
(800) 638-8732

**National Institute of Justice/National
Criminal Justice Reference Service**
P.O. Box 6000
Rockville, MD 20850
(800) 851-3420

**National AIDS Information
Clearinghouse**
P.O. Box 6003
Rockville, MD 20850
(800) 458-5231

AIDS Hotline
(800) 342-2437

PART FOUR

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FACULTY BIBLIOGRAPHIES

Robert P. Clayman

Robert Clayman has been the Executive Director of the Judicial Institute since 1989 when it was established by statute. He has earned advanced degrees in education and law, and he has participated in numerous advanced programs in adult professional development. Mr. Clayman has implemented a progressive and aggressive approach, which has created a strong foundation for the future of judicial education in Massachusetts. Since 1976, Mr. Clayman has gained extensive experience in the classroom with teachers at the college and graduate level as well as training adult professionals such as judges and others in the court system.

Ronald P. Corbett

Ron Corbett is Deputy Commissioner for Field Services in the Massachusetts Probation Department. He has worked in the field of corrections for twenty years, holding the positions of Probation Officer, Assistant Chief, Regional Director and Director of Training and Development.

Mr. Corbett is a graduate of Harvard College (A.B.), and Northeastern University (M.S.). Currently, he is a doctoral candidate at the University of Massachusetts. Since 1979, he has taught

as an Adjunct Professor at the University of Massachusetts/Lowell.

Mr. Corbett is the author of numerous criminal justice publications, including articles in *Federal Probation*, *Corrections Today*, and *Justice Quarterly*. His most recent publication is *Managing Probation with Scarce Resources: Obstacles and Opportunities* (1992). He has been the recipient of several awards including the American Probation and Parole Association's Sam Houston State University, which recognizes publications by a practitioner and the William Haskell Memorial Distinguished Teaching Award from the University of Massachusetts.

Hon. John C. Cratsley

Hon. John Cratsley is an Associate Justice for the Superior Trial Court of Massachusetts. In this position, he serves as one of seventy-five justices of our state's court of general jurisdiction. Prior to holding this position, Judge Cratsley was Chief of the Public Protection Bureau Department of the Attorney General. In that role he was responsible for the supervision of over fifty attorneys in seven divisions who conduct affirmative civil litigation in the public interest. He also served as the Attorney General's Designee to Chair the Victim/Witness Assistance Board, a five member board responsible for distribution of court-assessed funds to victim-witness programs in the District Attorney's Offices. As Acting Presiding Justice for the Salem District Court he was responsible for the day-to-day management of a District Court serving eight cities and towns, including scheduling, budget, and personnel. He implemented the new Jury of Six Session for Southern Essex County and a new federally funded Mediation Program for resolving citizen's disputes.

In addition to his justice positions, he currently, teaches a seminar at the Harvard Law School entitled the "Trial Advocacy Workshop" and "The Judicial Process in Community Court as a lecturer of Law for Harvard Law School. He also serves as a faculty member and faculty coordinator for the National Judicial College at the University of Nevada. He has worked as a teaching fellow in law and clinical practice. In that position, he provided full-time supervision to students practicing in criminal cases and taught "Supervised Clinical Instruction" and "Provision of Legal Services."

Judge Cratsley received his B.A. degree from Swarthmore College and graduated from University of Chicago Law School. He has written several publications on the law and criminal justice including articles appearing in *The Legal Aid Briefcase*, *the Singapore Law Review*, and *the Vermont Law Review*. He serves as a member on numerous boards and associations including the Committee on Alternative Dispute Resolution for the Massachusetts Bar Association, the Council on the Role of the Courts for the U.S. Department of Justice, Academic Committee of the Flaschner Judicial Institute, the Massachusetts Parole Board, the Cambridge and Somerville Legal Services, and the E. Barrett Prettyman Legal Internship Program at Georgetown University Law Center.

Hon. Richard S. Gebelein

Hon. Richard Gebelein, Associate Judge Superior Court, has served as the State of Connecticut's Attorney General, and as its Chief Deputy Public Defender. Prior to this, he clerked in the Court of Chancery and served as a Deputy Attorney General. As Deputy Attorney General, he prosecuted criminal cases and represented State agencies such as the Department of Correction, the Department of Public Instruction and others. In addition to working both as a state prosecutor and state defender, Judge Gebelein served as a partner in a private law firm. In 1984, he was appointed Associate Judge for the Superior Court of Delaware, bringing him full circle in the range of trial advocacy positions. In his current role as a Superior Court Judge, he presides over major civil and criminal trials, and hears appeals from a broad range of administrative agencies.

In addition to his position with the Court, Judge Gebelein is very active in community legal programs. He is an adjunct professor at the Widener University School of Law, where he teaches

Delaware Practice and Procedures, as well as criminal evidence at the University of Delaware.

From 1980 through 1983, Judge Gebelein served as a member of the Governor's Sentencing Reform Commission and chaired its subcommittee on alternative sentencing. His Honor has been appointed by the Chief Justice of the Delaware Supreme Court as the Chairman for the Sentencing Accountability Commission (SENTAC). There he works to monitor reform in the State, and to make recommendations for further improvements in the system. He has been appointed by the Commission as the chairman of the subcommittee responsible for rewriting the State's drug laws. In his "spare time," Judge Gebelein serves as the Staff Judge Advocate for the Delaware Army National Guard, and is a member of the Society of Children and Adults with Autism.

Elizabeth L. Hodges

Elizabeth Hodges is currently the Legal Counsel for the New Hampshire Administrative Offices of the Courts. In this position she develops, implements, and administers all judicial education and training in the state of New Hampshire. Her prior legal experience includes working as an Associate Attorney for a private firm, an intern for the United States Court of Appeals for the First Circuit, and a Law Clerk for Sulloway, Hollis, and Soden in New Hampshire.

Ms. Hodges has held many teaching positions, including Professor and Legal Researcher for the New Hampshire Technical Institute, Instructor of Legal Research for the University of New Hampshire, Adjunct Faculty, Part-time Faculty, and Teaching Assistant for the Franklin Pierce Law Center. In 1981, she served as the Assistant Director for the New Hampshire Civil Liberties Union. She received her B.A. from Westhampton College at the University of Richmond, her M.A. in writing from Hollins College, and her Juris Doctor Degree from the Franklin Pierce Law Center. She is on the Board of Directors of the Friends Program, and Advisory Board Member for the Judicial Education Adult Education Project, and is a member of the New Hampshire Bar Association, and the New Hampshire Business Committee for the Arts. She has published the report *Readings and Rulings: The Portrayal of Law in Literature and the Use of Literature in Law* from the New Hampshire Humanities Council sponsored conference.

Dennis A. Humphrey

Dr. Dennis Humphrey is presently the Associate Commissioner of Programs and Treatment for Massachusetts's Department of Correction. In this role, he is responsible for the supervision of the divisions of research, education, staff development, Manpower, drug and alcohol counseling, program services, psychological services, library, recreation, industries, contract pre-release, inmate classification, food and farm services. Prior to this, Dr. Humphrey served as the Director and Assistant Director of Inmate Training and Education. In addition, Dr. Humphrey has been an evaluator and research associate for numerous education and criminal justice projects, including Department of Youth Services, Title I Project: Educational Media Services.

Dr. Humphrey received his doctorate and master's of education from Boston University (1979, 1972) and his BA from Emerson College (1971). He teaches as an adjunct professor at Boston University, Emerson College, and University of Massachusetts. He has also conducted a seminar on Criminal Justice Issues at the John F. Kennedy Institute of Politics, Harvard University. Dr. Humphrey is co-author of a report for the Education Research Information Center, entitled *An Assessment of the Youthful Offenders' Academic Needs*.

Hon. Leslie G. Johnson

Hon. Leslie Johnson is currently the Director of the Mississippi Judicial College. In this position he is responsible for the development, administration, and implementation of the State's judicial education programs. Prior to this, Judge Johnson held several prestigious judicial positions in

Alabama, including Administrative Director of the Courts (1991-1992), Circuit Judge (1977-1991), Special Circuit Judge (1976-1977), and Deputy District Attorney (1970-1976). From 1967 to 1969, Judge Johnson served in a private law practice. He has held administrative positions and has been a member of several boards, commissions, and associations. From 1987 to 1991, Hon. Johnson served as chairperson for the Employee Appeals Board, the Records Retention Committee, and the Sentencing Policy Task Force of the Unified Judicial System for the state of Alabama. He is a longstanding member of the American Bar Association, and has served the chair of its Jail and Prison Crowding, as well as Sentencing and Corrections committees. From 1984 to 1991, Hon. Johnson held various administrative positions in the American Judges Association, including President Elect and President (1989-1991). He is currently on the Board of Trustees of the American Judges' Foundation and a faculty member of the American Academy of Judicial Education.

Hon. Johnson has taught judges in Alabama, Illinois, Kentucky, West Virginia, Mississippi, Delaware, Virginia, Tennessee, South Carolina, and Nevada. He has lectured to professional associations in fifteen states and Canada, and has delivered several hundred speeches to various professional, religious, civic, social, and academic groups. Hon. Johnson is also the author of numerous columns, book reviews, and articles, including articles appearing in *Criminal Justice Ethics*, *Court Review*, and *the International Journal of Comparative and Applied Criminal Justice*.

Hon. Sally Ann Kelly

Hon. Sally Ann Kelly is currently Associate Justice for the Boston Municipal Court. In this position, Judge Kelly presides over criminal and civil trials, motions, and other hearings. As chairperson of the Court Clinic Committee, Hon. Kelly is responsible for developing and supporting in court the AIDS Education Project and other addiction services. The AIDS education project, initiated in 1987 with Project Trust from Boston City Hospital, provides access to detoxification and treatment of alcohol and other drug addictions, as well as confidential testing, treatment and counseling for HIV infection. Hon. Kelly presented a workshop entitled "Women and Addiction" to the 1992 All Court Conference on Gender Issues. She has served on the Judicial Performance Enhancement Committee, and was appointed in 1993 by the Supreme Judicial Court to the Supreme Judicial Court Committee For Gender Equality and the Supreme Judicial Court Substance Abuse Project. Prior to this, Hon. Kelly served in several positions for the Department of the Attorney General, including Assistant Attorney General (1976-1979), Deputy Chief, Consumer Protection Division (1979-1983), and Administrative Counsel to the Attorney General (1983-1985). At the Department of the Attorney General, Judge Kelly's work focused on health law issues and civil litigation. She represented state agencies such as the Rate Setting Commission, Department of Public Welfare, and Department of Public Health. She obtained the first receiverships in state, under consumer protection theory, for nursing homes and for hospitals.

Judge Kelly graduated cum laude from the University of Massachusetts at Boston, and received her J.D. degree from Northeastern University School of Law. She attended and graduated from the Harvard University School of Public Health's Executive Program in Health Policy, Planning, and Regulation.

Dr. Robert Kinscherff

Dr. Robert Kinscherff is a forensic clinical psychologist and Instructor of Psychology at the Department of Psychiatry at Harvard Medical School. He is Associate Director for Forensic Services at the Law and Psychiatry Service of Massachusetts General Hospital. He has published in the areas of severe child maltreatment, juvenile delinquency, post-traumatic stress disorder, and ritualized maltreatment.

In recent years, Dr. Kinscherff has provided forensic evaluations and clinical consultations for the Boston Juvenile Court, Department of Social Services, Department of Mental Health, Department of Youth Services, residential facilities, private practitioners, defense attorneys, and prosecutors. He is the past President of the New England Society for the Study of Multiple Personality and Dissociation, and recent past co-President of the Law and Medicine Society of Harvard Law School. Dr. Kinscherff trains and consults nationally. An enthusiastic presenter, he has taught for over a decade with humor, energy, and practical realism.

Emily C. Martin

Emily Martin is currently the Director of Training, Dissemination and Technical Assistance Division of the Office of Juvenile Justice and Delinquency Prevention. Prior to this, Ms. Martin has held the positions of Director of the Formula Grants and Technical Assistance Division and the Director of the Special Emphasis Division at the Office of Juvenile Justice and Delinquency Prevention. Before coming to OJJDP, Ms. Martin held numerous positions in government. She served as the Deputy Director of the Midwest Regional Office of the Community Relations Service for the Department of Justice, the Director of the HEW Programs Evaluation by Summer Interns for the Washington-based BLK Group, Inc., the Citizen Participation Advisor for the Midwest Region of the Model Cities Administration for the Department of Housing and Urban Development in Chicago, the Director of Staff Development for the Hamilton County Department of Public

Welfare, the Community Unit Director for the Chicago Commission on Youth Welfare, and Family Counselor for United Charities of Chicago. Ms. Martin received her B.A. degree from Kentucky State College, and her M.A.S.W. Degree from the School of Social Services Administration at the University of Chicago.

Karen A. McLaughlin

Karen McLaughlin is a nationally and internationally known expert in victimology. Within the United States, she has pioneered the national development of victim assistance programs in the criminal justice system as well as enhancing victim services at the community agency level. Her consulting experience includes training and technical assistance for several federal, state, and private agencies in victim services. She has spoken at numerous national and international conferences and symposia. Her leadership at the national level has dramatically improved victim rights, particularly for domestic violence, child abuse, and bias crime victims. She has done extensive training for criminal justice professionals including training for law enforcement, judges, district attorneys, probation, corrections, parole, and victim advocates. Ms. McLaughlin is presently directing the SJI training project to train judges and other court personnel throughout the country in making more informed sentencing decisions for drug-involved offenders. In addition, in her position at Education Development Center, Ms. McLaughlin is also directing a Justice Department training project for law enforcement and victim service professionals to improve the treatment of victims of bias crime.

Formerly, as the Executive Director for the Massachusetts Office for Victim Assistance (the first independent state agency in the country), Ms. McLaughlin generated approximately \$40 million of revenue for victim service programs in the Commonwealth. As the principal architect and primary draftsman for the Massachusetts Victim Bill of Rights, Ms. McLaughlin directed the lobbying effort to ensure passage of the victim rights reform initiative. Passed in 1983, this law was considered to be the most comprehensive victim rights legislation in the nation and is widely accepted as the model in the United States and Canada. For over a decade, Ms. McLaughlin implemented a court-based victim service program for several district attorneys' offices in Massachusetts. From 1989 to 1991, Ms. McLaughlin served as President for the National Organization of Victim Assistance. In 1987, Karen McLaughlin was presented with the prestigious Margery Fry Award by NOVA for her outstanding achievements as a victim assistance practitioner. As an administrator and policy maker, Ms. McLaughlin has dedicated her professional life to reducing the pain and trauma of victimization and making government more sensitive to the special needs of crime victims.

Hon. Aaron Ment

Hon. Aaron Ment assumed responsibility as Connecticut's Chief Court Administrator in September 1984. Prior to this, he held the position of Deputy Chief Court Administrator. In 1983, he was the Chief Administrative Judge of the Connecticut Criminal Division, Superior Court. Judge Aaron Ment has also served as a superior court judge (1978 to present) and judge for the court of common pleas (1976-1978). From 1961 to 1976, he practiced law and served as counsel to the speaker of the Connecticut House of Representatives and to Governor Ella T. Grasso.

Judge Aaron Ment served in the United States Air Force (1960-1961), received his B.A. from the University of Connecticut (1958), and graduated from Boston University School of Law in 1959. He serves on numerous boards and commissions including the National Conference of State Trial Judges, the Board of Directors for the Conference of State Court Administrators, the Chair of the Special Committee Studying the Rules of Civil Practice and Procedure of the Superior Court, the Judicial Evaluation Advisory Panel, the Committee on Liaison with the State Courts, the Center for Judicial Education Advisory Committee, the Court Rules Advisory Panel, the Child Support Guidelines, the Commission on Children, the Connecticut Narcotics Enforcement and Crime

Control Committee, the Criminal Justice Information System Policy Advisory Board, the Judicial Evaluation Advisory Panel, the Prison and Jail Overcrowding Commission, the Task Force on Sexual Violence, the State/Federal Judicial Council of Connecticut, and the State Library Board.

Susan A. Powers

Susan Powers is the Deputy District Attorney for the King's County District Attorney's Office in Brooklyn, New York. In this position, she is responsible for planning, funding, and overseeing the evaluation of crime prevention and crime reduction programs initiated by the King's County District Attorney's Office. In her current position, she has implemented a model county-wide program that successfully coordinates drug treatment programs with the criminal justice system. Prior to this, Ms. Powers served in several criminal justice and court positions. As the Director of Community Service Sentencing Project for the Vera Institute of Justice, she was responsible for the administration, fiscal management, and program development of Vera's Community Service Sentencing Project. The project operates in four major boroughs of New York City and has an annual budget of \$1.8 million. In her role as Special Assistant to the Attorney General in the Office of the Special State Prosecutor for Nursing Homes, Health, and Social Services, Ms. Powers supervised special teams in the investigation and prosecution of complex economic crimes. She also directed grand jury investigations into improper practices in the fields of health and social services. As an attorney in private practice and as an Associate Staff Counsel for the Criminal Appeals Bureau of the Legal Aid Society, Ms. Powers represented the underserved in areas such as criminal defense, employment discrimination, First Amendment litigation, labor law, and criminal appeals in the Appellate Division of the New York Court of Appeals.

Ms. Powers is a graduate of New York University School of Law and Smith College. She holds positions and serves on numerous boards and associations including Chair of the Committee on Corrections and Chair of the Fourth Annual Retreat of the Council on Criminal Justice for the Association of the Bar of the City of New York, Vice Chair of the Correctional Association of New York, Court Employment Project, the National Council on Crime and Delinquency, New York Women's Bar Association, Citizens' Committee on Prison Overcrowding, Moot Court Justices Association, American Bar Association, and the American Arbitration Association. Ms. Powers is the author of several criminal justice publications, including articles appearing in *The Record*, *Criminal Law Bulletin* and reports for the Committee on Corrections of the New York City Bar Association on topics that include alcoholism and substance abuse among inmates and parolees in New York State, and suits against the state by victims of assaults by parolees.

Elaine C. Ray

Elaine Ray, Editorial Writer for the Boston Globe has been a member of the Boston Globe's editorial board since 1989. She has written editorials and columns on such topics as domestic violence, Haiti, South Africa, race and education. In 1990, she wrote a series of editorials on the Boston public schools that earned her an award from the Education Writers Association. Ms. Ray joined the Globe staff in 1987 as a copyeditor for the Sunday magazine. Prior to this, she has held several positions at Essence magazine, including career editor, travel editor, senior editor and executive editor. Her articles have appeared in Essence, Black Enterprise, Parenting and Executive Female magazines. Ms. Ray has also held positions at MacMillan Publishing Company and Houghton Mifflin.

Ms. Ray earned her B.A. degree from Chatham College in Pittsburgh, PA, and her M.A. degree from Kent State University in Ohio. She is a graduate of the Radcliffe Publishing program.

Michael J. Rosati

Michael Rosati is the Director of the Carlisle Education Center. In this position, he is responsible for assisting in conference planning, presenting seminars on addiction and treatment, and coordinating the use of the Carlisle Conference Center. Mr. Rosati has extensive experience in the field of substance abuse prevention. Prior to joining EDC, he directed a program at Brown University where he developed a nationally recognized substance abuse prevention model, conducted numerous institute training seminars, and advised city and state governments on program development. Mr. Rosati has served on a number of state, local, and private advisory boards. Most recently, he chaired a Community Prevention Task Force for the city of Providence and the Governor's Program Committee for Youth, Alcohol, and Substance Abuse for the state of Rhode Island. Mr. Rosati has provided trainings to over 70 state departments, agencies, universities, and school systems both nationally and internationally. He has presented seminars to state probation departments, police training academics, and youth detention workers. He has also worked as a counselor in an inner city methadone clinic and has directed a substance abuse treatment program that primarily dealt with court-referred clients.

Mr. Rosati has produced a number of videos designed to raise public awareness of substance abuse, including *I'll Never Do That*, a broadcast presentation on the family dynamics of substance abuse; *Drugs and Violence: The War Against Ourselves*, a video production of a national roundtable hosted by Daniel Schorr; *The Power of the Community*, a video documentary on substance abuse in the Hispanic community in Boston; and *Mentoring*, a video/curriculum training package to prepare college students to work with high-risk youth. He also worked as a consultant to Boston's ABC affiliate, WCVB-TV Channel 5, on their anti-drug public service campaign, *Don't Be Pushed*.

Alan M. Schuman

Al Schuman has been the Director of the Social Services Division for the Superior Court, in the District of Columbia since 1972. In this position he is responsible for adult, juvenile, and family social services for the nation's capitol. Prior to this, Mr. Schuman was a staff member of the President's Crime Commission for the District of Columbia from 1965 to 1967. Mr. Schuman's previous positions include Director of Youth Services and Superintendent of the Lorton Youth Center, Department of Corrections in D.C.

Mr. Schuman received his MSW in Psychiatric Social Work from Loyola University, Chicago. He is a Graduate Fellow of the Institute for Court Management (class of 1975) and served for ten years as a Co-Director of the National Center for State Courts/Institute for Court Management Adult Probation Seminar. He has also served as a Trainer in Organizational Development for the same Institute.

Currently, Mr. Schuman serves on numerous local and national boards relating to the criminal justice system. He is co-founder and former Vice-President of the National Association of Probation Executives, and is a past President of the Middle Atlantic States Correctional Association. He is a former member of the Board of Directors of the National Council of the American Probation and Parole Association. He is currently President-Elect of the American Probation and Parole Association. Mr. Schuman has provided extensive training and technical assistance services to a wide variety of court, probation, and correctional programs in numerous states. He has been a faculty member of the National Academy of Corrections and was involved in the development and is on the faculty of the National Narcotics Interdiction Project. Mr. Schuman serves as a faculty member for the National Intermediate Sanctions Project.

Amy E. Singer

Amy Singer is currently the Deputy Commissioner for Strategic Planning and Programs at the New York City Department of Correction. In that position, she has responsibility for agency-wide strategic planning as well as responsibility in four diverse areas including: health, forensic, and substance abuse services; special programs that include counseling, education, ministerial, volunteer and recreational services; agency-wide training for 14,000 uniform and civilian staff; and, the development and implementation of alternatives-to-incarceration. The New York City Department of Correction provides care and custody for over 19,000 inmates on any given day and has over 110,000 admissions each year.

Prior to this, Ms. Singer was a Project Director at Education Development Center, Inc. In this position, she directed the SJI-sponsored, Education Development Center benchbook project and authored the benchbook *Effective Treatment for Drug-Involved Offenders: A Review and Synthesis for Judges and Court Personnel* on which this conference is based. Prior to her work at EDC, Ms. Singer was the assistant secretary for criminal justice at the Executive Office of Human Services in Massachusetts. As the senior state official responsible for coordinating and developing criminal justice policy, she worked on matters as diverse as prison siting, determining the best use of federal substance abuse funds, and developing and implementing a range of intermediate sanctions for drug-involved offenders. In carrying out this responsibility, she worked daily with members of the judiciary, the legislature, the governor's office, and other state agencies such as the Departments of Public Health and Mental Health, the Office of the Commissioner of Probation, local sheriffs, and a variety of community-based agencies.

Under Ms. Singer's leadership, an innovative prison diversion program for pregnant women with substance abuse problems was established. She also helped establish intensive substance abuse treatment units inside several state prison facilities and alternatives to prison for women who are involuntarily committed for substance abuse treatment. Ms. Singer also served for eight years as the Chief of the Victim Witness Service Bureau in the Middlesex County District Attorney's Office in Massachusetts. She developed numerous training conferences for judges on victims' rights, domestic violence, child abuse, and other related topics. This program was selected as a national model by the National District Attorney's Association.

Hon. Richard C. Wesley

Hon. Richard Wesley is the Supervising Judge of the Criminal Courts in the Seventh Judicial District of New York. In this position, he oversees the operation of over 280 criminal courts in an eight-county area. Prior to this, Judge Wesley served as the Administrator of the Judicial Hearing Officer Program in the Seventh Judicial District. He also served as a lecturer at the annual state judicial seminar and at the bar association continuing education seminars. In 1986, Judge Wesley was elected to a 14 year term as a Justice of the Supreme Court for the Seventh Judicial District which includes all of Monroe, Wayne, Livingston, Ontario, Seneca, Cayuga, Steuben, and Yates Counties in New York.

In 1982, Judge Wesley was elected to the New York State Assembly for the 136th Assembly District. In 1984, he was re-elected to the Assembly without opposition. During his tenure in the State Legislature, he sponsored a number of important pieces of legislation, including measures that established procedures for the taking of blood samples from intoxicated drivers responsible for the death or injury of another party; removal of a difficult evidentiary requirement that often prohibited the conviction of child molesters; and revision and streamlining of settlement procedures on behalf of infants in certain cases. In addition to these legislative efforts, Judge Wesley participated in the mediation of a seven year dispute between local property owners in the Town of Richmond and the Department of Environmental Conservation. As a result of his involvement, the parties agreed for

the first time ever to utilize cooperative agreements that insure the preservation, while permitting private ownership of the Honeoye Wetlands, a valuable natural resource. Prior to this election in 1979, Judge Wesley was appointed assistant counsel to the Assembly Republican Leader James L. Emery. During the following four years, Judge Wesley managed Assemblyman Emery's legislative programs, his constituent services, and the Assemblyman's district office.

Judge Richard Wesley has also been active in a number of community and charitable affairs. He was named Legislator of the Year in 1985 by the Livingston-Wyoming Association of Retarded Citizens. Judge Wesley is the past chairman of the Livingston County Alcohol and Drug Abuse Prevention Council. He was the secretary to the Livingston County Bar Association in 1979, and a member of the Seventh Judicial District Lawyer Grievance Committee. In addition, Judge Wesley is a member of the Board of Trustees of the United Church of Livonia; Chances and Changes, a community-based organization in Livingston County that provides safe housing to battered women; the Charles Settlement House; the Center for Dispute Resolution; the Pre-Trial Services Corporation; and the Myers' Foundation.

Hon. Joseph K. West

Hon. Joseph West currently serves as the Acting Supreme Court Justice of the Ninth Judicial District of New York. He is the Supervising Judge of the Criminal Courts of Westchester, Rockland, Dutchess, Orange, and Putnam Counties. In this position, Judge West presides over felony and civil trials. He was elected Westchester County Court Judge in 1984, and he was appointed Yonkers City Court Judge in 1983.

Prior to these positions, Judge West served for twenty years as a trial attorney in various courts. As the Deputy District Attorney for Westchester County from 1965 to 1982. In this role, he successfully prosecuted serious felonies such as murder, robbery, and rape cases. His successful prosecutions include quadruple homicide case in Bedford and double homicide cases in Lewisboro and Mount Vernon. As Assistant Corporation Counsel in Yonkers, New York, Hon. West represented all City departments including Police, Fire, and Health.

Judge West received his B.S. from Howard University and graduated from Brooklyn Law School. He served in the United States Army and graduated from the Artillery Officers Candidate School (1952-1956). He served as First Lieutenant in the First Armored Division. He is a member of numerous boards and associations including the Advisory Committee to Chief Judge of State of New York on Cameras in the Courtroom, the County Court Judges Association, the Westchester County Bar Association, the Yonkers Lawyers Association, the Board of Directors of Saint Joseph's Hospital, the Advisory Board of the Big Brothers and Big Sisters Association of Yonkers, and the James H. Farrell Masonic Lodge.

Dr. Marlene A. Young

Dr. Young has served as the president of the National Organization for Victim Assistance from 1979 to 1981, and has been its Executive Director since 1981. She is also the Vice-President of the World Society of Victimology, the Treasurer of the International Society for Traumatic Stress Studies, a member of the Victim Services Committee of the International Association of Chiefs of Police and the Victims Committee of the American Bar Association. She was also a founding board member of the American Professional Society on the Abuse of Children.

In the capacity of NOVA's Executive Director, Dr. Young developed the first forty-hour victim-oriented training curricula ever published for five allied professionals groups that included law enforcement personnel, prosecutors, and mental health providers. She has also designed the first forty-hour training curricula for victim advocates, victim counselors, and victim service program managers. Her curriculum on responding to the emotional aftermath of community disasters has

been used as a basis for some fifty training seminars to diverse audiences, including the Association of Employee Assistance Programs, the United States Navy, the United States Army, the Department of Energy, representatives of the United State Department, the Federal Bureau of Prisons, the American Psychological Association, and several national airlines. In the past three years, Dr. Young has been working with staff at NOVA to further develop and implement the innovative model "restorative community justice" in communities across the country. As part of this model, community-based and culturally appropriate services are provided to victims of drug-related crime, as well as other criminal justice and advocacy services.

Dr. Young has published numerous articles, chapters, and monographs on victims' issues, and has spoken at over 800 conferences and training seminars nationally and internationally. For her leadership in the victims' movement, she has been honored with over fifty state, national, and international awards, including the prestigious Hans von Hentig Award from the Award of the World Society of Victimology. In 1992, she was one of eight honorees at the Rose Garden ceremony held by former President George Bush in commemoration of National Victim Rights Week.

Hon. Robert P. Ziemian

Since 1989, Hon. Robert Ziemian has an appointed Justice of the Massachusetts Trial Court. He is the Presiding Justice of the Federally funded "Guns and Drugs" court in the Dorchester District Court in Boston. Prior to holding this position, Judge Ziemian served as the Massachusetts Director of Drug Enforcement. In this position, he developed and implemented a state-wide drug enforcement, enhancing the strategy that featured retail (street level) enforcement combined with prevention and treatment programs for maximum effect. As Assistant District Attorney for Essex County, Hon. Ziemian investigated and prosecuted numerous felonies and served as the Director of the Essex County Drug Task Force. In this role, Hon. Ziemian developed a successful strategy for drug-involved offenders that combined street level enforcement with prevention and treatment components.

Hon. Ziemian received his B.A. from Dartmouth College and graduated from Suffolk University Law School. He served in the United States Navy and was a Navy Reservist activated in support of Operation Desert Storm.

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