

# DRUG COURTS IN TEXAS

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Texas Department of Criminal Justice  
Community Justice Assistance Division

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# What is a Drug Court and Who Participates?

- Drug courts are a type of intensive supervision consisting of judicially-led treatment programs for offenders whose offense history or assessment indicates that they may benefit from this option
- Nonviolent drug offenders diverted from prosecution
- Most are felony, some are misdemeanor
- Expanded programs to include non-drug offenders with substance abuse problems
- Also serve post-adjudication defendants

# Are Drug Courts Successful?

- Research indicates that drug courts help reduce criminal behavior drug use and recidivism
- Several factors contribute to the success of drug courts:
  - Intensive, face-to-face interaction with a judicial authority
  - Immediate treatment, a continuum of swift reaction and sanctions to relapse
  - Environment focused intensively on marshalling community resources toward success

# What Are the Ten Key Components of Drug Courts?

- Integration of substance abuse treatment with justice system case processing
- Use of a non-adversarial approach
- Early identification and prompt placement
- Access to a continuum of treatment
- Frequent testing for alcohol and illicit drugs

# What Are the Ten Key Components of Drug Courts?

- A coordinated strategy among judge, prosecution, defense and treatment providers to govern offender compliance
- On-going judicial interaction with each participant
- Monitoring and evaluation to measure achievement of program goals and measure effectiveness
- Continuing interdisciplinary education
- Partnerships with public agencies and community-based organizations to generate local support and enhance drug court effectiveness

# What Did H.B. 1287 (2001) Do?

- Required that all counties with a population over 550,000 establish drug courts
  - Optional:
    - If counties apply for but receive no federal funds
    - If no state funds are appropriated for that purpose
- The 2000 US Census indicated that this included Bexar, Dallas, El Paso, Harris, Hidalgo, Tarrant and Travis counties
- In 2002, census projections added Collin County

# **What Is the Status of the Drug Courts in Texas?**

**Twelve counties have established Drug Courts:  
Bexar, Dallas, El Paso, Fannin,  
Fort Bend, Harris, Jefferson,  
Montgomery, Nueces, Tarrant,  
Tom Green, Travis**

# Bexar

- Two felony drug courts have begun operation in addition to the two misdemeanor drug/alcohol courts already in place
- Awarded grants by TDCJ-CJAD and the Office of the Governor-Criminal Justice Division



# Collin

- Collin County Census estimates placed them into the mandated category in 2002, but the actual Census of 2000 did not
- There is interest in establishing a drug court. The District Attorney has held exploratory / planning meetings and intends to expand the planning in the coming year

# Dallas

- Established a model pre-indictment diversion program called DIVERT Court
- Established a SAFP Re-entry Drug Court
- Awarded a TDCJ-CJAD grant and a grant from the Office of the Governor-Criminal Justice Division
- Established a juvenile drug court with a Federal grant – the only Texas application to be awarded Federal Drug Court funds in 2003

# El Paso

- The El Paso Drug Court began in 2000
- Are establishing a SAFP Re-Entry Court
- Local CSCD funds, TDCJ-CJAD grant funding and a grant from the Office of the Governor-Criminal Justice Division have allowed for a more comprehensive in-house expansion of services

# Harris

- Commenced two drug court dockets September 1, 2003 for probationers
- One court consists of probation violators who have not participated in residential treatment and new probation cases
- One court is the "Re-Entry" docket, for probationers who have completed residential treatment
- Receives local CSCD funds, a TDCJ-CJAD grant, and Office of the Governor-Criminal Justice Division grant

# Hidalgo

- A program has not started in Hidalgo County
- CSCD applied for Federal grant funds, but was not awarded funds
- Awarded a TDCJ-CJAD grant, but without Federal funds, unable to implement the program
- May convert a new pre-trial program to a drug court

# Tarrant

- Operates a felony and misdemeanor pre-trial diversion drug court
- Administratively separated from the community supervision/probation system
- Primarily funded by the county, local law enforcement block grants, and an Office of the Governor-Criminal Justice Division grant

# Travis

- Operates a model pre-trial diversion drug court
- Longest-standing of the mandated counties, largest, and highest budget drug court in Texas
- Pre-trial program is administratively separated from the probation department
- Highest proportion of program completions of the programs studied in 2001 at 57%
- Receives funding from the county, Office of the Governor-Criminal Justice Division, and Federal funds

# Fannin

- Began Feb. 13, with 3 post-adjudication participants
- Innovative partnership between service provider, DA, Judge and Probation
- Using local funds, service provider volunteer hours, and CSCD funds to begin program



# Fort Bend

- **C.A.R.D. (Closing Addiction's Revolving Door Drug Court Program)** a 12 – 18 month diversion program became operational in January of 2002
- Over 90% of the admitted participants have successfully complied with the program
- Initially funded through a local law enforcement block grant in 2001 and a TDCJ-CJAD grant. The program was also awarded a federal grant for operation through March, 2005
- A SAFFP Re-Entry Court, STARS, has just begun

# Jefferson

- Started in 1993 and is a one year program
- Since its inception, served over 1500 hundred clients, 90% are felony
- This program accepts referrals from 3 sources—
  - condition of bond (these clients are considered pre-trial diversion)
  - direct referral from the District Attorney's Office (pre-trial diversion)
  - condition of felony or misdemeanor probation
- Funded by CSCD funds, a TDCJ-CJAD grant and a grant from the Office of the Governor-Criminal Justice Division

# Montgomery

- The Court Assisted Rehabilitation Experience (CARE) Program is primarily a pre-trial program
- Serves some probationers as space is available
- Received a Governor's Byrne grant and a TDCJ-CJAD TAIP Grant

# Nueces

- Nueces County County and CSCD agreed January 15, 2004 to immediately commence a pre-trial Drug Court
- Received a TDCJ-CJAD grant and will receive some assistance from the county and CSCD

# Tom Green

- Program commenced in September 2003
- The first court date set for January 14, 2004
- Made use of the mentor DIVERT Court in Dallas, Texas and the Judge, D.A.(s), CSO and Administration staff took advantage of a site visit/presentation
- Received a TDCJ-CJAD grant

# Drug Courts and H.B. 2668

- Drug Courts and CSCDs implement treatment requirements of HB 2668
- More treatment resources needed
- The Substance Abuse Committee, made up of TDCJ-CJAD, CSCD, TCADA, Drug Court staff, are finalizing “best practices” special grant conditions and substance abuse standards

# CRIMINAL JUSTICE POLICY COUNCIL OUTCOME STUDY ON TEXAS DRUG COURTS

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# Two-Year and Three-Year Outcomes for Drug Court Participants and Comparison Group Offenders

<b>Group Tracked</b>	<b>Percent Arrested</b>		<b>Percent Incarcerated</b>	
	Two Years after Entry	Three Years after Entry	Two Years after Entry	Three Years after Entry
<b>Completed Program</b>	19.5%	28.5%	1.0%	3.4%
<b>Did Not Complete</b>	48.6%	65.1%	12.5%	21.4%
<b>All Participants</b>	33.1%	40.5%	5.9%	12.0%
<b>Comparison Groups</b>	46.9%	56.8%	19.7%	26.6%



**The proceeding table reports the percent of offenders arrested or incarcerated in prison or state jail two and three years after entering a drug court program compared to comparison group offenders.**

- Arrest data is obtained from the Computerized Criminal History (CCH) records of the Department of Public Safety (DPS).
- Incarceration records are obtained from DPS and Admission data maintained by the Texas Department of Criminal Justice (TDCJ).
- Offenders entering drug courts from 1998 through 2000 were tracked for two years. Offenders entering drug courts from 1998 though June 1999 were tracked for three years.
- 859 drug court participants in Dallas, Jefferson, and Travis drug courts were tracked for two years; 501 of these offenders had three years experience for tracking.
- 462 comparison group offenders were tracked for two years; 285 of these offenders had three years.
- Offenders completing drug court programs have significantly lower arrest and incarceration rates than non-completers and comparison group offenders.

# TDCJ-CJAD Diversion Program (DP) Grants

## Drug Courts FY '04-'05

Funds are for Officers & Related Expenses, Assessment & Treatment

Drug Courts (by CSCD)	FY '02-'03 Funding	FY '04 Requested	CJAD Grants Awarded
Bexar		\$511,040	\$146,678
Brazos		\$138,291	\$0
Dallas		\$527,326	\$250,000
El Paso		\$278,805	\$100,000
El Paso (re-entry)		\$313,731	\$0
Ft. Bend		\$213,007	\$100,00
Harris		\$901,536	\$472,685
Hidalgo		\$176,000	\$176,000
Jefferson	\$184,040	\$1,048,623	\$397,239
Montgomery (TAIP Grant \$20,000)			
Nueces		\$260,000	\$175,000
Tom Green		\$138,184	\$100,596
Travis (re-entry)		\$587,918	\$0
Webb		\$213,019	\$54,682 (declined)
<b>Totals</b>	<b>\$184,040</b>	<b>\$5,307,480</b>	<b>\$1,972,880</b>