

EXHIBIT 5
DATE 2/7/2013
HB 2751

February 6th, 2012

Montana Legislature - 2013
House Judiciary Committee
State Capitol
Helena, Montana

RE: *BRIEF SYNOPSIS OF THE RESPECTIVE WATCH PROGRAMS LOCATED IN WARM SPRINGS AND GLENDIVE, MONTANA 4th and Subsequent DUI FELONY OFFENDERS*

Dear Committee Members:

Please allow me to introduce myself. I am Mike Thatcher and I currently serve as the Chief Executive Officer of Community, Counseling and Correctional Services, Incorporated (CCCS) which is a private, not for profit entity headquartered in Butte, Montana. CCCS has over twenty-nine (29) years of experience in providing state of the art, cutting-edge programming to both adult and juvenile offenders in facilities that are both secure and non-secure. CCCS' corporate portfolio is extensive as CCCS also provides correctional programming in the states of Washington and North Dakota.

I realize that time is a very precious commodity for the members of this committee, but I ask for your indulgence as I provide you with a summary of the WATCH-West (Warm Springs) and WATCH-East (Glendive) Program statistics that are a product of data gathered from the WATCH -West Program since its inception for the period of time encompassing February 1, 2002 through December 31, 2012. Additionally, you will also find statistics from the WATCH-East Program, which is a co-correctional facility. I believe that these statistics will provide you with invaluable information and resource relative to the overall success of these DUI programs.

Whether they elect to participate in six (6) months of treatment and/or the thirteen (13) months in a jail or prison, adjudicated offenders generally receive an additional five (5) year probationary term with their sentence, The data that has been collected measures overall program compliancy and is continually gathered by the Montana Department of Corrections - Probation & Parole Staff, using their OMIS (Offender Management Information System) reporting system. Compliancy measures are specific to sanctions, violations or interventions and the State of Montana conducts ongoing follow-ups on each of these individuals during their entire probationary term. As you refer to the attached graphs, please note that in all of the years of its operation, the WATCH Program for men has consistently produced a seventy to ninety percent (70% - 90%) compliancy rate, but the consistent baseline has been in the seventy percent (70%) range, which is quite impressive. There is also information included regarding recidivism and it shows that the male offenders who are adjudicated have a higher probability rate of receiving an additional felony DUI offense, while the female offender rate is two percent (2%), which validates that female offenders adapt to the programming better than their male counterparts in this correctional population.

CCCS has always received bi-partisan support for our WATCH Programs because they hold offenders accountable and truly get a "pound of flesh," but, more importantly, they deliver quality programs and services that truly save lives. Offenders who graduate from the WATCH Program and then satisfactorily complete their subsequent probationary term save the State of Montana a large sum of money because they are less likely to be re-incarcerated, which provides this committee with some great information relative to the legislature's proposed design and/or modification and implementation of any DUI laws. Montana's position is that those who complete treatment cost the overall correctional system significantly less, due to fewer re-arrests and incarceration rates and place more offenders who need specific treatment in residential programs by using good risk and needs assessment tools, which are critical in making better determinations in how to spend limited money.

Alcohol and substance abuse produce a tremendous burden, not only to the state's economy, but also to our way of life and we expend significant capital on the consequences of failing to treat addiction. The consequences of this disease are not small, as alcohol, substance abuse and addictions impact our health care, social services and criminal justice systems and they can devastate the lives of specific individuals and their families. The WATCH Programs as operated by CCCS have clearly demonstrated that with appropriate and sufficient treatment, recovery is possible as these programs do work. Montana must ensure that scarce and limited dollars are put to their best use as measured by improvements in treatment delivery and subsequent treatment outcomes. Truly, this is essential in achieving the goals of helping people in recovery get better and making our communities safer.

Time prevents me from going into greater detail relative to the evidenced-based curriculums and practices that WATCH Program utilize, but I would be more than happy to provide this information, should it be requested. Accepted programming practices demand that any agency providing direct treatment to offenders should have targeted outcomes and the Montana Department of Corrections (MDOC) should hold the respective program providers responsible for continually improving their program outcomes.

I respectfully recommend that any specialized treatment provider be required to utilize validated assessment tools to properly place offenders in individualized, culturally-sensitive programs and that the specific treatment programs use evidence-based practices in both treatment and administration, provide mental health services when appropriate and offer links to other health and human service agencies to ensure sound recovery support services after any initial treatment placement. I also firmly advocate that there be state leadership and oversight to include data collection and analysis that permits policy makers to reward cost-effective programs and respond to new developments.

History / Background

Montana sentencing statute *61-8-731 MCA* was revised during the 2001 Legislature, when the MDOC was allowed to place 4th and subsequent DUI felony offenders in a treatment facility, rather than a prison (*2001 Laws, Chapter 417, Senate Bill 489*). Given revision of the statute, the WATCH Treatment Facility opened on February 1, 2002 and operates under a partnership between CCCS and the MDOC.

WATCH is designed to serve the treatment needs of adults, male or female, eighteen (18) years of age and older who have been convicted of a 4th or subsequent DUI offense. WATCH is an intensive addictions treatment community that was specifically designed to assist offenders in developing those skills necessary to create pro-social change, reduce anti-social thinking, diminish individual criminal thinking patterns and the negative effects of chemical addictions. Research indicates and supports that the most promising approach to substance abuse treatment is cognitive, behavioral-based programs utilized in a Modified Therapeutic Community (TC) model. The model has been utilized in the WATCH Program, since 2002 and embraces treatment strategies for achieving increased self-regulation for chemical abuse and criminal conduct. The offered programming is also crafted to fit the individual offender's level of awareness, cognitive development and his or her determination to change disruptive patterns of thoughts and behaviors. The WATCH Program uses these appropriate strategies at each respective stage of each offender's process of change. It is believed that self-improvement and change evolves the development of motivation to change. Once the therapeutic alliance is forged, self-regulating skills may then be learned through motivational counseling, therapeutic confrontation and reinforcement of life-enhancing behaviors. Effective treatment must integrate the principles of both therapeutic and correctional treatment models.

The WATCH Program, at Warm Springs currently provides services for one-hundred, fifteen (115) male offenders and also operates an additional fifty (50) bed, short-term, sixty (60) day program, which is available for offenders who are addressing their addictions issues. This program, known as the Connections Corrections Program (CCP), also uses the Modified Therapeutic Community treatment modality. In February 2005, CCCS was permitted to expand the WATCH Program at Glendive to provide service delivery for felony female DUI offenders, in this facility which was initially a forty (40) bed (male offenders) facility called WATCH-East. Today this facility provides services for fifty (50) offenders, both males and females, but primarily for males who are post-adjudicated who are referred from the Billings area and the eastern part of Montana in conjunction with those women offenders received from the Montana women's correctional system. WATCH- East utilizes a former state campus building, in working with this co-correctional population, whereas the WATCH-West Program population is comprised entirely of adult male offenders.

The sources of statistical data that I have included summarizes the total number of discharges, number of offenders who have completed the program, compliance percentages, completion ratio, etc, I believe this information offers you invaluable information to validate and verify that Montana's decision to place an emphasis on treatment was and remains quite effective. It is critical to be able to measure outcomes for post-discharged offenders. Additionally, CCCS administers an **LSI-R** (Level of Service Inventory – Revised) which is recognized nationally as an effective risks and needs assessment tool. I would also like to emphasize that all of the literature supports that duration (longer term treatment) is *critical* in achieving successful outcomes and this is the reason CCCS implemented a six (6) month treatment program. Having solid aftercare and continuum of services in place most significantly improves overall treatment impact and outcomes.

CCCS constantly strives to tailor our program designs to address a myriad of challenges that each offender may experience and often times those offenders referred to WATCH are afflicted with complex healthcare needs and at times, they face multiple barriers in accessing necessary and appropriate treatment and programming services. The provision of mental health and nursing services are also critical to the overall program design.

CCCS places the highest of premiums on the use of the most thoroughly researched and evidenced-based curriculums, as many of these curriculums have been examined over the course of many years and the literature continually validates the position that the duration, program intensity, use of assessment tools, etc. are absolutely critical in any effective treatment program and are constantly referred to as "*what works.*"

Costs

CCCS currently receives compensation at \$96.22 per day, per offender at the WATCH-East Program in Glendive, whereas, at the WATCH-West Program, CCCS receives a daily per diem compensation of \$58.86, with a scheduled increase due during this legislature; however, the WATCH-West Program shares its physical plant with the aforementioned Connections Corrections Program, a fifty-two (52) bed, short-term drug and alcohol program that the MDOC reimburses CCCS at \$68.04 per day, that is also scheduled to receive a per diem increase on July 1, 2013. I bring this information to your attention because the size of the facility and potential synergies of co-locating these programs in an existing facility does not require the duplication of administrative staff and some security staff and thus produces significant cost-savings.

Program Overview

I have attached data that will speak to the statistics of the WATCH Programs. The respective WATCH Programs are unique in their intensity and duration in that programming is provided approximately eight (8) hours per day. The Modified Therapeutic Community ensures that offenders are held accountable for their active involvement in treatment during all waking hours. Additionally, the WATCH Programs employ both the Womberg and Milkman curriculums (criminal conduct and substance abuse treatment): "Strategies for self-improvement and change" and cognitive principles and restructuring as its foundation. This model simulates a healthy family and uses the *community* as the basis for a treatment method. Rules for each family are well-defined and require the program participants to abide by them at all times. There is also a strong emphasis placed on criminal thinking errors, the 12-Step Program, relapse prevention and skill building. Again, the respective WATCH programs are six (6) months in duration in lieu of thirteen (13) months in jail or prison and are followed by mandatory aftercare in the community.

The WATCH Programs are divided into three (3) phases:

- **Phase I – Orientation Preparation for the Therapeutic Community**
- **Phase II – Modified Therapeutic Community Treatment**
- **Phase II – Relapse Prevention / Discharge Planning**

Without going into great detail of the program components and the screening assessment tools, I think it could be of value for you to visit these programs onsite. CCCS could also provide you

with binders of treatment information and policies/procedures, etc. However, due to time constraints, I have not elected to do that at this time. There are many additional life skill groups, grief groups, toastmaster's groups, community speaker's bureau, etc. involved in the WATCH Programs. The WATCH Program in Warm Springs operates the negligent vehicular homicide group, known as the "Knights Program," for those offenders who have been convicted of an alcohol-related negligent homicide. CCCS is currently exploring the possibility of tailoring a program of similar design for female offenders as well.

In summary, I thank you for your time and if you have questions or need any additional materials such as more information on the rules, regulations, treatment components, offender handbooks, etc, at WATCH please let me know. Over the course of its existence, CCCS has demonstrated itself to be a good and mutually-beneficial partner with the MDOC and hopes to continue working with the MDOC well into the future in operating quality and measurable programs that make sense from a fiscal perspective and truly have an impact in positively affecting the lifestyles of those respective WATCH populations.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Thatcher", written in a cursive style.

MIKE THATCHER
Chief Executive Officer
MT/mp