Adult Drug Courts

“All Rise”

“Giving hope and support to those that the traditional justice system would deem hopeless” NADCP

Lily Gleicher
History of Drug Courts

- First drug court was started in 1989 in Dade County, Florida.

- Why drug courts began:
  - “War on Drugs”
  - Increase of drug-related crimes
  - Cost-effective alternative to incarceration
  - Growing evidence indicated service provision and treatment may be more effective than incarceration

- 140 drug courts in 1996; 275 drug courts in 1998; 1,300 drug courts in 2009
What are Drug Courts?

- Specialized probation
  - Frequent drug tests
  - Weekly/monthly appearances before judge
  - Case manager meetings
  - Treatment programs (inpatient and outpatient) & other services
  - Graduated system of sanctions/incentives

- Phase process
  - Move through phases based on progression, clean time

- Eligibility: non-violent, substance abusing offenders—commit crimes due to addiction—in general; pre-plea or post-plea

- About 15 months

- Sometimes includes case dismissal (pre-plea) or charge reduction after graduation
10 Key Components of Drug Courts

1. Integration of substance abuse treatment with justice system case processing
2. Nonadversarial approach—prosecution and defense collaborate to promote public safety and offenders’ due process rights
3. Early identification and placement in program

*NADCP & OJJDP (1997)*
10 Key Components

- 4. Access to continuum substance abuse and other related treatment and rehabilitation
- 5. Frequent drug testing to ensure abstinences
- 6. Coordinated strategy guides drug court responses to client compliance
- 7. Ongoing interaction with judicial system (regular meetings in court with judge) is essential

*NADCP & OJJDP (1997)*
10 Key Components

• 8. Program goals and effectiveness are monitored and evaluated

• 9. Continued training and education to enhance drug court planning, implementation, and operations

• 10. Generating local support and enhancing effectiveness through forging partnerships among drug courts, public agencies, and community-based organizations

*NADCP & OJJDP (1997)*
## Drug Court Studies

- Overall, studies indicate drug court reduces recidivism among drug court participants
  - Moderate reduction in recidivism
  - 3 recent reviews of 60 studies indicate recidivism reduction on average of 8%-13% (Rempel et al., 2012)

- In general
  - Lower incarceration rates
  - Longer time to rearrest
  - Less frequent rearrest among participants
  - Less drug use/positive drug tests
# Limitations of Drug Court Studies

- Drug courts vary by jurisdiction

- **Weak Methodology**
  - Comparison groups not always adequate
    - Use of historical controls, few randomized samples, selection bias
    - Lack of knowledge on duration of effectiveness (post drug court time period)

- Limited knowledge on aspects of drug courts that are more effective/associated with greater effectiveness

- Eligibility of participant issues— inclusion of atypical individuals
  - abuse vs. dependence vs. use; risk level; non-violent vs. violent, type of offense
NIJ’s multisite Adult Drug Court Evaluation (MADCE)

- NIJ funded 5-year study by Urban Institute, Center for Court Innovation, and RTI International (2004)
- 29 sites came from Florida, Georgia, Illinois, Pennsylvania, New York, North Carolina, South Carolina, and Washington
  - Intentional mix of rural, small cities, and suburbs
- 1,156 participants, 23 drug courts
- 625 drug-involved offenders from 6 comparison jurisdictions:
  - lacked adult drug courts, narrowly targeted program, or had more offenders than capacity of drug court

*Rossman, Roman, Zweig, Rempel, & Lindquist (2011)*
Findings from NIJ Multisite Study

• **Drug Use**—reduction in drug relapse
  • Participants significantly less likely to report using any drugs than comparison group (56% vs. 76%) at both 6 months and 18 months
  • significantly fewer participants tested positive at an 18 month oral fluids drug test (29% vs. 46%)

• **Crime**—drug courts produce significant reduction in crime
  • Participants significantly less likely to report committing crimes than comparison at both 6 and 18 month interview (40% vs. 53%)
  • reduced drug possession, drug sales offenses, driving while intoxicated, and property-related crime

*Rossman, Roman, Zweig, Rempel, & Lindquist (2011)*
Findings from NIJ study

- **Other psychosocial outcomes**—experience select benefits in other areas
  - At 18 months, participants significantly less likely to report need for employment, educational, and financial services; significantly less family conflict

- **Durability of Impact**
  - 6 and 18 month interviews almost identical improvements (substance use and crime)
    - Only includes some post-program time for at least 72% of sample

*Rossman, Roman, Zweig, Rempel, & Lindquist (2011)*
Meta-Analysis of Traditional & Non-Traditional Drug Courts


• Systematic review of quasi-experimental and experimental evaluations of effectiveness of drug courts in reducing offending

• 154 independent evaluations—92 of adult drug courts, 34 juvenile, 28 DWI

• Methodologically weak evaluations of drug courts
  • Few randomized evaluations and only modest number of rigorous quasi-experimental evaluations
Findings from Meta-Analysis

- Vast majority of drug court evaluations find participants have lower recidivism than non-participants

- Average effect of drug court participation equivalent to reduction in general recidivism from 50% to about 38%; from 50% to 37% for drug-related recidivism
  - Can persist for up to 3 years after program entry

- Larger reductions in recidivism were found among those adult drug courts that had:
  - Higher graduation rates
  - Accepted only non-violent offenders

Ohio Drug Court Study


- Characteristics and outcomes among 7 adult drug courts and 3 juvenile drug courts across Ohio

- Quasi-experimental matched comparison group
  - Comparison match criteria: Must have reported substance abuse problem and be eligible for drug court

- 3 courts evaluated:
  - Common pleas (felony) → 788 drug court participants, 429 comparisons
  - Municipal (misdemeanor) → 556 drug court participants, 228 comparisons
  - Juvenile → 310 drug court participants, 134 comparisons
Findings from Ohio Study

- Regardless of court type, drug court participants do significantly better as a group than individuals who did not receive drug court.

- 32% of common pleas drug court clients rearrested vs. 44% of comparisons.

- 41% of municipal drug court clients rearrested vs. 49% of comparisons.

- Employment and education were significant predictors of rearrest in both types of adult drug courts.
  - Less than high school education, unemployed were more likely to be rearrested.

*Shaffer, Listwan, Latessa, Lowencamp (2000)*
“Black Box” of Drug Courts: Meta-Analytic Review

- Deborah Koetzle Shaffer (2010)
- Lack of theoretical framework for initial design and implementation of drug courts
- Incorporation of therapeutic jurisprudence and principles of effective intervention to identify characteristics of effective drug courts
- Published and unpublished studies
- Meta-analysis: 54 evaluation studies; 76 distinct drug courts
  - 6 structural and 5 process dimensions of drug court effectiveness
    - Structural: target population, leverage, service delivery, staff, funding, quality assurance
    - Process: assessment, philosophy, treatment, predictability, and intensity
“Black Box” Meta-Analysis

Findings

- Success of drug courts depends on:
  - Type of offenders targeted
  - Leverage
  - Expectations placed upon participants
  - Quality of staff

- Treatment moderately related—but still important
  - did not assess quality of treatment in study

- Philosophy explains some variation

- Funding, service delivery moderately predictive

- Less predictive: predictability, assessment, quality assurance

*Deborah Koetzle Shaffer (2010)*
Principles of Effective Intervention & Drug Courts

- Drug courts recognize RNR literature
  - Drug courts serving higher risk populations found to reduce crime about twice as much as those serving less serious offenders (Lowencamp et al., 2005)
  - Effect appears dose related (Brown, 2011)

- Graduated sanctions/incentives

- Attempt to target multiple need

- Emphasis on treatment in community as opposed to incarceration
Principles of Effective Intervention and Drug Courts

Where can drug courts be more effective?

- Standardized classification of offenders based on risk level
  - For appropriate referrals, dosage/intensity, other criminogenic needs

- Quality of and adherence to cognitive-behavioral based treatment (currently rely on 12-step)
  - Holding referrals accountable to using these techniques
  - Continuum of care/aftercare services
  - Crucial—going from constant surveillance to “freedom”

- Changing eligibility criteria to serve a wider population

*Johnson, Hubbard, Latessa (2000)*


