

Indiana Drug Courts:

VANDERBURGH COUNTY

JUVENILE DRUG COURT

Program Process Evaluation

FINAL REPORT



Submitted to:

Jane A. Seigel

Executive Director
Indiana Judicial Center
115 West Washington St., Ste. 1075
Indianapolis, IN 46204

Submitted by:

NPC Research

April 2007

Vanderburgh
County



4380 SW Macadam Ave., Suite 530
Portland, OR 97239
(503) 243-2436
www.npcresearch.com

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Indiana Drug Court Evaluation Team

**Robert Linhares, M.A., Katharina L. Wiest, Ph.D.,
Sarah J. Martin, B.A., Mark Waller, B.A., Anton Cox, B.A.,**

Shannon M. Carey, Ph.D.

Michael W. Finigan, Ph.D.

Co-Principal Investigators

For questions about this report or project, please contact Robert Linhares at
(503) 243-2436 x 130 or linhares@npcresearch.com.

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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 over 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 of these programs sought support from the Indiana Judicial Center (IJC) similar to the support provided to Court Alcohol and Drug Programs operating under IC 12-23-14. 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 are required to submit to certification procedures overseen by the Indiana Judicial Center (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. 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 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 was selected by 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 has published more than 35 drug court evaluation final reports. These 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 meetings.

NPC Research conducted process, outcome and cost evaluations of five adult drug courts in the counties of Marion, Monroe, St. Joseph, Vanderburgh, and Vigo and performed process only evaluations on three juvenile drug courts in the counties of Vanderburgh, Vigo and Tippecanoe. This report contains the process evaluation for the Vanderburgh County Juvenile Drug Court (VCJDC) performed by NPC.

PROCESS EVALUATION METHODS

Information was obtained for the process evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, program materials, and the Vanderburgh County Juvenile Drug Court's database. The methods used to gather information from each source are described below.

SITE VISITS

NPC evaluation staff members traveled to Vanderburgh County for a site visit in May 2006, where they observed a VCJDC session and drug court team meeting; interviewed key drug court staff; and facilitated focus groups with drug court participants (current and former) and their parents/guardians. These observations, interviews, and focus groups provided information about the structure, procedures, and routines used in the drug court.

KEY INFORMANT INTERVIEWS

Key informant interviews, conducted in person or by telephone, were a critical component of the VCJDC process study. NPC staff performed detailed interviews with individuals involved in the administration of the drug court, including the VCJDC Probation Officer (who is also the program coordinator); the magistrate; the public defender; the prosecutor; and a Vanderburgh County Juvenile Division Superior Court Judge who served as the first juvenile drug court judge.

NPC has designed a Drug Court Typology Interview Guide¹, which provides a consistent method for collecting structure and process information from drug courts. In the interest of making the evaluation reflect local circumstances, this guide was modified to fit the purposes of this evaluation and this particular Drug Court. The information gathered through the use of this guide assisted the evaluation team in focusing on the day-to-day operations as well as the most important and unique characteristics of the Vanderburgh County Juvenile Drug Court.

For the process interviews, key individuals involved with VCJDC administration and program implementation were asked many of the questions in the Typology Guide during telephone calls, site visits and follow-up telephone contact. This approach allowed us to keep track of changes that occurred in the Drug Court process from the beginning of the project to the end.

FOCUS GROUPS

NPC staff conducted two focus groups in the offices of the Vanderburgh County Juvenile Drug Court during the May 2006 visit. Current Drug Court participants and graduates were included in one group, and parents/guardians comprised the second group. The focus groups provided current/former participants and parents/guardians with an opportunity to share their experiences and perceptions regarding 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.

¹ 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. A copy of this guide can be found at the NPC Research Web site at [http://www.npcresearch.com/Files/NPC_Research_Drug_Court_Typology_Interview_Guide_\(copyrighted\).pdf](http://www.npcresearch.com/Files/NPC_Research_Drug_Court_Typology_Interview_Guide_(copyrighted).pdf).

DOCUMENT REVIEW

In order to better understand the operations and practices of the VCJDC, the evaluation team reviewed program documents including the Vanderburgh County Juvenile Drug Court Policy and Procedures Manual and the Vanderburgh County Juvenile Drug Court Program Handbook.

PROCESS RESULTS

The following information was gathered from interviews, program documents (such as the Indiana Judicial Center Drug Courts document)²⁻⁵, and observations of the Drug Court. The majority of the information was gathered from the interviews and, as much as possible, the evaluators have attempted to represent the information in the same words in which it was given.

VANDERBURGH COUNTY, INDIANA

Vanderburgh County, located in Southwestern Indiana, is primarily urban. 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 (with 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 categories at the time of the census were 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).¹

VANDERBURGH COUNTY JUVENILE DRUG COURT OVERVIEW

The Vanderburgh County Juvenile Drug Court (VCJDC), located in Evansville, began operations in November 2002 and was later certified by the IJC in November 2005. A variety of local agencies contribute to the drug court program. The main core of the drug court team is made up of the magistrate, probation officer (who also serves as program coordinator), a deputy prosecutor, and a public defender. The VCJDC targets juvenile delinquents with substance abuse problems, many of whom have been identified as habitual offenders. The VCJDC combines treatment, education, intensive case management, and court supervision, for an average of 7 months (program duration), in order to assist participant youth in overcoming substance abuse challenges and related delinquent criminal behavior.

IMPLEMENTATION

The original program model for the Vanderburgh County Juvenile Drug Court was the Vanderburgh County Adult Day Reporting Drug Court, which was implemented in 2001. The need for a similar program for juveniles became apparent after the results of two different surveys were published. The first survey, conducted in 1999 with a sample of over 3,000 local students, found

² Indiana Judicial Center Drug Courts document

³ Vanderburgh County Juvenile Drug Court Policy and Procedures Manual

⁴ The Vanderburgh County Juvenile Drug Court Program Handbook

⁵ The Drug And Alcohol Assessment For Drug Court Referral

⁶ The Vanderburgh County Juvenile Drug Court Participation Agreement

¹ Retrieved on December 5, 2006 from the U.S. Census Bureau website:

http://factfinder.census.gov/servlet/SAFFacts?_event=&geo_id=05000US18163&_geoContext=01000US%7C04000US18%7C05000US18163&_street=&_county=Vanderburgh+County&_cityTown=Vanderburgh+County&_state=04000US18&_zip=&_lang=en&_sse=on&ActiveGeoDiv=&_useEV=&pctxt=fph&pgsl=050&_submenuId=factsheet_1&ds_name=ACS_2005_SAFF&_ci_nbr=null&qtr_name=null®=&_keyword=&_industry=

that alcohol and drug use steadily increased from the time students were in 8th grade until they were seniors in high school. The study also found that by the time the surveyed students were seniors, 51% were using alcohol and 29% were using marijuana at least once per month. The second survey was conducted in 2001 by the Vanderburgh County Juvenile Court. It used a random sample of 200 probationers and found that almost 70% of the probationers surveyed admitted using drugs or alcohol by age 14, and over 35% of this group had tested positive for marijuana or methamphetamine. These findings provided court officials with the justification for implementing a Juvenile Drug Court in the county.

The VCJDC program implementation process was initiated when Vanderburgh Superior Court Judge, Brett J. Niemeier, sought approval from the County Council for program funding. Upon approval of this request, drug court preparations began in August of 2002. This process involved collaboration between the judge, probation staff, and representatives from other community agencies including the School Corporation, Office of Family and Children, and local treatment providers. As part of pre-program preparation, the group contacted staff from juvenile drug courts in other states in order to gather ideas and information related to program policies and procedures. The group identified specific practices and policies that would be most relevant for Vanderburgh County and youth served by the drug court program. In November 2002, Vanderburgh County's Juvenile Drug Court began serving clients.

PARTICIPANT POPULATION AND PROGRAM CAPACITY

Since it became operational, the VCJDC has been able to accommodate all eligible participants. According to a recent report presented to the IJC, the Program served 35 participants in 2006, 86% of which were White and 55% male. Of the non-White participants, 4 were African American (11%) and 1 was Native American (3%). The average age of participants in 2006 was reported to be 16.3 years, and the average length of stay in the program was 7.6 months. For all drug court participants, the primary drug of choice was marijuana (used by 89 % of participants in 2006), followed by methamphetamines and prescription drugs. Several participants also used alcohol, but it was usually associated with marijuana use.

It was reported that in 2006, 9 participants graduated from the VCJDC Program and 6 were committed to the Department of Corrections (i.e., were formally released from the program). There were also 10 new criminal offenses committed by Drug Court participants, reflecting (according to the program) a 37% recidivism rate for active participants.

DRUG COURT GOALS

The VCJDC Program's overarching goal is to help participants overcome substance abuse issues/challenges. It is hoped that, in achieving this goal, related delinquent criminal behaviors will be reduced, saving participants, their families and the community from the physical, mental, and monetary burdens associated with incarceration. Summarized from the Program Handbook, the VCJDC has identified the following short-term objectives, which relate to the above-mentioned goal:

1. Collaborate with community agencies to develop a systematic approach to working with substance abusing or addicted offenders.
2. Provide eligible offenders early and affordable access to a full continuum of substance abuse services.
3. Identify the needs of the Drug Court participants and refer them to appropriate services.

4. Monitor participants' compliance with Drug Court requirements through case management, regular court appearances, and frequent drug testing.

ELIGIBILITY CRITERIA

Juvenile offenders are eligible for the Vanderburgh County Juvenile Drug Court if they:

- Are an adjudicated delinquent
- Do not have a history of violent convictions
- Do not have a history of dealing convictions

The VCJDC mainly targets habitual substance abuse offenders and adjudicated delinquents who are on formal probation. First-time offenders are also eligible for the program. It was reported that the majority of program participants have previously failed outpatient substance abuse treatment and have been unsuccessful in other rehabilitative programs offered in Vanderburgh County.

To be eligible for the drug court program, the prospective participant's charge(s) does not have to be drug-related; for example, individuals committing forgery or theft are accepted into the program if there is reason to believe that they have a substance abuse issue. Individuals with criminal records that include violent crimes or dealing convictions are not eligible for the Program. A complete list of program inclusion and exclusion criteria is provided in Appendix B.

DRUG COURT PROGRAM SCREENING

The following description explains the process that VCJDC participants go through before entering the Program. A visual outline of this process is provided in the Vanderburgh County Pre-Juvenile Drug Court flow chart below.

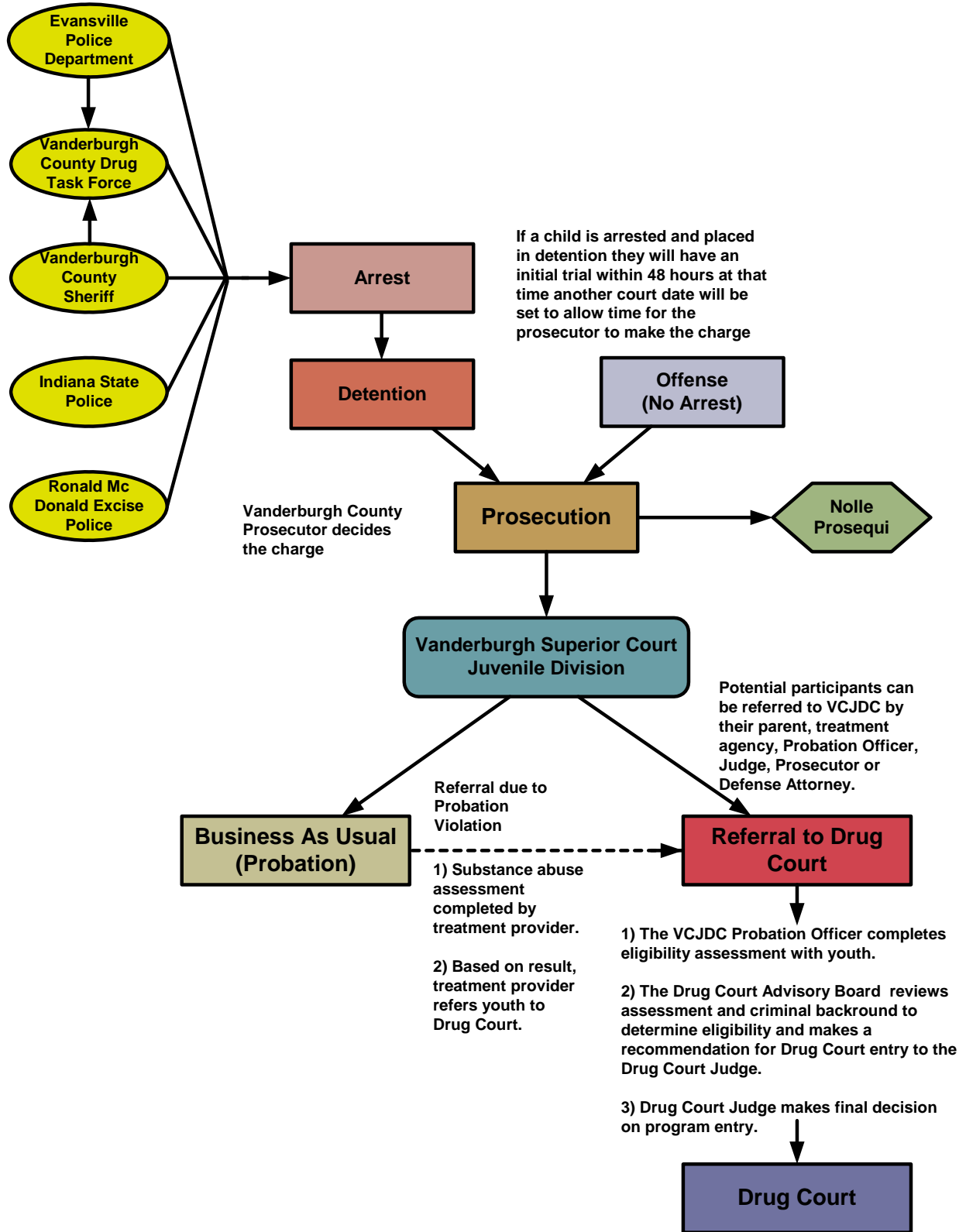
All youth who are put on probation in Vanderburgh County are automatically court ordered to participate in a substance abuse evaluation (conducted by a treatment agency of their choice) and are required to participate in random drug testing. If it is discovered during the substance abuse evaluation that there is a history of substance use, the individual may be referred to drug court. The majority of drug court referrals are for youth who violate their probation by testing positive for illegal substances. Prospective participants can also be referred to VCJDC by a parent, treatment agency, Probation Officer, Judge, Prosecutor or Defense Attorney, although they are usually referred by Probation. Related to this, one drug court staff member commented that it is difficult to determine the length of time it takes from arrest to referral to the program because that decision is up to the officer making the referral. For example, an individual may be placed on formal probation and it may be 4 months before a decision is made to refer that person to the drug court program (usually as a result of a probation violation or new arrest).

In an effort to address the above-mentioned issue, it was reported that in January 2007 the juvenile court is implementing a direct referral process from probation to drug court. As a result of this change, juvenile offenders meeting specific criteria will automatically be referred by probation officers to the drug court program for consideration. Drug court staff would immediately begin the process of determining eligibility, while at the same time the probation department would continue its "business as usual" process. It is hoped that the direct referral program will decrease the time it takes from arrest to drug court entry and will also increase referrals to the program.

Once a referral is made, the probation officer at the drug court conducts an eligibility assessment with the youth and his/her parents. This assessment focuses on substance abuse issues, current and past behaviors, mental health status, and whether or not the youth is ready to participate in the recovery process. The assessment also covers the potential participant's family members' attitude toward use and their own substance use history. In addition to the drug court probation officer, the treatment providers and detention facility staff may also conduct the eligibility assessment (depending on the availability of staff and the particular situation).

The completed assessment and prospective participant's history is presented to the VCJDC Advisory Committee (the drug court team) for review and, if deemed appropriate, the committee will recommend that the youth be placed in drug court. The drug court magistrate will then decide whether or not to follow that recommendation and allow the youth into the Program. The time between referral and entry into the VCJDC Program is usually between one and 2 weeks.

Figure 1. Vanderburgh County Pre- Juvenile Drug Court System



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

The VCJDC is a post-adjudication program. Upon a participant's successful completion of the program, the charge that led to participation in drug court is expunged from the record. Additional incentives for offenders to enter and complete the drug court program include support in their recovery from treatment and case management, avoiding incarceration and receiving verbal praise from the magistrate as well as material rewards for successfully completing the program (e.g., gift cards).

Potential participants are not directly asked whether or not they want to participate in the drug court program. If they refuse to participate in the program, the disposition given by the magistrate would most likely be residential treatment or Department of Corrections placement.

DRUG COURT PROGRAM PHASES

This section describes the VCDRDC Program. A visual representation is provided in the following flow chart entitled, "Vanderburgh Day Reporting Drug Court Process". The VCJDC program has four phases. The first three phases last approximately 2 months each, depending on the participant's sobriety and progress during the phase. The length of the fourth phase is determined on an individual basis by the drug court magistrate. Non-compliant participant behavior will result in a sanction being levied. Sanctions are described later in this report and are listed briefly on the flow chart description of the drug court process. Generally, obtaining sanctions can lengthen the time spent in each phase. The average time participants spend in the program is 7 months.

All participants, no matter what phase they are in, are required to attend school regularly or participate in a GED program 3 days a week. All participants must also meet with the drug court probation officer as scheduled and participate in substance abuse treatment as recommended by their treatment provider. Each phase also has specific requirements related to participating in drug screening, attending support groups, and being present at drug court status hearings.

Individualized treatment objectives are identified for each client based on therapists' recommendations. Because of this, the frequency of required sessions will vary depending on the participant. Aftercare, also called "continuing care," is offered by treatment providers and typically occurs before the youth graduates from the drug court program (after formal treatment is completed). The length of aftercare is dependant on the treatment agency's program policy, (e.g., one provider offers 90 days of aftercare).

Program participants may move from one phase to the next when they have met all the requirements of the earlier phase. Participants wishing to progress to the next phase are required to fill out a "request to move phases" questionnaire and read that request in front of the magistrate during the drug court session. The magistrate will ask team members for their opinions on the matter and then decide whether or not the youth will move to the next phase.

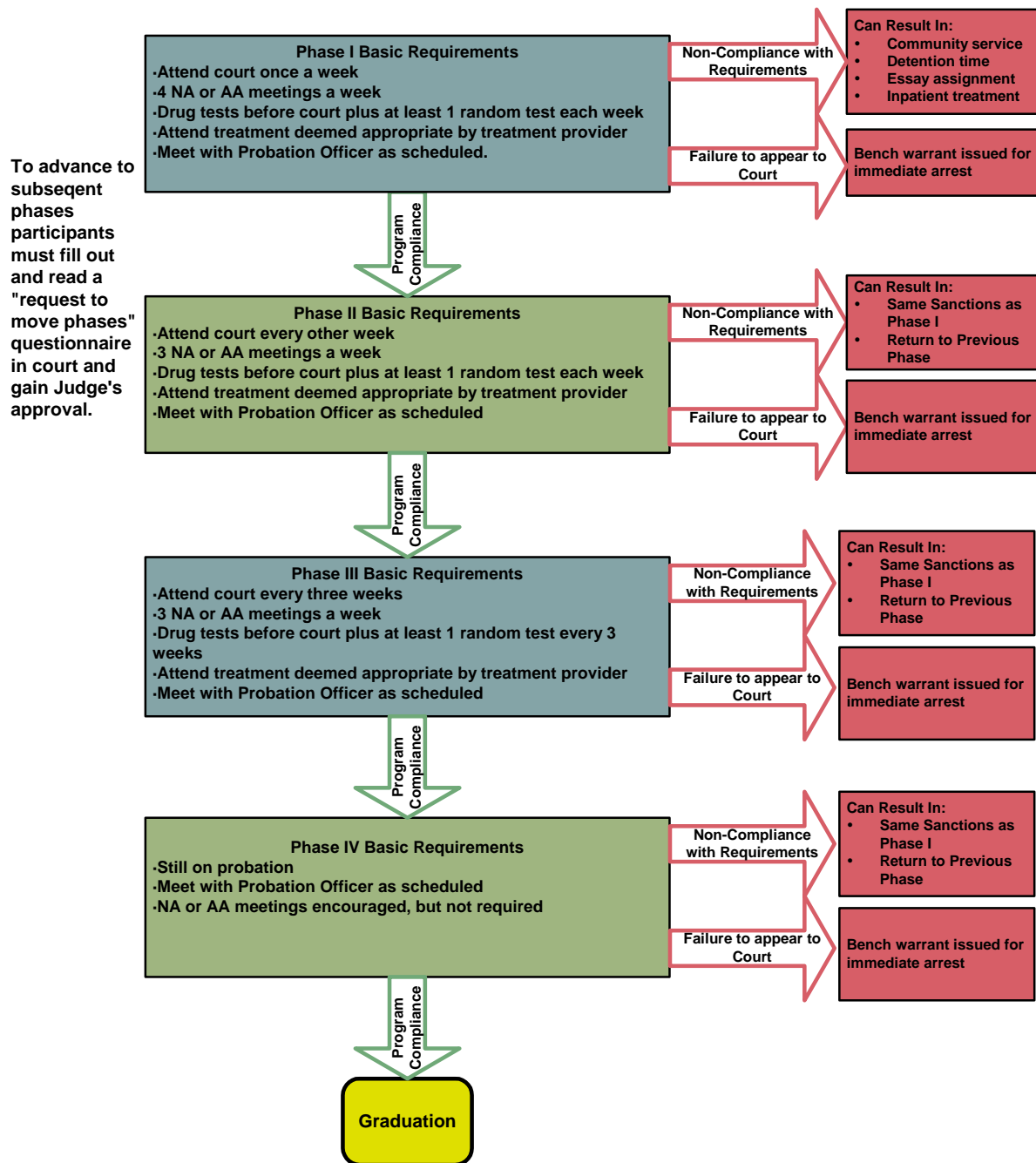
Phase I participants are required to attend four Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings per week. They must attend Drug Court sessions once every week and before each session must submit to a drug screen and Breathalyzer test. At least one additional random drug screen and Breathalyzer test is administered to Phase I participants each week.

During Phase II, participants must attend three Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings per week. Phase II participants are required to attend Drug Court once every 2 weeks. They are required to submit to a drug screen and Breathalyzer test before the drug court session and take at least one additional random test each week.

Phase III requirements include attendance at three Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings per week. As in the other phases, participants submit to a drug screen and a Breathalyzer test before court, which they are required to attend once every 4 weeks. Phase III participants must also submit one additional random drug screen and Breathalyzer test every 3 weeks.

The requirements in Phase IV are significantly reduced compared to the earlier phases. Attendance at Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings is no longer required, but is encouraged. Court appearances are required on an individual basis by appointment only, prior to which a drug screen and Breathalyzer test is given.

Figure 2. Vanderburgh Superior Court Juvenile Division Drug Court Process



TREATMENT OVERVIEW

Potential participants and their parents/guardians are allowed to choose a treatment provider that they feel is most appropriate, unless they are court-ordered to enter the South West Indiana Regional Youth Village, a local inpatient treatment facility. On occasion, the drug court program will use other inpatient facilities, depending on availability of space and the particular participant's needs. Youth referred for inpatient treatment will usually stay in that facility around 90 days before being released (and returning to the drug court program). During that time, participants are considered active and will actually be brought to the court at least every 30 days (by treatment facility staff) to attend drug court progress hearings. When participants are released from inpatient treatment they will generally come back to the drug court program in Phase II status.

The four intensive outpatient treatment providers that serve drug court participants include Southwestern Indiana Mental Health Center (Stepping Stone), Mulberry Center Services, Amethyst Addictions Services, and ADAPT Counseling Services. A variety of services are available through these agencies including detoxification, substance abuse treatment, relapse prevention, and substance abuse education. Sessions are offered in individual and group settings. The majority of local treatment providers associated with the Drug Court program offer services that address substance abuse issues, mental health challenges, and other relevant concerns (e.g., family conflict, grief related issues, social skills deficits). Depending on the individual and the agency, drug court participants will usually attend two groups a week or will meet for one-on-one counseling once a week. According to one interviewee, most of the treatment providers are able to modify services delivered to meet specific client needs.

Drug court participants may also participate in an Adventure-Based Challenge (ABC) Program, a locally based alternative treatment program that involves outdoor activities designed to both enhance self-esteem and confidence and educate participants on substance abuse issues. This program, run by an outside agency, has periodically offered their services to drug court over the past 3 years. Prior to accepting kids for participation, the ABC Program screens prospective participants to determine whether they are appropriate for the program.

THE DRUG COURT TEAM

Judge/Magistrate

The Vanderburgh County Juvenile Drug Court judge is a magistrate who was appointed by the first VCJDC judge. In addition to her drug court duties, she presides over juvenile delinquency, juvenile paternity, probate, and children in need of services cases. The position of drug court magistrate does not rotate through other magistrates. The magistrate presides over advisory committee meetings and the drug court sessions. She makes the final decisions on sanctions, rewards and on whether or not to allow a new participant enter the program.

During drug court sessions the magistrate provides participants with positive encouragement when they are doing well (or at least trying) and imposes sanctions when they are not following program requirements. She works hard to get to know participants individually, learning about their hobbies, likes, dislikes, and other aspects of their lives in an effort to better connect with and understand them and their lives.

Drug Court Chief Probation Officer / Program Coordinator

The drug court chief probation officer/program coordinator supervises and monitors all of the juveniles assigned to the drug court program; this includes meeting with participants, facilitating an orientation meeting with new participants and their parent/guardians, administering drug screens, and doing home visits. He tracks all participant related information through an electronic database system, including violations and case management notes, and maintains all participant statistical/demographic data for the VCJDC. In addition, he coordinates treatment with treatment providers, communicates with schools, and supervises participants who are in GED and vocational programs. The program coordinator also manages the Judicial Center certification process and monitors grants opportunities (applying for relevant grants) to help with funding the drug court.

Treatment Providers

The aftercare services coordinator through South West Indiana Regional Youth Village (who has an M.S.W.) is the only treatment provider that attends advisory committee meetings regularly. In addition to her role with the service provider, she was recently hired part-time through the Juvenile Court to assist with eligibility assessments and, in the future, to conduct group therapy with Phase II and Phase III participants (e.g. addressing relapse prevention issues).

Other treatment providers (described earlier) are responsible for presenting drug court participant bimonthly progress reports to the VCJDC coordinator but do not attend the team advisory committee meetings.

Probation

Besides the VCJDC coordinator, whose role is described above, other probation officers (P.O.) have played a very minimal role in drug court, aside from referring participants to the program. P.O.s may attend the advisory committee meeting if they wish to make a case for a client they believe would benefit from participation in the drug court program (although this rarely happens).

Public Defender

The public defender assigned to VCJDC is a private family law and criminal defense lawyer who also represents defendants in both the Superior and Circuit Court in Vanderburgh County and surrounding counties. The public defender's role is to attend advisory committee meetings and court sessions. The public defender will also represent a participant in a change of status hearing in the event that the individual is charged with a violation of drug court rules and, as a result, faces removal from the program.

Deputy Prosecutor

The VCJDC deputy prosecutor represents the Vanderburgh County Prosecutor's Office. The prosecutor attends advisory committee meetings and drug court sessions. If a petition to revoke is filed for a violation then the prosecutor represents the state in regard to the charges pending against the participant.

Law Enforcement Agencies

Law enforcement agencies do not currently have a role in VCJDC other than referring potential candidates to the program.

Other Team Members

In addition to the above-mentioned drug court team members, an assistant principal from a local high school and a representative of the Office of Family and Children also attend the drug court advisory committee meetings held prior to the court sessions. However, these individuals usually do not attend the actual drug court sessions.

The local high school representative is an administrator who helps the program make educational decisions in regards to participants and also keeps drug court team members up to date on school processes and programming.

VCJDC depends on the director of Family and Children Services to assist other team members in making residential placement decision. Through this process the magistrate makes them temporary wards of the Vanderburgh County Department of Child Services for payment purposes. It is helpful to have him, as the director of that office, on board with that placement. This team member also has access to and knowledge of all the alternative family support agencies that may be needed by the program.

DRUG COURT TEAM TRAINING

Key drug court team members, including the program coordinator and magistrate, have attended the majority of the annual Indiana Judicial Center drug court trainings, during which they learn about general drug court processes including treatment, sanctions and rewards, and funding, and also have an opportunity to learn from staff from other drug courts around the state. The VCJDC program coordinator has also attended probation officer trainings offered locally and through the Indiana Judicial Center. In addition, he has attended substance abuse seminars and education classes offered through a local university and a clinical assessment and screening training at Fairbanks Hospital in Indianapolis.

TEAM MEETINGS

The drug court team is called the “advisory committee” and includes the VCJDC magistrate, program coordinator/probation officer, public defender, prosecutor, the aftercare services coordinator from South West Regional Youth Village, the assistant principal of a local high school and, when available, an administrator from the local Office of Family and Children. The advisory committee meets every Monday at 12:15 pm for approximately 45 minutes. A number of topics are covered during these meetings, including drug court participant referrals; active participants’ progress, and policy related issues.

Information shared during advisory committee meetings generally revolve around active participants, and includes drug screen results, progress in treatment, phase status, educational status, and legal status. If a young person is having difficulty in the program, the committee discusses the relevant issue involved and appropriate sanctions (if applicable). The magistrate then makes the final decision regarding any sanctions after carefully considering the committee’s input.

When the drug court program was first starting out, a subcommittee of the advisory committee, made up of representatives from every drug treatment facility in town, met monthly to advise the board on how to effectively implement and improve drug court. The subcommittee suspended these meetings when it ran out of issues to discuss. The advisory committee now discusses policy issues on an as needed basis.

TREATMENT PROVIDER AND TEAM COMMUNICATION WITH COURT

Treatment providers deliver bimonthly progress reports as well as periodic verbal reports (via telephone) to the drug court probation officer/program coordinator, who then relates relevant information to the rest of the drug court team during advisory committee meetings. Since the aftercare services coordinator of Southwest Regional Youth Village attends the advisory committee meetings she is able to provide verbal reports on the participants she works with during the meetings.

The drug court coordinator's report includes the participant's status in the program, level of program involvement, any individual sessions or crisis interventions that occurred since the last session, the number of groups and educational activities in which the individual participated, any new arrests, and results from all urine screens and other tests taken since the last court date. The report also includes an assessment regarding whether the young person has been actively participating in groups, recommendations and remarks, corrective actions to be taken, and an assessment as to whether the participant should attend additional individual/group sessions. If the participant is doing well, that will also be noted in the report. If there is more information to report, such as a specific problem at home, it is usually done during the Team meetings, and not in open court. The report will be added to participant court records. Participants with issues such as school suspensions or pregnancies will not be brought before the court until the end of the drug court session when only the drug court team is present. The drug court coordinator also keeps in contact with treatment providers regarding participant issues through emails and telephone conversations.

DRUG COURT SESSIONS

Vanderburgh County Juvenile Drug Court sessions are held every Monday at 4:00 pm. On average, about 12 participants attend each session. Phase I participants are required to attend court weekly, Phase II participants attend court every other week, Phase III participants attend every 3 weeks, and Phase IV participants attend as needed. During the drug court session only participants, participant family members, guardians, custodians, and parents are allowed in the courtroom. The VCJDC magistrate presides over the drug court sessions. The prosecutor, public defender, drug court probation officer, and the aftercare services coordinator from the Southwest Regional Youth Village also attend the drug court sessions.

The courtroom is set up in a traditional manner, where the magistrate 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 podium, which is positioned between the tables where the team members sit. Participants, speaking into a microphone, address the magistrate in a formal matter. The parent(s)/guardian(s) stands at the podium next to the participant and are asked by the magistrate about how the participant is doing at home, school, etc.

The drug court magistrate speaks directly to 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 magistrate interacts with each participant for an average of five minutes. Generally, the team members speak only to address the magistrate's questions. When appropriate, the magistrate will impose sanctions or rewards that have been decided upon by the drug court team prior to court, during the pre-court team meeting. The court session runs from 1 hour and 15 minutes to 1 hour and 45 minutes, with an estimated 5 to 6 minutes spent on each participant.

FAMILY INVOLVEMENT

Parents/guardians are required to sign a Petition for Parental Participation that requires them to:

- Not allow any alcohol or illegal drugs at their residence
- Not consume any alcohol or illegal drugs in the presence of the juvenile
- Not be under the influence of alcohol or illegal drugs in the presence of the juvenile
- Make every reasonable effort to not allow the juvenile participant to be in the presence or use alcohol or illegal drugs
- Ensure that the juvenile participant attends all of his/her treatment, aftercare, AA, NA meetings, or similar meetings by providing transportation and encouragement to attend
- Participate in child's treatment by attending whatever meetings (and visitations) that the treatment agency provides or the court believes is appropriate
- Report to the court whenever it is suspected that the youth has used alcohol or illegal drugs
- Attend at least one Al-Anon meeting a week
- Cooperate with the court officials including attending court hearings, probation meetings and allowing treatment and court officials to visit their residence
- Complete whatever documentation the court deems necessary
- Pay for all fees and costs as deemed appropriate by the court
- If the Parental Participation Agreement is violated the court can sanction the parents/guardians (to encourage compliance). Sanctions may include incarceration but that has never occurred during the history of the program.

DRUG TESTING

Urine drug screens (UDS) and breathalyzers are used to check for participants' compliance with the Program. All participants are tested prior to drug court sessions and additionally on a random basis. The frequency additional tests depends on what phase the participant is in. Participants in Phases I and II are tested at least one additional time per week; those in Phase III are tested one additional time every 3 weeks. In Phase IV, participants are tested 1 to 2 times a month on a random basis.

The instant urine drug screen given to drug court participants (manufactured by Redwood Biotech, Inc.) is a six-panel test that assesses for marijuana, cocaine, opiates, methamphetamines, benzodiazepines, and amphetamines. If there are any concerns regarding a test, or a participant requests it, the drug court will send a sample directly to the lab for analysis. The breathalyzer test assesses for alcohol use.

The program coordinator conducts the additional drug screens during home visits. The treatment providers can also test participants during treatment sessions. The samples are sent to Redwood Biotech, Inc. via courier. Diluted tests are also considered positive by the program and are subject to sanctions. As described in the Program Fees section of this report (below), the program covers the costs of drug testing unless a participant wants to challenge a positive drug screen. In that case, the participant must pay for the Gas Chromatography/Mass Spectrometry (GC/MS) con-

firmation test if the result is a confirmed positive. The magistrate sanctions participants who test positive during the next drug court session.

According to a recent report to the Indiana Judicial Center, the VCJDC program conducted approximately 850 drug screens in 2006, averaging 20 screens per week.

DRUG COURT FEES

There is a required \$240 drug court fee, which helps to cover the program costs. The VCJDC magistrate decides on an individual basis whether or not the fees are to be paid, taken under advisement, or waived. The program covers the costs of all drug testing unless a participant wants to challenge a positive drug screen. If the confirmation test is positive, the participant must pay \$32.00 and all applicable expenses related to the cost of the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation test. Participants are responsible for paying for any treatment they receive. Some participants are able to pay for treatment costs with private insurance or Medicaid. To support low-income participants, treatment providers have been able to offset the treatment fees on a sliding scale (based on the participant family's income) with financial assistance from the Hoosier Assurance Plan (HAP). HAP is a program offered through the Indiana Family and Social Services Administration—Division of Mental Health and Addiction that specifically funds mental health and addiction services. The majority of VCJDC participants qualify for the lowest payment scale fee, which is \$25 for an assessment, \$15 for each group session, \$20 for each individual session, and \$20 for a discharge planning.

REWARDS

During drug court sessions, verbal praise from the magistrate is given to participants for compliant behaviors, which include maintaining sobriety, attending school regularly, obeying home rules, and appearing for and actively participating in drug treatment sessions. Until recently, the drug court magistrate handed out candy bars as an incentive to participants in compliance with the program rules; however, that practice was ended after a combination of lack of funding for rewards and participants expressing lack of interest in receiving the candy bars as an incentive. Participants are rewarded for their continued sobriety with AA and NA sobriety chips, which are given at 30-day and 3-month sobriety milestones. Finally, as participants advance through the program phases, they are rewarded with fewer requirements, such as fewer drug screens and court appearances.

SANCTIONS

The Drug Court Advisory Committee provides the magistrate with input regarding responses to participant behaviors, including sanctions, during weekly pre-court team meetings. Ultimately, it is the magistrate who makes the final decision regarding appropriate sanctions to be imposed during the drug court sessions. Sanctions are graduated and are imposed for non-compliant behaviors including testing positive for alcohol or drugs and not appearing for required meetings or drug court sessions. For example, participant is in Phase I have to attend four AA or NA meetings per week. If they only attend three meetings during the week, they are given a week to make that meeting up, which means that they will have to attend five meetings during that second week. If that additional meeting is not attended during the additional time period, then the participant is given 4 hours of community service as a sanction. If the community service is not completed, then a more serious sanction (such as time in detention) may be imposed.

Youth that have a positive drug screen result receive time in detention as a sanction. The first positive screen generally results in one weekend in detention, with more structured detention or inpatient treatment following multiple positive screens.

Sanctions utilized by the program include:

- Essay writing
- Increased numbers of required NA/AA meetings
- Increased numbers of court sessions
- Increased numbers of drug screens
- Community service work
- Detention
- Home detention
- Inpatient treatment
- Termination from the Program

A list of possible program sanctions is contained in the Participant Agreement. This same information is explained to participants (by the VCJDC coordinator) during program orientation. Once a violation is discovered, a sanction will be imposed at the next drug court session. If a participant is not scheduled for drug court that week and needs to be detained, the youth will be brought into a regular session of Juvenile Delinquent Court to be sanctioned by the magistrate.

TERMINATION

Participants may be terminated from the program at the discretion of the drug court magistrate, after continued non-compliance with the program participant agreement, treatment plan, or other court orders. If a participant is arrested for a violent offense, gun charge or dealing charge, they will be immediately terminated from the program.

After a participant is terminated from the drug court, the magistrate will determine the appropriate sentence and impose it. The resulting sentencing decision will be informed by how many contacts that participant has had with the court and how severe the crime was that originally got the youth into drug court. If it is the first contact with the court and the crime that resulted in the referral to drug court isn't that severe, the magistrate might dismiss them from the drug court program and close out their probation unsatisfactorily. Otherwise, the magistrate generally sentences terminated participants to a specific amount of time at the Department of Corrections. When the magistrate commits someone to the Department of Corrections it is for an indeterminate amount of time; the actual length of their stay is determined by the Department of Corrections.

GRADUATION

To be considered for graduation from the Vanderburgh County Juvenile Drug Court, participants must successfully complete all required treatment and all four phases of the drug court program. They must also maintain sobriety for at least 6 months, complete all court ordered requirements, and pay in full all required fees. Additional requirements for graduation from the VCJDC vary for each participant based on what the drug court team believes is realistic for that particular in-

dividual. For example, if a participant is close to graduating high school or obtaining their GED, then the team might require the participant to do so before graduating (to make sure that the goal is met). The drug court magistrate makes the final decision regarding graduation.

Graduation ceremonies are held in open court. At the end of the ceremony cake is provided and each graduate receives a \$25 gift certificate (to a store at the local mall). VCJD participants are released from probation when they graduate from the program. The biggest incentive to graduate is the delinquency finding being expunged from their record. Another more intrinsic reward for successfully completing the drug court program is the cessation of drug use and, as a result, having a better chance at a healthy and productive life.

DATA COLLECTED BY THE DRUG COURT FOR TRACKING AND EVALUATION PURPOSES

VCJDC keeps records in an electronic (Access) database. The VCJDC program coordinator maintains the database, which includes information about each participant, including age, race, gender, charge, length in program, drug of choice, treatment services received, relapse events, any new offenses, and status at program exit (graduated, terminated).

DRUG COURT FUNDING

The Vanderburgh County Juvenile Drug Court is a grant-funded program. VCJDC has received funding from the Indiana Supreme Court for juvenile drug courts over the last 3 years, with amounts received varying between \$4,000 and \$5,000 each year. The program has also received monies ranging from \$2,000 to \$5,000 per year from the local Substance Abuse Council for Southwestern Indiana. This money was used to purchase drug-testing kits.

COMMUNITY LIAISONS

The drug court program coordinator monitors and supports drug court participants in their efforts to improve other areas of their lives, including school and home life. This end is accomplished in the program staff's continuing efforts to keep communication lines open with participants' family members and school (or GED or vocational program) representatives. This ongoing communication aids participants in their efforts to deal more effectively with family and school related challenges. The drug court program makes referrals to community services as a part of this effort. For example, a participant and his/her family may be referred to the Choices Program (provided through Lampion services). The Choices Program offers a 10-week training curriculum for participants and their families, to help them learn effective behavior and communication skills, and generally how to be better parents/family members.

Another program available to drug court participants is the Youth Outreach Program, offered through Stepping Stone. This program works specifically with kids (and families) that have housing challenges and other daily maintenance concerns; services are usually offered to participants with mental health related needs. Youth Outreach staff assists families by organizing treatment support, and helping parents locate appropriate housing and employment opportunities. Offering similar support is a locally based Wraparound Services Program. The decision regarding which of these programs to refer participants to depends on the families involved and the particular participant's needs.

The Community Partners Program is a home-based services program, usually more involved with the Office of Family and Children, which specifically supports children struggling with neglect and abuse issues. This program occasionally will work with the drug court, offering wrap-

around services for drug court program participants and their families fitting the above-mentioned profile.

Ten Key Components of Drug Courts and 16 Juvenile Drug Court Strategies: VCJDC Results

This section lists the Ten Key Components of Drug Courts as described by the National Association of Drug Court Professionals (NADCP, 1997) and, incorporated into these Ten Components, the 16 juvenile drug court strategies, described by the National Drug Court Institute (NDCI, 2003).² Also listed are research questions developed by NPC for evaluation purposes, which were designed to determine whether and how well each key component is demonstrated by the Drug Court. Each question is followed by a discussion of the practices of this Drug Court in relation to the key component of interest. Some questions require a comparison to other drug courts. In these cases, results from the National Drug Court Survey performed by Caroline Cooper at American University (2000) are used as a benchmark.

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?

Juvenile Strategy #1: Collaborative Planning

- Engage all stakeholders in creating an interdisciplinary, coordinated, and systemic approach to working with youth and their families.

Juvenile Strategy #2: Teamwork

- Develop and maintain an interdisciplinary, non-adversarial work team.

This key component focuses on creating a drug court team that integrates substance abuse treatment services with juvenile justice system processing and supervision. The Vanderburgh County Juvenile Drug Court (VCJDC) has an integrated treatment and judicial team that includes the magistrate, drug court coordinator (who is also the program's chief probation officer), assistant public defender (APD), assistant state's attorney (ASA), aftercare treatment provider, and representatives from the Vanderburgh School Corporation and Office of Families and Children.

The VCJDC program makes a concerted effort to involve a variety of relevant community agencies in the program. These agency partners include local treatment providers, education representatives, and mental health representatives. Treatment providers serving clients in the drug court program submit weekly progress reports to the program's coordinator, both in written form and verbally (i.e., by telephone). During the pre-court advisory committee meetings the program coordinator provides the rest of the team with a summary of relevant treatment information. Treatment reports are also included in the court record. From information provided by program stakeholders and through observations is clear that VCJDC team members have developed strong collaborative relationships, which support the program's efforts to identify critical needs and resources in order to assist participants in maintaining sobriety and improving functioning.

² NPC felt that both the Ten Key Components and the 16 juvenile drug court strategies provided important perspectives on the operation of juvenile drug courts. We have retained the numbering of the juvenile strategies as they appear in the source document (NDCI, 2003), so the strategies are not numbered consecutively in this section. In addition, some juvenile strategies appear more than once, if they contribute to more than one key component.

Suggestions/recommendations:

- Work to further engage community partners who can provide programmatic, financial and other forms of support to the program. Include this group in meetings that address policy level rather than client level feedback and support.
- In addition to the aftercare treatment representative, involve other treatment providers more directly in program planning and implementation (possibly as part of the above mentioned “policy” group), and in the decision making process, specifically as they relate to treatment needs.

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 Office of the Public Defender and the State’s Attorney’s office satisfied that the mission of each has not been compromised by Drug Court?

Juvenile Strategy #1: Collaborative planning

- Engage all stakeholders in creating an interdisciplinary, coordinated, and systemic approach to working with youth and their families.

Juvenile Strategy #2: Teamwork

- Develop and maintain an interdisciplinary, non-adversarial work team.

The Assistant Public Defender (APD) and Assistant State’s Attorney (ASA) working with the drug court appear to have a strong, positive working relationship. One staff member commented that these two team members often “wear each other’s hats,” particularly while discussing participant issues/challenges during advisory committee meetings. Both seem to approach their drug court related duties with the participants’ best interests in mind, which helps to lessen the adversarial dynamic that is often typical of the general court advocacy process. During drug court sessions, the APD and ASA will sometimes shift to a more traditional advocacy role, with each arguing for his/her respective agencies; this happens particularly if legal issues arise (e.g., if a participant re-offends). If there is disagreement regarding sanctions, the magistrate will always listen to both sides before making a final decision.

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?

Juvenile Strategy #3: Clearly Defined Target Population and Eligibility Criteria

- Define a target population and eligibility criteria that are aligned with the program’s goal and objectives.

The VCJDC mainly targets habitual substance abuse offenders and adjudicated delinquents who are on formal probation. First-time offenders are also eligible for the program. It was reported that the majority of program participants have previously failed outpatient substance abuse

treatment and have been unsuccessful in other rehabilitative programs offered in Vanderburgh County.

To be eligible for the drug court program, the prospective participant's charge does not have to be drug-related; for example, individuals committing forgery or theft are accepted into the program. Individuals with criminal records that include violent crimes or dealing convictions are not eligible for the program. Information provided by the drug court staff, interviewed participants and parents/guardians, and a recent report to the IJC indicate that the program is serving its identified target population.

The time between referral and entry into the VCJDC Program is usually between 1 and 2 weeks, which is a relatively short timeframe. However, some staff reported concerns about the length of time it takes from arrest to referral to drug court (which was variable depending on the referral source), as well as the need for the program to increase capacity. In an effort to address these issues, it was reported that, in January 2007, the juvenile court implemented a direct referral process from probation to drug court at the request of the Vanderburgh Superior Court Judge. As a result of this change juvenile offenders meeting specific criteria will automatically be referred by probation officers to the drug court program for consideration. Drug court staff will immediately begin the process of determining eligibility (and whether they fit the identified target population characteristics), while at the same time the probation department will continue its "business as usual" process. Program staff hope the direct referral program will decrease the time it takes from arrest to drug court entry and will also increase referrals to the program.

While most of the youth who were interviewed seemed comfortable with the level of responsibility and involvement required of them in the drug court program, a few individuals commented that they did not fully understand how much work would be involved in program participation, adding that knowing this would have influenced their decision to participate. To this point, an interviewee commented, "Knowing what I know now, I probably would have done the probation. All of the DC requirements are hard, especially since I'm working."

The VCJDC Juvenile Court Program Handbook identifies its program goals as the following: "to reduce the impact of drug related criminal activity in the community by providing offenders access to substance abuse treatment and other services, to provide a cost-efficient alternative to incarceration for non-violent, substance abusing or addicted offenders, and to assist youth in overcoming their addictions." The identified target population and eligibility criteria are consistent with these goals.

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?

Juvenile Strategy #7: Comprehensive Treatment Planning

- Tailor interventions to the complex and varied needs of youth and their families.

Juvenile Strategy #8: Developmentally Appropriate Services

- Tailor treatment to the developmental needs of adolescents.

Juvenile Strategy #9: Gender-Appropriate Services

- Design treatment to address the unique needs of each gender.

Juvenile Strategy #10: Cultural competence

- Create policies and procedures that are responsive to cultural differences and train personnel to be culturally competent.

Juvenile Strategy #11: Focus on Strengths

- Maintain a focus on the strengths of youth and their families during program planning and in every interaction between the court and those it serves.

Juvenile Strategy #12: Family Engagement

- Recognize and engage the family as a valued partner in all components of the program.

Juvenile Strategy #13: Educational Linkages

- Coordinate with the school system to ensure that each participant enrolls in and attends an educational program that is appropriate to his or her needs.

The VCJDC has four phases. This structure allows participants to feel that they are making progress over time. Aside from time spent in the program, there are clear requirements that must be satisfied in order for a participant to move from one phase to the next. The VCJDC Program Participant Handbook informs participants about the Phases and other requirements of the program, and the program's Policy and Procedures Manual informs the drug court team of those requirements as well. Throughout their time in the program, participants are offered a wide range of treatment services.

Treatment interventions are usually educational and skill based (e.g., drug addiction education, relapse prevention, life skills). Group content is individualized to meet the needs of the particular group members attending. Individual and family therapy is also available to program participants.

The drug court team understands that the family is a very important part of ensuring participant success. With this focus in mind, the program works to involve parents/guardians in the process, often holding them to the same standards required of program participants. To some parents/guardians, this approach can feel punitive: "They [youth] get in trouble and you [parents] have to serve their sentence." Yet others understand the importance of their role in the process: "If you want to be successful, go to the meetings—and court—with them; go to all of their appointments and provide support." Through their involvement in the program, parents/guardians also learn more about substance abuse issues and relapse, which helps them to better understand the challenges their children face as they work to stay clean and satisfy their other program related requirements.

There was recognition by both parents/guardians and drug court staff members that youth who are not supported by their parents/guardians are more at risk for relapsing and, ultimately, not completing the program. During pre-court meetings, the team considers ways to bring parents/guardians or other family members more fully into the process whenever appropriate. However, the team also knows that some parents/guardians may actually contribute to the problems the youth are dealing with; in these situations, the committee explores how to get parents/guardians the help they need (e.g., mental health support, drug/alcohol treatment). The VCJDC program provides referrals for families in need of special assistance and has developed a working relationship with a number of family based programs in the community, including those providing a comprehensive list of services (e.g., Youth Outreach Program, Community Partners

Program, and Wraparound Services Program). Many of these programs have the capacity to assess for specific needs within the family and to provide those needed services, or they can refer out to an agency that is able to provide support in the needed area.

During the parent/guardian focus group, one individual recommended that parents'/guardians' records be considered before determining how to best support participants in the program. She felt that if a parent/guardian was determined by staff to be encouraging or reinforcing the youth's negative behaviors, including substance use, or otherwise sabotaging the youth's progress, then the participant should be required to stay somewhere outside of the home while in the program (so he/she can be around more positive adults, who will serve as appropriate role models). Several parents/guardians also expressed concerns related to the cost of services that their children incur while participating in the program, especially with regard to counseling and inpatient services. While the VCJDC program is able to cover drug testing expenses through grant monies, parents/guardians are required to cover the costs of drug and mental health support/treatment (e.g., through public and private insurance, or out of pocket). Although many of the providers offer services on a sliding scale, some families still have a hard time covering these costs.

A number of participants and their parents/guardians described the program as having a positive impact on family relationships, in terms of decreasing the amount of conflict at home and increasing positive communication, as well as resulting in more "quality time" spent together. Program requirements like frequent drug testing resulted in a greater degree of trust being developed between parents/guardians and their children ("They know I'm not doing drugs because I get tested; so no arguments about that"). The program's emphasis on changing peer relationships (i.e., staying away from peers that supported past drug use and creating more positive relationships with other youth that are clean) also resulted in positive outcomes (e.g., better parent-child relationships, decreased use).

The program maintains a relationship with local school corporations, to make sure that participants are meeting educational goals. It also supports individuals working toward achieving their GED; in fact, participants who are not in school are responsible for completing their GED certification before they can successfully complete the drug court program. Parents/guardians who were interviewed recognized that the program's emphasis on keeping youth in school and providing consequences for not participating in their education was an important program component. Youth participating in the focus group also recognized the drug court program's emphasis on school attendance: "If you don't go to school, there are consequences." Drug court staff, usually the coordinator, visit the schools frequently to check on how participants are doing in class. They can also make calls to school attendance offices to make sure that enrolled youth are showing up. If parents/guardians learn that their child is skipping school, they can inform the drug court and staff will follow up on the report and impose consequences if the youth has been skipping. Parents/guardians recognize that this response has been an effective approach and has ultimately provided them with more parenting power. As one parent/guardian commented, "It helps that they touch base with school staff; the kids are self-conscious about getting caught." Parents/guardians also admitted that this strategy has helped youth who were at risk do better and had increased the chances that they will graduate ("When she got in this program, she realized that if she didn't do well in school, she would not get through [the drug court 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?

Juvenile Strategy #14: Drug testing

- Design drug testing to be frequent, random, and observed. Document testing policies and procedures in writing.

Based on information from the American University National Drug Court Survey (Cooper, 2000), the number of urinalyses administered to participants in the VJDC program is comparable to most drug courts nationally. The administration of two or more urinalyses (UAs) per week in the first two phases, one or more UAs per week in the third phase, and 1-2 times per month in Phase IV is consistent with national rates. The program uses urine drug screens and breathalyzers (on an as needed basis) to check for participants' compliance. All participants are tested prior to drug court sessions and additionally on a random basis.

The comprehensive instant urine drug screen given to drug court participants is a six-panel test that assesses for marijuana, cocaine, opiates, methamphetamines, benzodiazepines, and amphetamines. If there are any concerns regarding test results, or a participant requests it, staff will send a sample directly to the lab for analysis.

KEY COMPONENT #6: A COORDINATED STRATEGY GOVERNS DRUG COURT RESPONSES TO PARTICIPANTS' COMPLIANCE.

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

Juvenile Strategy #15: Goal-oriented incentives and sanctions

- Respond to compliance and noncompliance with incentives and sanctions that are designed to reinforce or modify the behavior of youth and their families.

VCJDC drug court team members attend weekly advisory committee meetings, which take place prior to the drug court session. During these meetings, the team discusses how to respond to participants' recent behaviors (both positive and negative) and explores how to best address any participant needs that have arisen. After considering all of the information presented by those in contact with the youth being discussed, they make an informed decision. Through this process, the group looks not only at the individual participant but also at surrounding influences that could potentially threaten—or support—success. These initial discussions, which begin in the pre-court advisory committee meeting, carry over into the drug court session where staff members, in addition to participants and family members, are given an additional opportunity to provide input before a final decision is made by the magistrate.

During the drug court session observed in May 2006, responses from the bench regarding participant behaviors were consistent with decisions made during the pre-court advisory committee meeting. The magistrate made a great effort to provide participants with a clear understanding of the issues being considered and why a particular response was decided. The importance of participants understanding their program related responsibilities was in evidence as the magistrate

talked with a new participant about what he could expect from the program (and what the program expected from him).

The program coordinator facilitates an orientation meeting with new participants and their parents/guardians, during which he describes specific participant responsibilities and consequences (i.e., sanctions) for not fulfilling those responsibilities. Sanctions levied for program non-compliance are graduated and can include community service, writing an essay (which the participant has to read in front of the court), community detention, home detention, increased drug testing, increased court appearances, and verbal admonishment. According to one program team member, participants receive sanctions “as soon as we find out about it” and, if they are not scheduled for the next drug court session but need to be detained, “they’ll be brought into a regular session of Juvenile Delinquency Court.”

One staff member commented that the program used to provide candy bars as an incentive for doing well in the program, but participants eventually requested that this incentive be discontinued. There is reportedly no grant money available to provide consistent rewards for completing phases, which would be desirable. However, there are rewards for graduation (e.g., pizza or cake) and graduating participants receive a certificate of program completion. Other incentives used by the drug court include phase advancement and decreased court appearances.

According to the parents/guardians participating in the focus group, Drug Court youth are well aware of the consequences of their behavior, which helps to keep them on track: “The known consequences are an incentive to do well.” Another parent also pointed out: “It’s good that they have everyone in the court, so they can see what happens to those who don’t follow the rules.”

Interestingly, even the greater Vanderburgh County community has assisted the program in monitoring youth. For example, law enforcement is generally aware of who drug court youth are and officers have been known to alert a member of the team if a participant is seen doing something he/she is not supposed to be doing. This community visibility is generally a positive aspect of the program; however, one youth complained about getting in trouble for drinking after a youth not affiliated with the program provided “false” information that led to her getting into trouble (and receiving a sanction). She added that the other youth lied about her drinking, “Just to get me in trouble.”

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?

Juvenile Strategy #4: Judicial involvement and supervision

- Schedule frequent judicial reviews and be sensitive to the effect that court proceedings can have on youth and their families.

From its national data, the American University Drug Court Survey 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 frequency of contact decreases for each advancement in phase. Although most drug courts follow the above model, a substantial percentage report less court contact.

The VCJDC program is consistent with the most common practices, requiring participants to go to court once a week in phase I, once every 2 weeks in Phase II, once every 3 weeks in Phase III. There is no requirement to attend court during Phase IV.

The drug court magistrate understands the challenges teens face while working to stay clean, and responds accordingly and fairly with participants as they attempt to stay drug-free. She works to get to know the participants and their families, asking them questions about their lives during the drug court session. The magistrate makes a concerted effort to learn about participants' likes and dislikes, so that she can better connect with the youth during these conversations. At the same time, she can be stern when necessary and expects participants to comply with the program's expectations/requirements. It is apparent that she genuinely wants to know about the challenges and successes experienced by youth in the program; both parents/guardians and participants recognize her sincerity and both groups like and respect her. Comments from participants regarding the drug court magistrate include:

- “The judge [magistrate] treats the kids as individuals”
- “[The magistrate has] been tough on kids when she needs to. She has a lot of patience. She does give them chances, but there are limits to that. She follows through on her threats.”

During the pre-court advisory meeting observed in May 2006, the magistrate expressed concerns regarding participants who had already graduated from the program. It is clear that she is interested in their being successful in the long run and not just while they are a part of drug court. She appreciates the drug court being big enough to reach a good number of juveniles, while being small enough to be able to provide individualized services/contact. However, there was a desire expressed that she be able to spend more time on cases than she has available currently.

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?

Juvenile Strategy #5: Monitoring and evaluation

- Establish a system for program monitoring and evaluation to maintain quality of service, assess program impact, and contribute to the knowledge in the field.

Juvenile Strategy #16: Confidentiality

- Establish a confidentiality policy and procedures that guard the privacy of the youth while allowing the drug court team [and evaluators] to access key information.

Implementing and using a database that tracks detailed information on participants, their progress through the program and their use of services is key for program monitoring and evaluation. The VCJDC program coordinator maintains the database, which includes the following information about each participant: age, race, gender, charge, length of time in the program, drug of choice, treatment services received, relapse events, any new offenses, and outcome in the program (e.g., graduation, termination). Only drug court team members have access to this information, through the program coordinator. Periodically, a summary report is compiled by the coordinator and sent to the Indiana Judicial Center (IJC) for review. This report includes a description of outcomes related to the above-mentioned participant data.

Upon leaving the drug court program, VCJDC offers participants and their parents/guardians an opportunity to provide feedback, in an effort to improve the program. On this form, the primary questions the program asks are, “Tell us what we did right; tell us what you’d like to see us change.”

The drug court’s policy and procedures manual addresses practices related to keeping records confidential and protecting the privacy of drug court participants. Specific practices highlighted in the document include offering a private office space for case management activities and drug testing, not posting the drug court docket in a common area, not identifying the drug court session to the public as such, and following federal and state laws when disclosing information related to drug court participants (e.g., prior to disclosure a release must be signed). Drug court sessions are not open to the general public; only drug court staff, officially approved agency representatives, participants, parents/guardians, and other family members may be present in court.

KEY COMPONENT #9: CONTINUING INTERDISCIPLINARY EDUCATION PROMOTES EFFECTIVE DRUG COURT PLANNING, IMPLEMENTATION, AND OPERATIONS.

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

The VCJDC Team has not attended any of the National Association of Drug Court Professionals trainings or National Drug Court Institute trainings. The program coordinator, as a probation officer, received training in adolescent substance abuse issues through the Indiana Judicial Center, as have several other drug court team members. Their participation in IJC sponsored trainings has provided the team with an opportunity to share experiences and knowledge with other drug courts around the state. In addition, some team members have also received training in clinical assessment and screening from Fairbanks Hospital in Indianapolis. Locally, drug court staff members have received trainings on substance abuse issues through seminars and education classes at the University of Evansville.

It was reported that drug court staff do not receive much training in the area of gender and cultural issues. Recently, some drug court staff participated in local training regarding working with Hispanic/Latino clients, although that training was not specifically drug court related.

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?

Juvenile Strategy #6: Community partnerships

- Build partnerships with community organizations to expand the range of opportunities available to youth and their families.

Responses to American University’s National Survey (Cooper, 2000) show that most drug courts are working closely with community groups to provide support services for their drug court participants. Examples of community resources with which drug courts are connected include AA/NA groups, mental health providers, family focused social services organizations, and local education systems.

Parents/guardians at the VCJDC seemed generally supportive of their children attending AA/NA meeting. A parent/guardian who was interviewed said, “[My daughter] went to a bunch of AA meetings and then picked one that we all went to for awhile. Then, when we felt comfortable with them, we let her go with her friends. She will continue to go after graduation.” However, there were mixed reviews from participants about the efficacy of this program requirement (which some felt should be made optional). One youth commented, “The AA meetings aren’t helpful; the meetings are boring and I don’t really like the people who go to them. But some meetings are okay. Club Sober is fun cause it’s for teenagers, especially the meetings that are girls-only.”

VCJDC youth may also have the opportunity to participate in an Adventure-Based Challenge (ABC) Program, a locally based alternative treatment program that involves outdoor activities designed to both enhance self-esteem and confidence and educate participants on substance abuse issues. This program, run by an outside community agency, has periodically offered their services to Drug Court over the past 3 years.

RECOMMENDATIONS

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

- Monitor the new program practice of immediate referrals from Probation to the VCJDC program, including examining the number of referrals compared to the number of referred participants actually entering the program to see if they are referring and accepting the right youth and to determine the effectiveness of this strategy. Strategic planning for the program should be pursued on a cooperative basis among agency stakeholders to address all obstacles to increasing program capacity.
- Make sure that prospective participants and their parents/guardians fully understand their responsibilities, as well alternatives to participating in the drug court program (including regular probation), prior to accepting entry into the program.
- Regularly analyze data on participant characteristics to determine if appropriate candidates for the program are being selected for participation and to assure that the program is addressing the target populations' needs with appropriate and effective services.
- Identify ways to help parents/guardians who have a tough time covering counseling/treatment costs related to the program, possibly by identifying grant opportunities to cover the costs for families who don't have insurance (or the means to cover the extra expense).
- In situations where the family environment is found to be a destructive influence and the results of family related interventions have been unsuccessful, the program may want to give more consideration to identifying alternative living situations for participants. Spending time in a positive and supportive living environment, among healthy adults, may help youth to be more successful.
- Monitor drug use patterns among youth in the community through ongoing communication with outside agencies (law enforcement, juvenile probation, chemical dependency treatment partners). If additional drugs of concern are identified, consider increasing the number of panels assessed.
- Identify and obtain meaningful rewards for good behavior, including positive feedback as participants advance through the program phases. There are many incentives that can be used that have little or no cost. Look for additional funding opportunities, including community grants and support (i.e., donations) from local businesses. As a reference and to provide ideas for potential additional incentives (and sanctions) to the SJCDC program, a list of rewards and sanctions used by other drug courts is provided in Appendix C.
- Allocate additional Drug Court time for the Magistrate so that she may work more fully on cases. This will be an important consideration when and if the Program expands its capacity.
- Design a process for tracking referrals to the program (from probation), to determine which prospective participants are being accepted into the program and who is being denied entry (in terms of characteristics, background, etc.). Continue to track participating youth, to identify characteristics of individuals who are successful compared to those

who are not. Determining what types of individuals are successful and which type are not may also help the program better identify appropriate program services.

- Consider implementing an outcome evaluation to determine which components of the program are contributing to participant success and which are barriers to success. The outcome evaluation should include a comparison of the program with the “business as usual” option (i.e., probation), including information on recidivism and a cost-benefit comparison.
- It is important for all Drug Court staff to participate in drug court specific trainings/conferences in order to receive information appropriate to their role and to the most up to date knowledge in the field.
- Provide training on gender and cultural issues (in addition to strengths-based programming) through local and IJC sponsored classes/seminars, to assist staff in more effectively serving non-White, non-male participants.
- Establish a formal training policy that includes a training log. Create a list of minimum training requirements for drug court staff, some generic to drug courts overall, and some specific to the team member’s role, if applicable. Require all team members to record when they have received various trainings and review the logs on annually, to determine if there are any specific training needs.
- Find support groups that are an appropriate alternative to AA/NA meetings, especially for younger participants. These meetings are generally geared toward adults developmentally and toward adult concerns. Many youth do not feel comfortable with the philosophical underpinnings of those groups, and most youth are not developmentally prepared to integrate and understand what is addressed in these groups.
- Providing some level of formal aftercare support for graduated participants specific to drug court (and not solely treatment) is a challenge for many programs. This drug court should consider aftercare program options other than AA/NA for those leaving the program. As the graduate population grows, the program may want to consider initiating an alumni support group.
- The program should continue to identify new community partners, connections or resources that would be interested in supporting the program. Community services that could be of assistance to drug court (for providing services and funding) might include employment services, faith communities, and the local Chamber of Commerce.

SUMMARY AND CONCLUSIONS

The Vanderburgh County Juvenile Drug Court meets many of the 10 key components and 16 strategies guidelines through its current policies and program structure. The program appropriately integrates substance abuse treatment services with juvenile justice system processing and supervision; maintains a strong collaborative relationship among team members (including the relationship between the Assistant Public Defender and Assistant State’s Attorney); provides participants—and their family members—access to a wide range of treatment and ancillary services; conducts frequent, random drug testing; utilizes a variety of sanctions and rewards to encourage compliance with program and participant goals; and maintains ongoing judicial interaction with participants.

There are several areas in which the VCJDC Program can make improvements. For example, the program, in collaboration with its partner agencies, should ensure that all team members receive initial and then continuing drug court training. There should be an expectation of and encouragement for staff to take advantage of ongoing learning opportunities (both locally and nationally). To support this goal, a training plan and log system should be established, the results of which should be reviewed by program administrators.

The transition from an intense program of monitoring to freedom from program oversight can be challenging for some participants. The drug court team may want to engage in conversations about how to increase the effectiveness of this process, specifically as it relates to aftercare services (other than AA/NA, which are often not completely relevant to youth). As the graduate population grows, the program may want to consider initiating an alumni support group or mentor program.

In an effort to decrease the time of the arrest to program referral, the VCJDC has recently instigated an automatic referral program through the Department of Juvenile Services (for arrestees who fit specific criteria). Ongoing monitoring of this new program practice is recommended, including examining the number of referrals compared to the number of referred participants actually entering the program [and to see if they are referring and accepting the right youth], to determine the effectiveness of this strategy.

It was reported that many drug court families, in particular those with limited incomes, have a great deal of difficulty paying for treatment costs, even when agencies provide services on a sliding scale. To better support these families, the program should continue to strive to work with more outside community agencies to identify possible sources of financial support (e.g., community grants) as well as provide further services to VCJDC participants. Community services that could be of assistance to the drug court might include employment services, faith communities, and the local Chamber of Commerce.

Lastly, the program may want to explore ways to integrate program monitoring and evaluation into its operations in more concrete and specific ways; for example, designing a process for tracking referrals to the program (from probation) to determine which prospective participants are being accepted into the program and who is being denied entry (in terms of characteristics, background, etc.), or identifying the characteristics of individuals who are successful compared to those who are not. Regularly analyzing data on participant characteristics will help to determine if appropriate candidates for the program are being selected for participation and assure that

the program is addressing the target populations' needs with appropriate and effective services. Collecting these key data will also be useful for future outcome and cost-benefit studies.

Overall, the VCJDC is doing very well in implementing their drug court program. Taken together these findings indicate that the VCJDC is both beneficial to participants and to their families.

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APPENDIX A: FOCUS GROUP RESULTS SUMMARY

Focus Group Results Summary

As described in the methodology section of this report, two focus group interviews were conducted in May 2006, the first group with two active participants (representing Phase 1 and 2 of the program) and two program graduates. The second group consisted of parents of drug court [current and former] participants, four respondents in all.

The topics discussed during the interviews included what focus group participants liked about the drug court program, what they disliked, general feelings about the program [including program staff], the program's effect on personal relationships, education related issues, advice they would give someone considering entering the drug court program, and recommendations for the program.

What they liked

Active participants/graduates:

- The drug court [staff members] are like family; they're not like normal law enforcement.
- I like the communication and relationships.
- Keeps you from going back to a "confined situation" [an incentive to participate].
- I think that they care.
- I like the judge; she's very cool.

Parents:

- I think this program's awesome. [The program coordinator] and the judge are awesome.
- Instead of hiding everything, it's all out in the open [in DC].
- I enjoy the AA meetings [required by the program]. [My daughter] went to a bunch of AA meetings and then picked one that we all went to for awhile. Then, when we felt comfortable with them, we let her go with her friends. She will continue to go [to AA meetings] after graduation.

What they didn't like

Active participants/graduates:

- They heard that I was drinking [from a youth not affiliated with the program], but did not see it and still gave me a sanction. Now I can't ask to move up a phase and would look stupid if I asked.
- The AA meetings aren't helpful. The meetings are boring and I don't really like the people who go to them. But some meetings are okay; Club Sober is fun because it's for teenagers, especially the meetings that are girls-only.

Parents:

- It gets expensive [specifically, counseling and inpatient costs].
- They get in trouble and you [parents] have to serve their sentence.

General feedback regarding the program (including DC staff)

Active participants/graduates:

- I got tricked into [agreeing to participate in drug court]. I recommended myself for DC because I thought that I was going to do 12 months in Girl's School. I didn't know that I could have gotten 6 month's probation [she would have chosen that over the drug court program].
- Knowing what I know now, I probably would have done the probation. All of the DC requirements are hard, especially since I'm working.
- When I start digging a hole with my comments, [one staff member] tells me to stop talking so I don't get into more trouble.
- I have people smoke in front of me all the time and I don't even want to smoke.

Parents:

- The judge [Magistrate] treats the kids as individuals.
- [The Magistrate has] been tough on kids when she needs to. She has a lot of patience. She does give them chances, but there are limits to that. She follows through on her threats.
- When our daughter comes in, she looks forward to seeing everybody [on the DC staff]. They have been super good to her. It's a very non-threatening environment.
- Everyone knows the rules [the program teaches them responsibility] and the kids don't get away with anything.
- [The coordinator and case manager] have also been a great help.
- I learned a lot about drugs from going to AA with my kid, and the judge offers a lot of information [regarding drugs, addiction, etc.].
- It's good that they have everyone in the court, so [other DC participants] can see what happens to those who don't follow the rules.
- The parents seem to understand their responsibility in the program and with keeping their kids clean.

Drug court's affect on personal relationships

Active participants/graduates:

- Me and my family talk a lot more and we're closer. They know I'm not doing drugs because I get tested; so no arguments about that.
- My mom was pretty supportive when I came in [to the program].
- I don't hang out with any of my old friends.

Parents:

- It's made a big difference in my daughter; a total change. She has no desire to use and has really matured. She's been more open. Before, she used to go into her room and shut the door but now she spends a lot more time with us.
- Our daughter has transformed her circle of friends, which took a long time.
- My son has matured but still gets angry a lot. I think he's going to be making better choices. A lot of his friends are gone and he now has new, more positive friends.
- There was recognition that kids who are not supported by parents are more at risk (poor role models).

Education-related issues

Active participants/graduates:

- If you don't go to school, there are consequences [from DC].
- [The DC program coordinator] has gone to my school and called the attendance office to check up on me.
- There's an ABC program that works on self-esteem; I didn't like it. They want me to go to Camp Carson, to work on self-esteem, but I don't want to go.

Parents:

- [The Program coordinator] goes to the schools and looks at their grades and attendance info.
- We caught our daughter skipping school and told DC staff. They told us to bring her in.
- It helps that they touch base with school staff. The kids are self-conscious about getting caught.
- Our daughter was getting F's and now she gets D's; she still has a way to go. She's a smart girl so needs to get it done. So far, she's on track to graduate. I write her letters, telling her how proud I am of her. Self-esteem has a lot to do with it.
- My daughter's grades slipped for a while. When she got in this program, she realized that, if she didn't do well in school, she would not get through [the program].
- One boy got into trouble for being suspended from school; they locked him up for the weekend [he knew, when he got suspended, that it was going to happen]. The known consequences are an incentive to do well.

What advice would you give someone considering DC (a prospective participant or parent)?

Active participants/graduates:

- I'd ask them what their other options are and go over the pros and cons with them.
- Ask them if they've got a lot of time on their hands and if they liked going to school.
- It will take a lot of time and effort.

Parents:

- If you want to be successful, go to the meetings-and court-with them. Go to all of their appointments and provide support.

Recommendations for the program

Active participants/graduates:

- I think this is better than regular probation. If they didn't require the [AA] meetings it would be better.
- They should make AA meetings optional and, if you go, you should be able to get out of the DC program sooner.

Parents:

- I don't know how they could make it better.
- The parents' records should be looked at. If there's a bad parent, the kid should go somewhere else [to live while in the program], and be around more positive adults.

APPENDIX B: VCJDC ELIGIBILITY CRITERIA

VCJDC Eligibility Criteria

The offenses that are eligible for inclusion in VCJDC 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 as a Class D Felony
6. Theft, Class D Felony
7. (Attempting to) or Obtaining a Controlled Substance by Fraud or Deceit, Class D Felony
8. Forgery, Class C Felony
9. Burglary, Class C Felony
10. Prostitution, Class D Felony
11. Possession of Paraphernalia, Class D Felony
12. Visiting or Maintaining a Common Nuisance
13. Illegal Drug Lab; Possession or Sale of Drug Precursors
14. Operating a Vehicle While Intoxicated
15. Evidence of significant dealing in instant offense or prior arrests
16. History of firearm violence
17. Prior charges filed for criminal recklessness
18. Open warrants
19. Currently on probation in County
20. Currently on probation out of County
21. Currently on parole in County
22. Currently on parole out of County
23. Prior charges filed for domestic violence related offenses
24. Prior convictions for felony battery offenses
25. Charges Pending out of county and/or other Pending charges otherwise excluded Pr program criteria

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

26. Prior convictions for dealing in substances
27. Any "crime of violence: as defined by IC 35-50-1-2:
28. Murder
29. Voluntary manslaughter
30. Involuntary manslaughter
31. Reckless homicide
32. Aggravated battery
33. Kidnapping
34. Rape
35. Criminal deviate conduct
36. Child molest
37. Robbery A or B Felony
38. Burglary A or B Felony
39. Causing death with a motor vehicle

**APPENDIX C: 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 D: GLOSSARY OF DRUG COURT TERMS

Glossary of Drug Court Terms

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.).

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 1 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 led 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.

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).

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.