

Report

of the

SATCO Subcommittee

to the Hillsborough County Executive Committee
April 22, 2016

The SATCO Subcommittee was established by the Hillsborough County Executive Committee (ExCom) on March 4, 2016, to examine and report back its recommendations with respect to implementing the proposal by the Department of Corrections (DoC) for a substance abuse treatment program for county jail inmates. Reps. Harvey, Kurk (chair), Marston, Ulery (clerk) and Williams were appointed to the subcommittee.

The subcommittee met five times, heard testimony from Superintendent Dionne and national expert David Bennett, researched literature on evidence-based and cost-effective jail and prison substance abuse programs and heard reports on site visits to and received written materials from three other New Hampshire counties' programs.

We also met with representatives from Serenity Place, a substance use disorder treatment based in Manchester. They explained their programs and methods and offered to be the primary treatment center for SATCO participants once they left the House of Correction. The Serenity representatives told us that there would be no cost to the county; their fees are paid through medical insurance plans, grants, and other 3rd-party funds, and that they will not turn away a client because of inability to pay.

1. Proposed program. DoC has proposed implementing a substance abuse treatment program for both male and female county jail inmates. It consists of three components: first, a 60-day, in-house-treatment program for approximately 40 inmates (a total of 240 over the course of a year) selected based on an inmate's level of risk of re-offending and need for services; second, a work-release program in which inmate participants work full time and participate in treatment groups; and third, a community component in which participants are on probation supervision or electronic monitoring, have employment and housing and attend weekly aftercare groups under a suspended sentence agreement. The program is limited to the maximum twelve-month period for which an individual can be incarcerated in a county jail. It would require five full-time positions at an estimated cost of \$375,000 a year once fully implemented. Community services would be paid for by Medicaid, private insurance or other non-county sources.

2. Program evaluation. According to the literature and expert testimony, a successful prison-based substance abuse treatment program reduces recidivism by its participants. In testimony to the House Finance Committee, the chief justice of the Superior Court indicated recidivism among the prison population as a whole is approximately 60%, among those eligible for substance abuse treatment programs,

30% and among those who complete such programs, 20%. The literature does not report successful jail-based programs, as those studied did not provide treatment for the minimum 18-month period necessary to change individual behaviors.

At least three other New Hampshire counties have similar programs to SATCO, and Superintendent Dionne's team used those programs as models to develop SATCO. Sullivan and Strafford Counties' programs have been in place for more than 10 years; Merrimack County has a shorter track record. Sullivan had an outside study done that measured the program's effectiveness over a 2-year period. All programs report recidivism rates of less than 20%. All programs include after-incarceration elements to their programs, including continued treatment and assistance with jobs, housing, and access to health care.

Many successful substance abuse treatment programs are based on four key components: in-house-treatment, segregation of participants within the facility, community re-integration, and time -- at least 18 months and preferably 24, most in a re-integrated, community setting. The proposed DoC program provides the in-house-treatment components and the community re-integration component, but it lacks the segregation and time components. With respect to segregation, the jail is configured and organized in such a way as to make it difficult, but not impossible, to provide a separate housing unit (pod) for male program participants and impossible to provide for female program participants. With respect to time, the program lasts for a maximum of twelve months, six months less than the 18-month minimum required for success, but this could be extended through court system participation to the desired 18- or 24-month period. However a participant who has part of his sentence suspended on conditions including participating in a treatment program would be likely to complete an 18 or 24 month program or risk re-incarceration. The programs studied in other counties use court controls such as suspended sentences and parole/probation as a tool to ensure participants continue in treatment after release.

3. Analysis. In a 2001 study, the Washington State Institute for Public Policy (WSIPP) did a cost-benefit analysis of criminal justice program spending. The Institute considered the cost to taxpayers and the benefits to crime victims through lower crime rates and lower recidivism. The study concluded that various programs results in the following benefits for each dollar spent:

<u>Program</u>	<u>Benefit</u>
Therapeutic treatment in prison	\$1.91
Therapeutic treatment in prison with aftercare	2.69
Drug court	2.83
Community-based substance abuse programs	3.30
Job counseling	5.28
Work release	6.16
Non-prison therapeutic treatment	8.87

The significance of these numbers is not in their absolute value -- after all, the study was done in 2001, and costs have since changed -- but in their relative value.

The numbers suggest that, if dollars are limited, spending them on non-prison therapeutic treatment, for example, is more than 4.5 times as effective -- 4.5 times the "bang for the buck" -- as spending them on therapeutic treatment in prison.

So, were Hillsborough County to implement a jail-based substance abuse program comparable to the prison-based program included in the WSIPP analysis, the county as a whole would see benefits 2.7 times the cost. If the cost of that program were the same as the one proposed by DoC, the net benefit to the county as a whole would be about \$625,000 $[(2.7 \times \$375,000) - \$375,000]$.

If the county were to implement an evidence-based substance abuse treatment program in line with the literature on the subject and other counties' experience, approximately 240 inmates would participate in the program annually. Of these, approximately 25% would graduate from the program and not commit new crimes for at least two years. That would reduce the number of inmates in the county jail by 60 a year and would save county taxpayers approximately \$174,000 annually. (This assumes the marginal cost of each inmate is the same for the county as it is for the state prison, or approximately \$2,900/inmate/year.) Since the proposed program costs \$375,000, the net impact on the county budget would be about a \$200,000 increase.

4. Conclusions and recommendations. A jail-based substance abuse treatment program in line with the literature on the subject and other counties' experience would be cost effective and benefit the county as a whole, and the subcommittee recommends such a program to ExCom. Creating and obtaining grants to fund such a program requires hiring an expert consultant, something several other counties have done. The subcommittee recommends:

- a. The county hire a consultant with experience and skills in jail-based treatment programs and associated grant writing as soon as possible at an estimated cost of \$30,000, funds for which are available this fiscal year (2016) within the DoC budget.
- b. That the superintendent be authorized to begin hiring for the positions needed for the SATCO program, with a start date of July 1, 2017 or later, and \$350,000 be placed in the DoC section of the 2017 budget to support the new program, while at the same time the county would apply for grants that might offset costs this year, or in the future.
- c. That the superintendent formalize a relationship with Serenity Place (and possibly a Nashua-area treatment provider) to provide aftercare for SATCO participants, with a plan for action they would take if, in Serenity Place's opinion, a participant is failing to continue with therapy.
- d. That the county form a SATCO Advisory Council, with representatives from law enforcement, judiciary, prosecution and defense attorneys, legislators, and others who can help steer the program as it develops, and who can influence its implementation in the court system. This was a recommendation from the DoC superintendents from the other counties with treatment programs we heard from.

Respectfully submitted

on behalf of the subcommittee majority,

Rep. Kermit Williams

The minority respectfully disagrees with the majority of the subcommittee in a single, but vital, aspect of its recommendation.

The literature and experts are quite clear that a successful jail-based substance abuse treatment program must involve participants for at least 18 months to permanently change their behavior -- not abusing alcohol or drugs and not committing crimes for a two-year or longer period, for example. Anything less than an 18-month-long program won't produce those results.

Rather than require DoC to develop an 18-month program, the majority supports a program that might -- just might -- last 18 months, but in most cases, only if participants voluntarily agree to continue with their community-based treatment. Not all of them will do so -- indeed, it may be that none of them do so. The result will be no or a lower decrease in recidivism and no or a lower cessation of substance abuse. In its first year, that failure will cost each man, woman and child in the county about \$.94 in additional county taxes, or about \$3.76 for a family of four. The county tax rate will increase by slightly less than 1% (0.85%).

Combating the massive abuse of opioids in our society is important, and there is a role in this fight for government, including Hillsborough County government. But it is not enough for county leaders to "feel good" about "doing something." If ExCom is serious about dealing with this issue, it should only support evidence-based, cost-effective substance abuse treatment programs. The proposed jail-based program will only succeed if it includes a mandatory minimum 18-month participation requirement. Anything less is "window dressing."

Respectfully submitted
for the minority,

Rep. Neal M. Kurk