

**Indiana Drug Courts:
ST. JOSEPH COUNTY
DRUG COURT PROGRAM**

***Process, Outcome and
Cost Evaluation***

FINAL REPORT



St. Joseph County

Submitted to:

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NPC Research

April 2007



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Indiana Drug Court Evaluation Team

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April 2007



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EXECUTIVE SUMMARY

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

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

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

The St. Joseph County Drug Court Program (SJCDC) began operations in February 1997 for nonviolent, substance-abusing offenders and was fully certified in October 2004 by the Indiana Judicial Center (IJC). Since inception, 465 individuals have enrolled in the drug court program; 56% of these participants graduated, 39% are terminated or have withdrawn, and 5% are active. The program serves an annual average of 52 participants. For all drug court participants, the primary drug of choice is marijuana (56%), followed by crack/cocaine (24%) and alcohol (13%).

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

Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, Court Substance Abuse Program (CSAP) records which includes drug court data, plus arrest records. The methods used to gather this information are described in detail in the main report.

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

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

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

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

- Integrates alcohol and other drug treatment services effectively with justice system case processing,
- Does an excellent job of using a non-adversarial approach between prosecution and defense counsel,
- Provides a very good continuum of treatment services,
- Uses frequent alcohol/drug testing to monitor abstinence,
- Has had a continuously sitting Judge since program implementation,
- Graduates participants within a recommended time frame, and
- The SJCDC program completion and retention rates are high compared to other drug court programs in the U.S.

Recommendations:

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

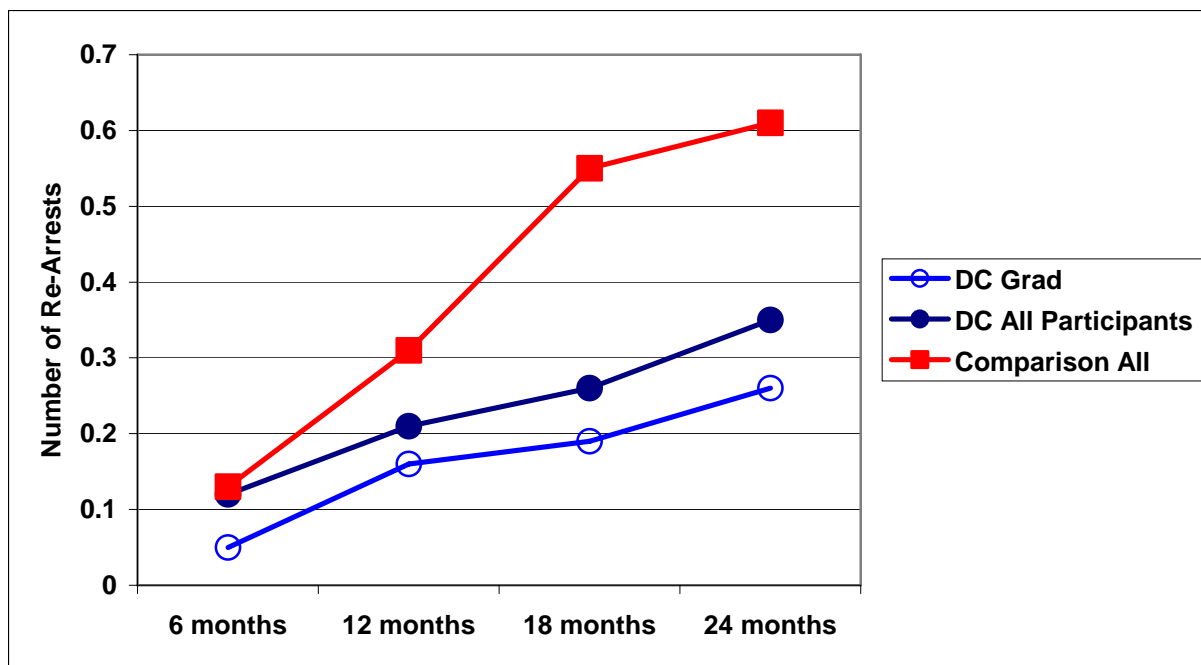
- Consider adding a treatment provider to the drug court team and have the treatment provider participate in team meetings and drug court sessions.
- Designate one treatment provider or a team member as a treatment coordinator.
- The drug court coordinator may need to take on more of a leadership role to free up more of the CSAP director's time.
- Work to decrease the interval between identifying eligible participants and enrolling them in the program.
- SJCDC should pursue additional treatment reimbursement funding avenues.
- Create a sanction schedule with a clear list of infractions matched with graduated sanctions.
- Consider creating a drug court database separate from the CSAP database.
- SJCDC should consider implementing an aftercare component or establish a policy for drug court staff to follow up on and encourage participants to participate in aftercare.
- The selection of and guidelines for a replacement judge should be a discussion point for the team.

Question #2: Does the SJCDC reduce recidivism?

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

As Figure A illustrates, St. Joseph County Drug Court Program participants were re-arrested less often than comparison group members who were eligible for drug court but did not attend. The 24-month recidivism rate for drug court was 18.2% while the comparison group rate was 33.6%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24 months following drug court entry than the comparison group.

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

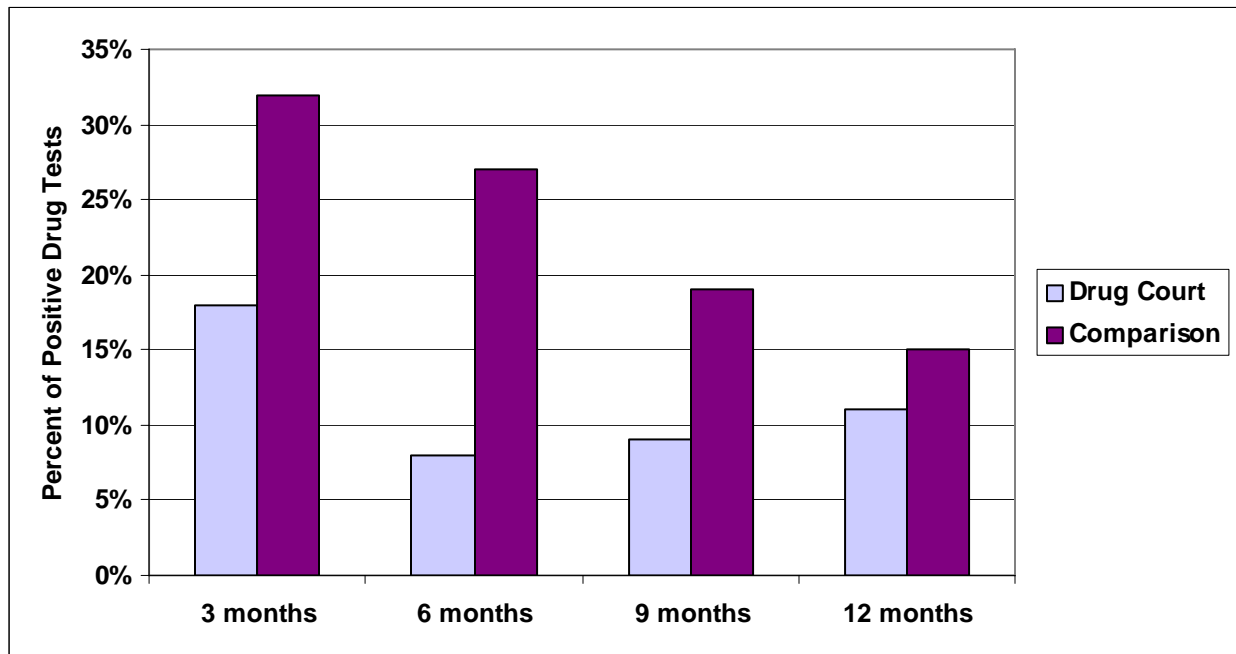


Question #3: Does the SJCDC reduce substance use?

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

Figure B illustrates the percent of positive drug tests over time for the drug court and comparison group. The participant group includes graduates, terminated participants, and active participants. This figure shows a consistently smaller percentage of positive drug tests for SJCDC participants relative to the comparison group. An important trend over time is the decreasing positive urine screens for the drug court participants. Although the comparison group participants showed a trend of decreasing positive drug tests as well, their overall percentage of positive tests was significantly higher.

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



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

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

Over a 2-year period, the SJCDP cost outcomes were **\$3,838** per participant compared to **\$7,971** per offender that did not participate in drug court, resulting in a savings of **\$4,133** per drug court participant. When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) comes to nearly **\$2 million**.

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

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

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

BACKGROUND

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

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

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

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

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

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

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

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 Indiana counties of Marion, Monroe, St. Joseph, Vanderburgh and Vigo. In addition NPC performed process only evaluations on three juvenile drug courts in the counties of Vanderburgh, Howard, and Tippecanoe. This report contains the process, outcome and cost evaluation for the St. Joseph County Drug Court Program (SJCDC) performed by NPC.

PROCESS EVALUATION

The information that supports the process description was collected from staff interviews, Drug court participant focus groups, observations of the SJCDC, and program documents such as the SJCDC's *Participant's Handbook*.²⁻⁹ The majority of the information was gathered from one-on-one key stakeholder interviews and, as much as possible, the evaluators have attempted to provide the information in the same words in which it was given.

Methods

SITE VISITS

NPC evaluation staff traveled to South Bend, Indiana twice in June 2006 to observe drug court sessions, team meetings, laboratory processes, and staff operations. During the site visits two focus groups were conducted with SJCDC participants. These activities gave the researchers first-hand knowledge of the structure, procedures, and routines of the program.

KEY INFORMANT INTERVIEWS

Key informant interviews were a critical component of the process study. NPC staff interviewed the Court Substance Abuse Program (CSAP) director, drug court coordinator, judge, prosecutor, public defender, and case manager.

NPC has designed and extensively utilized a *Drug Court Typology Interview Guide*,¹⁰ which provides a consistent method for collecting structure and process information from drug courts. In the interest of making this evaluation reflect local circumstances, this guide was modified to fit the purposes of this evaluation and of this particular drug court. For the process interviews, key individuals involved with the SJCDC were asked the questions in the Typology Interview Guide most relevant to their roles in the program. The information gathered through the use of this guide assisted the evaluation team in understanding the day-to-day activities of the program as well as focusing on the most significant and unique characteristics of the SJCDC.

FOCUS GROUPS AND PARTICIPANT INTERVIEWS

NPC staff conducted two focus groups at the SJCDC during their site visits: one with current participants and one with terminated drug court participants. The focus groups and interviews

² The St. Joseph Superior Court Drug Court Participant Handbook

³ The St. Joseph County Drug Court Policy and Procedure Manual

⁴ The Social History and Assessment Form

⁵ Prosecutor's Drug Court Eligibility Checklist

⁶ Drug Court – Eligibility Screening Process

⁷ Intake Procedure for Drug Court Considerations

⁸ Mullany, Jacqueline M., and Peat, Barbara. 2004. "Outcome Evaluation Report: A Comparison of Sample Groups from the St. Joseph County Adult Drug Court Program and the St. Joseph County Adult Probation Department." Unpublished.

⁹ Mullany, Jacqueline M., and Peat, Barbara. 2003. "Evaluation Findings St. Joseph County Adult Drug Court Program." Unpublished.

¹⁰ 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) .

allowed the current and former participants to share with the evaluators their experiences and perceptions about the drug court process. A full summary of the focus group results can be found in Appendix A.

DOCUMENT REVIEW

The evaluation team obtained documentation from the drug court program that furthered their understanding of the program's policies and procedures. These documents include the SJCDC *Policy and Procedure Manual* and *Participant's Handbook*, which provided a description on the operation of the drug court. Other program documents including the *Social History and Assessment Form*, *Prosecutor's Drug Court Eligibility Checklist*, *Drug Court – Eligibility Screening Process*, and *Intake Procedure for Drug Court Considerations* were also examined to gain a more comprehensive idea of the participant screening process. Finally, former evaluations were reviewed to gain a more complete understanding of the implementation and previous evaluation processes and including the *Outcome Evaluation Report: A Comparison of Sample Groups from the St. Joseph County Adult Drug Court Program and the St. Joseph County Adult Probation Department* and *Evaluation Findings St. Joseph County Adult Drug Court Program*. Review of this documentation helped to further the evaluation team's understanding of the drug court operations and practices.

Once all the process information was gathered and compiled, a process description was written and sent to the CSAP Director for her feedback and corrections.

Results

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

ST. JOSEPH COUNTY, INDIANA

St. Joseph County is an urban county located on the northern border of Indiana. The County consists of two cities, Mishawaka and South Bend, and several towns and townships. In 2000, according to the Census, the County's population was 265,559 (estimated at 266,160 in 2005). The majority of the population (just under 75%) was over the age of 18, with a median age of 34 years. Demographically, the population was 82% White and 12% African American, with the remaining 6% made up of small percentages of other races. There were 100,743 households out of which 23,335 were married couples and 35,129 housed children under the age of 18. The median household income was \$40,420 and the median family income was \$49,653. The County's unemployment rate was 3.7% with 10.4% of individuals and 7.6% of families were living below poverty level. The main industry category was manufacturing followed by retail trade. South Bend, the County seat, had a population of 107,789 in 2000 (estimated at 97,070 in 2005).¹²

¹² Retrieved on November 20, 2006, from the U.S. Census Bureau Web site:
http://factfinder.census.gov/servlet/SAFFacts?_event=&geo_id=05000US18141&geoContext=01000US%7C04000US18%7C05000US18141&street=&county=St.+Joseph&cityTown=St.+Joseph&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=

ST. JOSEPH COUNTY DRUG COURT PROGRAM OVERVIEW

The St. Joseph County Drug Court (SJCDC), located in South Bend, began serving participants in February 1997 under a provisional certification from the Indiana Judicial Center and later became fully certified by IJC in October 2004. Several community agencies collaborated to make the SJCDC possible. The SJCDC operates as a program under the Court Substance Abuse Program (CSAP), which is a branch of the St. Joseph County Superior Court. CSAP oversees all drug-related programs of the court. The SJCDC contributes approximately 1% to the total CSAP population and the CSAP director, who is appointed by the court's supervising judge, supervises all CSAP programs including drug court. The team that performs the daily operations of the drug court includes the judge, CSAP director, drug court coordinator, deputy prosecutor, deputy public defender, compliance officer, case manager, and drug court secretary. SJCDC works to reduce the repeated criminal behavior of substance-addicted participants by immersing them in treatment, case management, court supervision and education for a minimum of one year.

IMPLEMENTATION

Prior to the implementation of the SJCDC, St. Joseph County was operating a drug and alcohol court that focused on expediting drug cases through the criminal justice system. However, without a treatment element, the same addicted offenders repeatedly entered the system. In 1995, Judge Brook, a former County Chief Judge, offered a solution to that problem—the implementation of a drug court. Judge Brook presented the idea to County court officials for their approval, and applied for a yearlong planning grant from the Department of Justice. The planning grant was awarded in November of 1995, and a team consisting of representatives of various community agencies including the Prosecutor's and Public Defender's Office, the Court Substance Abuse Program (CSAP), and the University of Notre Dame began planning the drug court. During that planning year, the current SJCDC Judge, the Honorable Roland W. Chamblee, Jr., attended a drug court training seminar. In February 1997, the planning team presented its drug court plan to Superior Court Judges and upon their approval, implemented the court unofficially without independent funding in February 1997. Later in 1997, an implementation grant was received from the Department of Justice and the court began to operate with that funding through the St. Joseph County Court Substance Abuse Program (CSAP).

PARTICIPANT POPULATION AND PROGRAM CAPACITY

Currently, the SJCDC serves an average of 52 participants annually in the drug court. Since implementation, SJCDC has been able to accommodate all eligible participants. As of March 2007, 465 individuals have enrolled in the drug court; 56% of these participants graduated, 39% are terminated or have withdrawn, and 5% are active.

The majority of participants are male (77%). The ethnic distribution of drug court differs somewhat from the county as a whole with fewer Whites (49%) and a greater proportion of African American (46%). The remaining 5% are Latino. The mean age of drug court participants is 31 years. Approximately a third of the drug court population is under 25 years of age (33%); a third is between the ages of 25 to 34 years (30%) with the remaining third over 34 years. Fifty-six percent of the participants are single, 17% are married or living as married, 11% are divorced or separated, and 2% are widowed (marital status was missing for 14% of participants). The majority of participants (85%) have completed vocational/trade school, while 8% have attended community college and 7% have a high school education. The primary drug of choice is marijuana (56%), followed by crack/cocaine (24%) and alcohol (13%).

DRUG COURT GOALS

The overarching mission of the SJCDC is to help participants become productive members of the community by helping them become drug and alcohol free, gainfully employed, and educationally better situated. The drug court process combines treatment with rules and accountability to help participants reach that mission. SJCDC is currently focusing on the following program goals:

1. Gain community awareness and support of the program
2. Develop a formal network of private and governmental agencies, and volunteers to assure that the basic human needs of participants are met
3. Establish a funding mechanism to support services to drug court participants
4. Develop an Alumni Association to support graduates in their continued development of a sober lifestyle

ELIGIBILITY CRITERIA

The SJCDC specifically targets defendants with nonviolent, non-dealing felony drug or drug-related offenses. Offenders may be eligible for the St. Joseph County Drug Court if they are aged 18 or over and have committed a nonviolent, non-dealing drug or drug-related felony (use or abuse of a controlled substance was a significant contributing factor). The offense must not suggest gang activity or involvement, show evidence of dealing drugs or show violent conduct or possession or use of a weapon. Individuals who previously failed the drug court program will most likely be denied a second chance. A complete list of eligibility criteria is located in Appendix B.

A participant who commits a drug court eligible offense while participating in drug court may, with the concurrence of the prosecutor and rest of the drug court team, have the second charge included in the drug court as well—subject to the same terms and conditions as the first charge.

In addition, participants are able to reside in counties surrounding St. Joseph, however they must be close enough to enable them to travel to all program requirements. Eligibility is also based on the following:

- Level of commitment and ability to maintain sobriety
- Stability of residence, home environment, immediate support network and ties to the community
- Employment and employability
- Issues of violent behavior
- Prior criminal history and probationary successes and failures
- Chronic medical conditions requiring ongoing narcotic medications
- Mental health condition and history
- Education status and needs
- Transportation
- Ability to maintain schedule of appointments and follow instructions during the screening process
- Cognitive functioning

There is no limit on the number of prior convictions a potential drug court participant may have; however, certain prior convictions are not eligible for the program. The program will not accept the following individuals:

- Those with prior drug-dealing convictions
- Those that are suspected of drug trafficking or gang affiliation
- Those with recent violent or firearm felony convictions for which they were released less than 5 years ago from prison, parole or probation
- Those with multiple violent misdemeanor convictions
- Those with a pending felony charge and/or are currently on probation

ST. JOSEPH COUNTY DRUG COURT PROGRAM SCREENING

The following description explains the process for determining whether an individual is eligible for drug court. A visual outline of this process is provided in the St. Joseph County pre-drug court flow chart immediately following the written description. Individuals come to the SJCDC through a felony offense (first time or repeat offenders). The process begins with an arrest for a felony offense, and is followed by jail booking. Charges are then filed by the Prosecutor's Office and the charge determines what court the case will be heard in.

Every business morning, the SJCDC Compliance Officer looks through the county jail arrest records from the previous evening. He then visits those who are possibly eligible for drug court in jail to inform them about the program and obtain a urine sample.

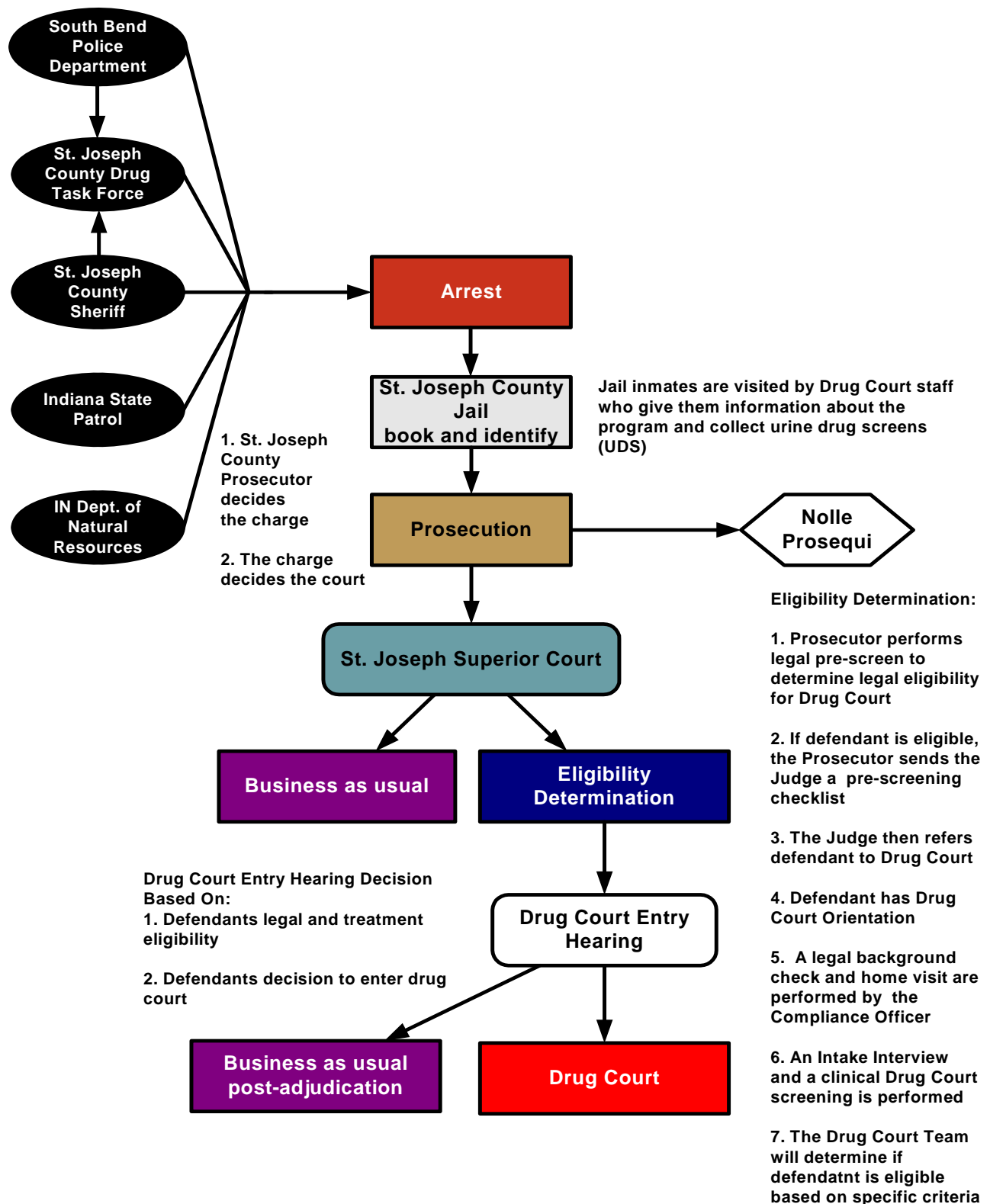
If the charge is eligible for drug court, the staff at the Prosecutor's Office completes the *Drug Court Eligibility Checklist*. The checklist acts as a preliminary determinate on drug court eligibility based on their current case and criminal history. When a defendant is found eligible through this process, the drug court staff and judge are informed. The judge then refers the defendant to the drug court program during the defendants' initial court appearance.

If the defendant wishes to be considered for the drug court program, they report for drug court orientation with the drug court coordinator on the Friday following their court appearance. During the orientation, the drug court coordinator explains the program details to potential participants and places them on the random drug-testing system. The following Monday, potential participants observe a drug court session. Following the session, either that day or the next, the drug court secretary completes the drug court intake with the potential participant. This involves signing of releases and inputting the potential participant's information into the computer system as well as scheduling a drug court screening assessment. The drug court case manager conducts the drug court screening assessment, which covers various areas including their criminal, physical and mental health, substance abuse, and treatment history.

The drug court compliance officer then completes an additional criminal background check, which serves as the final legal eligibility determinate. The compliance officer also performs a home visit with the potential participant at this time to verify their place of residence. During the visit, he speaks to family members about the benefits and limitations of drug court participation and observes any indicators of substance abuse or dependence in family members.

The following Friday during the staffing meeting, the drug court team will determine if the potential participant is eligible and take a vote on whether or not to place the defendant into the program. Usually, participants are voted into the program 2 to 3 weeks after their arrest.

Figure 1. St. Joseph Superior Court Adult Criminal Justice System
Pre-Drug Court Program



INCENTIVES FOR OFFENDERS TO ENTER (AND COMPLETE) THE SJCDC

The SJCDC is a post-plea program although the conviction is held until the participants' outcome (graduation, termination, or withdrawn) is determined. A successful completion of the Program results in the charge that brought the individual into drug court being dismissed, which is a strong incentive for entering and completing the program. In the cases of terminated or withdrawn participants, the sentence is determined at the time of program end not at the time of plea.

DRUG COURT PROGRAM PHASES

The SJCDC program consists of three phases. Participants stay in each phase until they have met all requirements of that phase, upon which they may advance to the next. The first phase is considered to be primary treatment, while the second and third phases are aftercare. A year is the minimum length of time required to complete the program.

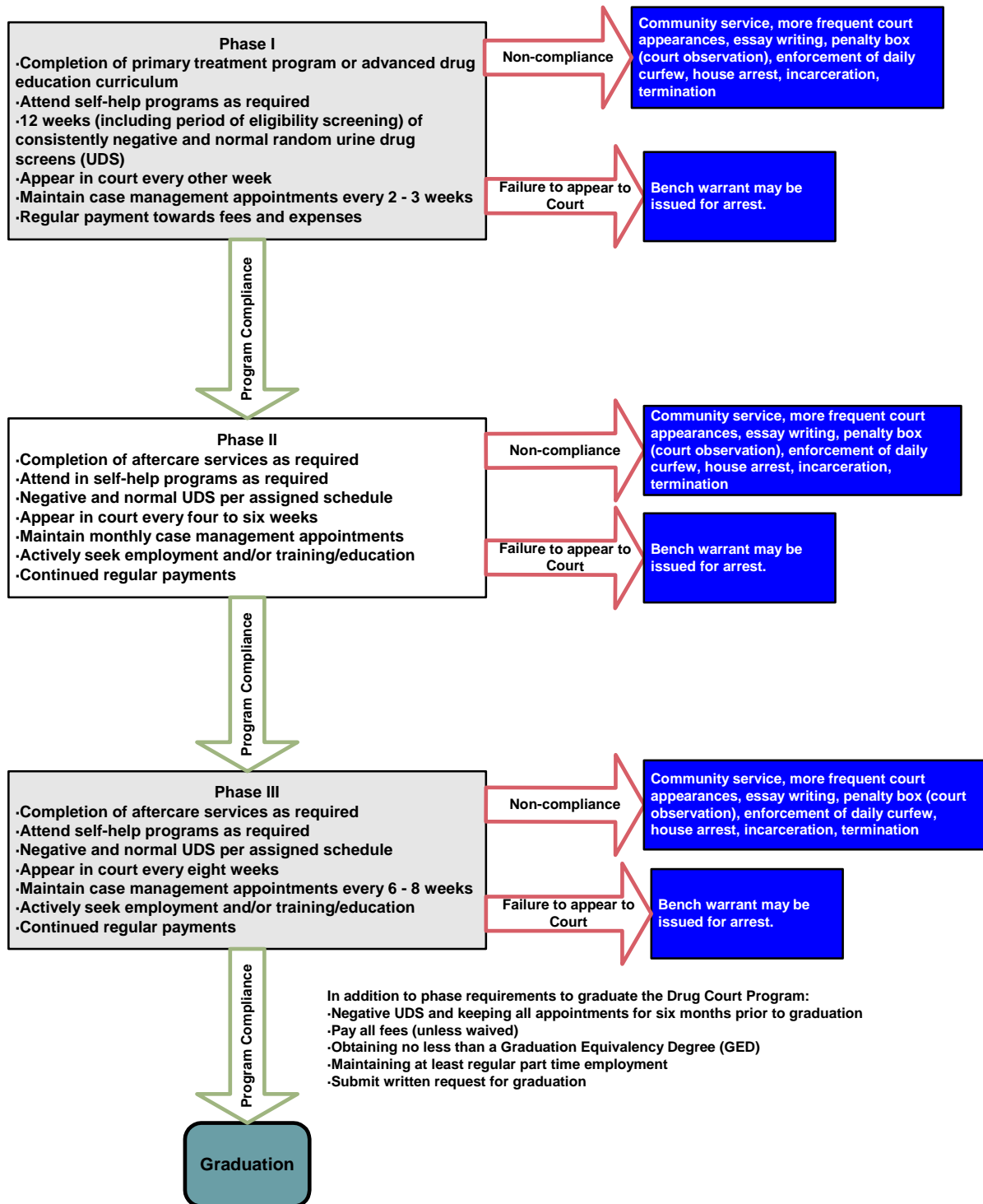
During Phase I, participants are actively and regularly involved in a primary treatment program or an advanced drug education curriculum. They also attend and participate in self-help programs as required by the treatment provider. Phase I participants are required to appear in court for status review every other week (unless otherwise scheduled), and attend case management appointments every 2 to 3 weeks. In addition to the above requirements, participants must complete 12 weeks (including the period of eligibility screening) of consistently negative random urine drug screens (UDS) and make regular payments toward the costs and fees of the program.

During Phase II, participants must participate in aftercare services as required by the treatment provider. They continue to attend and participate in self-help programs as required, participate in any required educational, vocational, parenting classes, or other services. Phase II participants must maintain negative and normal UDS, appear in court every 4 to 6 weeks for status review hearings (unless otherwise scheduled), and attend case management appointments monthly (unless waived by the judge). Participants continue to make regular payments toward costs and fees of the program.

During Phase III, participants are actively and regularly involved with aftercare services as required by the treatment provider. They continue to attend and participate in self-help programs, as required and participate in any required educational, vocational, parenting, or other services. In addition they must maintain negative and normal UDS, appear in court every 8 weeks for status review hearings (unless otherwise scheduled), and attend case management appointments every 6 to 8 weeks (unless waived by the judge). Participants continue to make regular payments toward costs and fees of the program.

Participants in all phases randomly receive home visits from the SJCDC compliance officer on an as needed basis to check on their compliance with Program sanctions such as home detention and curfew. Further information on the home visits are discussed later in this report in the Team Member section under Home Verification Officer.

Figure 2. St. Joseph Superior Court Drug Court Program Process



TREATMENT OVERVIEW

There are 10 private (non-governmental) treatment providers serving the SJCDC program. Two of the treatment providers have more than one location; therefore there are a total of 13 treatment facilities that serve drug court participants. The drug court case manager assesses each new drug court participant's treatment needs with the Alcohol/Drug Services Social History and Assessment form, which evaluates substance abuse and mental health issues. The case manager makes a recommendation to the drug court Team as to the appropriate treatment provider for the participant. The team then makes the final decision and refers the participant to the most appropriate provider. As much as possible, participants are matched with treatment providers that provide the range of intensive services appropriate to their needs and that are located as near as possible to where participants live. There is a range of costs associated with each provider; therefore participant's ability to pay for services is another factor in the referral decision-making process.

Approximately 95% of the drug court participants' treatment is modified outpatient (MOP) (generally two times a week), intensive outpatient (IOP) (usually three times a week), or residential. The IOP and MOP groups typically last for 16 to 18 weeks. Most of the treatment providers offer an After Care or Relapse Prevention group after participants have finished the MOP or IOP, which usually last 16 weeks. Cognitive behavioral methods and the 12-step model are the treatment models generally used. In addition to attending those treatment services, participants are required to attend self-help groups such as Alcoholic's Anonymous (AA) and Narcotic's Anonymous (NA).

The Addictions Recovery Center has three locations available and offers MOP, IOP, Relapse Prevention, After Care, and an Abuse Group. Bowen Center provides MOP, IOP, and Relapse Prevention. Center for Problem Resolution has two locations and offers MOP, IOP, After Care, and Substance Abuse Education. Crossroads Counseling provides MOP and IOP groups. Family and Children Center offers IOP and After Care groups. Life Treatment Center provides IOP, After Care, Detoxification, and Residential treatment. New Passages offers IOP and After Care services. Nowak and Associates provides MOP, IOP, and Relapse groups. Quiet Care offers IOP, After Care and Relapse groups. The YWCA of St. Joseph County program, Woman's Journey, offers IOP, After Care, and Residential treatment.

DRUG COURT TEAM

The drug court team consists of the drug court judge, deputy prosecutor, public defender, CSAP director, compliance officer, case manager, drug court coordinator, and drug court secretary. Law enforcement agencies and the Probation Department (who often have representatives on drug court teams in other programs) do not have a role in the SJCDC other than arresting the potential participants and supervising probation for those who are terminated and sentenced to probation.

Judge. The current drug court judge has presided over the SJCDC since its implementation in 1997. It is a voluntary position that is on top of his full criminal court calendar duties as a St. Joseph County Superior Court Judge. Most of the judge's drug court time is spent running the program internally, in terms of the day-to-day operations, which include presiding over status review hearings and attending staffing meetings. In addition, he represents the drug court in a public relations capacity, such as making presentations to the Rotary Club. In court, the judge interacts with the participants in a fair and firm manner.

Court Substance Abuse Program (CSAP) Director. The CSAP director supervises the drug court staff, and handles the budget and budgetary responsibilities as related to drug court. She writes

and administers grants for the program. The CSAP director, as part of the drug court team, makes decisions about admissions, terminations, and sanctions during staffing meetings. In addition, she attends status review hearings.

Drug Court Coordinator. The drug court coordinator for SJCDC attends status review hearings and staffing meetings. In the eligibility screening process, he conducts an orientation with potential participants, during which he reads the *Drug Court Participant Handbook* to them. He also periodically updates the *Policy and Procedure Manual* so that it remains in compliance with Indiana Judicial Center standards. In addition, he developed a client orientation program for the drug court and works to develop referral contracts and facilitating communications with treatment providers. The drug court coordinator also represents the drug court on the Drug-Free Community Council (a community agency).

Case Manager. The case manager conducts the clinical drug court screenings using the *Marion Superior Court Alcohol/Drug Services Social History and Assessment Form* and makes a treatment provider referral recommendation to the drug court team. Once participants are officially in drug court, he meets with them on a regular basis for monitoring appointments. During the monitoring appointments, the case manager checks on their compliance with the program requirements and refers them to appropriate ancillary services within the community. He reports on participant program compliance at staffing meetings and also attends status review hearings.

Compliance Officer. Each business day, the compliance officer visits defendants in jail who might be drug court eligible, while there, he collects a urine test sample, and gives them a drug court brochure. As part of the eligibility determination for drug court, the compliance officer performs a legal background check and visits potential participants' homes. This initial home visit allows the compliance officer to verify where they live and get a "mental map" of the premises. If possible, he also talks to family members during that visit to get an idea of their drug use habits and inform them about the program.

Once participants are officially in the program, the compliance officer conducts home visits to check participants' compliance with home detention and curfew sanctions. Additional home visits are conducted if an issue arises, for example if a client doesn't show up for a scheduled monitoring appointment then he will conduct a home visit. During these visits, if he suspects drug or alcohol use, he will screen the participant immediately or direct them to the CSAP lab for testing. The compliance officer reports on participants' compliance at staffing meetings and attends status review hearings.

Public Defender. Before participants officially enter the program, the public defender assists defendants in making an informed decision on whether or not the drug court is the best option for them. The public defender is part of the drug court team and participates in status review hearings and staffing meetings. He also represents participants not represented by private counsel at termination and sentencing hearings. The public defender's role in drug court is somewhat different from a typical defense role in that he tries to determine what can be done to help participants succeed in the program even if it means advocating for something that the participant would most likely not choose for themselves.

Deputy Prosecutor. The Prosecutor's Office determines preliminary drug court eligibility with the *Drug Court Eligibility Checklist* and then the SJCDC deputy prosecutor ensures that each candidate is appropriate for the program. Once participants are in the program, the deputy prosecutor ensures participant compliance with all drug court requirements through his attendance at status

review hearings and staffing meetings during which he assists in coordinating strategy for responding to positive drug tests and other issues of noncompliance. The deputy prosecutor also represents the states interests in termination and sentencing hearings.

Drug Court Secretary. The drug court secretary assists the drug court team by conducting intake interviews, establishing the case file, and scheduling staffing meetings and clinical screening appointments. In addition, she maintains records of all potential participants and inputs staffing and court information in case management system at weekly court and staffing meetings. She also transmits all referral documents and positive urine drug screen information to treatment providers.

TEAM MEETINGS

Team staffing meetings are held each Friday, during which the team votes on whether or not potential participants are eligible for the program. The team also meets on Mondays, during which participants' progress in the program is discussed and sanction and reward suggestions are determined for that day's court session. The judge makes the final decision about whether or not to impose suggested sanctions and rewards. In addition to the drug court team, a treatment provider will occasionally attend staffing meetings, such as when there is a particular issue with a participant for which the provider's input is needed.

In addition to the formal team meetings that take place in the courtroom, team members interact outside of the courtroom on a regular basis. The compliance officer, coordinator, case manager, and secretary work in the same office, where they interact daily. The judge, prosecutor, and public defender are available by telephone or email, as needed.

PROVIDER AND TEAM COMMUNICATION WITH COURT

The team communicates with the court during team meetings (described above), by telephone and email. Treatment providers share information with the court on participants' issues and progress through written reports. On an as needed basis, treatment providers will attend staffing meetings to speak to the team about certain participant issues. Outside of staffing meetings, the treatment providers and the team communicate as needed by telephone and email.

DRUG COURT SESSIONS

Status Review Hearings are held every Monday and are attended by the judge, deputy prosecutor, public defender, CSAP director, compliance officer, case manager, drug court coordinator, and drug court secretary. The number of participants who attend each session ranges from 10 to 30, with an average of 5 to 7 minutes of court time spent with each individual.

Unless otherwise scheduled by the judge or a drug court team member, participants in Phase I are required to attend status review hearings every other week; those in Phase II attend once every 4 to 6 weeks; and individuals in Phase III attend once every 8 weeks.

DRUG COURT TEAM TRAINING

The drug court team, including the prosecutor, public defender, case manager, judge, and the coordinator receive 20 hours of training on topics related to the alcohol and drugs and 5 hours in the criminal justice area per year. These training hours are accomplished by attending annual drug court conferences and workshops presented by IJC. The judge and CSAP director have attended the majority of the annual National Association of Drug Court Professionals (NADCP) conferences. Drug court team members have also attended trainings related to their particular

role in program, for example, the CSAP director has attended drug court coordinators' training and the judge has attended a training for judges presented by the National Drug Court Institute (NDCI).

DRUG TESTING

Screening for drug and alcohol use is based on a color-coded, random chemical-testing schedule. After intake, new participants are required to test one time per week until their assessment appointment. During the assessment appointment, the participant is assigned a color based on their drug of choice (determined by positive initial test results or admission of use). The case managers monitor test results and make appropriate changes to the testing color/schedule as needed. Frequency of drug tests depends on their drug of choice schedule as follows.

Negative initial results and no admission of use:

Initial schedule: one time per week

Then: one time every 2 weeks for 12 weeks

Then: one time per month for the duration of the program

Marijuana

Initial schedule: two times per week for 12 weeks

Then: one time every 2 weeks for 12 weeks

Then: one time every 4 weeks for the duration of the program

Cocaine, Amphetamines, Opiates

Initial schedule: three times per week for 4 weeks

Then: two times per week for 8 weeks

Then: one time per week for 12 weeks

Then: one time every 2 weeks for 12 weeks

Then: one time every 4 weeks for the duration of the program

Alcohol

Admission of alcohol use (whether testing is negative or positive): breathalyzer test on Monday before noon (unless client is employed and unable to make it into the office before noon) and UDS on Friday or Saturday for 4 weeks, then back to one time per week for 12 weeks. Once the one test per week schedule is complete (with negative/normal results), the testing schedule is changed to two times per month for six months. Participants are then put on a one test per month until graduation or a positive test.

Denial of alcohol use and positive test results: two times per week for 4 weeks, with at least two days between tests. Participants may choose the testing schedule that works best for them the options are: Monday/Thursday, Tuesday/Saturday, Tuesday/Friday, or Monday/Friday schedule.

If no new alcohol use occurs in the 4-week period, then they will test one time per week for 12 weeks, two times per month for six tests, followed by one test per month until graduation or a positive test.

Please see Appendix C for exceptions to the above schedules.

Participants are required to call an assigned telephone number each day, Monday through Saturday, to hear a recorded message (changed at 6:00 a.m. every day) that lets them know whether they need to report to the on-site CSAP laboratory for testing. Participants are not allowed to test on a day other than their assigned day, unless approved by a member of the drug court team. Individuals in the program may also be required to submit to portable breathalyzer tests. Positive breathalyzer tests require participants to submit to an immediate UDS. Individuals may be subject to testing at any time regardless of their chemical-testing schedule.

The laboratory uses a six-panel drug screen with a Dade Behring/Syva Emit II immunoassay II method. The lab is open Monday through Saturday and is staffed by male and female lab assistants that observe the specimen collection for the appropriate sex. The results are available within 24 to 48 hours. However if needed, the results can be available within 30 minutes.

REWARDS

Drug court participants are rewarded for success (e.g., having a first week of clean drug screens, completing one phase and moving on to another). According to the SJCDC Participant's Handbook, the following rewards are possible:

1. Having your case called first for drug court status review
2. Moving earlier from one phase of the program to the next
3. Reduction in program or UDS fees
4. Free coupons, bus tokens or other rewards
5. Self-satisfaction at maintaining a period of sobriety
6. Early graduation from the program
7. Applause is also given regularly for any modest success.

A participant may be considered "Head of the Class" by getting an A in performance during the previous court session by attending treatment, having negative drug screens, and making an effort to pay the drug court fee. At each court session, the judge allows those people who are "Head of the Class" —whether they receive a tangible reward or not — to have their cases called first, and they are seen less often in court. On occasion, Wal-Mart gift certificates are given.

SANCTIONS

During team meetings when participant progress is discussed, the SJCDC team decides on an appropriate sanction based on the current problem and the history of sanctions or successes for each individual. During court, prior to status review on the participants' cases, the judge often asks how many defendants expect they will receive a sanction. They raise their hands, and the judge talks to them—he believes that it is part of the learning process to talk to them about what they failed to do and why they think they will be sanctioned. He then asks them what they think would be an appropriate sanction if they were in his shoes. If the sanction they choose is not reasonable, he will remind them of what they have done and let them work it through until they choose a sanction similar to what the judge would normally impose. If that does not happen, the judge will decide and impose an appropriate sanction.

According to the SJCDC Participant's Handbook, the following sanctions may be imposed:

1. Performing community service at a not-for-profit or religious agency

2. More frequent court appearances
3. Essay writing
4. Penalty box (required court observation)
5. Enforcement of daily curfew
6. House arrest
7. Incarceration
8. Termination from the program

Incarceration is used every time there is a positive drug test without admission. The most common length of a jail/detention sanction is 2 to 7 days.

Sanctions are graduated—though a sanction may be increased or decreased, depending on the circumstances. The drug court team tries to make the sanction responsive to the individual and the individual's position in the program, not simply responsive to the offense or the fact that s/he has done the same thing before.

DRUG COURT FEES

There is a \$500 program fee for drug court participants.⁹ Typically, that fee is taken out of the jail bond. If the bond is insufficient to cover the fee, the participant may pay the fee during participation in the SJCDC—anywhere from 12 to 18 months after beginning the program. The drug court fee must be paid prior to graduation.

Participants must pay for the cost of their drug tests. The cost of breathalyzer and drug tests are as follows:

- \$20.00 for each positive urine drug screen
- \$3.00 when no specimen is provided
- \$2.00 for each portable breath test
- \$12.00 for each non-positive drug screen
- \$45.00 for a confirmatory test, if necessary

All positive specimens are tested twice. If the participant wishes to contest positive results the participant must pay the CSAP laboratory \$45.00 for a confirmatory test. If the subsequent test determines that the original test was incorrect, the participant is reimbursed for the cost of the confirmatory test.

Participants are also responsible for treatment provider fees. The majority of the treatment providers are able to offer a sliding scale for payment of fees, based on income, with funding from the Hoosier Assistance Program. Medicaid is another option to help cover the cost of treatment. A treatment provider at one of the 13 facilities servicing drug court clients stated an average cost to participants is approximately \$2,100. He said about 40% of the \$2,100 (\$840) is written off as a bad debt. Some of the other providers are strictly private pay, so their total treatment cost would be higher.

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

TERMINATION

Participants who are unsuccessful in the drug court program may be terminated as a consequence. The following grounds for termination are summarized from the SJCDC Participant's Handbook:

- Criminal conviction for any felony offense or misdemeanor offenses involving physical violence, possession or use of a firearm or other dangerous weapons during participation in the drug court program
- Absconding from the jurisdiction of the drug court for greater than 6 weeks
- The drug court judge has determined that there is probable cause to believe the participant has committed a felony or misdemeanor offense during program participation, whether or not criminal charges have been filed or a conviction entered
- Participant continues to test positive for drugs or alcohol while denying use or continues to provide dilute, adulterated, or abnormal urine samples for testing
- Any single violation or multiple violations of the drug court rules which, in the opinion of the drug court team, reflect a participant's disdain for, or lack of commitment to, the rules and goals of the drug court

Participants who are terminated from the drug court program are convicted of the charges they pled guilty to prior to entering the program (charges that brought them into drug court), and they are sentenced according to their plea agreements. For terminated drug court clients, the average jail sentence received for the arrest that led to drug court is 44 days. For non-drug court individuals with similar offenses, the average jail sentence is 52 days.

GRADUATION

In order to graduate from the SJCDC, participants must:

- Complete all drug education or treatment programming
- Have consistently negative and normal UDS for at least 6 months prior to graduation
- Attend all case management and other appointments for at least 6 months prior to graduation
- Pay all treatment, program, and UDS fees*
- Attain a high school diploma or GED*
- Maintain regular employment*
- Make a written request to the judge addressing the participant's awareness of the personal and criminal consequences of his/her use of drugs, and what the participant has done and intends to do to avoid relapse

*A participant may graduate without full payment of fees, obtaining a GED or employment if the majority of the drug court team finds that the participant cannot meet those requirements for valid reasons.

Once a participant has completed the graduation requirements, their graduation ceremony takes place at the beginning of the next drug court session. The judge and graduate stand in front of the

judge's bench while the judge gives a brief summary of the graduates' history in drug court. The graduate is then allowed to say whatever he/she cares to say to the audience. Next, the judge presents the graduate with a graduation certificate signed by the judge and coordinator along with a blackboard eraser, symbolizing the dismissal of charges. The judge also presents the graduate with a graduation incentive, which is typically a \$50 gift card from a department/grocery store. A picture is then taken of the graduate and one of the graduate and judge together. To close the ceremony, the judge states for the record that the charge (that led to drug court participation) has been dismissed.

DATA COLLECTED BY THE DRUG COURT FOR PARTICIPANT TRACKING AND EVALUATION PURPOSES

All participant progress notes are maintained in an electronic database called Case Management System, including all participant contacts and results of clinical screening, referrals, and receipt of documents from or on behalf of the participant. The following information is included in the database:

- Review of the current treatment provider report(s)
- Review of UDS results (positives, dilutions or use admissions)
- Review of treatment plan, progress, and related issues
- Fee balances (program, UDS and treatment costs)
- Attendance issues (at the lab, with case management or treatment provider)
- Sanctions, termination, or graduation
- Advice and/or requests made of participant
- Other issues related to program compliance
- Discussion of any ancillary services needed

DRUG COURT FUNDING

The SJCDC is partially funded by a grant from the Indiana Supreme Court Division of State Court Administration, and by a grant from the Drug-Free Communities Council. The Indiana Supreme Court Division of State Court Administration grant awards up to \$10,000. In 2006, the SJCDC received \$4500, which was about half of the amount they requested. The Drug-Free Communities Council grant has contributed funding since the drug court was implemented. Because the drug court staff is part of CSAP, much of the drug court funding comes from St. Joseph County through user fees (program and drug testing fees) paid by participants (described in the section on drug court fees, above).

ADVISORY BOARD AND COMMUNITY LIAISONS

The SJCDC program has a newly formed advisory board that met several times for preliminary planning, and expects to meet quarterly once it is fully organized. The advisory board includes representatives from:

- The Mayor's Office
- St. Joseph County Commission

- Faith-Based Prisoner Re-Entry Program
- Goodwill Industries
- Job Works, Inc.
- A treatment provider
- Drug-Free Community Council
- Community Corrections
- IVY Tech. Community College (Criminal Justice Chair)
- Center for the Homeless
- County Jail/Sheriff's Department
- South Bend Housing Authority
- Dismas House (halfway house)
- Prosecutor's Office
- Public Defender's Office
- WSBT News
- Hispanic Community Activist
- Former drug court Participant

One of the potential roles for the advisory board will be to connect the drug court with more opportunities to work with community organizations. The plan is to develop new ties and to strengthen existing ties in order to increase community resources that can be utilized for drug court participants.

The drug court has partnered with community agencies that provide services to the drug court participants. The drug court case manager refers participants to the community's Workforce Development Job Works program, which entails 3 days of class followed by job referrals.

TRANSPO, the local transit company, has provided the drug court with a grant to cover the cost of bus passes for participants. In addition, Wal-Mart provides a discount on gift certificates used as rewards for the participants.

10 Key Components Results

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

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

KEY COMPONENT #1:

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

Research Question: Has an integrated drug court team emerged?

Previous research (Carey et al., 2005) has indicated that greater representation of team members from collaborating agencies (e.g., prosecuting attorney, defense attorney, treatment) at team meetings and court sessions is correlated with positive outcomes for clients, including reduced recidivism and, consequently, reduced costs at follow-up.

At SJCDC, the partner agencies appear to work well together; the team indicated that decisions about the drug court are made collaboratively and by consensus. Prior to accepting an individual into drug court, the team works together to make sure the client will be ready for the rigors of the program and can be ultimately successful. During the pre-court staffing, which all the team members attend, staff work collaboratively to determine whether to accept a client (Friday meetings) and to monitor the progress of a client (Monday meetings). However, treatment providers only attend when requested by the team. The case manager receives phone and email updates from the treatment provider.

Currently, the CSAP director attends all drug court meetings and court sessions. Drug court is approximately 1% of the CSAP activities yet consumes a disproportionate amount of her time. Observations by NPC evaluators suggest the need for a stronger leadership role by the drug court coordinator. The separation of drug court from CSAP is also recommended, as the operation of drug court is quite different from the traditional probation model. This change would permit the increased integration of treatment services and allow for collection of data elements more appropriate to drug court. From feedback and observations of drug court team workloads, the addition of another case manager would permit greater involvement with the treatment providers and more integration of this critical component with the drug court team.

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 public defender and the prosecutor satisfied that drug court has not compromised the mission of each?

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

Consistent with the national drug court model, the prosecutor and public defender in SJCDC have embraced alternative, non-adversarial roles built on cooperation and communication. This cooperative perspective is also reflected in the interactions observed by NPC evaluators between the prosecutor and public defender during drug court sessions. They appear to respect each other.

During the drug court session, the roles blurred and, at times, it was unclear who was the public defender and prosecutor as each advocated for success of the client over their respective roles.

This advocacy and cooperation is reflected in the two following quotes: “Occasionally we [public defender and prosecutor] will have differences of opinion, but we try to do what’s best for the client” and “It’s frustrating when they know the rules and they don’t follow through. It’s hard to get them to do what they need to do and have them stay out of jail.”

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?

Contacts with law enforcement and the criminal justice system can be viewed by the offender as an awakening and provide them an opportunity to make potentially life-changing decisions, such as entering treatment. The more quickly placement into drug treatment court can happen, the better, as immediate responses to behavior are most effective and the sooner participants can begin treatment the better.

The mean time from arrest to entry into SJCDC program is 67 days (median 45 days) with a range of 6 days to 305 days. This time to entry of 67 days is pushing the limits of what should be considered as “promptly placed.” The partner agencies should monitor the time from identification to drug court entry to ensure this time interval does not widen. Further, the SJDCP team should analyze where additional efficiencies may be possible in order to decrease the time interval. Discussions among participating agencies regarding how their timeline can be shortened are in order.

KEY COMPONENT #4:

Drug courts provide access to a continuum of alcohol, drug and other treatment and rehabilitation service.

Research Question: Are diverse specialized treatment services available?

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

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

SJCDC provides a broad continuum of services for drug court clients and have multiple treatment provider agencies. The program may want to consider looking into the possibility of a single treatment provider or agency (or a program staff member) to provide oversight to all the

treatment providers in order to ensure consistency and quality of treatment. This would also facilitate the provision of treatment information on participants to the court and team.

Approximately 95% of the drug court participants' treatment is modified outpatient (MOP) and occurs generally two times a week. The IOP (intensive outpatient) and MOP groups are typically three times per week and last for 16 to 18 weeks. This is consistent with promising practices and positive program outcomes. In addition to attending these treatment services, participants are required to attend self-help groups such as Alcoholic's Anonymous (AA) and Narcotic's Anonymous (NA). Feedback from team members stressed the need to incorporate an aftercare/alumni program.

KEY COMPONENT #5:

Abstinence is monitored by frequent alcohol and other drug testing.

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

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

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

Results from the *American University National Drug Court Survey* (Cooper, 2000) show that the number of urine drug screens (UDS) given by the large majority of drug courts nationally during the first two phases is two to three per week which then tapers off to less frequent testing later in the program.

As with most drug courts, SJCDC drug testing is more frequent in the beginning of the program (two to three times per week, depending on the participant's drug of choice), and gradually tapers off toward the end of the program. While several respondents felt the structure helped them to stay clean, there were some who felt that requirements could, at times, be overwhelming and stressful.

KEY COMPONENT #6:

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

Research Questions: Do the partner agencies in this program work together as a team to determine sanctions and rewards? Are there standard or specific sanctions and rewards for particular behaviors? Is there a written policy on how sanctions and rewards work?

The intent of sanctions and rewards should always be to reinforce desired behavior such as abstinence, while minimizing undesirable behavior e.g., missing sessions. Sanctions and rewards should be examined to ensure they do not interfere with the ability of participants to be successful. For example, lengthy time in jail could lead a participant to lose employment. In addition,

the process for giving sanctions and rewards should be examined to ensure that the intended lesson is clear and effective. An immediate response to poor behavior is generally much more effective than a delayed response.

Generally, in drug court programs, participants have clear incentives to complete the program. The most common and overarching incentive of drug court is the dismissal of the criminal charge that brought them into drug court. Often, a “suspended sentence,” pending completion of the drug court program, is in place, which means that the participants with more extensive criminal histories can avoid incarceration.

A variety of rewards and sanctions are used with SJCDC participants during the program. A general list of sanctions and rewards are included in the *Participant’s Handbook*. Sanctions are stated as being graduated—the severity of the sanction increases with more frequent or more serious infractions. This is a recommended practice throughout criminal justice programming. However, the sanctions and rewards are not clearly tied to specific behaviors. Rather, they are discussed very generally in the handbook. Consistent with the most common process nationally, the judge makes the final decision regarding rewards and sanctions based on input from the team. Team members voiced their frustration with the practice when the judge goes against what the team has voted to do. However, the practice of the judge in working with the participants to understand the sanction they are receiving and, particularly, the reason for the sanction, is an excellent way to ensure that the sanctions received are tied directly to the participants’ behavior.

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

KEY COMPONENT #7:

Ongoing judicial interaction with each participant is essential.

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

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

Nationally, the *American University Drug Court Survey* (Cooper, 2000) reported that most drug court programs require weekly contact with the judge in Phase I, contact every 2 weeks in Phase II, and monthly contact in Phase III. The amount of contact decreases for each successive phase. Although most drug courts followed the above model, a good percentage had less court contact (e.g., every 2 weeks in Phase I, monthly in Phases II and III.). In the SJCDC, participants attend drug court every other week during Phase I. This is consistent with the findings of positive outcomes for courts that have court sessions every 2 to 3 weeks. Contacts with the judge decrease over the subsequent phases.

Drug courts with judges who preside for at least 2 years and/or who rotate through more than once have better outcomes than drug courts with regular rotations of less than 2 years (Carey et

al., 2005; Finigan, Carey, & Cox, 2006). Judge Chamblee, Jr. has been with the drug court program since it began 9 years ago.

The judge interacts well with the participants and participants treat him with respect. The judge learns about the participants during the team meeting from drug court staff, from written progress reports and through discussions with the participants themselves. This process brings each participant's situation to the judge's attention in a personal, interactive way that helps build the relationship between the judge and the participant.

The evaluators were told that after 9 years as the first and only drug court judge for this court, the judge is seeking a replacement who will not allow the program to "die on the vine." His intention is be more actively involved in the networking and to be more of a figurehead in working with people on the outside.

You can put the judge down as a reference [for work].

– SJCDC participant

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?

SJCDC has demonstrated their belief in the importance of evaluation and monitoring by the number of previous evaluations they have had conducted. Reports from these evaluations included *Evaluation Finding St. Joseph County Adult Drug Court Program* (February 2003), *Outcome Evaluation Report: A Comparison of Sample Groups from the St. Joseph County Adult Drug Court Program and the St. Joseph County Adult Probation Department* (January 2004), and *St. Joseph County Drug Court Program Evaluation Report* (December 2004).

Primarily, the focus of these reports was on internal (within) drug court comparisons between successful and unsuccessful participants and on the limitations of available data. One evaluation of SJCDC used probation as the comparison group. This evaluation, *Outcome Evaluation Report A Comparison of Sample Groups from the St. Joseph County Adult Drug Court Program and the St. Joseph County Adult Probation Department*, focused on outcome factors which predicted probation or drug court status rather than estimates of recidivism.

The overall CSAP program database includes the data on drug court participants, of which drug court contributes approximately 1 percent. Extracting the data on drug court participants needed for this evaluation was a difficult and time intensive process. For the NPC evaluation, data were not easily abstracted from the CSAP database and required additional assistance and confirmation from IMS of Huntsville, Alabama (CSAP database managers) and the CSAP director. After the evaluation conducted by NPC, CSAP obtained a new version of their management information system (MIS). Perhaps this will resolve the challenging issues faced by the evaluators in extracting the drug court data from the approximately 21,000 CSAP records. Ideally, the drug court would have its own database linked to CASP where key variables could be recorded in more detail. For example, more specific and complete treatment data would have allowed the NPC evaluation to determine whether participants were receiving the intended treatment and whether different types of treatment were correlated with more positive outcomes than others. Further, specific treatment data would have allowed us to calculate more accurate cost estimates.

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

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

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

The drug court team including the prosecutor, public defender, case manager, judge, and the coordinator receive 20 hours of training on topics related to the alcohol and drugs and 5 hours in the criminal justice area per year. These training hours are accomplished by attending the annual drug court conferences and workshops presented by IJC. The Judge and CSAP Director have attended the majority of the annual National Association of Drug Court Professionals (NADCP) conferences which provide a breadth of drug court. In June 2007, the drug court coordinator and judge attended NADCP. Drug court team members have also attended trainings related to their particular role in program for example the CSAP Director has attended drug court Coordinators conference and the St. Joseph County judge has attended training for judges sponsored by the National Drug Court Institute (NDCI).

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

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

Responses to Caroline Cooper's *National Survey* showed that most drug courts are working closely with community groups to provide support services for their drug court participants. Examples of community members that drug courts are connected with include self-help groups like AA or NA, medical providers, local education systems, employment services, faith communities, and Chambers of Commerce.

The partnership with community-based organizations is one of the great strengths of SJDCP. The program has worked to include a variety of important and relevant agency partners. They have four agencies that they work with for community service. They refer to the South Bend School Corporation for their GED preparation classes. They refer to "Job Works" for educational classes. The State Administration Office of Courts provides the drug court with bus tokens and Wal-Mart gift certificates.

In addition, the SJCDC program has instituted a new advisory board for the drug court program, which includes members of many community-based agencies. One of the roles of the new advisory board will be to network and develop even more opportunities to work with community organizations. The advisory board will become the "face" of drug court in the community and create partnerships outside the criminal justice community. Currently, the judge is serving in this capacity by making presentations to community groups, i.e., Rotary Club. An added benefit of the advisory board will be to free the judge from performing these activities.

Recommendations

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

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

- Drug court research supports the inclusion of a treatment provider in team meetings. Having a single provider or an agency that oversees all the providers is correlated with more positive participant outcomes, including lower recidivism and lower cost at follow-up. As SJCDC has 10 different agencies (at 13 facilities) providing treatment and none participate in team meetings, we recommend strengthening the treatment provider's relationship with the program and incorporating them into team meetings, drug court sessions, and discussions.
- Encourage the drug court coordinator to develop into a stronger team member and take more of a leadership role. The drug court coordinator is often the "face" of the drug court along with the judge. As such, it is essential that he be perceived as the one who navigates and manages the clients through the program. Additionally, this would free the CSAP director to spend less time on drug court issues and more time with CSAP concerns.
- Although the Participant's Handbook includes information on "Unacceptable Medications" (page 9 Handbook), we recommend inclusion of allowable medications rather than only suggesting to the client "if you have any question about what types of medicines you ought not to use, ask the lab director" (p. 6 Handbook). A list of acceptable cold symptom medications, pain relievers, and other allowable over-the-counter medications would provide the necessary symptom relief without placing the stress and fear of accidentally doing something "wrong" on the client.
- Since 67 days from arrest to entry is pushing the limits of what should be considered as "promptly placed," the SJCDC should monitor the time from identification to drug court entry to ensure this time period does not widen and analyze where additional efficiencies may be possible. Discussions among members of the drug court team regarding how the timeline can be shortened are recommended.
- As stated by one of the treatment providers, an average treatment cost to participants is approximately \$2,100. If treatment providers are writing off a low average estimate of \$840 per client as a bad debt and there are approximately 52 clients per year, the drug court program is expecting the treatment community to absorb a large annual loss (\$43,680). To prevent providers from restricting the number of new drug court clients

they take or refusing to provide services, we recommend pursuing additional treatment reimbursement avenues.

- Although the judge discusses with the clients both the sanctions and the behavior that led to the sanctions, it would be helpful to have a clear list of infractions with possible graduated sanctions in the Participant's Handbook. The consequences of behaviors need to be clearly delineated.
- Consider separating the drug court database from the CSAP database. By implementing drug court specific database modifications, an added benefit could make the drug court data more accessible to the program for self-monitoring and for continuing evaluations as well as improving the program's ability to obtain data easily for participant tracking.
- Several interviewees reported some concerns regarding life after graduation. They have come to see DC as a part of their family and social support system and were concerned about the challenges they might face without that support. Aftercare is a clinical best practice, supporting individuals in their transition to a drug-free lifestyle. The team may wish to consider initiating a minimal aftercare component or establish a policy for drug court staff to follow up on and encourage participants to participate in aftercare. Discussions need to occur regarding agency roles and responsibilities and how the program would facilitate coordination of this service within or outside of the judicial context.
- The team should actively work on the selection of a new drug court judge—one that shares Judge Chamblee, Jr.'s commitment to the values and purposes of the SJCDC program. The selection of guidelines for a replacement judge should occur in order to make as seamless transition between judges as possible.

OUTCOME EVALUATION

Methods

RESEARCH STRATEGY

Research has demonstrated the importance of completing substance abuse treatment in the realization of desirable societal effects. These positive effects include substance abuse cessation, reduced criminal behavior and improved employment outcomes (Finigan, 1996). An initial indicator of the success of a drug court program is the rate of program participant graduation (completion of treatment). Therefore, NPC Research calculated the graduation rate for SJCDC and evaluated it relative to the average for other drug court programs and the national average for non-criminal justice related outpatient treatment programs.

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

OUTCOME STUDY QUESTIONS

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

1. How successful is the program in bringing program participants to graduation within the expected time frame?
2. Does participation in drug court reduce recidivism for participants relative to a comparison group?
3. Does participation in drug court reduce levels of substance abuse?

DATA COLLECTION AND SOURCES

Information was acquired for the outcome evaluation primarily from administrative databases. Recidivism data were gathered from ProsLink, a database administered by the Indiana Prosecuting Attorney's Council (used herein with great appreciation). ProsLink records provide felony cases in which charges are filed with the courts regardless of outcome for 90 of the 92 counties in Indiana, thus allowing estimates of in-county and out-of-county recidivism. The use of ProsLink may lead to a greater estimation of recidivism than found in previous evaluations. Previous Indiana drug court evaluations looked for recidivism within their own county. ProsLink provides a nearly statewide estimation of recidivism. There are some limitations of ProsLink: 1) It is limited to the 90 reporting counties, 2) it is dependent upon timely reporting and updating of status changes by the local prosecutors' offices throughout the state, 3) it only provides data on arrests that led to court cases (not all arrests), and 4) it is limited to the state of Indiana and does not provide arrest information for the bordering states. As St. Joseph County borders Michigan, it is not inconceivable that additional offenses may have occurred outside Indiana boundaries. When

St. Joseph County Drug Court arrests were searched in ProsLink, 95% of the index records were located. We may be underestimating subsequent court cases by approximately 5%. Although we are likely underestimating arrests; this is comparable for both the drug court and the comparison group and therefore not a potential source of bias.

SAMPLE SELECTION

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

St. Joseph County Drug Court Program Participant Sample

NPC identified the population of participants who entered SJCDC between January 1, 2002 and June 30, 2005. This time interval was chosen because 1) allowed for an adequate sample size and follow-up time, and 2) it was after the implementation of a new management information system (MIS) for CSAP. As drug court records are within the same MIS as CSAP and account for only 1% of 21,000 records in CSAP, the structure and completeness of the MIS were selection factors. For the evaluation time interval, there were 148 drug court participants—82 graduates, 58 individuals terminated (and withdrawn) and eight currently active.

Comparison Group

To avoid potential selection bias introduced by choosing the comparison group from CSAP,¹³ we contacted the St. Joseph County Probation Office and were given access to all convictions for drug-related D felonies in St. Joseph County between January 1, 2002, and June 30, 2005, (N=1250). NPC identified a comparison group from those individuals who were charged with drug court eligible crimes, had none of the SJCDC exclusion charges and had never participated in drug court. After applying these selection factors, 128 remained in the comparison group (10% of the original sample pool). After identifying the eligible comparison group, 96% of the selected group was from CSAP. Future St. Joseph County Drug Court Program evaluations may use CSAP from which to draw the comparison groups without selection bias concerns.

The drug court and CSAP comparison groups were matched on age, drug of choice, and criminal history (arrests in the 2 years prior to the entry date) to remove differences between the groups. Due to relatively small numbers of the eligible comparison group it was not possible to match on gender and ethnicity; however, these differences were controlled for in the analyses. The results presented in this reports are adjusted means after controlling for differences between the two groups. Both the CSAP comparison group sample and the drug court group were followed through ProsLink for a period of 24 months from the entry date.

¹³ We wanted to avoid the potential for choosing our comparison group from a population that was not representative of all potential drug court participants.

Outcome Evaluation Results

Table 1 provides the demographics for the study sample of drug court participants and the comparison group. This table shows that drug court participants included more female participants and more White participants. These differences were controlled for in the subsequent analyses.

Table 1. Participant and Comparison Group Characteristics

	Drug Court N = 148	Comparison N = 128
Gender	64% male 36% female	83% male 17% female
Ethnicity		
White	67%	37%
African American	30%	54%
Hispanic	3%	9%
Average age at start	32 years	30 years
Median	31 years	25 years
Range	18 –55 years	18--56
Drug of Choice		
Cocaine/crack	31%	27%
Marijuana	55%	54%
Alcohol	9%	12%
Methamphetamine	0.7%	1%
Average number of cases filed in the prior 2 years	0.36	0.55
Range	(0-3)	(0-5)

Note: T-tests and chi-square showed no significant difference between the two groups on these variables ($p > .05$) except for gender and ethnicity, which was adjusted for in the analyses. Drug of Choice data were complete for 92% of the drug court group and 77% of the comparison group.

RESEARCH QUESTION #1: PROGRAM COMPLETION

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

Whether a program is bringing its participants to completion in the intended time frame is usually measured by three factors: 1) the program *graduation* (completion) *rate* which is the percentage of participants who graduated; 2) the program *retention rate* which is the percentage of individuals who have either graduated or are still active out of the total number who have entered the program and 3) the amount of time participants spend in the program.

For SJCDC the graduation rate is 55%, the percentage of participants who graduated (N=82) from the drug court program out of the total cohort of drug court participants (N=148). The retention rate for SJCDC is 61%. The SJCDC program completion and retention rates are high even compared to other drug court programs in the U.S., which consistently have better completion and retention rates than other offender and non-offender based drug treatment programs (Cooper, 2000; Cooper, 2004). National research has reported an average graduation rate of 48% for drug court programs (Belenko, 1999). The graduation rate for SJCDC is approximately 15% higher than the national average.

To measure whether the program is following its expected timeframe to participant graduation, the average amount of time in drug court was calculated for graduates. The average length of time SJCDC graduates spent in the program was 17 months with a range of 12 to 30 months. As the *minimum* program length is 12 months, SJCDC is on target with its intended time to program completion.

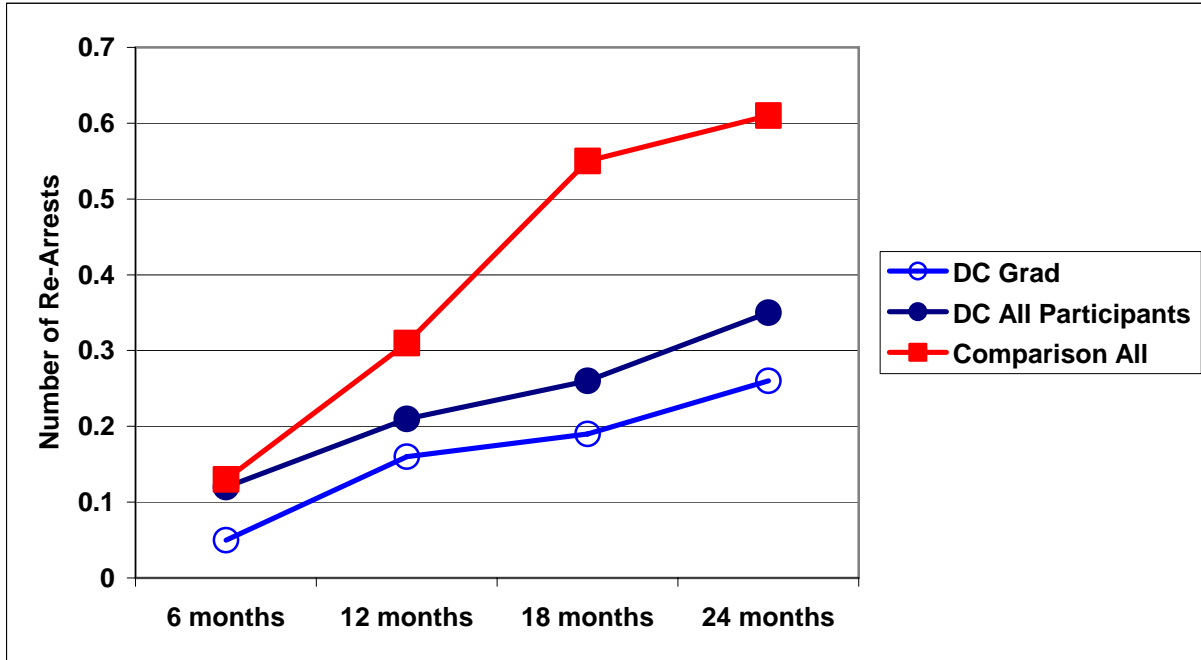
When considering the graduation rate by ethnicity, the graduation rates for Whites was 58% and for non-Whites was 49%. Whites were 18% more likely to graduate than non-Whites. Although this difference was not statistically significant due to small numbers, the finding seems meaningful. SJCDC may wish to examine reasons for this ethnic difference in graduation rates and consider cultural sensitivity training as well as culturally specific services.

RESEARCH QUESTION #2: RECIDIVISM

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

The SJCDC sample demonstrated a significantly ($p < .05$) lower average number of arrests over the 2 years after drug court entry (Figure 3) and a lower rate of recidivism compared to the CSAP comparison sample (Figure 4). The samples include all participants, (those terminated, withdrawn, and graduated). The 2-year recidivism rate of all SJCDC participants was extremely low (see Figure 4) and is similar to the national rate of 17% for drug court *graduates*. In support of a positive effect of the drug court, the average number of arrests over time for all drug court participants regardless of graduation status parallels the very small gradual incline for graduates. The comparison group sample is both higher and shows a sharper incline in re-arrests over time. Figure 3 displays the average number of re-arrests for all SJCDC participants, SJCDC graduates, and the comparison sample over 24 months from program entry.

Figure 3. Re-Arrests Over Time



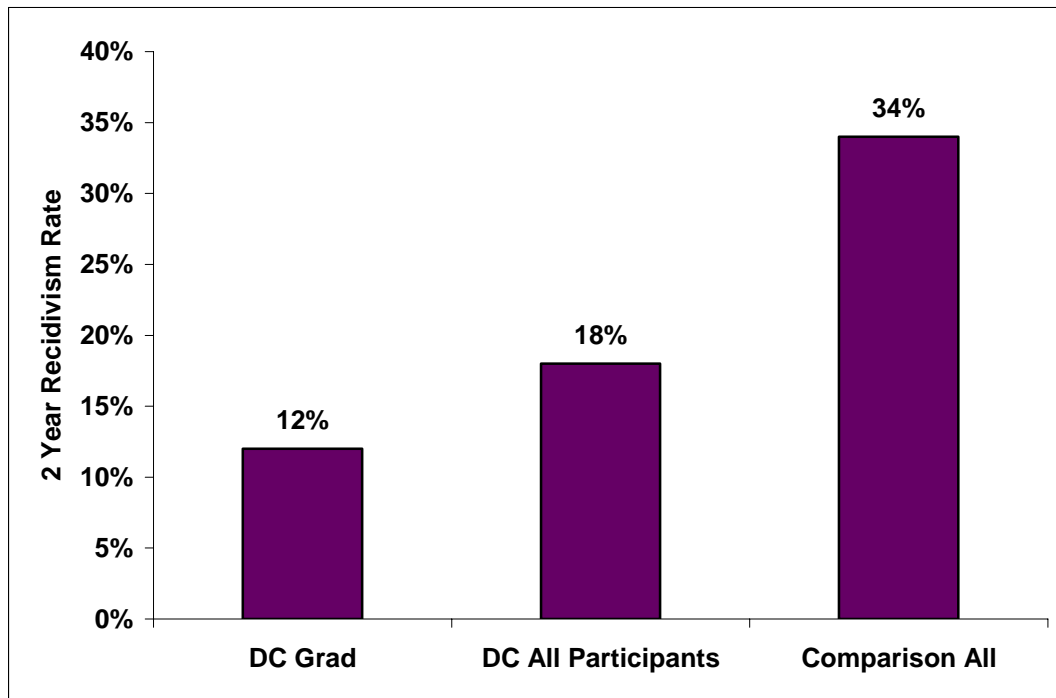
Notes: All re-arrests in a 24-month period for SJCDC participants and comparison group (mainly CSAP participants) for the study period 1/1/02-6/30/05 with follow-up through 6/30/06.

These averages used adjusted means based on an ANCOVA controlling for age, gender, race, and prior arrests in the past 2 years.

Figure 4 compares the recidivism rates of the SJCDC sample, the SJCDC sample graduates, and the comparison sample over a 24-month period. Re-arrest data from ProsLink showed the SJCDC sample had a lower 24-month recidivism rate¹⁴ than the comparison group. The 24-month recidivism rate for drug court was 18% and the comparison group rate was 34%. Thus, drug court participants (regardless of graduation status) were 54% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group.

¹⁴ Defined as “re-arrested at least once in a 24 month period” from drug court or comparison group start date.

Figure 4. Recidivism Rate



Note: 2-year recidivism rate for SJCDC participants (graduates and all participants) and comparison group (drawn from CSAP) for the study period 1/1/02 - 6/30/05 with follow-up through 6/30/06.

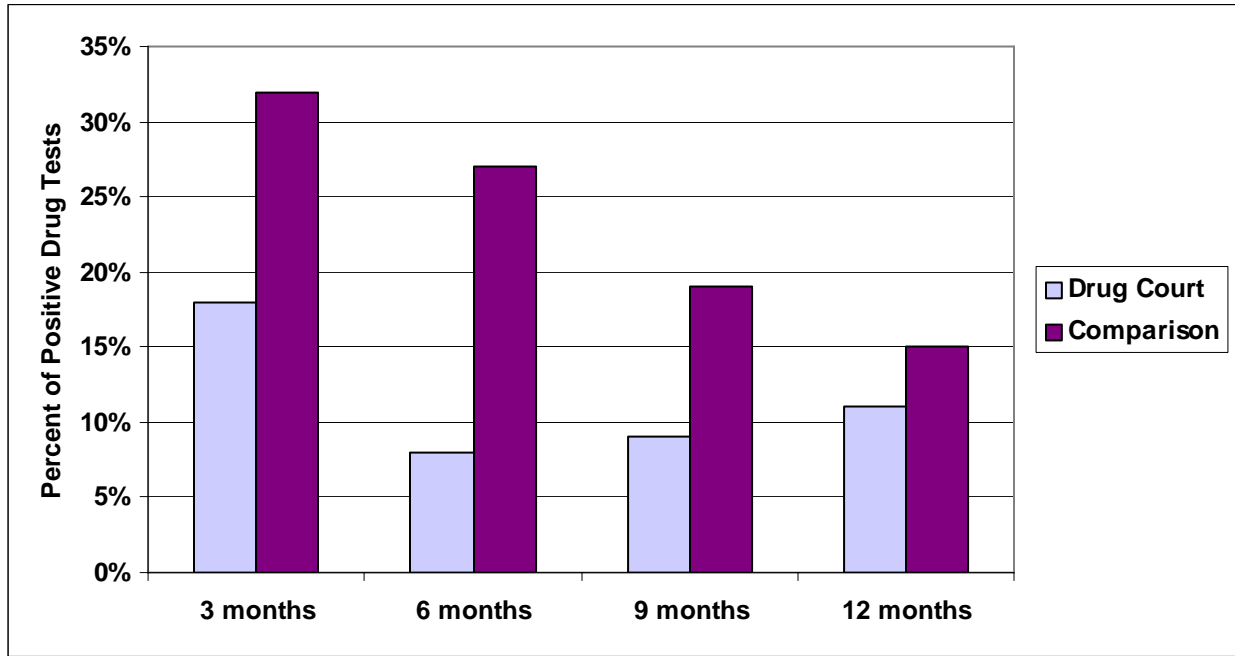
RESEARCH QUESTION #3: REDUCING SUBSTANCE ABUSE

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

Drug testing information was gathered from the CSAP database for both drug court participants and the comparison group. Results were obtained and reviewed for total number of urine drug screens (UDS) and positive test results. As urine drug test information was available for both drug court and comparison groups, this provided an opportunity to determine whether participation in drug court reduced levels of substance use relative to the comparison group as measured by percent positive UDS tests.

As Figure 5 conveys, at all times during a 12-month follow-up period, the drug court participants had lower percent positive urine drug screens relative to the CSAP comparison group sample. Overall this analysis indicates that drug court participants have reduced substance use over time and demonstrate less use than similar offenders who do not participate in drug court.

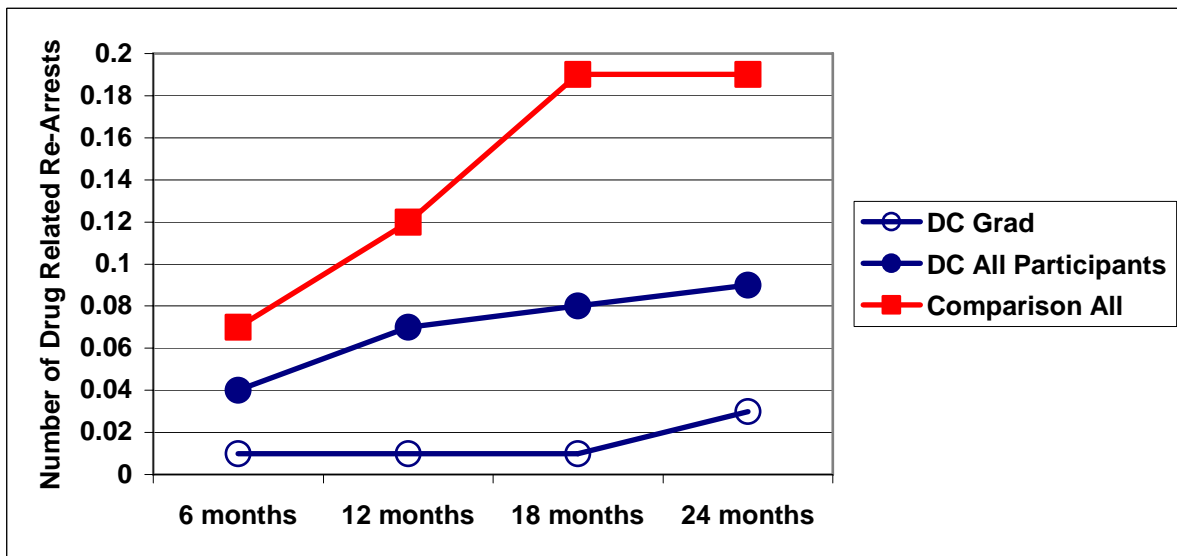
Figure 5. Percent of Positive Drug Tests SJCDC and Comparison Group



Note: Percent positive urine drug screens in SJCDC participants and comparison group (drawn from CSAP) for the first 12 months from program start date for the study period 1/1/02-6/30/05

Whether the SJCDC is effective at reducing substance use can also be measured by examining the number of re-arrests for drug related crimes over time.¹⁵ The 2-year averages for the SJCDC graduates, all participants and the comparison group can be found in Figure 6. Drug court participants were re-arrested significantly fewer times ($p < .05$) for drug-related crimes than the comparison group.

Figure 6. Drug Related Re-Arrests Over Time



¹⁵ The Indiana code citations for substance-abuse related offenses were identified by a county prosecutor.

Note: All re-arrests for drug related charges in SJCDC participants and comparison group (drawn from CSAP) for the study period 1/1/02-6/30/05 with follow-up through 6/30/06.

OUTCOME SUMMARY

The outcome analyses were based on a cohort of SJCDC participants who entered the drug court program from January 1, 2002 through June 30, 2005 and a comparison group drawn primarily from the CSAP database. The outcome results indicated that participants in the drug court were re-arrested 54% less often than the comparison group in the 24 months following drug court entry. This provides clear evidence that the SJCDC has been successful in reducing recidivism for its population of drug-addicted, high-risk prison bound offenders.

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

COST EVALUATION

Cost Evaluation Methodology

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

COST EVALUATION DESIGN

Transaction and Institutional Cost Analysis

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

Cost to the Taxpayer

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

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

Opportunity Resources

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

COST EVALUATION METHODS

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

TICA Methodology

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

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

The direct observation of the program process and the specific program transactions occurred during site visits. The key informant interviews using the *Typology Interview Guide* were also performed during the site visits (see the *Drug Court Typology Guide* on the NPC website – www.npcresearch.com)¹⁶ and through interviews via phone and email. Cost data were collected through interviews with drug court staff and budgetary officers as well as from budgets either found online or provided from agency staff.

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

¹⁶ [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)

Table 2. The Six Steps of TICA

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

Cost Evaluation Results

As described in the methodology section, the Transactional and Institutional Cost Analysis (TICA) approach was used to calculate the costs of each of the transactions that occurred while participants were engaged in the program. Transactions are those points within a system where resources are consumed and/or change hands. In the case of drug courts, when a participant appears in court or has a drug test, resources such as judge time, defense attorney time, court facilities, and urine cups are used. Program transactions calculated in this analysis included drug court appearances, case management, treatment sessions (individual, group, intensive outpatient, day treatment, detox, residential treatment) and drug tests. The costs for this study were calculated including taxpayer costs only. All cost results provided in this report are based on fiscal year 2007 dollars. Costs tracked in this study were those incurred by taxpayers. Other less tangible but important savings not factored into this study include an increase in the number of drug-free babies born, a decrease in health care expenses, and drug court participants working and paying taxes.

DRUG COURT AND TRADITIONAL COURT PROCESSING TRANSACTIONS

Arrests in St. Joseph County are conducted by multiple law enforcement agencies, including the City of South Bend Police Department, St. Joseph County Sheriff/Police Department, City of Mishawaka Police Department and the Indiana State Police. As the most active arresting agency in St. Joseph County, the City of South Bend Police Department was used as the basis for constructing an arrest cost model. The cost model was constructed from information provided by a representative of the South Bend Police Department and NPC's researchers' analysis of the City of South Bend 2006 operating budget. Through the application of this information it was determined that the cost of a single arrest is **\$75.83**.

A *drug court session*, for the majority of drug courts, is one of the most staff and resource intensive program transactions. In St. Joseph County, these sessions include representatives from the Superior Court (Judge, Secretary, Bailiff), the Prosecutor's Office, the Public Defender, and the Court Substance Abuse Program (program director, coordinator, case manager, compliance officer). The cost of a *drug court appearance* (the time during a session when a single participant is interacting with the judge) is calculated based on the average amount of court time (in minutes) each participant uses during the court session. This incorporates the direct costs of each drug court team member present during sessions, the time team members spent preparing for or contributing to the session, the agency support costs, and the overhead costs. The average cost for a single drug court appearance is **\$61.52** per participant. This cost per appearance is lower than the per appearance costs of other adult drug courts studied by NPC Research. For example, courts in California and Oregon have appearance costs ranging from \$97 to \$156 (Carey & Finigan, 2004; Carey, et al., 2005; Carey, Marchand, & Waller, 2006).

To determine a reasonable cost model for recidivist *court cases*, NPC's researchers focused on D Felony cases.¹⁷ To construct the cost model for court cases we considered activities pursued by the St. Joseph County Superior Court, the St. Joseph County Prosecutor's Office and the St. Joseph County Public Defender Office. Our research also referred to the Indiana Court's weighted caseload standards, the 2006 Indiana Judicial Center Report, and the Indiana Public Defender Commission 2005 Annual report. Reliance on the Indiana Court's weighted caseload standards was of particular importance in construction of the court case cost model. The weighted caseload

¹⁷ It should be noted that NPC Researchers used a one-to-one correspondence between number of arrests and court cases. In actuality it is expected that the number of arrests will be more than the actual number of cases filed for the study groups.

standard for D Felonies takes into account the full range of case disposition—from dismissal to judge or jury trials. NPC researchers found the cost of a D Felony court case to be **\$403.86**.

Case management is based on the amount of staff time dedicated to case management activities during a regular work week and is then translated into a total cost for case management per participant per day.¹⁸ The main agency involved in case management for drug court in St. Joseph County is the Court Substance Abuse Program. The per day cost of case management is **\$2.27** per participant. Case management costs fall within the range of costs found in other studies. For example, case management from cost analyses in California (Carey et al., 2005) varied widely – from just over \$1.00 per day to over \$11.00 per day.

Treatment sessions are provided by 10 treatment agencies at 13 facilities. Treatment services provided include group, individual, intensive outpatient, modified outpatient, relapse groups, aftercare, day treatment, detox and residential treatment. Since this cost analysis is focused on public funds, the cost of treatment services is only the amount paid for by public funds (treatment service rates were reduced by the percentage of participants whose services were paid for with non-taxpayer funds such as private insurance, private payments or funds from nonprofits). The cost per treatment session reflects—as closely as possible—the true cost to taxpayers. Bowen Center **group treatment** is **\$4.80** per person per session, Addictions Recovery Center **education groups** are **\$5.00** per person per session, Family and Children Center **group treatment** is **\$102.00** per person per session, Quiet Care **education groups** are **\$4.80** per person per session, Addictions Recovery Center **relapse groups** are **\$5.10** per person per session, Quiet Care **relapse groups** are **\$11.52** per person per session, Bowen Center **individual treatment** is **\$9.00** per session, Family and Children Center **individual treatment** is **\$102.00** per person per session, Addictions Recovery Center **individual treatment** is **\$13.00** per session, Life Treatment Center **individual treatment** is **\$3.88** per session, Addictions Recovery Center **intensive outpatient** and **modified outpatient** treatment is **\$7.00** per person per session, Life Treatment Center **intensive outpatient** and **modified outpatient** treatment is **\$3.88** per person per session, Quiet Care **intensive outpatient** is **\$20.16** per person per session, Quiet Care **aftercare** is **\$2.40** per person per session and Life Treatment Center **aftercare** is **\$9.71** per person per session. New Passages **day treatment** is **\$242.00** per day, Quiet Care **detox** is **\$120.00** per day, Life Treatment Center **detox** is **\$92.40** per day and Life Treatment Center **residential** is **\$27.18** per day. **YWCA treatment** (which offers a broad range of treatment services) is **\$78.72** per day. Costs include all salary, support, and overhead costs associated with the session. Nowak and Associates, Crossroads Counseling, and the 2 Center for Problem Resolution facilities are 100% self-pay and/or private insurance, so there is no cost to taxpayers for treatment at these agencies. Due to a lack of administrative data on treatment, NPC was unable to use the cost per treatment session (or day). Instead, proxies for the average number of sessions participants typically attend were used along with costs per session/day to come up with minimum and maximum average costs to taxpayers for treatment at the 10 agencies involved.

Drug tests are performed by a lab technician and lab assistants employed by the Court Substance Abuse Program. Tests are **\$4.00** per UDS test and **\$2.00** per breath test. These are billed rates that include the cost of materials, salary, support, and overhead costs associated with the test. Drug court participants are charged \$12.00 for each negative UA, \$3.00 when no specimen is provided, and \$20.00 for each positive or abnormal UA, so all drug testing costs are fully cov-

¹⁸ Case management can include home visits, meeting with participants, evaluations, phone calls, paperwork, answering questions, consulting with therapists, documentation, file maintenance, residential referrals, and providing resources and referrals for educational and employment opportunities.

ered by participant payments and there is no cost to taxpayers. Payments are directly to the Court Substance Abuse Program and 95% of graduates pay all their outstanding testing fees. Fees paid by all clients, not just drug court participants, support the lab. Non-drug court people on probation pay for their drug testing, so there is no cost to taxpayers for the comparison group's UA or breath tests.

Because of the unavailability of relevant data, our researchers were not able to construct a model for *jail booking* episodes based on St. Joseph County derived utilization data. However, drawing on our national experience to construct a reasonable model of booking practice in the County that we combined with budgetary information for the St. Joseph County Sheriff/Police Department, we were able to construct a booking cost model. The cost of a single jail booking is **\$18.93**. Due to a lack of data, costs for jail bookings were not included in this analysis.

Jail days are provided by the St. Joseph County Sheriff/Police Department. Jail bed days are **\$42.96** per person per day. This rate was calculated by NPC using the 2006 jail budget and the 2006 average daily population. It includes all staff time, food, medical, and support/overhead costs.

Prison facilities in Indiana are operated by the Indiana Department of Correction. To represent the daily cost of *prison time* served by members of the drug court and comparison groups our researchers used the department's per diem cost report for its facilities. The average per diem prison cost is \$73.63. However, due to the fact that most prisoners spend an undetermined proportion of their prison sentence in their local county jail due to overcrowding in the prisons, an average of the per diem prison cost and the local county jail cost was used. The resulting cost per day of prison time is **\$58.30**.

Adult probation services in St. Joseph County are provided by the County's Adult Probation Department. Through an interview with a representative of the department and analysis of the 2006 St. Joseph County operating budget, NPC's researchers were able to construct a model of probation case supervision that supports the determination of *probation time* cost used in this study. We identified \$0.82 to be the probation supervision cost per day. People on probation pay initial and administrative fees of \$150 and then \$15 for each month they are on probation, so the probation supervision cost per day is therefore reduced to **\$0.32**.

The Court Substance Abuse Program (CSAP) is the program that the comparison group members attend in lieu of drug court (the drug court program is actually a division of CSAP). Through an interview with a CSAP representative and information taken from the CSAP budget, NPC's researchers were able to construct a model of CSAP supervision. We identified \$1.77 to be the CSAP supervision cost per day. People attending CSAP pay a \$400.00 fee, so the *CSAP supervision cost* to taxpayers is therefore reduced to **\$0**.

DRUG COURT PROGRAM COSTS

Table 3 presents the average number of program transactions (drug court appearances, treatment sessions, etc.) per participant and the total cost for each type of transaction (number of transactions times the cost per transaction). The sum of these transactions is the total per participant cost of the program. These numbers include the average for drug court graduates (N= 82) and for all drug court participants (N = 148), regardless of completion status. It is important to include participants who terminated as well as those who graduated as all participants use program resources, whether they graduate or not.

Table 3. Average Program Costs per Participant¹⁹

Transaction	Transaction Unit Cost	Avg. # of Transactions for DC Graduates	Avg. Cost per DC Graduate	Avg. # of Transactions for all DC Participants	Avg. Cost per DC Participant
Arrest	\$75.83	1	\$76	1	\$76
Drug Court Appearances	\$61.52	30.09	\$1,851	30.58	\$1,881
Case Management	\$2.27	500.99 Days ²⁰	\$1,137	457.55 Days	\$1,039
Treatment	NA	NA	\$0-\$9,680 ²¹	NA	\$0-\$9,680
Jail Days	\$42.96	0	\$0	18.50	\$795
Prison Days	\$58.30	0	\$0	0	\$0
Probation Days	\$0.32	0	\$0	177.78	\$57
Total Drug Court			\$3,064²²		\$3,848

Table 3 illustrates the cost to the taxpayer of the drug court program. On average, in drug court programs studied by NPC, the program cost per participant ranged from \$4,000 to just under \$20,000 depending on the intensity of the program and the extent to which the programs used public funds for their services (Carey & Finigan, 2004; Carey et al., 2005).

The average cost per participant of the drug court program (\$3,848) is below the range of program costs for the drug courts studied by NPC. This is most likely due to the high fees paid by drug court participants.

The cost of drug court appearances is the most expensive transaction for the SJCDC. This is due to the relatively high number of agencies and agency employees that attend or contribute to drug court sessions. This high involvement may increase session costs, but also has the benefit of more straightforward decision-making and communication amongst agencies, smoother operations, and may produce better outcomes. A study performed in nine courts in California found that higher agency involvement in drug court programs was related to lower recidivism and lower outcome costs for drug court participants (Carey et al. 2005).

Case management is the next highest cost to the SJCDC program. Intense case management and supervision of participants is one of the essential elements of drug courts, so this is not an uncommon finding. It should be noted that more agency involvement has been shown to be related to lower outcome costs (Carey et al., 2005).

¹⁹ Average costs per participant have been rounded to the nearest whole dollar amount.

²⁰ Case management is calculated by number of days in drug court, so the average number of transactions in this case is the average number of days spent in the drug court program.

²¹ This row shows the minimum and maximum average cost of treatment (using proxy data) for all agencies that provide treatment.

²² The totals in this row reflect the minimum costs for treatment.

The administrative data did not allow NPC to differentiate jail days as a sanction from jail days due to sentencing after termination from the program. Because drug court graduates averaged no jail days at all, it may be that the jail days accrue mainly from sentences for those terminated from the program.

The cost of treatment varies widely, from a minimum of \$0 to a high of \$9,680. While the minimum of \$0 was used for this analysis, it certainly is not the norm. Depending on the treatment agency that drug court participants attend, the cost to taxpayers for drug treatment may be quite high. Better tracking by the SJCDC program of treatment received by participants would allow more specific estimates of treatment costs.

TRADITIONAL COURT PROCESSING COSTS

Table 4 presents the average number of traditional court processing transactions per comparison offender and the total cost for each type of transaction (number of transactions times the cost per transaction). The sum of these transactions is the total per offender cost of traditional court processing. These numbers include the average of all comparison group members (N = 128).

Table 4. Average Traditional Court Processing Costs per Person²³

Transaction	Transaction Unit Cost	Avg. # of Transactions	Avg. Cost per Participant
Arrest	\$75.83	1	\$76
Court Case ²⁴	\$403.86	1	\$404
Treatment	NA	NA	\$0-\$9,680
Jail Days	\$42.96	45.00	\$1,933
Prison Days	\$58.30	5.84	\$340
Probation Days	\$0.32	345.14	\$110
Total			\$2,863

The cost to the taxpayer of traditional court processing per person is \$2,863. Jail days are by far the most expensive transaction, followed by the court case and prison days. The cost of drug court processing is only \$985 higher than traditional court processing.

COSTS PER AGENCY

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

The second largest proportion belongs to law enforcement and this cost is mainly due to jail days (either as a sanction or due to sentencing after termination from the SJDCDP). Treatment costs

²³ Average costs per participant have been rounded to the nearest whole dollar amount.

²⁴ Due to a lack of data, NPC Researchers used a one-to-one correspondence between number of arrests and court cases.

have a wide range (\$0 to \$9,680), so depending on which treatment agency a participant attends, the cost to taxpayers could either be zero or very high.

Table 5. Average Cost per Participant by Agency²⁵

Agency	Avg. Cost per Drug Court Participant	Avg. Cost per Comparison Group Member	Difference (Net Investment)
Superior Court	\$403	\$202	\$201
Prosecutor’s Office	\$395	\$113	\$282
Public Defender	\$158	\$89	\$69
Court Substance Abuse Program	\$1,964	\$0	\$1,964
Treatment Agencies	\$0-\$9,680	\$0-\$9,680	\$0-\$9,680
Department of Corrections	\$0	\$340	-\$340
Probation	\$57	\$110	-\$53
Law Enforcement	\$871	\$2,009	-\$1,138
Total	\$3,848	\$2,863	\$985

The investment costs in the drug court program for each agency except for the Department of Corrections, Probation and law enforcement is higher than traditional court processing. However, the total SJCDC costs (including program costs and other costs related to the drug court eligible case) is only \$985 greater than traditional court process, so there is some cost to the taxpayer in investment costs for choosing the drug court process over more traditional CSAP court processing. Savings in outcome costs presented in the next section show how positive outcomes for SJCDCP participants can repay this investment and then continue to produce cost benefits (savings) to the criminal justice system and the taxpayer.

OUTCOME COSTS

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

The outcome costs discussed below were calculated using information gathered by NPC’s researchers from the St. Joseph County 2006 operating budget, St. Joseph County Superior Court, St. Joseph County Sheriff/Police Department, St. Joseph County Prosecutor’s Office, St. Joseph

²⁵ Average agency costs per participant have been rounded to the nearest whole dollar amount.

County Public Defender, St. Joseph County Adult Probation Department, City of South Bend 2006 Operating Budget, City of South Bend Police Department, Indiana Judicial Center, Indiana Department of Correction, and the Indiana FY 2006 As-Passed Operating Budget. For cost dimensions for which information was not available from St. Joseph County, the City of South Bend or State of Indiana sources, reasonable proxies were constructed from similar research settings with which NPC's researchers have firsthand experience.²⁶

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

OUTCOME TRANSACTIONS

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

Arrests in St. Joseph County are conducted by multiple law enforcement agencies. The predominant agencies that arrest suspected offenders are the City of South Bend Police Department, St. Joseph County Sheriff/Police Department, City of Mishawaka Police Department and Indiana State Police. As the most active arresting agency in St. Joseph County, the City of South Bend Police Department and its experience with arrest episodes were used as the basis of constructing an arrest cost model. The cost model was constructed from information provided by a representative of the South Bend Police Department and NPC's researchers' analysis of the City of South Bend 2006 operating budget. Through the application of this information it was determined that the cost of a single arrest is **\$75.83**.

To determine a reasonable cost model for recidivist **court cases** involving members of the drug court and comparison groups, NPC's researchers focused on D Felony cases.²⁷ To construct the cost model for court cases we considered activities pursued by the St. Joseph County Superior Court, the St. Joseph County Prosecutor's Office and the St. Joseph County Public Defender Office. To determine the activities and staff resources involved in processing D Felony cases, representatives of the St. Joseph County Superior Court, St. Joseph County Prosecutor's Office, St. Joseph County Public Defender's Office and the Indiana Judicial Council were interviewed. Our researchers also referred to the Indiana Court's weighted caseload standards, the 2006 Indiana Judicial Center Report, and the Indiana Public Defender Commission 2005 Annual report. Reliance on the Indiana Court's weighted caseload standards was of particular importance in construction of the court case cost model. The weighted caseload standard for D Felonies takes into account the full range of case disposition—from dismissal to judge or jury trials. NPC researchers found the cost of a D Felony court case to be **\$403.86**.

Because of the unavailability of relevant data, our researchers were not able to construct a model for **jail booking** episodes based on St. Joseph County derived utilization data. However, drawing on our national experience to construct a reasonable model of booking practice in the County that we combined with budgetary information for the St. Joseph County Sheriff/Police Depart-

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

²⁷ It should be noted that NPC Researchers used a one-to-one correspondence between number of arrests and court cases. In actuality it is expected that the number of arrests will be more than the actual number of cases filed for the study groups.

ment, we were able to construct a booking cost model. The cost of a single jail booking is **\$18.93**. Due to a lack of data, costs for jail bookings were not included in this analysis.

Jail days are provided by the St. Joseph County Sheriff/Police Department. Jail bed days are **\$42.96** per person per day. This rate was calculated by NPC using the 2006 jail budget and the 2006 average daily population. It includes all staff time, food, medical, and support/overhead costs.

Prison facilities in Indiana are operated by the Indiana Department of Correction. To represent the daily cost of **prison time** served by members of the drug court and comparison groups our researchers used the department's per diem cost report for its facilities. The average per diem prison cost is \$73.63. However, due to the fact that most prisoners spend an undetermined proportion of their prison sentence in their local county jail due to overcrowding in the prisons, an average of the per diem prison cost and the local county jail cost was used. The resulting cost per day of prison time is **\$58.30**.

Adult probation services in St. Joseph County are provided by the County's Adult Probation Department. Through an interview with a representative of the Department and analysis of the 2006 St. Joseph County operating budget, NPC's researchers were able to construct a model of probation case supervision that supports the determination of probation time cost used in this study. We identified \$0.82 to be the probation supervision cost per day. People on probation pay initial and administrative fees of \$150 and then \$15 for each month they are on probation, so the **probation supervision cost to the taxpayer per day** is therefore reduced to **\$0.32**.

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

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

OUTCOMES AND OUTCOMES COST CONSEQUENCES

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

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

Transaction	Drug Court Participants (N=148)	Comparison Group (N=128)
Arrests	.35	.61
Court Cases ²⁹	.35	.61
Jail days	1.41	22.85
Prison days	1.70	.83
Probation days	60.71	59.13
Property Victimizations	.10	.30
Person Victimizations	.06	.08

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

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

Transaction	Drug Court Participants (N=148)	Comparison Group (N=128)	Difference	Percentage Difference
Arrests	\$27	\$46	-\$19	-70%
Court Cases	\$141	\$246	-\$105	-74%
Jail days	\$61	\$982	-\$921	-1,510%
Prison days	\$99	\$48	\$51	52%
Probation days	\$19	\$19	\$0	0%
Property Victimizations	\$1,186	\$3,557	-\$2,371	-200%
Property Victimizations	\$2,305	\$3,073	-\$768	-33%
Total	\$3,838	\$7,971	-\$4,133	-108%

²⁹ Because the arrest data available in this study were adjudicated arrests only, NPC Researchers used a one-to-one correspondence between number of arrests and court cases.

Tables 6 and 7 reveal that the lower rate of arrests experienced by the drug court group, when compared to the experience of the comparison group, can be seen as resulting in substantial cost savings throughout the local criminal justice system. There is a savings in outcome costs of **\$4,133** per drug court participant versus a comparison group member who went through traditional CSAP court processing. While over half of that savings is from victimization costs, St. Joseph County also has significant savings in jail days and court cases.

The total average cost savings of **\$4,133** per drug court participant can be seen as a **107%** return on the \$3,848 invested on drug court program participants by the agencies of the local criminal justice system that support the SJCDP. If the SJCDP continues to enroll 52 new participants annually, this results in a yearly savings of **\$214,916** multiplied by the number of new cohorts that continue to enroll in the program each year the program remains in operation.

When the 2-year per participant savings is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is **\$1,921,845**.

This savings continues to grow for participants every year after program entry. If savings continue at the same rate (which has been shown to occur in other studies, e.g., Finigan, Carey & Cox, 2007) after 10 years the savings per participant will total almost **\$2,149,160**.

OUTCOME COSTS BY AGENCY

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

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

Jurisdiction/Agency	Drug Court Participants (N=148)	Comparison Group (N=128)	Difference	Percentage Difference
Superior Court	\$71	\$123	-\$52	-73%
Prosecutor’s Office	\$40	\$69	-\$29	-73%
Public Defender	\$31	\$54	-\$23	-74%
Law Enforcement Agencies	\$88	\$1,028	-\$940	-1,068%
Department of Correction	\$99	\$48	\$51	52%
Probation Department	\$19	\$19	\$0	0%
Victimizations	\$3,491	\$6,630	-\$3,139	-90%
Total³⁰	\$3,838	\$7,971	-\$4,133	-108%

³⁰ Totals in this row may not match the totals in the table listing outcome costs by transaction due to rounding.

As can be seen in **Table 8**, substantial cost savings are realized as the result of the SJCDCP. In terms of their comparative recidivist experiences, over a 2-year time period, drug court participants are shown to cost **\$4,132** or **108%** less per participant than members of the comparison group.

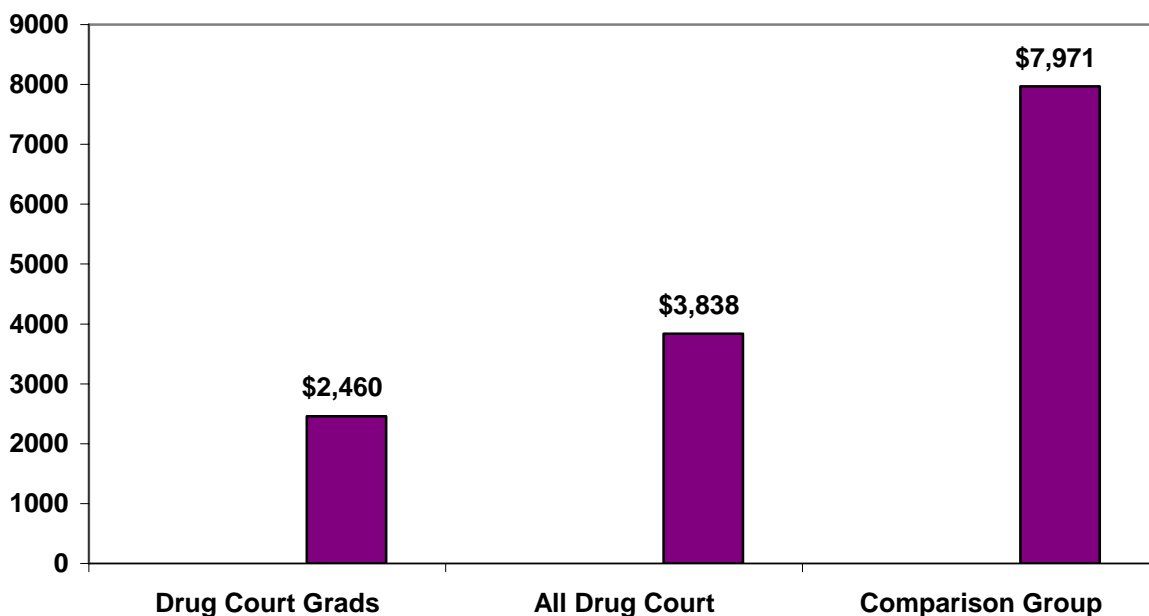
Similar to many of the drug court studies in which NPC has been involved, greater outcome savings associated with drug court participants accrue to some agencies than others. In the case of the SJCDCP, law enforcement realizes the greatest financial benefit—mainly due to less jail time for drug court participants.

The comparative criminal justice cost experiences of all drug court participants, drug court graduates, and comparison group members are graphically represented in Figure 7. Due to very low rates of recidivism, drug court graduates experience the lowest outcome costs compared to other groups. SJCDCP graduates show a savings of **\$1,378** per graduate compared to all drug court participants, and **\$5,511** per graduate compared to comparison group members.

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

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

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



SUMMARY AND CONCLUSIONS

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

As with many other drug court programs, the SJCDP works to identify and secure adequate resources to address concerns among clients. The transition from an intense program of monitoring to freedom from program oversight can be challenging for some participants. The aftercare component of a program is crucial and merits increased attention. The drug court team may want to engage in conversations about how to incorporate aftercare into their program.

Ongoing professional development increases staff skills and contributes to enhanced program quality. The drug court should also continue to build on its strong community connections and support from various facets of the community, including businesses and places of worship.

The outcome analyses were based on a cohort of SJCDC participants who entered the drug court program from January 1, 2002, through June 30, 2005, and a comparison group drawn primarily from the CSAP database. The outcome results indicated that participants in the drug court were re-arrested 54% less often as the comparison group in the 24 months following drug court entry. This provides clear evidence that the SJCDC has been successful in reducing recidivism for its population of drug-addicted, high-risk prison bound offenders.

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

Costs tracked in this study were those incurred by taxpayers. Other less tangible but important savings not factored into this study include an increase in the number of drug-free babies born, a decrease in health care expenses, and drug court participants working and paying taxes. The average cost for the SJCDP was **\$3,848** per participant. This amount is below the low end of the range of costs found in other drug courts (\$4,000 to \$20,000) studied by NPC Research (Carey & Finigan, 2004; Carey et al., 2005). The outcome costs indicate that participation in drug court offers a cost-benefit to the Indiana taxpayer due to a reduction in subsequent re-arrests and associated incarceration and victimizations.

Over a 2-year period, the SJCDP cost outcomes were \$3,838 per participant compared to \$7,971 per offender that did not participate in drug court. When this per participant savings of **\$4,133** is multiplied by the 465 offenders who have participated in the drug court program since implementation, the total current program cost savings (for outcomes over 24-month period from program entry) is nearly **\$2 million**.

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

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**APPENDIX A: PARTICIPANT FEEDBACK FROM FOCUS GROUP
AND INTERVIEWS**

St. Joseph County Drug Court Program Focus Group Summary

As described in the process section of this report, two interviews were conducted in June 2006, the first a focus group with four active drug court participants, representing the different program phases. The second was a one-on-one interview with a past drug court participant who didn't complete the program.

The main topic discussed during these interviews included what the 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, support related to education and employment, incentives for doing well, and recommendations for the program.

What they liked

Active participant group:

- Classes [from private providers] open up your eyes to what your problem is and help you deal with it. The ones I go to are held here [DC office] and you have to go to 8 weeks of them. They include drug education.
- The best thing about the drug court program is coming to court; it makes you be responsible for your actions.
- It helps to see others who aren't successful. The guy that was brought in from the jail [during today's DC session], we started together. He did well in aftercare but now he's going to prison. It makes you know that you're not too far from messing up.
- The people in court, we're kind of like family. You really don't want to disappoint those other people.
- The program has two benefits: One, I won't be a drug addict anymore; two, I won't have a felony on my record.
- This program is so important. It's helped me be responsible and more productive.
- NA meetings [through the DC program] and aftercare are helpful, as well as going to court, in creating relationships. That's the most important thing. I don't want to let anyone down.

Participant not completing the program:

- The judge is good. He really tries to help everyone. He and the program are great because they really try to give people a second chance, to turn their lives around.
- Coming in to touch base with DC staff is helpful because it keeps you on track.
- [DC] had me go through drug classes, which helped because I've been clean for 1 1/2 years now.
- My case manager made sure that my payments were made, that I was passing my urine drops, and was taking care of everything I had to take care of.
- Everybody on this floor is nice. They're not the type to let you get over on them but they're the type that, if they can help you, they'll help you. Fortunately, I've been around enough that I almost know them all by name.
- It gives people an opportunity for a second chance to better themselves; that's why I liked it and agreed to it.

What they didn't like

Active participant group:

- I have to go to 48 classes. I've just started the classes but I'm not too into them [note: this individual talked in court, during the DC session, about problems that he has been having as a result of this class].
- I don't like talking about my issues in open court.
- The time commitment is very tough, since I'm also working. If I have to go to 4 days of these classes [per week], I really almost want to tell them to take away the plea bargain, because it's that bad.
- I have a problem with people with different addictions [e.g., alcohol vs. drugs] being in the same group.
- It's hard when you have to call in for drug testing every day and you have to leave work to do DC related activities [like doing a drop].
- The classes I go to, after being there [even though I don't drink], I just want to go out to a bar. It infuriates me every time I go there. She refers to us as "crack heads, junkies and fiends;" she doesn't call us addicts. And when we ask questions, she just talks down to us like we're kids.
- I don't like the fact that I can't take my kids anywhere on the weekends, because you have to call [can't go out of town]. [Response from another: If you do everything that's asked of you, so you can ask to leave for a vacation after awhile].
- In this program you're not convicted of anything, so you can stay as long as you keep screwing up. I know a couple of people who have been in this program 3 or 4 years; they finally gave up.

Participant not completing the program:

- It was hard to keep up with payments [this participant has paid everything off]. Some people pay very little and, by the end of the year, they have a huge debt. You have to be paid up to even be considered eligible to get off the program.
- It was somewhat of an inconvenience that I had to leave work to go to court. Work would be lenient with you to a point [as long as I brought in papers saying where I was going]. I had to make up the hours that I missed, so it was hard.

General feedback regarding the program (including DC staff)

Active participant group:

- At the beginning of the session, the judge makes you raise your hand if you think you're going to get a sanction and you've got to tell him what you did. The biggest thing in this program is being truthful, which is the hardest thing for a drug addict.
- The Case Manager is great; he'll do anything he can for you [all participants agreed].
- The court gives you all the chances they can. At first you think of them as the enemy. The judge tells us that he wants us to succeed and be responsible, which is why you have the chance to fess up if you're going to fail a drug test.
- If you lie to [the judge], it's like stabbing him in the back. He is one of the coolest judges [fairest and most level headed] around. He'll give you chances but, after awhile, there's nothing he can do for you.

- If I mess up [I'm not going to], I know that I'm going to get a free pass the first time. They understand that people slip up.

Participant not completing the program:

- During the group [with the private provider], we talked about who we were and why we were there, and then we touched bases about a lot of this, telling stories about what happened with us and our lives. So, you learn a lot about what you're doing wrong, and if you got enough sense to change it, then you will. Also, you could see other people's mistakes.
- I joined because it was a second chance, an opportunity for me to act like nothing happened; to take care of what I have to take care of.
- The program has strict guidelines; you have to see people, you have to go to classes, you have to do urine drops whenever your color is up, you have to see your case manager, and sit in the courtroom. If you're not doing anything wrong, it's pretty simple.
- Even though I got kicked out of the program, I did get something out of it. I'm clean. I also learned that even if you make a mistake, you can always better yourself.
- If there are more and more courts starting [drug court] programs, I think that's a good thing. Not everybody who gets in is ready for it, but it's a good thing for those who are. Even people like myself, who did not finish the program, can still get an opportunity to better themselves.
- In terms of not hanging around old friends, it's hard to just leave somebody alone that you've known all of your life, even if they're screw-ups.
- At the beginning, when you are being called an addict, it's hard to take [like being in denial]. You think that you can quit but, truthfully, you are an addict and you don't want to quit. That's what they explained in the classes, which were helpful.
- The judge is really clear about the rules. He's a really good guy; he really wants to see people do better. He's not like other judges, who just want to punish you. He tries to give you an opportunity to better yourself. He shows that he cares.

Drug court's affect on personal relationships

Active participant group:

- It takes a while to develop the trust. By going to these classes and passing your drug tests, they [family and friends] know that you're clean and willing to do something positive for yourself.
- My son and I have bonded more in this last year and a half [while he was in the program] than we have for years.
- My wife still uses. There's a court order that says I can't live with her. One of the counselors [not still with the program] said that I should divorce her. That really upset me, even though she was probably right.
- I have written an apology letter to my family members and sent them thank you cards for their support of my recovery. I also sat down with all of my kids and told them what I was going through.
- It's strengthened my relationship with my mom, dad and my son.

Program's support related to employment and education

Active participant group:

- Yeah, they [DC] try to get you a job. For those who don't have a diploma, they try and help you get a GED.
- The drug court program also works closely with Impact-Work One (the unemployment office). They help with creating a resume and doing a comprehensive job search (based on what you want to do).
- You can put the Judge down as a reference [for work].

Incentives for doing well in the program

Active participant group:

- After being clean for 3 months, you get a Wal-Mart card for \$10-20. As soon as you graduate, you get another gift card.
- You get to be in the "head of the class" if you do well, which means you get to go up [to the bench] first and then leave first.
- I think it's good that they recognize that you're doing well in the courtroom [during the DC session]. That's good motivation to keep doing well. Coming from the judge, it has a great impact.
- The prosecuting attorney shook my hand and said that I was doing a good job and he was proud of me.

Recommendations for the program

Active participant group:

- Maybe if the court was clearer about what people [in DC] we could go to for support for specific issues [i.e. "point" people to contact for help with specific issues/concerns].
- I think there should be someone here, higher up than a case manager, in case you have a question you need answered, instead of somebody at the front desk saying nobody is here but you can leave a message.
- I'd change the classes and how they do the testing. I don't think that [drug tests] should necessarily be given on a set schedule, but it would be good to know [somewhat ahead of time] the day you're being tested for personal/work scheduling reasons.
- It would be good if they had a group [through DC] for families of participants, because a lot of people get high in front of their kids. You want [your kids] to know that you were actually sick when you were using, and that you don't want them to do what you did.

**APPENDIX B: SJCDC ELIGIBILITY INCLUSION AND
EXCLUSION CRITERIA**

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

1. Possession of a Controlled Substance, Class D Felony
2. Possession of Cocaine or Narcotic Drug, Class D Felony
3. Possession of Marijuana, Class D Felony
4. Possession of Paraphernalia, Class D Felony
5. Visiting or Maintaining a Common Nuisance, Class D Felony
6. Possession or use of legend drug or precursor (violates 16-42-19-13), Class D Felony
7. (Attempting to) or Obtaining a Controlled Substance by Fraud or Deceit, Class D Felony
8. Obtaining Legend Drug by fraud, deceit, etc.; forged prescriptions, Class C or D Felony (violates 16-42-19-16)

The offenses that are excluded from SJCDC are as follows:

1. Possession of a Controlled Substance, Class C Felony
2. Possession of Cocaine or Narcotic Drug, Class C Felony
3. Possession or use of legend drug or precursor (violates 16-42-19-13), Class C Felony
4. Illegal Drug Lab; Possession of Drug Precursors, Class C or D Felony
5. Illegal Drug Lab; Sale of Drug Precursors, D Felony
6. Operating a Vehicle While Intoxicated, Class A Misdemeanor or D Felony

APPENDIX C: SJCDC Exceptions to Drug Testing Schedules

Exceptions to the SJCDC drug testing schedules and their consequences are as follows:

- Admission of illegal drug use or a positive drug test will result in a change of UDS schedule for that substance
- If a participant has a subsequent positive test for marijuana and has completed testing at twice a week for 12 weeks, then the participant will begin testing once a week for 12 weeks and complete the marijuana schedule
- If a participant tests positive for alcohol during the latter 6 weeks of the two times per week marijuana schedule, then after completion of that schedule for 12 weeks, the participant will begin testing in accordance with the alcohol schedule (the week the participant tests positive for alcohol will not be counted)
- If the participant is scheduled for testing once a week and misses an entire week of testing, then the count of negative weeks starts over.

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

Drug Court Rewards and Sanctions (Ideas and Examples)

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

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

Rewards

No cost or low cost rewards

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

Higher cost (generally tangible) rewards

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

Sanctions

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

APPENDIX E: GLOSSARY OF DRUG COURT TERMS

Glossary of Drug Court Terms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ProsLink: A database containing arrests for which charges were filed with the courts (regardless of outcome) 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 court cases.

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.