Marion County Adult Drug Court
Process Evaluation

Final Report

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September 2003
Executive Summary

Marion County began piloting their Adult Drug Court in April 2000. It was fully operational in September 2001, following receipt of a drug court implementation grant from the Drug Court Program Office at the National Institute of Justice. This grant also provided evaluation funds and NPC Research was hired to perform a process and outcome study of the Drug Court. This report contains the process evaluation performed by NPC using the Ten Key Components of Drug Courts (developed by the NADCP in 1997) as a framework. The Marion County Adult Drug Court was evaluated on its ability to demonstrate these key components. The chief results are as follows:

Ten Key Components of Drug Courts

Component 1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.

Marion County Adult Drug Court has an unusually high degree of Team integration, which is one of its greatest strengths. Team members from many different agencies (from both the justice and treatment systems) and with different perspectives work together to arrive at a consensus on final decisions, focusing on what is best for the participants. Frequent communication and input from Team members allows the Court to act swiftly when problems arise.

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

Team members, including the prosecution and defense counsel, feel comfortable stepping outside their traditional roles in order to do what is best for participants in the Marion County Drug Court. At the same time, the attorneys believe that the mission of each has not been compromised, that public safety has been protected, and that the rights of Drug Court participants have been protected.

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

Marion County Drug Court has an organized way of identifying eligible drug court participants, and the Judges, the District Attorney's Office, and the Defense Attorneys are informed about those requirements. The length of time between arrest and arraignment (during which a client is referred to Drug Court) is about three weeks, followed by about two weeks between arraignment and entering Drug Court. Clients entering Drug Court from outside this process, such as through another Judge or Probation, do so at varying lengths of time. In any case, once a client is identified as being eligible for Drug Court, the process is in place to have them enter swiftly.
Component 4. Drug courts provide a continuum of alcohol, drug, and other related treatment and rehabilitation services.

Diverse, specialized treatment appears to be a strong component of the Marion County Adult Drug Court. The Treatment Provider, highly praised by participants, is unique in that the program is specially designed to treat criminality issues as well as drug and alcohol addiction. In addition to standard guidelines and services, the Drug Court works to ensure individualized treatment by offering varied resources, such as parenting classes and mentors. Participants are well informed about the many treatment services available to them, and they are encouraged to take responsibility and seek out their own assistance.

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

Based on results from the American University National Drug Court Survey (Cooper, 2000), the number of urinalyses (UAs) given in this Court during the first two phases (two to three per week) is comparable to the majority of drug courts nationally, and the number of UAs given in their third, and last, phase is comparable to the number given in later phases by drug courts nationally. In addition, the Team works to prevent clients from drinking alcohol as an alternative to drugs by using an at-home monitoring system, the Sobrietor, with which participants take part in random alcohol tests over a specialized phone system.

Component 6. A coordinated strategy governs drug court responses to participants' compliance.

The Marion County Drug Court uses standard, graduated sanctions for non-compliant behaviors as well as creative sanctions they feel would be most effective for specific individuals. Sanctions are determined by the Team, with the Judge's approval. Rewards are given for positive behavior and for improvement throughout the program. The type of rewards given are comparable to those given by drug courts nationally, although this Drug Court provides fewer material rewards and has a lower frequency of rewards compared to sanctions than other drug courts, mostly due to a lack of resources.

Component 7. Ongoing judicial interaction with each drug court participant is essential.

There is excellent ongoing interaction between the Judge and participants in this Drug Court. The Judge sees participants once a week in Phase 1, three times a month in Phase 2, and twice a month in Phase 3. In fact, there is more contact with the Judge in this Drug Court than the national average. Participants spoke positively about the Judge and appreciated the interest he showed in them and their families.

Component 8. Monitoring and evaluation measure the achievement of program goals and gauge their effectiveness.

The Marion County Adult Drug Court was very supportive of this, their first, evaluation. The Team members made themselves available for interviews, responded quickly to requests, and helped arrange site visits and focus groups. This Court also performs good self-monitoring and is
willing to make adjustments in policy and in the makeup of the Team as needed. The outcome evaluation, to be completed in August of 2004, will measure the achievement of program goals and program effectiveness.

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

Most Marion County Adult Drug Court Team members have attended drug court trainings and continue to attend trainings whenever possible. Team members have also attended multiple NADCP conferences and have observed other Drug Courts. The Judge, Coordinator and one of the Defense Attorneys are all active in the Oregon Association of Drug Court Professionals (OADCP) and the Judge is currently President of that organization and the Attorney is on the Executive Board. Information from the OADCP as well as other educational materials is brought back to the Team for discussion on a regular basis.

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

Forging partnerships is another area in which this Drug Court excels. They have built strong relationships with a large number of community agencies and are continually working towards creating new relationships. This Drug Court has a uniquely strong relationship with Law Enforcement and Mental Health agencies. The Judge promotes Drug Court in the community and has gained the support of key business players.

Comments and Observations

- Having a 12-step representative attend Drug Court sessions is a unique and laudable practice that not only helps connect participants to the recovery community, but also may provide the perspective of a person in recovery for the Team.

- There was some concern that clients with serious co-occurring disorders would use a large amount of Drug Court resources without much return. However, it was reported that with time being donated by mental health treatment agencies, clients with serious mental health issues do not have to use many of the Court's resources and have unanimously been successful in the Program.

- It is commendable that Law Enforcement is such a strong member of this Drug Court Team. This involvement has not only provided the Drug Court Team with a useful perspective on their clients but has also helped change Law Enforcement's view of individuals with drug addiction.

- Participants reported feeling very positive about the Drug Court Team members and the Program. In particular, they appreciated the help they received from the Drug Court Coordinator. They also appreciated that part of treatment focused on criminality and thinking errors, although they did not feel the movies shown in treatment were helpful.
Recommendations

- It is recommended that the Team provide written guidelines (with examples of possible graduated sanctions) to the participants through inclusion in the handbook. This would give clients an idea of what to expect and provide a baseline of sanctions for the Team's use.

- As lack of available funding for rewards has meant that sanctions have outnumbered rewards in this court, suggestions were given for some low or no-cost rewards that could be added to those currently available. These suggestions include calling clients who are doing well before the Judge first at Court sessions and instituting a drawing for those who are showing good Program progress.

- The participants reported feeling that they were not getting the support they needed to gain and maintain a job. The Drug Court Team might consider incorporating a Team member from an employment agency/department. This kind of agency could provide resume writing and interview training and other assistance in finding a job.

- The Drug Court Team may want to look through the participant manual both to update it for any recent changes in process and to look for places that might be considered as “talking down” to a participant. The manual might benefit from a revision changing any slang to simple but professional language.

Summary/Conclusion

Overall, the Marion County Adult Drug Court demonstrates the Ten Key Components of Drug Court in an exemplary fashion. One of the Court's greatest strengths is its highly integrated and diverse Drug Court Team. In addition, this Drug Court has large amount of positive community relationships and community support.

The one key component that was less strong involved the use of rewards, due in a large part to a lack of funding. Recommendations were made for low- and no-cost rewards. A recommendation was also made regarding the usefulness of written sanction guidelines for participants.

In addition to the quality of the Drug Court Team, strengths of this Drug Court include the strong commitment to education of the Team members and the high frequency of contact and positive relationships between the participants and the Judge.
Introduction

Marion County, Oregon has a population of approximately 280,000. It is rich in ethnic diversity, including a large Hispanic/Latino population, a growing Russian-American community, and is near the Grande Ronde Indian tribe. The Office of National Drug Control Policy identified Marion County as a “High Intensity Drug Trafficking Area” (HIDTA) as the county has links to major Interstate and Highway routes that contribute to the drug trafficking trade from Mexico and Central America.

The Community Corrections Division of the Marion County Sheriff’s Office reports that 64% of the offenders currently under their supervision have been convicted of alcohol and/or drug related offenses. Further, a study by Portland State University indicated that 80% of all corrections inmates had substance abuse addictions that directly contributed to their current offense. With these statistics in mind, Marion County began planning a drug court. The County was awarded a program planning grant in July of 1999.

In April of 2000, Marion County began a pilot of their Adult Drug Court. Arrangements were made to collect client data in a drug court database, the Drug Court Case Management System (DCMS), which is used in several counties in Oregon. In September of 2001, Marion County received a drug court implementation grant from the Drug Court Program Office (DCPO) at the National Institute of Justice and transitioned from their pilot phase into full drug court operations. This grant provided funds for evaluation and NPC Research was hired to perform a process and outcome study of the Marion County Adult Drug Court.

This report contains the process evaluation for the Marion County Adult Drug Court (MCADC) performed by NPC Research. The outcome evaluation will be completed in August 2004. The Ten Key Components of Drug Courts (developed by the NADCP in 1997) were used as a framework for the evaluation, and the court was evaluated on its ability to demonstrate these key components. The first section of this report is a description of the methods used to perform the process evaluation. This section describes the protocols used to obtain information on the drug court process, including site visits, key stakeholder interviews, focus groups, document reviews and an examination of the Drug Court database. The results portion of this report consists of three sections. The first results section contains a detailed process description of the MCADC, the second section contains the results of the focus groups conducted with the MCADC participants, and the third section contains a list of the Ten Key Components of Drug Courts with a discussion of the extent to which this court demonstrated each component. A summary of the results with overall conclusions can be found at the end of this report.

Methods

Information was acquired for the process evaluation from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, and the Drug Court database. This information was then used to answer specific evaluation questions related to the Ten Key Components of Drug Courts. The methods used to gather this information from each source are described below. Once this information was
gathered, a detailed process description was written and sent to the MCADC for feedback and corrections. The MCADC process was then evaluated, using the Ten Key Components of Drug Courts as a framework to determine whether, and how well, these key components were being demonstrated by the MCADC Program.

Site Visits

NPC evaluation staff traveled to the MCADC to observe court sessions and MCADC Team meetings. These observations gave the evaluation staff first-hand knowledge of the structure, procedures, and routines of the Drug Court as well as allowing an observer's view of Team interactions to help evaluate the cohesiveness and integration of the Drug Court Team members.

Key Informant Interviews

Key informant interviews were a critical component of the process study. NPC staff interviewed 16 individuals involved in the MCADC, including the MCADC Coordinator, the MCADC Judge, the District Attorney, the Public Defender, the Treatment Providers, and Probation and Law Enforcement representatives, as well as other individuals who were involved in the MCADC. NPC Research, under a grant from the Bureau of Justice Assistance and the Administrative Office of the Courts of the State of California, designed a Drug Court Typology Interview Guide to provide a consistent method for collecting structure and process information from drug courts. This guide was modified to fit the purposes of this evaluation, including adding questions related to how the MCADC operated in terms of the Ten Key Components of Drug Courts (NADCP, 1997). (More information on the Ten Key Components is included in the evaluation results, below.) The information gathered through this guide helped the evaluation team focus on important and unique characteristics of the MCADC.

The topics for this Typology Interview Guide were chosen from three main sources: the evaluation team's extensive experience with drug courts, the American University Drug Court Survey, and a paper by Longshore, et al. (2001), describing a conceptual framework for drug courts. The typology interview covers a large number of areas -- including specific drug court characteristics, structure, processes, and organization -- that contribute to an understanding of the overall drug court typology. Topics in the Typology Interview Guide include eligibility guidelines, the drug court program process (e.g., phases, treatment providers, urinalyses, fee structure, rewards/sanctions), graduation, aftercare, termination, the non-drug court process, the drug court team and roles, and drug court demographics and other statistics.

Key people involved with the MCADC were asked many of the questions in the Typology Guide during site visits and through multiple follow-up phone calls. This served three purposes: 1. It allowed evaluation staff to spread the interview questions out over time, minimizing the length of the interview at any one instance, 2. It provided evaluation staff with an opportunity to connect with key players throughout the duration of the evaluation, maximizing opportunities to obtain information, and 3. It allowed evaluation staff to keep track of any changes that occurred in the MCADC process from the beginning of the project to the end.

Focus groups

NPC Research conducted a focus group with the Drug Court participants in various stages of the Program process. The focus group gave the participants an opportunity to share their experiences and express their perceptions about the MCADC process with the evaluation staff. Feedback

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from MCADC participants was also relevant to addressing Key Component #2: whether drug court participants felt that their due process rights had been protected.

Document review

The evaluation team reviewed documentation from the MCADC Program that would further the team’s understanding of the MCADC history, operations, and practices. These documents included staff job descriptions, program grant proposals, policy manuals, and meeting minutes.

Administrative data analysis

The Oregon Drug Court Management System (ODCMS) was developed by the Oregon Judicial Department, State Justice Institute. The database was still in the pilot stages during this evaluation, with the most recent version of the database being implemented approximately one month prior to this report. This most recent version is thought to be the final version, but it is still being tested. The database allows drug courts to record information on client demographics, drug court hearings, drug testing, treatment providers, substance abuse, criminal history, case notes, outcomes, and follow-up information. While this database will be used primarily for the outcome evaluation, it also provided valuable information for the process evaluation, including information on how the database was being used by this court (as different processes at different drug courts lead to drug court staff using the database to suit their unique needs). This database provided the evaluation team with information on the types of clients served by the drug court, the frequency of drug court hearings, and the types of treatment, monitoring, and sanctioning processes.

Results

The following results include a detailed process description of the Drug Court’s current operations, a description and discussion of the focus group results, and an evaluation of the drug court process in terms of the Ten Key Components. Points of interest, issues, or successes experienced by the Drug Court are highlighted within the text as either “comments” or “observations.” “Comments” contain information gathered directly from interviews with MCADC staff or from participants, while “observations” contain information from evaluator observations of drug court processes.

Marion County Adult Drug Court Process Description

The following information was gathered from interviews, Drug Court documents (such as the policy manual), observations of the MCADC, and feedback from the MCADC Team. The majority of information was gathered from the interviews and the best attempt has been made to represent the information in the same words in which it was given to the evaluation team.

Implementation

The Marion County Drug Court was implemented on April 6, 2000, with a pilot phase jointly funded by the Sheriff's Office in cooperation with Serenity Lane Straight F.A.C.T.S. (the current Drug Court Treatment Agency). Prior to the pilot phase, Marion County was awarded a planning grant in 1999 from the National Drug Court Institute (NDCI). Included in the planning effort
were the following individuals: Judge Dennis Graves, Rod Swinehart (analyst), Tammy Dover (coordinator), and Linda Hukari (Court Operations Supervisor), Marion County Courts; Dale Penn (District Attorney), Steve Dingle and Joseph Hollander (MC District Attorney’s Office); Dick Cowan and Steve Gorham (Defense Attorneys); Lt Ed Boyd (Salem PD); Lt David Okada (MC Sheriff’s Office); Roger Appelgate (MC Health Dept-D&A Treatment); Jeri Moeller (Serenity Lane A&D Provider); and Rick Mckenna (MC Sheriff’s Office – Parole & Probation). In 2000 the Planning Team visited other Drug Courts (two in California and one in Utah) for training prior to implementation. During the pilot phase Marion County Court and the Sheriff’s Office collaborated in an operations grant application to the Drug Courts Program Office (now the Bureau of Justice Assistance), which resulted in an award in August 2001. In 2002, Bonnie Savage became the Coordinator and representatives from Marion County Mental Health and the Homeless Outreach and Advocacy Program (HOAP) were added as well. Marion County Drug Court implementation received wide support from the Police, Sheriff, County Commissioners, local legislature, Chief Justice, and others. Through Judge Graves’ involvement with the Salem Rotary Club, the Drug Court also received the support of key business players.

Capacity and Enrollment

The annual capacity of the Marion County Drug Court is 30 participants. As of April 15, 2003, the Court reached capacity with 32 active participants and 1 bench warrant, but had 7 graduating in May. Between implementation and September 2003, there have been a total of 49 participants, including 7 graduated (October 2002) and 4 terminated. There is an even split between the genders with 25 men and 24 women. The majority of the participants are white (42). There are two African-Americans, three Hispanics, one Pacific Islander and one Native American. The Drug Court receives an average of one and a half referrals per month.

Most clients of the Marion County Drug Court are “hard-core” methamphetamine users (95%). There are also some marijuana users and a few clients who use heroin, alcohol, or other drugs.

Drug Court Goals

Overall, the main goals of the Marion County Drug Court are to assist as many people as possible in learning how to live a drug-free life and to reduce recidivism. The Drug Court was described as "a simple program for complex people."

The specific goals of the Drug Court, as described by the Drug Court Team members are to:

- Assist individuals in living substance-free lives
- Provide a therapeutic Court experience where respect, understanding, and authority are present
- Work as a collaborative Team in such a way that an outside person could not tell what the roles of each person were, “where people are free to speak from their hearts”
- Work with new offenders to keep them out of the system
- Provide intensive treatment up front to stop addiction early on
- Provide substance abuse treatment free of charge if they are unable to pay
- Offer support in people's recovery, and for people that have had legal complications

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