

Indiana Drug Courts:

VANDERBURGH COUNTY DAY REPORTING DRUG COURT

Process, Outcome and Cost Evaluation

FINAL REPORT



Vanderburgh
County

Submitted to:

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April 2007



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EXECUTIVE SUMMARY

Drug treatment courts are one of the fastest growing programs designed to reduce drug abuse and criminality in nonviolent offenders in the United States. The first drug court was implemented in Miami, Florida, in 1989. As of 2007, there were more than 1700 adult and juvenile drug courts operating in all 50 states, the District of Columbia, Northern Mariana Islands, Puerto Rico, and Guam (BJA, 2006).

Drug courts use the coercive authority of the criminal justice system to offer treatment to nonviolent addicts in lieu of incarceration. This model of linking the resources of the criminal justice system and substance treatment programs has proven to be effective for increasing treatment participation and decreasing criminal recidivism.

Indiana's drug court movement began in 1996 with two drug courts that hoped to mirror the successes of the Court Alcohol and Drug Programs. As the number of drug courts grew in Indiana, a subcommittee was formed to consider the possibility of developing a certification program for drug courts. In 2002, the Indiana General Assembly enacted drug court legislation. By 2003, drug court rules were adopted which provided a framework for certification of drug courts operating under state statute.

The Vanderburgh County Day Reporting Drug Court (VCDRDC) began operations in April 2001 and was given provisional certification in February 2003 and was later officially certified in March 2005 by the IJC. The VCDRDC targets nonviolent, substance-abusing offenders. As of March 2006, 153 people have been enrolled in the program and 45% have graduated. The program serves approximately 48 to 60 participants annually. For all drug court participants, the primary drug of choice is marijuana (32%), followed by methamphetamines (26%) and cocaine (21%).

In 2006, NPC Research ("NPC"), under contract with the Indiana Judicial began process, outcome and cost studies of five adult drug courts in Indiana, including the VCDRDC. This report contains the process, outcome and cost evaluation results for the VCDRDC program.

Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county records. The methods used to gather this information are described in detail in the main report.

This evaluation was designed to answer key policy questions that are of interest to program practitioners, policymakers and researchers:

1. *Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?*
2. *Does the VCDRDC reduce recidivism?*
3. *Does the VCDRDC reduce substance use?*
4. *Is there a cost-savings to the taxpayer due to drug court participation?*

Question #1: Has the VCDRDC program been implemented as intended and are they delivering planned services to the target population?

Using the 10 Key Components of Drug Courts (NADCP, 1997) as a framework, NPC examined the practices of the VCDRDC program. The VCDRDC fully satisfies many of the 10 Key Components through its current policies and structure. We found that VCDRDC:

- Integrates alcohol and other drug treatment services effectively with justice system case processing,
- Does an excellent job of using a non-adversarial approach between prosecution and defense counsel,
- Provides a very good continuum of treatment services,
- Uses frequent alcohol/drug testing to monitor abstinence,
- Has a consistent reward and sanction structure for responding to participant compliance,
- Graduates participants within VCDRDC's recommended timeframe,
- Has had a continuously sitting judge since program implementation, and
- Excels at developing partnerships with public and private community agencies and organizations.

The areas in which VCDRDC may wish to implement changes to enhance their services are as follows:

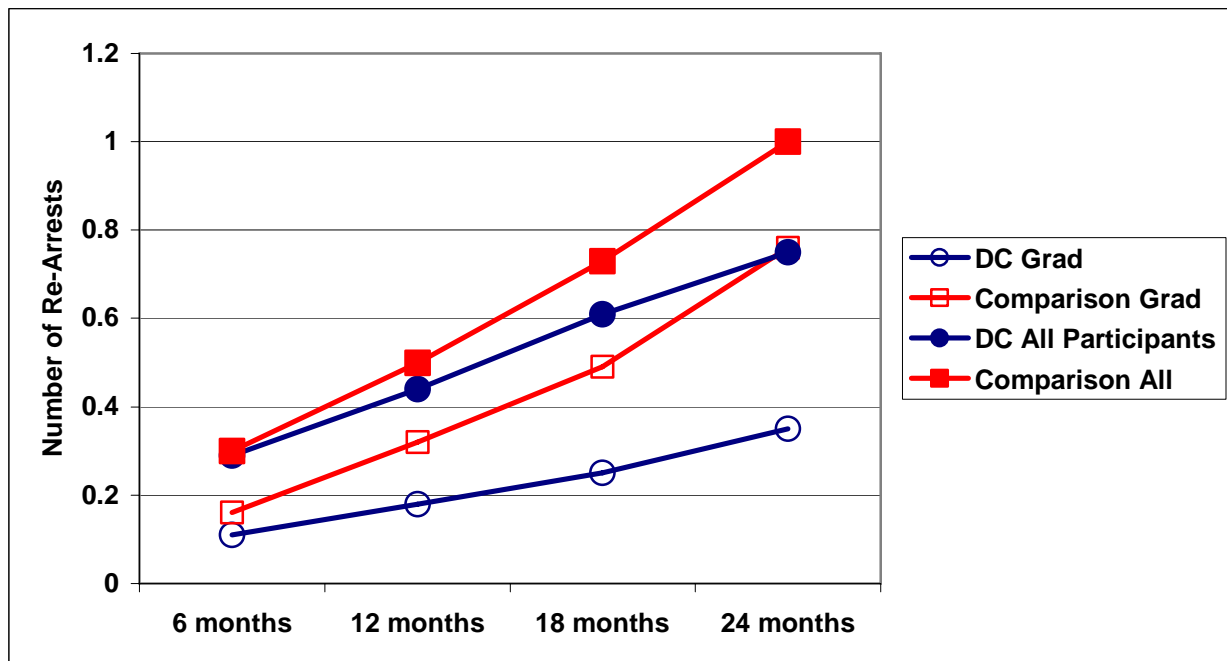
- The team might consider reducing fees for compliant behaviors or shifting drug court fee payments more uniformly over the 18 months or time to graduation.
- The VCDRDC needs to identify resources and technical support to deploy existing hardware that is currently unusable.
- It would be beneficial to the program to have all key staff receive cultural competency training and to look into additional culturally sensitive services.
- Work to decrease the discrepancy between White and non-White graduation rates.
- VCDRDC may wish to consider adding an additional testing schedule to better accommodate work schedules and school start times.
- The drug court team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation.
- The selection of and guidelines for a substitute judge should be a discussion point at a team meeting.

Question #2: Does the VCDRDC reduce recidivism?

Yes. The VCDRDC reduced recidivism as participants were significantly less likely to be re-arrested than offenders who were eligible for the program but did not participate.

As Figure A illustrates, VCDRDC participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 29.5% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group (regardless of graduation status).

Figure A. Average Number of Re-Arrests per Person Over 24 Months for VCDRDC and DAPS Comparison Group

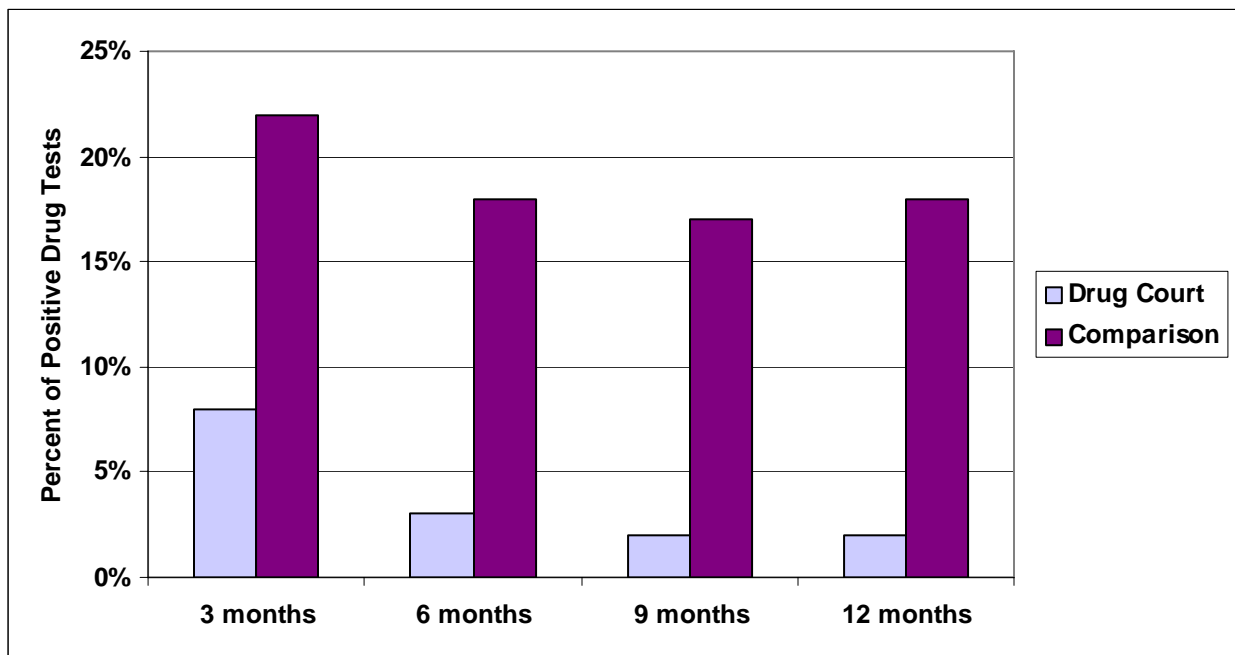


Question #3: Does the VCDRDC reduce substance use?

Yes. VCDRDC participants consistently showed less drug use than the comparison group as measured by percent positive urine drug screens over 12 months.

Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. The comparison group was composed of DAPS graduates and unsuccessful participants. This figure shows a consistently smaller percentage of positive drug tests for VCDRDC participants following program entry. An important trend over time is the decreasing positive urine screens for the drug court participants. Comparison group participants did not show a similar trend.

Figure B. Percent of Positive Tests Over 12 Months for VCDRDC Participants and the Comparison Group



Question #4: Is there a cost-savings to the taxpayer due to drug court participation?

Yes. Due to positive outcomes for drug court participants (including fewer re-arrests, less probation time and fewer new court cases), there were substantial avoided costs for drug court participants.

Over a 2-year period, the VCDRDC cost outcomes were **\$6,656 per participant** compared to **\$8,044** per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is **\$281,764**.

These cost savings are those that have accrued in just the 2 years since program entry. Many of these savings are due to positive outcomes while the participant is still in the program, so savings are already being generated from the time of entry into the program. If Drug Court participants continue to have positive outcomes in subsequent years (as has been shown in other drug courts, e.g., Carey et al., 2005; Finigan, Carey, & Cox 2006) then these cost savings can be expected to continue to accrue over time, repaying the program investment costs and providing further avoided costs to public agencies.

Costs tracked in this study were those incurred by taxpayers. Other less tangible but important savings not factored into this study include an increase in the number of drug-free babies born, a decrease in health care expenses, and drug court participants working and paying taxes.

In sum, the Vanderburgh County Day Reporting Drug Court was successful in decreasing participant drug abuse, reducing participant recidivism and producing cost savings for the taxpayer.

BACKGROUND

IN the last 18 years, one of the most dramatic developments in the movement to reduce substance abuse among the U.S. criminal justice population has been the spread of drug courts across the country. The first drug court was implemented in Florida in 1989. Now, there are more than 1700 adult and juvenile drug courts operating in all 50 states, the District of Columbia, Northern Mariana Islands, Puerto Rico, and Guam (BJA, 2006).

Drug courts are designed to guide offenders identified as drug-addicted into treatment that will reduce drug dependence and improve the quality of life for offenders and their families. Benefits to society take the form of reductions in crime committed by drug court participants, resulting in reduced costs to taxpayers and increased public safety.

In the typical drug court program, participants are closely supervised by a judge who is supported by a team of agency representatives who operate outside their traditional roles. The team typically includes a drug court coordinator, addiction treatment providers, district/state's attorneys, public defenders, law enforcement officers, and parole and probation officers who work together to provide needed services to drug court participants. District/state's attorneys and public defenders hold their usual adversarial positions in abeyance to support the treatment and supervision needs of program participants. Drug court programs can be viewed as blending resources, expertise and interests of a variety of jurisdictions and agencies.

Drug courts have been shown to be effective in reducing recidivism (GAO, 2005) and in reducing taxpayer costs due to positive outcomes for drug court participants (Carey & Finigan, 2003; Carey, et al., 2005). Some drug courts have even been shown to cost less to operate than processing offenders through business-as-usual (Carey & Finigan, 2003; Crumpton, et al., 2004; Carey et al., 2005).

Indiana began providing Alcohol and Drug (A&D) court services in the mid-1970s (codified under IC 12-23-14). The Indiana Judicial Center (IJC) was awarded oversight of the Court A&D programs in 1997. The success of the A&D programs laid the foundation for the subsequent evolution of Indiana drug courts. The first drug courts in Indiana began in 1996 in Gary City Court and then in Vigo County. As the number of drug courts increased, several drug courts began to seek support from the IJC similar to that provided to Court A&D Programs. In 2001, a subcommittee was formed to conduct a pilot project to examine the possibility of developing a certification program for drug courts. The pilot project was completed in 2001 and provided the subcommittee with a framework for drafting drug court legislation and drug court rules.

In 2002, the Indiana General Assembly enacted drug court legislation under IC 12-23-14.5. Adult and juvenile drug courts that seek to operate under this chapter must become certified by the IJC. In the spring of 2003, the Judicial Conference of Indiana adopted drug court rules, which provide a framework for certification of drug courts operating under the statute.¹ In addition to certification, the Indiana Judicial Center provides training, technical assistance, and support to existing drug courts and those in the planning stages. In 2006, the Judicial Conference established the Problem-Solving Courts Committee to guide drug court and other problem-solving

¹ For more detailed information regarding the requirements for drug court certification as adopted by the Judicial Conference of Indiana, March 21, 2003, go to <http://www.in.gov/judiciary/drugcourts/docs/rules.pdf>.

court activities at the state level. As of January 2007, there are 28 operational drug courts in Indiana with an additional five in the planning stages.

In 2005, NPC Research contracted with the IJC for a multi-site drug court evaluation. Located in Portland, Oregon, NPC Research has conducted research and program evaluation for 17 years. Its clients have included the Department of Justice (including the National Institute of Justice and the Bureau of Justice Assistance); the Substance Abuse and Mental Health Services Administration (CSAP and CSAT in particular); state court administrative offices in Oregon, California, Maryland, Michigan, and Minnesota; the Robert Wood Johnson Foundation; and many other local and state government agencies.

NPC Research has conducted process, outcome and cost evaluations of drug courts in Oregon, Arizona, California, Maryland, Michigan, Minnesota, New York, Indiana, and Guam. Having completed over 40 drug court evaluations (including adult, juvenile, DUI and family treatment drug courts), NPC is one of the most experienced firms in this area of evaluation research. NPC's final evaluation reports contain substantive findings that have affected both practices and policy through use by clients, program managers, policymakers, the research community, and the public. Additionally, NPC frequently presents at national and international criminal justice, evaluative research, and public health conferences.

In 2006, NPC Research was selected by the IJC to conduct process, outcome and cost evaluations of five adult drug courts in the counties of Marion, Monroe, St. Joseph, Vanderburgh and Vigo. In addition NPC performed process only evaluations on three juvenile drug courts in the counties of Vanderburgh, Howard, and Tippecanoe. This report contains the process, outcome and cost evaluation for the Vanderburgh County Day Reporting Drug Court (VCDRDC) performed by NPC.

PROCESS EVALUATION

The information that supports the process description was collected from staff interviews, drug court participant focus groups, observations of the VCDRDC, and program documents such as the VCDRDC's *Participant Handbook*.²⁻⁶ The majority of the information was gathered from one-on-one key stakeholder interviews and, as much as possible, the evaluators have attempted to provide the information in the same words in which it was given.

Methods

SITE VISITS

NPC evaluation staff traveled to Evansville, Indiana, twice in May 2006 to observe Vanderburgh County Day Reporting Drug Court sessions, team meetings, classes taught by the drug court team such as *Thinking for Change* (Bush, Glick, & Taymans, 1997), as well as staff operations. Two focus groups with current and former VCDRDC program participants were also conducted during these site visits.⁶ These activities gave the researchers firsthand knowledge of the structure, procedures, and routines of the program.

KEY INFORMANT INTERVIEWS

Key informant interviews were a critical component of the process study. NPC staff interviewed individuals involved in the drug court, including the drug court director, judge, prosecutor, public defender, two case managers, and a treatment provider representative from the largest provider of care.

NPC has designed and extensively utilized a *Drug Court Typology Interview Guide*,⁷ which provides a consistent method for collecting structure and process information from drug courts. In the interest of making this evaluation reflect local circumstances, this guide was modified to fit the purposes of this evaluation and of this particular drug court. For the process interviews, key individuals involved with the VCDRDC were asked the questions in the *Typology Interview Guide* most relevant to their roles in the program. The information gathered through the use of this guide assisted the evaluation team in focusing on the most significant and unique characteristics of the VCDRDC as well as providing an understanding of the more common practices.

The topic/subject areas in the *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), which lays out a conceptual framework for drug courts. The typology interview covers a number of areas—including specific drug court characteristics, structural components, processes, and organizational characteristics—that contribute to a more comprehensive understanding of the drug court being evaluated. Topics in the *Typology Interview Guide* also include questions related to eligibility guidelines, specific drug court program processes (e.g., phases, treatment providers, urinalyses, fee structure, re-

² Vanderburgh County Day Reporting Drug Court Participant Handbook

³ The Vanderburgh County Day Reporting Drug Court Intake Form

⁴ The Level of Service Inventory – Revised (LSI-R)

⁵ The Substance Abuse Subtle Screening Inventory (SASSI)

⁶ Focus group comments are listed in Appendix A

⁷ *The Typology Guide* was originally developed by NPC Research under a grant from the Bureau of Justice Assistance and the Administrative Office of the Courts of the State of California.

wards/sanctions), graduation, aftercare, termination, non-drug court processes (e.g., regular probation), identification of drug court team members and their roles, and a description of drug court participants (e.g., general demographics, drugs of use).⁸

FOCUS GROUPS AND PARTICIPANT INTERVIEWS

NPC staff conducted two focus groups at the VCDRDC; one with current participants (N=6) and one with terminated drug court participants (N=3). The focus groups and interviews allowed the current and former participants to share with the evaluators their experiences and perceptions about the drug court process. Select results from these focus groups are incorporated into the process discussion below and the full results can be found in Appendix A.

DOCUMENT REVIEW

The evaluation team obtained documentation from the drug court program that furthered their understanding of the program's policies and procedures. The evaluators reviewed the VCDRDC *Participant Handbook*, which provided a description of the drug court's program and rules. The *Participant Handbook* also included copies of agreements, phases, fees, sanctions and incentives. The VCDRDC *Intake Form*, The *Level of Service Inventory – Revised (LSI-R)*, and the *Substance Abuse Subtle Screening Inventory (SASSI)* were also examined to gain a more comprehensive idea of the participant screening process. Review of this documentation helped to further the evaluation team's understanding of the drug court intended operations and practices.

Once all the process information was gathered and compiled, a description of the program process was written and sent to the VCDRDC director for feedback and corrections.

Results

Following is the VCDRDC process description. This includes a brief description of the county for context and then provides a detailed explanation of the program process including the implementation, treatment providers, team members and program phases.

VANDERBURGH COUNTY, INDIANA

Vanderburgh County, located in southwestern Indiana, is primarily urban. The cities within Vanderburgh County include Evansville, Darmstadt, Highland, and Melody Hill. As of the 2000 Census, this County had a population of 171,922 (estimated at 173,187 in 2005), with more than 75% of the population over the age of 18 and a median age of 37. The racial breakdown consisted of 89% White, 8% African American, and 3% other races. There were 70,623 households in 2000; 33,563 of those were married couple households and 44,442 were households with children under the age of 18. The median household income was \$36,823 and the median family income was \$47,416. The County's unemployment rate was 5.6% with 11.2% of individuals and 7.8% of families living below poverty level. The main industry category was educational services, health care, and social assistance; followed closely by manufacturing. Evansville, the County seat, had a population of 121,582, in 2000 (estimated at 117,881 in 2003).

VANDERBURGH COUNTY DAY REPORTING DRUG COURT OVERVIEW

The Vanderburgh County Day Reporting Drug Court (VCDRDC), located in Evansville, began operations in April 2001. VCDRDC was given provisional certification on February 17, 2003, and

⁸ The full typology guide can be found on the NPC Research website at www.npcresearch.com/materials.php.

was later officially certified in March 2005 by the IJC. A variety of local agencies contribute to the drug court; the main operations team is made up of the judge, director, director's assistant, participant advocate (public defender), deputy prosecutor, two case managers, a treatment provider (from Stepping Stone), and a home verification officer. The VCDRDC targets felony offenders with substance abuse problems. Many VCDRDC participants have a significant criminal history and have previously been committed to the Department of Corrections. VCDRDC combines treatment, education, case management, and court supervision, for a minimum of 18 months, in order to help participants to take responsibility for their addictions and become contributing members of the community.

IMPLEMENTATION

The momentum for the establishment of VCDRDC began when the current director, Deborah Mowbray, started reading and collecting articles on drug courts. She then began to ask several judges if they would have an interest in starting a drug court in Vanderburgh County. Knowing there was a need for a program that was very intensive in nature, aimed at reducing drug cases and rehabilitating defendants who were addicted to various substances, Judge Trockman expressed interest. Together, they began to educate the community on the need for a drug court.

After researching drug courts, visiting regional drug courts, and attending drug court seminars, the Judge and Director put together an advisory board to help formulate the rules, policies and procedures for the VCDRDC. The board included representatives from the Police Department, Sheriff's Department, Prosecutor's Office, Participant Advocate's Office, school board, business community, treatment providers, and various other community leaders. Once the board had developed an appropriate program plan, they presented it to the Community Corrections Program in order to seek funding through a Community Corrections Project that was already ongoing in Vanderburgh County. Upon approval by the Community Corrections Program, the VCDRDC began serving participants in April 2001.

PARTICIPANT POPULATION AND PROGRAM CAPACITY

Currently, the VCDRDC serves approximately 48 to 60 participants annually in the drug court. Since the drug court program has been operational, the VCDRDC has been able to accommodate all eligible participants. As of March 2006, 203 individuals have enrolled in the drug court and 45% of these participants graduated. Of these 203 participants, 90% were Vanderburgh County residents.

The majority of participants are White (78%) and male (55%). Of the non-White participants, the majority is African American. Forty-six percent of the participants are single, 28% are married or living as married, 25% are divorced or separated, and 1% widowed. Approximately a third of the drug court population is under 25 years of age (30%); a third is between the ages of 25 to 34 years (33%) with the remaining third being over 34 years. The average age of participants is 31 years. For all drug court participants, the primary drug of choice is marijuana (32%), followed by methamphetamines (26%) and cocaine (21%).

DAY REPORTING DRUG COURT GOALS

According to the VCDRDC staff, the overarching long-term goal of the VCDRDC is to provide treatment and support to help people with addictions become contributing members of the community. The VCDRDC couples treatment with rules and accountability to help participants take responsibility for their disease in order to increase the number of employed, productive members

of society. As stated in the *Participant Handbook*, in the service of achieving these goals, the VCDRDC has four main short-term objectives:

1. Have participants satisfactorily complete a drug treatment program.
2. Have participants be drug free and employed for 6 continuous months.
3. Have participants be arrest free for 1 year.
4. Have participants pay fees in full.

ELIGIBILITY CRITERIA

Offenders may be eligible for the Vanderburgh County Day Reporting Drug Court if they:

- Are aged 18 or over
- Have committed a nonviolent, non-dealing felony (can be drug related or non-drug related)
- Do not have a history of violent convictions
- Do not have a history of dealing convictions
- Admit to having a substance abuse problem

Appendix B contains a detailed list of the inclusion and exclusion criteria for the VCDRDC program. The VCDRDC specifically targets nonviolent, non-dealing felony offenders with self-acknowledged substance abuse problems. The majority of the participants have significant prior (although nonviolent) criminal histories that do not include dealing charges.

PROGRAM SCREENING

The following description explains the process VCDRDC participants go through before entering the program, a visual outline of this process is provided in the flow chart below. Individuals come to the VCDRDC through a felony offense (first time or repeat offenders) or a probation violation. Parole violators are not eligible for the drug court. The whole process starts with an arrest, then jail booking followed by charges filed by the Prosecutor's Office. If possible, after a court minute is received requesting a screening, the VCDRDC director will meet with potential drug court participants in jail within 72 hours of their arrest. During this meeting, she will inform them about the program. If potentially eligible participants are released on bail before speaking with the Director, they are told to contact her. The charges filed by the Prosecutor's Office dictate if the case will be heard in the Vanderburgh County Circuit Court or Superior Court. During initial hearings, the public defender or judge may refer the defendant to the VCDRDC. The Alcohol and Drug Program and the probation department may also refer an individual to the drug court because of violations.

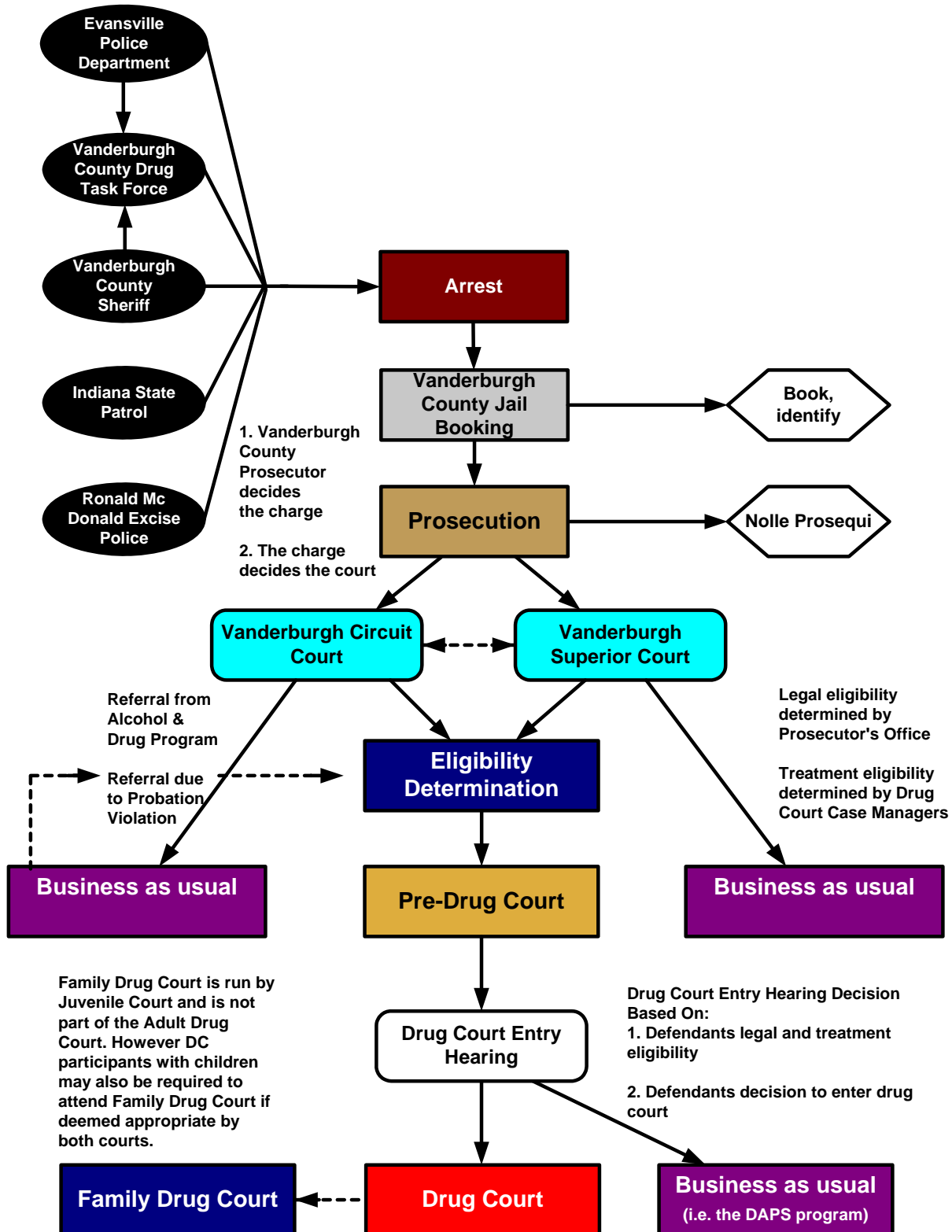
After an individual is referred to the program, the VCDRDC prosecutor determines legal eligibility and the VCDRDC director determines treatment eligibility. Legal eligibility is determined by examining the current charges and criminal history. To assess treatment eligibility, the director or her assistant administers the *SASSI (Substance Abuse Subtle Screening Inventory)*, *LSI-R (Level of Service Inventory Revised)*, and a personal interview recorded on the *Intake Form*. In addition, the potential participant must acknowledge his or her substance abuse problem. The treatment eligibility screening process asks about the individual's physical and mental health, substance abuse, treatment, and criminal history as well as factors that contribute to their per-

sonal situation. During the interviewing process, potential participants are given a *Participant Handbook*, which includes all of the rules and requirements of the program.

After legal and treatment eligibility are determined, the participant is required to participate in a 2-week drug court trial period. During this period, potential participants experience all of the rules and requirements that they will face once they officially enter the program allowing potential participants to make an informed decision on whether or not drug court is their best option. In addition, potential participants meet with the participant advocate or private counsel to discuss the drug court program along with their other legal options.

If the potential participant is still interested after meeting with the participant advocate (public defender) and participating in pre- drug court, the drug court team will take a vote to determine whether or not to accept the offender into the program (referred to as drug court entry-hearing on the flow chart). The time between participants' arrest and entry into the program varies greatly due to many factors, if the case does not get delayed in the criminal justice system; it is usually around 30 days.

Figure 1. Vanderburgh County Adult Criminal Justice System Pre-Day Reporting Drug Court System



INCENTIVES FOR OFFENDERS TO ENTER (AND COMPLETE) THE VCDRDC PROGRAM

The VCDRDC is a post-plea program, the sentence is withheld until the participants' outcome of participation in the program is determined: graduated, terminated or withdrawn. The program diverts participants from incarceration and allows them to remain a free member of society while working on their substance use problems. Upon completion of the program, graduates have their case dismissed. In the cases of terminated or withdrawn participants, the sentence is determined at the time of program exit rather than at the time of plea. A strong incentive for all drug court participants is avoiding a conviction on their record and having the opportunity to focus on gaining control of their substance use issues and lives while living in the community.

PROGRAM PHASES

This section describes the phases of the VCDRDC program. (A visual representation of this description is provided in the following flow chart titled, Vanderburgh County Day Reporting Drug Court Process.)

The VCDRDC has four phases. The length of each phase is dependant on the individual participants' compliance with the program. Non-compliant behaviors result in sanctions (Appendix C contains a list of the VCDRDC sanctions). Generally, sanctions lengthen the time spent in each phase. Phases I and II last a minimum of 3 months each and phases III and IV are a minimum of 6 months each. Each phase consists of individualized treatment objectives, and therapeutic and rehabilitative activities according to therapists' recommendations for each client. Therefore, the frequency of required treatment sessions varies from one client to the next. Some participants are required to complete Pre-Treatment Stabilization, prior to Phase I, which includes detoxification and inpatient stabilization to assess medical and/or psychiatric disorders. In general, Phase I is intensive treatment focused on helping the participant establish stability, Phase II involves continued treatment as determined by the treatment provider. Participants in Phases III and IV attend relapse prevention groups.

During Phase I, participants are required to report 7 days a week to the Day Reporting office. During this visit, they are screened for alcohol use with an Alcosensor test (breath test for alcohol) and are required on a random basis to submit to urine drug screens (UDS). During the first month of the program, participants are required to submit a UDS sample at least twice per week and minimum of once per week for the remainder of Phase I. Phase I participants are also required to attend drug court sessions weekly, meet with their drug court case manager at least once a week, attend 12-step meetings seven times per week, and participate in treatment as scheduled by the treatment provider. To advance to Phase II, participants must have completed a minimum of 3 months of successful participation in Phase I and have paid at least \$100 towards their program fees.

During Phase II, participants must report to the Day Reporting office 5 days per week and submit to random UDS testing a minimum of two times per month. They must attend weekly meetings with their drug court case manager and bi-weekly drug court sessions. Also, the number of required 12-step meetings is reduced to four per week. To move to Phase III, participants must have completed a minimum of 3 months of successful participation in Phase II and have paid at least \$500 towards paying off their program fees.

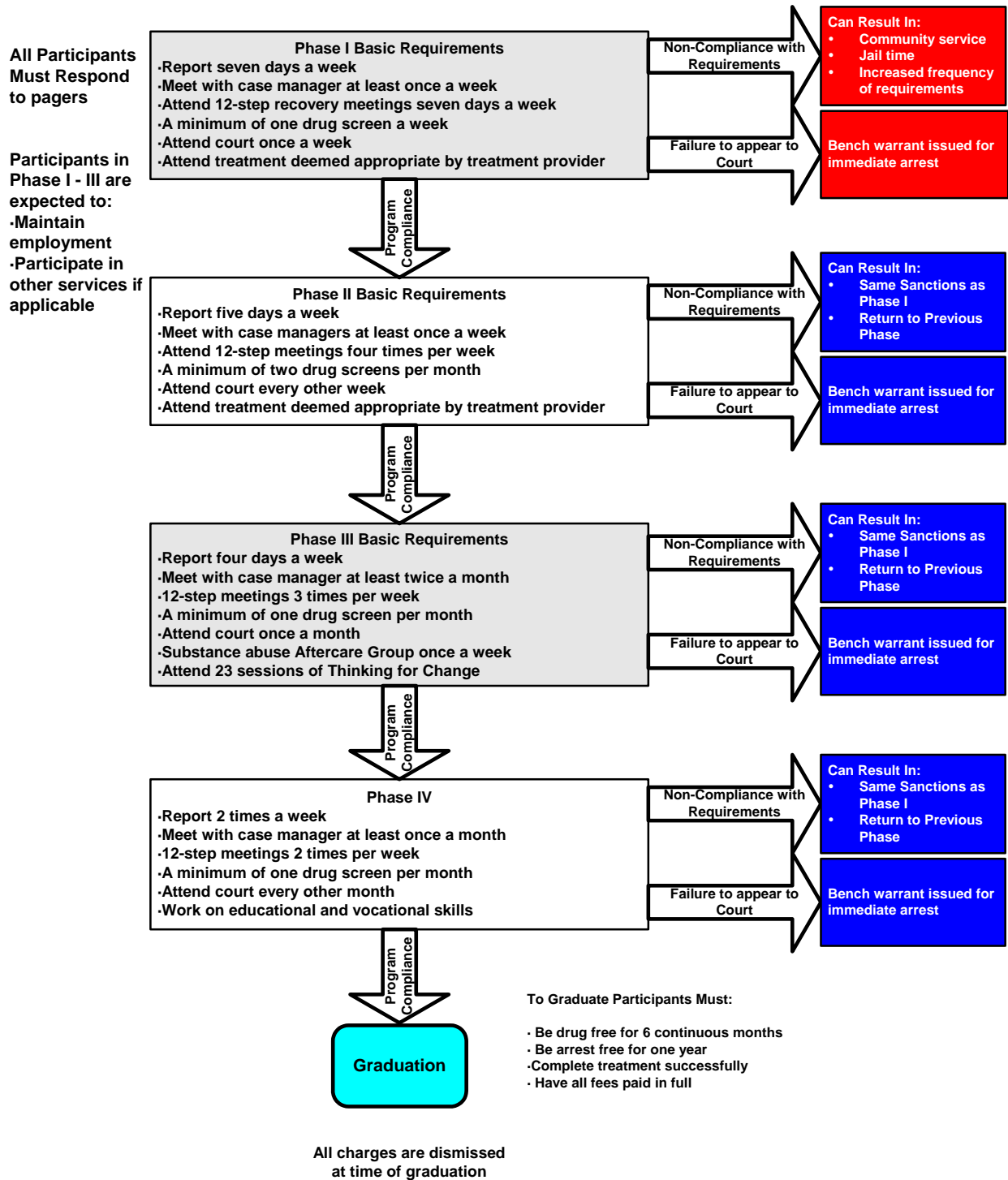
During Phase III, participants report to the Day Reporting office 4 days per week and submit to at least one random UDS per month. They meet with their case manager a minimum of two times

per month and attend drug court sessions monthly. Attendance at three 12-step meetings is required per week. Participants are also required to attend *Thinking for Change* classes taught by the drug court case managers. The curriculum teaches problem solving, social skills, and cognitive restructuring in 22 lessons. To advance to the less restrictive Phase IV, participants are required to owe no more than \$100 in participation fees and the \$200 countermeasure fee and have completed a minimum of 6 months of Phase III requirements.

Participants in Phase IV report to the Day Reporting office two times per week and must submit at least one random UDS per month. They meet with their case manager monthly while attending drug court sessions every other month. Two 12-step meetings are required per week. In order to graduate, participants must have been in the program for a minimum of 18 months and meet the graduation requirements (described in detail in the *Graduation* section).

Participants in all phases randomly receive home visits from the VCDRDC home verification officer to check on their compliance with the program. Every participant receives an initial visit within their first 2 weeks of the program, after which the case managers and the home verification officer will select participants that need to be visited based on their progress in the program. The specifics of the home visits are discussed later in this report in the *Team Member* section under *Home Verification Officer*.

Figure 2. Vanderburgh Day Reporting Drug Court Process



TREATMENT OVERVIEW

Stepping Stone, under the supervision of Southwestern Indiana Mental Health Center, is the primary treatment provider for VCDRDC participants; it is estimated that they provide care for 90% to 95% of the program participants. The drug court liaison, who is a social worker addiction therapist at Stepping Stone, is a member of the drug court team and provides intake assessments to determine the level of treatment each participant needs. The intake assessment also helps the drug court liaison to determine whether or not the participant has any mental health issues and if they need to see the staff psychiatrist.

The treatment services available to drug court participants are individualized to suit the unique needs of each participant. Stepping Stone offers a full range of treatment including detoxification, residential and day treatment, intensive outpatient, individual services, case management services, and a halfway house. For mental health services, individual counseling and a staff psychiatrist are available at Stepping Stone.

The other five to 10% of VCDRDC participants who do not attend Stepping Stone receive treatment from other treatment facilities. These include Cross Point, which is an arm of Deaconess Hospital in Evansville and provides detoxification and outpatient treatment; and Amethyst Addiction Services, which provides outpatient treatment only. When needed, Amethyst Addiction Services will refer participants to residential treatment out of state. All treatment providers that are used by the VCDRDC are certified by the Indiana Department of Mental Health.

TEAM MEETINGS

VCDRDC staff meet before each drug court session in a “committee meeting” to discuss participant progress and sanctions. The judge, director, participant advocate (public defender), prosecutor, two case managers, director’s assistant, director of the women’s shelter at the YWCA, Stepping Stone’s drug court liaison, and the home verification officer (deputy sheriff) attend the committee meeting regularly. If Amethyst Addictions Services is treating a VCDRDC participant, they will occasionally send a representative to the meeting. Private attorneys may also attend if their participants have issues.

PROVIDER AND TEAM COMMUNICATION WITH COURT

The treatment providers communicate with the drug court team through written and verbal reports, and phone conversations. Written participant progress reports are required of all treatment providers on a weekly basis. Verbal reports, based on the written reports, are given during committee meetings, court sessions and phone conversations on an as needed basis. Since Stepping Stone provides treatment for roughly 90% of drug court participants, they have a permanent representative on the drug court team, called the drug court liaison. As a member of the team, the drug court liaison attends the committee meetings to give a verbal report based on the therapists’ written reports, which indicate participant compliance with 12 step-meetings, treatment and other requirements. During drug court sessions, the liaison is in attendance to answer any of the judge’s questions on issues that did not come up during the committee meeting.

Between committee meetings, in order to address issues that need immediate attention, the VCDRDC case managers and the drug court liaison communicate via phone. The other treatment providers, Cross Point and Amethyst Addiction Services, will send a representative to the committee meetings to provide verbal reports as needed and based on their availability. If attending

the meetings is not possible, written progress reports are faxed or mailed to the drug court case managers who will relay the information to the rest of the team during the committee meetings.

DRUG COURT SESSIONS

Drug court sessions are held each Tuesday at 1:00 pm. The number of participants that attend each session varies, usually in the range of 30 to 40. Phase I participants are required to attend court weekly, Phase II participants attend court every other week, Phase III participants attend monthly, Phase IV participants attend once a month, and participants in Phase V attend every other month. Court is open to anyone that wishes to attend. The judge, two prosecutors, participant advocate, director, director's assistant, both case managers, Stepping Stone's drug court liaison, the YWCA representative, home verification officer, and any attorneys that represent participants attend court.

The courtroom is set up in a traditional manner where the judge sits on a raised bench and the rest of the drug court team sit across the room at two tables facing the bench. Participants are called up individually to stand at a lecture podium, positioned between the tables where the team members sit and address the judge in a formal matter using a microphone. The judge speaks directly to the participants with an authoritative, respectful tone. All participants are queried on program compliance, and some participants are also asked about updates on their personal lives. The judge interacts with each participant for an average of 5 minutes. Generally, the team members speak only to address the judge's questions. When appropriate, the judge will impose sanctions or rewards that have been decided prior to court in the committee meeting by the entire team.

THE DRUG COURT TEAM

Judge The current judge has presided on the VCDRDC bench since implementation. In addition to his drug court duties, he is the chief judge of the Superior Court and therefore handles all of the administrative matters for the court personnel. He is also assigned anywhere from 90 to 120 new criminal felony cases a month and has his own civil docket and family law docket. The position of drug court judge does not rotate through other judges. The judge attends drug court weekly, participates in the committee meetings, coordinates the advisory board meetings and administers sanctions and rewards to participants. He is also involved with community outreach and public speaking about the VCDRDC program.

Drug Court Director. The drug court director is the point of contact for the drug court team, which means that she is in constant contact with team members both inside and outside of committee meetings and court sessions. The director's role is to oversee the day-to-day operations of the drug court program. Her duties include managing the budgets, paying bills and grant writing. The director or her assistant performs the *LSI-R* and *SASSI* assessments and interviews each potential participant. The director also oversees the training for the staff.

Director's Assistant. The director's assistant attends committee meetings and drug court sessions. She assists the VCDRDC director with the daily operations of the drug court and fills in for the director in her absence. The director's assistant also performs urine drug screens on all female participants.

Case Managers. There are two drug court case managers that monitor program participants. They attend drug court sessions and committee meetings to report on client progress and compliance. These team members are responsible for the initial intake and orientation of all drug court participants as well as referring participants to the appropriate treatment provider. They see par-

ticipants for check-ins, perform urine drug screens and Alcosensors, complete progress reports and check on client compliance with program requirements. The case managers also help connect participants with community resources for such things as health and dental care, employment, housing, and education issues. Further, the case managers act to generally support the participants in working through their substance abuse problems.

Drug Court Liaison. The drug court liaison is a social worker addiction therapist at Stepping Stone, which is under the supervision of Southwestern Indiana Health Center. The liaison takes an active role in the drug court team. Although Stepping Stone is only one of several treatment locations for drug court participants, the majority of drug court participants are referred to Stepping Stone. The drug court liaison does the intake assessments for participants referred to Stepping Stone. The intake assessment determines what level of treatment is needed, whether or not participants have any mental health issues and whether or not they need to see the staff psychiatrist. In addition to attending the committee meetings, the liaison attends each drug court session. The drug court liaison tracks all of the participants that are referred to Stepping Stone and delivers both written and verbal progress reports to the committee meetings and drug court sessions.

Public Defender. In Vanderburgh County, the public defender is called the participant advocate. The role of the participant advocate is to provide legal advice, and to represent the interests of the participants. He also helps the participants with ancillary criminal problems or drivers license issues. Approximately 90% of drug court participants use the participant advocate as their representation. The participant advocate attends committee meetings, advisory board meetings, and the drug court sessions.

Deputy Prosecutor. There are two deputy prosecutors serving the VCDRDC. Their main role in drug court is to identify, legally screen and refer potential participants and to ensure that public safety is protected. One of the drug court prosecutors attends the advisory board meetings, while both attend the committee meetings and the drug court sessions.

Home Verification Officer. The home verification officer is a sheriff deputy who takes participants in and out of holding when they are incarcerated. He also performs random home visits with every participant to check for program compliance at least once per month. During these visits he checks for living conditions, who the person lives with, what the neighborhood is like, and the presence of drugs and alcohol. He also randomly screens for alcohol use with a hand held blood alcohol content measurement tool and screens for drug use with an oral test. At times a drug dog accompanies him on these home visits. The home verification officer also randomly calls participants on their cell phones to report to the Day Reporting office for Alcosensor tests and urinalyses. The home verification officer attends the committee meetings and drug court sessions.

DRUG COURT TEAM TRAINING

Members of the VCDRDC team have attended drug court training conferences and workshops. As described earlier, during the planning and implementation process, the drug court judge and director read several articles on drug courts, visited drug courts around the region, and attended drug court seminars. Key members of the drug court team, including the director, the director's assistant, case managers, and judge have attended annual conferences on drug courts by the Indiana Judicial Center and at times, the National Drug Court Institute (NDCI) trainings. In addition, team members have attended other trainings focused on their particular role in the drug court process. The judge attended the weeklong training for drug court judges put on by the Department of Justice in 2001. The director attended the NDCI training for coordinators as well as training on incen-

tives and sanctions and several trainings on substance abuse and the chemical changes that occur in substance abusers. The drug court liaison attended training focused on sustainability of drug court programs given by the NDCI and training on how to teach the cognitive restructuring class, *Thinking for Change*. The case managers also attended the *Thinking for Change* training. The prosecutor attended the NDCI prosecutor training as well as training on sanctions and incentives. Finally, the participant advocate attended the NDCI training for defense council.

DRUG COURT FEES

There is a \$500 program fee for drug court participants.⁹ All participants are also required to pay a \$200 Alcohol and Drug Countermeasures Fee.¹⁰ In addition, participants must pay for each UDS and if needed, each confirmation analysis. UDS cost \$13.00 each and confirmation tests through AIT Laboratory are an additional \$25.00. Participants are required to carry and cover the cost of cell phones, used to summon participants for random UDS. Participants are also responsible for paying for any treatment they receive. Some participants are able to pay with insurance or Medicaid. For low-income participants, the treatment providers offset the treatment fees on a sliding scale based on the participants' income with financial assistance from the Hoosier Assurance Plan (HAP). HAP is a program of the Indiana Family and Social Services Administration – Division of Mental Health and Addiction that helps fund mental health and addiction services. The majority of drug court participants qualify for the lowest payment scale, which is \$12 for an assessment, \$12 for each group session, and other services are similarly priced.

Minimum payments of drug court fees are required of participants before they advance to subsequent phases. As discussed in the phase requirements, payment of at least \$100 is required to move to Phase II, \$500 for advancement to Phase III, and a participant must owe less than \$100 in participation fees and \$200 in Countermeasure fees in order to move to Phase IV. All fees must be paid before a participant is permitted to graduate.

DRUG TESTING

The home verification officer and case managers test participants randomly and for probable cause during required check-ins and home visits. The home verification officer uses a hand held blood alcohol content measurement tool to screen for alcohol use and an oral test to screen for drug use while on home visits.

During check-ins at the Day Reporting office, an Alcosensor is used and urine drug screen dipsticks, both of which provide results immediately. The drugs tested for each UDS are based on the participants' drug of choice and include a 5-panel, (which is most frequently used) and a 10-panel dipstick. The drug court team may also randomly call participants on their cell phones to come in to the Day Reporting office for an Alcosensor test and UDS.

The frequency of drug tests is dependant on the participants' program phase. Participants are tested at random when they report to the Day Reporting office. If a participant tests positive either at their home or in the Day Reporting office, another screen is administered immediately, if the second test is positive the sample is sent to the AIT Laboratory for confirmation and the participant is arrested and taken into custody until the results are available.

The daily weekday schedule for testing is designed to accommodate the work schedule of the participants as much as possible. The VCDRDC opens at 7:00 am. Those individuals who work a

⁹ \$500 is the maximum amount allowed under IC 12-23-14.5-12

¹⁰ The definition of the Alcohol and Drug Countermeasures Fees is under IC 33-37-5-10

first or third shift come in for testing from 7:00 a.m. to 9:00 a.m. If a person works the second shift (3p.m. to 11p.m.), they receive their testing from 1:00 p.m. to 2:00 p.m. For Saturdays, Sundays and holidays, the hours for testing are 7:00 a.m. to 8:00 a.m. for Phases I and II and 7:00 a.m. to 9:00 a.m. for Phases III and IV.

Additionally, VCDRDC has surprise drug screens when they call in the whole program on a Saturday or Sunday night and test everyone. For example, on Super Bowl Sunday (February 4, 2007) they called in phase III and IV and tested everyone. All tested negative. On New Year's Eve at 11:00 p.m., they called in the whole program. They also have probable cause tests when they see suspicious behavior or get reports on possible use.

REWARDS

Applause is frequently used as a reward in the VCDRDC; it is given during court sessions when anyone receives a certificate, completes treatment, or receives a chip or keychain from the 12-step program for the number of days they have been clean. Other rewards for compliance with program requirements include movie passes and Denny's coupons, which are given at graduations and to promote family fun time. After a month in the drug court, participants receive YMCA passes from the case managers. The drug court staff also provides certificates to participants for moving from one phase to another and for completing various required classes. Participants that do not miss any reporting or treatment sessions and do not receive any sanctions are allowed to move to the next phase sooner. Phase I is reduced by 1 week, Phase II is shortened by 2 weeks, and Phase III is reduced by one month. In addition, one month is deducted from the length of their program if a client obtains their GED. Participants in Phase IV have the optional honor of mentoring new drug court participants.

The drug court team decides together what the reward should be for each participant and the judge imposes it. Advancement to the next phase, dismissal of criminal charges, and graduation are all rewards built into the structure of the program. Also, as participants advance in the program, certain restrictions are loosened as a reward. For instance, the frequency of drug court session appearances and meetings with case managers are reduced. Another reward for progressing to higher phases is to be called to speak with the judge earlier in court sessions allowing those participants to leave the court sooner.

SANCTIONS

The sanctions are imposed by the Judge, but decided through a collaborative effort with the drug court team. Sanctions are graduated and team makes an effort to recommend a fair sanction for the severity of the infraction. For consistency, a list of sanctions matched with common offenses and number of occurrences, is referenced. Please refer to Appendix C for the sanction guideline list. All team members have an equal vote in the decision. Non-compliant behaviors include drug use; refusal, failure to attend or late arrival to drug court sessions, treatment sessions, Day Reporting, or case manager meetings; not coming to the office when called for a random drug test; dressing inappropriately for court or Day Reporting; continued unemployment; and for not paying program fees. Sanctions include warnings and reprimands from the judge, community service, increased program requirements, demotion to an earlier phase, Home Detention, Residential Community Corrections (Work Release Program), incarceration, and finally, dismissal from the drug court program. The team recognizes the importance of immediacy in sanctioning non-compliant behavior, for example, when a participant tests positive for drugs or alcohol they are arrested and taken into custody immediately.

TERMINATION

Termination from the VCDRDC may result from repeated non-compliance with drug court requirements (such as drug test violations) or lack of progress. After the third time not reporting to the office for Day Reporting or refusal to give a UDS sample participants are terminated. The drug court team may also terminate a participant after three or more positive UDS. However, at the team's discretion, long-term treatment can be used as a sanction instead of termination. Committing a new felony offense while enrolled in drug court results in termination from the program. The drug court team makes termination decisions for participants that commit misdemeanor offenses while in the program on a case-by-case basis with a strong influence by the prosecutor. When a participant is terminated from the program, they are returned to regular court processing for an open sentence, which is may be a sentence of prison time. It appears that those who participate but do not complete the VCDRDC program receive a more severe sentence than similar offenders who do not participate in the program. Our data show that for the offense that originally led to drug treatment court participation, the average jail sentence for terminated drug court clients was 41 days. The average jail sentence for non-drug court participants with a comparable offense was 20 days.

GRADUATION

Requirements for graduation from the drug court include remaining clean and sober and having employment for 6 continuous months prior to graduation, payment of fees, staying arrest free for 1 year, and satisfactory completion of the drug court program. Participants spend at least 18 months in drug court before graduating. Graduations are held separate from the regular court proceedings in the evening. The entire drug court team is present including the judge, coordinator, case managers, prosecutors, participant advocate, and treatment providers. Occasionally, representatives from community agencies that have provided participants with services and or employment attend graduations. Typically, the judge performs opening remarks. There is usually a guest speaker and each individual is called up and presented with a plaque. The case managers speak about the graduates' successes and struggles throughout the program. Then the judge also says something about each individual. Finally, the participants usually give a short speech. The ceremony is followed by a reception with refreshments.

DATA COLLECTED BY THE PROGRAM FOR TRACKING AND EVALUATION PURPOSES

Data on drug court participants is kept in an electronic Access database. The system is used to keep data collected during the initial intake interview, which is found in the *Intake Form* section of the database. It includes personal information on each participant such as marital status, education, ethnicity, employment, family, health, mental health, drug treatment, and criminal history. The *Intake Form* also has the assessment results, which indicates whether or not the person is accepted into drug court including, for those rejected, the reason behind rejection. The *Case Management Form* tracks the following data: drug court appearance dates, UDS dates and results, sanctions, 12-step meeting information, and drug court outcome information including program completion dates and status. NPC Research was able to use a working copy of the drug court Access database for the evaluation.

PROGRAM FUNDING

The Community Corrections program provided initial funding for the implementation of the drug court. At present, the VCDRDC is funded almost entirely by grants although drug court is currently

housed and is still partially funded by Community Corrections. Community Corrections is funded by the Department of Corrections, which is state funded. The grants that currently fund the program include a Burn grant through the Indiana Criminal Justice Institute, and a small portion of the Local Law Enforcement Law Grant money that is received annually by the county. In addition, the Vanderburgh County Substance Abuse Council, which is a not for profit agency, also contributes by providing the court with some Weed and Seed money from the Federal Government. Grants written through the Foundation Assisting in Recovery (FAIR) to the Substance Abuse Council also support the needs of the participants. FAIR is VCDRDC's not-for-profit 501(c)3 organization started by Deborah Mowbray. Its role is discussed further in the next section.

ADVISORY BOARD AND COMMUNITY CONNECTIONS

There are quarterly meetings of a Drug Court Advisory Board. The function of this board is to develop drug court policies and to continue to obtain further community connections and resources. The board members consist of the VCDRDC judge, director, deputy prosecutor, representatives from Community Corrections, Stepping Stone, and Vanderburgh County Schools; four different ministers of different faiths, several public defenders (all are welcome), two to three other private defense attorneys (all are welcome); a police officer, sheriff's deputy, county commissioner, county councilman, city councilman; and several other citizen members.

The VCDRDC has created an organization called the Foundation Assisting in Recovery (FAIR) to address the needs of drug court participants not covered by existing resources. Grants are written through FAIR to meet the needs of participants including purchasing maternity clothes for pregnant participants, and buying bicycles and bus tokens for participants lacking transportation. Grants are written through the nonprofit to provide participants with items to help them be successful in their recovery.

VCDRDC has built relationships with several community agencies and businesses that provide services and employment for drug court participants. These agencies and businesses include companies such as Berry Plastics, Miller Plating, PCI, Inc., CSX Railroad Co., TSF Enterprises, Charitable Resources, and Denny's Restaurant.

VCDRDC 10 Key Components Results

The National Association of Drug Court Professionals (NADCP, 1997) has defined successful drug courts as consisting of *10 Key Components*. This section lists these *10 Key Components*, as well as research questions developed by NPC for evaluation purposes. The research questions were designed to determine whether and how well each key component is demonstrated by the VCDRDC. The importance of the *10 Key Components* is recognized by the IJC as they are a component of the drug court certification process. There are currently no research-based benchmarks for any of these Key Components, as researchers are still in the process of establishing an evidence base for how each of these components should be implemented. However, preliminary research by NPC connects certain practices within some of these Key Components with positive outcomes for drug court participants. Additional work in progress will contribute to our understanding of these areas.

The descriptions of each Key Component that follow include local information about the VCDRDC, existing research that supports promising practices, and relevant comparisons to other drug courts. Comparison drug court data come from the *National Drug Court Survey* performed by Caroline Cooper at American University (2000), and are used for illustrative purposes.

Key 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?

Previous research (Carey et al., 2005) has indicated that greater representation of team members from collaborating agencies (e.g., prosecuting attorney, defense attorney, treatment) at team

[Drug court staff] pays attention to everything that’s going on in your life. Every week, you sit down with your case manager and you talk about everything. Then, the judge brings it up in court; so you know they’re talking about you. It’s good that they recognize it.

– Drug Court Participant

meetings and court sessions is correlated with positive outcomes for clients, including reduced recidivism and, consequently, reduced costs at follow-up.

At VCDRDC, the list of agency contributors is comprehensive—it includes both treatment and justice system partners. The partner agencies seem to work well together; respondents indicated that decisions about the drug court are made collaboratively and by consensus. Prior to accepting an individual into drug court, the team works together to make sure the client will be ready for the rigors of the program and can be ultimately successful. During the pre-court committee meeting, which is attended by the majority of the team members, several staff members provide different types of information, ultimately helping the team make a more informed decision.

Substance abuse treatment providers share information with the rest of the team through progress reports. The team believes it is the cooperation of the various stakeholders and partner agencies and the commitment of the people in them that is one of the greatest strengths of this drug court.

The program benefits from a strong director, who is acutely aware of drug court operations. However, this strength has a downside. As an example, when the director was called away, information regarding specific clients and prospective clients was not readily available for the team meeting. During times when the director may not be available, it is essential for the continued smooth operation of the court that a protocol be in place to allow access to necessary data. Drug court operations should continue seamlessly for the benefit of current participants or prospective clients and any relevant information regarding those individuals be made available to the team.

In regular criminal court, I’m just strictly a zealous advocate for my client where as in drug court I don’t view it as an adversarial system and I try to figure out what is the best interest of my client even if it may mean additional treatment, so it’s a different role.

– Vanderburgh Participant Advocate

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

Research Question: Are the participant advocate (public defender) and the prosecutor satisfied that drug court has not compromised the mission of each?

Respondents indicated that all the entities involved in this drug court are fully committed to it. The participant advocate (public defender role) participating in the program retains the role of advocate, but cooperates with the other team members for what seems to be the participant's best interest.

The prosecutor and the public defender are both looking for prospective participants that they can refer to the program. Without such intervention, it is possible that those defendants would be convicted and sent to correctional facilities. Consistent with the national drug court model, the prosecutors and participant advocate in this program have embraced alternative, non-adversarial roles built on cooperation and communication.

This cooperative perspective is also reflected in the interaction between the prosecutor and participant advocate during drug court. They appear to respect each other. During the session when other team members pointed out behaviors that were not constructive (in deciding whether to give a sanction), the participant advocate (public defender) was invited to speak on the client's behalf. They strove to understand the client's situation in its entirety before making decisions.

One of the prosecutors was new to DC at the time of the NPC site visit. During the team meeting, the participant advocate stated clearly the unique nature of drug court by stressing the need for cooperation, and adding that drug court was about the client not about traditional court roles.

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

Research Question: Are the eligibility requirements being implemented successfully? Is the original target population being served?

The time from arrest to entry into the drug court program is approximately 3 to 4 weeks. The quicker this placement can happen, the better, as immediate responses to behavior are most effective and the sooner participants can begin treatment the better. Contacts with law enforcement and the criminal justice system are often viewed by the offender as an awakening and provide them an opportunity to make potentially life-changing decisions, such as entering treatment.

If you don't have any family support, drug court becomes your family.

– Drug Court Participant

One aspect of this delay is caused by the director's diligent efforts to get potential participants into the program. Some have 6 to 8 month intervals before committing to join the program, due to the potential participant, not the court. These individuals cause the average to be greater than it would be without them.

The target population of the VCDRDC is “nonviolent defendants who have been arrested for a drug related offense other than dealing.”¹¹ However, it appears the VCDRDC is not equally meeting the needs of the total eligible population. In VCDRDC, 21% of the participants are African American and 79% White.¹² The overall graduation rate¹³ for VCDRDC was 54%. However, the rate for African Americans is 34% versus 59% for Whites.

¹¹ Vanderburgh County Day Reporting Drug Court *Participant Handbook*.

¹² As there were only 2 participants of other races, they were not included in these analyses.

¹³ Number of graduates divided by the total number of participants. This calculation is discussed more fully in the Outcome Component.

Key Component #4: Drug courts provide access to a continuum of alcohol, drug and other treatment and rehabilitation service.

Research Question: Are diverse specialized treatment services available?

The American University National Drug Court Survey (Cooper, 2000) shows that most drug courts have a single provider. NPC research, in a study of drug courts in California (Carey et al., 2005) found that having a single provider or an agency that oversees all the providers is correlated with more positive participant outcomes, including lower recidivism and lower cost at follow-up.

Additionally, clients who participated in group-treatment sessions two to three times per week have better outcomes (Carey et al., 2005). Programs that require more than three treatment sessions per week may create hardship for clients, and may lead to clients having difficulty meeting program requirements (e.g. employment). Conversely, it appears that one or fewer sessions per week is not enough intensity to demonstrate positive outcomes. Individual treatment sessions, used as needed, can augment group sessions and may contribute to better outcomes, even if the total number of treatment sessions in a given week exceeds three.

The program provides a continuum of necessary services to participants. The VCDRDC works primarily with one treatment provider (Stepping Stone) to provide a continuum of services appropriate for each individual, depending upon their needs. Services include weekly therapeutic (outpatient) sessions, detoxification services, and inpatient treatment. The treatment providers report to court staff on treatment progress and compliance. The frequency of treatment sessions vary due to individualized treatment plans, however, the majority of drug court participants attend IOP group treatment sessions at Stepping Stone. For the first 16 weeks of treatment, participants attend IOP group three times per week, after which they attend once per week for 10 weeks, which is in line with the suggested frequency of treatment sessions.

The drug court also provides ancillary services, such as job-related assistance, and referrals to community-based programs. These services assist participants to function better in the community once they have completed the program. For example, VCDRDC participants are required to participate in NA or AA, and other appropriate activities approved by the program.

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

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

Research on drug courts in California (Carey et al., 2005) found that drug testing that occurs randomly, at least three times per week is the most effective model. If testing occurs more frequently (that is, three times per week or more), the random component becomes less important. Programs that tested more frequently than three times per week did not have any better or worse outcomes than those that tested three times per week. Less frequent testing resulted in less positive outcomes.

It is still unclear whether the important component of this process is taking the urine sample (having clients know they may or will be tested) or actually conducting the test, as some programs take multiple urine samples and then select only some of the samples to test. Further research will help answer this question.

On Super Bowl Sunday (February 4, 2007), the DC team called in phase III and IV (Phases I and II would already have been required to report as part of their program) and tested everyone. All tested negative.

Results from the *American University National Drug Court Survey* (Cooper, 2000) show that the number of urine drug screens (UDS) given by the large majority of drug courts nationally during the first two phases is two to three per week. The VCDRDC conducts UDS consistent with the average adult drug court: at least 2 days a week during Phase I. Random urine testing is at least twice a month during Phase II. Although random UA testing is less than the recommended amount during Phase II, Phase I participants are tested with the Alcosensor 7 days a week and 5 days a week on it during Phase II.

As with most drug courts, VCDRDC drug testing is more frequent in the beginning of the program, and gradually tapers off toward the end of the program. VCDRDC provides a program that is highly structured and rigorous (in terms of meetings/treatment/UDS required weekly), especially early on. While several respondents felt the structure helped them to stay clean, there were some who felt that requirements could, at times, be overwhelming and stressful.

VCDRDC should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. It is important to maintain the positive aspects of frequent monitoring without creating an undue burden on participants. The purpose of this program is to engage and retain individuals in treatment and help them adjust to a new lifestyle, free of drugs and criminal behavior. These efforts and subsequent changes are incredibly difficult work for the participants.

While VCDRDC participants found the level of oversight and intensity difficult and contributing to participant failure, the staff saw these structural features of the program as strengths. One staff member commented regarding the daily monitoring program and its uniqueness:

“We see the person every day; we check to make sure their schedule of work and treatment and home is all taken care of. I’m not sure many other jurisdictions have that capability.” (Case Manager)

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

Research Questions: Do the partner agencies in this program 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?

The intent of sanctions and rewards should always be to reinforce desired behavior such as abstinence, while minimizing undesirable behavior e.g., missing sessions. Sanctions and rewards should be examined to ensure they do not interfere with the ability of participants to be successful. For example, lengthy time in jail could lead a participant to lose employment. In addition, the process for giving sanctions and rewards should be examined to ensure that the intended lesson is clear and effective. An immediate response to poor behavior is generally much more effective than a delayed response.

Generally, in drug court programs, participants have clear incentives to complete the program. The most common and overarching incentive of drug court is the dismissal of the criminal

I’ve had an opportunity to have some really good jobs that I couldn’t take [because of the drug court program’s time commitment]. You’re not going to find well-paying jobs while participating in DC.
– Drug Court Participant

charge that brought them into drug court. Often, a “suspended sentence,” pending completion of the drug court program, is in place, which means that the participants with more extensive criminal histories can avoid incarceration.

A variety of rewards and sanctions are used with VCDRDC participants during the program. Sanctions are graduated—the severity of the sanction increases with more frequent or more serious infractions. This is a recommended practice throughout criminal justice programming. Sanctions may include community service hours, house arrest, jail time or residential treatment. Ap-

There are some situations that are out of your control [like getting a flat tire and missing a meeting as a result]; it would be nice if that were recognized [and you don't get a sanction].

– *Drug Court Participant*

pendix C contains a complete list of the VCDRDC sanctions. Appendix D contains some examples of sanctions and rewards used by other drug courts evaluated by NPC. Many of these are similar to those already in use by the VCDRDC program while others might provide some new and different ideas for the VCDRDC team to consider.

VCDRDC has a *Participant Handbook* with clear guidelines for determination and use of rewards and sanctions. Reports regarding progress or non-compliant participant behaviors from treatment providers, Case Managers, and the home verification officer are discussed during committee meetings prior to court. Then the team discusses and decides on sanctions and rewards.

The judge speaks with the participant during court and imposes sanctions that have been decided by the team during the committee meeting. This process is different than the more common process nationally, which is for the judge to make the final decision regarding rewards and sanctions based on input from the team.

Key Component #7: Ongoing judicial interaction with each participant is essential.

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

Research in California and Oregon (Carey et al., 2005) demonstrated that participants have the most positive outcomes if they attend at least one court session every 2 to 3 weeks in Phase I of their involvement in the program. In addition, programs where judges participated in drug court voluntarily and remained with the program at least 2 years had the most positive participant outcomes. NPC research supports hiring judges without a time-limit, as experience and longevity is correlated with cost savings (Carey et al., 2005; Finigan, Carey, & Cox, 2006).

Nationally, the *American University Drug Court Survey* (Cooper, 2000) reported that most drug court programs require weekly contact with the judge in Phase I, contact every 2 weeks in Phase II, and monthly contact in Phase III. The amount of contact decreases for each successive phase. Although most drug courts followed the above model, a good percentage had less court contact (e.g., every 2 weeks in Phase I, monthly in Phases II and III.). In the VCDRDC, participants attend Drug Court under the most common model: Phase I participants have weekly contact with Judge Trockman; Phase II every 2 weeks and once a month during Phase III.

Judge Trockman has been presiding over the VCDRDC since its inception in 2001. Drug courts with judges who preside for at least 2 years and/or who rotate through more than once have better outcomes than drug courts with regular rotations of less than 2 years (Carey et al., 2005; Finigan, Carey, & Cox, 2006).

The judge learns about the participant during the team meeting from drug court staff, from written reports and through discussions with the participants. This process brings each participant’s situation to the judge’s attention in a personal, interactive way that helps build the relationship that the judge has with each participant.

Judge Trockman interacts with the participants extremely well. He remembers from week to week what is happening with the participants including where they work and how many children they have. Judge Trockman speaks with participants personally, so most of the participants feel that they are not just a number—that the Judge genuinely cares whether they succeed or not. The Judge also earns the respect of participants by holding them accountable for their actions while rewarding them for their successes.

The court’s a circus. It’s good to go up and the judge smiles at you and you smile at the judge. You might have a [AA] chip and the judge asks you to bring it up and everybody claps. It feels good.

– Participant comment about Judge Trockman

Participants interviewed held a very positive view of Judge Trockman. They appreciated his interest in helping them and their peers. They also talked positively about the judge’s efforts to recognize those in the program that are doing well. They really felt he was working for their success. One participant said, “I think that if it were solely up to the judge (I know it isn’t) he’d give everybody who wanted it, a chance in the program.”

Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

Research Question: Is evaluation and monitoring integral to the program?

Although VCDRDC has had numerous challenges around collecting drug court data, it is hoped that with their new database system some of the concerns present in the old system have been corrected. The director and her staff are aware of essential drug court data elements and are continually frustrated at not being able to access their own data. They would like to be able to review the status of their participants by demographic variables but the past system thwarted these efforts. They collect the appropriate variables but are unable to retrieve them. The director summarized the situation well when she stated, “waiting years to get anything done slows the progress of our program.” NPC used the old version of their database for our analyses and we appreciate VCDRDC’s concerns.

There are several ongoing issues around computer equipment and information technology (IT) support. These concerns are the following:

- They are losing their Alcosensor information on a daily basis because IT will not link the Alcosensor machine to the computer.
- They must use paper sign-in sheets and write on them if a person tests positive. They cannot enter the information directly into the computer, as it is not linked to the database.
- They have had two printers available but needing to be installed on the system for 2 years.
- Five laptop computers have needed to be configured to the system since August 2006.

- They cannot review their scanned files (the old files), as they do not have access to the system.
- Although they have the money earmarked to purchase a scanner, for 6 months they have requested input from IT staff as to which one to purchase to be compatible with the present software.
- They need another computer line installed to run another computer.

These computer and IT issues must be resolved for the program to be fully efficient and before further evaluations may be made of the VCDRDC.

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

Research Question: Is this program continuing to advance its staff members' training and knowledge?

VCDRDC team members receive ongoing training. From the breadth of their training experiences, it is clear that VCDRDC recognizes the importance of staff training and knowledge. Members of the VCDRDC team have attended drug court training conferences and workshops.

Training is an important element for continued certification under IJC. As described earlier in this report, key members of the VCDRDC including the director, the assistant to the director, case managers, and judge have attended annual conferences on drug courts sponsored by the IJC and the National Drug Court Institute (NDCI). In addition, team members have attended other trainings focused on their particular role in the drug court process. The judge attended the week-long training for drug court judges put on by the Department of Justice in 2001. The director attended the NDCI for coordinators as well as training on incentives and sanctions and several trainings on substance abuse and the chemical changes that occur in substance abusers. The drug court case managers attended *Thinking for Change* training. The prosecutor attended the NDCI Drug Court Prosecutor Training as well as training on sanctions and incentives. The participant advocate attended the NDCI training for Defense Council.

As discussed under Key Component #3, the VCDRDC should consider incorporating cultural competency training into their staff training. As the target population shifts, it is important to remain responsive to these needs and changes.

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

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

Responses to Caroline 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 self-help groups like AA or NA, medical providers, local education systems, employment services, faith communities, and Chambers of Commerce.

The program has worked to include a variety of important and relevant agency partners. Representatives, who attend pre-court meetings and DC sessions, include people from transitional housing, treatment providers, and law enforcement, in addition to those from agencies traditionally associated with drug court programs (e.g., prosecutor, participant advocate, case management, etc).

The VCDRDC has done an excellent job of forging partnerships with community organizations. Schools and ministries from local churches are members of the drug court advisory board as well as local elected leaders. The VCDRDC has collaborated with seven businesses in the area to provide employment opportunities for participants. Outside corporations have also made donations to the VCDRDC. Engaging the business community has been beneficial to both the participants and to the businesses.

The relationship between the employers and the drug court staff has created a net to catch non-compliant participants and encourage reconciliation. For example, one participant was an hour and a half late to work and used drug court as an excuse for his tardiness. As this employer was one of seven businesses in partnership with VCDRDC, the employer checked with the drug court staff to verify the excuse, and found that it was false. At the next court session, the participant was sanctioned to write a letter on honesty and later used the experience to discuss in the Thinking for Change class.

Recommendations

Drug courts are complex programs designed to deal with some of the most challenging problems that communities face. Drug courts bring together multiple traditionally adversarial roles as well as stakeholders from different systems with different training, professional language, and approaches. They take on groups of clients that frequently have serious substance abuse treatment needs. Adults with substance abuse issues involved in the criminal justice system must be seen within an ecological context; that is, within the environment that has contributed to their attitudes and behaviors. This environment includes their neighborhoods, families, friends, and formal or informal economies through which they support themselves. The drug court must understand the various social, economic and cultural factors that affect them.

VCDRDC has been responsive to the community needs and strives to meet the challenges presented by substance abusers. The recommendations for VCDRDC are highlighted below.

- There needs to be resolution of VCDRDC's computer issues. It seems clear that another party may need to become involved as numerous requests by VCDRDC are going unheeded. They are losing important data and equipment is sitting in boxes and becoming obsolete.
- VCDRDC may wish to consider offering flexibility in several areas of the program including drug testing and drug court sessions. For example, participants requested flexibility in the times and days of the week that drug court sessions take place, to accommodate participants who have other demands on their time, including children or jobs. Many drug court programs offer early morning court sessions or evening sessions. It may be appropriate for

Even if you come here at 7am [to give a UA], some people don't get seen right away. Also, most daycares don't open before 7am, so it's difficult for single moms to coordinate care for their children.

Drug Court Participant

the program to provide flexibility in its program requirements as an incentive for participants who are demonstrating positive intent to change their behavior and who are making progress toward those changes.

- Include in the *Participant Handbook* information on allowable medications. A list of cold symptom medications, pain relievers, and other allowable over-the-counter medications would provide the necessary symptom relief without placing the stress and fear of accidentally doing something “wrong” on the client.

“I don’t remember anything in the handbook about which medications are okay to take. Sometimes, I don’t know whether to take Advil or similar meds. I had to get an emergency root canal and I tried to call [a staff member] and couldn’t get in touch with anyone...so I didn’t take anything and I was in pain. They could be clearer with that.” – *Drug Court Participant*

- For the offense that originally led to drug treatment court participation, the average jail sentence for terminated drug court clients was 41 days. The average jail sentence for non-drug court participants with a comparable offense was 20 days. The VCDRDTC should consider the reasons for this discrepancy and determine if there is a way to ensure more consistency between sentences for drug court and non-drug court offenders for similar charges. It appears that these sentences may be punitive for being terminated from drug court. An additional consideration should be that the longer jail sentence for terminated drug court clients has the effect of making drug court a more expensive option.
- Since 3 to 4 weeks from arrest to entry is pushing the limits of what should be considered as “promptly placed,” the VCDRDTC should monitor the time from identification to drug court entry to ensure this time period does not widen and analyze where additional efficiencies may be possible. Discussions among members of the drug court team regarding how the timeline can be shortened may be in order.
- The VCDRDTC team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. It is important to maintain the positive aspects of frequent monitoring without creating an undue burden on participants.
- Given the disparate graduation rates between Whites and African Americans, it is important to create policies and procedures and provide services that are responsive to cultural differences and to train personnel to be culturally competent. It is recommended that the team evaluate ways in which they could incorporate cultural competency training into their operations and explore the availability of culturally sensitive services for participants. A long-term goal of the court should be to equalize these ethnic differences in graduation rates.
- Most respondents indicated that financially the program was a burden and therefore a barrier (real or perceived) to access to services. This was especially true for those first starting

When you’re straight off the streets and have to pay everyone once a week, it’s very difficult. It seems like there’s no way to get ahead in life, and you can get the same feeling in this program about the fees.

Drug Court Participant

the program. Based on average values,⁹ the total cost of VCDRDC is estimated at \$1731 for an 18-month program. For participants, 42% (\$729) of the \$1731 is due by the end of Phase I. By the end of Phase II, 78% of the total cost must be paid. Additionally, a cell phone is required which conservatively adds a \$40 per month and brings the total drug court cost to \$2464. One justification for charging these fees is the adage *if they were able to buy drugs they can pay for drug court*. However, as our data suggests, criminal behavior (theft, forgery, etc) were their means of support prior to drug court. As the focus group participants uniformly conveyed, the high initial costs were an additional stressor during a stressful time. Consideration should be given to this finding. One feasible solution would be to average costs over the 18 months. A monthly charge of \$96.16 (\$1731/18) would be more attainable for one transitioning from criminal to traditional means of support.

- Building off the data presented above, the VCDRDC’s baseline cost is 40% higher than the average Indiana Drug Treatment Court program.¹² The drug court team may want to research ways to secure additional funds to offset cost to clients or consider additional grants. The team might also consider reducing fees for compliant behaviors in later phases.
- Several interviewees reported some concerns regarding life after graduation. They have come to see DC as a part of their family and social support system and were concerned about the challenges they might face without that support. Aftercare is a clinical best practice, supporting individuals in their transition to a drug-free lifestyle. The team may wish to consider initiating a minimal aftercare component or establish a policy for Drug Court staff to follow up on and encourage participants to participate in aftercare. Discussions need to occur regarding agency roles and responsibilities and how the program would facilitate coordination of this service within or outside of the judicial context.
- The selection of and guidelines for a substitute judge should be a discussion point at a team meeting. There needs to be a seamless transition between judges when the need arises. A more consistent process for giving sanctions and rewards during times when Judge Trockman is not available is needed. We observed the situation where the judge substituting chose not to follow the sanction schedule. Drug court participants were confused and the impact was felt for subsequent weeks. The effects of the absence of the main judge on clients needs to be addressed by the judge and team.

**It’s my social life.
 I’m not sure what I’m
 going to do [after
 graduation].**
Drug Court Participant

⁹ Average (mean) values were estimated for number of drug screens and confirmatory UDS tests based on frequencies obtained from the VCDRDC database. Mean treatment costs were provided by Stepping Stone.

¹² \$500 average cost versus \$700 VCDRDC (\$500 DC fee + \$200 Countermeasure fee)

OUTCOME EVALUATION

Outcome Evaluation Methods

RESEARCH STRATEGY

Research has demonstrated the importance of completing substance abuse treatment in the realization of desirable societal effects. These positive effects include substance abuse cessation, reduced criminal behavior and improved employment outcomes (Finigan, 1996). An initial indicator of the success of a drug court program is the rate of program participant graduation (completion of treatment). Therefore, NPC Research calculated the graduation rates for VCDRDC and compared them to a comparison group and the national average for drug court programs.

The criminal justice system outcome yardstick that most commonly is used to measure the effectiveness of drug courts is the recidivism of drug court participants after they leave drug court programs. Re-arrests are defined in this study as arrests leading to adjudication. NPC Research examined the effectiveness of the VCDRDC by comparing the post-program recidivism (re-arrests) of a sample of VCDRDC participants with the recidivism of a sample of individuals who were eligible for drug court but had never attended drug court and had similar demographic characteristics and prior criminal records. The recidivist records of the VCDRDC sample and the comparison group were examined for a maximum 24-month time period following program entry.

OUTCOME STUDY QUESTIONS

The outcome evaluation was designed to address the following study questions:

1. How successful is the program in bringing program participants to completion and graduation within the expected time frame?
2. Does participation in drug court reduce recidivism for those individuals compared to “business-as-usual” court processing?
3. Does participation in drug court reduce levels of substance abuse?

DATA COLLECTION AND SOURCES

Information was acquired for the outcome evaluation primarily from administrative databases. Recidivism data were gathered from ProsLink, a database administered by the Indiana Prosecuting Attorney’s Council (used herein with great appreciation) and CourtView, a Vanderburgh County court system. CourtView provided misdemeanor information, jail days, and arrests for within Vanderburgh County as a supplement to ProsLink. ProsLink records provide adjudicated felonies for 90 of the 92 counties in Indiana, thus allowing estimates of in-county and out-of-county recidivism. The use of ProsLink may lead to a greater estimation of recidivism than found in previous evaluations. Previous Indiana drug court evaluations looked for recidivism within their own county. ProsLink provides a nearly statewide estimation of recidivism. There are limitations of ProsLink: 1) It is limited to the 90 reporting counties, 2) it is dependent upon timely reporting and updating of status changes by the local prosecutors’ offices throughout the state, 3) it only provides data on adjudicated arrests (not all arrests), and 4) it is limited to the state of Indiana and does not provide arrest information for the bordering states. Vanderburgh County is on the border of Kentucky. As some drug court participants reside in Kentucky, it is not incon-

ceivable that additional offenses may have occurred outside Indiana boundaries. When Vanderburgh drug court arrests were searched in ProsLink, 90% of the index records were located. We may be underestimating subsequent adjudicated by approximately 10%. Although we are likely underestimating adjudicated arrests; this is comparable for both the drug court and the comparison group and therefore not a potential source of bias.

SAMPLE SELECTION

As described above, a selection was made of a sample of individuals who had participated in drug court and a sample of individuals who had not for the comparison group.

Vanderburgh County Drug Court Participant Sample

NPC identified a sample of participants who entered VCDRDC from April 2002 through June 2005. This time interval was chosen to assess the post drug court accreditation period and to be consistent with the time limitations imposed by the comparison group. For the evaluation time interval, there were 130 drug court participants—70 graduates, 59 individuals terminated and 1 currently active.

Comparison Group

In Vanderburgh County, in addition to drug court, those charged with drug related crimes have a variety of “business-as-usual” post-plea sentencing avenues. One of which is the Drug Abuse Probation Service (DAPS) whose goal is to provide supportive services while “protecting society through the supervision of the offender.”¹⁰ DAPS provides services such as supervision, counseling classes, alcohol and drug monitoring and referral services. NPC identified a comparison group from those individuals who were charged with drug court eligible crimes, had never participated in VCDRDC, and were sentenced to DAPS. Determined at sentencing, the DAPS program lasts 6 months to 5 years, with an average of 18 months. Generally, for the successful client, an advantage of DAPS participation is a suspended sentence. For a small subset, felony charges are reduced to a misdemeanor.

As computerized probation records were not available for the DAPS comparison group prior to 2003, the study period of January 1, 2003 to June 30, 2005 was chosen. A total of 633 names were identified by DAPS as having eligible drug-related offenses in the study date range. However, after excluding individuals with VCDRDC exclusion offenses as well as those who were previous Drug Court participants, 199 remained in the comparison group.

Although the time interval for selection of the VCDRDC group began 6 months before the comparison group, there were no notable differences. The DAPS and VCDRDC groups were matched on age, gender, ethnicity, drug of choice and criminal history including prior arrests to remove differences between the groups (Table 1). Before matching, the drug court group had slightly more arrests than DAPS in the 24 months preceding the start of the program (1.8 versus 1.5). There is a small difference between the drug court and DAPS group with the drug court being slightly more criminal. Both DAPS and the drug court group were followed through ProsLink and CourtView for a period of 24 months from the date of drug court entry.

A major strength of using the DAPS program as a comparison group is that DAPS uses the same treatment providers as VCDRDC. Thus, if a positive drug court effect is identified, it is not attributable to differences in treatment available exclusively to drug court participants.

¹⁰ Adult Probation Home Page, Vanderburgh County, IN www.vanderburghgov.org/home/index.asp?page=522.

Outcome Evaluation Results

Table 1 provides the demographics for the study sample of drug court participants and the comparison group. This table shows that drug court participants included more female participants and had slightly more arrests in the 2 years prior to program start. These differences were controlled for in the subsequent analyses.

Table 1. Participant and Comparison Group Characteristics

	Drug Court N = 130	Comparison N = 199
Gender	55% male 45% female	70% male 30% female
Ethnicity		
White	78%	75%
African American	20%	25%
Hispanic	1%	
Asian	1%	
Average age at start	31 years	31 years
Median	30 years	27 years
Range	18-60 years	18-66 years
Drug of Choice		
Cocaine/crack	20%	25%
Marijuana	30%	33%
Methamphetamine	25%	38%
Average number of arrests in the 2 years prior to program entry	1.8 (range 0-12)	1.5 (range 0-7)

Note: T-tests and chi-square showed no significant difference between the two groups on the above variables ($p > .05$) except for gender and ethnicity, which were controlled for in the subsequent analyses.

RESEARCH QUESTION #1: PROGRAM COMPLETION

How successful is the program in bringing program participants to completion and graduation within the expected time frame?

Whether a program is bringing its participants to completion in the intended time frame is measured by program graduation (completion) rate and by the amount of time participants spend in the program. Program graduation rate is the percentage of participants who graduated from their respective program, drug court or DAPS, out of the total cohort of participants. National research has reported an average graduation rate of 48% for drug court programs (Belenko, 1999). NPC Research identified a graduation rate of 54% (70/130) for VCDRDC; approximately 13% higher than the national average. The successful completion (graduation) rate for the DAPS group was 43% (85/199). This completion rate is high compared to rates for non-drug court related (non-court based) treatment. According to SAMHSA, the average completion rate nationally for intensive outpatient treatment was 35%.

One significant finding regarding graduation rates was the statistically significant difference between graduation rates for White participants (59%) and non-White participants¹¹ (34%). In the drug court, Whites graduated at a rate 1.74 times higher than non-Whites. Or, in other terms, Whites were 70% more likely to graduate than non-Whites. Greater consideration of this finding is warranted by the drug court team, particularly in terms of ensuring the program provides culturally appropriate services.

To measure whether VCDRDC graduates its participants within the program timeframe, length of time in the program was calculated from the drug court database. Drug court graduates (N=70) spent an average of 18.6 months in the program with a range of 15 to 27 months. As the program intended length is 18 months, VCDRDC is successfully graduating its participants within the program timeframe.

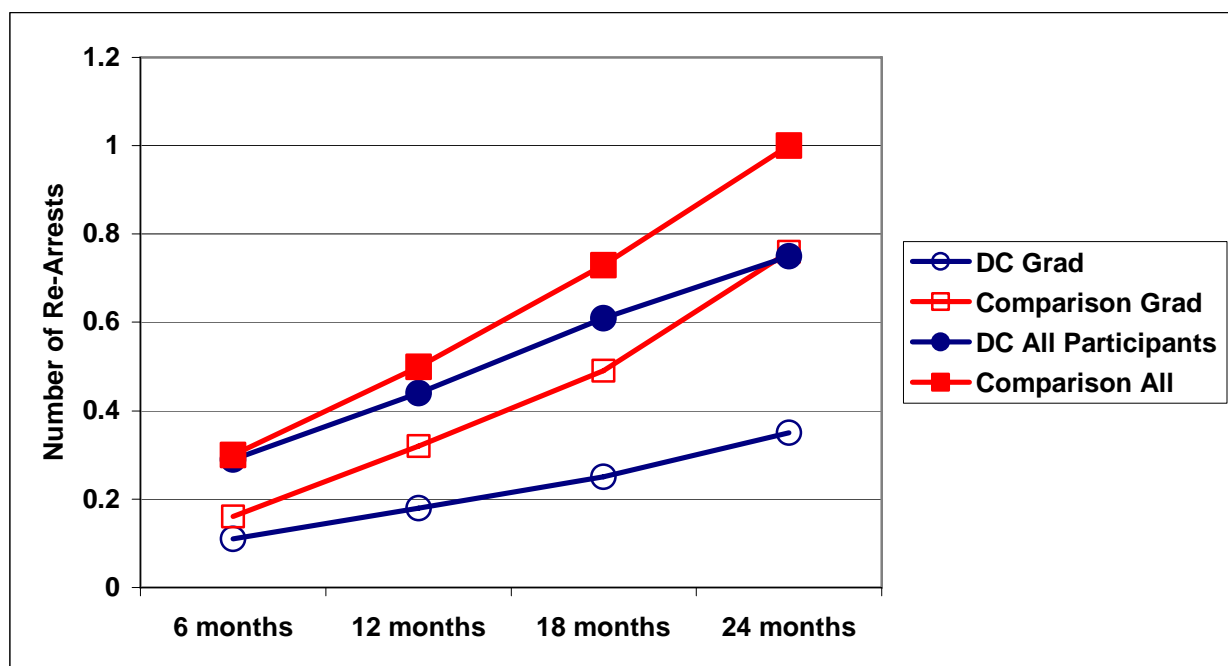
¹¹ 95% of non-white participants are African American.

RESEARCH QUESTION #2: RECIDIVISM

Does participation in VCDRDC reduce the rate of recidivism for participants as compared to the DAPS comparison group?

The VCDRDC sample demonstrated a significantly ($p < .05$) lower average number of arrests over the 2 years after drug court entry and a lower rate of recidivism compared to the DAPS comparison sample. Figure 3 displays the average number of re-arrests for all drug court participants, drug court graduates, DAPS graduates and all DAPS clients over a 24-month period at 6-month intervals from program entry.

Figure 3. Re-Arrests Over Time VCDRDC and DAPS Comparison Group

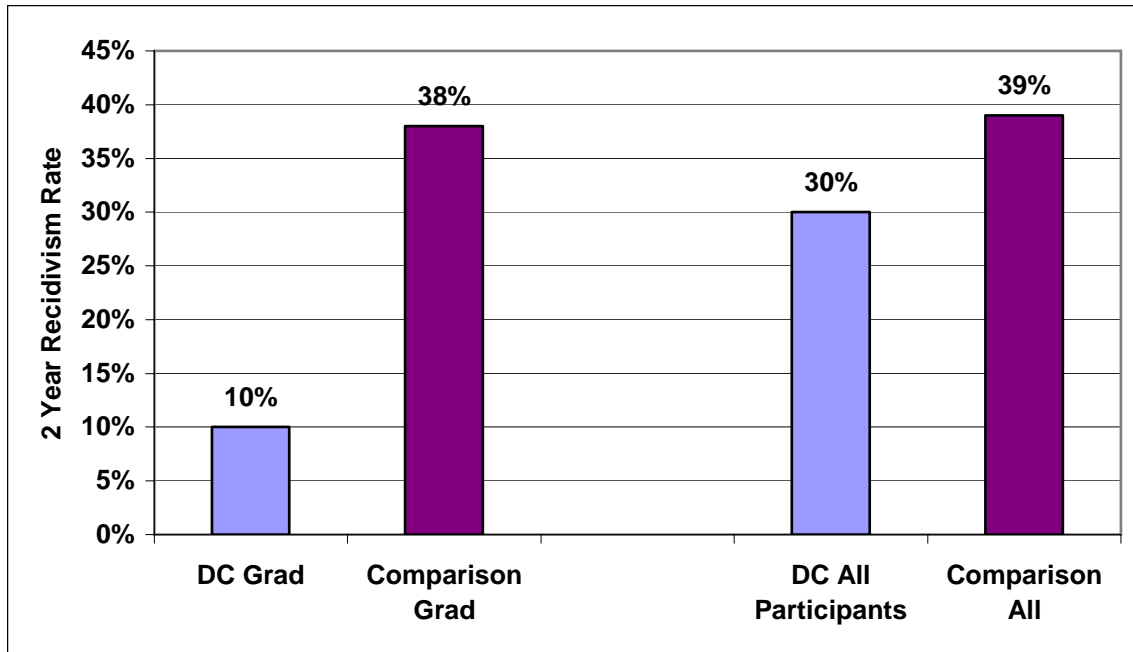


Note: All re-arrests in a 24-month period for VCDRDC participants (graduates and all participants) and DAPS comparison group (graduates and all participants) for the study period 4/17/02-6/30/05 with follow-up through 6/30/06.
 Note 2: These averages used adjusted means based on an ANCOVA controlling for age, gender, race, and prior arrests in the past 2 years.

The recidivism rate calculation included all drug court and DAPS participants (graduated and terminated). The 24-month recidivism rate¹² for drug court was 30% while the rate for DAPS was 39%. Drug court participants (regardless of graduation status) were 33% less likely to have had any arrests in the 24-month follow-up period relative to DAPS clients. A comparison of graduates showed a 10% recidivism rate for drug court graduates while DAPS graduates had a recidivism rate of 38%. Although the VCDRDC group had more arrests in the 2 years preceding the start of drug court as compared to DAPS (1.8 versus 1.5), they subsequently had a lower recidivism rate after participating in drug court, regardless of graduation status. Figure 4 displays the recidivism rates of all VCDRDC, the VCDRDC graduates, DAPS graduates and all DAPS clients over 24 months from the program start date.

¹² Defined as “re-arrested at least once in a 24-month period” from drug court or DAPS start.

Figure 4. Recidivism Rate



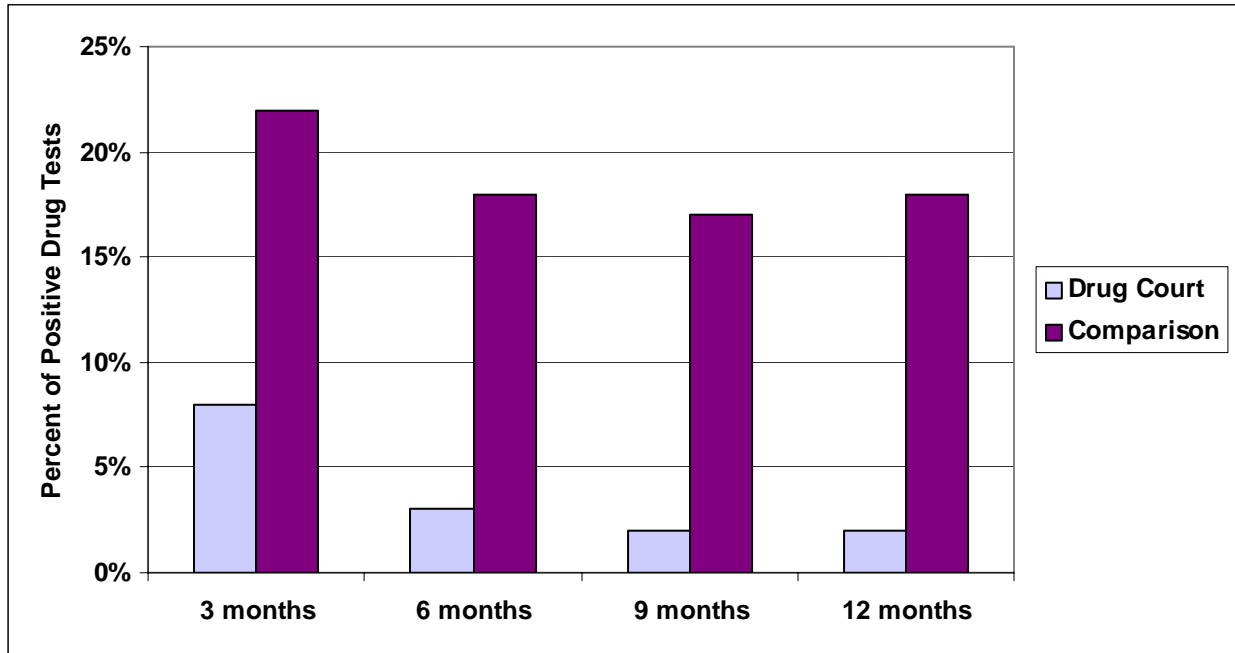
Note: 2-year recidivism rate for VCDRDC participants (graduates and all participants) and DAPS comparison group (graduates and all participants) for the study period 4/17/02-6/30/05 with follow-up through 6/30/06.

RESEARCH QUESTION #3: REDUCING SUBSTANCE ABUSE

Does participation in drug court reduce levels of substance abuse as measured by positive UDS and re-arrests for substance abuse related crimes?

For VCDRDC, drug-testing results were gathered from the drug court database. Paper copies of the probation records from CourtView for the DAPS group were obtained and reviewed for urine drug screens (UDS) and positive test results. As drug test information for both groups was available, this provided an opportunity to determine whether there is reduced levels of substance abuse for VCDRDC participants as compared to the DAPS group. Recidivist substance abuse was measured by percent positive UDS tests. Results for breathalyzer tests were not available for either group.

As Figure 5 dramatically conveys, at all times during a 12-month follow-up period, the drug court participants had statistically lower percent positive urine drug screens relative to DAPS. Maintaining negative UDS results is a key measure of successful participation and completion in VCDRDC.

Figure 5. Percent of Positive UDS for VCDRDC and DAPS Comparison Group

Note: Percent positive urine drug screens in all VCDRDC participants and DAPS comparison group) for the first 12 months from program start date for the study period 4/17/02-6/30/05.

Another way of measuring reduction in substance abuse is to evaluate the rate of recidivism for drug related crimes.¹³ Over a 24-month follow-up period, the arrests of all individuals were analyzed as to whether part or all of the charge was classified as a substance abuse related crime. Figure 6 conveys that drug court graduates are consistently and significantly lower in drug related arrests than all others. For the first 18 months DAPS graduates and all drug court participants (included terminated participants) were essentially the same. However, at 18 to 24 months, the DAPS graduates arrests increases over all drug court participants. At all stages except 6 months, the entire DAPS group had significantly more substance abuse related arrests than all other groups.

¹³ The Indiana code citations for substance abuse related crimes were identified by a county prosecutor.

Figure 6. Drug Related Re-Arrests Over 24 Months

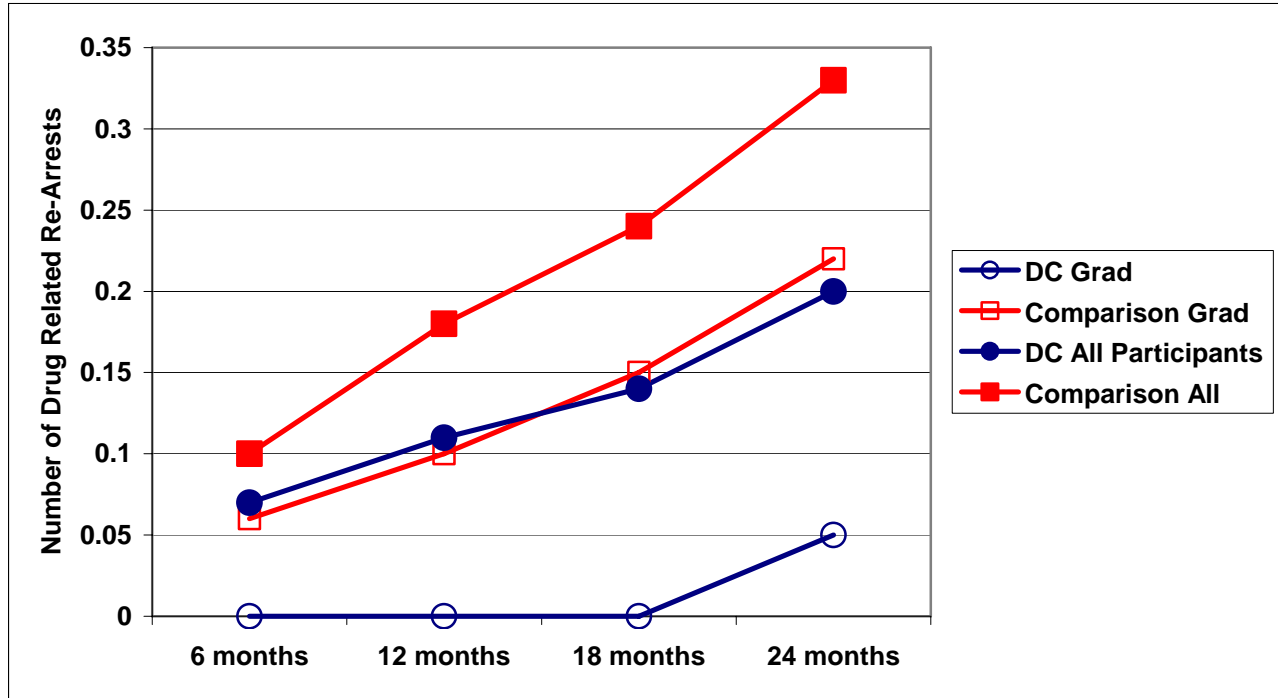


Figure 4 All re-arrests for drug related charges in VCDRDC participants (graduates and all participants) and comparison group (graduates and all participants)) for the study period 4/17/02-6/30/05 with follow-up through 6/30/06.

OUTCOME SUMMARY

The outcome analyses were based on a cohort of VCDRDC participants who entered the drug court program from April 17, 2002, through June 30, 2005, and a comparison group of offenders eligible for drug court but who participated in DAPS rather than VCDRDC. Although the VCDRDC group had slightly more arrests in the 2 years preceding the start of drug court as compared to DAPS (1.8 versus 1.5), the outcome results indicated that participants in the drug court were re-arrested 33% less often as the comparison group in the 24 months following drug court entry. This provides clear support that the VCDRDC has been successful in reducing recidivism for its population of substance abusing offenders.

Overall, the drug court program also has been successful in reducing drug use among its participants as measured by positive drug screens and re-arrests for drug related crimes. The number of negative drug screens in drug court participants was corroborated by a decrease in drug-related re-arrests for all drug court participants.

COST EVALUATION

Cost Evaluation Methodology

This section of the report describes the research design and methodology used for the cost analysis of the VCDRDC program. The next section presents the cost results.

COST EVALUATION DESIGN

Transaction and Institutional Cost Analysis

The cost approach utilized by NPC Research is called Transactional and Institutional Cost Analysis (TICA). The TICA approach views an individual's interaction with publicly funded agencies as a set of *transactions* in which the individual utilizes resources contributed from multiple agencies. Transactions are those points within a system where resources are consumed and/or change hands. In the case of drug courts, when a drug court participant appears in court or has a drug test, resources such as judge time, defense attorney time, court facilities, and urine cups are used. Court appearances and drug tests are transactions. In addition, the TICA approach recognizes that these transactions take place within multiple organizations and institutions that work together to create the program of interest. These organizations and institutions contribute to the cost of each transaction that occurs for program participants. TICA is an intuitively appropriate approach to conducting costs assessment in an environment such as a drug court, which involves complex interactions among multiple taxpayer-funded organizations.

Cost to the Taxpayer

In order to maximize the study's benefit to policy makers, a "cost-to-taxpayer" approach was used for this evaluation. This focus helps define which cost data should be collected (costs and avoided costs involving public funds) and which cost data should be omitted from the analyses (e.g., costs to the individual participating in the program).

The central core of the cost-to-taxpayer approach in calculating benefits (avoided costs) for drug court specifically is the fact that untreated substance abuse will cost various tax-dollar funded systems money that could be avoided or diminished if substance abuse were treated. In this approach, any cost that is the result of untreated substance abuse and that directly impacts a citizen (either through tax-related expenditures or the results of being a victim of a crime perpetrated by a substance abuser) is used in calculating the benefits of substance abuse treatment.

Opportunity Resources

Finally, NPC's cost approach looks at publicly funded costs as "opportunity resources." The concept of opportunity *cost* from the economic literature suggests that system resources are available to be used in other contexts if they are not spent on a particular transaction. The term opportunity *resource* describes these resources that are now available for different use. For example, if substance abuse treatment reduces the number of times that a client is subsequently incarcerated, the local sheriff may see no change in his or her budget, but an opportunity resource will be available to the sheriff in the form of a jail bed that can now be filled by another person.

COST EVALUATION METHODS

The cost evaluation involves calculating the costs of the program (including the complete costs of the case that led to drug court participation), the costs of “business-as-usual” (or traditional court processing) for cases that were drug court eligible, and the costs of outcomes after program entry. In order to determine if there are any benefits (or avoided costs) due to drug court program participation, it is necessary to determine what the participants’ outcome costs would have been had they not participated in drug court. One of the best ways to do this is to compare the costs of outcomes for drug court participants to the outcome costs for similar individuals arrested on the same charges who did not participate in drug court. The costs to the criminal justice system (cost-to-taxpayer) incurred by participants in drug court were compared with the costs incurred by those who were eligible for but did not enter drug court. The comparison group in this cost evaluation is the same as that used in the preceding outcome evaluation.

TICA Methodology

The TICA methodology is based upon six distinct steps. Table 2 lists each of these steps and the tasks involved.

Step 1 was performed during the site visits, through analysis of court and drug court documents, and through interviews with key informants. Steps 2 and 3 were performed through observation during the site visits and by analyzing the information gathered in Step 1. Step 4 was performed through extensive interviewing of key informants, direct observation during the site visits, and by collecting administrative data from the agencies involved in drug court. Step 5 was performed through interviews with drug court and non-drug court staff and with agency finance officers. Step 6 involved calculating the cost of each transaction and multiplying this cost by the number of transactions. All the transactional costs for each individual were added to determine the overall cost per individual. This was generally reported as an average cost per individual including “investment” costs for the drug court program, and outcome/impact costs due to re-arrests, jail time and other recidivism costs. In addition, due to the nature of the TICA approach, it was also possible to calculate the cost for drug court processing for each agency.

The direct observation of the program process and the specific program transactions occurred during site visits. The key informant interviews using the *Typology Interview Guide* were also performed during the site visits (see the *Drug Court Typology Guide* at www.npcresearch.com) and through interviews via phone and email. Cost data were collected through interviews with drug court staff and budgetary officers as well as from budgets either found online or provided from agency staff.

The specific transactions used in this cost evaluation were somewhat limited due to budget constraints. The costs to the criminal justice system outside of the drug court program costs consist of those due to new arrests, subsequent court cases, probation, prison, jail time served, and victimizations. Program costs include all program transactions including drug court sessions, case management, drug tests, various group and individual treatment sessions, intensive outpatient treatment sessions, detox, and residential treatment.

Table 2. The Six Steps of TICA

	Description	Tasks
Step 1:	Determine flow/process (i.e., how clients move through the system)	Site visits/direct observations of program practice Interviews with key informants (agency and program staff) using a drug court typology and cost guide (See guide on www.npcresearch.com)
Step 2:	Identify the transactions that occur within this flow (i.e., where clients interact with the system)	Analysis of process information gained in Step 1
Step 3:	Identify the agencies involved in each transaction (e.g., court, treatment, police)	Analysis of process information gained in Step 1 Direct observation of program transactions
Step 4:	Determine the resources used by each agency for each transaction (e.g., amount of judge time per transaction, amount of attorney time per transaction, # of transactions)	Interviews with key program informants using program typology and cost guide Direct observation of program transactions Administrative data collection of # of transactions (e.g., # of court appearances, # of treatment sessions, # of drug tests)
Step 5:	Determine the cost of the resources used by each agency for each transaction	Interviews with budget and finance officers Document review of agency budgets and other financial paperwork
Step 6:	Calculate cost results (e.g., cost per transaction, total cost of the program per participant)	Indirect support and overhead costs (as a percentage of direct costs) are added to the direct costs of each transaction to determine the cost per transaction The transaction cost is multiplied by the average number of transactions to determine the total average cost per transaction type These total average costs per transaction type are added to determine the program and outcome costs. (These calculations are described in more detail below)

Cost Evaluation Results

As described in the methodology section, the Transactional and Institutional Cost Analysis (TICA) approach was used to calculate the costs of each of the transactions that occurred while participants were engaged in the program. Transactions are those points within a system where resources are consumed and/or change hands. In the case of drug courts, when a participant appears in court or has a drug test, resources such as judge time, defense attorney time, court facilities, and urine cups are used. Program transactions calculated in this analysis included drug court appearances, case management, drug treatment (individual, group, intensive outpatient, day treatment, detox and residential treatment), jail days, prison days, probation days and drug tests. The costs for this study were calculated including taxpayer costs only. All cost results provided

in this report are based on fiscal year 2007 dollars. Costs tracked in this study were those incurred by taxpayers. Other less tangible but important savings not factored into this study include an increase in the number of drug-free babies born, a decrease in health care expenses, and drug court participants working and paying taxes.

DRUG COURT AND TRADITIONAL COURT PROCESSING TRANSACTIONS

Arrests in Vanderburgh County are conducted by multiple law enforcement agencies. The predominant agencies that arrest suspected offenders are the City of Evansville Police Department, Vanderburgh County Sheriff's Department and Indiana State Police. NPC's researchers were not able to obtain resource utilization information from Vanderburgh County law enforcement agencies required to construct a model of arrest episodes in the County. However, as the result of NPC's national experience in a variety of settings, an arrest model was constructed that should reasonably reflect practice in Vanderburgh County.¹⁴ This model of arrest practice was combined with Vanderburgh County budgetary information for the Vanderburgh County Sheriff's Department to calculate a cost per arrest episode. The cost of a single arrest is **\$144.85**.

A drug court session, for the majority of drug courts, is one of the most staff and resource intensive program transactions. In Vanderburgh County, these sessions include representatives from the Superior Court (judge, court reporter, clerk), the Prosecutor's Office, the Public Defender, Community Corrections (director, director's assistant, 2 case managers), a treatment agency as well as a contracted home verification officer. The cost of a *drug court appearance* (the time during a session when a single participant is interacting with the judge) is calculated based on the average amount of court time (in minutes) each participant uses during the court session. This incorporates the direct costs of each drug court team member present during sessions, the time team members spent preparing for or contributing to the session, the agency support costs, and the overhead costs. The average cost for a single drug court appearance is **\$105.50** per participant. This cost per appearance is on the lower end of the per appearance costs of other adult drug courts studied by NPC Research. For example, courts in California and Oregon have appearance costs ranging from \$97 to \$156 (Carey & Finigan, 2004; Carey et al., 2005; Carey, Marchand, & Waller, 2005).

To determine a reasonable cost model for new *court cases*, NPC's researchers focused on D Felony cases.¹⁵ To construct the cost model for court cases we considered activities pursued by the Vanderburgh County Superior Court, the Vanderburgh County Prosecutor's Office and the Vanderburgh County Public Defender Agency. To determine the activities and staff resources involved in processing D Felony cases representatives of the Vanderburgh County Superior Court, Vanderburgh County Prosecutor's Office and the Indiana Judicial Council were interviewed. The Indiana Courts weighted caseload standards, the 2006 Indiana Judicial Center Report, and the Indiana Public Defender Commission 2005 Annual report were also used in determining the cost of a court case. Reliance on the Indiana Courts weighted caseload standards was of particular importance in construction of the court case cost model. The weighted caseload standard for D Felonies takes into account the full range of case disposition – from dismissal to judge or jury trials. NPC researchers found the cost of a D Felony court case to be **\$366.53**.

¹⁴ This model typically includes the amount of arresting officer and supervisory officer time involved in responding, investigating, gathering evidence, transporting suspected offenders, and preparing and reviewing reports of such episodes.

¹⁵ It should be noted that NPC Researchers used a one-to-one correspondence between number of arrests and court cases. In actuality it is expected that the number of arrests will be more than the actual number of cases filed for the study groups.

Case management is based on the amount of staff time dedicated to case management activities during a regular work week and is then translated into a total cost for case management per participant per day.¹⁶ The main agency involved in case management for drug court in Vanderburgh County is Community Corrections, but the main treatment agency (Stepping Stone) and the home verification officer are also involved. The per day cost of case management is **\$2.27** per participant. Case management costs fall within the range of costs found in other studies. For example, case management from cost analyses in California (Carey, et al., 2005) varied widely – from just over \$1.00 per day to over \$11.00 per day.

Treatment sessions are provided mainly by 3 treatment agencies (Amethyst Addiction Services, Cross Point and Stepping Stone, which is a division of the Southwestern Indiana Mental Health Center), although Stepping Stone is the primary provider. Treatment services provided include group, individual, intensive outpatient treatment, day treatment, detox and residential treatment. Since this cost analysis is focused on public funds, the cost of treatment services is only the amount paid for by public funds (treatment service rates were reduced by the percentage of participants whose services were paid for with non-taxpayer funds such as private insurance, private payments or funds from nonprofits). The cost per treatment session reflects—as closely as possible—the true cost to taxpayers. **Group treatment** is **\$7.20** per person per session at Stepping Stone and **\$36.00** at Amethyst. **Individual treatment** is **\$14.40** per session at Stepping Stone and **\$64.00** at Amethyst. **Intensive outpatient** treatment is **\$9.00** per person per day. **Day treatment** is **\$13.50** per day. **Detox** is **\$34.50** per day and **residential** is also **\$34.50** per day. Costs include all salary, support, and overhead costs associated with the session. Due to a lack of administrative data on the amounts of treatment received by participants, NPC was unable to use the cost per treatment session (or day). Instead, proxies for the average number of treatment sessions that participants typically attend were used with the costs per session/day to come up with minimum and maximum average costs to taxpayers for treatment at the agencies involved.

Drug tests are performed by Community Corrections and Stepping Stone. Drug court participants are charged **\$13.00** per instant UDS test and **\$25.00** per lab test at Community Corrections, and **\$25.00** per UDS test at Stepping Stone. These charges cover the full cost of materials, salary, support, and overhead associated with the test, so there is no cost to the taxpayer. People on probation and in DAPS also pay drug-testing fees, so there is also no cost to taxpayers for the comparison group's drug testing.

Because of the unavailability of relevant data, and a lack of response from those contacted for information, we were not able to construct a model for **jail booking** episodes for Vanderburgh County. However, drawing on our national experience to construct a reasonable model of booking practice in the county that we combined with budgetary information for the Vanderburgh County Sheriff and County Jail, we were able to construct a booking cost model. The cost of a single jail booking is **\$22.00**. Due to a lack of administrative data, costs for jail bookings were not included in this analysis.

Jail days are provided by the Vanderburgh County Sheriff's Department. Jail bed days are **\$31.76** per person per day. This rate was calculated by NPC using the jail budget and the average daily population. It includes all staff time, food, medical, and support/overhead costs.

¹⁶ Case management can include home visits, meeting with participants, evaluations, phone calls, paperwork, answering questions, consulting with therapists, documentation, file maintenance, residential referrals, and providing resources and referrals for educational and employment opportunities.

Prison facilities in Indiana are operated by the Indiana Department of Correction. To represent the daily cost of *prison time* served by members of the drug court and comparison groups as a post-adjudication outcome our researchers used the department's per diem cost report for its facilities. The average per diem prison cost is \$73.63. However, due to the fact that most prisoners spend an undetermined proportion of their prison sentence in their local county jail due to overcrowding in the prisons, an average of the per diem prison cost and the local county jail cost was used. The resulting cost per day of prison time is **\$52.70**.

Adult probation services in Vanderburgh County are provided by the County's Adult Probation Department. Through an interview with a representative of the Department and analysis of the 2006 Vanderburgh County operating budget, NPC's researchers were able to construct a model of probation case supervision that supports the determination of probation time cost used in this study. We identified \$1.77 to be the probation supervision cost per day. People on probation pay initial and administrative fees of \$200.00 and then \$30.00 for each month they are on probation, so the *probation supervision cost per day* is therefore reduced to **\$0.77**.

Drug Abuse Probation Service (DAPS) is a program that people charged with drug related crimes might be sentenced to (in lieu of drug court). The comparison group used for this evaluation consists of individuals who attended DAPS. DAPS provides supervision and services such as counseling classes, alcohol and drug monitoring and referral services. Through an interview with a probation representative and information taken from the DAPS budget, NPC's researchers were able to construct a model of DAPS supervision. We identified \$2.44 to be the DAPS supervision cost per day. Participants are charged a \$60 monthly fee for DAPS participation, so the *DAPS supervision cost* to taxpayers is therefore reduced to **\$0.44**.

DRUG COURT PROGRAM COSTS

Table 3 presents the average number of VCDRDC transactions (drug court appearances, treatment sessions, etc.) per participant and the total cost for each type of transaction (number of transactions times the cost per transaction) for the case that led to participation in the drug court program (the drug court eligible case). The sum of these transactions is the total per participant cost of the drug court eligible case including the cost of the program. These numbers include the average for drug court graduates (N= 70) and for all drug court participants (N = 130), regardless of completion status. It is important to include participants who terminated as well as those who graduated as all participants use program resources, whether they graduate or not.

Table 3. Average Program Costs per Participant¹⁷

Transaction	Transaction Unit Cost	Avg. # of Transactions for DC Graduates	Avg. Cost per DC Graduate	Avg. # of Transactions for all DC Participants	Avg. Cost per DC Participant
Arrest	\$144.85	1	\$145	1	\$145
Drug Court Appearances	\$105.50	29.77	\$3,141	22.89	\$2,415
Case Management	\$2.27	565.69 Days ¹⁸	\$1,284	411.95 Days	\$935
Treatment	NA	NA	\$288 \$1,184¹⁹	NA	\$288 \$1,184
Jail Days	\$31.76	0	\$0	37.74	\$1,199
Prison Days	\$52.70	0	\$0	5.32	\$280
Probation Days	\$0.77	0	\$0	301.37	\$232
Total Drug Court			\$4,858²⁰		\$5,494

Table 3 illustrates the per participant cost to the taxpayer for the VCDRDC case. On average, in drug court programs studied by NPC, the program cost per participant ranged from \$4,000 to just over \$12,000 depending on the intensity of the program and the extent to which the programs used public funds for their services (Carey & Finigan, 2004; Carey, et al., 2005).

The average cost per participant of the VCDRDC (\$5,494) is on the low end of the program costs found in other drug courts studied by NPC. The cost of drug court appearances is the most expensive transaction for the VCDRDC. This is partly due to the involvement of a high number of agency employees that attend or contribute to drug court sessions. This high involvement may increase session costs, but also has the benefit of more straightforward decision-making and communication amongst agencies, smoother operations, and may produce better outcomes. A study performed in nine courts in California found that higher agency involvement in drug court programs was related to lower recidivism and lower outcome costs for drug court participants.

Jail days are the next highest cost to the VCDRDC. The average of 38 days includes both graduates and participants who terminated unsuccessfully. Although the data did not differentiate between jail days as a sanction and jail days due to termination from the program, the VCDRDC may want to look at its use of jail time as a sanction. While jail days are a common sanction in many drug courts, the use of a high number of days may not be the most effective sanction. One

¹⁷ Average costs per participant have been rounded to the nearest whole dollar amount.

¹⁸ Case management is calculated by number of days in drug court, so the average number of transactions in this case is the average number of days spent in the drug court program.

¹⁹ This row shows the minimum and maximum average cost of treatment (using proxy data) for all agencies that provide treatment.

²⁰ The totals in this row reflect the minimum costs for treatment.

reason it may be less effective to use extended jail time as a sanction is due to the difficulties it presents participants who are attempting to re-establish work and family relationships. Another reason to avoid jail sanctions is the cost associated with jail. Although short-term jail can be an effective message to participants of the results of inappropriate behavior, the costs of long-term jail may not be worth the benefits.

Case management is also a substantial program cost. Intense case management and supervision of participants is one of the essential elements of drug courts, so this is not unusual. The involvement of a Home Verification Officer is less common in case management so this may be contributing to the higher per participant cost of this transaction. However, more agency involvement has been shown to be related to lower outcome costs (Carey et al., 2004).

BUSINESS-AS-USUAL (DAPS) COURT PROCESSING COSTS

Table 4 presents the average number of transactions for the drug court eligible case per comparison group (DAPS) participant and the total cost for each type of transaction (number of transactions times the cost per transaction). The sum of these transactions is the total per offender cost of DAPS case processing for the drug court eligible case. These numbers include the average for DAPS graduates (N=85) and for all comparison group participants (N = 199), regardless of completion status.

Table 4. Average Traditional Court Processing Costs per Person²¹

Transaction	Transaction Unit Cost	Avg. # of Transactions for DAPS Graduates	Avg. Cost per DAPS Graduate	Avg. # of Transactions for all DAPS Participants	Avg. Cost per DAPS Participant
Arrest	\$144.85	1	\$145	1	\$145
Court Case	\$366.53	1	\$367	1	\$367
DAPS Days	\$0.44	526.52 Days	\$232	444.72 Days	\$196
Treatment	NA	NA	\$288-\$1,184²²	NA	\$288-\$1,184
Jail Days	\$31.76	6.62	\$210	20.21	\$642
Prison Days	\$52.70	0	\$0	4.21	\$222
Probation Days	\$0.77	533.86	\$411	550.20	\$424
Total			\$1,653²³		\$2,284

The average cost to the taxpayer of DAPS processing per person is \$2,284. Jail days and probation days are the most expensive transactions, followed by the court costs and treatment.

²¹ Average costs per participant have been rounded to the nearest whole dollar amount.

²² This row shows the minimum and maximum average cost of treatment (using proxy data) for all agencies that provide treatment.

²³ The totals in this row reflect the minimum costs for treatment.

COSTS PER AGENCY

Another useful way to examine costs is to quantify them by agency. Table 5 provides per participant costs by agency for both the drug court program and traditional court processing. Because Community Corrections has the most staff dedicated to the drug court program, it reasonably follows that it also has the largest proportion of the cost.

The second largest proportion belongs to law enforcement (mainly due to days in jail, either as a sanction or due to sentencing after being terminated from the program).

Table 5. Average Cost per Participant by Agency²⁴

Agency	Avg. Cost per Drug Court Participant	Avg. Cost per DAPS Participant	Difference (Net Investment)
Superior Court	\$834	\$200	\$634
Prosecutor’s Office	\$208	\$119	\$89
Public Defender	\$343	\$48	\$295
Community Corrections	\$1,549	\$0	\$1,549
Home Verification Officer Contract	\$138	\$0	\$138
Treatment Agencies	\$566	\$288	\$278
Probation	\$232	\$620	-\$388
Law Enforcement ²⁵	\$1,624	\$1,009	\$615
Total	\$5,494	\$2,284	\$3,210

The investment costs in the drug court program for each agency except for Probation is higher for the VCDRDC program. The total VCDRDC costs (including program costs and other costs related to the drug court eligible case) is \$3,210 greater than traditional court process, so there is some cost to the taxpayer in investment costs of choosing the drug court process over traditional court processing. However, the savings in outcome costs presented in the next section show how the positive outcomes for VCDRDC participants can repay this investment and then continue to produce cost benefits (savings) to the criminal justice system and the taxpayer.

²⁴ Average agency costs per participant have been rounded to the nearest whole dollar amount.

²⁵ This includes the arresting law enforcement agency, jail time at the Sheriff’s Department and prison time at the Department of Corrections.

OUTCOME COSTS

This section describes the cost outcomes experienced by drug court and comparison group participants. The specific outcome transactions examined include re-arrests, subsequent court cases, bookings, jail time, prison and probation. Outcome costs were calculated for 2 years from the time of program entry for both groups. Lower recidivism and lower costs for VCDRDC participants compared to those offenders who did not participate in drug court (DAPS participants) indicate that the program can provide a return on its investment.

The outcome costs discussed below were calculated using information gathered by NPC's researchers from the Vanderburgh County 2006 operating budget, Vanderburgh County Superior Court, Vanderburgh County Sheriff's Department, Vanderburgh County Prosecutor's Office, Vanderburgh County Public Defender, Vanderburgh County Probation Department, Indiana Judicial Center, Indiana Department of Correction, and the Indiana FY 2006 As-Passed Operating Budget. For cost dimensions for which information was not available from Vanderburgh County sources, reasonable proxies were constructed from similar research settings with which NPC's researchers have first-hand experience.²⁶

The methods of calculation were carefully considered to ensure that all direct costs, support costs and overhead costs were included as specified in the TICA methodology followed by NPC. It should be noted that, since NPC accounts for all jurisdictional and agency institutional commitments involved in the support of agency operations, the costs that appear in NPC's analysis typically will not correspond with agency operating budgets.

OUTCOME TRANSACTIONS

Following is a description of the transactions included in the outcome cost analysis. Many of these same transactions were already described in the investment costs above.

Arrests in Vanderburgh County are conducted by multiple law enforcement agencies. The predominant agencies that arrest suspected offenders are the City of Evansville Police Department, Vanderburgh County Sheriff's Department and Indiana State Police. NPC's researchers were not able to obtain resource utilization information from Vanderburgh County law enforcement agencies required to construct a model of arrest episodes in the County. However, as the result of NPC's national experience in a variety of settings, an arrest model was constructed that should reasonably reflect practice in Vanderburgh County.²⁷ This model of arrest practice was combined with Vanderburgh County budgetary information for the Vanderburgh County Sheriff's Department to calculate a cost per arrest episode. The cost of a single arrest is **\$144.85**.

To determine a reasonable cost model for new *court cases*, NPC's researchers focused on D Felony cases. To construct the cost model for court cases we considered activities pursued by the Vanderburgh County Superior Court, the Vanderburgh County Prosecutor's Office and the Vanderburgh County Public Defender Agency. To determine the activities and staff resources involved in processing D Felony cases representatives of the Vanderburgh County Superior Court, Vanderburgh County Prosecutor's Office and the Indiana Judicial Council were interviewed. The Indiana Courts weighted caseload standards, the 2006 Indiana Judicial Center Report, and the Indiana Public Defender Commission 2005 Annual report were also used in determining the cost

²⁶ NPC's research in Barry County, Michigan, and Harford County, Maryland, was used to construct costs for booking episodes.

²⁷ This model typically includes the amount of arresting officer and supervisory officer time involved in responding, investigating, gathering evidence, transporting suspected offenders, and preparing and reviewing reports of such episodes.

of a court case. Reliance on the Indiana Courts weighted caseload standards was of particular importance in construction of the court case cost model. The weighted caseload standard for D Felonies takes into account the full range of case disposition—from dismissal to judge or jury trials. NPC researchers found the cost of a D Felony court case to be **\$366.53**.

Because of the unavailability of relevant data, we were not able to construct a model for *jail booking* episodes based on Vanderburgh County derived utilization data. However, drawing on our national experience to construct a reasonable model of booking practice in the County that we combined with budgetary information for the Vanderburgh County Sheriff and County Jail, we were able to construct a booking cost model. The cost of a single jail booking is **\$22.00**. Due to a lack of data, costs for jail bookings were not included in this analysis.

Jail days are provided by the Vanderburgh County Sheriff's Department. Jail bed days are **\$31.76** per person per day. This rate was calculated by NPC using the jail budget and the average daily population. It includes all staff time, food, medical, and support/overhead costs.

Prison facilities in Indiana are operated by the Indiana Department of Correction. To represent the daily cost of *prison time* served by members of the drug court and comparison groups as a post-adjudication outcome our researchers used the department's per diem cost report for its facilities. The average per diem prison cost is \$73.63. However, due to the fact that most prisoners spend an undetermined proportion of their prison sentence in their local county jail due to overcrowding in the prisons, an average of the per diem prison cost and the local county jail cost was used. The resulting cost per day of prison time is **\$52.70**.

Adult probation services in Vanderburgh County are provided by the County's Adult Probation Department. Through an interview with a representative of the department and analysis of the 2006 Vanderburgh County operating budget, NPC's researchers were able to construct a model of probation case supervision that supports the determination of probation time cost used in this study. We identified \$1.77 to be the probation supervision cost per day. People on probation pay initial and administrative fees of \$200.00 and then \$30.00 for each month they are on probation, so the *probation supervision cost per day* is therefore reduced to **\$0.77**.

Victimizations were calculated from the National Institute of Justice's *Victim Costs and Consequences: A New Look (1996)*.²⁸ The costs were updated to fiscal year 2007 dollars. *Property crimes* are **\$11,858** per event and *person crimes* are **\$38,414** per event.

OUTCOMES AND OUTCOME COST CONSEQUENCES

Table 6 represents the criminal justice system experiences of the drug court group and comparison sample.

²⁸ The costs for victimizations were based on the National Institute of Justice's *Victim Costs and Consequences: A New Look (1996)*. This study documents estimates of costs and consequences of personal crimes and documents losses per criminal victimization, including attempts, in a number of categories, including fatal crimes, child abuse, rape and sexual assault, other assaults, robbery, drunk driving, arson, larceny, burglary, and motor vehicle theft. The reported costs include lost productivity, medical care, mental health care, police and fire services, victim services, property loss and damage, and quality of life. In our study, arrest charges were categorized as violent or property crimes, and therefore costs from the victimization study were averaged for rape and sexual assault, other assaults, and robbery and attempted robbery to create an estimated cost for violent crimes, arson, larceny and attempted larceny, burglary and attempted burglary, and motor vehicle theft for an estimated property crime cost. All costs were updated to fiscal year 2007 dollars using the consumer price index (CPI) for the relevant geographical area.

Table 6. Average Number of Outcome Transactions per Drug Court and Comparison Group Member

Transaction	Drug Court Participants (n=130)	Comparison Group (n=199)
Arrests	.75	1.01
Court Cases	.75	1.01
Jail days	13.90	22.72
Prison days	NA	NA
Probation days	19.80	61.23
Property Victimizations	.19	.22
Person Victimizations	.08	.10

The VCDRDC participants show smaller numbers across every transaction. That is, participants had fewer re-arrests, fewer days in jail, fewer days on probation and fewer victimization than individuals in the comparison group. It is clear that participating in the drug court program led to a positive effect in participant outcomes.

Because there were extremely small numbers of individuals who had prison sentences in both groups (one in the drug court group and three in the comparison group) and because there was a large amount of individuals in the drug court group who were missing prison data at 24 months, it was not valid to use the average of these numbers in the cost consequences for either drug court or “business-as-usual” or to compare them across groups. Therefore these numbers are left out of the outcome cost calculations. However, it is of interest to note that for the single drug court participant that had a prison sentence, the incident occurred within three months of entering the drug court program and the individual was terminated from the program at that time.

Table 7 represents the cost consequences associated with criminal justice system outcomes for the drug court group and comparison sample.

Table 7. Criminal Justice System Outcome Costs per Drug Court and Comparison Group Member

Transaction	Drug Court Participants (n=130)	Comparison Group (n=199)	Difference	Percentage Difference
Arrests	\$109	\$146	-\$37	-34%
Court Cases	\$275	\$370	-\$95	-35%
Jail days	\$441	\$722	-\$281	-64%
Prison days	\$490	\$308	\$182	37%
Probation days	\$15	\$47	-\$32	-213%
Property Victimizations	\$2,253	\$2,609	-\$356	-16%
Person Victimizations	\$3,073	\$3,841	-\$768	-25%
Total	\$6,166	\$7,736	-\$1,570	-25%

Tables 6 and 7 reveal that the lower rate of arrests experienced by the drug court group, when compared to the experience of the comparison group, can be seen as resulting in substantial cost savings throughout the criminal justice system. Drug court participants cost less for every transaction due to lower criminal justice recidivism.

The total average cost savings per participant after 2 years is **\$1,570** per drug court participant regardless of whether or not they graduate. If the VCDRDC program continues to enroll 60 new participants annually, this results in a yearly savings of **\$94,200**, which can then be multiplied by the number of new cohorts that continue to enroll in the program each year it remains in operation. This savings continues to grow for participants every year after program entry. If savings continue at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey and Cox, 2007), after 10 years the savings *per participant* will total nearly **one million dollars**.

OUTCOME COSTS BY AGENCY

Of particular interest to state and local policymakers and managers are the financial impacts on the agencies that support the criminal justice system as the result of the operation of the drug court program. Table 8 represents these financial impacts for Vanderburgh County. It should be noted that for some local agencies —Superior Court and Prosecutor’s Office—the state and county share cost responsibility.

Table 8. Criminal Justice System Outcomes Costs by Agency per Drug Court and Comparison Group Member

Jurisdiction/Agency	Drug Court Participants (n=130)	Comparison Group (n=199)	Difference	Percentage Difference
Superior Court	\$150	\$202	-\$52	-35%
Prosecutor's Office	\$89	\$120	-\$31	-35%
Public Defender	\$36	\$49	-\$13	-36%
Law Enforcement Agencies	\$550	\$868	-\$318	-58%
Probation Department	\$15	\$47	-\$32	-213%
Victimizations	\$5,326	\$6,450	-\$1,124	-21%
Total	\$6,166	\$7,736²⁹	-\$1,570	-25%

As can be seen in Table 8, cost savings are realized as the result of the VCDRDC for every agency impacted by the program. In terms of their comparative recidivist experiences, drug court participants are shown to cost **\$1,570** or **25%** less per participant than members of this study's comparison group.

Similar to many of the drug court studies in which NPC has been involved, greater outcome savings associated with drug court participants accrue to some agencies than others. In the case of the VCDRDC, two agencies involved in the post-adjudication experience of offenders realize the greatest financial benefit – law enforcement and probation.

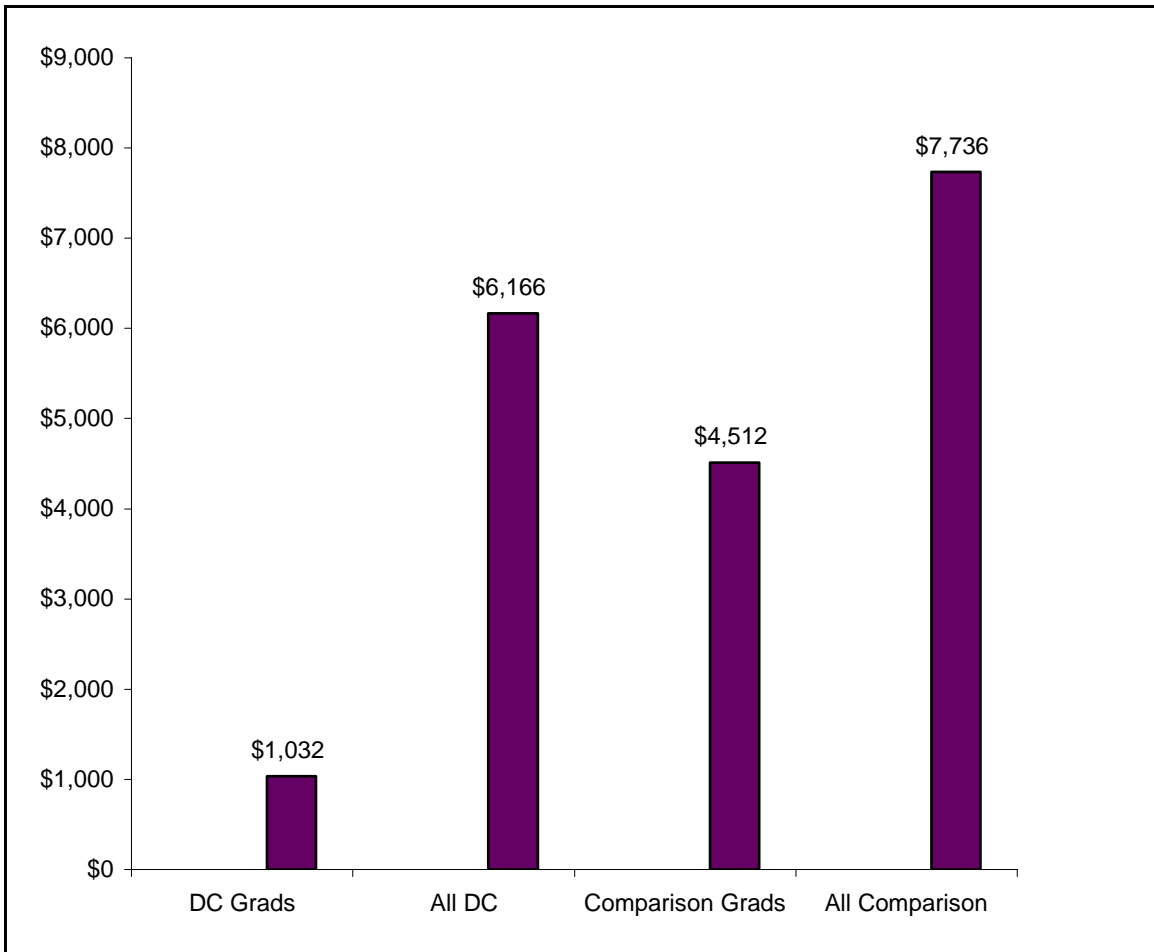
The comparative criminal justice outcome cost experiences of all drug court participants, drug court graduates, and comparison group members are graphically represented in Figure 7. Due to very low rates of recidivism, drug court graduates experience the lowest outcome costs compared to all other groups. VCDRDC graduates show a savings of **\$3480** per participant compared to comparison group graduates.

Note that these outcome cost savings are those that have accrued in just the 2 years since program entry. Many of these savings are due to positive outcomes while the participant is still in the program, so savings are already being generated from the time of entry into the program.

It was not possible to cost outcomes beyond 24 months as most participants did not enter the Program longer than 2 years ago. If Drug Court participants continue to have positive outcomes in subsequent years (as has been shown in other drug courts, e.g., Carey et al., 2005; Finigan, Carey, and Cox 2006) then these cost savings can be expected to continue to accrue over time, repaying the program investment costs and providing further savings in opportunity resources to public agencies.

²⁹ Totals in this row don't match the totals in the outcome costs by transaction table due to rounding.

Figure 7. Comparative Criminal Justice Cost Consequences per Drug Court and Comparison Group Member (including graduates of each)



SUMMARY AND CONCLUSIONS

The Vanderburgh County Day Reporting Drug Court has many characteristics that closely follow the *10 key components* of drug courts. The team is composed of partners from many different agencies. The two roles that are traditionally adversarial—prosecutors and defenders—work well, closely, and collaboratively with each other. Participants have access to a wide array of treatment and ancillary services.

As with many other drug court programs, the VCDRDC works to identify and secure adequate resources to address concerns among clients. The major consistent theme from participants was the cost of the program. As this program's base cost is 40% higher than the average Indiana drug court base cost, the team may wish to explore ways to bring the program costs more in-line with other programs.

The transition from an intense program of monitoring to freedom from program oversight can be challenging for some participants. The aftercare component of a program is crucial and merits increased attention. The drug court team may want to engage in conversations about how to incorporate aftercare into their program.

While the program supports staff training, it may wish to consider further enhancing training by incorporating cultural competency to address the disparate graduation rates between Whites and African Americans. Ongoing professional development increases staff skills and contributes to enhanced program quality. The drug court should also continue to build on its strong community connections and support from various facets of the community, including businesses and places of worship.

The outcome results indicated that participants in the Drug Court were re-arrested 33% less often as the comparison group in the 24 months following Drug Court entry. In particular, only 10% of VCDRDC graduates were re-arrested while 38% of the comparison group graduates were re-arrested. This provides clear evidence that the VCDRDC has been successful in reducing recidivism for its population of drug-addicted, high-risk prison bound offenders.

Overall, the program has also been successful in reducing drug use among its participants. The percentage of positive drug tests declined over the course of 1 year. This decline in positive testing was corroborated by a decrease in drug-related re-arrests for the Drug Court participants.

Costs tracked in this study were those incurred by taxpayers. Other less tangible but important savings not factored into this study include an increase in the number of drug-free babies born, a decrease in health care expenses, and drug court participants working and paying taxes. The average cost for the VCDRDC Program was **\$5,494** per participant. This amount is consistent with the range of costs found in other drug courts (\$4,000 to \$12,000) studied by NPC Research (Carey and Finigan, 2004; Carey, et al., 2005). The outcome costs indicate that participation in Drug Court offers a cost-benefit to the Indiana taxpayer due to a reduction in subsequent re-arrests and associated incarceration and victimizations. Over a 2-year period, the VCDRDC cost outcomes were **\$6,166 per participant** compared to **\$7,736** per offender that did not participate in Drug Court. When this per participant savings is multiplied by the 203 offenders who have participated in the Drug Court Program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is **\$318,710**.

As the existence of the Program continues the savings generated by drug court participants due to decreased substance use and decreased criminal activity can be expected to continue to accrue, repaying investment in the program and beyond. Taken together these findings indicate that the VCDRDC is both beneficial to participants and beneficial to the Indiana taxpayers.

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APPENDIX A: PARTICIPANT FEEDBACK FROM FOCUS GROUP AND INTERVIEWS

Vanderburgh County Adult Drug Court Focus Group Summary

As described in the methodology section of this report, two focus groups were conducted in May 2006, the first with five active Drug Court participants (representing different phases of the program) and one graduate. The second group consisted of two male participants who did not complete the program.

The main topics discussed with the two focus groups included what the participants liked about the Drug Court program, what they disliked, general feelings about the program (including program staff), advice they would give to prospective participants regarding Drug Court, how clearly DC rules were explained prior to program entry, and recommendations for the program.

What they liked

Active participants/graduate group:

- If I hadn't been a part of drug court, my life would be much more unmanageable than it is right now.
- DC provides the structure that you need and helps you with responsibility.
- If I weren't here, I would have quit my job a long time ago.
- They make you go to 7 meetings a week (I had to do that for 5 ½ months), which has helped me to do well. It's something that you might not normally do when you're trying to get clean on the streets.
- Here, they're very aware if you're heading down the wrong path, and they'll let you know and will help you get back on track [you don't get that in regular probation].
- I don't have a problem doing what's required of me because I look at this program as a blessing; I appreciate the chance I've been given. Hopefully, I can give back after I'm done.
- My feelings about DC have changed because I have become a halfway successful person and can almost be a [functional and positive] member of society.
- If I were not in this program, I'd be high right now.
- It saves lives.
- Where I work, they're behind me 100%, because they see how I've changed.
- I'm going to miss it when I'm gone [graduate]. It's a part of my life.

Participants not completing the program:

- The best I ever did was when I was in Drug Court. I was completely sober, would get up in the morning [which I never did before], went to work, and went to meetings all the time.
- DC taught me to be more responsible.
- I've always had a job since being in drug court.
- One good thing that the program provided was structure.
- Drug court positively affected my family life. It helped me to develop trust with my family.

What they didn't like

Active participants/graduate group:

- I've had an opportunity to have some really good jobs that I couldn't take [because of the Drug Court program's time commitment]. You're not going to find well-paying jobs while participating in DC.
- Even if you come here at 7am [to give a UA], some people don't get seen right away. Also, most daycare [facilities] don't open before 7am, so it's difficult for single moms to coordinate care for their children.
- The number of groups that you have to do [through the private provider] is often difficult.
- I'm a single parent and it's very difficult to see my daughter while in this program [she stays with my parents a lot].
- In the past, I've had to get up at 5am, walk downtown to catch the 6:15am bus, come here [to the DC office] and stay outside a whole hour before being called in. Then, after going to the [private provider], I had to walk to work. It was stressful.
- On some Monday mornings, you've got 40 people waiting to see a case manager. Most people don't come in during the afternoon.

Participants not completing the program:

- They get deep into your business [not always a good thing]. I felt they were intrusive. For example, they told me to stay away from my girlfriend [my baby's mother], because she was using.
- It seemed like the better I did the more they clamped down on me. Even when I was in Phase 3, it was a constant stress; you got to go to meetings, go here to take a drug test, have to meet with your case manager...on top of working and going to school. They never seemed satisfied.
- I had to wear a pager around everywhere.
- You need to have someone at Drug Court that you can talk to, who won't go back to the court and report on you. I saw people who confided in their case managers get in trouble with the judge [because he was told what they said]. I can't feel that I can trust anyone. You need someone who will be on your side.
- There were several people who kept messing up and they were given a lot of chances. I messed up one time and was sent to prison.

General feelings about the program (including Drug Court staff)

Active Participants/Graduates:

- I think that if it were solely up to the judge-I know it isn't-he'd give everybody who wanted it a chance [to be] in the program.
- I hated authority when I came here, but [now there are several staff members who] I would go out to dinner with, because I respect them.
- If you don't have any family support DC becomes your family.
- [Drug Court staff] pays attention to everything that's going on in your life. Every week, you sit down with your case manager and you talk about everything. Then, the judge brings it up in court; so you know they're talking about you. It's good that they recognize it.

- The court's a circus. It's good to go up and the judge smiles at you and you smile at the judge [sincerely]. You might have a [AA] chip and the judge asks you to bring it up and everybody claps. It feels good.
- The DC staff members understand [addiction] and will treat you like a human being, as opposed to probation, where I relapsed just to spite [my Probation Agent].
- Very rarely do I ever hear any negative comments about the Drug Court case managers; that's rare for a program like this.
- [Regarding graduation] It's a blast. When they call that person's name for graduation, you're just hollering and screaming for them.
- There used to be a guy on staff who helped with education related issues. He's no longer with the program [had health issues].
- It's my social life. I'm not sure what I'm going to do [after graduating].
- There are things you can do to stay involved. That's why they get you into 12-step programs.

Participants not completing the program:

- I was one of those people that they kept giving chances to. I don't know why; maybe they saw how hard I was trying. At times, it never feels like you're doing good enough. Some of the things that they pound you on make you want to use again.
- Until you're ready to stop, you won't stop [I decided to stop while in prison].
- I know a guy who came out of prison and went into Drug Court. He's been clean for 5 years.

Advice they would give to prospective participants regarding Drug Court

Active Participants/Graduate:

- If you're not ready to stay clean, don't waste your time.
- The first 90 days, it was really hard. And I kept praying and prying, "God you've got to help me."
- Try and get in.

Participant not completing the program:

- I've had people ask me about drug court and I've told them, "You better be ready." You could end up worse off [than the alternative to DC] if you don't do well in Drug Court [if you're not ready for the commitment]. Also, realize that they're going to get into your business.
- Drug court was good. I'd like to go back and have asked to [re-enter the program].

How clearly DC rules were explained prior to program entry

Active Participants/Graduates:

- All agreed that program staff were very thorough and clear [in explaining program rules].
- I [was instructed] to read over the participant handbook 3 times, back to back.
- I don't know if their rule about not being in a relationship is in the program [i.e., is a written rule]; if it is a rule, it should be in the handbook.

- I don't remember anything in the handbook about which medications are ok to take. Sometimes, I don't know whether to take Advil or similar meds. They could be clearer with that.

Recommendations for the program

Active Participants/Graduates:

- A longer reporting timeframe [for UAs] would be helpful.
- There are some situations that are out of your control [like getting a flat tire and missing a meeting as a result]; it would be nice if that were recognized [and you don't get a sanction].
- [Regarding the program fees] When you're straight off the streets and have to pay everyone once a week, it's very difficult. It seems like there's no way to get ahead in life, and you can get the same feeling in this program.
- I think that people who run a program like this should all be in some type of recovery [many agreed with this]. They need to know how hard recovery is.
- I can't believe that all of the other counties don't do Drug Court. Especially those areas where the methamphetamine use rate is so high and there is no rehabilitation [like smaller counties]. In those areas, you don't get a second chance. It would be good if the word [about DC] got out to the tri-state areas.

Participants not completing the program:

- I would put prospective drug court clients into prison for 30 days [prior to going into the program]. That would give them a taste of what would happen if they failed the program.

APPENDIX B: VCDRDC ELIGIBILITY INCLUSION AND EXCLUSION CRITERIA

VCDRDC Eligibility Inclusion and Exclusion Criteria

The offenses that are eligible for inclusion in VCDRDC are as follows:

1. Possession of a Controlled Substance, Class C Felony
2. Possession of a Controlled Substance, Class D Felony
3. Possession of Cocaine or Narcotic Drug, Class C Felony
4. Possession of Cocaine or Narcotic Drug, Class D Felony
5. Possession of Marijuana, Class D Felony
6. Possession of Paraphernalia, Class D Felony
7. Visiting or Maintaining a Common Nuisance, Class D Felony
8. Illegal Drug Lab; Sale of Drug Precursors, D Felony
9. Theft, receiving stolen property, Class D Felony
10. (Attempting to) or Obtaining a Controlled Substance by Fraud or Deceit, Class D Felony
11. Forgery, Class C Felony
12. Prostitution, Class D Felony
13. Open warrants
14. Currently on probation in County

The offenses that are excluded from participation in VCDRDC are as follows:

1. Illegal Drug Lab; Possession of Drug Precursors, Class C or D Felony
2. Operating a Vehicle While Intoxicated, Class A Misdemeanor or D Felony
3. Evidence of significant dealing in instant offense or prior arrests, Class A Misdemeanor or A, B, C, or D Felony
4. Prior convictions for dealing in substances
5. Burglary, Class A or B Felony
6. Burglary, Class C Felony
7. Any “crime of violence”: as defined by IC 35-50-1-2:
8. Felony Murder (not categorized)
9. Attempted Murder
10. Voluntary manslaughter, Class A or B Felony
11. Involuntary manslaughter, Class A Misdemeanor or D or C Felony
12. Reckless homicide, Class C Felony
13. Aggravated battery, Class A or B Misdemeanor or D or C Felony
14. Kidnapping, Class A Felony
15. Rape, Class A or B Felony
16. Criminal deviate conduct, Class A or B Felony
17. Child molest, Class A, B or C Felony

APPENDIX C: VCDRDC SANCTION SCHEDULE

VCDRDC Sanction Schedule

1. Non-Reporting:
 - 1st time – 7 days in jail
 - 2nd time - 14 days in jail
 - 3rd time - removal from program
2. Missing treatment and/or classes and/or meetings:
 - 1 day of community service
3. Missing appointments with staff, classes or treatment:
 - 1st time – 1 day of community service
 - 2nd time – 2 days of community service
 - 3rd time – no appointments will be made and the judge will decide the appropriate action to be taken with the participant.
4. Being Late:
 - 1 day of community service
5. Not responding to a page:
 - 1st time – 1 day in jail
 - 2nd time – 7 days in jail
 - 3rd time – PTR
6. Positive Urine Screen:
 - 1st time – 1 week in jail then referred to more intensive treatment
 - 2nd time – 2 weeks in jail and more intensive treatment
 - 3rd time – Removal from the program or long-term treatment
 - 4th time or more – Removal from the program
7. Not giving a urine sample:
 - 1st time – 1 week in jail
 - 2nd time – 2 weeks in jail
 - 3rd time – PTR
8. Non-payment of fees:
 - In a 2-week period – 1 day of community service
 - In a month period – 2 days of community service
9. Not dressed appropriately for court or report to office:
 - 1 day of community service
10. Employment means a person has a pay stub with the hours worked recorded. Self-employed means the person has the business registered with the State of Indiana and has a tax ID number.
 - Not employed after 2 weeks, quits or gets fired:
 - 1 day of community service
 - Not employed after 3 weeks:
 - 2 days of community service
 - Not employed after 4 weeks:
 - 3 days of community service
 - Not employed after 5 weeks or more:
 - 5 days of community service

**APPENDIX D: EXAMPLES OF REWARDS AND SANCTIONS USED
BY OTHER DRUG COURTS**

Examples of Rewards and Sanctions Used By Other Drug Courts

Drug Court Rewards and Sanctions (Ideas and Examples)

The purpose of rewards and sanctions in drug court programs is to help shape participant behavior in the direction of drug court goals. That is, to help guide offenders away from drug use and criminal activity and toward positive behaviors, including following through on program requirements. Sanctions will assist drug court participants in what *not* to do, while rewards will help participants learn they should do. Rewards teach that it can be a pleasant experience to follow through on program requirements and in turn, to follow through on positive life activities. It is important to incorporate both rewards and sanctions, as sanctions will only demonstrate to participants what behaviors are inappropriate but will not teach participants which behaviors are appropriate.

Below are some examples of rewards and sanctions that have been used successfully in drug courts across the United States.

Rewards

No cost or low cost rewards

- Applause and words of encouragement from drug court judge and staff
- Have judge come off the bench and shake participant's hand.
- A "Quick List." Participants who are doing well get called first during court sessions and are allowed to leave when done.
- A white board or magnetic board posted during drug court sessions where participants can put their names when they are doing well. There can be a board for each phase so when participants move from one phase to the next, they can move their names up a phase during the court session.
- Decrease frequency of program requirements as appropriate – fewer self-help (AA/NA) groups, less frequent court hearings, less frequent drug tests.
- Lottery or fishbowl drawing. Participants who are doing well have their names put in the lottery. The names of these participants are read out in court (as acknowledgement of success) and then the participant whose name is drawn receives a tangible reward (candy, tickets to movies or other appropriate events, etc.)
- Small tangible rewards such as bite size candies.
- Key chains, or other longer lasting tangible rewards to use as acknowledgements when participants move up in phase.

Higher cost (generally tangible) rewards

- Fruit (for staff that would like to model healthy diet!)
- Candy bars
- Bus tickets when participants are doing well
- Gift certificates for local stores.
- Scholarships to local schools.

Sanctions

- ❑ “Showing the judge’s back.” During a court appearance, the judge turns around in his or her chair to show his/her back to the participants. The participant must stand there waiting for the judge to finish their interaction. (This appears to be a very minor sanction but can be very effective!)
- ❑ “Sit sanctions.” Participants are required to come to drug court hearings (on top of their own required hearings) to observe. Or participants are required to sit in regular court for drug offenders and observe how offenders are treated outside of drug court.
- ❑ Writing. Participants are required to write papers or paragraphs appropriate to their non-compliant behavior and problem solve on how they can avoid the non-compliant behavior in the future.
- ❑ Increasing frequency of drug court appearances, treatment sessions or self-help groups, (for example, 30 AA/NA meetings in 30 days or 90 AA/NA meetings in 90 days).
- ❑ One day or more in jail. (Be careful, this is an expensive sanction and is not always the most effective!)
- ❑ “Impose/suspend” sentence. The judge can tell a participant who has been non-compliant that he or she will receive a certain amount of time in jail (or some other sanction) if they do not comply with the program requirements and/or satisfy any additional requirements the staff requests by the next court session. If the participant does not comply by the next session, the judge imposes the sentence. If the participant does comply by the next session, the sentence is “suspended” and held over until the next court session, at which time, if the participant continues to do well, the sentence will continue to be suspended. If the participant is non-compliant at any time, the sentence is immediately imposed.
- ❑ Demotion to previous phases.
- ❑ Community service. The best use of community service is to have an array of community service options available. If participants can fit their skills to the type of service they are providing and if they can see the positive results of their work, they will have the opportunity to learn a positive lesson on what it can mean to give back to their communities. Examples of community service that other drug courts have used are: helping to build houses for the homeless (e.g., Habitat for Humanity), delivering meals to hungry families, fixing bikes or other recycled items for charities, planting flowers or other plants, cleaning and painting in community recreation areas and parks. Cleaning up in a neighborhood where the participant had caused harm or damage in the past can be particularly meaningful to the participants.

APPENDIX E: GLOSSARY OF DRUG COURT TERMS

Glossary of Drug Court Terms

The definitions listed below are for the purposes of this study and are not necessarily the definitions used by the specific court described in this report.

Active: The drug court participant is currently attending drug court sessions and treatment (and has not already completed/graduated or been terminated). This includes those who are on bench warrant for failure to appear if they have not been officially terminated from the program.

Actual Expenditures: Taken from a county or agency's budget report, actual expenditures are a line in the budget that lists a particular agency's total budget spending for a previous year. The "actual" refers to the actual amount that the agency spent (not just the estimated or budgeted amount set aside).

Arrest: An arrest of an offender (drug court participant or comparison group member) by local law enforcement such as a sheriff or police officer. Each arrest has an associated cost, which goes into the investment and outcome costs. For arrest, typically a city police department serves as the activity/cost model.

Benefits: The portion of an employee's pay that is not direct salary paid to the employee. Benefits include health or other medical insurance, retirement, dental, vision, disability insurance, etc. Benefits can be obtained as either a dollar amount (per hour, month, or year) or as a percentage of the salary (for example, 33% of the hourly rate).

Booking Episode: After each arrest, an offender is booked into the law enforcement's system. Each booking episode has an associated cost, which goes into the outcome costs. Bookings are most frequently performed by sheriff's departments, but can also be performed by correction divisions, detention departments, etc. as is customary for the local circumstance.

Cohort: A cohort consists of all eligible offenders who entered a drug court program during a defined time period, regardless of their graduation status. If they opted-in but did not attend any drug court activities, they have not used any program resources and therefore are excluded from the cost evaluation. The comparison group also forms a cohort.

Drug Court Session: A drug court session is when drug court participants make their court appearance in front of the judge. Multiple participants attend each drug court session, but an individual's drug court session time is only the time that the individual spends in front of the judge (from the time their name is called until the time they are excused). For the drug court team members, the drug court session includes the entire amount of time they spend in court discussing the participants.

Drug of Choice: The specific drug that the drug court participant or comparison group individual reports as their preferred drug (and/or the drug that the participant has the most severe addiction issues with). Most drug court databases have primary drug of choice as a data field. Some comparison groups' databases also provide drug of choice or this information may be available in probation records.

Graduated: The drug court participant successfully completed all requirements of the drug court program and is no longer subject to the requirements or supervision of drug court. Some comparison groups also participate in treatment programs, such as DAPS in Vanderburgh County. These individuals will also have a graduation status.

Graduation Rate: The program graduation (completion) rate is the percentage of participants who graduated the program (graduates/total number in drug court).

Group Treatment Session: A treatment session with multiple clients and one or more counselors/therapists. This is one of the transactions for which a cost was found. Group treatment sessions commonly last an hour or more and can cover a broad range of topics (parenting skills, anger management, processing, drug education, etc.). Alcoholics Anonymous/Narcotics Anonymous (AA/NA) sessions ARE NOT considered group treatment sessions.

Individual Treatment Session: A treatment session with one counselor/therapist and one client. This is one of the transactions for which a cost was found. Individual treatment sessions usually last about an hour and can cover a broad range of topics including mental health treatment.

Jail (as a) Sanction: Penalty consisting of jail time imposed by a judge on an offender for a violation of a court rule. In drug court, a jail sanction consists of time spent in jail by a participant in response to a violation of a drug court rule (such as testing positive for drug use, failure to attend court or treatment, etc.).

Jail Time Served: The number of days a drug court participant spent in jail after the date of drug court entry up to the current date. This includes time spent in jail while the offender was participating in drug court.

Overhead Rate (Cost): The indirect costs associated with the county's oversight and support of a particular agency (facilities management, county counsel costs, auditor costs, utilities, treasury/tax costs, internal audits, building or equipment depreciation, etc.). It is usually given as a percentage of direct costs. To get the overhead rate percentage, divide those costs that are considered overhead costs by the direct costs (salary and benefit costs).

Some city agencies such as police departments would not be listed in the county's Cost Allocation Plan, and the county would not have any oversight and support costs for such city agencies. In these cases, the city's costs to support and oversee the agency should be used. If there is no city Cost Allocation Plan, the city agency will sometimes have a combined support and overhead rate, which they may call their indirect overhead rate. The financial officer may know if this rate includes support rate items (the indirect costs associated with agency operations—the agency's management and support staff costs, IT, human resources, supplies and services, etc.).

Retention Rate: the program retention rate is the percentage of individuals who have either graduated or are still active out of the total number who have entered the program active + graduates/total enrolled in drug court).

Prison: The number of days that an offender served in prison. The Indiana Department of Corrections (IDOC) provided the number of days served and the specific prison for the DOC sentences.

Probation: Probation time served (the number of days spent on Probation) after the drug court exit date up to the present date. In the case of Probation only, we use the exit date instead of the entry date because the Probation agency costs for drug court are counted in other drug court program specific calculations.

Probation Annual Caseload: The number of cases that the entire adult probation department has in one year, including case-bank and other low supervision cases. As the annual caseload will go into an equation to determine the cost of probation per person per day, the caseload you ask for should be for the whole adult probation department, not just for drug court cases.

ProsLink: A database of adjudicated arrests for 90 of 92 Indiana counties. ProsLink is administered by the Indiana Prosecuting Attorney’s Council

Proxy: An estimate used in place of more detailed or specific data when the detailed data is not available or is too difficult (or time intensive) to collect.

Re-arrest: Each instance of arrest from the time the participant entered drug court up to the current date. This includes arrests that occur while the participant is still in drug court or the comparison group program. For this IJC project, re-arrests were defined as arrests that lead to adjudication.

Recidivism: Re-arrests that led to new court cases for misdemeanor or felony arrests. In Indiana, felony cases were identified primarily in ProsLink (used with grateful permission from the Indiana Prosecuting Attorneys’ Council). Misdemeanor cases were identified in CourtView (Vanderburgh County) and DoxPop (Monroe County).

Residential Treatment: Treatment in which the client lives 24 hours a day at a treatment facility while receiving drug and/or alcohol (or mental health) treatment services.

Session: One distinct instance of a certain transaction or activity, such as a group treatment session, an individual treatment session, or a drug court session. A session may include only one drug court participant (such as an individual treatment session), or it could include several participants (such as a group treatment session or drug court session).

Subsequent Court Cases: New court cases that arise from an incident (such as an arrest) that occurred after the drug court entry date. Each court case will have a separate court case number. Subsequent court cases are only those cases that occur after the participant entered drug court up to the current date. This includes new court cases that occur while the participant is still in drug court.

Support Rate (Cost): The indirect costs associated with agency operations, usually given as a percentage of direct costs. The rate includes an agency’s management and support staff costs, IT (information technology), human resources, supplies and services, etc. Generally, this is nearly every agency cost except for the direct salary and benefit costs. To calculate the support rate percentage, divide those costs that are considered support costs by the direct costs (salary and benefit costs).

Terminated: The drug court participant was officially removed from participation. For purposes of analyses, this category includes those participants that withdrew or were removed from the program during a “window” or “probationary” period (usually the first 2 weeks of a program) as long as the participant had at least one treatment session or one drug court session.

Withdrawn: Drug court participants who chose to leave the program before completion/graduation and were therefore officially removed from drug court participation. This includes those who withdrew during the early “window” or “decision” period, as long as they participated in at least one treatment or one drug court session.