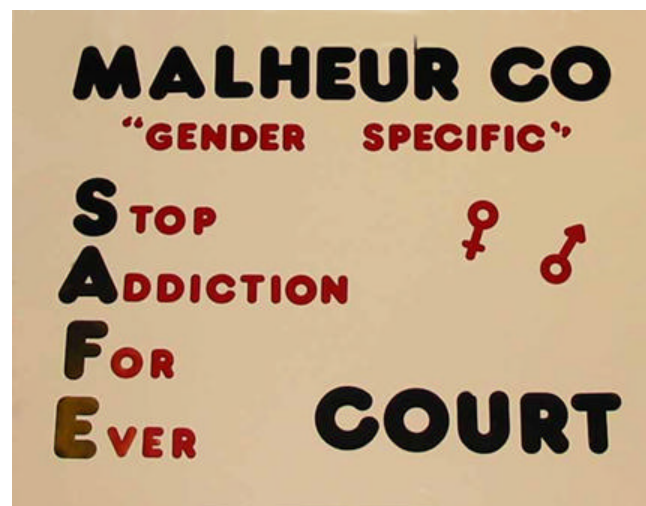




www.npcresearch.com

***Malheur County Adult Drug Court  
(S.A.F.E. Court) Process Evaluation  
Final Report***



***Submitted by***

**NPC Research, Inc.**

Shannon M. Carey, Ph.D.

Judy Weller, B.S.

Christopher Heiser, B.S.

**September 2003**

# **Executive Summary**

The Malheur County Adult Drug Court, also known as the S.A.F.E. (Stop Addiction For Ever) Court, held its first court session on January 18, 2001. The S.A.F.E. Court is unique in that it is a gender specific Drug Court with a male Judge, Treatment Therapist and Probation Officer for the men and a corresponding female Judge, Therapist and Probation Officer for the women.

Before implementation of the S.A.F.E. Court, the Malheur Court received a planning grant from the Drug Courts Program Office (DCPO) in 1999, which they utilized for drug court trainings and planning meetings with several justice system and other community players. Following receipt of an implementation grant from the DCPO in September 2001, NPC Research was hired to perform a process and outcome study of the S.A.F.E. Court. This report includes the process evaluation performed by NPC, using the Ten Key Components of Drug Courts (developed by the NADCP in 1997) as a framework. The Malheur County S.A.F.E. Court was evaluated on its ability to demonstrate these key components. The chief results are as follows:

## ***Ten Key Components of Drug Courts***

### **Component 1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.**

The ability to integrate alcohol and other drug treatment services with justice system case processing is one of this Drug Court's biggest strengths. The S.A.F.E. Court Team includes members from many different agencies, all working positively together. Team members are encouraged to share information about each client and voice their opinions about possible actions before coming to a consensus on the final decisions. Observations show that the Team has good communication and cooperation, both of which allow the Court to act swiftly when problems arise.

### **Component 2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.**

The Prosecution and Defense Counsel believe that that the individual mission of each has not been compromised by their participation in Drug Court. Instead of being adversaries, they use a cooperative, team approach when working with Drug Court clients. While providing a united front in the courtroom, the District Attorney continues to represent the best interest of the state, and the Defense Attorney continues to advocate for the clients in staffing. Public safety and clients' rights continue to be protected, as well.

### **Component 3. Eligible participants are identified early and promptly placed in the drug court program.**

Similar to many drug courts, the S.A.F.E. Court process has been challenged in its efforts to identify eligible participants early and to promptly place them in the program. Although it varies, the length of time from arrest to entrance into Drug Court is generally quite long—up to six weeks, due partially to a backlog created by a statewide budget crisis. There is also some concern that the District Attorney’s Office is not completely aware of the S.A.F.E. Court eligibility criteria and therefore is not referring as many participants as possible. However, most of the issues influencing length of time from arrest to entry into S.A.F.E. Court are outside the control of the S.A.F.E. Court. However, the length of time from referral to entrance into the program is under the control of the S.A.F.E. Court, and is much shorter (as short as one week).

### **Component 4. Drug courts provide a continuum of alcohol, drug, and other related treatment and rehabilitation services.**

The S.A.F.E. Court excels in the area of providing alcohol, drug, and other related treatment and rehabilitation services. Along with drug and alcohol treatment, clients are offered a variety of services, such as mental health treatment, employment training, educational programs, domestic violence, and parenting. They are also given mental health, medical, and dental referrals.

### **Component 5. Abstinence is monitored by frequent alcohol and other drug testing.**

Based on the results from the American University National Drug Court Survey (Cooper, 2000), the number of urinalyses (UAs) given in this Drug Court is comparable to the large majority of drug courts nationally. The S.A.F.E. Court's two to three UAs a week during the first two phases and one to two UAs a week in later phases is typical of drug courts nationally. However, the S.A.F.E. Court is above the national average for number of UAs in the last two phases, due to the Team’s desire to measure continued abstinence as supervision decreases. S.A.F.E. Court clients who are alcohol abusers receive regular breathalyzer tests on the same schedule as the UA testing.

### **Component 6. A coordinated strategy governs drug court responses to participants’ compliance.**

The S.A.F.E. Court Team is exemplary in having a coordinated strategy around participants’ compliance. The Team works together to determine sanctions (based on their written guidelines) and rewards, with the Judge making the final decision. The Probation Officer and Treatment Therapist may give immediate sanctions for certain violations, an excellent example of swift sanctions. This is followed by notification of the Judge and the Team and discussion of the violation and sanction at the next staff meeting.

**Component 7. Ongoing judicial interaction with each drug court participant is essential.**

S.A.F.E. Court participants are required to be in court every two weeks, regardless of phase level, which means that they have very regular contact with their Judge. Participants who are in residential care check in with their Judge by speakerphone during Drug Court sessions. The Judges are involved in all decision-making for each participant.

**Component 8. Monitoring and evaluation measure the achievement of program goals and gauge their effectiveness.**

The S.A.F.E. Court staff was very supportive of this evaluation. They made themselves available for interviews, responded to multiple follow-up questions and welcomed the evaluation staff into their meetings. The Coordinator responded quickly to evaluation staff requests, helped set up site visits and focus groups and facilitated communication between the evaluators and the S.A.F.E. Court Team. The S.A.F.E. Court also performs good self-monitoring and makes adjustments to process and policy as warranted.

**Component 9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.**

Education on Drug Court planning, implementation and operation is a high priority for this Drug Court. All Drug Court Team members attend drug court trainings on a regular basis, and several have observed other drug courts as well. New information is brought back and discussed with the Team.

**Component 10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.**

The S.A.F.E. Court has strong relationships with a large number of community agencies, most of which have provided staff to be part of the S.A.F.E. Court Team. For example, the Employment and Training Consortium aids clients in finding employment, a requirement of the S.A.F.E. Court. The Court also has strong ties with the Department of Human Services (DHS), Adult and Family Services (AFS), and the Department of Housing and Urban Development (HUD), among many other agencies. The S.A.F.E. Court continually works toward creating positive relationships with community members.

***Comments and Observations***

One of the notable features of this Drug Court is that clients in residential care participate in Drug Court by phone, thus allowing them to continue in the S.A.F.E. Court program and maintain their relationship with the Court.

Another notable practice is participation in the Community Corrections' website (not public), which allows Police Officers to keep up-to-date on Drug Court clients and monitor them closely in the community.

Women clients who participated in the focus group were extremely positive about S.A.F.E. Court and had difficulty finding anything negative to say about the Program or Program staff. They did report that they felt the cost of the program was too high.

Men clients who participated in the focus group were more than a little concerned about the costs of the program.

Allowing Probation Officers and Treatment Therapists to provide immediate sanctions (following specific guidelines) is a laudable practice of this Court. This provides immediate consequences that help modify behavior.

The clients have very positive relationships with the two Judges. They want the Judges to be proud of them, a strong motivating factor for avoiding use.

### ***Recommendations***

**Explore the option of becoming self-sustaining:** With the instability of funding due to the budget crisis in Oregon, the S.A.F.E. Court might wish to consider becoming self-sustaining as a way to ensure the stability of the Drug Court.

**Monitor gender attitudes:** In some ways it appears that the gender-specific treatment leads to some polarization in attitudes toward the two genders, resulting in some gender stereotyping. In addition, separating the participants into two groups leads naturally to group identities and competition between the two groups. It is recommended that the Team examine the tendency to have disparate attitudes toward the two genders and guard against having this influence their decisions and actions.

**Try monthly fees:** Most participants were unhappy with the cost of the S.A.F.E. Court. It is possible that this is partially due to the frequency of payments per week. Monthly treatment fees (or fees every other week) and an opportunity to buy a month's worth of UA coupons in advance may reduce the salience of this issue for participants while retaining the point that the participants are receiving a valuable service.

**Consider decreasing the number of court appearances as a reward:** Clients of S.A.F.E. Court often have difficulty traveling to Vale to for S.A.F.E. Court sessions. For that reason, decreasing the number of court appearances may be a particularly effective reward for S.A.F.E. Court clients who are doing well in the Program.

### ***Summary/Conclusion***

The Malheur County S.A.F.E. Court demonstrates the Ten Key Components of Drug Courts in an exemplary fashion. The Program is well organized due, in a large part, to a well-organized Drug Court Coordinator. It was reported that the Ten Key Components were used in designing and implementing the S.A.F.E. Court Program and it is evident that this is the case.

The one Key Component that was less strong than the others was the early identification and prompt placement of eligible clients in the S.A.F.E. Court Program, both of which may be improved after examination by the S.A.F.E. Court Team members.

The Malheur County S.A.F.E. Court Program is well organized, has a highly integrated and diverse Team, and an unusually large number of positive community relationships and support. In addition, the S.A.F.E. Court has several unique and notable practices, such as their gender specific services. Notable strengths include a strong commitment to education and the ability of both Judges' to show their care and concern for S.A.F.E. Court clients.

# Table of Contents

Executive Summary..... i

Introduction..... 1

Methods..... 2

    Site Visits ..... 2

    Key Informant Interviews ..... 2

    Focus groups ..... 3

    Document review ..... 3

    Administrative data analysis ..... 3

Results..... 4

    Malheur County S.A.F.E. Court Process Description ..... 4

    Participant Focus Group Results..... 21

    10 Key Components Results ..... 26

Summary/Conclusion ..... 34

## Introduction

Malheur County is one of Oregon's poorest Counties. According to 1997 census figures, 19.6% of the County's adult population lived below the poverty line, along with 26.0% of its children, the highest that year in Oregon. The median household income in 1997 was \$28,204. According to the 2000 census, Malheur County has a population of 31,200 with a high proportion of Hispanics. While the overall population is about 30% Hispanic, Hispanics, primarily males, account for around one half of all arrests for alcohol related traffic offenses.

Examination of case statistics from the District Attorney's Office show increased numbers of substance abuse prosecutions, despite extremely limited law enforcement activities targeting drug crimes. In 1999, there were 158 felony prosecutions for substance abuse violations, but in 2000 the number was 308, with no increase in enforcement activity to account for the difference. The vast majority of these cases involved methamphetamine. In addition, Malheur County has had one of the highest rates of impaired driving arrests in Oregon consistently for the past 30 years, and a high rate of alcohol related crashes, including crashes resulting in death or serious injuries. In 1999, there were 376 prosecutions for Driving Under the Influence (DUI), and 286 in 2000. There has also been a marked increase in the number of people arrested for impaired driving due to use of controlled substances, particularly methamphetamine, either alone or in combination with alcohol. With these statistics in mind, Malheur County began planning a drug court and was awarded a program planning grant in 1998.

The planning grant allowed key participants to attend trainings and planning sessions, and to receive technical assistance to determine the need for a drug court program in Malheur County, and the form that program should take. The Malheur County Adult Drug Court, which is called the S.A.F.E. (Stop Addiction Forever) Court, is an adult post-adjudication program for repeat offenders who have substance abuse problems. The S.A.F.E. Court is gender specific. There are two concurrently running Programs, one for women and one for men, headed by a female and male judge respectively. By providing a gender-based Program to offenders, the County hopes to increase successful participation and completion of long-term treatment. Further, the County intends to enhance Program services so that it can offer a comprehensive and culturally sensitive Drug Court Program for a larger number of participants, particularly the large Hispanic population.

On January 18, 2001, Malheur County held its first S.A.F.E. Court session. Arrangements were made to collect client data in a drug court database, the Drug Court Case Management System (DCMS), which is used in several counties in Oregon. In September of 2001, Malheur County received a drug court implementation grant from the Drug Court Program Office (DCPO) at the National Institute of Justice. This grant provided funds for evaluation and NPC Research was hired to perform a process and outcome study of the Malheur County S.A.F.E. Court.

This report contains the process evaluation for the S.A.F.E. Court performed by NPC Research. The outcome evaluation will be completed in August 2004. The Ten Key Components of Drug Courts (developed by the NADCP in 1997) were used as a framework for the evaluation, and this court was evaluated on its ability to demonstrate these key components. The first section of this



report is a description of the methods used to perform this process evaluation. This section describes the protocols used to obtain information on the drug court process, including site visits, key stakeholder interviews, focus groups, document reviews and an examination of the Drug Court database. The results portion of this report consists of three sections. The first results section contains a detailed process description of the S.A.F.E. Court, the second section contains the results of the focus groups conducted with the S.A.F.E. Court participants, and the third section contains a list of the Ten Key Components of Drug Courts with a discussion for each component on whether this court demonstrated that component and how well. A summary of the results with overall conclusions can be found at the end of this report.

## **Methods**

Information was acquired for the process evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups and the Drug Court database. This information was then used to answer specific evaluation questions related to the Ten Key Components of Drug Courts. The methods used to gather this information from each source are described below. Once this information was gathered, a detailed process description was written and sent to the S.A.F.E. Court for feedback and corrections. The S.A.F.E. Court process was then evaluated, using the Ten Key Components of Drug Courts as a framework to determine the extent to which these key components were being demonstrated by the S.A.F.E. Court Program.

### ***Site Visits***

NPC evaluation staff traveled to the Malheur County S.A.F.E. Court to observe court sessions and S.A.F.E. Court Team meetings. These observations gave the evaluation staff first-hand knowledge of the structure, procedures, and routines of the Drug Court as well as allowing an observer's view of Team interactions to help evaluate the cohesiveness and integration of the Drug Court Team members.

### ***Key Informant Interviews***

Key informant interviews were a critical component of the process study. NPC staff interviewed 16 individuals involved in the S.A.F.E. Court, including the S.A.F.E. Court Coordinator, both S.A.F.E. Court Judges, the District Attorney, the Public Defender, the Treatment Providers, and Probation and Law Enforcement representatives, as well as other individuals who were involved in the S.A.F.E. Court. NPC Research, under a grant from the Bureau of Justice Assistance and the Administrative Office of the Courts of the State of California, designed a Drug Court Typology Interview Guide to provide a consistent method for collecting structure and process information from drug courts. This guide was modified to fit the purposes of this evaluation, including adding questions related to how the S.A.F.E. Court operated in terms of the Ten Key Components of Drug Courts (NADCP, 1997). (More information on the Ten Key Components is included in the evaluation results, below.) The information gathered through this guide helped the evaluation team focus on important and unique characteristics of the Malheur County S.A.F.E. Court.

The topics for this Typology Interview Guide were chosen from three main sources: the evaluation team's extensive experience with drug courts, the American University Drug Court

Survey, and a paper by Longshore, et al. (2001), describing a conceptual framework for drug courts. The typology interview covers a large number of areas -- including specific drug court characteristics, structure, processes, and organization -- that contribute to an understanding of the overall drug court typology. Topics in the Typology Interview Guide include eligibility guidelines, the drug court program process (e.g., phases, treatment providers, urinalyses, fee structure, rewards/sanctions), graduation, aftercare, termination, the non-drug court process, the drug court team and roles, and drug court demographics and other statistics.

Key people involved with the S.A.F.E. Court were asked many of the questions in the Typology Guide during site visits and through multiple follow-up phone calls. This served three purposes: 1. It allowed us to spread the interview questions out over time, minimizing the length of the interview at any one point in time, 2. It provided us with an opportunity to connect with key players throughout the duration of the evaluation, maximizing our opportunities to obtain information, and 3. It allowed us to keep track of any changes that occurred in the S.A.F.E. Court process from the beginning of the project to the end.

### ***Focus groups***

NPC Research conducted two focus groups at the Malheur County S.A.F.E. Court, one with the men and one with the women. Both current and former S.A.F.E. Court participants were included in these groups. The focus groups gave the participants an opportunity to share their experiences and express their perceptions about the S.A.F.E. Court process with the evaluation staff. Feedback from S.A.F.E. Court participants was also relevant to addressing Key Component #2: whether drug court participants felt that their due process rights had been protected.

### ***Document review***

The evaluation team reviewed documentation from the S.A.F.E. Court Program that would further the team's understanding of the S.A.F.E. Court history, operations, and practices. These documents included staff job descriptions, program grant proposals, policy manuals and meeting minutes.

### ***Administrative data analysis***

The Oregon Drug Court Management System (ODCMS) was developed by the Oregon Judicial Department, State Justice Institute. The database was still in the pilot stages during this evaluation, with the most recent version of the database being implemented less than one month ago. This most recent version is thought to be the final version, but it is still being tested. The database allows drug courts to record information on client demographics, drug court hearings, drug testing, treatment providers, substance abuse, criminal history, case notes, outcomes, and follow-up information. While this database will be used primarily for the outcome evaluation, it also provided valuable information for the process evaluation, including information on how the database was being used by this court (as different processes at different drug courts lead to drug court staff using the database to suit their unique needs). This database provided the evaluation team with information on the types of clients served by the drug court, the frequency of drug court hearings and the types of treatment, monitoring, and sanctioning processes.

## **Results**

The following results include a detailed process description of the Drug Court's current operations, a description and discussion of the focus group results, and an evaluation of the drug court process in terms of the Ten Key Components. Points of interest, issues, or successes experienced by the Drug Court are highlighted within the text as either "comments" or "observations." "Comments" contain information gathered directly from interviews with S.A.F.E. Court staff or from participants, while "observations" contain information from evaluator observations of drug court processes.

### ***Malheur County S.A.F.E. Court Process Description***

The following information was gathered from interviews, S.A.F.E. Court documents (such as the policy manual) and observations of the Malheur County S.A.F.E. Court. The majority of the information was gathered from the interviews and, as much as possible, the evaluators have attempted to represent the information in the same words in which it was given.

#### **Overview**

The Malheur County Drug Court (also called S.A.F.E. "Stop Addiction for Ever" Court) first opened its doors to clients in January of 2001. This Drug Court is unique in that it is gender specific, with a female Judge for women participants and a male Judge for the men. S.A.F.E. Court sessions are held separately for men and women on alternating weeks. There is also a female Therapist and Probation Officer for the women and a male Therapist and Probation Officer for the men. However, both the women's and men's S.A.F.E. Court requirements are the same and other members of the Team, such as the Coordinator, the Defense Attorney and the District Attorney, are consistent across both genders.

#### **Implementation**

Planning for the Malheur County S.A.F.E. Court began in January of 2000. Judge J. Burdette Pratt met with the District Attorney, the Public Defender, Community Corrections, Malheur County Juvenile Department and Treatment Providers at Lifeways (treatment agency) to discuss the concept. Members of the planning team included Judge Pratt, Judge Patricia Sullivan, Mark Alexander (Police representative), Manuel Perez (Defense Attorney), Scott Martin (Parole and Probation), Marti Hooper (Therapist), Mike Kee (Chief of Police), Jim Palmer and Linda Cummings of the Malheur County Juvenile Department and Curt Karstrom (from the Training & Employment Consortium). Jack Peterson (from the Alcohol Recovery Center) and Roy Lara (Lifeways Therapist) were also involved in the implementation process. The Defense Attorney, Police representative, Treatment Therapist and both Judges also attended conferences and visited other drug courts in Oregon and out of state.

The Malheur County Drug Court began operations in January 2001. A Drug Court Coordinator (Christine Mosier-Cryslar) was hired in April 2001 and a Drug Court implementation grant was awarded to the Program from the Drug Courts Program Office (now the Bureau of Justice Assistance) in September of that year. A .5 FTE Drug Court Specialist was hired in April 2001

with this position becoming a 1.0 FTE Drug Court Coordinator in January 2002 with the advent of the implementation grant funding.

### **Capacity and Enrollment**

Annual capacity of the Drug Court is 35 participants total, including both men and women. As of July 2003, from the time of its inception in January 2001, 113 clients have enrolled in the Malheur County Drug Court Program (69 male, 44 female). The majority of those enrolled have been white (66%) with a large minority (31%) of Hispanic participants. One African-American and 3 Native-Americans have entered the Program. Twenty-six participants have graduated (17 male, 9 female) and 49 have been terminated. The number of terminated participants has decreased from year to year, as the Program learned about what was needed to maintain participation and adjusted the process accordingly. There are currently 37 active participants.

### **Drug Court Goals**

Overall, the goals of the Malheur County Drug Court are to help participants become clean and sober, improve their lives, and reduce their involvement with the criminal justice system.

The Drug Court Team members also provided specific goals in relation to the overall goals of S.A.F.E. Court. These are to:

- hold clients accountable for their actions
- help clients have a better family life
- increase clients' competency
- keep the community S.A.F.E.
- help clients feel that they are part of the community
- have clients successfully complete probation
- reduce police contacts
- help clients regain trust in a system they do not trust
- improve lifestyles
- keep people alive
- have a new approach to dealing with clients
- get people through treatment
- teach people different skills to deal with the stresses in their lives
- show clients a different way of living and support them
- give people tools to stop committing crimes

### **Incentives for Offenders to Participate and Complete the Program**

The Malheur County Drug Court is a post-plea Program. The majority of those who enter the Program at this time are referred from Probation. Incentives for graduation for clients who enter the Program through probation violations are early termination of probation or receiving bench probation. Charges are not dismissed upon graduation, but there is the possibility that jail time or some fines may be reduced. People who are out on conditional discharge may have some charges dismissed.

It is also possible for clients to be referred to Drug Court due to a Drug Court eligible arrest charge (although this happens rarely). In these cases, the referring charge may be dismissed upon graduation.

The Drug Court Team reports that the main incentive for entering the Program, aside from the reduction of sentences or the dismissal of charges, is the possibility of becoming clean and sober.

### **Eligibility**

The main eligibility requirements to enter S.A.F.E. court are:

- a) The offender must be convicted of two or more DUII in Oregon, but not felony DUII; **or**
- b) The offender must be convicted of two or more drug related crimes; **or**
- c) The offender must be on probation with a documented drug problem and be in danger of failing probation because of drug use;

**And** the offender must meet federal requirements as well as local program requirements.

More specifically, offenders with either felony or misdemeanor crimes may be accepted into Malheur County's S.A.F.E. Court. Possession charges, second and third DUII charges (in Oregon), and theft charges related to alcohol and drugs are targeted for entry into Drug Court. However, the S.A.F.E. Court will take almost any charge as long as there is no history of violent crime or drug sales and there is a demonstrated drug use problem (e.g., the offender has prior drug or alcohol related charges or documented probation violations related to drug or alcohol use).

Clients entering the Malheur County S.A.F.E. Court must also meet the following criteria:

- Must be adult
- Must have a history of substance abuse
  - o Those entering on a DUII charge must have at least two convictions
  - o Those on probation must have two documented positive drug tests
  - o Those referred through Probation must have a documented history of use while on supervision
- Must be eligible for probation
- Must have at least 15 months of probation remaining on his/her sentence, be failing probation, and have a substance abuse issue
- Cannot be dealing or manufacturing drugs
- Must be a resident of Malheur County
- Cannot be a first-time offender
- Cannot have violent crimes on their record
- May come into Drug Court on a property crime if they have a documented history of drug or alcohol use
- Cannot have a current Assault IV (physical assault with no resulting injury)
- Cannot be currently involved in another drug court program
- Must not have a serious mental illness

The step-by-step process for a client entering Drug Court begins with a referral to the Drug Court Coordinator from the Judge, DA, Defense Attorney, Probation Department, Treatment Providers, or the Jail. For clients referred by Probation, a Probation Officer completes a worksheet concerning Drug Court eligibility and forwards it to the head of Community Corrections, who then makes a referral to the Court. Upon receiving a referral, the Drug Court Coordinator provides an initial screening for eligibility by looking in the Oregon Judicial Information Network (OJIN) for information on criminal history. The Coordinator also checks with the DA, the Justice Court, and Law Enforcement Data System (LEDS) for current and past charges. If these information sources confirm that the offender is eligible for Drug Court, the Coordinator then sets up an interview with the eligible offender to explain the Drug Court Program and to determine if the offender is interested in entering. If the offender is interested, he or she can fill out a Drug Court application, the Coordinator writes a report and makes a recommendation to the Judge and the Drug Court Team. The Team reviews the application and makes a decision (votes) at the staffing meeting, although the Judge and the DA have veto power. If the Team accepts a client, the Judge asks the client for a decision at sentencing. The client has a two-week trial period in order to make a final decision to either commit to the Drug Court Program or to “Opt-Out” of the Program without further penalty. Clients with a new charge are generally referred through the DA or the Defense Attorney; otherwise, the process is the same as that described above.

**Comment:** Several of those interviewed expressed concern that the District Attorney’s Office was not referring offenders to S.A.F.E. Court in sufficient numbers and that the majority of S.A.F.E. Court participants were being referred through Probation rather than the DA’s Office.

The length of time from arrest to entrance into the Drug Court Program varies greatly. A small number of clients are offered Drug Court immediately, but most (those coming from Probation) are only offered Drug Court when on the verge of being terminated from probation. However, the length of time from *referral* to entrance into the Program is shorter, although this time also varies depending on whether the offender is being referred from Probation or from a new arrest charge. When an offender is referred into the Program based on new charges, it is a requirement that this person be sentenced prior to entering the Program. Although the case is “fast tracked” through the court system, it could still take up to 6 weeks before entry due to a backlog created by the recent budget crisis suffered by statewide agencies including the Oregon Judicial Department. If a person is referred from Probation, that person has already been sentenced and placed on probation. Therefore, it is common for a person to be referred, to apply, and to be accepted into the S.A.F.E. Court Program within one week of the violation.

All clients are either sentenced to probation, or are already on probation when they enter Drug Court. Participants who complete Drug Court are also finished with probation upon payment of any fees related to the case. (Some fines related to the case will be waived, but not Drug Court fees.)

## **Drug Court Program Phases**

There are six phases in the Malheur County Drug Court Program. Each phase has requirements from Treatment and Supervision or Probation. The amount of time in each phase is somewhat flexible depending upon when each client meets the requirements. Clients must appear before the Judge in Drug Court every two weeks, regardless of the Program phase.

All phases have both Treatment and Probation requirements. Phase II has additional requirements from the Training and Employment Consortium. Job contacts then become a requirement of Probation. Both Treatment and Probation requirements have attached fees. Participants pay for their drug tests (urinalyses and breathalyzers), for their Probation supervision (a monthly supervision fee), and for their treatment sessions. Each drug test and treatment session must be paid for at the time it occurs. Failure to pay results in sanctions. (The sanctions used by the S.A.F.E. Court are described later in this report.)

### *Phase I - approximately 4 weeks:*

#### ***Treatment Requirements***

- Detox
- Orientation Assessment & Treatment
- Treatment Plan Physical (HIV, Hepatitis C, STDs, etc.)
- Dentist & Vision Check-up
- Hygiene Issues - Haircut, etc.
- 1st Step in the 12-step program
- Belief Windows once a month (This is a therapy tool. A visualization technique that the client must do at least once a month with his or her counselor)
- Communication Skills (two times in Process group)
- Check in with Process Group weekly (repeats for each phase)
- Urinalyses/Patches/Breath Test (random) (repeats for each phase)
- 12-step meetings, three per week
- Stabilization in treatment (This is required before moving on to the next phase and would mean demonstrating moving from “Pre-contemplation to Contemplation” of addiction)

#### ***Supervision Requirements***

- Report to PO twice each week
- Pay supervision fee each month (\$50 per month for Misdemeanors and \$35 for Felonies)
- Call in for urinalyses and/or breathalyzer tests
- Pay a \$10 money order or use a coupon for each UA
- A minimum of two UAs per week
- Pay a \$1.50 money order for each breath test
- Follow general and special conditions of probation

Phase II – approximately 16 weeks - 3 contacts with treatment provider per week:

***Treatment Requirements***

- Education, 6 weeks
- Process group (2 groups week), 16 weeks
- Aftercare, 8 weeks (“Aftercare” in this case is a general term used for people who have either been in detox or inpatient treatment)
- Family Night, 1 time only
- 3 hrs individual counseling per month
- 12-Step meetings, three per week
- Dialectical Behavior Therapy, 1 hr/week for 12 weeks if needed

***Training & Employment Consortium (TEC)***

- Some college classes
- Job Search at TEC
- GED classes at TEC or TVCC
- Daily Job Skills classes
- Employer Contact with TEC Case manager
- Employment Evaluation/Testing

***Supervision Requirements***

- Report to PO three times bi-weekly
- Job Contacts 15 per day until gainfully employed (Filling out a job application is considered a “job contact”)
- Other supervision requirements remain the same as above

Phase III - approximately 10 weeks - 2 contacts with treatment provider per week:

***Treatment Requirements***

- Multi-Family Group, meets quarterly
- Process group, ongoing
- Relapse Prevention group, 1.5-2 hours/week for 6- 8 weeks
- Individual counseling, once a month
- Start planning community project
- Plans presented at end of phase
- Family Needs Assessment
- Medical Assessment, if required
- 12 step group, three times/week
- Have a Sponsor/Mentor
- Other treatment groups as needed (ie: FFT, Couples Therapy, MED, Parenting, etc.)



### ***Supervision Requirements***

- Report to PO, once a week
- Other requirements same as previous phases

*Phase IV - approximately 12 weeks - 2.5 treatment contacts per week:*

### ***Treatment Requirements***

- Cognitive Restructuring, once a week
- Mentoring - New/Old “Buddy System”
- 12-steps meetings, 4 times/week
- Individual counseling 1-2 times a month
- Working Community Project begun in Phase III
- Start Hobby, etc.

### ***Supervision Requirements***

- Report to PO, twice per week
- Stable employment and/or attendance in educational programming
- Other requirements same as previous phases

*Phase V – First Aftercare Phase -approximately 5 weeks – 2 treatment contacts per month:*

### ***Treatment Requirements***

- Attendance in weekly Process Group
- Complete Community Project begun in Phase III
- Mentoring

### ***Supervision Requirements***

- Report to PO, twice per month
- Other requirements same as previous phases

*Phase VI – Second Aftercare Phase – approximately 5 weeks - 2 treatment contacts per month:*

### ***Treatment Requirements***

- Attendance in weekly process group
- Individual counseling, every other week
- Mentoring other participants

### ***Supervision Requirements-***

- Requirements same as previous phase

*Aftercare.* The S.A.F.E. Court considers Phase V and VI as Aftercare Phases, although they occur before graduation from the Program. There is currently no formal program for after graduation, although the Team is discussing the idea of instituting one. Graduates have started an Alumni Group, which was not instigated by the Team. Current participants are also welcome to

attend Alumni Group activities. There are currently only women in the group. Men have been encouraged to attend, and some have said they would, but none have attended so far.

### **Requirements to Change Phase**

Clients may change from one phase to the next when they have met all the requirements of a particular phase, as listed above. The time spent in each phase varies according to how quickly those requirements are met.

### **Treatment Overview**

There are two outpatient treatment providers for the Malheur County Drug Court, Lifeways and Brady and Associates. After clients enter the S.A.F.E. Court Program, they complete an alcohol and drug assessment at Lifeways. The assessment follows the American Society of Addiction Medicine (ASAM) criteria. The clients are also assessed using the Drug Use Screening Inventory-Revised (DUSI-R) and Substance Abuse Subtle Screening Inventory (SASSI) tools. The DUSI-R is a screening tool used to identify drug use/abuse. The SASSI tool is used to complete the assessment of drug use. The Diagnostic Statistical Manual of Mental Disorders, Revision IV (DSM IV-R) is also used to give a diagnosis of substance addiction.

Lifeways is a private outpatient facility that also acts as central intake for the Drug Court. Lifeways sees the majority of the Drug Court clients. The female Therapist sees female participants and the male Therapist sees male participants. Brady and Associates currently treats two Drug Court clients. These clients began treatment with Brady and Associates before entering Drug Court and requested to stay.

The Alcohol Recovery Center (ARC) is an inpatient facility for clients in the Drug Court that are mandated into inpatient treatment for alcohol addiction. ARC's involvement with Drug Court clients is limited to the time spent as inpatients. If a client is mandated to ARC, s/he comes with an assessment from Lifeways and is then assessed at ARC with the Patient Placement Criteria, Second Edition-Revised PPC2R, a part of the ASAM placement criteria for level of care. Any participant entering residential care must meet Level III ASAM placement criteria for residential treatment.

The treatment model used by the main Treatment Provider, Lifeways, is total abstinence, cognitive restructuring groups, relapse prevention, education, and processing groups. The Provider takes a holistic approach to treatment; each person is treated as a human being, and one that is capable of change. Lifeways uses Dialectical Behavior Therapy (DBT) in working with clients who show Borderline Personality Disorder characteristics. These participants attend one group each week dedicated to DBT.

Each Drug Court client is required to attend either Alcoholics Anonymous (AA), Narcotics Anonymous (NA) or self-help groups through the faith-based community. The number of meetings a client is required to attend depends on the phase as well as Counselor recommendations. In general, clients are required to attend a minimum of three self-help groups weekly. In addition, clients are required to have a sponsor.

## **Other Drug Court Services**

The Malheur County Drug Court has built relationships with many agencies in the community that provide other services to Drug Court clients. These include a domestic violence shelter for women and a local church that donated space for graduation. The Drug Court also works with the Department of Human Services (DHS) and Adult and Family Services (AFS). In addition, S.A.F.E. Court provides job training as well as a large amount of assistance to help clients find jobs. Other services include education classes, housing through the Housing and Urban Development Department (HUDD), the Head Start Program, batterers treatment, victims' groups, child abuse groups, grief counseling, family therapy, alcohol & drug counseling, and vocational rehabilitation. Drug Court clients also receive referrals for mental health, medical, and dental services. Classes offered include HIV, Hepatitis C, anger management, GED, and parenting education.

## **Team Meetings**

The Malheur County Drug Court Team meets every Tuesday before Drug Court sessions to discuss client progress. The Team makes decisions on sanctions and rewards that will be imposed in Court as well as sanctions that have already been imposed by Probation or Treatment. (This will be discussed further in the section on sanctions and rewards). The Team members who attend these meetings include the Coordinator, the District Attorney assigned to Drug Court, the Defense Attorney, the male and female Therapists, the Treatment Supervisor from Lifeways, the Employment Supervisor, the Police Liaison, on alternating weeks (depending on whether it is the Court day for men or women), the Therapist from Brady and Associates, one of the two Probation Officers and one of the two Judges.

There is also a S.A.F.E. Court Steering Committee that meets quarterly to talk about policy issues and to make policy decisions for the Drug Court. The Judges, the Coordinator, the Director of ARC, the Treatment Supervisor at Lifeways, and the head of Community Corrections are all on the Steering Committee as well as every member of the Drug Court Team. Additional voting members of the Steering Committee include the Malheur County Commissioner, one person from the Department of Human Services, one person from the Educational Service District, one person from the Malheur County Juvenile Department, and the Alumni Association President.

**Observation:** Evaluation staff observed that the S.A.F.E. Court Team worked well together and interacted with one another very positively during staffing meetings. Although they discussed each client's progress seriously and thoughtfully, there was also a good amount of smiling, joking and laughter during the meetings. When Team members disagreed on a point, they discussed their views openly and listened respectfully to the opposing view.

## **Provider and Team Communication with Court**

Clients sign a release at the beginning of the Program that allows information to be shared with the Court. The Treatment Team submits progress reports (UA history, treatment progress, employment, attitude, relapse issues) to the Drug Court Team at the Drug Court meetings. The Alcohol Recovery Center provides progress notes with information such as compliance and

treatment status to the Court on an as-needed basis. Probation discusses client issues such as compliance, UA results, and home visits at the Drug Court meetings, and the Employment Consortium provides information to the Court about the client's employment progress.

## **Drug Court Sessions**

In Malheur County, Drug Court sessions are held every Tuesday and generally last about one hour. Men and women clients attend Court on alternate weeks. The female Judge, Judge Sullivan, presides over the women's sessions and the male Judge, Judge Pratt, presides over the men's sessions, although the two Judges will occasionally sit in for each other. All female Drug Court participants attend every women's session and all male participants attend every men's session, regardless of phase status. The men's Judge calls up all participants in a specific phase group simultaneously, but then speaks to each of the men in the group individually. (The idea is that the men are still receiving individual attention from the Judge, but are also experiencing the benefit of group support.) Once the Judge has finished speaking to each of the men in that phase group, those men can leave the Court session. The women's Judge calls each woman up individually, in a more traditional approach. All women participants stay in the courtroom until each person has spoken with the Judge.

Participants who are in-patients at ARC will check in at the Drug Court session by telephone. Also, if the month has five Tuesdays, the fifth Tuesday is used for all clients (both men and women) who are doing poorly.

**Observation:** The fact that S.A.F.E. Court clients who are in residential treatment check in with the Judge over the phone during court sessions is a unique and notable proceeding for this Court. This phone communication allows participants in residential care to remain active in the S.A.F.E. Court Program and to continue their relationship with the Court.

The Drug Court Team members who attend Court sessions are the Judges (every other week), the head of Community Corrections, the Probation Officers, Defense Attorney, District Attorney, Drug Court Coordinator, Employment Supervisor, Police Liaison, the Treatment Counselors and their Supervisors (from both Lifeways and Brady's) and a representative from DHS. The representative from ARC does not attend Drug Court sessions, but does talk to other members of the Treatment Team regularly and attends the Steering Committee meetings.

## **The Drug Court Team**

**The Judges.** In general, the Judges for the Malheur County Drug Court Program are described as Team Leaders for the men and women's Programs. The Judges provide support and praise to clients, as well as sanctions. In addition, they "MC" graduations and carry out public relations work (e.g., informational talks) in the community. Each judge is a voting member of the SAFES.A.F.E. Court Steering Committee.

The specific tasks listed for the women's Court Judge are to preside over the women's Court sessions, chair staffing meetings before Court sessions, deal with violations, attend Steering Committee meetings, provide assistance with future planning, screen applicants, and make referrals to the Drug Court Program.

The specific tasks listed for the men's Court Judge are to preside over the men's Court sessions, make referrals to Drug Court, chair the Steering Committee, provide leadership, deal with clients, and give out sanctions. He is also the presiding Judge for the County.

Because these are the only two judges in Malheur County, both Judges carry a full docket in addition to Drug Court. They each spend approximately 10 hours per month on Drug Court activities.

***Drug Court Coordinator.*** The Drug Court Coordinator is the point of contact for the Drug Court Team, which means that she is in constant contact with Team members outside of Court, and provides the various agencies with information about the Drug Court and its clients. The Coordinator's role is to coordinate the Team, perform all clerking duties, file, prepare, and enter data in the Oregon Drug Court Management System (ODCMS), write Drug Court protocols, search for and write grants, prepare budgets, direct the clients' community service projects, and do public relations work in the community. She also does all the screening after a referral, checks clients' criminal history, interviews the clients, makes recommendations to the Team about the clients, collects payments, ensures that grant requirements are being met and generates reports. In addition, the Coordinator organizes graduations and Steering Committee meetings (and is a voting member).

***Treatment Providers.*** Lifeways serves as the Treatment Provider for the Malheur County Drug Court Program. Lifeways' role is to provide and monitor treatment, give status reports to the Court, attend Drug Court related meetings, perform individual counseling, and conduct process groups. Both the Director and Treatment Supervisor at Lifeways are voting members of the S.A.F.E. Court Steering Committee.

The Program Manager at Lifeways attends all Drug Court meetings and Court sessions, spending about one third of his time on Drug Court. There are also two Therapists on staff who work with Drug Court clients, one for the men and one for the women. The Therapists' role is to engage participants in treatment, provide education about how drugs affect them physically, socially and mentally, run groups (cognitive restructuring, process, support), and help clients become connected with other agencies. The women's Therapist spends about half of her time on Drug Court. The male Therapist spends about a third of his time on Drug Court.

As described above, Brady & Associates currently treats two S.A.F.E Court clients. The Treatment Therapist attends S.A.F.E Court staffings and Court sessions when those two clients attend Court. Brady & Associates' goals are to make a difference in people's lives and help them become a productive member of the community.

A representative from the Alcohol Recovery Center (ARC) also plays a role in Drug Court. The ARC representative attends Steering Committee meetings to talk about individual cases and to give input on policy issues. He provides the Committee with reading material about addiction and reports to the Drug Court Team on clients in residential treatment via telephone consultation when a client is scheduled to be in Court. He spends about six hours a month on Drug Court activities.

**Probation.** The role of the Director of Community Corrections in Drug Court is to attend Team meetings and Drug Court sessions, when available. He also supervises the Probation Officers that are responsible for monitoring Drug Court clients. The Director of Community Corrections spends about three to four hours a week on Drug Court activities and is a voting member of the S.A.F.E. Court Steering Committee.

There are two Probation Officers who attend all Drug Court meetings and sessions on alternating weeks. The Probation Department does the majority of the UAs and provides direct supervision of clients in the community. The Probation Officers perform home visits on Drug Court clients two to three times a month and may administer sanctions on a violation without the okay of the Team and before the matter goes to Court. The Officers also arrest clients when needed.

**Observation:** The Probation Officers report on clients at the staffing meetings. Both Officers appeared to be quite knowledgeable about S.A.F.E. Court clients, including employment status, living situation and family.

Community Corrections has a website (not public) with information on S.A.F.E. Court clients with photos. The Police use this site to learn who is in S.A.F.E. Court so that participants can be monitored more closely in the community. This site is also helpful to Police and Corrections to know how to route reports correctly (e.g., to the S.A.F.E. Court Coordinator).

**Observation:** The website is a notable practice in this Drug Court. It is evidence of the kind of communication and organization that occurs with this Drug Court Team.

**Public Defender.** The role of the Public Defender is to provide legal advice, ensure that the rights of the clients are protected, advocate at staffing for the clients, and refer clients to Drug Court. The Public Defender in Malheur County also assists clients in other ways, such as helping them to get their driver's license back and negotiating with other agencies on their behalf. The Public Defender attends Team meetings, Drug Court sessions, and is a voting member of the Steering Committee. He has frequent contact with the Probation Officers outside of Court, talks to the Treatment Provider on an as needed basis, and talks with the DA every day. In addition to Drug Court, the Public Defender handles every type of case for non-Drug Court clients, except murder.

**District Attorney.** The District Attorney's (DA) main role in S.A.F.E Court is to recognize and refer potential S.A.F.E Court clients and to ensure that public safety is protected. The DA's S.A.F.E Court activities include monitoring the client's situation, holding the clients accountable, and making sure that clients follow through with what they need to do. The DA is a member of the S.A.F.E Court Team, attends all meetings and Court sessions and is a voting member of the SAFES.A.F.E. Court Steering Committee. He spends about seven hours per week on Drug Court activities.

**Law Enforcement.** The role of Law Enforcement (Police) in the Malheur Drug Court is to monitor clients in the community and to do home visits with Probation Officers when needed. Also, Law Enforcement is responsible for notifying all criminal justice agencies of warrants on

S.A.F.E Court clients and to serve the warrants. The Police Liaison talks to family members of clients who have absconded, and visits with clients to ask about their lives and well being. A representative from the Police Department attends all Drug Court sessions and meetings. The Police Liaison also educates other Officers about Drug Court. Arresting Officers will mention Drug Court to the offender. The Police deal with Drug Court clients differently from other criminals by offering more support and encouragement, and by picking up warrants for Drug Court quickly. The Police Liaison is a voting member of the S.A.F.E. Court Steering Committee.

**Comment/Observation:** Law Enforcement plays a notably large role in this Drug Court. The Police reported that they deal differently with S.A.F.E. Court clients by offering more support and encouragement and by picking up warrants for S.A.F.E. Court clients more quickly. Although this may be good for the clients and good for the S.A.F.E. Court process, it is possible that because of this, outcome data will show an increased incidence of Police contacts for S.A.F.E. Court participants, at least during the time they are participating in the Program, which may appear as increased recidivism. The outcome study (to be completed in August of 2004) will take this possibility into account.

**Employment.** The Training and Employment Consortium (TEC) representative and his staff help clients prepare resumes while providing a training program to retrain people that have been laid off. The Consortium also has classes for clients who have little job experience and need to develop job skills. A staff member at the Employment Consortium performs job searches for S.A.F.E Court clients and participates in mock interviews with clients to help them prepare for real interviews. In addition, the Consortium representative has luncheons with employers and the Judges to help promote the Program, and will visit employers to connect them with Drug Court clients. He also performs home visits to see if clients are going to work and to find out if they have interviews arranged. The TEC representative attends all Drug Court meetings and sessions is a voting member of the S.A.F.E. Court Steering Committee.

### **Drug Court Team Training**

Members of the Malheur County Drug Court Team have attended numerous Drug Court training conferences and workshops, and have visited other Drug Courts to learn about options for Drug Court organization and processes. Specifically, both Judges have attended national conferences and have observed other Drug Courts. One Judge has had additional training sessions on Family Court, while the other Judge has attended several Drug Court training workshops. The Drug Court Coordinator has attended the National Drug Court Institute Coordinator Training, evaluation training, and three national conferences. The Public Defender, Director of Community Corrections, one of Lifeways' Therapists, the Therapist at Brady and Associates, the DA, the Employment representative and both Probation Officers have attended national conferences as well. . In addition, an evaluation staff member has attended a training session with the Drug Court Team.

### **Drug Testing**

The urinalysis (UA) process for Drug Court clients is as follows. Clients are assigned a color and must call in to Probation every day after 5 p.m. If their color is designated when they call, the

participants must go to the Probation Department and provide a urine sample. The collection of urine for UAs is fully viewed. The urinalysis is done instantly with a dipstick, involving a four-screen panel testing for opiates, methamphetamine, TCH, and cocaine. During Phases one and two, clients receive two UAs per week. Phase three requires one UA a week, and Phase four requires one UA every other week. In Phases five and six, the UAs increase to twice a week until graduation. (The purpose of this increase is to monitor the clients closely in these last two phases as their Treatment and Probation contacts decrease.) Clients are given coupons for ten free UAs at the beginning of the Program and testing is free during the last two phases. Clients pay \$10 per UA at all other times.

The majority of the UAs are performed by Probation. Lifeways (the main treatment agency) also performs UAs but on a more random basis. When clients come in for a UA at Lifeways, they are required to sign a document stating whether they believe the UA will be “clean” or “dirty” and then are viewed through a two-way mirror as they provide the sample. Brady & Associates (the newly added treatment agency) performs UAs about once a week. All UAs at the treatment agencies are fully viewed instants (dip-sticks) and are a four-screen panel.

At all agencies, if a UA instant result is positive and the client denies use, then the sample is sent to a lab for gas chromatograph mass spectrometer (GCMS) confirmation. The client pays \$25 for the GCMS confirmation prior to the sample being sent to the lab. If the results are negative, the client is given 3 UA coupons to use in the future (worth \$30). If the results are confirmed positive, the client will receive a sanction for the positive UA and an additional sanction for lying to the Court.

For clients with alcohol issues, random Breathalyzer tests are performed using the same color assignment method. Because the Program has many alcoholic participants, this test is performed on the same type of schedule as that for UAs.

## **Rewards**

Drug Court clients receive rewards for attending treatment, fully complying with the treatment plan, being employed, going to work, having a good attitude, staying clean, paying fines, having stability in life, doing the best they can in all areas, continued abstinence, going to all classes, having clean UAs, receiving education, and for progressing in treatment. Rewards include applause, praise, pool passes, gift certificates for haircuts, candy bars, change in phase including certificates for completing a phase, free pizza, free UAs, key chains and moving through phases more quickly. The Team decides rewards at the staffing meetings with the Judge’s approval.

## **Sanctions**

The Drug Court Team discusses and decides on sanctions as a group, although specific sanctions may also be given by the Probation Officers and Therapists immediately (e.g., at the time of a positive UA) without the consent of the Team first. There are automatic sanctions for some violations that can be imposed without asking the Court or the Drug Court Team (see list below). The sanctions imposed are discussed at the Team staffing meeting and the Judge approves the sanction after it happens. The Court is notified of most violations prior to the court session via



phone or email. If the Judges have an objection to a sanction being imposed, it is common for them to voice this prior to the staffing.

Sanctions are graduated and imposed swiftly. The Team generally follows the guidelines in the handbook. However, there are exceptions to the handbook's sanction process. For example, if clients are using drugs or alcohol and putting themselves or others in danger, they will probably be taken to jail for their own safety. Other sanctions imposed, in addition to those in the guidelines, include sending a client to day treatment (which means going to Lifeways all day long when not at work or going to school and day reporting at Probation (reporting to Probation twice daily). Increasing the frequency of UA's and breathalyzers is used as a sanction as well.

Sanctions are given for not paying UA fees, tampering with a UA, denying a dirty UA, not cooperating with job service, dishonesty, using profanity, not working, being disruptive in treatment or job search, failure to report for treatment, not following through with the treatment plan, not checking in, missing an appointment, using, not attending treatment or job search and committing a new crime. Clients who commit new crimes that will be charged by the DA while they are in S.A.F.E. Court will be suspended pending the outcome of the charges. A suspension means that clients are still required to attend all treatment, maintain their employment and attend 12 step meetings as directed but they are not allowed to progress in the Program until resolution of the charges.

The following sanction guidelines were taken from the Malheur County Drug Court handbook:

<u>Number of violations</u>	<u>Sanction</u>
First violation:	1 day work crew
Second violation:	2 days work crew
Third violation:	3 days work crew
Fourth violation:	4 days work crew
Fifth violation:	2 days in jail
Sixth violation:	3 days in jail

Using work crew as a sanction happens more often in S.A.F.E Court now than when S.A.F.E Court began. Four days of work crew have been added as a sanction since the Program started due to the fact that the clients did not like work crew and would rather do time in jail. More work crew was added in hopes of deterring people from receiving jail sanctions.

The S.A.F.E. Court handbook also states:

"If you maintain a period of two weeks or more in complete compliance with all S.A.F.E. Court [Drug Court] terms, the Court may drop your sanction level to the *next* lowest level. If you maintain two months of complete compliance, the Court may drop your sanction level to first violation."

"Strict Compliance will normally occur after the fourth failed UA or sixth violation period. If you are terminated from the S.A.F.E. Court Program, a probation violation will be filed formally in your underlying case."

“Your behavior in treatment and compliance with program requirements will be discussed by the Treatment Team prior to S.A.F.E. Court sessions. You should be prepared to address your conduct with the Judge, no matter what consequence may have been imposed by your probation officer and treatment provider.”

### **Unsuccessful Termination**

If clients receive six sanctions in a month, they are put on "strict compliance." If the clients have a violation while on strict compliance (e.g., missed treatment, drug or alcohol use) or if they abscond for longer than 60 days, they will most likely be terminated. New crimes are looked at on a case-by-case basis. Some crimes are an automatic sanction while others may result in an appropriate sanction as decided by the Drug Court Team. For example, a person crime is an automatic termination as is a new violent crime. Continual use or dealing can also cause termination while a new possession charge will most likely result in a sanction. If a client is terminated, the DA is notified and files a probation violation. The client is required to attend a probation violation hearing, at which time the Judge imposes the sentence. Some clients go to jail and some have probation terminated. Others may go back to regular probation. As demonstrated by the quotes from the policy manual, above, there are written guidelines for possible sanctions and clients are made aware of what may happen to them after entering the Program.

### **Graduation**

Requirements for graduation from Malheur County Drug Court are:

- A minimum of one year of treatment
- A job for a minimum of six months
- Drug Court fees paid (\$325 total. If paid in six months, \$50 is deducted)
- No new charges in the last six months
- Eight hours of community service (community service project completed)
- Clean and sober for a minimum of six months
- Peer facilitated and run self-help groups
- Pass all phases of the Drug Court Program
- Have a sponsor
- Overall stability in life
- A letter of reference to read at graduation
- Exit interview
- Supervision fees current
- A payment plan with treatment

Graduations happen as needed, and occur about once every other month. The graduations are held at a church where most of the 12 step meetings are held in the community. (This is a donation by this church.) Family and community members are invited to the graduation and the Judges preside over the event. Clients and family members read letters about how the client has changed since being in Drug Court. Clients are given their mug shots, a key chain, a certificate of

completion, and a plaque. The ceremony is followed by a party. The Team covers costs, with community members donating various items.

### **Data Collected by the Drug Court for Tracking and Evaluation Purposes**

The Probation Officers enter data on clients in a database called "Chronos." Urinalysis data, as well as other relevant client information, is stored in this database.

The Malheur County S.A.F.E. Court took part in the pilot for a new statewide database called the Oregon Drug Court Management System (ODCMS). Although the ODCMS is not as useful for this S.A.F.E. Court as they would like (e.g., some fields are redundant, some fields that would be useful for the unique processes of this Drug Court do not exist) the S.A.F.E. Court Coordinator does collect data on basic client statistics and the results of each S.A.F.E. Court hearing and enters it into the database.

### **S.A.F.E. Court Funding**

S.A.F.E. Court participants pay for much of the S.A.F.E. Court Program. Clients pay a Court fee as well as monthly Probation fees. They also pay for drug tests (although they are given 10 free UA coupons when they enter the Program) and for treatment sessions.

The S.A.F.E. Court is also currently funded by a grant from the Bureau of Justice Assistance through August 2004, which provides funds for the S.A.F.E. Court Coordinator, Probation Officers and a portion of the Treatment Therapists as well as some administrative help, travel, equipment, etc. Local matching funds have also been provided. However, as in many other Drug Courts in the state, funding is a challenge for the S.A.F.E. Court due to State and County budget cuts. Both the Police and Parole & Probation are under-funded for S.A.F.E. Court. Cuts in the Oregon Health Plan (OHP), predominantly in funding for drug and alcohol treatment as well as mental health treatment, have been particularly difficult for the S.A.F.E. Court.

Fund raising for the S.A.F.E. Court Program has been on a fairly small scale. The Team has held yard sales in conjunction with Project Dove, a domestic violence shelter. The sales have raised a few hundred dollars for the Program. Funds from the implementation grant are not being spent as quickly as planned and therefore may be available for use in extending the grant period so that the S.A.F.E. Court would have continued funding through July 2005. Other possible grant sources are also being examined.

**Observation:** There is a fairly recent movement for Drug Courts to become self-sustaining. With the amount that S.A.F.E. Court participants are required to pay, and the amount of community support, the S.A.F.E. Court appears to be well suited for becoming a self-sustaining Drug Court.

**Recommendation:** The S.A.F.E. Court might wish to consider this option as a way to ensure more permanent funding and, in turn, Program stability. Information and trainings are available on the topic. The National Drug Court Institute can provide direction on where to find this kind of information.

## ***Participant Focus Group Results***

As described in the methodology, two focus groups were conducted at this Drug Court, one for the men and one for the women. The main topics for questions asked at both focus groups included what the focus group participants liked about the Drug Court Program, what they disliked, what parts of the Program they felt supported their success and what parts made it more difficult to succeed, whether they felt their due process rights were protected and finally, any suggestions they had for improving the S.A.F.E. Court Program. The women's focus group results are presented first and are followed by the men's results.

### **Women's Focus Group**

Twelve women attended the focus group, two were graduates and ten were current participants with varying amounts of time in the Program. The evaluation staff, along with the S.A.F.E. Court Coordinator, attempted to locate former participants who had been terminated from the Program but found that these individuals had either left the county or were incarcerated. Interviewing those in the jail was a possibility, but individual interviews were not feasible within this project's budget.

#### ***What they liked:***

- *The personal attention.* All the women appreciated the personal attention they received from the S.A.F.E. Court Team. The women were very positive about the S.A.F.E. Court staff and reported that they were treated well and with respect. They particularly appreciated the ability to "get personal" with the woman Probation Officer and the woman Therapist.
- *The Judge.* The women all felt that their interaction with the women's S.A.F.E. Court Judge was a very positive experience. They believed that the Judge really cared about them and about all aspects of their lives and that this provided motivation to stay clean. One woman said that the biggest factor in her recovery was "having the Judge be proud of me."
- *The Female Therapist.* All the women very much liked the female therapist. Clients said, she is "tough on us but we need that." She "sees things that others don't and she teaches us to be responsible."
- *The Employment Director.* The women reported that although it was difficult to find work "after using and being jobless for so long" the Employment Director was "outstanding at helping us find work. He will go to any length to help us find jobs."
- *The Defense Attorney.* The women felt that the Public Defender was a good lawyer. "He always listens to us." "He helps us with our legal matters, not just the case we are in S.A.F.E. Court for."

#### ***What they disliked:***

- *Paying for drug tests.* The women participants found it difficult to find the money to pay for drug tests. This was particularly true when they first entered the Program. "Where do we get the money for UAs when we have been out using for so long?"

**Observation:** This is most likely why the Program provides 10 free UA coupons to new participants.

- *Taking time from work.* Taking time from work to report in for urinalyses was a problem for many of the women. However, one woman commented that learning how to handle the time issues associated with the Program was part of learning responsibility.
- *Finding transportation.* Some women expressed difficulty with finding transportation to attend Program activities, particularly getting into Vale to attend Court sessions.

**Observation:** The women had a difficult time finding much negative to say about the S.A.F.E. Court Program. They were extremely positive and often answered the questions on what they disliked about the Program with how the things they disliked were good for them and then went on to describe other things they liked about the Program.

***What worked:***

*(What the women felt was most helpful for their success in the Program):*

- *The Drug Court Model.* Many of the women reported that they had been through treatment before, some at the same treatment provider used by the S.A.F.E. Court, but had been unsuccessful until the treatment was combined with the other aspects of the S.A.F.E. Court Program. They believed that it was the other parts of the Program - the Judge, Probation, assistance with finding jobs - that enabled the treatment to be effective.
- *Drug tests.* The majority of women agreed that the random UAs helped them stay “clean.” The possibility of being caught was a powerful deterrent to using.

**Observation:** In spite of complaints about the cost, or the time it takes to come in to provide a sample, or the indignity of being observed, that drug tests are effective in preventing use is a common comment in focus groups and interviews with Drug Court participants across Drug Courts.

- *Residential Treatment.* The women reported that residential treatment was a key component in their recovery.
- *Job training.* The resume building and job training were things the women found helpful in getting them out of their old patterns and on to new things.
- *Women’s Group.* This group helped the women “deal with and move on from their issues.”
- *Sanctions.* The women felt that the sanctions were a motivating factor in staying clean.
- *The Judge.* Having an authority figure who cared about them was a motivating factor for these women. That the Judge cared enough about them to be proud of them when they did well was a strong positive influence in staying clean.

***What Didn’t Work:***

*(What the women felt was least helpful, or was a barrier, to completing the Program):*

- *Jail and work crew.* The women believed that jail and work crew were detrimental to their recovery. They agreed, “People in jail and work crew are all using and it is almost a trigger for relapse.” “At work crew, everyone there is high.”
- *Program cost.* The cost of the Program was reported to be the largest obstacle in completing the Program, especially since the Oregon Health Plan was no longer available for their needs.

### ***Were their due process rights protected?***

- All the women felt that their rights were protected and that, in fact, they got a “better deal” than those who didn’t get to participate in Drug Court.
  - “It is a privilege to be in the Program.”
  - “I feel like I have more rights that I did on probation.”
  - “My rights to see my kids were restored when I got help with my addiction.”

### ***Suggestions for improvement:***

- *Required residential treatment.* The women believed that residential treatment should be a requirement for the first phase of the Program.
- *More Incentives.* The women felt that more incentives, particularly the opportunity to obtain more free UAs would be good for motivation.
- *Transportation.* It was suggested that the Alumni Program have a car available for clients who need transportation to treatment, UAs and S.A.F.E. Court sessions.

### ***Other information and quotes of interest:***

- All the women focus group participants felt that the Drug Court staff treated them well. They felt that members of the Team wanted them to succeed and would do all they could to help them succeed.
- “If someone uses, it affects the whole group. It is a big let down if someone uses. The relationship between the group members helps us stay clean and sober. We call each other all the time and offer each other support. I used and the thing I was most concerned about was what the group was going to say to me.”

**Comment/Observation:** Several S.A.F.E. Court Team members reported on how close the women participants were and how serious they were about staying clean. Women who did not appear to be serious about their recovery were not associated with by members of the close-knit group. Although this closeness appears to be a positive force in helping members of the group stay clean, it also could function to keep others who don’t fit into this group from succeeding in the Program. (There is some support for this concern as the termination rate for women is higher than that for men.)

### **Men’s Focus Group**

Fifteen men attended the men’s focus group. Attendance included one graduate, two men scheduled for the next graduation, and twelve current participants with varying amounts of time in the Program. As with the women, the evaluation staff along with the S.A.F.E. Court Coordinator attempted to locate former participants who had been terminated from the Program but found that these individuals had either left the area or were incarcerated. Interviewing those in jail was technically possible, but individual interviews were not feasible within the evaluation budget.

### ***What they liked:***

- o *The Team.* The men felt the S.A.F.E. Court Team really cared about them and showed a personal interest in each client. “The S.A.F.E. Court changes your thinking and they really care about you.”
- o *Treatment Groups.* The men reported that most treatment groups were helpful, particularly the Anger Management group. They also liked and respected the treatment staff for male participants.
- o *The Judge.* All the men spoke positively about the Judge. “He treats me like a human being and doesn’t judge me unfairly.” And, “The Judge is fair and he cares about me as a person. He takes an interest in us.”
- o *The Employment Director.* The men really appreciated the Employment Director. “He is willing to do what it takes to help you get a job.”

### ***What they disliked:***

- o *The cost.* The men unanimously reported that the cost of the Program was too high. They were particularly upset about the treatment and urinalysis fees, but were also concerned about the fees that occurred for each piece of the Program.
- o *Process Groups.* Many of the men felt the process groups were not helpful. (However, they all reported liking the other groups.)
- o *Concerns about the Defense Attorney.* Some of the men were concerned that the Public Defender left S.A.F.E. Court sessions early. They felt that this demonstrated a lack of interest in what was happening to the S.A.F.E. Court clients.
- o *Concerns about the Probation Officer.* Many of the men felt that the male Probation Officer was “disrespectful,” particularly during home visits. The men said that “the thought of a home visit” kept them from going home.
- o *Having the female therapist run groups.* The men felt strongly that having the female Therapist gill in for their regular Therapist in groups was inappropriate. They felt that the female Therapist disliked them. Also, as this is a small community, some of the men knew the female Therapist in the past, outside of the S.A.F.E. Court Program and were uncomfortable with her in the therapy environment.

### ***What Worked:***

*(What was most helpful for success in the Program):*

- o *The Drug Court model.* Similar to the women, several men reported that they had been through treatment before and were unsuccessful until the treatment was combined with the S.A.F.E. Court Program. “Having the Court with the treatment is much more effective.”
- o *Random drug tests.* The men reported that the random urinalyses and breath tests made it “impossible to feel S.A.F.E. about using.”
- o *The Judge.* The men described the Judge as respectful while holding them accountable for their actions. “He deals fairly with us but he doesn’t allow us to get away with anything.”

***What Didn't Work:***

*(What the men felt was least helpful, or was a barrier, to participant success):*

- o *High fees.* The men felt the high treatment and urinalysis fees along with all the other constant fees were too much and added more stress to an “already stressful situation.”
- o *Family scheduling conflicts.* Some men reported that working and satisfying the S.A.F.E. Court requirements left them too little time for their families.
- o *Transportation.* Transportation from outlying areas to Vale was difficult for many clients.
- o *Work scheduling conflicts.* Many of the men complained that coordinating their work schedule with the Program schedule was difficult. Some said they had lost their jobs because of S.A.F.E. Court. The men said their main obstacle in completing the Program was getting and maintaining employment while complying with S.A.F.E. Court requirements.

***Were their due process rights protected?***

- o Some clients felt that it was a privilege to be in the S.A.F.E. Court Program and that their rights were protected while others (particularly those who were most upset about the fees) felt that they had no rights while in the Program. “In this Program you do what you’re told.”

***Client suggestions to improve the Program:***

- o Have S.A.F.E. Court participants who are in Phase 6 tell new clients about the Program – what to expect and how much it costs.
- o Have a set price for a year in the Program.

***Other information and quotes of interest:***

- o The men spent a large part of the focus group talking about the cost of the Program. “This Program has cost me more money than if I had taken probation.” “This Program feels like it’s all about money.”
- o “I’m glad I took the Program. It really helped me, but the fees are ridiculous.”
- o “Everyone on the Team cares about you as an individual. They care about all aspects of your life not just the Court proceedings. They care about you having a job and your personal life as well as your recovery.”

***Overall:***

**Observation:** It is clear that the cost of the Program, particularly the cost of treatment, is a real obstacle in the minds of these participants (both the men and women, but particularly the men). It is possible that part of the reason the cost is so salient for the clients is that they pay for each UA and each treatment session separately (several different payments each week).

**Recommendation:** Perhaps monthly treatment fees (with the cost per month written out for the clients when they begin the Program) and the opportunity to buy a month’s worth (or more) of UA coupons in advance would help reduce the salience and the stress associated



with many payments per week. This method would still make an important point for the clients; that they are paying for a valuable service.

**Comment/Observation:** S.A.F.E. Court participants and S.A.F.E. Court staff commented that they sometimes felt that the men in this Program were not as well liked as the women. It was believed that the women were treated as “victims” and the men were treated as “perpetrators.” The men and women were treated somewhat stereotypically, “Men just aren’t as emotional. They don’t talk about their feelings.” In some ways it appears that the gender-specific treatment leads to some polarization in attitudes toward the two genders. In addition, separating the participants into two groups leads naturally to group identities and the competition between the two groups. “My women are better than your men” has been said, jokingly, upon occasion. This is a possible drawback to gender specific programming that was unlooked for in planning and implementing this Court.

**Recommendation:** Most S.A.F.E. Court staff members are already aware that attitudes are different toward the two genders. It is recommended that the Team examine this tendency and guard against having this influence their decisions and actions. In addition, it may be useful for both the men’s and women’s Judges to attend at least some of the staffing meetings (and possibly Court sessions) for the opposite gender in order to ensure that the men and women are being treated comparably and, in particular, to observe how the attitudes toward the opposite gender are expressed when the Team makes decisions during meetings and when the clients are being addressed by the Judge in Court.

## **10 Key Components Results**

This section lists the Ten Key Components of Drug Courts as described by the National Association of Drug Court Professionals (NADCP, 1997). Also listed are the research questions developed for this evaluation, which were designed to determine whether and how well each key component is demonstrated by this Drug Court. Each question is followed by a discussion of the practices of the S.A.F.E. Court in relation to the key component of interest. Some questions require a comparison to other drug courts. In these cases, results from the National Drug Court Survey performed by Carolyn Cooper at American University (2000) are used as a benchmark.

### **Component 1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.**

**Research Question:** Has an integrated drug court team emerged?

This is the one of the S.A.F.E. Court’s biggest strengths. The S.A.F.E. Court Team has many members from many different agencies who all work positively together. Except for the Judges, all members of the S.A.F.E. Court Team attend the staffing every week, regardless if it is a men’s court day or a women’s court day. (On men’s court day, the men’s Judge attends the staffing and on women’s court day the women’s Judge attends the meetings.) Each Team member brings his or her own perspective to the weekly staffing meetings and has the opportunity to discuss these perspectives. Observation of these meetings by evaluation staff showed that all Team members are encouraged to voice what they know about each client as well

as opinions on a course of action. The Team works together to come to a consensus on final decisions. When determining whether to admit a new client into the Program, the Team members take a vote. In observing the staffing, it was apparent that the Team had good communication and cooperation. The Team members discussed issues well and were respectful of each other, even when they disagreed.

Communication between the Team members is central in how this Team has become so highly integrated. The Team members communicate every day in person, through email or on the phone, as well as during the weekly Team meetings. In addition, the Coordinator makes sure that issues that arise with clients are relayed to all Team members so that everyone is on the same page. Team members also attend the quarterly Steering Committee meetings on policies and program development. The weekly Team meetings are focused on the progress of participants attending Court that week. The meetings allow the Team members to have input and make decisions in response to each participant's problems or successes. The Steering Committee discusses drug court policies and makes decisions on changing practices that are not working or on implementing new practices they believe will help enhance the Program (i.e., increase participant success). The Team works together to come to a consensus on Drug Court policies as well as other routine decisions, such as sanctions and rewards for each participant. Although the Team does not always agree on what the best decision may be, members are always willing to discuss different ideas and sometimes will agree to disagree, while supporting whatever decision was chosen in the end.

The Team members also work together outside of regular S.A.F.E. Court meetings. The Police Liaison will go on home visits with the Probation Officers, both Probation and Employment will go to an employer and discuss the Program to help a client gain or keep a job, and the Treatment Staff and Probation work together to make sure a home visit is performed when needed. Team members reported that communication between all the agencies is essential so that clients cannot "manipulate the agencies or play agencies against each other." In addition, each of the S.A.F.E. Court Team members work to get the support of their individual agencies by talking to other agency staff about Drug Court and arranging for informational opportunities between agencies involved in the S.A.F.E. Court (e.g., the Probation Supervisor asked the Employment Director to come to the Probation Department and talk to the officers about helping offenders get employment).

Keeping the Team members involved in decision-making fosters a strong sense of teamwork and helps each member feel that s/he is a valued part of the Team. In addition, this frequent communication and input from Team members allows the Court to act swiftly when problems arise.

## **Component 2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.**

**Research Question:** Are the Public Defender's Office and the District Attorney's Office satisfied that the mission of each has not been compromised by Drug Court?

Both the prosecution and defense counsel believe that the mission of each has not been compromised by Drug Court, although both agree that their roles have changed. "Instead of the usual adversarial approach, we use a team approach to work with the clients and it is a much more cooperative approach." The District Attorney still represents the best interest of the state and the Defense Attorney still advocates for the clients in staffing, but in the courtroom they both believe it is important to show a unified front in order to avoid undermining the Program.

Both attorneys feel that public safety has been protected and, in fact, that public safety is more protected by the client participating in S.A.F.E. Court than in traditional probation. In addition, both believe that the clients' rights have been protected and that the Defense Attorney "looks out" for the clients' rights very well.

## **Component 3. Eligible participants are identified early and promptly placed in the drug court program.**

**Research Questions:** How early are eligible clients being identified and how quickly are clients being referred to and accepted into drug court? Are the eligibility requirements being implemented successfully? Is the original target population being served?

Cases can be referred to the S.A.F.E. Court from the Judge, District Attorney, Defense Attorney, Probation Department, Treatment Providers, or the Jail. Most clients are currently referred through Probation, which means that most of the clients are not being identified soon after the arrest (earliest in the process) and instead are being identified later in the traditional court process.

**Comment:** As described earlier, several of those interviewed expressed concern that the District Attorney's Office was not referring all eligible offenders to S.A.F.E. Court and that the DA may not be aware of the S.A.F.E. Court criteria. This results in the majority of S.A.F.E. Court participants being referred much later in the judicial process, through Probation rather than the DA's Office, which could affect the clients' willingness to participate.

As discussed in the S.A.F.E. Court process, above, the length of time from arrest to entrance into the Drug Court Program varies greatly but is generally quite long. When an offender is referred into the Program based on new arrest charges, it is a requirement that this person be sentenced prior to entering the Program. Although the case is "fast tracked" through the court system, it could still take up to 6 weeks (or longer) before entry due to a backlog created by the recent budget crisis suffered by statewide agencies, including the Oregon Judicial Department. A small number of clients are offered Drug Court immediately, but most (those coming from Probation) are only offered Drug Court after they have already been sentenced to probation through the

traditional court process and are on the verge of being terminated from probation due to positive urinalyses or other probation violations. It should be noted that most of the issues that influence the length of time from arrest to entry in the Program are outside the control of the S.A.F.E. Court process.

However, the length of time from *referral* to entrance into the Program *is* under the control of the S.A.F.E. Court Program and is much shorter. This time also varies depending on whether the offender is being referred from Probation or from a new arrest charge. If a person is referred from Probation, he or she has already been sentenced and placed on probation, therefore, it is common for a person to be referred, apply and be accepted into the S.A.F.E. Court Program very quickly, within one week of his or her violation.

#### **Component 4. Drug courts provide a continuum of alcohol, drug, and other related treatment and rehabilitation services.**

*Research Question:* Are diverse specialized treatment services available?

The S.A.F.E. Court excels in this area. Diverse specialized treatment services are available to a high degree in this Program. Services offered to DC clients along with drug and alcohol treatment include employment training, mental health treatment, batterers treatment, victims groups, child abuse groups, grief counseling, family therapy, housing services, vocational rehabilitation, and educational programs. Clients also receive mental health referrals and referrals to medical and dental services.

In addition, due to strong ties with many community agencies (described in more detail in Key Component #10) the S.A.F.E. Court can offer help with issues surrounding domestic violence, child welfare (including custody issues and Head Start), housing, parenting, and HIV education.

#### **Component 5. Abstinence is monitored by frequent alcohol and other drug testing.**

*Research Question:* Compared to other drug courts, does this court test frequently?

Based on results from the American University National Drug Court Survey (Cooper, 2000), the number of urinalyses (UAs) given in this Court is comparable to the large majority of drug courts nationally: two to three UAs a week in the first two phases, and one to two UAs a week in later phases. However, the number of UAs per week increases in the final two phases for the S.A.F.E. Court as a measure of continued abstinence while supervision decreases, which puts the S.A.F.E. Court above the national average for number of UAs.

The UAs are given randomly and are fully viewed. The S.A.F.E. Court uses an instant dipstick for its UAs. This has the benefit of an instant result, which has a stronger impact on the client, although the dipsticks have a higher false positive rate than regular lab testing. The S.A.F.E. Court manages the false positive issue by allowing clients to contest the results. At all agencies, if a UA instant result is positive and the client denies use, then the sample is sent to a lab for GCMS confirmation. The client pays \$25 for the GCMS confirmation prior to the sample being sent to the lab. If the results are negative, the client is given 3 UA coupons to use in the future

(worth \$30). If the results are confirmed positive, the client will receive a sanction for the positive UA and an additional sanction for lying to the Court.

In addition, the S.A.F.E. Court has a large number of alcohol abusers. These clients receive regular breathalyzer tests on the same schedule as the UA testing. The S.A.F.E. Court participants reported that the UA and breath test schedule was very effective in discouraging drug and alcohol use.

**Component 6. A coordinated strategy governs drug court responses to participants' compliance.**

*Research Questions:* Does this court work together as a team to determine sanctions and rewards? Are there standard or specific sanctions and rewards for particular behaviors? Is there a written policy on how sanctions and rewards work? How does this Drug Court's sanctions and rewards compare to what other drug courts are doing nationally?

The S.A.F.E. Court is exemplary in this area. There are written guidelines on specific graduated sanctions for client violations of S.A.F.E. Court rules. Sanctions are given for not paying UA fees, tampering with a UA, denying a dirty UA, not cooperating with job service, dishonesty, using profanity, not working, being disruptive in treatment or job search, failure to report for treatment, not following through with the treatment plan, not checking in, missing an appointment, using, not attending treatment or job search and committing a new crime.

Following are the written guidelines:

<u>Number of violations</u>	<u>Sanction</u>
First violation:	1 day work crew
Second violation:	2 days work crew
Third violation:	3 days work crew
Fourth violation:	4 days work crew
Fifth violation:	2 days in jail
Sixth violation:	3 days in jail

Other possible consequences that may be given in addition to those listed above include increased drug testing, intensified or repeated treatment, increased NA/AA meetings, residential treatment or termination from the Program. Clients committing new crimes that will be charged by the DA while the clients are in S.A.F.E. Court will be suspended pending the outcome of this charge, as reported in the process description above.

S.A.F.E. Court clients receive rewards for attending treatment, fully complying with the treatment plan, being employed, going to work, having a good attitude, staying clean, paying fines, having stability in life, doing the best they can in all areas, continued abstinence, going to all classes, having clean UAs, receiving education, and for progressing in treatment. Rewards include applause, praise, pool passes, gift certificates for haircuts, candy bars, change in phase including certificates for completing a phase, free pizza, free UAs, key chains and moving through phases more quickly. The Team decides rewards at the Team staffing meetings with the Judge's approval.

The S.A.F.E. Court Team members generally work together to determine both sanctions and rewards at the Team staffing. However, the Probation Officer and Treatment Therapist can give immediate sanctions, following the guidelines above, for specific violations such as positive UAs or missed treatment sessions. The Judge and the Team are usually notified when this occurs and the violations and sanctions are discussed at the next staffing meeting.

**Observation:** Probation Officer and Treatment Therapist independence in providing immediate sanctions is a notable practice in this Court. An immediate consequence for an individual's actions follows good Behavior Modification principles and behavior modification is the main goal of any drug court.

Nationally, the most common process is for the judge to make the final decision regarding sanctions or rewards - based on input from the team. All drug courts surveyed said they had established guidelines for their sanction and rewards policies, and over half (64%) said the guidelines were written. Following are the most common responses for non-compliance.

- o *Sanctions for new arrests.* If it was a drug possession offense or other non-violent non-drug related offense, most courts allowed the participant to continue in drug court but still be prosecuted for the new crime separately. A large percentage of drug courts terminated participants for new arrests. The majority of courts said the sanction for a new arrest was dependant upon the charge and the circumstances. If the new arrest was for drug trafficking or violence, almost all courts terminated the participant from the drug court program.
- o *Sanctions for relapse or non-compliance.* Most courts increased the frequency or intensity (e.g., moved participant from outpatient to inpatient) of treatment, increased the frequency of UAs, and increased the frequency of court hearings. Also, over half the courts used one to three days of jail as a sanction for relapse; a large percentage used four to seven days of jail.

In comparison to courts nationally, the S.A.F.E. Court's sanctions appear to be quite similar although the S.A.F.E. Court strategies are more coordinated than in most courts. Also, the S.A.F.E. Court uses more work crew (community service) and less jail than many courts. The Team has found work crew to be more effective than a short time in jail.

**Observation:** Using work crew instead of jail is a good decision on the part of this Drug Court, especially in this time of budget crises, as recent cost studies<sup>1</sup> have shown that jail is an expensive option over most other possible sanctions.

The most common rewards for good participant progress in drug courts nationally were praise from the judge at court hearings, promotion to next phase, reduced frequency of court hearings, praise from other drug court participants, special tokens or gifts, and decreased frequency of UAs. A small percentage of courts allowed people to graduate early, and a small percentage had parties, gift certificates or reduced drug court program fees.

---

<sup>1</sup> For example, Carey and Finigan (2003) and Carey,Finigan, Worcel and Crumpton (2002) performed cost-benefit studies in the Multnomah County Drug Court in Oregon and in three counties in California.

Rewards for this Court are comparable to what most other drug courts are doing. Participants are rewarded for progress with praise from the Judge, promotion to the next phase, pool passes, gift certificates for haircuts, candy bars, moving through phases more quickly, and tokens or gifts.

**Observation/Recommendation:** The S.A.F.E. Court does not decrease the number of court appearances as a reward. Since many of the participants find it difficult to travel to Vale for the court appearances, this might be a particularly effective reward, especially if it is used sparingly.

### **Component 7. Ongoing judicial interaction with each drug court participant is essential.**

**Research Questions:** Compared to other drug courts, does this court's participants have frequent contact with the judge? What is the nature of this contact?

Nationally, the American University Drug Court Survey reported that most drug court programs require weekly contact with the Judge in Phase I, contact every two weeks in Phase II, and monthly contact in Phase III. So the amount of contact decreases for each advancement in phase. Although most drug courts followed the above model, a good percentage had less court contact (e.g., every two weeks in Phase I, monthly in Phase II and III.)

In the S.A.F.E. Court Program, participants are required to be in Court on a consistent basis, every two weeks, regardless of phase level. Therefore, they have regular contact with the Judge and the accountability of having to see the Judge. In addition, S.A.F.E. Court clients who are in residential treatment check in with the Judge over speakerphone during Court sessions.

**Observation:** As highlighted in the process section, this is a unique and commendable proceeding for this Drug Court. Many drug courts do not allow individuals who are in residential care to remain in the program. Most often they are either suspended while in the program, or if it is determined that they need residential treatment before they start, they are not allowed to enter the drug court program. This is generally because the drug court feels it is too difficult to monitor clients who are unable to attend Court or other program activities. Those clients in drug courts that do keep clients while they are in residential care have no contact with the Judge until they are back in outpatient treatment. This is not the case in the S.A.F.E. Court. This phone communication allows participants in residential care to remain active in the S.A.F.E. Court Program and to continue their relationship with the Judge.

The Judges are involved in all decision-making regarding each participant. They attend the staffing meetings before each Court session (the men's Judge for the men's sessions and the women's Judge for the women's sessions) and rely heavily on the professional input of Team members before making decisions that are to be brought up for the participant in Court.

**Comment/Observation:** The participants in the S.A.F.E. Court have a very positive relationship with their respective Judges. They feel that the Judges treat them as human beings, are fair and care about each of them as individuals. Many clients want the Judge to be proud of them and therefore find the Judge to be a strong motivating factor for avoiding use.

## **Component 8. Monitoring and evaluation measure the achievement of program goals and gauge their effectiveness.**

*Research Question:* Is evaluation and monitoring occurring in this Program?

The S.A.F.E. Court is a new drug court and this current evaluation is the Program's first experience with outside evaluators. This evaluation involved interviews with the S.A.F.E. Court staff (generally more than one per individual), review of agency documents and observation of S.A.F.E. Court staffing meetings and Court sessions. The S.A.F.E. Court staff was very supportive of this evaluation. They made themselves available for the interviews, responded to multiple follow-up questions and welcomed the evaluation staff into their meetings. The Coordinator responded quickly to evaluation staff requests, helped set up site visits and focus groups and facilitated communication between the evaluators and the S.A.F.E. Court Team. In addition, the Coordinator, at the request of the evaluator, organized the feedback from the S.A.F.E. Court Team on the first draft of the S.A.F.E. Court process description in order to weed out contradicting information. (This process also led the S.A.F.E. Court Team to discuss their understanding of the S.A.F.E. Court process with each other, and learn where different understandings occurred.)

This Court also performs self-monitoring and is willing to make changes in policy as needed. For example, the S.A.F.E. Court Team members learned that many participants would much prefer to spend a night in jail to spending several days on work crew, so the graduated sanction guidelines were changed from one jail day for the fourth violation to four days on work crew, a more effective consequence to non-compliance.

In addition, the Police Liaison on the S.A.F.E. Court Team performed a mini-outcome study on S.A.F.E. Court participants. The number of Police contacts before and after clients entered the S.A.F.E. Court Program was examined. It was found that current participants and S.A.F.E. Court graduates had fewer Police contacts after beginning the Program than before.

## **Component 9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.**

*Research Question:* Is this Program continuing to advance its training and knowledge?

Education on Drug Court planning, implementation and operation is a high priority for this Drug Court. All Drug Court Team members (except new members who have not yet had the opportunity) have attended Drug Court trainings and do so on a regular basis. The Team attended an NADCP training during the course of this evaluation, and included NPC staff in that training. In addition, the Drug Court Coordinator has attended the National Drug Court Institute (NDCI) training for coordinators as well as the NDCI training on evaluation. Some of the Team members have observed other drug courts as well. New information is brought back and discussed regularly with the Team.

**Comment:** "Drug court training is vital to effective Program process. It adds structure to the S.A.F.E. Court. Training and workshops have helped everyone get on the same page."



## **Component 10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.**

*Research Question:* Compared to other drug courts, has this court developed effective partnerships across the community?

Responses to Carolyn Cooper's National Survey showed that most drug courts are working closely with community groups to provide support services for their drug court participants. Examples of community members that drug courts are connected with include: AA/NA groups, medical providers, local education systems, employment services, faith communities, and chambers of commerce.

This is yet another area in which the S.A.F.E. Court excels. The S.A.F.E. Court has built strong relationships with a large number of community agencies and most of these agencies have provided staff to be a part of the S.A.F.E. Court Team, attending staffing meetings and/or steering committee meetings. This Court has a uniquely strong relationship with the Employment and Training Consortium, facilitating clients in the requirement that they obtain and maintain employment while in the Program. The Program has incorporated DHS and AFS as a part of the Team to help clients with family and child issues. Project Dove, a domestic violence program, is involved with the S.A.F.E. Court and has offered services to the Program. Project Wings, an educational program, has provided services and the S.A.F.E. Court works with the housing agency, HUDD, and VOC rehabilitation. The S.A.F.E. Court also has a relationship with the local Justice Court, which handles traffic fines. The Team has made arrangements with the Justice Court to help participants get their drivers licenses back and get their traffic fines paid. The Police are involved in assisting clients with problems and threats that they may be encountering. In addition, local businesses have provided free services for the clients and a local church donates the space used for graduation.

The S.A.F.E. Court is continually working towards creating relationships with community members. This is particularly important in times of decreased funding as community members can provide donations of time and materials to maintain Program operations. In addition, if the S.A.F.E. Court is interested in exploring options for becoming self-supporting, help from local community members can be essential to making this work.

## **Summary/Conclusion**

Overall, the Malheur County S.A.F.E. Court demonstrates the Ten Key Components of Drug Court in an exemplary fashion. The S.A.F.E. Court Program is well organized due, in a large part, to a well-organized Drug Court Coordinator. It was reported that the Ten Key Components were used in designing and implementing the S.A.F.E. Court Program and it is evident that this is the case. One of the Court's greatest strengths is its highly integrated and diverse S.A.F.E. Court Team. In addition, this Drug Court has an unusually large amount of positive community relationships and community support. The S.A.F.E. Court policies on sanctions and rewards are clearly written and are well coordinated between the various agencies.

The one key component that was less strong than some of the others was the early identification and prompt placement of eligible offenders in the S.A.F.E. Court Program. It was recommended that the eligibility determination and referral process be examined by the entire S.A.F.E. Court Team, and particularly by the DAs Office, to determine whether this process can be facilitated in any way.

A concern expressed by S.A.F.E. Court staff and participants was that the attitude toward the two genders was disparate, with staff feeling more positive toward the women than the men. It was recommended that staff examine this possibility and that they guard against allowing this to influence their decisions and actions toward participants.

This Drug Court has several unique and laudable practices including maintaining contact between the Judge and participants in residential care, strong gender specific services, and the independence of Probation and Treatment to apply immediate consequences to participants who are non-compliant.

In addition to the exceptional quality of the S.A.F.E. Court Team, strengths of this Drug Court include the strong commitment to continuing education of the Team members (a large contributor toward a common understanding of purpose and process, which leads to a smoothly running Drug Court) and both Judges' ability to demonstrate their care and concern for the S.A.F.E. Court participants and their lives.