



Oregon

Tina Kotek, Governor

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6 February 2024

RE: House Bill 4001

Dear Chair Kropf, Vice Chairs Anderson and Wallen, and Members of the House Committee on Judiciary:

I am writing to provide testimony regarding House Bill 4001, which would establish the Task Force on Specialty Courts in Oregon. While the Oregon Criminal Justice Commission takes no position on House Bill 4001, in the paragraphs that follow I will provide informational testimony regarding the role the Commission plays in specialty court funding and oversight.

The Specialty Court Model

Specialty Court Programs represent a research supported, cost effective, and replicable model that serves justice-involved individuals with substance use disorders in an integrated systematic approach found to reduce drug use and recidivism while increasing public safety. Under the specialty court umbrella, there are six specific court types: adult drug courts, mental health courts, veteran treatment courts, juvenile drug treatment courts, DUII courts, and family treatment courts. While each of these types of courts serve slightly different target populations, they all follow the same foundational approach. The [Oregon Specialty Court Standards](#), which are based on national standards, guide implementation and alignment within the specialty court model.

The target population for specialty courts is defined by the Oregon Specialty Court Standards. Specifically, potential participants are justice-involved individuals who are identified through validated screening and/or assessment tools as both moderate to high risk and moderate to high need. Risk in this context refers to criminogenic risk defined as a high likelihood to recidivate or fail on supervision. Clinical need is related to substance use disorder and treatment service need.

Participants enroll in specialty courts as an alternative to incarceration and the programming provides them with the resources and opportunities they need through coordinated efforts by the judiciary, prosecution, defense, community supervision, and treatment services. Specialty Courts also allow participants the opportunity to build relationships with a wide range of community supports in and outside the judicial system, many of which can continue to be utilized after treatment has ended.

Improving the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.

Under this model, participants are connected to individualized, evidence-based care and case planning. Specialty court teams are multidisciplinary in nature which leads to a balanced approach along with connections to coordinated services and leveraged community partnerships. Further, via frequent drug testing as well as ongoing judicial review and behavior response adjustments (i.e., therapeutic adjustments, sanctions, and incentives), participants make progress towards goals, are discouraged from continuing undesirable behavior(s), and move toward more desirable behaviors. Indeed, based on this model, it has been observed that participants often get into treatment more quickly and the treatment that is provided is better coordinated than standardized supervision and treatment outside of the specialty court context. Additionally, specialty court participants often see higher levels of treatment completion compared to the general justice-involved population. All told, it is unsurprising that analyses of outcomes for specialty court participants show significantly lower recidivism rates compared to those individuals in the general probation population.

Funding and Oversight

In 2013, the Oregon Legislature passed House Bill 3194, which expanded the Criminal Justice Commission's responsibilities to include serving as a "clearinghouse and information center for the collection, preparation, analysis and dissemination of the best practices applicable to specialty courts." As part of this responsibility, the Commission, in consultation with the Oregon Judicial Department, is responsible for developing evidence-based standards for specialty courts with the goal of reducing recidivism and targeting medium to high-risk offenders. Further since the late 2000s, the Commission has also provided funding for specialty courts via a grant program. For the 2023-2025 biennium, \$19,660,006 in grant funds were awarded by the Commission to support 55 specialty courts across the state.

House Bill 4001

House Bill 4001 creates the Task Force on Specialty Courts, which would be responsible for examining (i) existing specialty court funding mechanisms, (ii) the breakdown of funding between the Oregon Criminal Justice Commission and the Oregon Judicial Department, (iii) whether current eligibility metrics are capturing those individuals who would most benefit from participation in specialty courts, and (iv) accountability metrics. The task force would also be responsible for reporting to the Legislature in advance of the 2025 Legislative Session, where its recommendations could be acted upon by that body. As one of the members of this task force, the Commission would be excited to participate and share its expertise to advance the work of this group to ensure that specialty courts continue to provide the essential services they are uniquely positioned to deliver.

Please do not hesitate to reach out if you require any additional information or have any questions.

Sincerely,



Kenneth Sanchagrin