

Carl D. Baker
District Court Judge
Marshall County Courthouse
Marshalltown, Iowa 50158

February 7, 2005

Members of the Justice System Appropriations Committee,

Thank you for inviting me to visit with you regarding the Community Drug Court program in the Second Judicial District. I had hoped to be able to be here in person, but the Court schedule precluded my presence. I am sending this letter with the intent of answering some of the questions you might have asked me.

I have served as a District Court Judge in the Second Judicial District since 1981. Before that I served as a District Associate Judge and as Marshall County Attorney. It has been my pleasure to serve as the supporting Judge for the Second Judicial District's Drug Court in Marshalltown since it began operation.

Nearly five years ago, the Judges in the Second District were pleased to hear that Marshalltown and Mason City had been selected for development of a Drug Court. However, we knew there were not judicial resources to meet with Drug Court participants for regular accountability reviews, as occurs in some other jurisdictions. We were, therefore, interested in learning about the Community Panel model that exists in Sioux City and lent our support to adoption of this model for our Marshalltown and Mason City programs. We also were determined that, even though we did not have the resources to create full-time Drug Court Judges, we would support the efforts of the panels in ways that would be complementary and meaningful.

Judge James Drew (Mason City) and I provide Judicial support by helping to train Drug Court panel members, attending Drug Court Panel recognition events, participating on the Drug Court Oversight Committees and presiding over Drug Court graduations. Through these activities, both the panel members and the Drug Court participants know that the District Court supports the Community Drug Court.

We also provide judicial intervention by presiding over scheduled revocation hearings for those Drug Court participants not progressing as they should. In these situations, we are able to consider the input of prosecutors, defense attorneys, and the Drug Court officer in determining the best course of action. We use a variety of sanctions ranging from short stays in jail to a full revocation of the probation. When appropriate, defendants are returned to the Drug Court to complete the program.

I have been involved with the Marshalltown Drug Court since its inception. I believe the program is providing a viable alternative for many defendants who would otherwise be in the state penal system. I am also very pleased that community members have been able to become directly involved in our justice system. I personally know many of the panel members in Marshalltown and have the greatest admiration for their service to the community. They hold offenders accountable, but also provide support and encouragement, when appropriate.

As you may know, our Drug Courts are in the fourth and final year of federal grant funding. We realize the fiscal constraints under which you are operating but hope to receive state funding to continue these excellent programs. Thank you for the opportunity to share these thoughts with you.

Respectfully,



Carl D. Baker
District Court Judge, Second Judicial District

*District Court of Iowa
Second Judicial District*

Chambers of
James M. Drew
District Court Judge

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February 3, 2005

Justice System Appropriations Committee

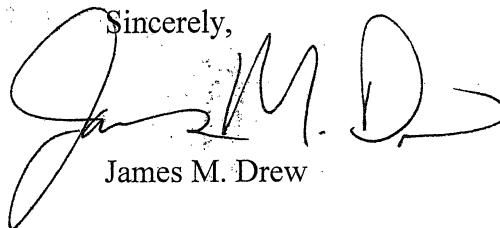
Ladies and Gentlemen:

I am writing to express my belief that continued funding for the Community Drug Court programs is critical. I regret that my schedule prevents me from being able to appear personally.

I know that Judge Baker from Marshalltown has also sent a letter which outlines what he and I do in our respective counties. While the expedited nature of drug court hearings sometimes interferes with my schedule, I can assure you it is worth the effort. Seeing the joy on the faces of the successful participants and their family members at a graduation ceremony is incredibly rewarding. I don't think members of the general public fully understand the evil of methamphetamine and the effect it has on lives. Obviously not all participants are successful. However, I can assure you that one success easily makes up for several failures. It has been my observation that addicts who are immediately sent to prison stand little chance of staying clean upon their release.

One of the attractive features of our "panel-based" program is that it uses community volunteers at no cost to the state. However, having a probation officer specifically assigned to drug court participants is critical. Mike McGuire serves admirably in that capacity in my program. He has been able to accumulate specialized knowledge in matters ranging from addiction to how to manage the community panels. There is no question in my mind that drug court cannot exist without the funding for a designated probation officer and other administrative expenses. When compared to the economic and societal costs of simply sending addicts to prison, it seems obvious that drug court is the preferable option.

Sincerely,



James M. Drew

JMD/jls