

Brown County looks at drug, alcohol court (3.1.08)

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By Tony Walter, Green Bay Press-Gazette

Marty Croake didn't get far from the bar where he celebrated his birthday on Sept. 5, 2005, before he was pulled over by a Green Bay police officer.

It was a familiar drill for Croake: a field sobriety test then jail to sober up. He had been down the same path four other times. A few days later, while awaiting his court date, Croake went camping, took the booze with him and sat on a tree branch. The branch broke and so did a bone in Croake's neck. "I knew I had to change," said Croake, 39, of Green Bay, a divorced father of four. "Even my kids were saying, 'Daddy, we don't want you to drink beer anymore.'"

Croake's heart sank when Brown County Circuit Judge Donald Zuidmulder sentenced him to three years in prison followed by three years of probation. But Zuidmulder also changed Croake's life and set in motion a system that could lead to Brown County's first specialty drug court.

"He told me he was giving me six months in jail and ordering me to continue treatment," Croake said. "He also said that if I took one more drink, I wasn't coming back to court, I was going straight to prison." Croake is enrolled at Northeast Wisconsin Technical College, on a path to become an alcohol and drug abuse counselor. He continues with a treatment program that includes Alcoholics Anonymous. He feels like he's a productive member of society.

More low-level, nonviolent drug and alcohol offenders soon may have the same opportunity to go to rehab instead of prison. A plan to create a drug and alcohol court in Brown County as a way to reduce incarceration, save money and increase the chances for successful rehabilitation, is moving closer to reality.

"The reason for this is because it's the right thing to do and is good for the community," said Zuidmulder, who urged the formation of a drug court committee to study the feasibility of creating the specialty court in Brown County. "I sense there is a lot of enthusiasm in the community to have this happen."

The specialty court would exclude violent offenders or drug dealers, focusing instead on those who have become repeat offenders because of drug or alcohol addictions. It would offer treatment instead of prison time.

The idea received both support and opposition at a meeting of the county's Criminal Justice Coordinating Board this week. "I'm kind of worried that this makes us look soft on crime," Supervisor Pat Evans said.

County Executive Tom Hinz said he has seen the merits of drug courts. "We can be good neighbors by helping these people become good neighbors," he said. Drug courts are intended to coordinate efforts of the courts, prosecutors, defense lawyers, probation, law enforcement, social services and treatment facilities to intervene and break the cycle of substance abuse that contributes to crime and becomes a repeated cost to the taxpayer. While offenders might face some jail time, they are enrolled in a treatment plan intended to reduce time behind bars. "If we don't do something, we'll eventually have to add to the jail," said Supervisor Harold Kaye, chairman of the county's Public Safety Committee.

The first drug court was established in 1989 in Florida, and nearly 2,000 drug courts exist today, including in 15 in Wisconsin. The federal Government Accountability Office, an investigative arm of Congress, concluded that drug court graduates were less likely to be arrested again, and they had lower conviction rates.

The National Institute of Justice completed a 30-month cost-benefit analysis of the drug court in Portland, Ore., and concluded that the cost for drug court participants for that period was about \$5,000 less than the cost of a comparison group who spent time in prison. It included a savings of \$1,400 in investment costs, \$2,300 in avoided court and law enforcement costs, and \$1,300 in avoided victimization costs.

Winnebago County's 2-year-old drug court is one of 15 in the state. "Actually, it's been working fairly well," said Carol Koch, Winnebago County Drug Court director. "We've had four people graduate so far, and two more will graduate soon."

Winnebago County funds its drug court with \$255,000 allotted in 2007. It will collect some funds from clients and receive a grant from the Oshkosh Community Foundation to help offset the cost to taxpayers, Koch said.

David Schreiter, executive director of Recovery-Works Counseling Services Inc. in Green Bay, has advocated treatment programs over prison terms for years, emphasizing that lawbreakers must serve their time but also must be given a

chance for treatment.

"There is still a stigma about alcoholism and drugs," Schreiter said. "We see it as evil and immoral. We're trying to treat addictions with incarceration, and it doesn't work. We need to treat the underlying illness."

"I'm extremely encouraged," Schreiter said of the initial steps to create a drug court in Brown County. "Let's be sensitive, that sick people aren't bad people. If we treat addicts more humanely, we'll see a difference."

Brown County District Attorney John Zakowski observed a drug court session in Dane County last month and found it interesting.

"There were success stories, and there were those that weren't doing so well," Zakowski said. "But it's worth the time and money."

Zakowski said he has applied for a drug court grant but knows it will be a while before he gets an answer. He is interviewing candidates for an assistant district attorney position that will handle drug cases exclusively and would eventually become the liaison to a drug court.

Drug court counties

Wisconsin counties that have a drug court or are planning one:

Operating at least two years: Ashland, Dane, Eau Claire, La Crosse, Monroe, Pierce and Wood, as well as the Menominee Indian and Stockbridge-Munsee tribes

Recently implemented: Barron, Racine, Sawyer, Waukesha, Trempeleau, Winnebago

Planning: Dane (juvenile), Milwaukee, Portage and Rock, and the following tribes: Bad River Band of Lake Superior Chippewa, Red Cliff Band of Lake Superior Chippewa
Source: National Association of Drug Court Professionals
Brown County cases

Misdemeanor drug cases

2004: 524

2005: 622

2006: 589

Drunken driving cases in 2007

1st offense: 132

2nd offense: 249

3rd offense: 147

4th offense: 68

5th offense: 57
Source: Brown County District Attorney's Office