

# Reentry Court Planning, Implementation, and Evaluation

*Oregon Judicial Conference*

*Glenden Beach, OR*

*October 22, 2013*



*Informing policy,  
improving programs*



# Who is NPC Research (NPC)?

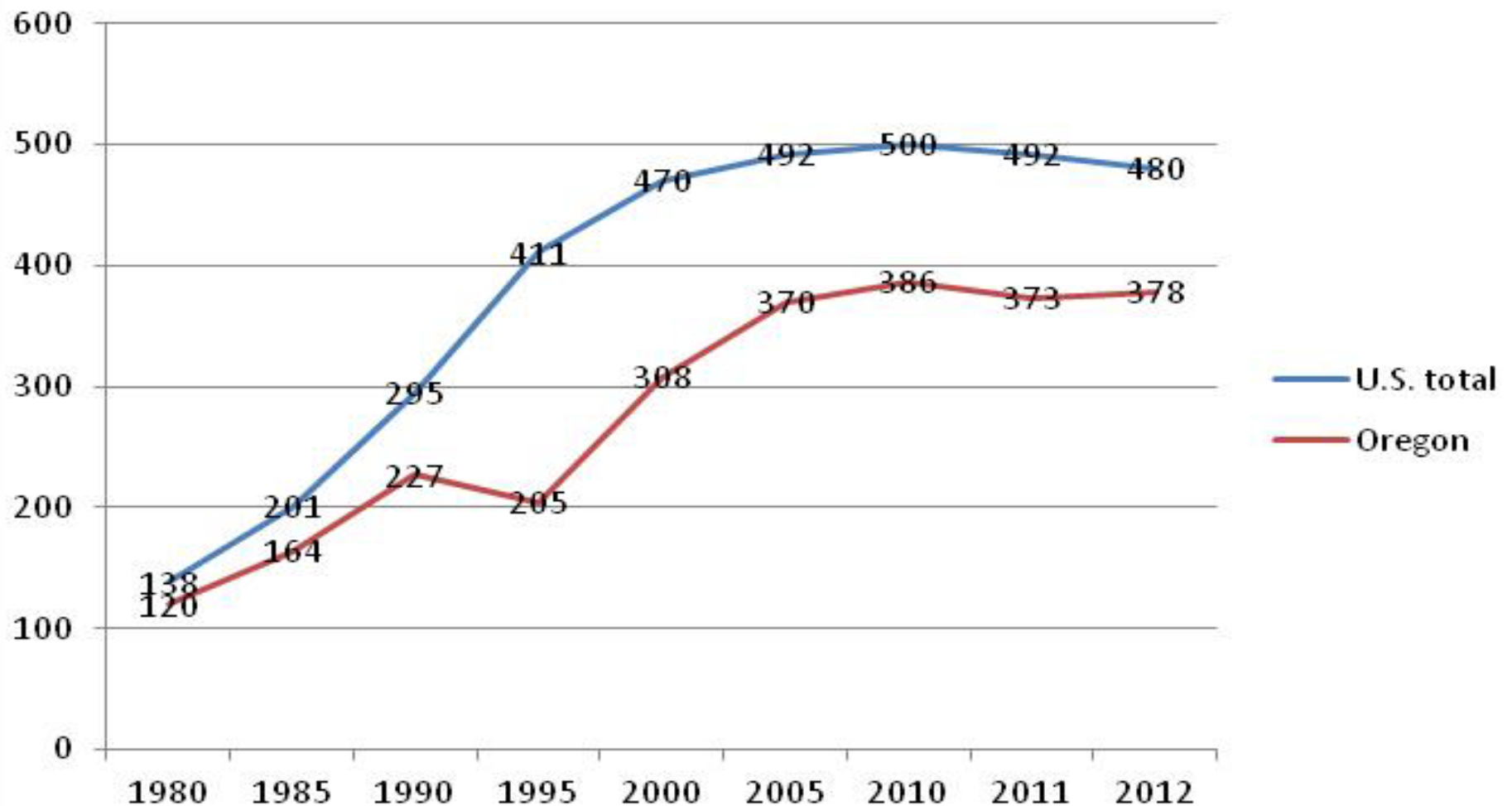
- NPC Research is a private research and evaluation firm, based in Portland, OR
- NPC has conducted social services evaluation, policy analysis, and research nationwide for over 20 years
  - Including evaluations of over 150 problem-solving courts
  - Currently conducting 2 major reentry court studies

# Overview

- Why are specialty courts increasingly important in the criminal justice system?
- Effectiveness of specialty courts
  - Drug Courts
  - Reentry Courts
- Planning, implementation, and evaluation
  - CA Reentry
  - NIJ Second Chance Act

# Prison population

Incarceration rates, 1980 - 2012 (BJS, NPS series)



# Recidivism rates

Most serious offense for which released	Rearrested	Reconvicted	Returned to prison with a new sentence	Returned to prison (revoked or new sentence)
All released	68 %	47 %	25 %	52 %
Violent	62 %	40 %	20 %	49 %
Property	74 %	53 %	31 %	56 %
Drug	67 %	47 %	25 %	49 %
Public-order	62 %	42 %	22 %	48 %

*Source: BJS, Recidivism of Prisoners Released in 1994.*

# Barriers to success

- Substance abuse and dependence
- Employment
- Housing
- Mental health issues
- Criminal thinking
- Education
- Neighborhood influences
- Limited investment/support from system

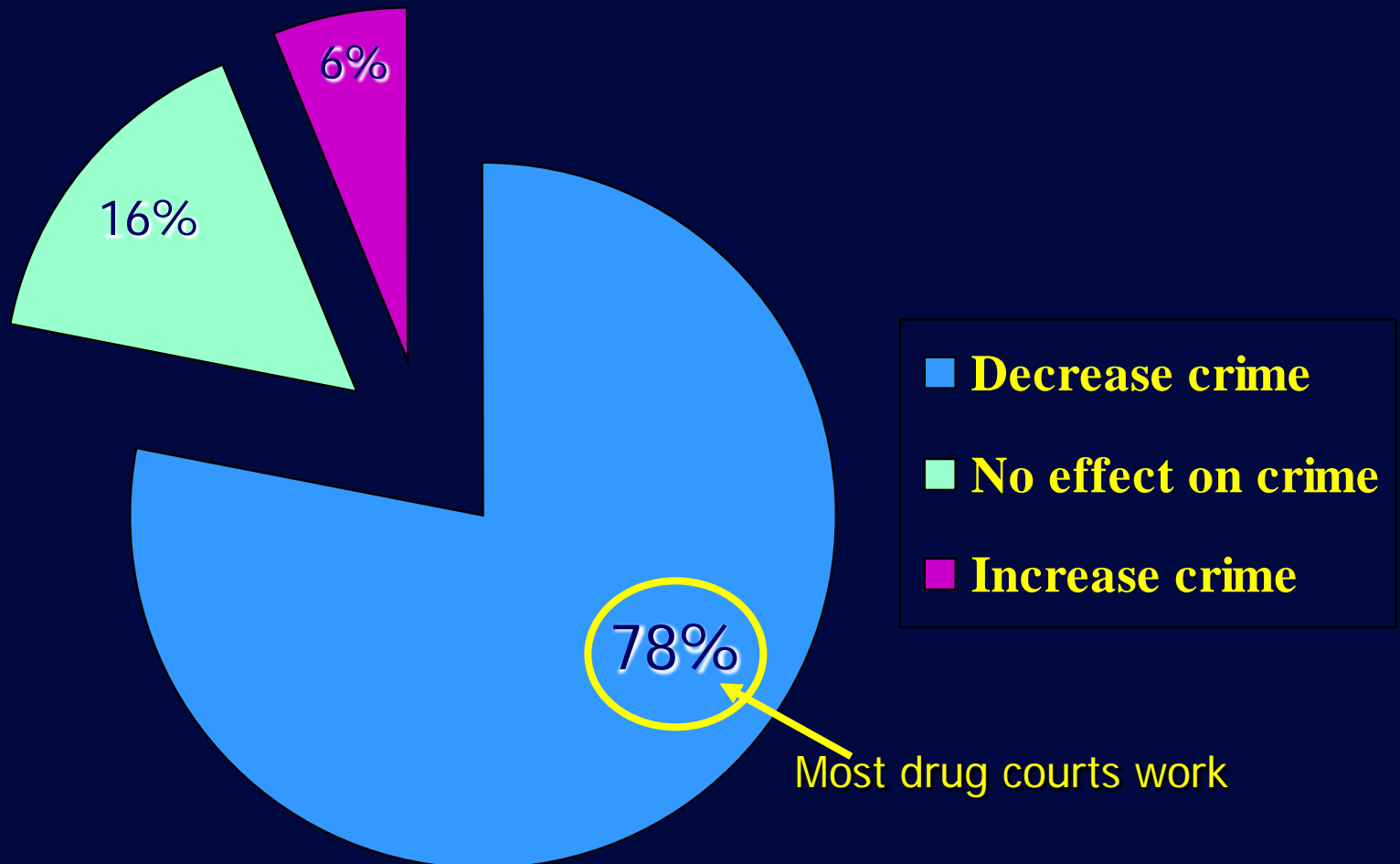
# Specialty Courts (National Drug Court Research Center, as of June 30, 2012)

Court Type	Number
Adult (*of which 401 are Hybrid DWI/Drug Courts)	1,438
Juvenile	458
Family Treatment	334
Tribal Healing to Wellness	89
Designated DWI	208
Campus	5
Reentry Drug	30
Federal Drug	31
Veterans Treatment	104
Co-Occurring Disorder	37

**Why invest the time, energy,  
and resources in specialty  
courts?**



# Crime reduction



(Wilson et al., 2006; Lowenkamp et al., 2005; Shaffer, 2006)

# Crime reduction: Meta-analyses

Citation	Institution	Number of Drug Courts	Crime Reduced on Avg. by . . .
Wilson et al. (2006)	Campbell Collaborative	55	14% to 26%
Latimer et al. (2006)	Canada Dept. of Justice	66	14%
Shaffer (2006)	University of Nevada	76	9%
Lowenkamp et al. (2005)	University of Cincinnati	22	8%
Aos et al. (2006)	Washington State Inst. for Public Policy	57	8%

# Reduced costs

Citation	No. Drug Courts	<u>Avg.</u> Benefit Per \$1 Invested	<u>Avg.</u> Cost Saving Per Client
Loman (2004)	1 (St. Louis)	\$2.80 to \$6.32	\$2,615 to \$7,707
Finigan et al. (2007)	1 (Portland, OR)	\$2.63	\$11,000
Carey et al. (2006)	9 (California)	\$3.50	\$6,744 to \$12,218
Carey & Waller (2011)	25 (Oregon)	\$4.02	\$85 to \$10,155
<b>Aos et al. (2006)</b>	<b>National Data</b>	<b>N/A</b>	<b>\$4,767</b>
<b>Bhati et al. (2008)</b>	<b>National Data</b>	<b>\$2.21</b>	<b>N/A</b>

# HB 3194 provisions

- Establishes:
  - Concurrent judicial jurisdiction with parole/post-custody supervision agency for Reentry Court participants
  - Grants for implementing Reentry Courts
  - OR Criminal Justice Commission to serve as information center and source for evidence-based practices
  - Population and program definitions

# Drug Court 10 Key Components

(National Association of Drug Court Professionals)



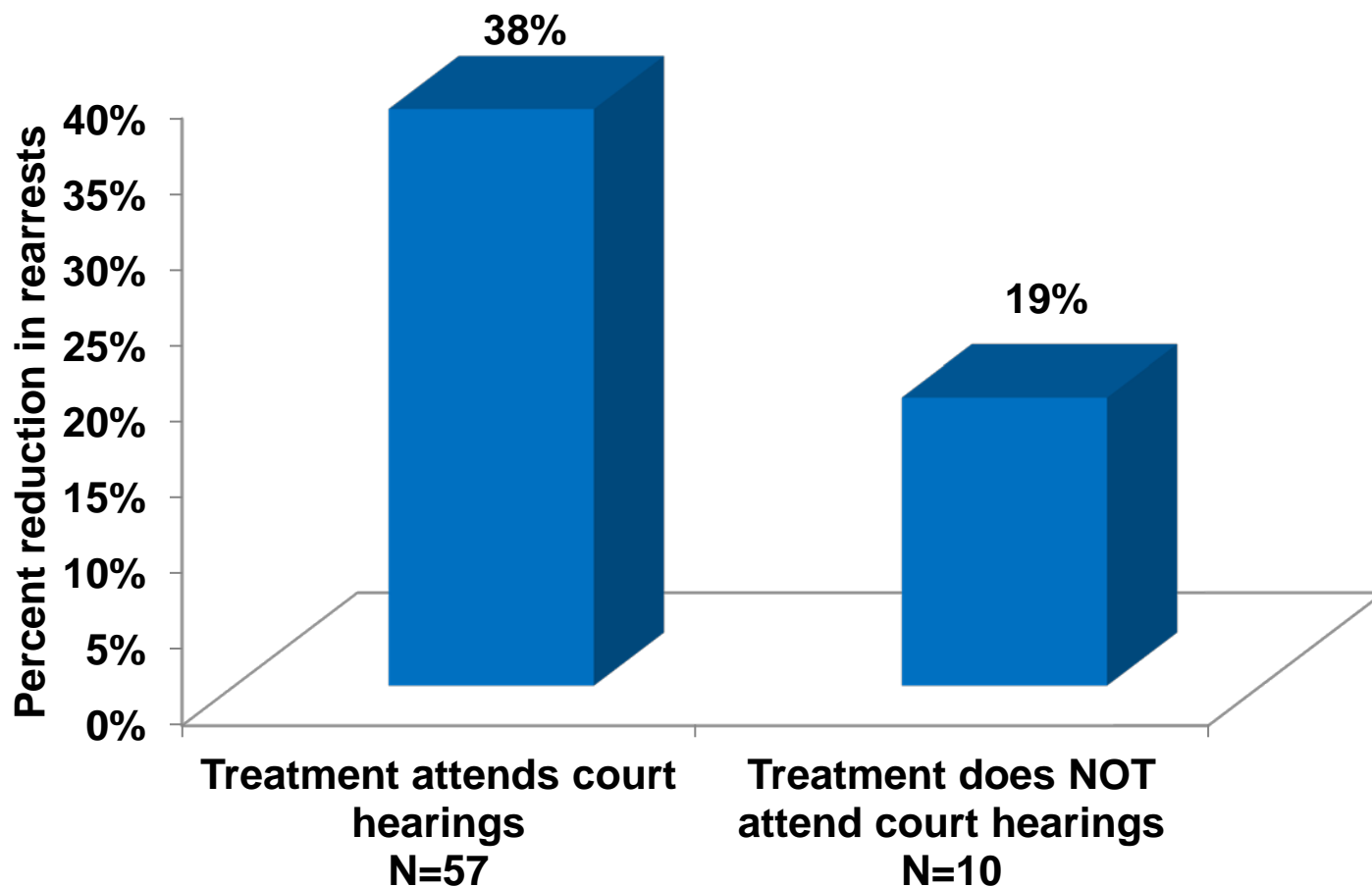
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## Key Component #1

Drug courts integrate alcohol and other drug treatment services with justice system case processing.

# Drug courts where a treatment representative attends court hearings had 100% greater reductions in recidivism



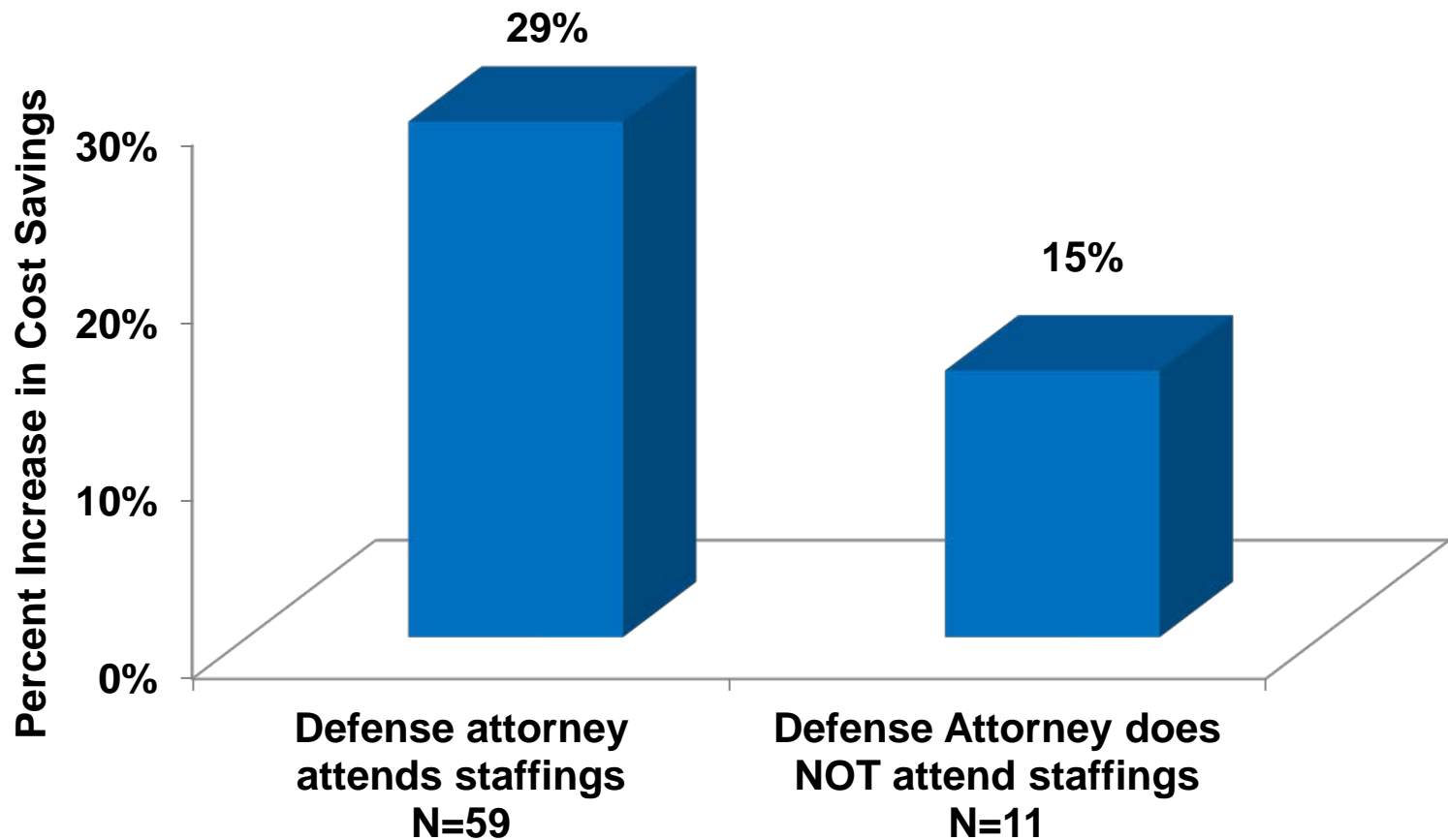
Note 1: Difference is significant at  $p < .10$

## Key Component #2

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

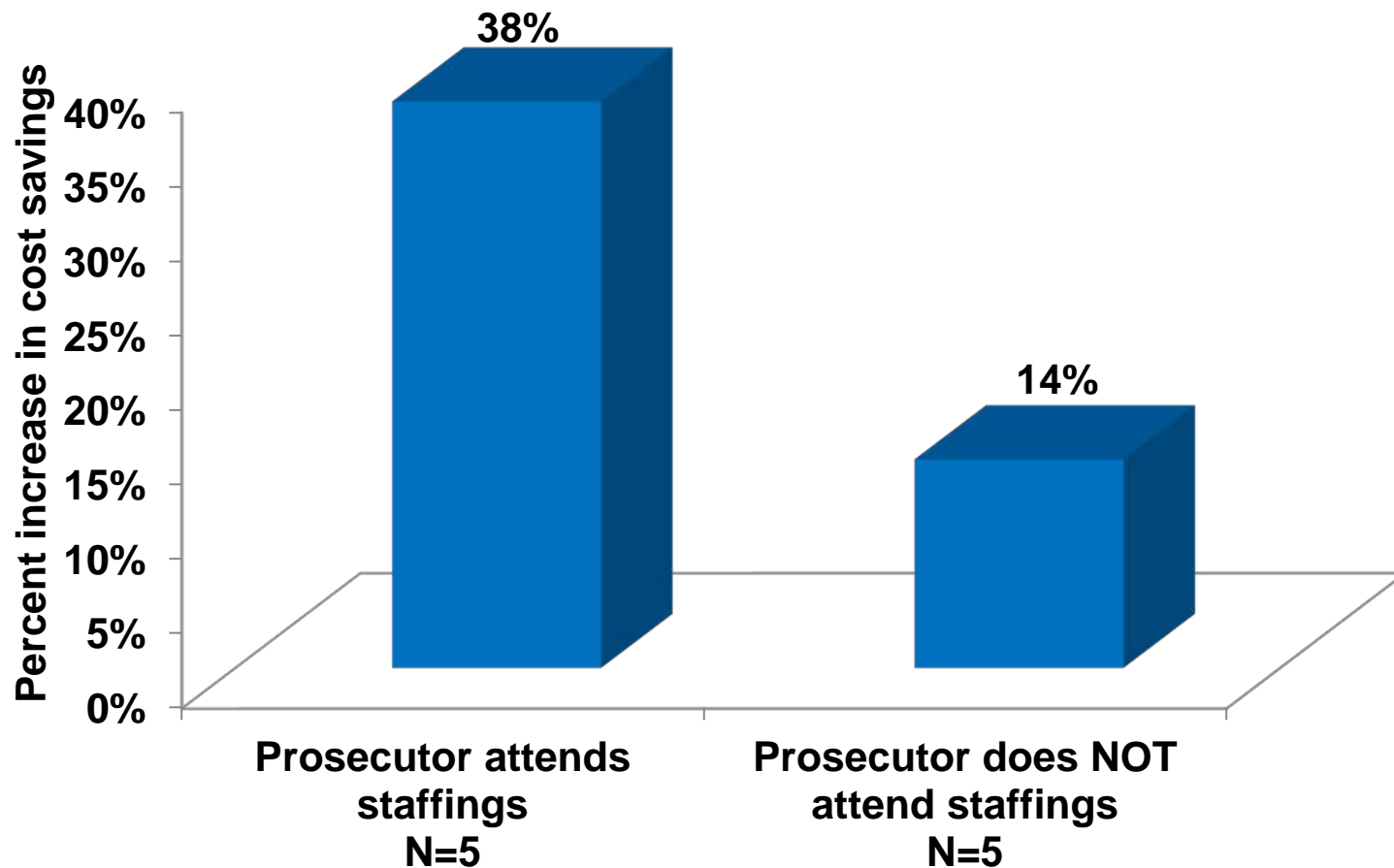


# Drug courts where the defense attorney attends drug court team meetings (staffings) had a 93% Higher Cost Savings



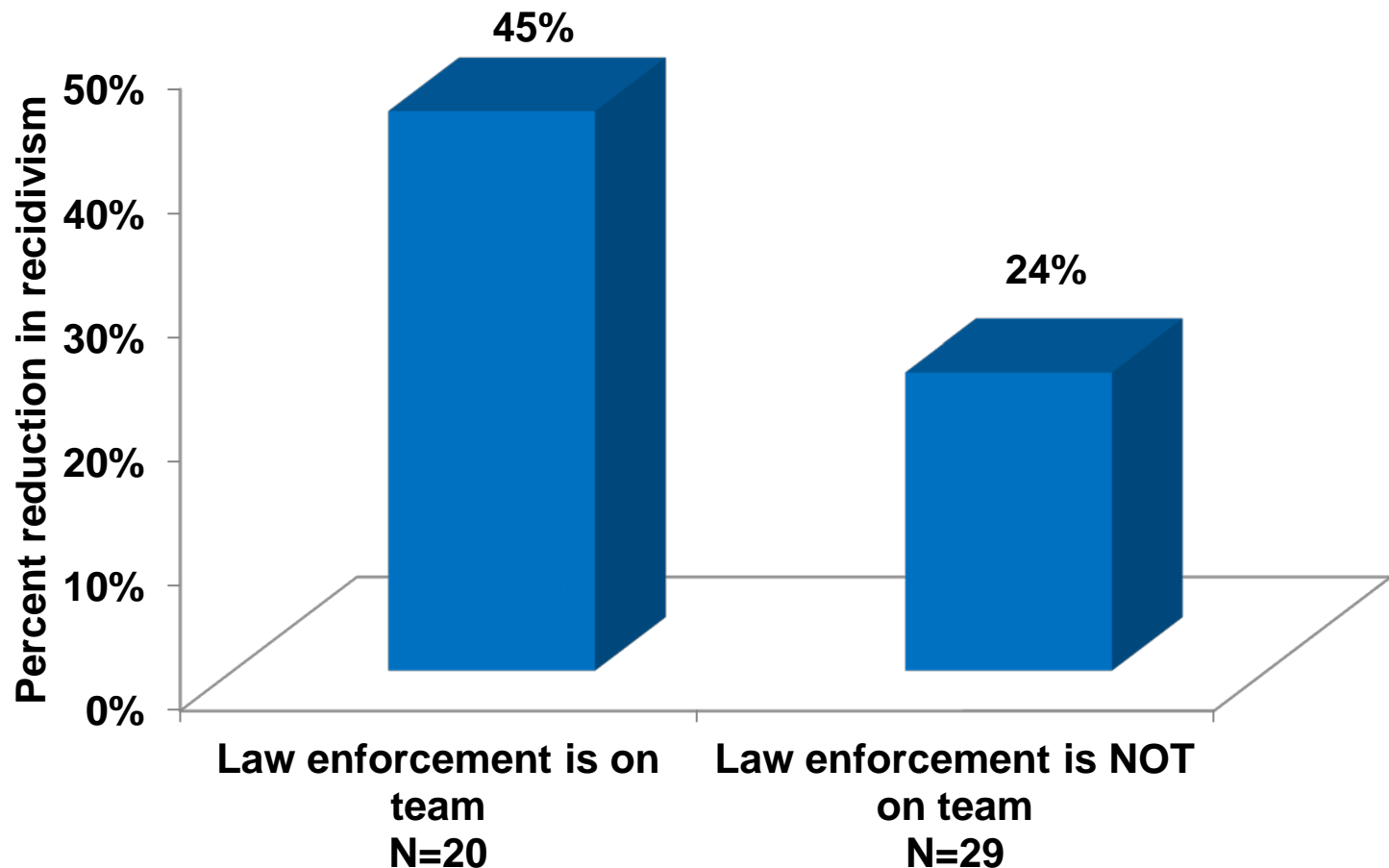
Note 1: Difference is significant at  $p < .05$

## Drug courts where the prosecutor attends staffings had a 171% Higher Cost Savings



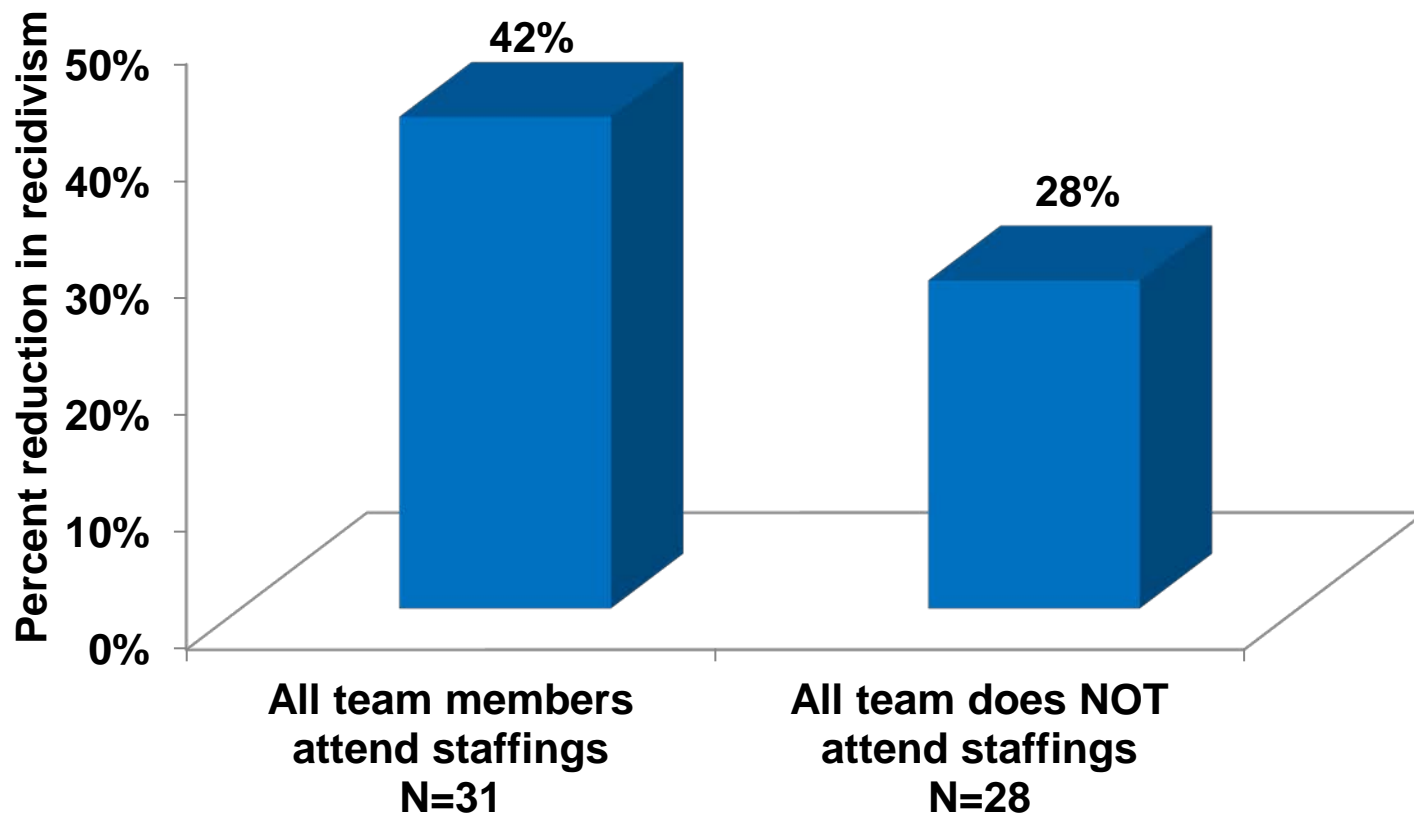
Note: Difference is significant at  $p < .05$

Drug courts where law enforcement is a member of the drug court team had 88% greater reductions in recidivism



Note 1: Difference is significant at  $p < .05$

Drug courts where all team members attended staffings had 50% greater reductions in recidivism



Note 1: Difference is significant at  $p < .05$

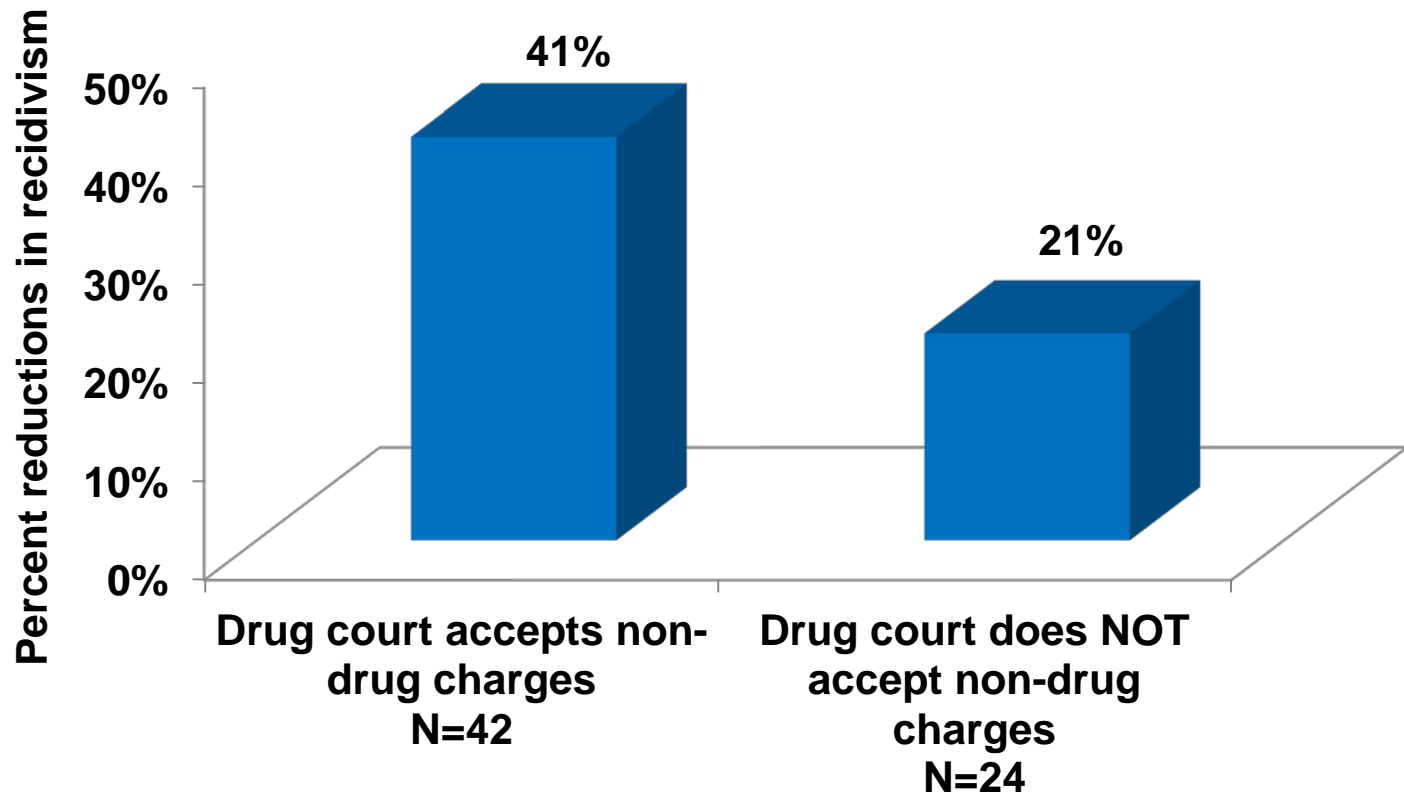
Note 2: "Team Members" = Judge, Both Attorneys, Treatment Provider, Coordinator, Probation



## Key Component #3

Eligible participants are identified early and promptly placed in the drug court program.

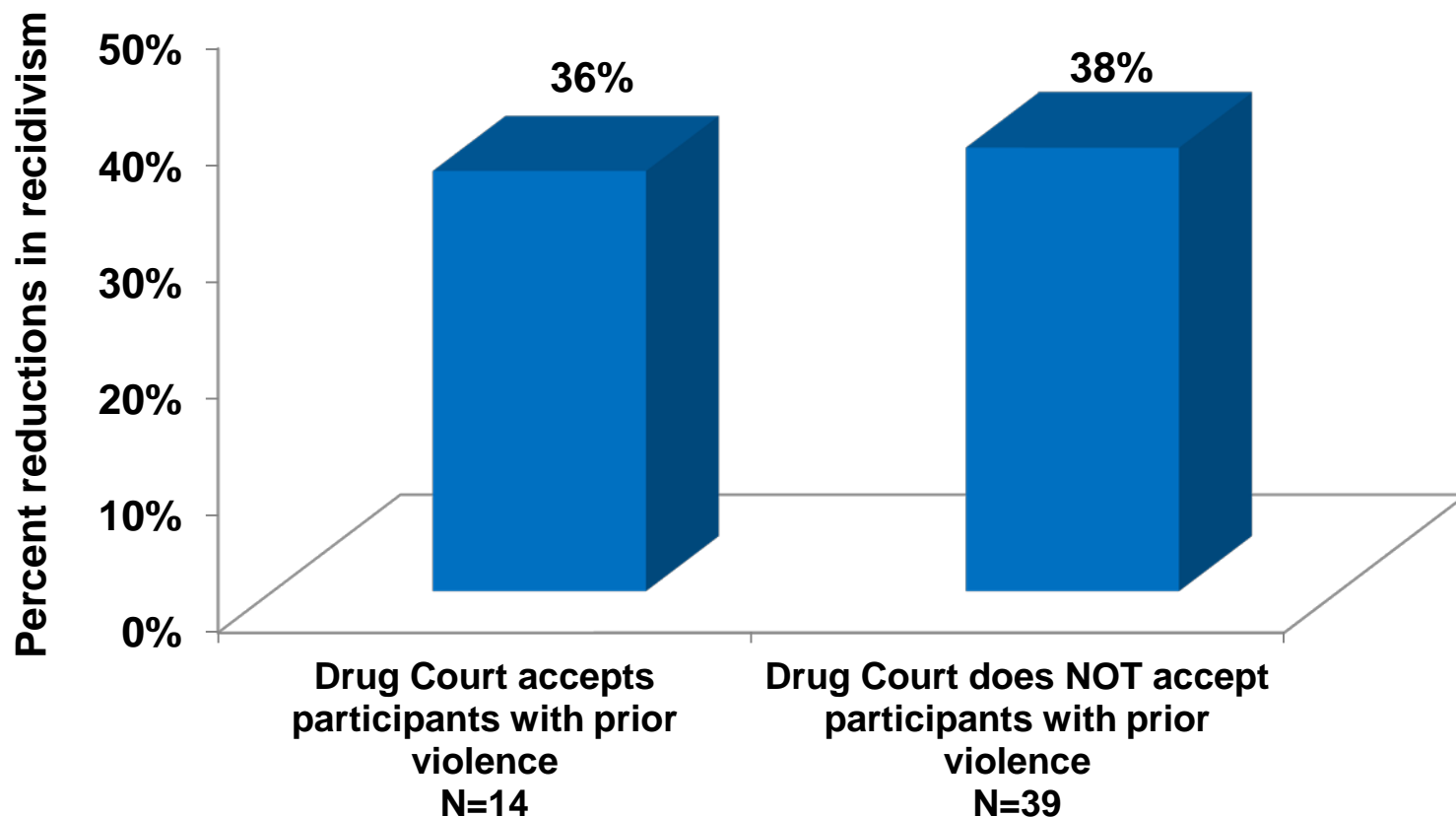
# Drug courts that accepted participants with non-drug charges had 98% greater reductions in recidivism



Note 1: Difference is significant at  $p < .05$

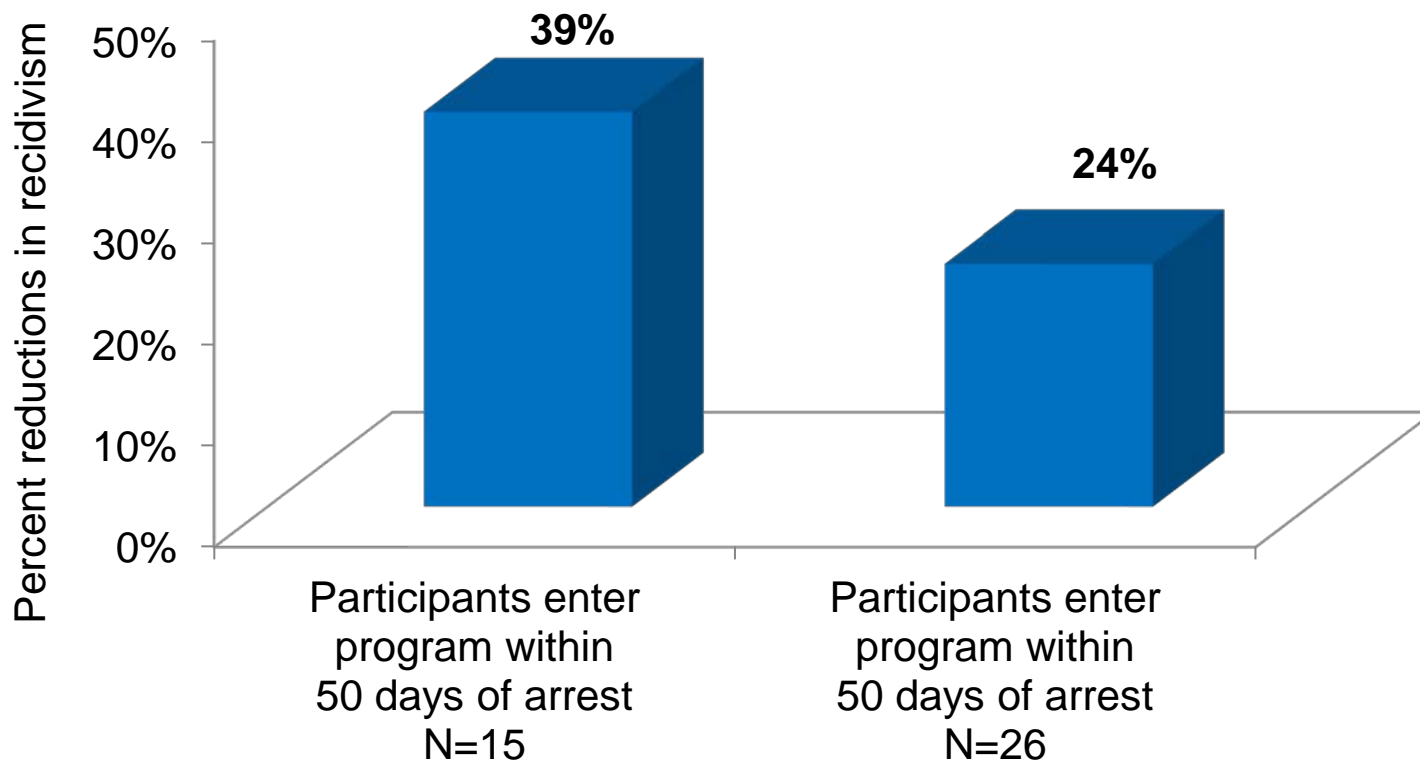
Note 2: Non-drug charges include property, prostitution, forgery, etc.

## Drug courts that accepted participants with prior violence had equal reductions in recidivism



Note: Difference is NOT significant

## Drug courts in which participants entered the program within 50 days of arrest had 63% greater reductions in recidivism



Note: Difference is significant at  $p < .05$

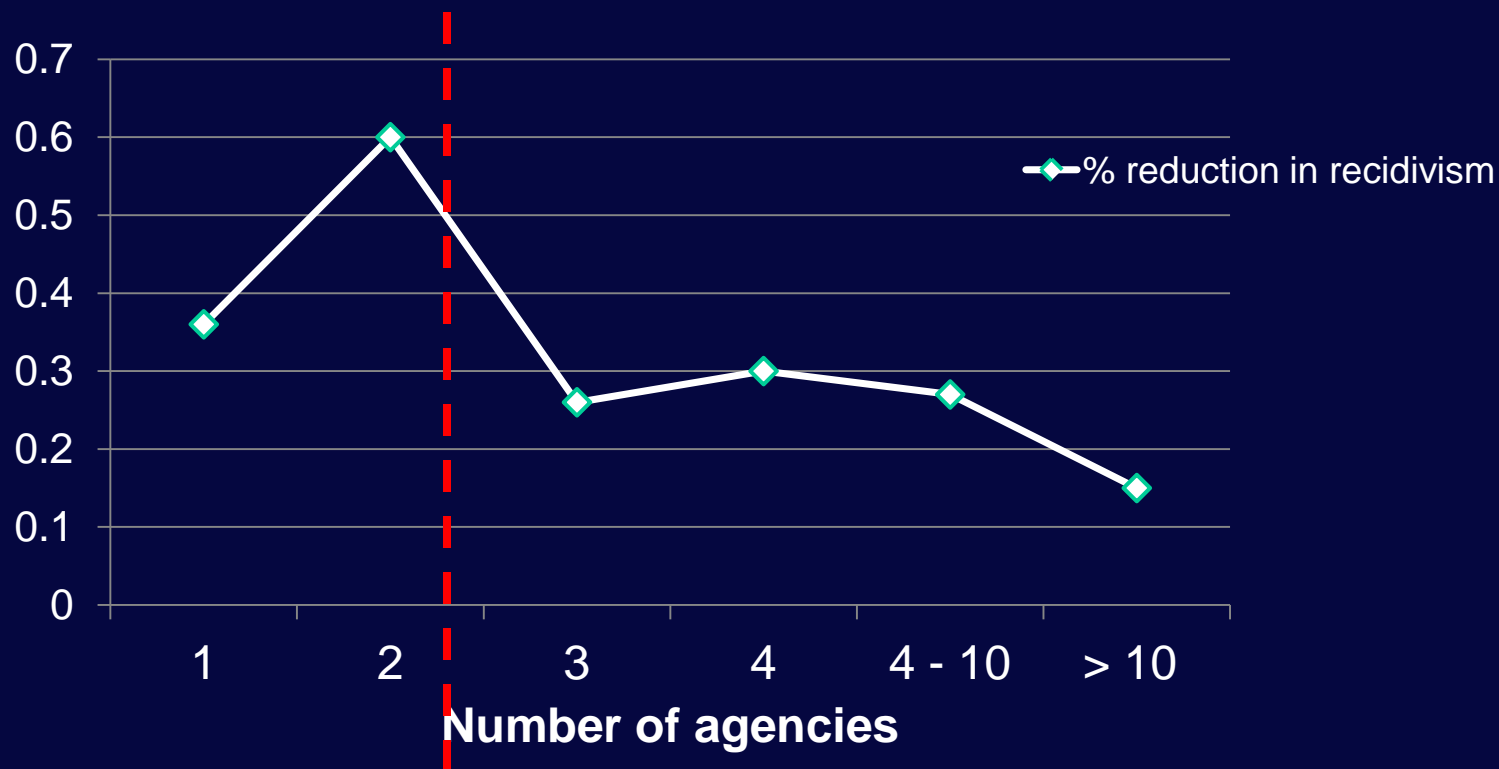


## Key Component #4

Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitative services.

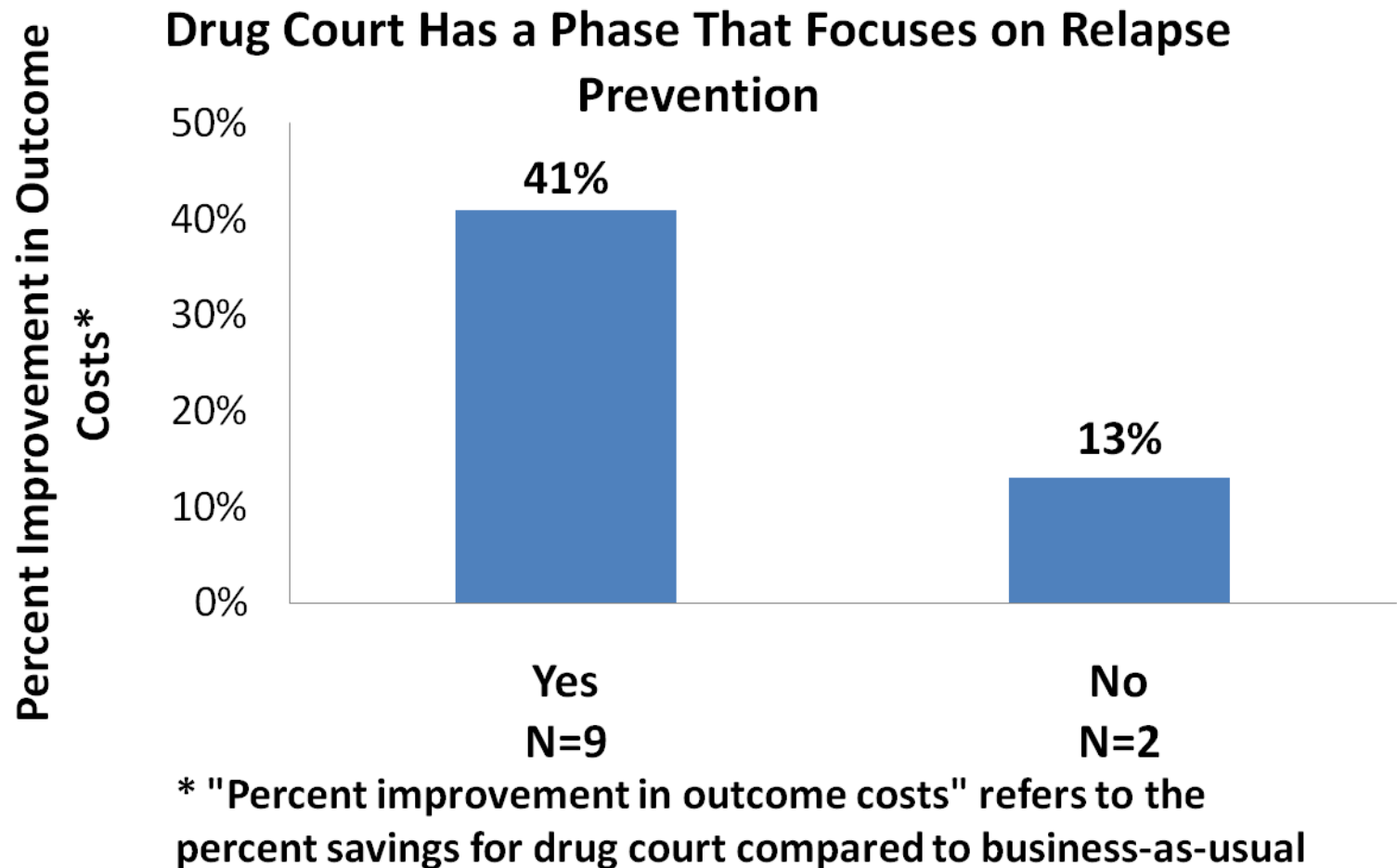
Drug courts that used one or two primary treatment agencies had 76% greater reductions in recidivism

### Fewer treatment providers is related to greater reductions in recidivism



Note: Difference is significant at  $p < .05$

Drug courts that included a phase focusing on relapse prevention had over 3 times greater savings



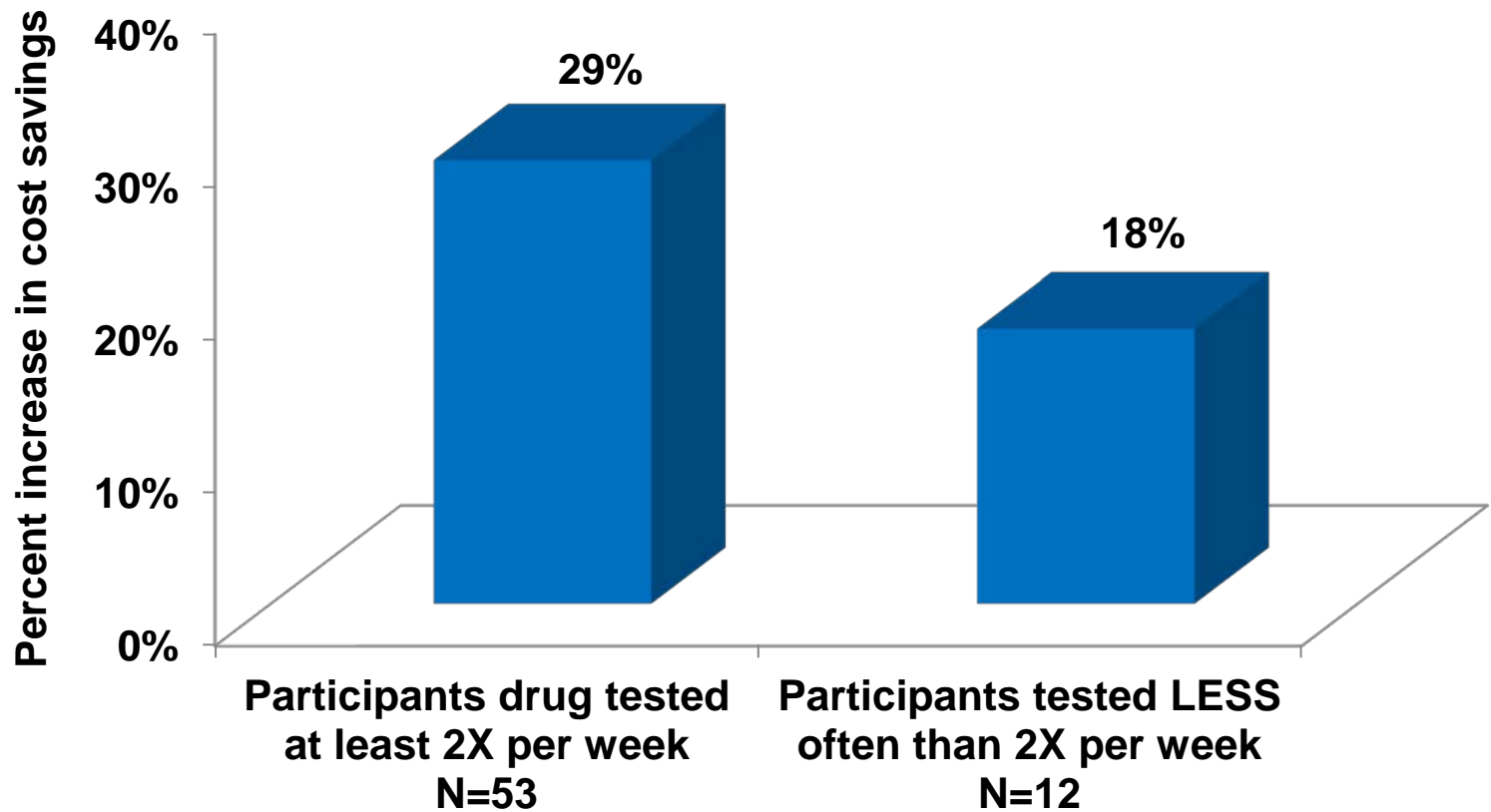
Note: Difference is significant at  $p < .05$



## Key Component #5

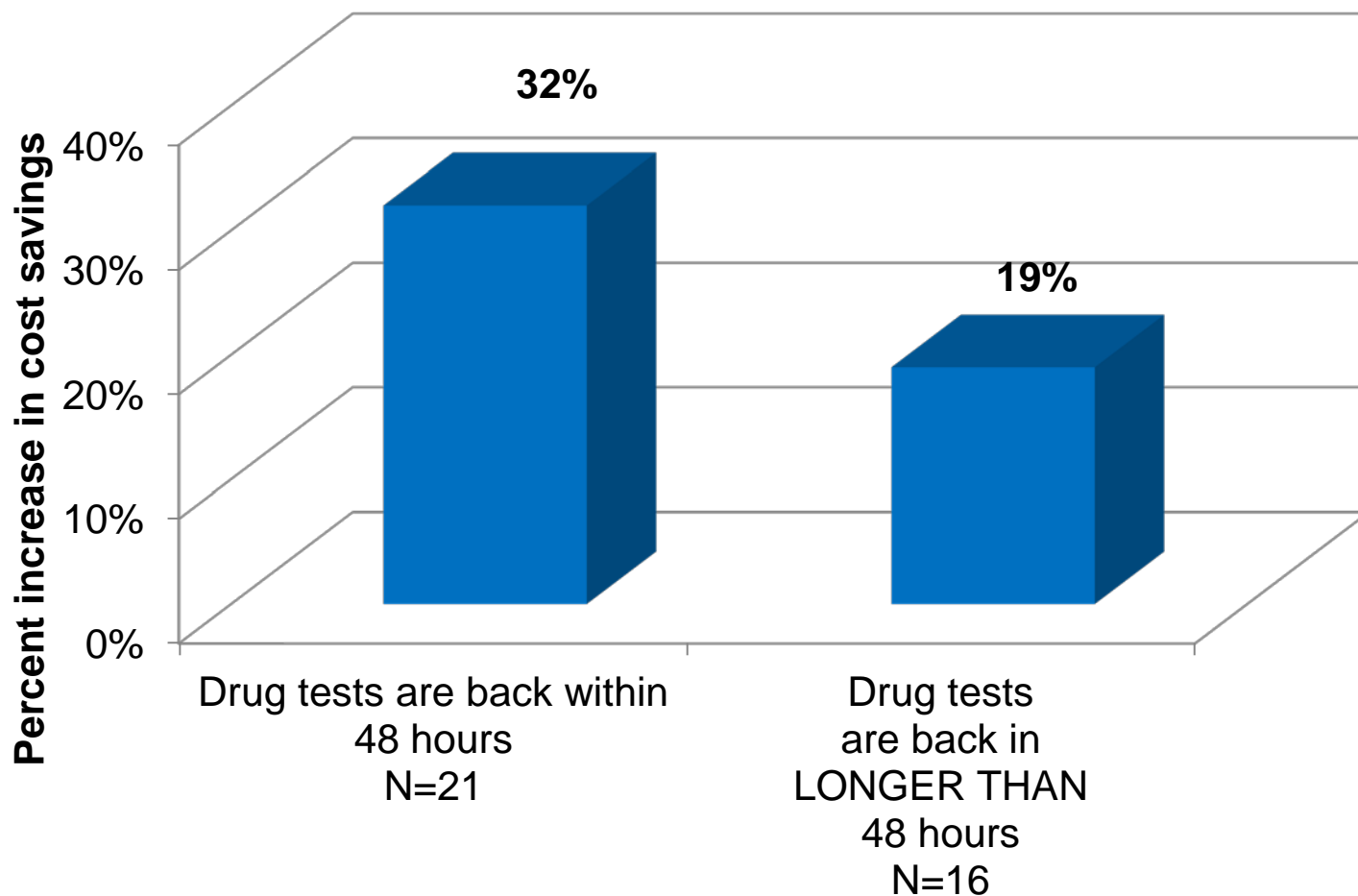
Abstinence is monitored by frequent alcohol/drug testing.

Drug courts where drug tests are collected at least two times per week in the first phase had a 61% higher cost savings



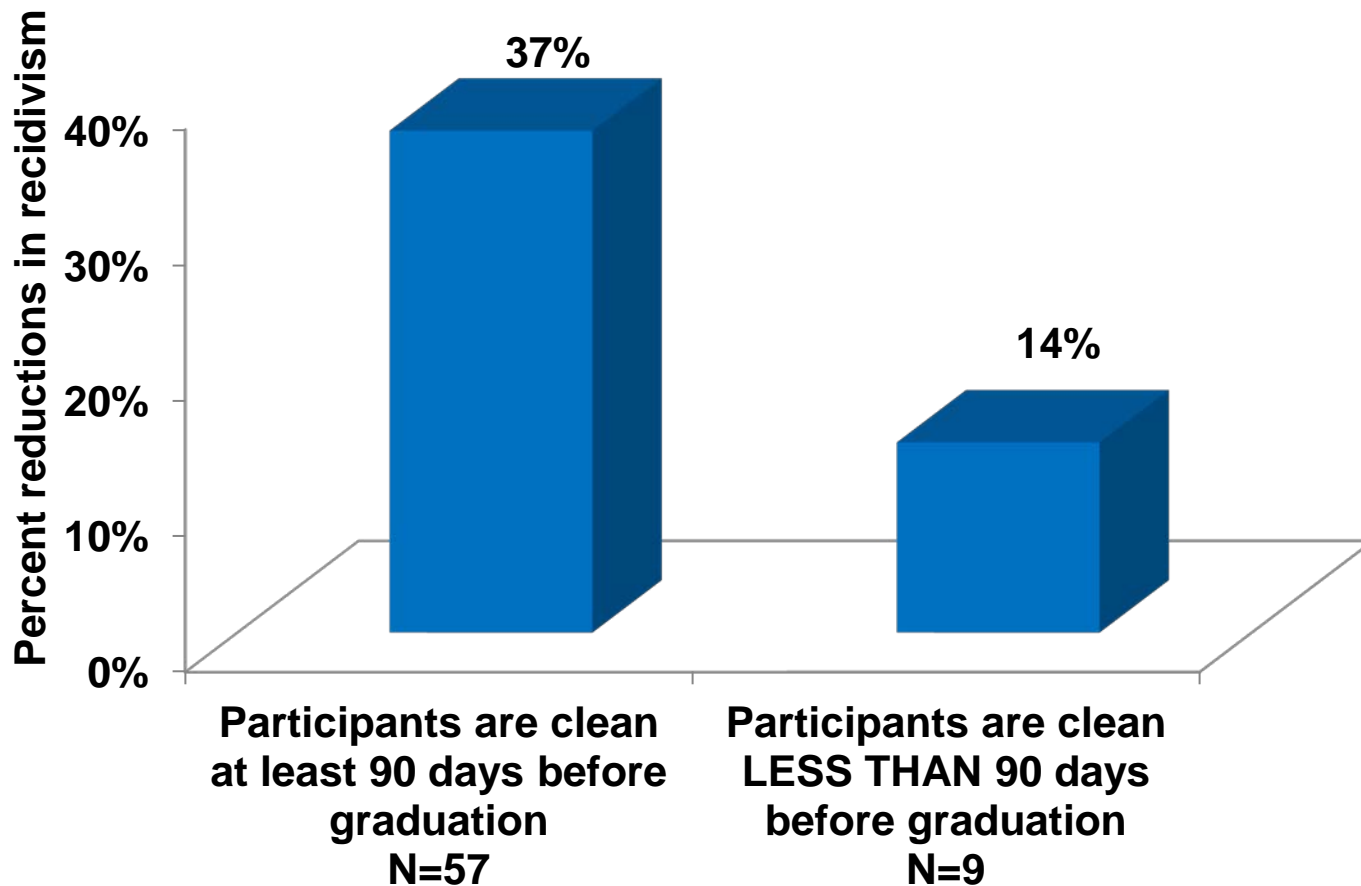
Note 1: Difference is significant at  $p < .15$  (Trend)

# Drug courts where drug test results are back in 48 hours or less had 68% higher cost savings



Note 1: Difference is significant at  $p < .05$

Drug courts where participants are expected to have greater than 90 consecutive days clean before graduation had 164% greater reductions in recidivism



Note 1: Difference is significant at  $p < .15$  (Trend)

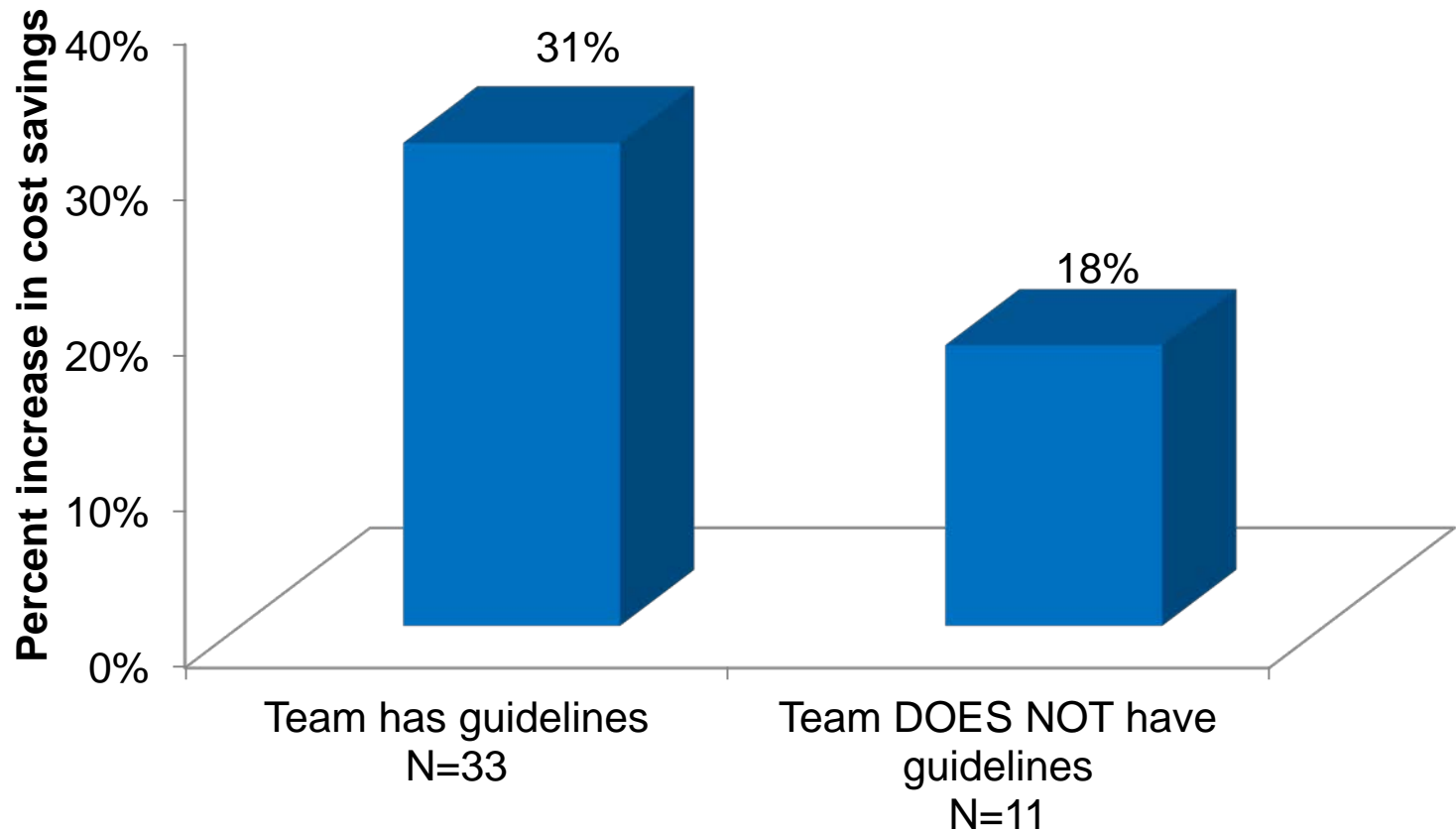


## Key Component #6

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

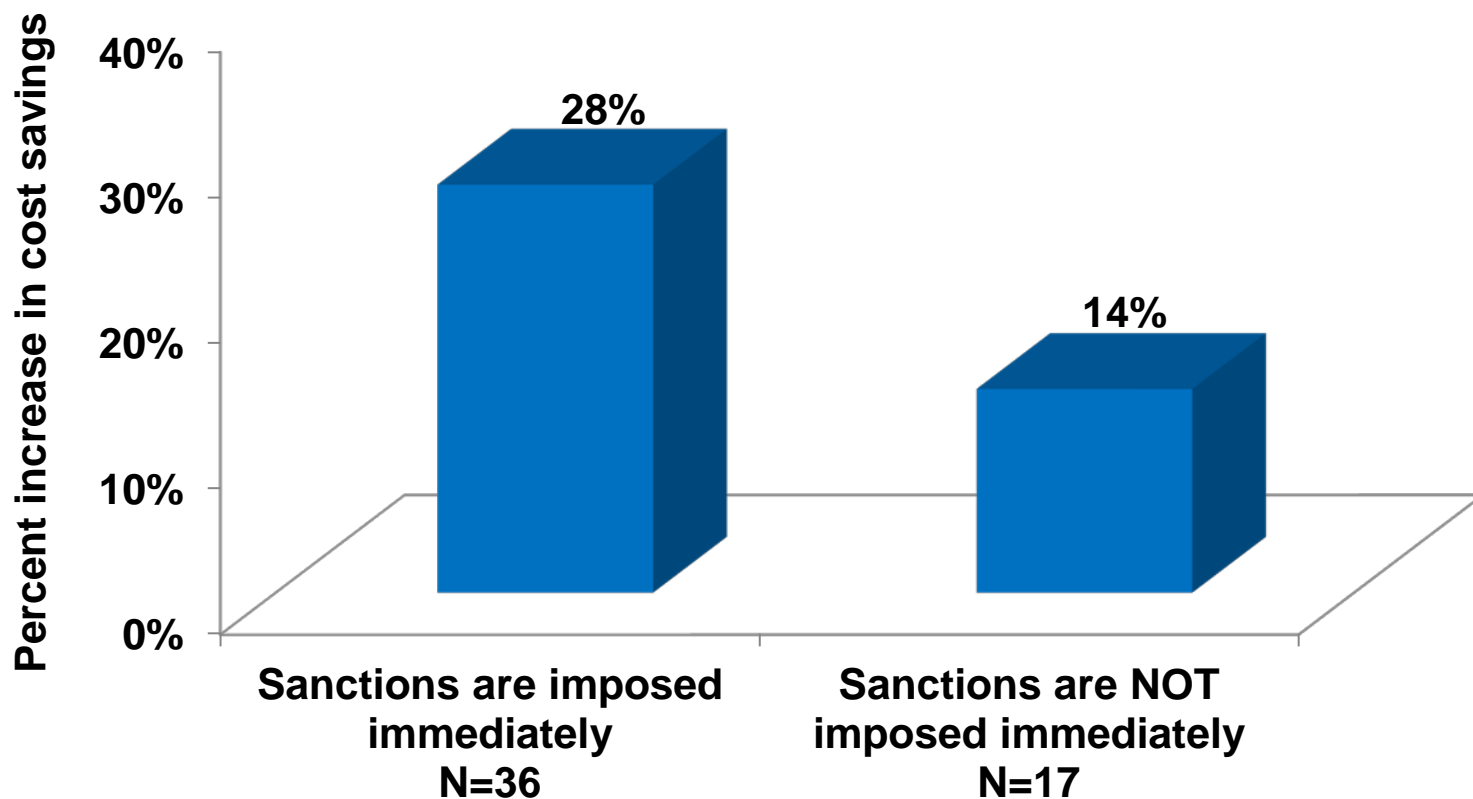


Drug courts where team members are given a copy of written guidelines for sanctions and rewards had 72% higher cost savings



Note 1: Difference is significant at  $p < .15$  (Trend)

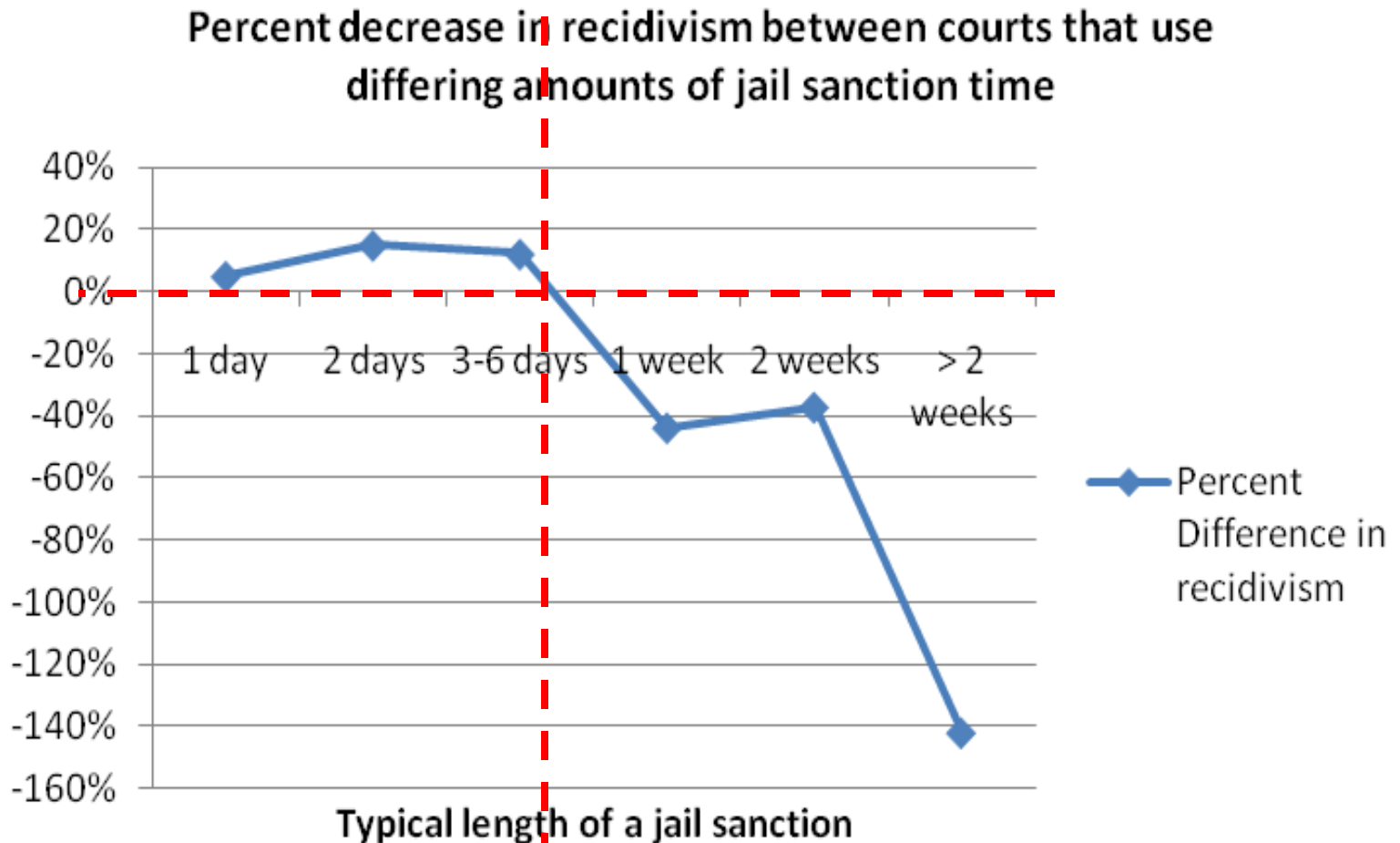
# Drug courts where sanctions are imposed immediately after non-compliant behavior had a 100% increase in cost savings



Note 1: Difference is significant at  $p < .05$

Note 2: Immediately = Before the next regular court hearing (or one week of less to court hearing)

Courts that use jail greater than 6 days have worse (higher) recidivism





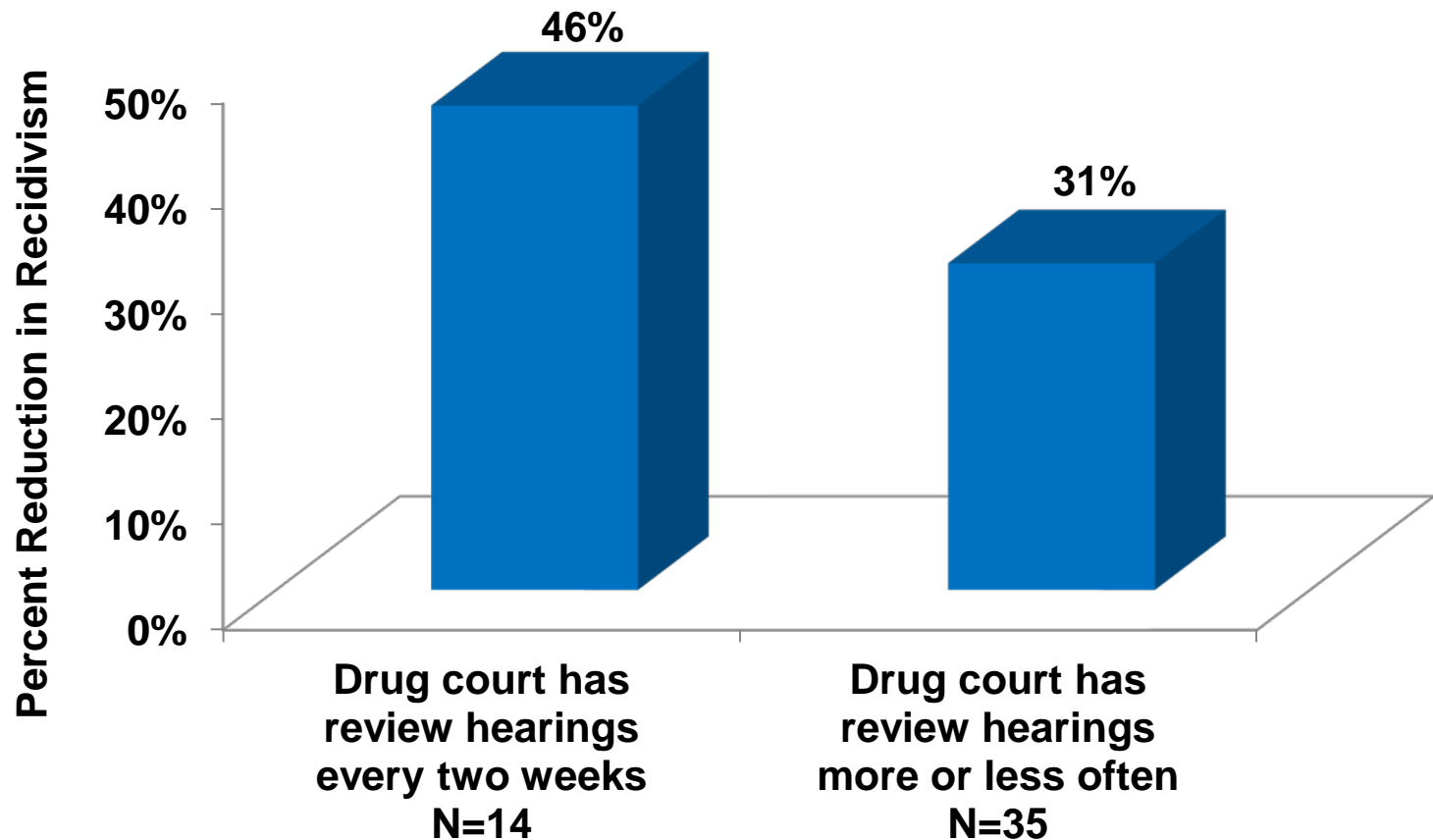
## Key Component #7

Ongoing judicial interaction with each drug court participant is essential.

# NADCP Best Practice Standards: Roles & Responsibilities of Judge

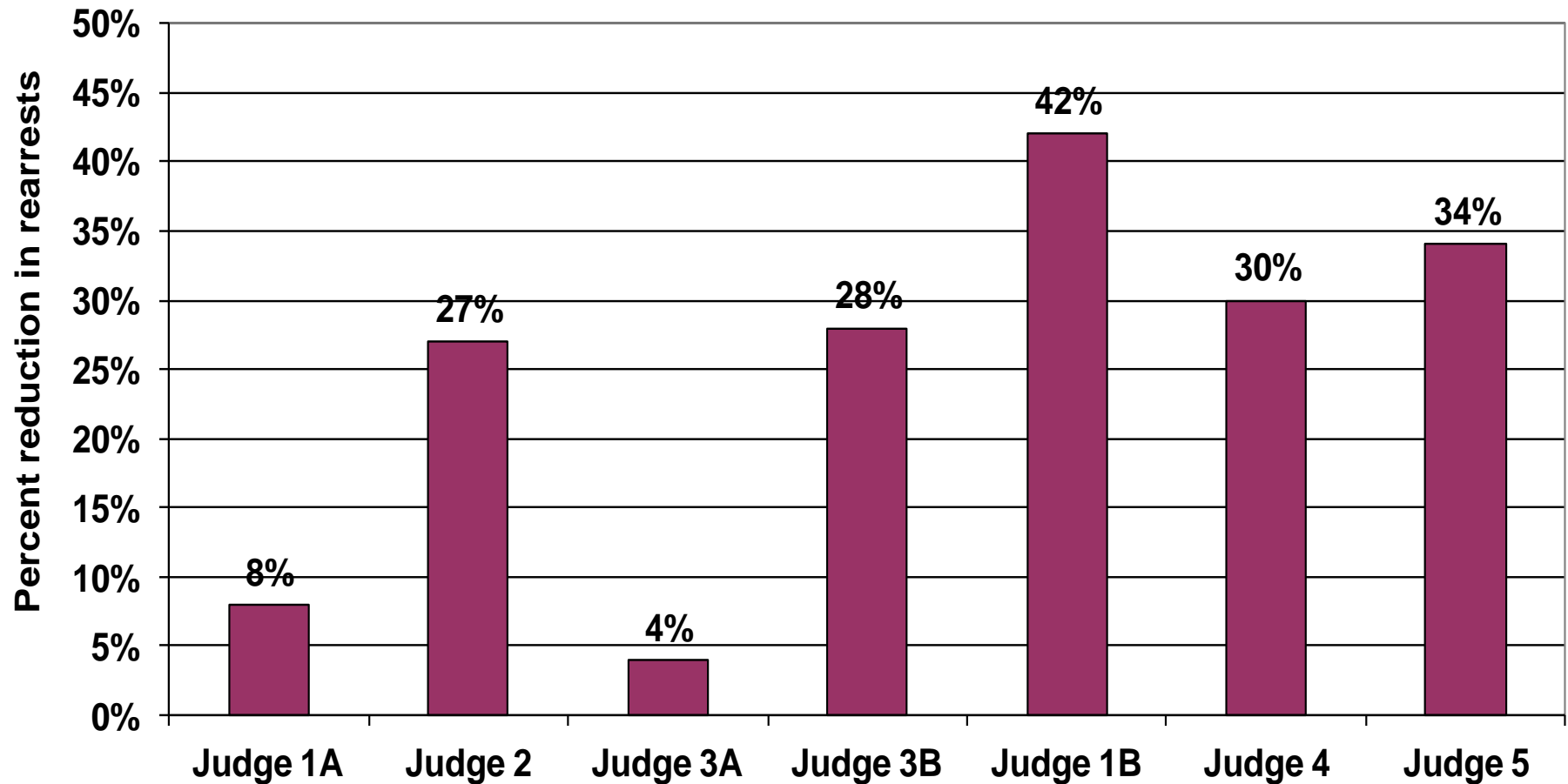
- Professional training
- Length of term
- Consistent docket
- Participation in pre-court staff meetings
- Frequency of status hearings
- Length of court interactions
- Judicial demeanor
- Judicial decision making

Drug courts that held status hearings every 2 weeks during phase 1 had 50% greater reductions in recidivism

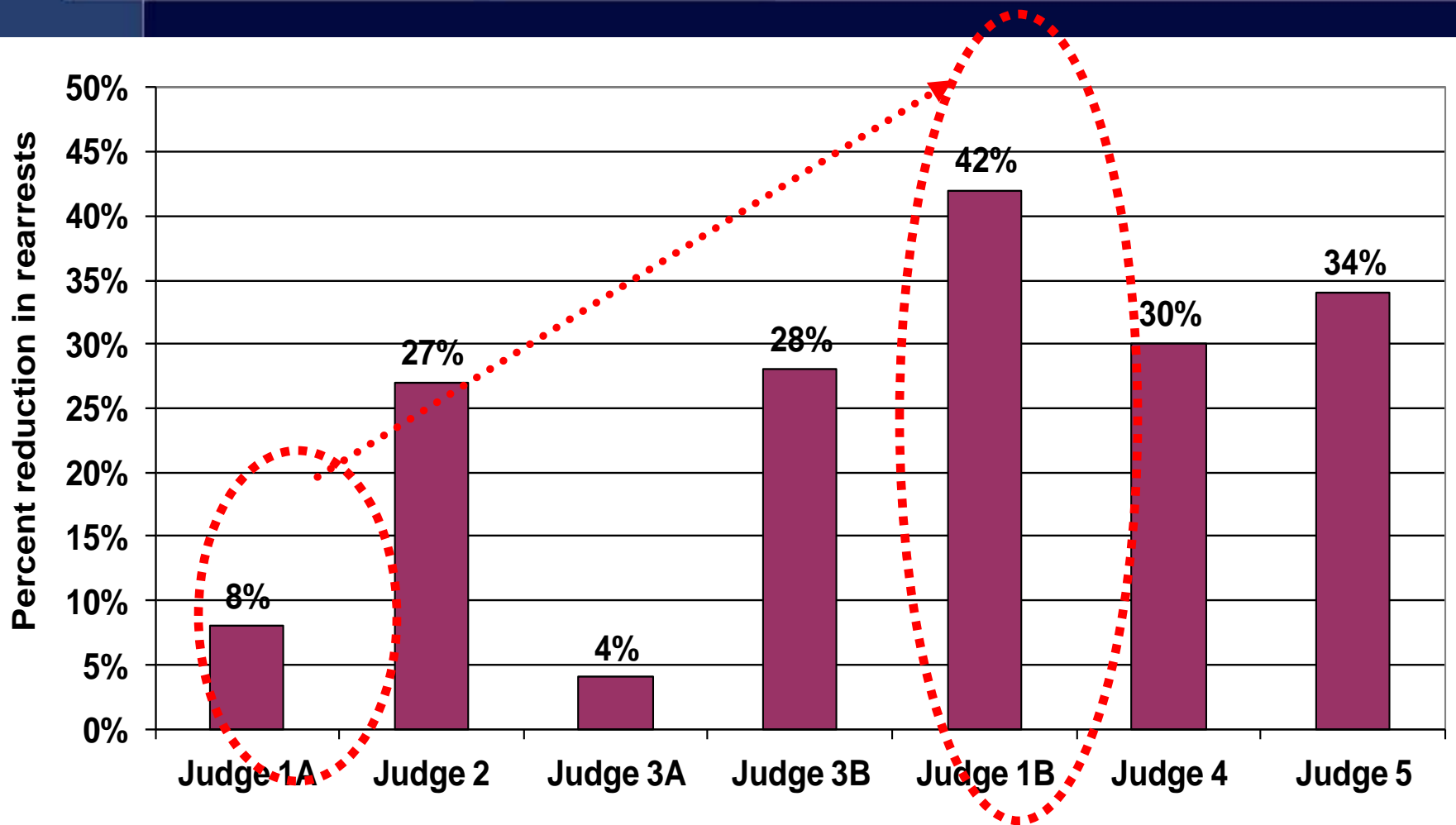


Note: Difference is significant at  $p < .1$

The longer the judge spent on the drug court bench, the better the client outcomes



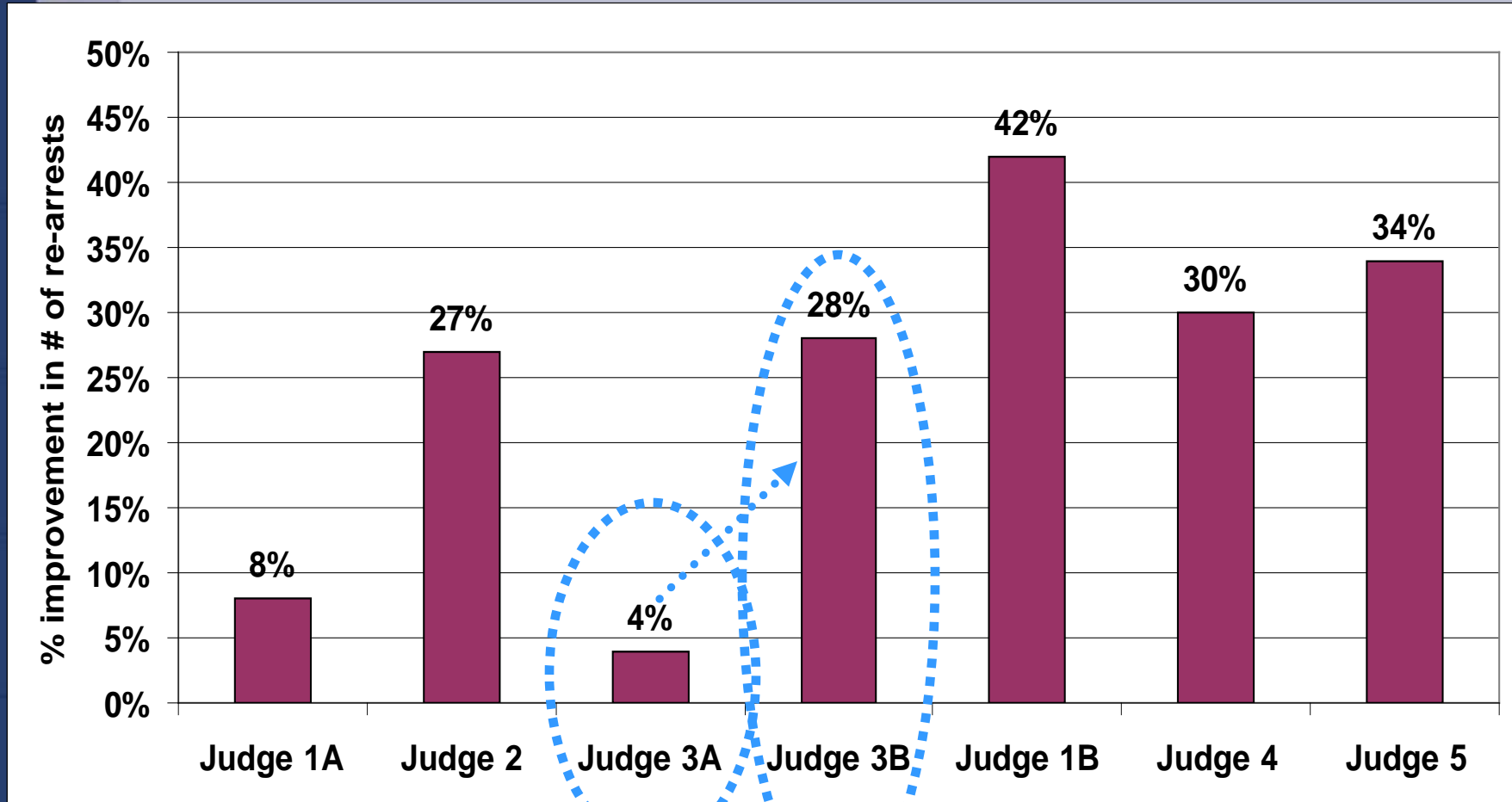
The longer the judge spent on the drug court bench, the better the client outcomes



➤ Judges did better their second time

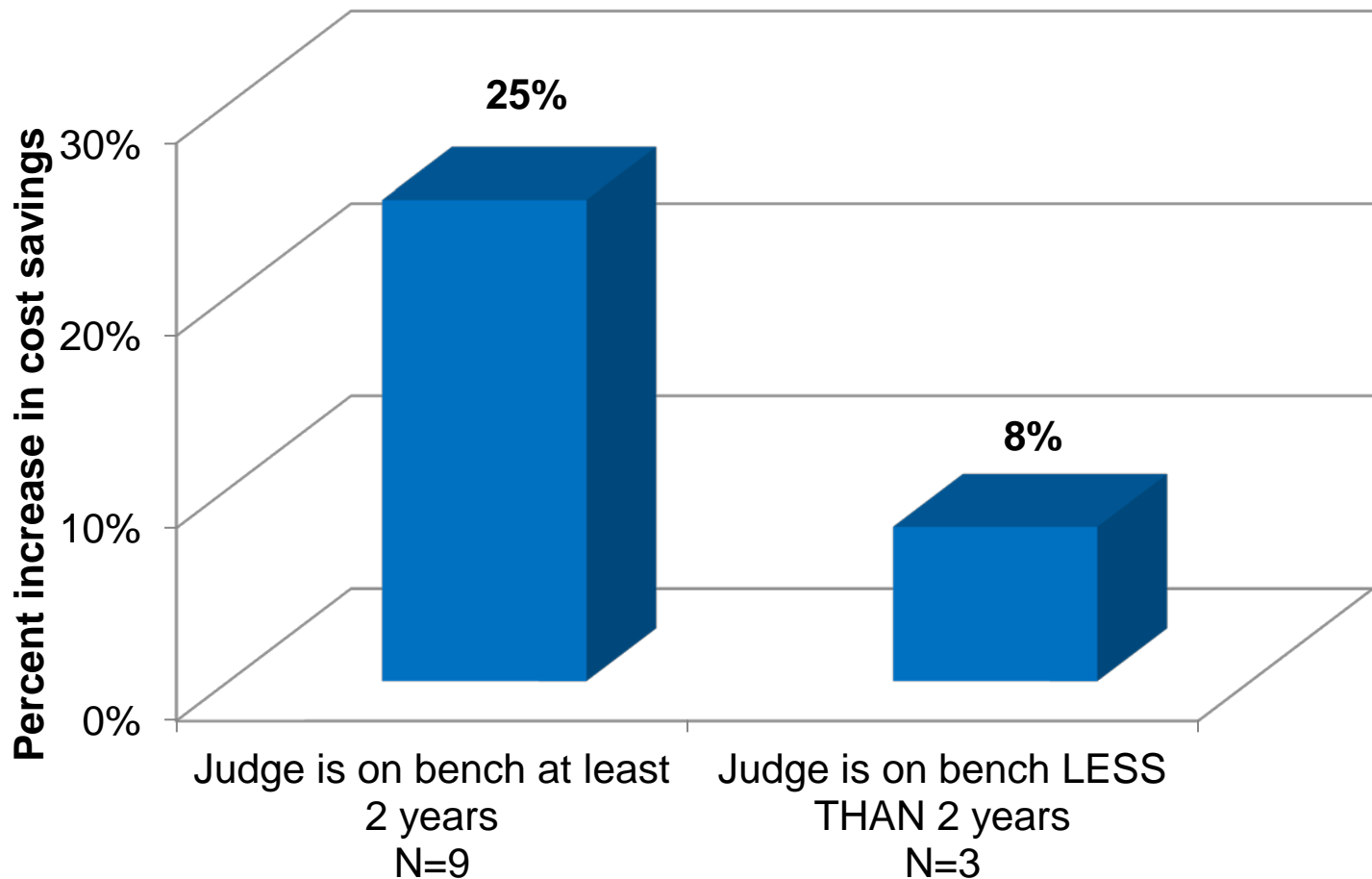


# The longer the judge spent on the drug court bench, the better the client outcomes



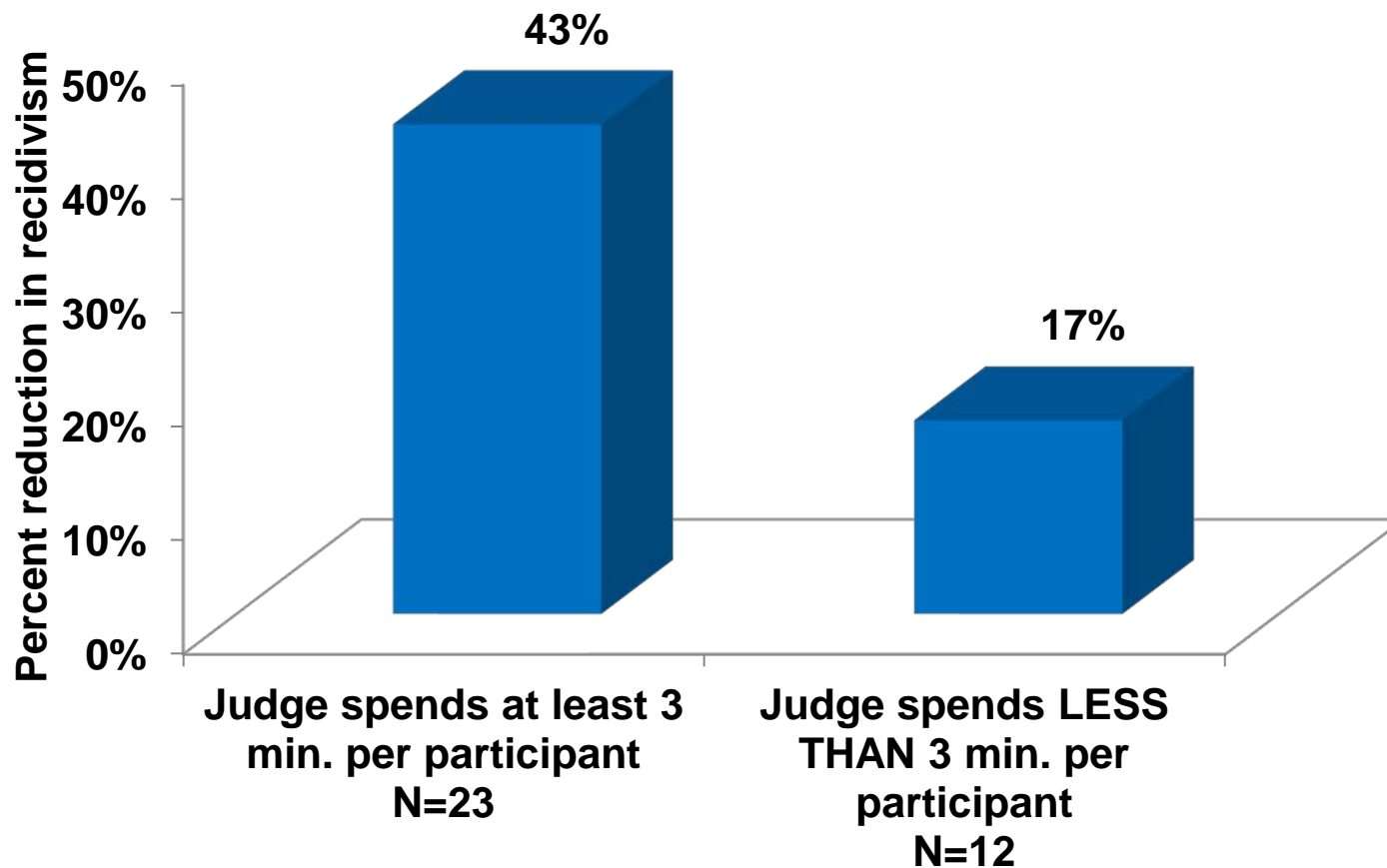
- Different judges had different impacts on recidivism
- Judges did better their second time

Drug courts that have judges stay longer than two years had 3 times greater cost savings



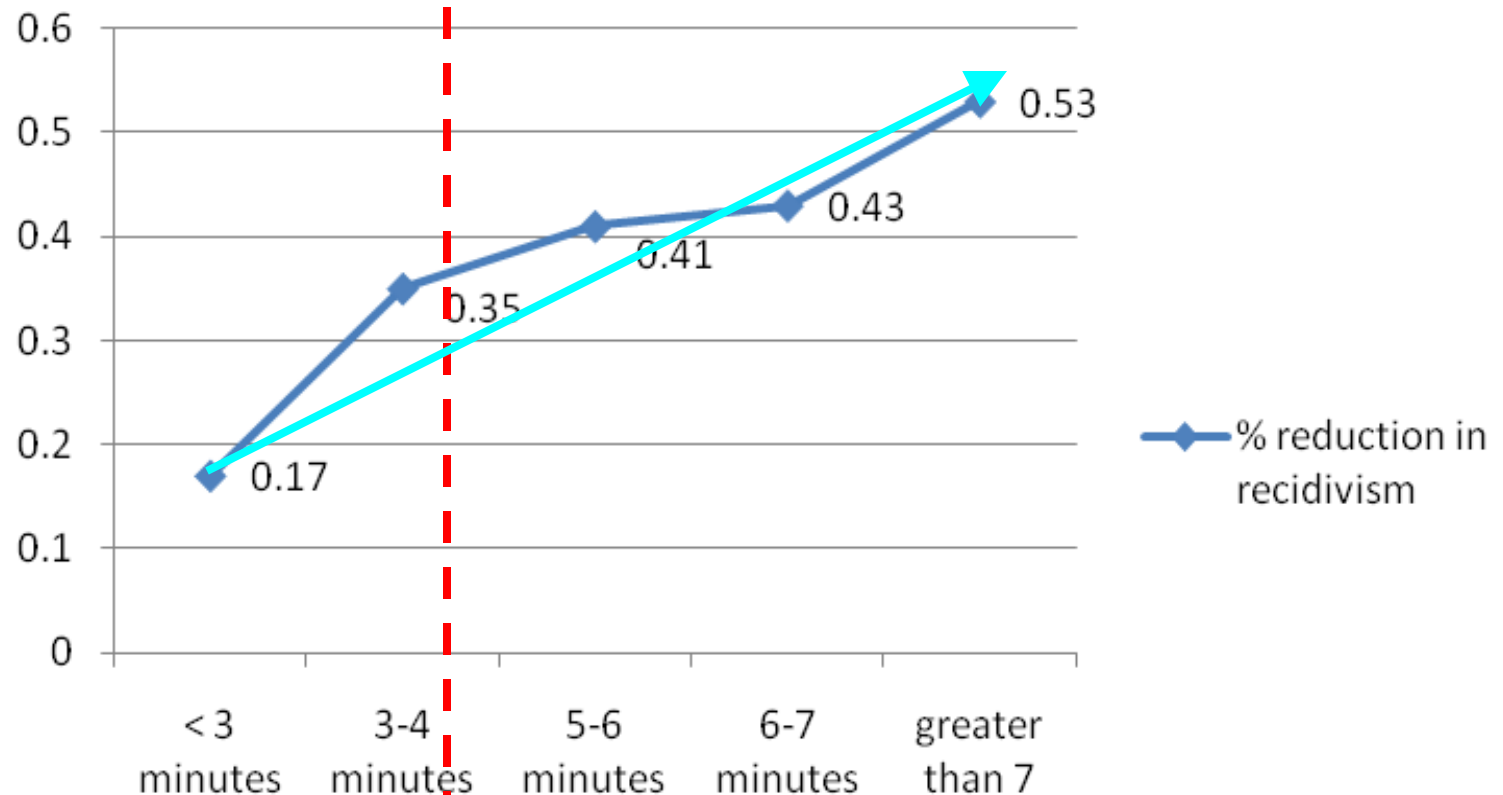
Note: Difference is significant at  $p < .05$

Drug courts where the judge spends an average of 3 minutes or greater per participant during court hearings had 153% greater reductions in recidivism



Note 1: Difference is significant at  $p < .05$

Drug courts where the judge spends an average of 3 minutes or greater per participant during court hearings had 153% greater reductions in recidivism

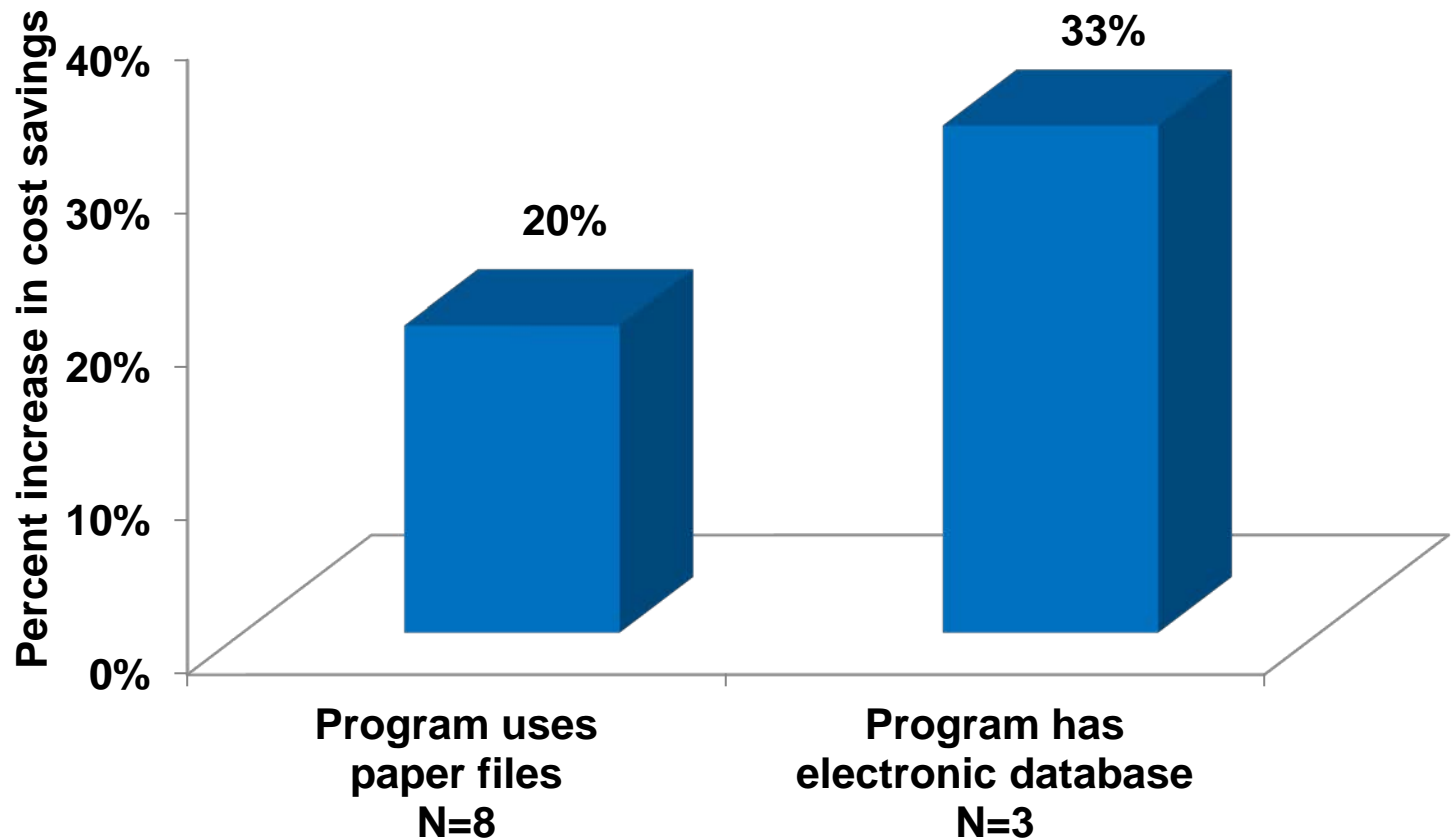


Note 1: Difference is significant at  $p < .05$

## Key Component #8

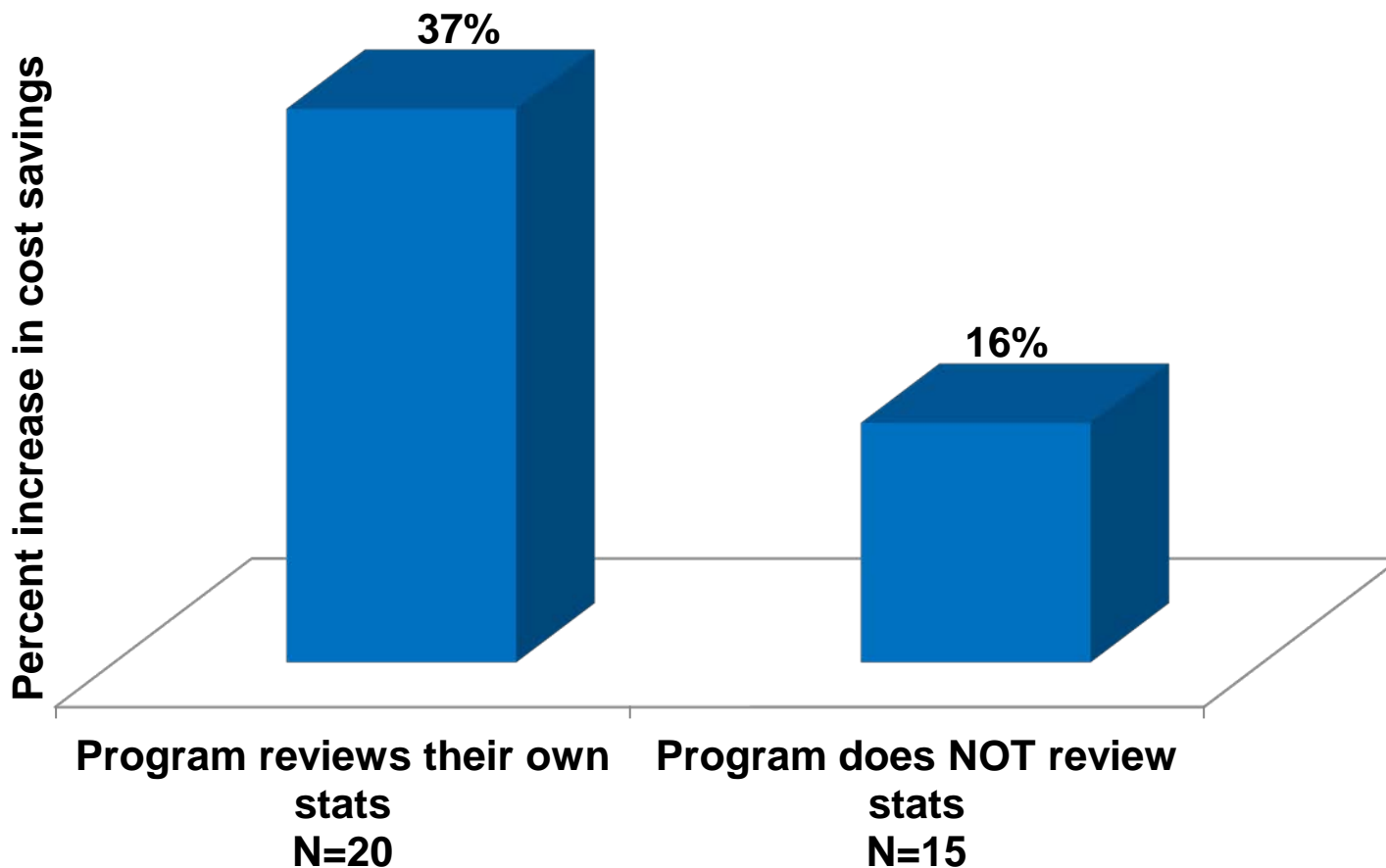
Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.

# Drug courts that used paper files rather than Electronic databases had 65% less Savings



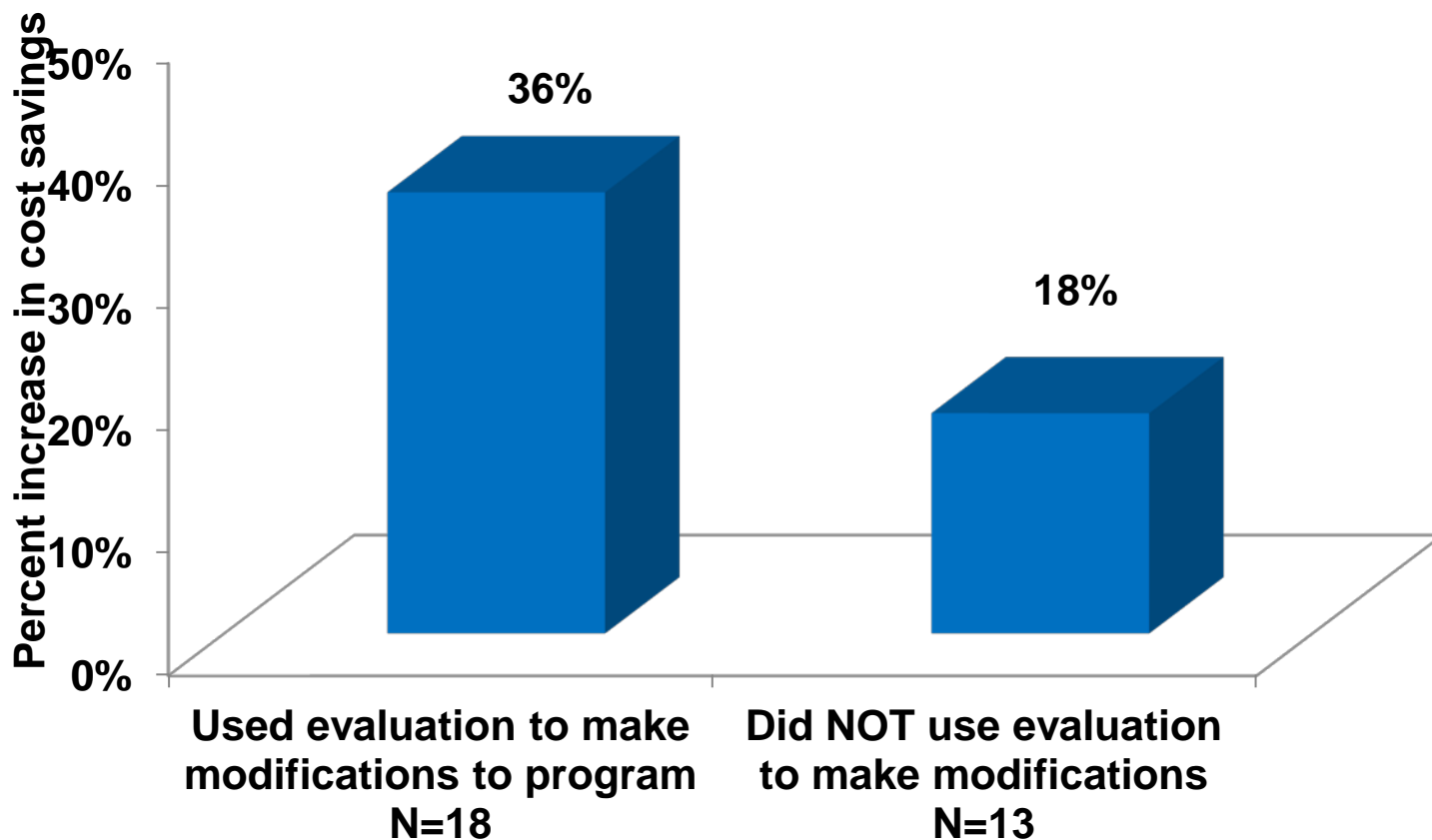
Note: Difference is significant at  $p < .05$

# Drug courts where review of the data and stats has led to modifications in drug court operations had a 131% increase in cost savings



Note 1: Difference is significant at  $p < .05$

Drug courts where the results of program evaluations have led to modifications in drug court operations had a 100% increase in cost savings



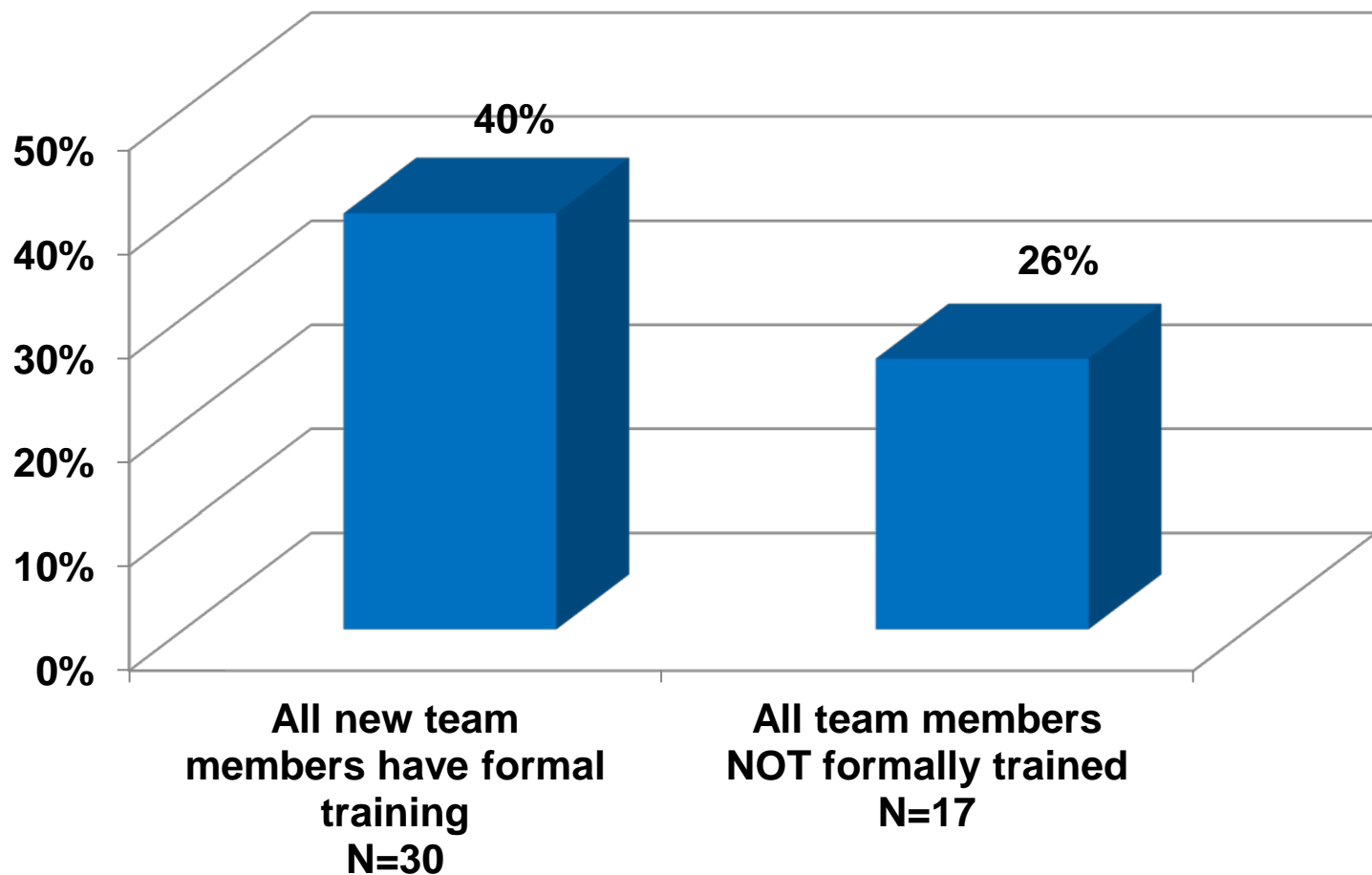
Note 1: Difference is significant at  $p < .05$



## Key Component #9

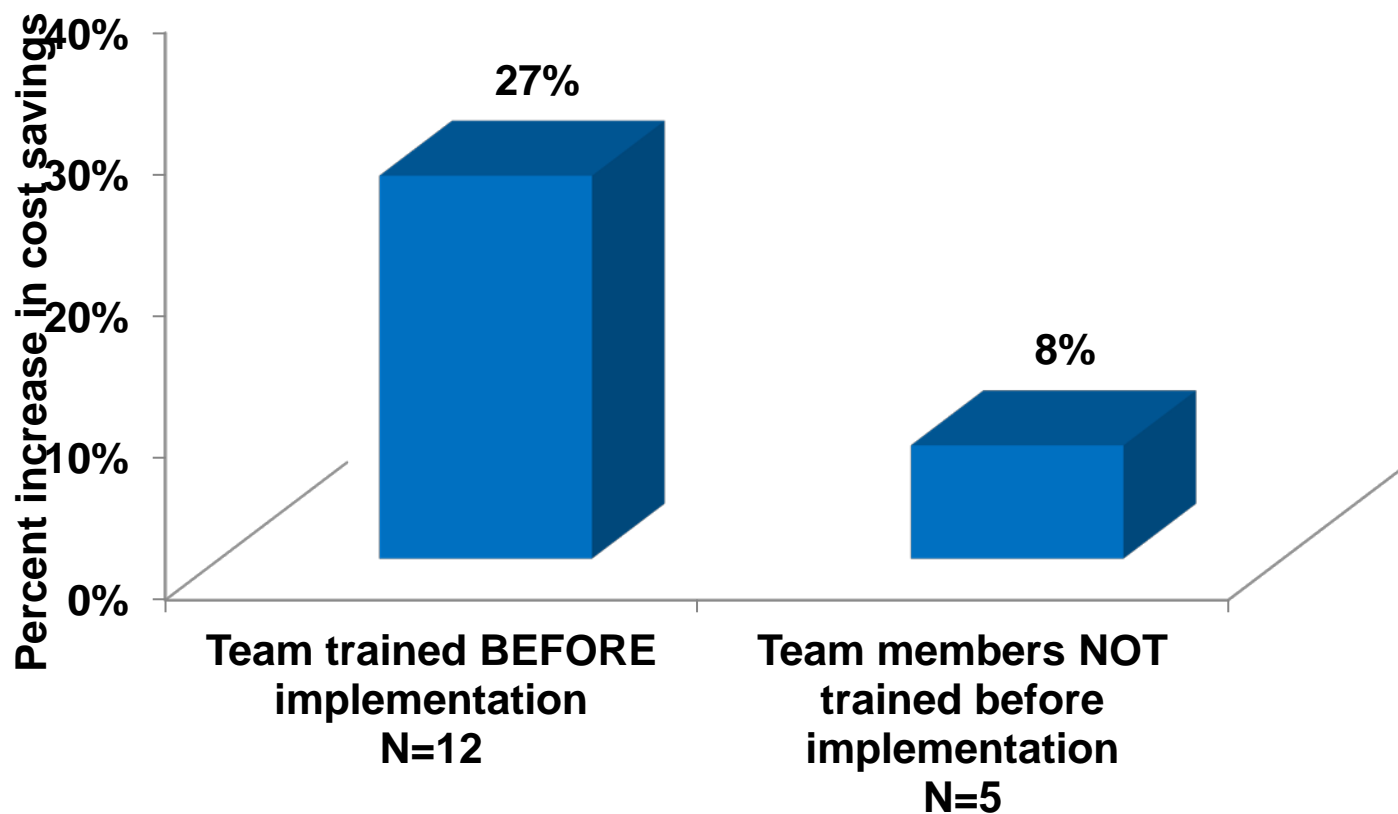
Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.

Drug courts that provided formal training for  
ALL new team members  
had 57% greater reductions in recidivism



Note: Difference is significant at  $p < .05$

Drug courts that received training prior to implementation had 238% higher cost savings



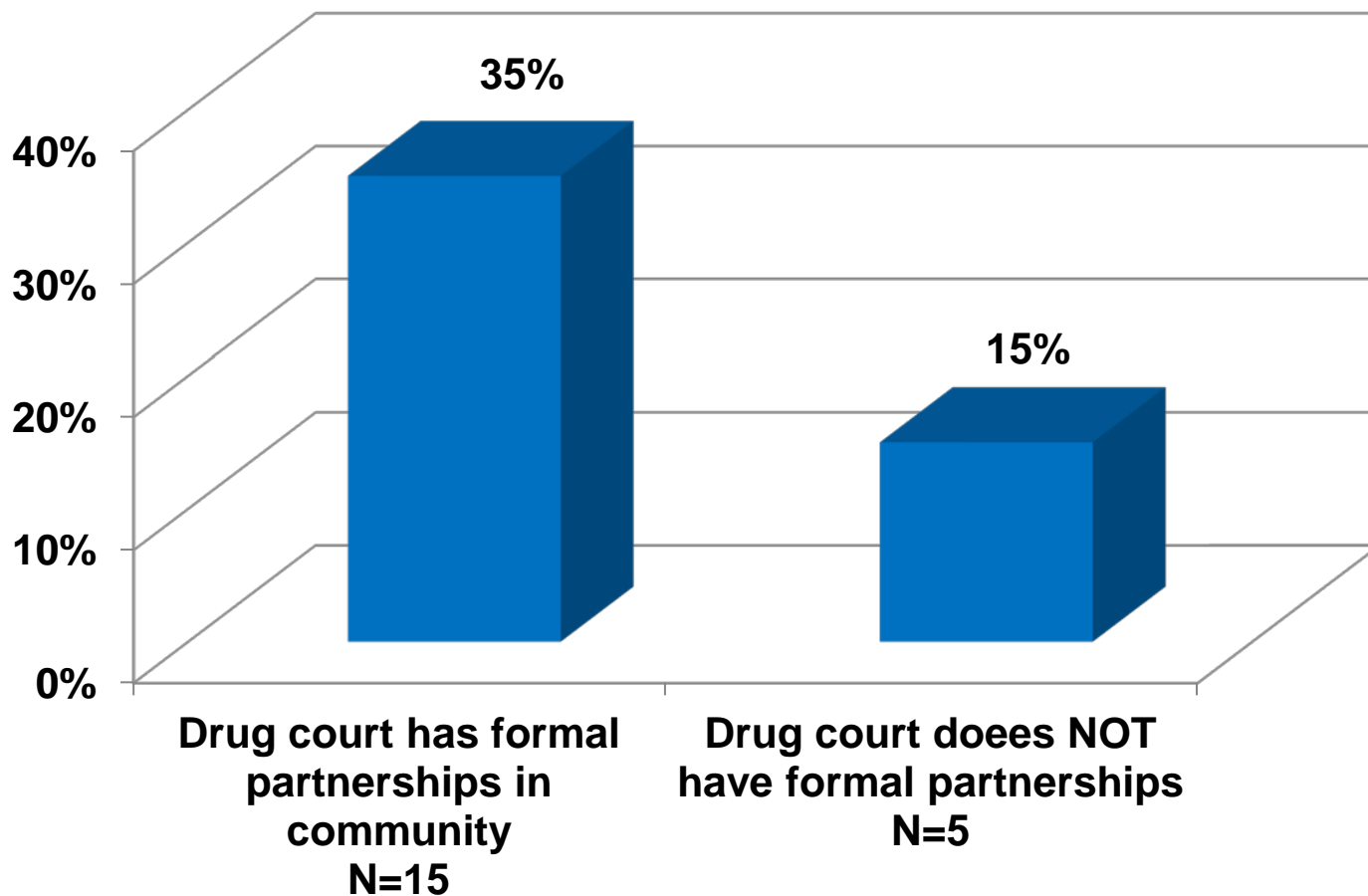
Note: Difference is significant at  $p < .05$



## **Key Component #10**

Forging partnerships among drug courts, public agencies, and community based organizations generates local support and enhances drug court program effectiveness.

# Drug courts that had formal partnerships with community organizations had 133% greater cost savings



Note: Difference is significant as a trend at  $p < .15$

# How these principles apply in the Portland Federal Reentry Court



*Informing policy,  
improving programs*

# What Key Components were demonstrated?

- |                                      |                                    |
|--------------------------------------|------------------------------------|
| 1: Provide substance tx              | 6: Coordinated strategy & response |
| 2: Non-adversarial approach          | 7: Ongoing judicial interaction    |
| 3: Identify early and place promptly | 8: Monitoring & evaluation         |
| 4: Offer continuum of care           | 9: Interdisciplinary education     |
| 5: Frequent testing                  | 10: Community partnerships         |

# What do we know about Reentry Courts?



*Informing policy,  
improving programs*





# **Previous research on reentry programs in general is limited and has mixed results**

- Harlem Reentry
- Project Greenlight
- Serious and Violent Offender Reentry Initiative



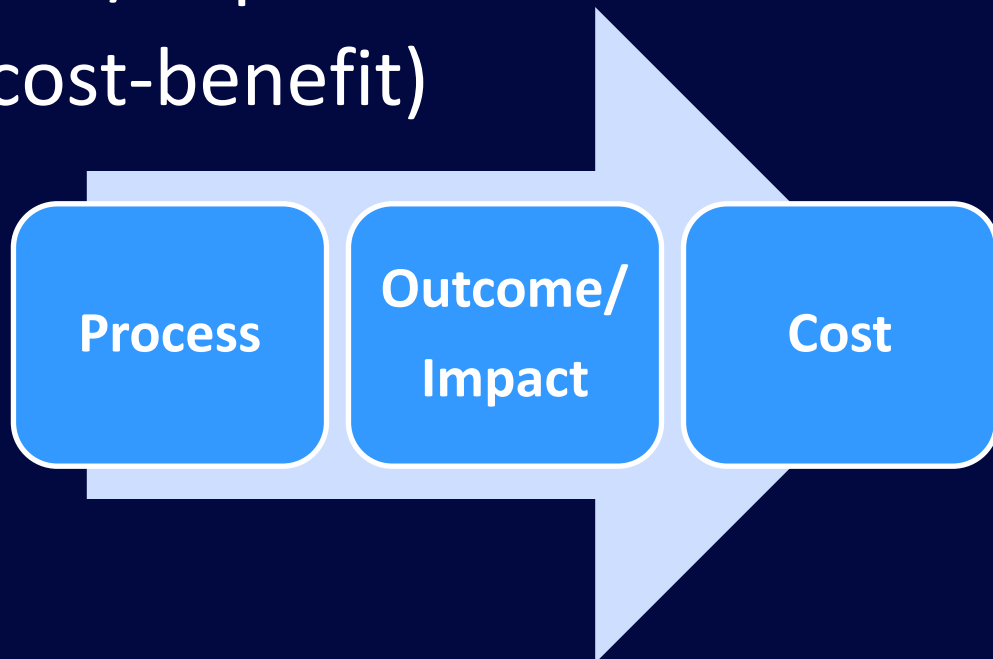
# NPC's ongoing research on reentry courts

- California Reentry Courts
- National Institute of Justice—  
Evaluation of Second Chance Act  
Adult Reentry Courts (NESCAARC)

# Evaluation of reentry courts

Three main areas of evaluation:

- Process (detailed program description)
- Outcome/Impact
- Cost (cost-benefit)



# Process Evaluation

- Implementation: Are the programs implemented and providing services as intended?
- Program History: How are the programs implemented? What decisions are made in developing the programs? Who are the key players?
- Program Operation: How do the programs operate? What services do they deliver? What kind of practices do they follow?

# Process Evaluation—Goals

- Document the policies, practices, community context, and implementation barriers across sites
- Compare the reentry court model(s) with the drug court model
- Examine reentry courts in the context of reentry programs and known reentry best practices
  - Assessment
  - Treatment
  - Other support services

# Process Evaluation—Activities

- Conduct annual site visits for 3 years
  - Interview program staff
  - Observe court sessions
  - Conduct focus groups with participants
- Review program participant information from databases
- Review performance measures

# Impact Evaluation

- Recidivism
- Other individual level outcomes
  - treatment
  - lower substance use
  - employment
  - housing
- Stronger model when comparison group used

# Outcome/Impact Evaluation— Questions

- If there is a positive effect on recidivism or individual outcomes.....
  - Can we identify the population for whom reentry court is most effective?
  - Can we identify what policies and practices contribute to these impacts?





# Outcome/Impact Evaluation— Activities

- Compare recidivism outcomes using administrative data
- Conduct personal interviews with reentry court participants and comparison group:
  - Baseline interview
  - A one-year follow-up interview on experiences in the last year:
    - Includes an oral swab

# NESCAARC:

## What do we know so far?

- A brief overview of similarities and difference in:
  - Program Design
  - Populations Served
  - Program Components and Services



# Sites Participating in Evaluation

- Union County, AK
- New Castle County, DE
- Pinellas County, FL
- Boone County, MO
- Strafford County, NH
- Stark County, OH
- Bexar County, TX
- Norfolk County, VA

# Program Design Characteristics

- Start up vs. expansion?
  - In 5 sites, SCA funding was used to develop a brand new program; in the remaining, funding was used to expand an existing program
- Stand alone reentry court vs. enhanced drug court?
  - 1 program is a combined drug court/reentry court;
  - 1 program has drug court and reentry court clients participate in the same status hearings
  - Several jurisdictions used established drug court as guide

# Judicial Authority

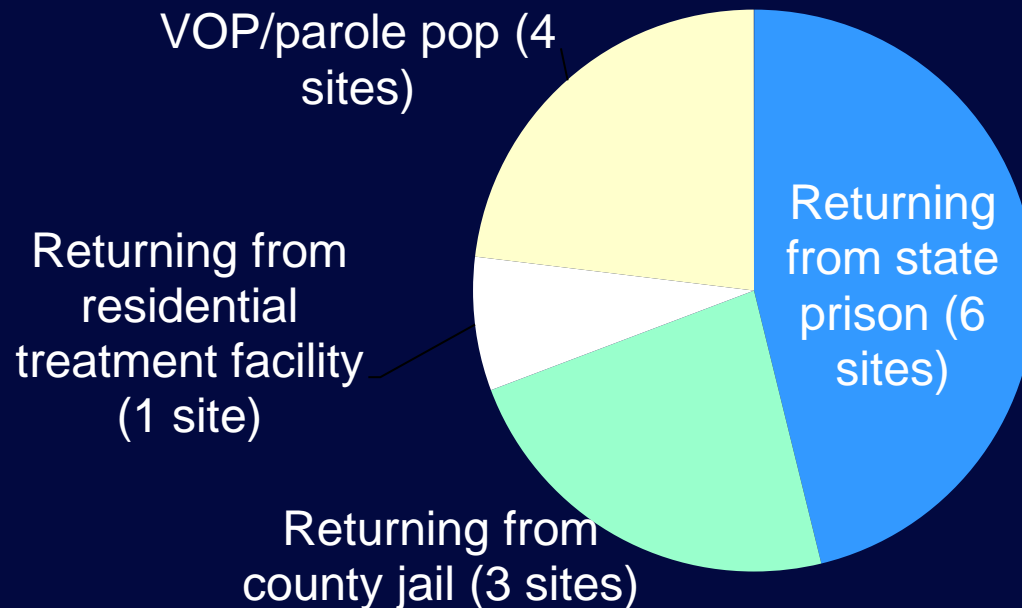
- Only 1 program is an “administrative” court (with the parole board having authority); the rest are run by the judicial branch
- Typically, reentry court is ordered as a condition of supervision

# Judicial Authority (cont'd)

- Sentencing mechanisms:
  - Split sentence (jail/prison followed by community supervision + reentry court)
  - Judicial release (sentenced to prison, out early with community supervision + reentry court as a condition of release)
  - Sentence modification (conditions of supervision modified to include reentry court), either at release or at a VOP hearing

# Populations Served

- Criminal justice status



Several sites are targeting multiple “tracks”<sup>71</sup>

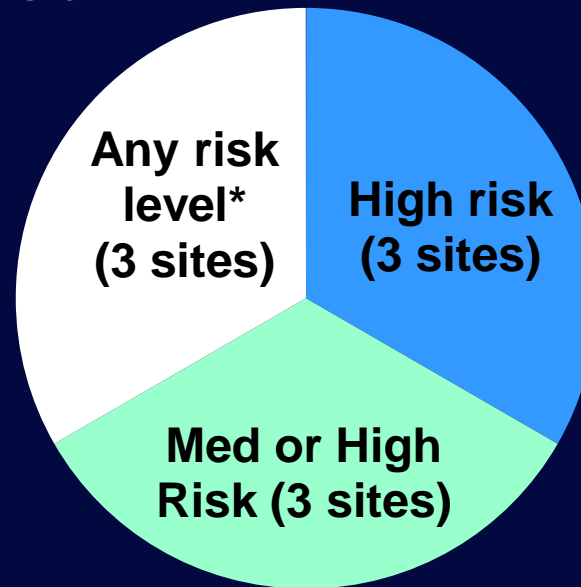
# Populations Served (cont'd)

- Duration of incarceration/post-release supervision
  - A few programs use minimum time served in jail/prison (e.g., 6 months) as an eligibility criterion
  - Most programs use the minimum time on community supervision that the individual is expected to face (e.g., 18 months) as an eligibility criterion, to ensure that reentry court overlaps with community supervision



# Populations Served (cont'd)

- Risk level targeted



\*1 of these sites requires that low risk clients who lack stable employment or housing to be eligible

# Populations Served (cont'd)

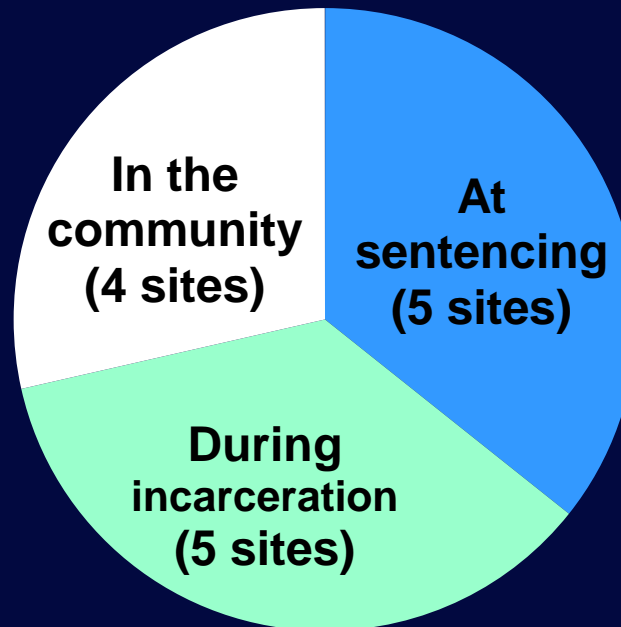
- Other eligibility criteria
  - Geographic criteria: all sites target individuals returning to or residing in their county (or city)
  - Chemical dependency: diagnosis of dependency required in 2 sites
  - Sex: only males served in 2 sites

# Populations Served (cont'd)

- Exclusion criteria
  - Sex offenders (3 sites)
  - Violent offenders (2 sites)
  - Non-felons (2 sites)
  - Gang members (1 site)
  - Those with a serious mental health issue or taking narcotics for a mental health problem (3 sites)
    - These individuals usually have access to a mental health court

# Enrollment Process

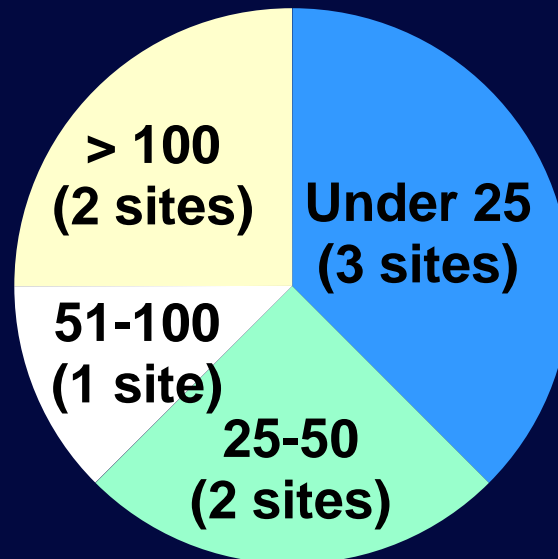
- Point of identification for reentry court



- Participation is voluntary in 4 sites and mandatory in 3. One site has both a voluntary and mandatory track.

# Enrollment and Capacity

- Cumulative enrollment (as of March 2012) ranges from 3 clients to 385



- Estimated capacity ranges from 15-180 (most sites hope to serve 70-100 at a time)<sub>77</sub>

# Program Components and Services: Duration and Timing

- Program duration ranges from 6 months to 2 years
  - Average is about 12 months
- Most programs focus on post-release services
  - 4 programs provide some reentry planning prior to release
  - Only 2 programs bring individuals into court prior to release

# Program Components and Services: Court Monitoring

- Status hearings (regularly scheduled court appearances for monitoring) required in all but 1 site
  - Initial requirements are typically for weekly status hearings, with decreasing frequency as individuals progress through phases
- All of the courts use sanctions and rewards (and team approach to decision making) similar to the drug court model

# Program Components and Services: Supervision

- Virtually all reentry court participants are on community supervision (e.g., probation/parole) while they are in the program
  - 1 program serves a small track of individuals who leave prison without any supervision and choose to enter the program voluntarily
- All programs either require drug testing as part of reentry court or receive drug test results from probation/parole
- All programs provide case management to participants



# Program Components and Services: Post-Release Services

- Substance abuse treatment (usually a structured intensive outpatient program)
- Employment assistance (referrals or direct job readiness classes, job searching assistance, job clubs)
  - 2 sites provide subsidies to employers
- Housing assistance (typically referrals)
  - 1 site transfers all participants to transitional housing upon release
- Educational assistance (typically referrals)

# Program Components and Services: Post-Release Services (cont'd)

- Mental health services (typically referrals)
- Anger management classes
- Life skills classes (including financial management)
- Parenting classes
- Cognitive behavioral classes
- Connection to public assistance
- Transportation assistance
- Peer support groups

# Next Steps for the Evaluation

- Continue documenting implementation of the evolving programs (1 more round of site visits)
- Identify whether a common reentry court model exists, and compare with the drug court model
- Combine process, outcome and cost data to understand policies/practices that explain any observed impact of reentry court on recidivism/costs

# Where to go from here?

- There is no official model for reentry courts....yet
- In the meantime, the drug court model offers a foundation with demonstrated success
  - 10 Key Components
  - NADCP's Best Practice Standards

# Discussion

Questions?



# Contact Information

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