

SAN JOAQUIN DUI MONITORING COURT

Evaluation Key Findings Report

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**San Joaquin County DUI
Monitoring Court**

Submitted by
NPC Research

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In Loving Memory of Nate Summers



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San Joaquin Multitrack DUI Court – Taking DUI Courts to Scale



In 2007, in the United States an estimated 12,998 people were killed in alcohol-impaired driving crashes. Roughly 9% (1,115) of those impaired driving fatalities occurred in California. Repeat offenders made up 1.43% of California's drivers, but approximately 60% of the state's injuries and fatalities from impaired driving. Between 2005 and 2007, San Joaquin County California averaged over 620 fatalities per year due to drivers who were under the influence and in 2008, San Joaquin ranked 17th worst for traffic safety out of 58 counties.

To address this serious public safety problem, in 2008 San Joaquin County implemented a system change where all repeat DUI offenders in the largest judicial district (mainly the City of Stockton) were required to participate in a DUI Monitoring Court program. This program was patterned partially after the drug treatment court model, which is most effective with individuals who are high criminogenic risk and who have high substance use disorder needs (i.e., "high risk – high need"). However, the San Joaquin DUI

Monitoring Court (SJDMC) was designed to treat *all* repeat DUI offenders, some of whom are high risk and high need (the key target population for the traditional drug treatment court model), and some of whom are not. For this reason, the SJDMC implemented two tracks in the program, with the requirements for each track adjusted to fit the specific risk and need level of the participants. All participants started in track 1, the "monitoring track," where they were required to come to court at three time points - 1 month, 6 months and 1 year after entry to report on progress in completing the terms of their probation, including DMV requirements to qualify to get their license returned. Track 2, the "DUI Treatment Court track," was for those participants who demonstrated through their behavior that they were unable to comply with Track 1 requirements and were assessed as needing substance use disorder treatment. (This method of track placement was termed "behavioral triage" where participants demonstrated through their behavior that they needed more intensive services than those provided in Track 1). Track 2 participants received the full traditional DUI court model with treatment according to their assessed need, court appearances every two weeks, regular meetings with their case managers, and continuous monitoring for alcohol and drug use.

In 2012, NPC Research completed an outcome evaluation of the original SJDMC model (Carey, Allen & Einspruch, 2012). The focus of the evaluation was on outcomes related to public safety, particularly traffic safety including new DUIs and traffic crashes, especially those that resulted in injury or fatalities. Results showed that program participants were 25% less likely to have a new DUI charge in the 18 months after their index DUI. More importantly, program participants had significantly fewer crashes, including those related to drug and alcohol consumption and those resulting in injury. In addition, by 2013, San Joaquin's traffic safety score had increased dramatically from 17th worst in the state to 55

(4th best) out of the 58 counties in the state. At the end of 2019, NPC Research completed an updated longitudinal outcome evaluation following the same samples of participant and comparison groups from the 2012 study. Findings from this 2019 study demonstrated that SJDMC participants were significantly less likely to have a new DUI conviction than the comparison group at up to 6 years after their index conviction.¹

In the original SJDMC design, no risk or need assessment tools were used in the eligibility or placement process. Although the evaluation findings for the original model were quite positive, the evaluators suggested that participant outcomes may be improved by implementing a validated screening tool to place participants in the appropriate track and services sooner, rather than waiting until participants failed in Track 1. Based on this recommendation, and on the availability of a brief screening tool, in 2015 the SJDMC began screening all repeat DUI offenders using the Risk and Need Triage tool (DUI-RANT, a validated tool designed to measure risk and need specifically for new DUI offenses) and used the results of the screen to place participants who scored as high risk and high need in Track 2, while all others were placed in Track 1 at program entry.

Through a California Court Innovations grant, NPC Research completed a new evaluation of the updated SJDMC model. This study included an updated process evaluation (to review the changes to the program process) as well as a full outcome and cost evaluation of the SJDMC using a more recent, post-RANT sample of SJDMC participants and a contemporary comparison group. The process evaluation, completed in 2018² led to the development of a “how to” manual³ that provides guidance on how to develop a multi-track DUI-Court model.

The outcome evaluation was focused on three main questions:

1. Did implementing the RANT screening tool and placing participants in appropriate tracks at entry result in improved outcomes (compared to the pre-RANT time period when participants were only placed in Track 2 if they demonstrated through their behavior that they needed additional support)?
2. Do outcomes vary according to participant screened risk and need level and assigned track?
3. Does the current SJDMC program improve participant outcomes compared to similar individuals with repeat DUI convictions who do not participate in the SJDMC program?

The cost evaluation was designed to address two additional questions:

4. What is the cost to the taxpayers of the SJDMC program?
5. Are there any benefits (cost savings) associated with SJDMC participation?

This report highlights the key findings of this evaluation. A full report with detailed methodology and findings is available in a separate appendix.⁴

¹ The report on 2019 longitudinal recidivism evaluation of the SJDMC program can be found at this link: <https://npcresearch.com/publication/longitudinal-outcomes-of-the-san-joaquin-dui-monitoring-court/>

² The process evaluation is available at this link: <https://npcresearch.com/publication/san-joaquin-dui-monitoring-court-program-process-evaluation-report/>

³ A copy of the DWI Court Multi-track How-To Manual is available at this link: https://npcresearch.com/wp-content/uploads/How-To-Manual_Multi-Track-DWI-Court.pdf

⁴ The appendix with the full evaluation report for this study can be found at this link: <https://npcresearch.com/publication/san-joaquin-dui-monitoring-court-outcome-and-cost-evaluation-report/>

Testing The Multi-Track DUI Court Using Research & Evaluation

The current evaluation was designed to test whether the use of a validated screening tool to place participants in appropriate tracks would improve outcomes, assess if the SJDMC was implementing the intended multi-track model, and to learn whether the SJDMC improved outcomes compared to traditional court processing for repeat DUI offenders. In addition, a cost analysis was performed to learn the costs of implementing the program as well as the relative monetary benefit of any improved outcomes.

To determine whether using the RANT screening tool for track placement improved outcomes compared to the original SJDMC “behavioral triage” model, recidivism results for participants in the first 2012 study were compared to those of a “post-RANT” sample of participants who entered the program after the SJDMC began using the RANT in 2015.

To assess whether the SJDMC was implemented as intended, data on the use of the screening tool results to assign to appropriate tracks, and data on the use of services within each track was gathered during participants’ time participating in the program.

To determine whether the SJDMC was meeting its overarching goal of protecting public safety by reducing DUI recidivism, the outcome study followed a quasi-experimental design with an intent to treat sample of participants who entered the program after the RANT was implemented in May of 2015 through 2018 (N=813) and a matched contemporary comparison group of repeat DUI offenders who were not referred to the SJDMC program (N=811). Comparison group members were individuals who had been convicted of a repeat DUI offense in San Joaquin County between 2015 and 2018. The BAU comparison group was matched to the SJDMC participants using propensity scores on demographics and criminal (including DUI) history. SJDMC and comparison participants were tracked through administrative court data for a period up to 36 months following the DUI conviction (the “index” event) that led to SJDMC program entry.



In addition, the economic impact of the SJDMC was evaluated through a detailed cost-benefit analysis using a transactional and institutional cost analysis approach. The TICA approach involved calculating the costs of the program and the costs of outcomes (or impacts) after program entry (or the equivalent for the comparison group). Data on transactional costs such as court sessions (including judge time, defense attorney time, court facilities) and drug tests (including time for sample collection and urine cups) were used to compute **program costs**. The **outcome costs** were those associated with transactions for criminal justice-related events (e.g., new arrests subsequent to program entry, subsequent court cases, jail days, probation days), as well as other events that occurred such as victimizations and car crashes.

Detailed methodology and findings for the evaluation of the SJDMC are provided in the full study appendix, as well as documentation of the data sources and the study limitations. Key limitations of this study include missing and incomplete data, and changes in the criminal justice system (such as Proposition 47 in 2016 which reduced many felony charges to misdemeanors, including some drug related charges).



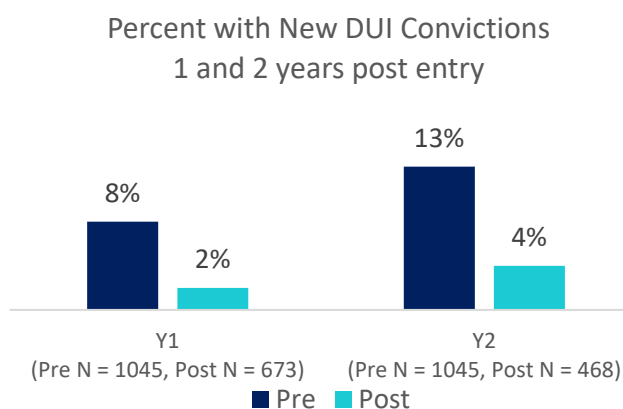


Using a validated risk and need screen for track placement participants is associated with reduced recidivism

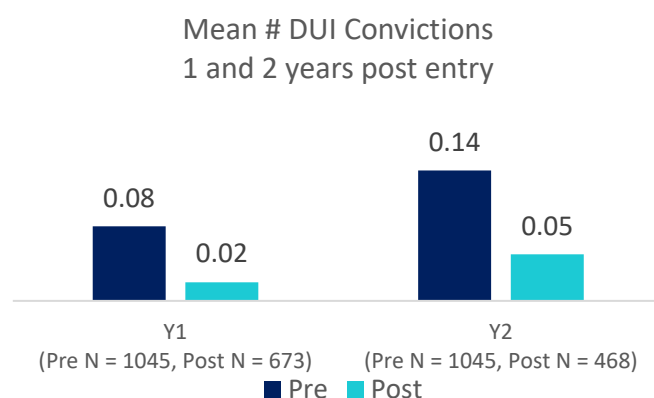
Post-RANT participants had a substantially lower DUI conviction rate than pre-RANT participants.

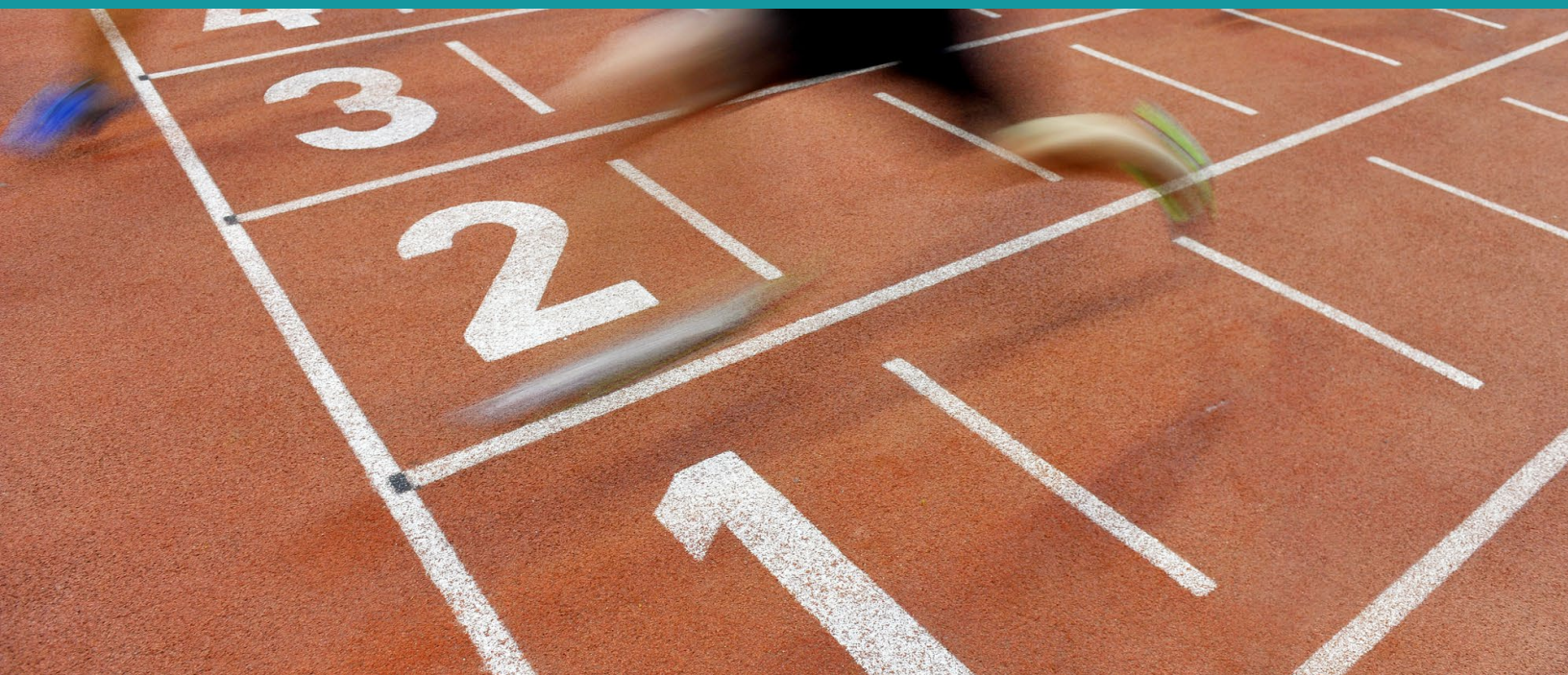
Although a comparison of pre- and post-RANT participants showed no significant differences in demographics or DUI history, a substantially lower proportion of participants post-RANT had DUI convictions compared to participants pre-RANT. The same result was found when comparing pre- and post-RANT participants within each track. These findings provide support for the concept that individuals that are placed in appropriate programming based on the use of validated screening and assessment tools have better outcomes.

Fewer Post-RANT Participants had new DUI convictions than Pre-RANT participants



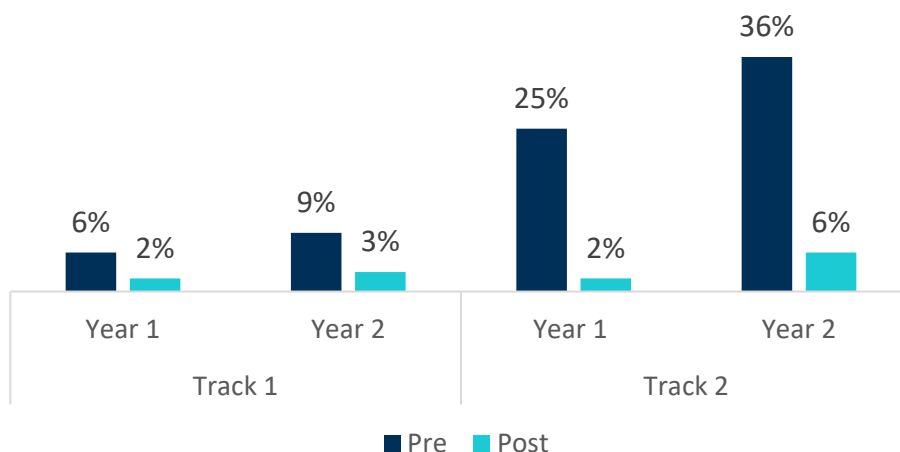
Post-RANT Participants had fewer DUI convictions than Pre-RANT participants





Participants in Both Track 1 and Track 2 post-RANT had lower DUI conviction rates than Participants in Track 1 and Track 2 Pre-RANT

Percent of Participants With New DUI Convictions



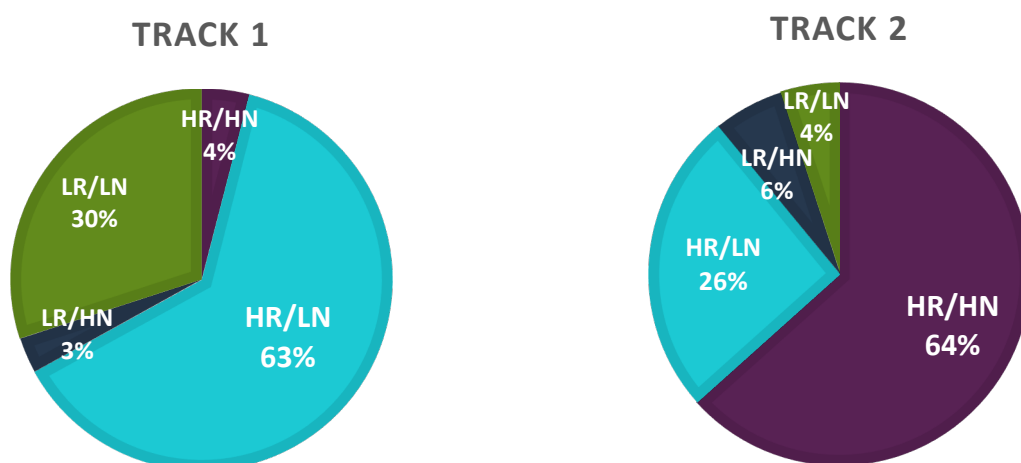
Track 1 | Year 1: N= 922 Pre; N= 443 Post. Year 2: N= 922 Pre; N= 302 Post.
 Track 2 | Year 1: N = 121 Pre; N= 230 Post. Year 2: N= 121 Pre; N= 166 Post

Overall crashes and HBD crashes (not shown) did not demonstrate a significant difference between pre- and post-RANT participants, most likely because the overall number of crashes was very small – an average of less than 0.01 alcohol involved crashes in both the pre- and post-RANT groups (a total of just 16 crashes across 1700 SJDMC participants).

Overall, The SJDMC Is Following Its Intended Two-Track Model

The SJDMC is placing participants in the appropriate tracks based on risk and need screening results

The majority of participants in Track 1 were low need (93%) while the majority in Track 2 were high risk (90%) and high need (70%) at the time of intake

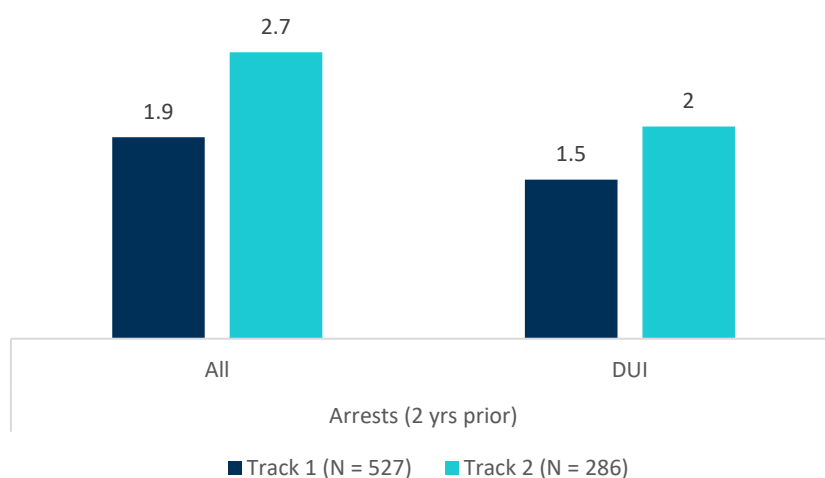


A key component of the SJDMC multi-track model is assigning participants to Tracks 1 or 2 based on the screening results from the RANT tool. The findings in the pie graphs illustrate the significant association between risk/need level and track placement. The majority (64%) of Track 2 participants were screened as high risk/high needs compared to just 4% high risk/high need in Track 1. In contrast, the majority (63%) of Track 1 participants were screened as high risk/low needs with another substantial percentage (30%) low risk/low need (with a combined total of 93% low need).

It was reported by SJDMC team members that some participants were moved from Track 2 to Track 1 over time, as they required less intensive services, and some participants who struggled with adhering to Track 1 monitoring requirements were reassessed and placed in Track 2. Data provided by the program had only the RANT score at the time of intake and the most recent track assignment, so it is likely that the 4% of high risk high need participants in Track 1 were actually originally assigned to Track 2 and that some of the high risk/low need participants were moved from Track 1 to Track 2. Overall, track placement by RANT category confirms that the program is following the intended model by placing participants into different tracks based on screening scores on risk and need levels.



Arrests in the two years prior also confirm that the higher risk participants (based on arrest history) were placed in Track 2 (the high risk and high need track)

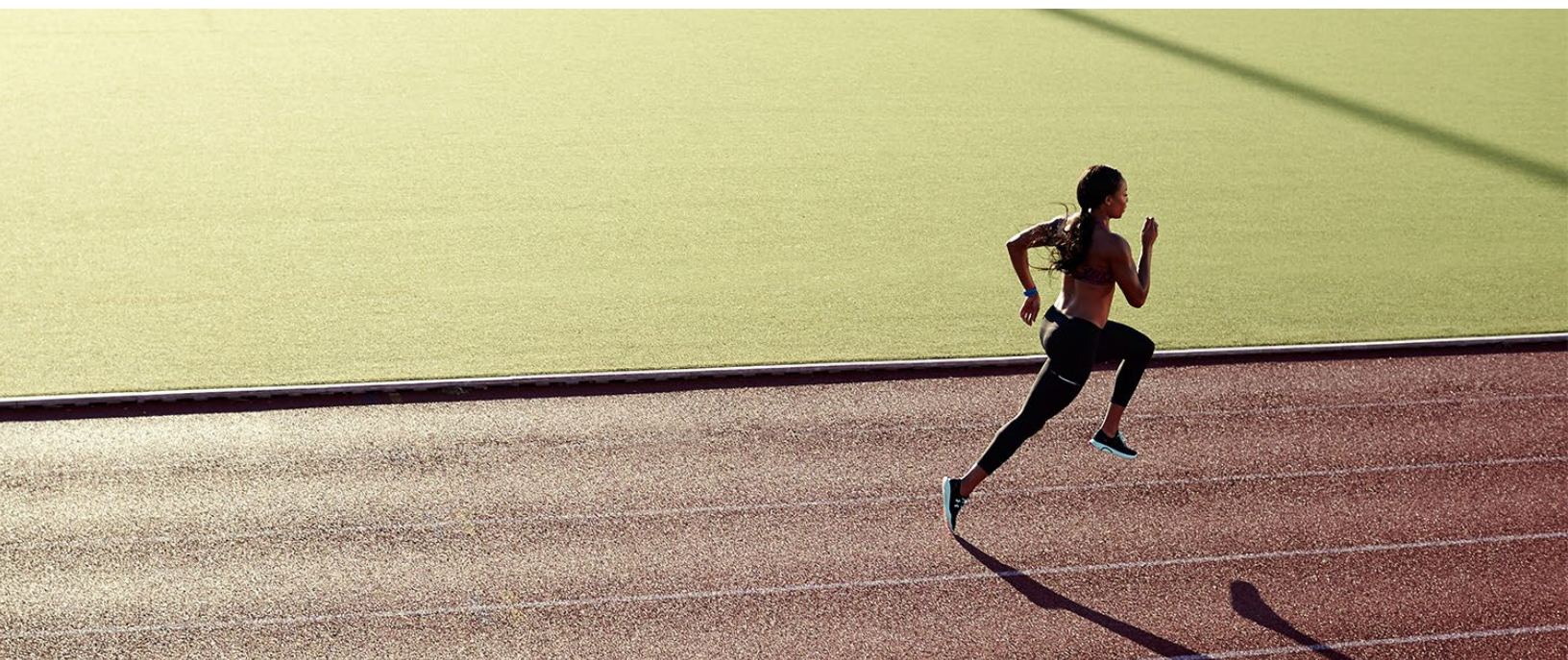


Eligible individuals (those with two or more DUIs) entered the program swiftly

Although all individuals with repeat DUIs are placed in the program they must still receive due process and go through the adjudication process before sentencing. The SJDMC has worked to expedite this progress and has succeeded to shortening the time to approach best practices for swift entry. The median amount of time from the date of the DUI arrest to program entry was 57 days, close to the best practice of program entry within 50 days. Further the median time to entry from sentencing was zero days, indicating that the majority of participants enter the program the same day as sentencing.

The number of days to program entry was swift and met best practice standards

Number of days until program entry from:	Median
<i>Index DUI arrest date</i>	57
<i>DUI Sentencing date</i>	0

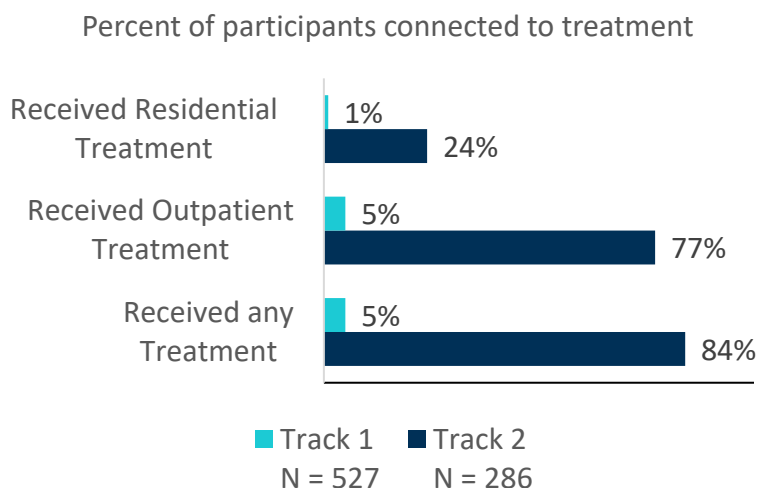




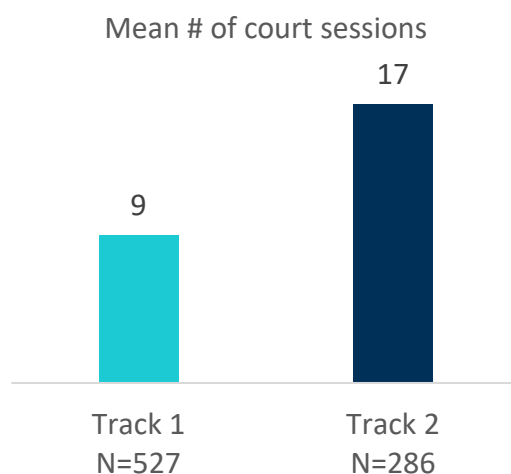
Participants in Track 2 (the high risk/high need track) received more treatment and more contact with the judge, as intended

Track 2 was designed to follow the traditional treatment court model, providing high risk/high need participants with treatment and frequent contact with the judge as well as intensive monitoring for substance use. Track 1 is considered the “monitoring track” in which participants, who are primarily high risk/low need, receive intensive monitoring for substance use (to prevent driving while under the influence) but who do not receive (or need) treatment, with the exception of the small percentage of low risk/high need participants who do receive treatment. Results demonstrated that significantly more participants in Track 2 received treatment and Track 2 participants appeared in court significantly more often than participants in Track 1.

Significantly more participants in Track 2 (HR/HN) engaged in treatment



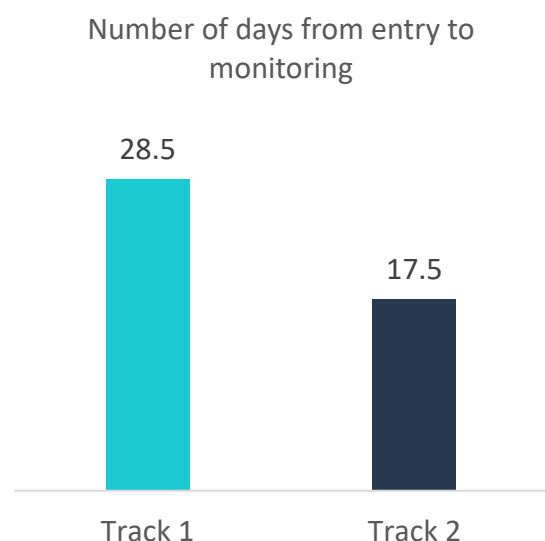
Participants in Track 2 participated in significantly more court sessions



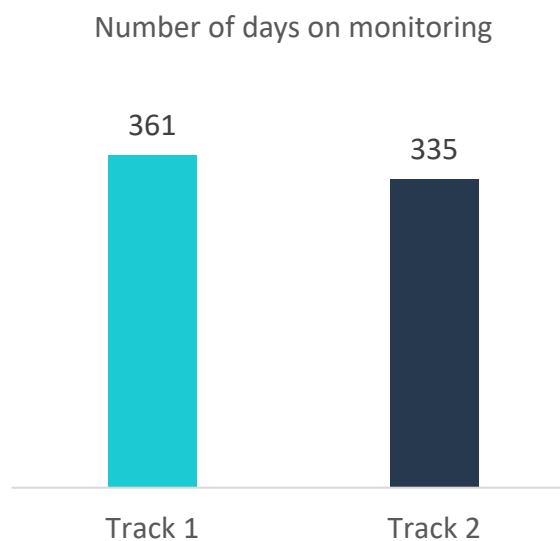
The SJDMC program works to protect public safety by ensuring all participants, regardless of track assignment, are swiftly placed on alcohol and drug monitoring and are maintained on monitoring for a year.

Participants were placed on a variety of monitoring options based on several factors including cost and the participants' ability to pay, participant location relative to the monitoring agency and other factors such as participant preference and availability of monitoring devices. The median time between program entry and the start of monitoring for all SJDMC participants was 25.5 days. A comparison between Track 1 and Track 2 showed that Track 2 participants were placed on monitoring more swiftly than those in Track 1. The average number of days on monitoring for all SJDMC participants was 352, just under one year. There was no significant different in time on monitoring between Tracks 1 and 2.

Participants in Track 2 (HR/HN) were placed on monitoring more swiftly than participants in Track 1



Participants in both tracks stayed on monitoring for roughly one year after program entry





DUI Recidivism For Participants in All Tracks is Low Up To Two Years After SJDMC Entry

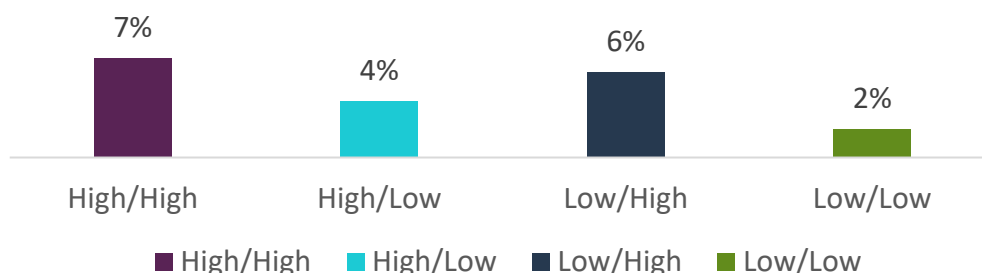
DUI reconviction rates for SJDMC participants overall were low with a mean of **0.05** DUI rearrests per participant. Just **4%** of all SJDMC participants had new misdemeanor DUI convictions two years from program entry. SJDMC participants had **zero** new felony DUI convictions.

High risk/low need participants do well on monitoring

High risk/low need participants make up the largest proportion (nearly 50%) of the SJDMC participants while also having the lowest recidivism rates aside from the low risk/low need participants. This indicates that repeat DUI offenders who are high risk for a new DUI but who do not have a substance use disorder can benefit from a court program with substance use monitoring but without the other intensive services typically in the full treatment court model.

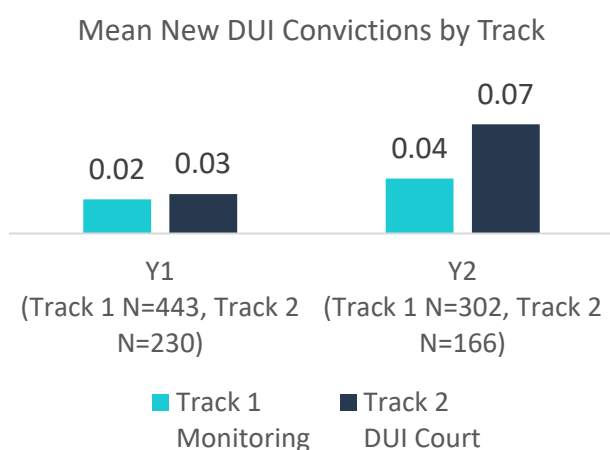
High Risk/low need participants had lower recidivism than all other quadrants aside from low risk/low need

% of Participants With New DUI Convictions by Quadrant
2 years from entry

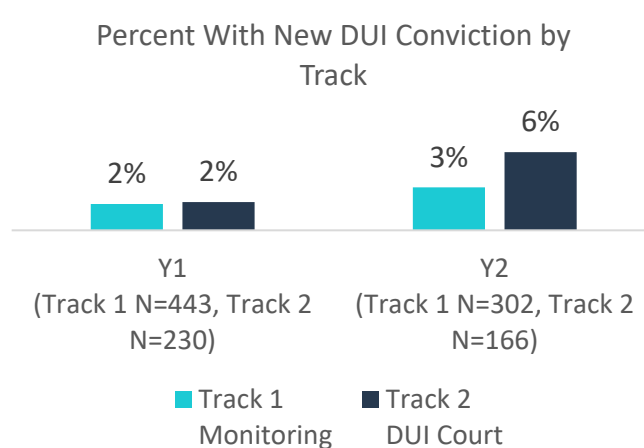


Roughly 70% of the repeat DUI offenders in San Joaquin County are not high risk/high need and are assigned to Track 1 of the SJDMC program. The lower recidivism rates in Track 1 compared to Track 2 provides further support for the idea that repeat DUI offenders who are high risk but not high need can do well with just monitoring and fewer other services.

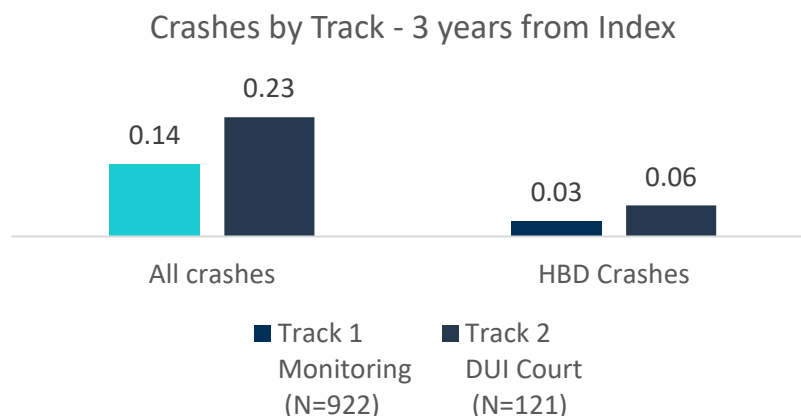
Track 1 (monitoring) participants had fewer rearrests one and two years after SJDMC entry than Track 2



Fewer Track 1 participants were rearrested one and two years after SJDMC entry than Track 2 participants



Track 1 (monitoring) participants had fewer crashes of all types and fewer “had-been-drinking” crashes than Track 2 at 3 years from the index conviction

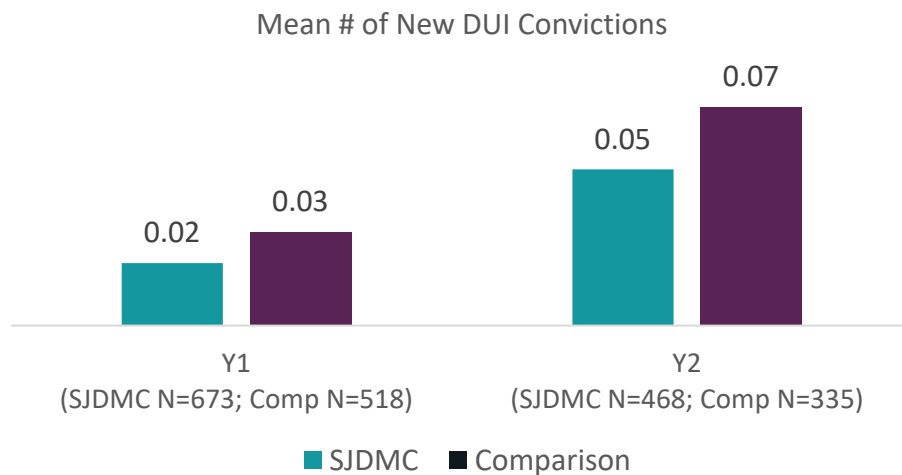


Participation in SJDMC is Related to Improvements In Some Outcomes (DUI Convictions And Felony Arrests) but Not Others (Crashes, Misdemeanor Arrests)

SJDMC participants had fewer new DUI convictions than the comparison group

When compared to a matched group of repeat DUI offenders in San Joaquin who received traditional court processing, SJDMC participants had fewer new DUI convictions, although this difference was not significant (possibly because the number of convictions overall was very small).

Fewer Track 1 participants were rearrested one and two years after SJDMC entry than Track 2 participants



However, there were no significant differences in **total crashes** or **HBD crashes** between those who entered the program and those who did not in the first and second year after sentencing. Similarly, there were no significant differences between the participants and members of the comparison group in crashes with injuries during the first and second year post-sentencing. Similar to convictions, the number of crashes of any type for both groups was very small, and neither group had any fatal crashes.

In addition, arrest data demonstrated that SJDMC participants were rearrested for **misdemeanor charges** (of any charge types) significantly *more often* than members of the comparison group, but were rearrested for **felony charges** *less* often.

It is important to note that although both the SJDMC participants and members of the comparison group were included in the evaluation based on an index event (a repeat DUI charge) that occurred in San Joaquin County, SJDMC participants were more likely to live in San Joaquin County and specifically in Stockton while members of the comparison group were slightly more likely to live in outlying areas of San Joaquin (near the border) or in another nearby county where there may be a lower police presence. Roughly 86% of SJDMC participants lived in San Joaquin versus 72% of the comparison group. If there is less police presence in those outlying areas, the comparison group may be less likely to be rearrested.



The SJDMC Program is Low Cost to Implement and Exhibits Minimal Cost Savings

The cost to the taxpayer of the SJDMC program is low, particularly for those in the monitoring track (Track 1)

The total taxpayer cost for the SJDMC program was estimated at **\$1,722 per Track 1** participant and **\$11,874 per Track 2** participant, **averaging an estimated \$5,239 per program participant** (Track 1 and Track 2 combined). The average cost per participant for the SJDMC program is on the low end of the range of treatment court program costs based on cost studies performed by NPC in treatment court across the United States (roughly \$4,000 to \$30,000 per participant) and the cost per participant for Track 1 is below the bottom end of this range.⁵

SJDMC Program Costs per Participant by Agency:
The largest proportion of costs for Track 1 are court resources while the largest proportion of costs for Track 2 are treatment resources

Agency	Track 1 Avg. Cost per Participant (N=283)	Track 2 Avg. Cost per Participant (N=150)
Superior Court of San Joaquin County	\$721	\$1,654
San Joaquin County Probation Department	\$0	\$423
Stockton Police Department	\$0	\$199
San Joaquin County Sheriff's Office	\$0	\$38
Monitoring Agencies	\$433	\$574
Treatment Agencies	\$568	\$8,986
Total	\$1,722	\$11,874

The table above illustrates that Track 1 costs nearly 7 times less than Track 2 largely due to lower treatment costs since the majority of Track 1 participants have fewer service needs to address. For Track 1, the costs accruing to the Superior Court (court sessions, case management) account for 42% of the total program cost. The next largest cost (33%) was to treatment agencies followed by monitoring agencies (25%) (for staff time spent on court sessions, case management, and monitoring). For Track 2, the taxpayer only costs accruing to treatment agencies (court sessions, case management, and treatment) account for 76% of the total program cost per participant. The next largest cost (14%) was for the Superior Court (court sessions, case management, and drug testing), followed by monitoring agencies (5%) for time spent on court sessions, case management, and monitoring.

⁵ Program costs range from \$4,035 to \$30,624 based on treatment court cost evaluations conducted by NPC in California, Indiana, Maryland, Michigan, Minnesota and Oregon. The average program cost across all these programs is \$11,683 (See reports and publications at www.npcresearch.com).

The taxpayer cost due to SJDMC participant outcomes (e.g., new arrests and incarceration) is roughly the same as the cost due to comparison group outcomes

***Taxpayer and Societal Outcome Costs per Person over 2 years
is \$152 less for SJDMC participants***

Outcome Events	Outcome Costs (per person)	
	SJDMC Participants (N = 786)	Comparison Group (N = 777)
Rearrests	\$331	\$305
Court Cases	\$1,124	\$1,034
Jail Days	\$2,813	\$2,657
Probation Days	\$541	\$249
Subtotal for Criminal Justice Recidivism	\$4,809	\$4,245
Property Victimizations	\$1,454	\$1,745
Person Victimizations	\$6,125	\$6,596
All crashes	\$2,253	\$2,207
Subtotal for Societal Costs	\$9,832	\$10,548
Total	\$14,641	\$14,793

The above table demonstrates that the difference in the 2-year outcome costs (e.g., costs to the criminal justice system for events such as re-arrests, new court cases and jail time) between all SJDMC participants and the comparison group was \$152 per participant, indicating that SJDMC participants cost less than the comparison group when both taxpayer funded and societal costs⁶ were included. This difference shows that there is a small benefit, or savings, to taxpayers and to society at large due to SJDMC participation, mainly due to fewer person and property victimizations. It is unfortunate that prison and parole outcome costs were not available for this analysis, as comparison group members had more felony convictions than SJDMC participants and it is reasonable to assume that comparison group members likely had more prison and parole time than SJDMC participants, which would serve to further increase the benefit or savings due to SJDMC participation.

⁶ Societal costs include costs that are not public taxpayer costs such as costs to the healthcare system, or to victims and other individuals.

Summary: Essential Elements for Multi-Track DUI Court Success



Between 2005 and 2007, San Joaquin County California averaged over 620 fatalities per year due to drivers who were under the influence and in 2008, San Joaquin ranked 17th worst for traffic safety out of 58 counties. To address this serious public safety problem, in 2008 San Joaquin County implemented a system change where all repeat DUI offenders in the largest judicial district (mainly the City of Stockton) were required to participate in a DUI Monitoring Court program.

Outcome evaluations performed by NPC Research in 2012 and 2019 demonstrated that SJDMC participants were 25% less likely to have a new DUI charge in the 18 months after their index DUI compared to repeat DUI

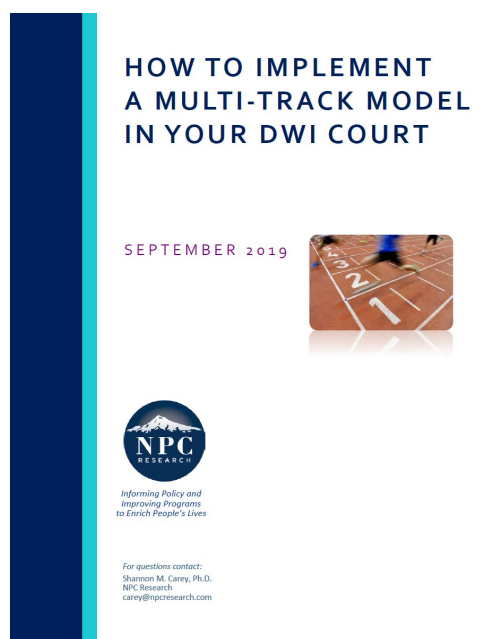
offenders from before the SJDMC was implemented. In addition, SJDMC participants had significantly fewer crashes, including those related to drug and alcohol consumption and those resulting in injury. Further, between 2008 (when the SJDMC was implemented) and 2014, San Joaquin's traffic safety score increased from 17th worst in the state to 55 (4th best out of the 58 counties in the state).

Results from the current evaluation demonstrated that

- Using a validated screening tool to place participants in appropriate tracks was related to significant decreases in recidivism (compared to using "behavioral triage" for participant placement).
- DUI court participants who are high risk and low need had lower recidivism when placed in a track with intensive substance use monitoring compared to participants who were also high risk but who also had high needs and received substance use disorder treatment, indicating that high risk/low need participants can be addressed effectively with relatively low amounts of services and funding.
- DUI Court participants had lower numbers of new DUI convictions and felony arrests than repeat DUI offenders who did not participate, though SJDMC participants had higher numbers of new misdemeanor arrests.

- The multi-track DUI court can be a relatively inexpensive program to operate, particularly when funds are appropriately allocated to the higher risk/higher need participants and fewer funds are used for participants who need less services
- The SJDMC was cost neutral – that is, participation in the SJDMC program resulted in similar outcome costs as those who did not participate indicating that providing appropriate services to individuals according to their risks and needs does not result in a high cost impact in the criminal justice system

Resources for building multi-track DUI courts



How to Implement a Multi-Track DWI Court (How-To Manual).⁷ NPC Research, based on the research performed during multiple evaluations of the San Joaquin DUI Court as well as research in DWI Courts in Minnesota (see Carey et al, 2014) and in multi-track treatment courts in Missouri (Carey et al, 2018), developed a multi-track DWI court “how-to manual.” In *How to Implement a Multi-Track DWI Court*, courts and communities are encouraged to fully explore the possibility of implementing a multi-track model in the DWI court in their jurisdiction. The manual provides lessons learned from other treatment court along with step-by-step instructions for developing a multi-track DWI court. The manual provides links to training and other resources (including materials that can be modified as needed), to outline and assist the process of implementing a multi-track DWI court as efficiently and effectively as possible.

⁷ The How-To Manual for implementing a multi-track model in your DWI court can be found here: https://npcresearch.com/wp-content/uploads/How-To-Manual_Multi-Track-DWI-Court.pdf

The How-To Manual for implementing a multi-track model in you adult treatment court can be found here: https://npcresearch.com/wp-content/uploads/How-To-Manual_Multi-track-Treatment-Court.pdf