

# Leading by EXAMPLE

## Amherst Drug Court looks forward, continues to grow

by ELIZABETH TAUFA  
Reporter

The Drug and Treatment Court is celebrating its 11th year in Amherst.

Established in 1996 by Town Judge Mark Farrell, the Amherst Drug Court has the distinction of being the first suburban drug court in the United States.

"At the time, there were only 10 to 12 drug courts in the U.S.," Farrell said. He noted that there are now around 2,400 drug courts nationally.

The drug court system originated in Dade County Florida in the late 1980s and was spearheaded by former U.S. Attorney General Janet Reno.

The purpose of the court, initially designed for youths, is to provide treatment for those who have committed drug- or alcohol-related criminal offenses, such as petty larceny.

In the past, those who committed such crimes were punished and their

addictions were not treated.

In order to treat people in drug court, the district attorney must agree to divert the case to that court. In order for this to happen, the individual cannot have a history of violent crimes, drug dealing or sexual offenses.

Participants must then waive their procedural rights and are charged with a misdemeanor A, which allows for punishments — including jail time — should they not follow the program.

"They have the punishment hanging over their heads," Farrell said. "I'm fairly severe, fairly strict with compliance and people usually get caught in lies."

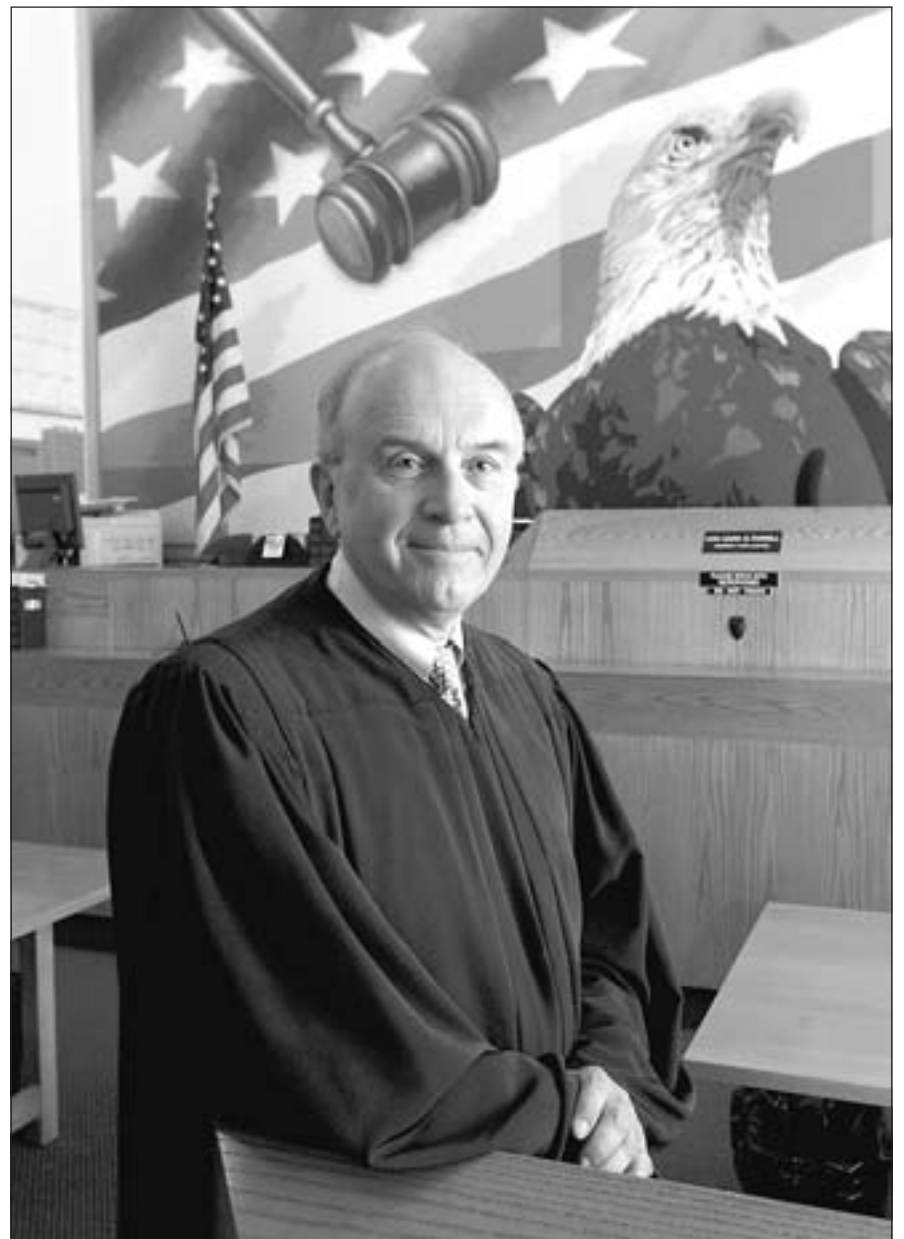
However, he noted that most people who enter the program just want to get rid of their addiction and are unable to do it alone. This makes them conducive to following the program's stipulations.

The drug court works with more than 20 agencies in Western New York to ensure that participants in the program are given the help they need.

One of the challenges of the drug court is to stay relative in size so as not to overload staff with cases.

"Right now, we have around 350 cases, but we could have 600," Farrell said. He acknowledged the Amherst Police Department for the "outstanding" jobs done, but called the drug problem "exquisitely complex" because of the onslaught of new substances, population shifts and budget cutbacks to programs.

"There is a belief by some people that the problem is not in Amherst," Farrell said. "We're



Judge Mark Farrell travels the country speaking about Amherst's Drug Treatment Court in addition to the time he spends on the bench.

Photos by Joe Eberle

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well-protected by police, but they're constantly challenged."

Since its inception, the drug court program has graduated more than 2,000 people, which equates to an 85 to 90 percent success rate.

Previously, the return rate of individuals who were merely punished, was between 55 and 60 percent.

Rather than make an overt gesture for a graduation ceremony, Farrell gives those who have completed the program a gift — the children's book "The Little Engine that Could."

"They know what it means, and I know what it means," he said.

Due to the success of the drug court, offshoots of the program have been created to address other serious issues in the town: the Domestic Violence Court, which is an educational, victim-oriented program, and the Gambling Treatment Court, which exists under the same auspices as the drug court in that it treats individual addiction.

"It's the only one in the U.S.," Farrell said, of the gambling court. "It's hard to identify a compulsive gambler. It's not a character flaw. It's an addiction."

The drug court relies on the efforts of the Amherst Drug Court and Treatment Foundation for funding, as the drug court cannot receive funding from the Town of Amherst. All money, with the exception of utilities and salaries for the employees, comes from the foundation and various grant monies.

"There are so many organizations vying for the same money," noted Guy Marlette, president of the foundation.

He noted that the court needs money for the treatment of participants as well as for education sessions and seminars.

Marlette said most of the people who participate in the drug court program, most of whom are under the age of 21, are victims of their own bad decisions as well as bad decisions made by their friends.

"The programming is to help these kids make good decisions," he said. "The drug court provides guidance the whole way through."

Marlette noted that many of the participants initially don't want to commit to the year-long or longer effort, but after experiencing the self-help programs, individuals, particularly teens, choose to continue them, even after graduating from the drug court program.

The goal of the drug court and its foundation is to be an example to other municipalities throughout the nation and to find funding to ensure that the program keeps qualified individuals and groups with which to work.

Farrell travels throughout the country to various towns and cities to attend judicial conferences to help spread the concept of drug courts in addition to the time he spends working with drug court and the town court.

"We're working together to ensure that our youth turn into great teens and even better adults," Marlette said. "We save one heart at a time. If we can save one kid, it's worth it."

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Guy Marlette, president of the Amherst Drug Court and Therapeutic Foundation, and a 12-person board secure funding for the court, which does not receive state funding of any kind.