



NEWSLETTER

FLORIDA Association of Drug Court Professionals

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February 2006

1st Issue

Letter from FADCP Board Chair, Martin Epstein, Assistant State Attorney, 15th Judicial Circuit:

As Chair of the Florida Association of Drug Court Professionals, I wish to extend my sincere appreciation to all of our steadfast members and a warm welcome to all of our new members that have joined during the 2005-2006 membership campaign. We have 260 members and we hope to increase our membership to encompass a larger portion of our drug court teams. The member support you provide helps advance Florida's drug court programs through training and oversight. Our goal is to increase communication to our members and to receive input on how we can better serve your needs as a drug court professional

I would like to applaud our FADCP Board who volunteer their time and expertise to work on initiatives that directly impact our drug courts. A big thank you to Judge Melaine May and Jim McDonough who champion legislative initiatives designed to help institutionalize and advance Florida's drug courts. They work very closely with Jennifer Grandal at the OSCA to move these initiatives through the sometimes confusing legislative process. You will receive periodic legislative alerts from Judge May keeping you abreast of the current situation in Tallahassee regarding drug court bills. At times, we may ask you to support the legislative initiatives by contacting your local delegation to ask for their support. A big thank you to Judge Rosinek who has done a great job keeping our finances and obligations in order. Through the guidance and organization of Mike Jewell, we have developed goals and strategies to keep FADCP focused through June 2006.

We have several other initiatives underway that many of our Board members are directly involved with such as the coordination of our "National Drug Court Month" Celebration in Florida. More information will be disseminated to the field as we finalize details. We hope to develop an adult drug court training conference to be held sometime in October. The OSCA is planning the Family Court Conference scheduled for August 3-4 in Orlando at the Rosen Centre Hotel which will provide training to our juvenile and family drug courts.

The 2006-2007 FADCP Slate of Officers and Board members is being constituted. We will send out more information on how to cast your vote or make a nomination if you are not attending the NADCP conference in June where the FADCP will hold its annual meeting and elections will take place.

I feel that we have progressed this year in trying to better organize the FADCP to better achieve important initiatives to help our drug court programs in Florida. I look forward to continued success and hope that you as a member will take the initiative to get involved with the projects FADCP is pursuing. It is through your support and action that we can make a difference!

“In Loving Memory of Robert J. Koch”

June 4, 1953-August 1, 2005

By Eve Janocko

We were all shocked and saddened to hear about the loss of Robert Koch last August. With heavy hearts, we accepted this tragedy but still struggle with understanding why someone so vibrant was taken from us so abruptly. Robert was one of the true champions, moving drug courts forward in Florida and around the nation. In 2000, Robert was hired as the Drug Court Coordinator for the Miami-Dade Drug Court where he was instrumental in enhancing and expanding the program. His vision and influence transcended the drug court programs in the State of Florida and nationally.

He was a founding member and helped launch the drive to establish the Florida Association of Drug Court Professionals, serving as its Treasurer from the beginning. He led the initiative at the national level which produced the “Model State Drug Court Legislation: Model Drug Offender Accountability and Treatment Act” in 2004. Currently, legislation is proposed which will help institutionalize drug courts in Florida making them sustainable both through statute and dedicated funding streams. This legislation reflects the vision Robert had for our drug courts. The legislation submitted this year is sentimentally and appropriately titled, “The Robert J. Koch Drug Court Intervention Act”.

Robert lived life to the fullest enjoying spending time and traveling with his adoring wife, Melanie May. They traveled the globe together, hand-in-hand, cherishing each vacation, no matter the destination. He loved animals, the ocean, and all the beauty this earth holds true, especially Melanie.

He loved playing golf and tennis and was fantastic at both sports. He was born in Port Arthur, Texas but grew up in Argentina where he perfected his tennis game. He earned a scholarship to East Texas University to play tennis and received his Bachelor of Science Degree in Political Science and Economics.

Robert played tennis professionally and worked as a tennis pro for many years before focusing his energy toward counseling those with alcohol and substance abuse addictions. He witnessed the tragedy that alcoholism brought upon a friend who ultimately ended his life. Robert decided that he would make a “Difference” in the world and pursued his Master of Science Degree in Mental Health Counseling from Nova Southeastern University in 1997. Robert was involved in substance abuse counseling in a myriad of modalities, including private practice (specializing in DUI offenders), and as a vital member of the Broward County Drug Court Program from 1992 thru December 2000. He worked in almost every component of the drug court system: as counselor in a detox unit; an out-patient counselor; in developing and implementing a culturally sensitive program for Spanish-speaking clients; running the jail-based treatment program (identified as ATACC); as a special projects coordinator/court liaison; and was instrumental in the creation and development of the Broward County Drug Court Reentry Program from both jail and prison-based treatment. He accomplished so much in such a short time.

The toughest part about losing Robert is that we are left with heavy hearts. We can find comfort knowing his spirit is soaring through the blue skies still making a difference through all that we do to help addicts find sobriety and make contributions back to society. He lives on through our actions and we must find peace in his passing by cherishing the memories and times we shared with him. I am quite sure a bell rang sweetly on August 1, 2005.



Robert Koch, Judge Melanie May and Governor Bush
Florida Drug Court Conference, St. Augustine, FL, December 2004

“Reminiscing and Missing Robert”

The following tributes were written by some of Robert's loving friends and colleagues. Putting memories and feelings to words proved very difficult for many who chose not to send their reflections.

The Honorable Marcia Beach, Circuit Court Judge, 17th Judicial Circuit: Robert was a truly dedicated and inspirational professional. His commitment to addiction treatment and to the advancement of Drug Courts will not be forgotten by the Drug Court professionals in the Seventeenth Circuit. I sincerely missed his encouraging countenance at our last Drug Court graduation. He was always there, when not in person, always in spirit.

And, his love, so obvious from his actions and expressions, shown to his wife Judge Melanie May, was that of a model husband and friend. I believe Robert is truly an angel now and will be watching out for those who need an angel most.

Gayle Clewis, Juvenile Coordinator, 17th Circuit: The first time I met Robert was at a youth Drug Free Coalition function and Melanie introduce him to me. That same day when Melanie and I had a minute alone she described him as the most romantic man she ever knew. I got to know him better when he was working as a therapist for the Adult Drug Court Program and I was the Court liaison for Adolescent TASC. About 3 x a week I would stop in the office and chat with Robert and Teddy Meisel (Robert's supervisor). At some point, I became aware that Robert was Melanie's soul mate and it made me like him even more. It was at that time I nicknamed him “Cinderfeller”. I explained to him that I called him that because...who else goes to a Drug Court Conference, meets a beautiful Judge, falls in love and now drives her Porsche. I came to love and respect Robert as much as I do Melanie May. He impressed the hell out of me because he didn't depend on his wife the Judge to get him places in Drug Court. He worked hard for the program and the clients. He was truly dedicated to the Drug Court System and will never be forgotten by anyone he came in touch with. I hope this gets to you. Love, Gayle

Diana Diaz, Drug Court Coordinator, 11th Judicial Circuit: Although I never had the honor of working directly with Mr. Koch, I have heard wonderful things about him. He is very missed by his colleagues here at drug court.

Martin Epstein, Assistant State Attorney, 15th Circuit: Robert Koch through my eyes was a great athlete at tennis and golf, except when his best friend and loving wife, Melanie beat him at the game he so loved--golf; a crusader to cure and rehabilitate all sources of addiction; a fighter for drug courts everywhere; a better wine selector than anyone I knew; an extraordinary speech writer with a dramatic flare for details; but most of all, for me, a very special, compassionate friend who called me weekly and sometimes daily to inquire about my wife, Alice and always there to talk or lend a hand any time day or night.

Jennifer Grandal, OSCA: Robert's tragic passing has affected me more than I could have ever imagined and has truly changed my perspective on life. I now realize more than ever how much we must appreciate those we care about for we never know when we can lose them. Robert was a special person to me. I will always remember how accommodating and kind Robert was whenever I would contact him with all of my many requests for information on drug court. He would always say “Anything for you Mrs. Grandal”. Those words will be engrained in me forever. I will always remember Robert as a special human being, one that was always understanding, thoughtful, kind, and open. I will always admire his dedication to drug courts and all of the contributions he made to the field and to society as a whole. Those gentle blue eyes and the always apparent and infectious love between him and Judge May will never be forgotten.

I'm thankful for having known Robert. He has touched my life forever and I feel that I am a better person for having known him. We miss you Robert!

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Eve Janocko—I enjoyed our many discussions about drug courts in Florida and around the nation and how we were going to make a difference and change the system. Some of my favorite times were when we really chatted about life and family, the important stuff. He always asked how my family was and what was going on in my life. He truly cared. I always got a kick out of hearing about the latest travel adventure or planned itinerary. He so loved going on vacation and spending time with Melanie and always said, “He was the luckiest guy to have it all”. One thing I will always remember and miss about Robert is the way he greeted you with his shoulder hug and that unmistakable, ‘Happy to See You Smile’. His smile will always be with me, a part of me that I will never forget and will always cherish. When I feel sad he is gone, I can see that happy smile in my mind and it makes me smile right back. Your spirit lives on through all we do to make a difference. Until we see each other again....God-speed My Dear Friend!

Jane Muir-Isherwood, Drug Court Coordinator, 16th Judicial Circuit: Robert turned me on to the TV show “House”. I was suffering from “Alley McBeal”/ “Sex in the City” withdraw, and was really depressed. Now every time I watch “House”, I think about Robert, and acknowledge that his spirit is still with us.

The Honorable Gisele Pollack, County Court Judge, Broward County: The road to love is occasionally paved with good intentions! My dear friend Melanie concerned about my singleness and meeting a nice man, chose to take a walk on the beach to investigate a prospect for me. The beach happened to be in Naples, Florida at the time of our first State Drug Court Conference in the summer of 1996. Melanie’s piercing investigative expertise of course proved fruitful and approving. Robert captured Melanie’s heart, and she his.....With love to two very special friends.

Frank Rabbito---We had such a great friendship and he was such an asset to our court system and I enjoyed so much working with him on a daily basis. One of the areas in which I had the most fun was determining the outcome of national and state elections. I lost every bet with him when it came to elections, which resulted in me picking up his lunch. I knew I would lose, but it was fun to hear him say “I told you so boss now when are you taking me to lunch?” I can’t remember how many times he said that to me and no election will be the same for me either. He would really rub it in precinct by precinct.

Jim Santangelo, Drug Court Manager, Eighth Judicial Circuit-- The things I remember most about Robert were his dedication to what we do, his intelligence, his willingness to do whatever needed to be done, the knowledge he had about what we do, but most of all....his sense of humor. I think I have a fairly highly developed sense of humor, I seem to be able to annoy those around me on a regular basis just ask anyone I know and Robert could more than hold his own with me, or anyone for that matter.

The story I will keep with me most about Robert is that during the national conference last year in Orlando, when he was waiting to hear the outcome of his biopsy (I did not know that at the time), he came up to me the first day of the conference and asked how my wife Wanda and I were doing. He was so concerned about what we'd been through the previous year with her illness and she had recently finished her chemo and radiation treatments and was doing really well for the first time in over a year. We were both (Wanda and I) feeling alive for the first time in a LONG time. He, and Melanie, seemed so happy to hear that she was doing well and was so supportive, it really moved me. A couple of days later, (after he had heard the results of the biopsy from his doctor I later heard from Christina) I was standing at the back of some workshop and he came up next to me and just put his arm around me and smiled at me. He didn't say anything, just stood there with his arm around my shoulder for a minute or so smiling at me before moving on. In hind sight it now seems as if it was something of a sad smile, but I didn't get that then. I felt very close to him at that moment and as a gesture it was so comforting to me. As he moved away from me I thought about how fortunate I was to be able to work with all of you truly amazing people who share this passion for what we do. The last time I ever saw him was later that evening in passing in the lobby and as I write this, I begin to cry again and cannot believe he is gone.....

Guy Wheeler, Consultant : "Robert the Visionary"-- In 1996, while Robert and I constantly discussed ideas to improve drug courts, I asked Robert to replace me as a presenter at the Florida drug court conference in Naples. Robert thanked me for the invitation and became somewhat emotional about the opportunity. Immediately, he glared toward the horizon and mentioned, "**This trip will change my life**". **Within the next breath and the most intense direct look one can imagine, he stated,** "*Boss, I see myself on a journey to change the criminal justice system.*"

Robert began this journey two months later when he powerfully displayed his great knowledge at the Naples drug court conference. The following Monday, Robert returned to work like a pilot in battle--eager to implement his mission.

Quickly, Robert began to use his creative talents when he wrote the drug court curriculum in Spanish. This curriculum drastically reduced the drop out rate of Spanish speaking clients who attended drug court. Next, he tirelessly worked day and night to help transform Broward's then inefficient Drug Court Phase system. Many clients were stagnated in Phase One of the program until Robert created an additional phase (Before Arraignment Phase) to precede Phase One.

In full flight, Robert designed a continuity of care system that built a bridge between the drug court program and our jail treatment (ATACC) program. To assist rearrested drug court clients, who needed a more restricted environment, Robert amended the jail curriculum to match the clinical needs of this new population.

Years later, Robert played a pivotal role in transferring one of the largest drug courts in the country to our local sheriffs' department. As a social revolutionary, Robert became a change agent on both our state and national drug court boards; and these few comments are only a needlepoint to the fabric of his vast contributions.

Robert prophetically spoke his future into existence during our 1996 discussion when he stated that the Naples conference would change his life. Little did Robert know prior to the Naples trip he would meet his wife--Judge Melanie May. Little did Robert know, his life would change our lives, and the lives of paralyzed drug infested humans who could now fly again.

In reflection, Robert's vision constantly reminds me "to glide beyond the ocean of pain to help the hopeless toward the land of dry tears". Thanks Robert! Your Friend and Former Boss! Guy

The following individuals have been nominated as the 2006-2007 Slate of FADCP Officers/Board Members. If you would like to submit a self nomination or that of another who wishes to serve, please e-mail Eve Janocko at evejanocko@aol.com. We wish to fill positions on the Board that will represent the role of public defender, probation and private bar attorney. The slate of nominees will be voted on during the June FADCP meeting in Seattle at the NADCP conference.

FADCP 2006-2007 Slate of Officers/Board

Executive Board

Chair: Judge Melanie May, 4th DCA, DCA Judge, 15th Circuit

Vice Chair: Judge Gisele Pollack, 4th DCA, County Court Judge, 17th Circuit

Treasurer: Jim Santangelo, 1st DCA, Coordinator, 8th Circuit

Secretary: Michael Jewell, 5th DCA, Coordinator, 7th Circuit

Past Chair: Martin Epstein, 4th DCA, Assistant State Attorney, 15th Circuit

FADCP Board

Ken Allison, 5th DCA, Treatment, 9th Circuit

Judge Ruth Becker-Painter, 3rd DCA, County Court Judge, 16th Circuit

Chet Bell, 5th DCA, Treatment, 7th Circuit

Judge Jack Espinosa, Jr., 2nd DCA, Circuit Court Judge, 13th Circuit

Dena Geraghty, 2nd DCA, Treatment, 20th Circuit

Gary Hilko, 4th DCA, Coordinator, 17th Circuit

Gail Holly, 2nd DCA, Coordinator, 13th Circuit

Jennifer Grandal, 1st DCA, Statewide Coordination

James R. McDonough, 1st DCA, Director, Office of Drug Control

Toby Olson, 4th DCA, Law Enforcement, 19th Circuit

Judge Jose Rodriguez, 5th DCA, Circuit Court Judge, 9th Circuit

Judge Jeffrey Rosinek, 3rd DCA, Circuit Court Judge, 11th Circuit

Robin Wright, 1st DCA, Coordinator, 1st Circuit

Additional Nominations for FADCP Board:

Eileen Hibbert, 3rd DCA, DOC, 16th Circuit

Rudolph Morel, 4th DCA, Assistant Public Defender, 17th Circuit

MISDEMEANOR DRUG COURT, SEVENTEENTH (17TH) JUDICIAL CIRCUIT
By Judge Gisele Pollack, County Court Judge, Broward County

A first of its kind in Florida, and worldwide, the Misdemeanor Drug Court Program (MDCP) commenced in the Hollywood South Satellite Courthouse, Broward County, Florida, on September 9, 2005. The MDCP adheres to the traditional ten (10) key components. Eligible offenses include possession of cannabis, and /or possession of drug paraphernalia, and other misdemeanor crimes subject to the criminal jurisdiction of the county court. Other misdemeanor crimes can be referred to the MDCP by agreement of the State Attorney and the Defendant.

People may participate in pre-trial diversion under section 948.16 of the Florida Statutes and have their charges dismissed upon successful completion. If not qualified for pre-trial diversion, they may participate in MDCP as a special condition of probation, receiving a withhold of adjudication. Participants must complete a minimum of six (6) months of treatment, not to exceed twelve (12) months. The MDCP combines the established drug court model of therapeutic jurisprudence and criminal justice system supervision services with community-based education, substance abuse evaluation and treatment services.

As of December 2005, a little over one hundred (100) participants have entered MDCP. We look forward to celebrating the success of our first graduates within the year. Having listened to felony drug court graduates remark that they often started down the road of addiction with marijuana and alcohol abuse, it made sense to try and address the problem earlier. The phenomenal success of drug courts in reducing recidivism and restoring lives strengthens our hope that a misdemeanor drug court will add to this success by intervening before a felony drug arrest occurs.

Just like the team that makes a drug court successful, thanks are owed to the team of people who made this program possible. Many thanks to Seventeenth Judicial Circuit Chief Judge Dale Ross; Trial Court Administrator Carol Lee Ortman; Florida Office of Drug Control Director, James R. McDonough; Fourth District Court of Appeal Judge Melanie G. May; Broward County Court Judges of the Seventeenth Judicial Circuit including: Administrative County Court Judge Jay S. Spechler; County Judges Gary Cowart and Kathleen Ireland; Broward Circuit Court Felony Drug Court Judge Marcia Beach; Broward County Sheriff Ken Jenne; Director of the Broward Sheriff's Office Department of Community Control, Kristina M. Gulick; Manager Pearlie Meisel of the Broward Sheriff's Office Day Reporting and Reentry Division; Broward County State Attorney Michael Satz; Broward County Public Defender Howard Finkelstein; Broward County Criminal Defense Attorneys Association President Jason Kreiss; Broward County Clerk of Court Howard C. Forman; United Way Broward County Commission on Substance Abuse, Executive Director J.David Choate; Broward-Dade Safety Council Executive Director Douglas Hughes; Addictions Professionals Paul Pellingner and Guy Wheeler; Court Options Director of Program Development George Romagosa; and Director James N. Hall of the Center for the Study and Prevention of Substance Abuse at Nova Southeastern University; without whose help and support, this program would not have been possible.

For further information contact the MDCP Judge Gisele Pollack at (954) 831-0456.

Trying Something New in the Eighth Circuit
By Laura Collopy, Court Officer

Alachua County (Gainesville) has had a successful pre-trial diversion Drug Court program since 1994, and recently decided to expand the program to include individuals who are not eligible for the diversion program due to prior felony convictions. Unlike the model used in many jurisdictions, we were tasked with developing a program that did not involve State Department of Corrections Probation involvement. The Post-Plea Drug Court (PPDC) program began operation on August 1, 2005.

We have a unique resource in the 8th Circuit in the form of the Alachua County Department of Court Services Drug Court Division that is dedicated solely to the supervision of adult felony Drug Court participants. This allows us to think outside the traditional (if anything about Drug Courts can be considered traditional) post-adjudicated model that utilizes probation. The Alachua County Board of County Commissioners funds seven Drug Court staff positions, as well as all the treatment and urinalysis costs for up to 120 participants in the diversion program and 100 in the post-plea program. These resources allow us a great deal of flexibility in the operation of our Drug Court programs.

The goal of the post-plea program is to target non-violent drug offenders who might respond better to the more intensive supervision and treatment that Drug Court can offer over drug offender probation. It is more cost-effective to avoid supervision by multiple agencies, and there is an assumption that given the choice between the more intensive Drug Court supervision and drug offender probation, most defendants would chose probation; therefore, probation has been removed as an option for post-plea participants. The continued criminal behavior of eligible defendants is a direct result of an ongoing drug problem that has never been adequately addressed.

Referrals can come from the defendant, defense counsel, the State Attorney or the Court. Individuals considered for the program are offered a plea agreement from the State Attorney's Office that includes a specific jail/prison sentence or Drug Court. If the defendant agrees to the plea offered, and is accepted by the Drug Court program, they enter the PPDC program and begin treatment. If they are successful in the program their case is closed upon completion of Drug Court and they do not face additional jail time or have any probation to complete. If they are unsuccessful in Drug Court they are returned to the case judge and sentenced according to the terms of the plea agreement they entered.

The program is still in the early stages, and we are still working out the "bugs" that come with any new program. We believe, however, that once we get past the early growing pains, the Court in the Eighth Circuit will have another viable alternative for dealing more effectively with drug offenders. For more information, please contact Laura Collopy at 352-338-7349 or llc@smtp.co.alachua.fl.us.

2006 Legislative Session: Drug Court Bills

House Bill 175
Senate Bill 114/444

Representative Sandy Adams
Senator Evelyn Lynn and Senator Skip Campbell

Drug Court Programs; cites act as "Robert J. Koch Drug Court Intervention Act"; provides additional legislative purposes & intent re; treatment of substance abuse, including use of drug court program model; authorizes court to order specified persons to submit to substance abuse assessment upon showing of good cause in connection with shelter petition or petition for dependency, etc. Amends Ch. 39, 397.334, 910.035, 948.08.,16, 985.306. EFFECTIVE DATE: Upon becoming law.

Senate Bill 940
House Bill 709

Senator Bill Posey
Representative John Quinones

Court Costs for Drug Court Programs; authorizes counties to provide by ordinance for funding of drug court programs through assessment of additional mandatory court cost; provides for assessment to be imposed against persons convicted of certain violations of drug abuse prevention & control provisions, violations of municipal or county ordinance, or traffic violations involving alcohol or other substance use or abuse & resulting in payment of fine or penalty, etc. Creates 938.20. EFFECTIVE DATE: Upon becoming law.

Track the progress of these bills and become informed by going to Online Sunshine:
<http://www.leg.state.fl.us/Welcome/index.cfm>

FADCP SNIPPETS

“FADCP Member Appreciation Contest”

A coupon to enter the “FADCP Member Appreciation Contest” will be included in an upcoming issue of the FADCP Newsletter. The coupon entry will allow FADCP members to enter a contest to be eligible to receive free registration and hotel lodging for the 2006 Florida Statewide Adult Drug Court Conference tentatively, scheduled for October. The drawing will be held at the FADCP meeting in June at the National Association of Drug Court Professionals conference in Seattle, Washington. FADCP Members do not have to be present in Seattle to win.

Become an Active FADCP Member

It is through volunteers that we are able to accomplish initiatives that support Florida’s drug court programs. If you wish to join or get involved with FADCP initiatives, please E-mail Eve Janocko, FADCP Executive Administrator at evejanocko@aol.com or contact her at 904-825-2615.

“2006 Know Your Legislator Handbooks”

To increase communication with your local legislative delegation, the FADCP has purchased “2006 Know Your Legislator Handbooks” to be distributed to the senior drug court coordinators in each judicial circuit. These handbooks will be distributed in February. Watch your legislative alerts which will from time to time encourage you to solicit support from your legislative delegation on key bills that impact our drug court programs.

FADCP is identifying meeting sites in Miami and dates in October to coordinate an Adult Criminal Drug Court Training Conference

More Details to Follow!!!!!!

Save the Date—August 3-4!!!

The OSCA is coordinating the Family Court Conference scheduled for August 3-4 in Orlando at the Rosen Centre Hotel which will include plenary sessions on substance abuse issues and training tracks for family and juvenile drug courts. For more information, contact the Office of Court Improvement in the OSCA at 850-414-1507 or visit www.flcourts.org (click on Family Courts).

Future FADCP Newsletters

Do you have an article you would like to write for the next newsletter or topics you wish covered? If so, please E-mail Eve Janocko, FADCP Executive Administrator at evejanocko@aol.com or contact her at 904-825-2615.