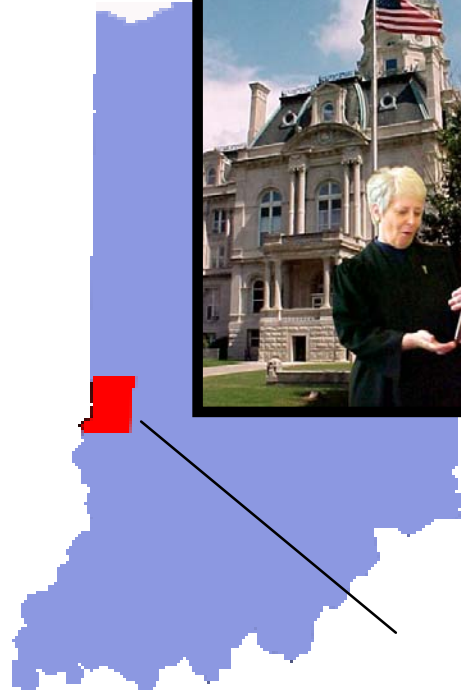
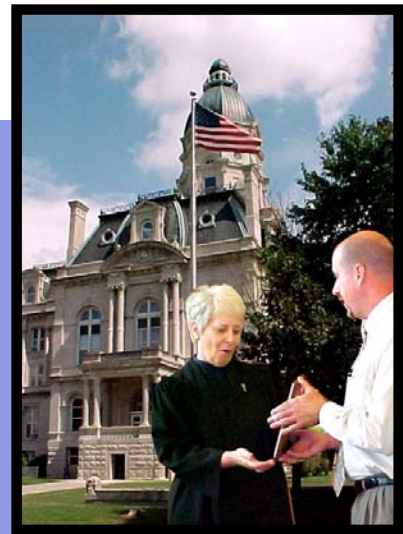


**Indiana Drug Courts:
VIGO COUNTY DRUG COURT**
*Process, Outcome and
Cost Evaluation*
FINAL REPORT



County

Submitted to:

Jane A. Seigel
Executive Director
Indiana Judicial Center
115 West Washington St., Ste. 1075
Indianapolis, IN 46204

Submitted by:

NPC Research

April 2007



4380 SW Macadam Ave., Suite 530
Portland, OR 97239
(503) 243-2436
www.npcresearch.com

Indiana Drug Courts:
VIGO COUNTY DRUG COURT
Process, Outcome and Cost Evaluation

FINAL REPORT

Submitted By

NPC Research

Indiana Drug Court Evaluation Team

**Katharina L. Wiest, Ph.D., Sarah J. Martin, B.A., Mark S. Waller, B.A.,
Anton Cox, B.A., Robert Linhares, M.A., Dave Crumpton, M.P.P.**

Shannon M. Carey, Ph.D.

Michael W. Finigan, Ph.D.

Co-Principal Investigators

For questions about this report or project, please contact Shannon Carey at
(503) 243-2436 x 104 or carey@npcresearch.com.

April 2007



Informing policy, improving programs

Please visit www.npcresearch.com to learn about the staff and services of NPC Research.

ACKNOWLEDGEMENTS

This report is made possible by the great efforts, support, and participation of so many people and organizations. In particular, we wish to express gratitude to:

- Mary Kay Hudson, M.S.W., Problem-Solving Courts Administrator, Indiana Judicial Center, for her extraordinary assistance, patience, and amazing organizational skills;
- Cheri Harris, J.D., contract attorney for the Indiana Judicial Center, for her incredible ability to navigate us through the legal waters of this evaluation;
- Stephen Johnson, J.D., Indiana Prosecuting Attorney's Council for his trust in NPC and making ProsLink available to us;
- Donald Hickman, J.D., ProsLink, for his generous contributions of time, knowledge and assistance, for answering our constant questions and for his readiness to help whenever needed;
- Hon. Barbara Brugnaux, Paul Southwick, and all VCDC team members including judicial/legal partners and treatment providers who participated in key stakeholder interviews. We appreciate their warm and welcoming attitude toward our evaluation team; and for making their program completely available to us;
- Bernard Burns, Director, Vigo County Court Alcohol and Drug Program, for his help in explaining the intricacies of the VCDC and Court A&D programs;
- Mark Rodriguez, Paperless Business Solutions, for sharing his expertise about drug treatment court databases for specific sites and about general applications;
- Brian Slater, VCDC database manager;
- Vigo County Drug Court focus group participants for their candor and providing the evaluation team with their unique perspective on the program;
- Research staff at NPC Research and unofficial members of the Indiana team (and in no particular order): Katherine Kissick, Becky Jones, Ashley Snoddy, Scott Burrus, Carrie Furrer, and Katie Aspy; and
- Support staff at NPC Research, Travis Ward and Charley Korn.

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	I
BACKGROUND.....	1
PROCESS EVALUATION	3
Methods	3
Site Visits.....	3
Key Informant Interviews.....	3
Focus Groups and Participant Interviews	4
Document Review.....	4
Results.....	4
Vigo County, Indiana.....	4
Vigo Drug court Overview	5
Implementation	5
Participant Population and Program Capacity	5
Vigo County Drug court Goals.....	5
Eligibility Criteria	6
Drug Court Program Screening	6
Incentives for Defendants to Enter (and Complete) the VCDC Program.....	9
Drug Court Program Phases.....	9
Treatment Overview	12
The Drug Court Team.....	12
Team Meetings.....	14
Provider and Team Communication with Court.....	15
Drug Court Sessions	15
Drug Court Team Training	15
Drug Court Participant Fees.....	15
Drug Testing	16
Rewards.....	16
Sanctions.....	16
Termination.....	16
Graduation.....	17
Data Collected by the Drug Court for Tracking and Evaluation Purposes.....	17
Drug Court Funding.....	17
VCDC 10 Key Components Results.....	18
Key Component #1:	18
Key Component #2:	19
Key Component #3:	19
Key Component #4:	20
Key Component #5:	21
Key Component #6:	22
Key Component #7:	23
Key Component #8:	24
Key Component #9:	24

Key Component #10:	25
Recommendations.....	25
OUTCOME EVALUATION	27
Outcome Evaluation Methods	27
Research Strategy.....	27
Outcome Study Questions.....	27
Data Collection and Sources.....	27
Sample Selection.....	28
Outcome Evaluation Results.....	29
Research Question #1: Program Completion.....	30
Research Question #3: Reducing Substance Abuse.....	32
Outcome Summary	33
COST EVALUATION	35
Cost Evaluation Methodology	35
Cost Evaluation Design.....	35
Cost Evaluation Methods.....	36
Cost Evaluation Results	37
Drug Court Program and Traditional Court Processing Costs	37
Outcome Costs	38
Outcome Transactions	38
Outcomes and Outcome Cost Consequences.....	40
Outcome Costs by Agency.....	41
SUMMARY AND CONCLUSIONS.....	43
REFERENCES	45
APPENDIX A: PARTICIPANT FEEDBACK FROM FOCUS GROUP AND INTERVIEWS	47
APPENDIX B: VCDC ELIGIBILITY (INCLUSION AND EXCLUSION) CRITERIA.....	53
APPENDIX C: EXAMPLES OF REWARDS AND SANCTIONS USED BY OTHER DRUG COURTS	57
APPENDIX D: GLOSSARY OF DRUG COURT TERMS	61
LIST OF TABLES	
Table 1. VCDC Participant and Comparison Group Characteristics.....	29
Table 2. The Six Steps of TICA.....	37
Table 3. Average Number of Outcome Transactions per Drug Court and Comparison Group Member	40
Table 4. Criminal Justice System Outcomes Costs per Drug Court and Comparison Group Member	40
Table 5. Criminal Justice System Outcomes Costs by Agency per Drug Court and Comparison Group Member.....	41

LIST OF FIGURES

Figure 1. Vigo County Adult Criminal Justice System Pre-Drug Court System.....	8
Figure 2. Vigo County Drug Court Process.....	11
Figure 3. Re-Arrests Over Time VCDC and Comparison Groups	31
Figure 4. Recidivism Rate for VCDC and Comparison Group	32
Figure 5. Drug Related Re-Arrests Over 24 Months	33
Figure 6. Comparative Criminal Justice Outcomes Cost Consequences per Drug Court and Comparison Group Member (including drug court graduates).....	42

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 non-violent 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 Vigo County Drug Court (VCDC) was one of the first drug courts in Indiana. It began operations in 1996 and was officially certified in May 2004 by the Indiana Judicial Center (IJC). The VCDC targets nonviolent, non-dealing, substance-abusing OVWI and felony offenders. As of March 2006, 697 people have been enrolled in the program and 39% have graduated. The program serves approximately 100 participants annually. The mean age of participants is 33 years with a range of 18 to 56 years. For all drug court participants, the primary drugs of choice are methamphetamine (38%), alcohol (31%) and marijuana (18%).

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 VCDC. This report contains the process, outcome and cost evaluation results for the VCDC program.

Information was acquired from several sources, including observations of court sessions and team meetings during site visits, key informant interviews, focus groups, drug court database, plus state and county 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 VCDC program been implemented as intended and are they delivering planned services to the target population?*
2. *Does the VCDC reduce recidivism?*
3. *Does the VCDC reduce substance use?*
4. *Is there a cost-savings to the taxpayer due to drug court participation?*

Question #1: Has the VCDC 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 VCDC program. The VCDC satisfies some of the 10 Key Components through its current policies and structures. We found that VCDC:

- Uses frequent alcohol/drug testing to monitor abstinence,
- Has a consistent reward and sanction structure for responding to participant compliance,
- Graduates participants within VCDC's recommended time-frame,
- Has had a continuously sitting judge since program implementation, and
- Excels at developing partnerships with public and private community agencies and organizations.

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

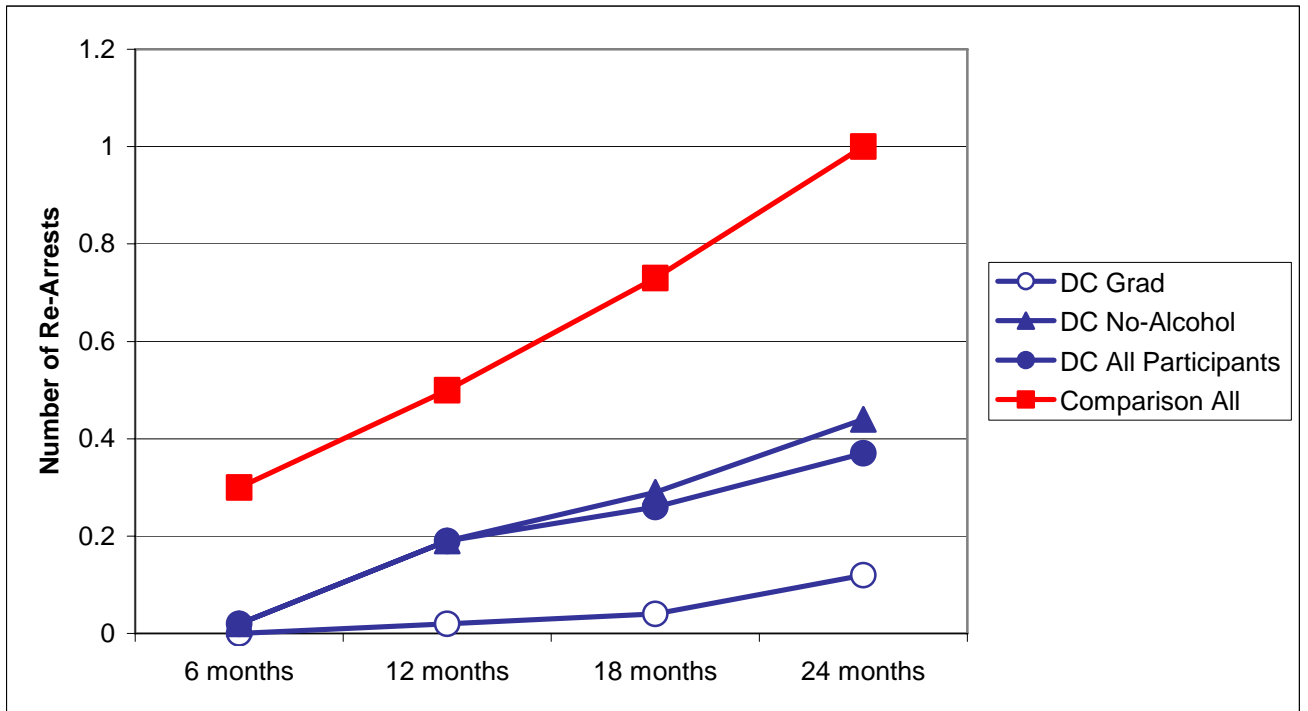
- Modify the Vigo County Alcohol and Drug Program database so that there are fields specific to the VCDC program and train those who perform data entry consistently in the use of the database,
- Incorporate the public defender and prosecutor further into the team and the VCDC process including having them attend drug court sessions,
- Consider expanding the testing schedule to better accommodate work schedules and school start times.
- The drug court team should consider the optimal program dosage and intensity required to maximize participant accountability and oversight, while promoting successful participation.
- The drug court team, as a part of their community outreach efforts, may wish to examine ways to make more NA meetings available.

Question #2: Does the VCDC reduce recidivism?

Yes. The VCDC reduced recidivism as participants were significantly less likely to be re-arrested than the comparison group.

As Figure A illustrates, VCDC participants were re-arrested less often than comparison group members. The 24-month recidivism rate for drug court was 19.7% while the comparison group rate was 39.2%. Thus, drug court participants (regardless of graduation status) were 99% less likely to have had any arrests in the 24-month follow-up period relative to the comparison group. Even after excluding individuals with alcohol as their drug of choice from the VCDC (leaving mainly methamphetamine users), the number of re-arrests over 24 months was lower than for the comparison group.

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



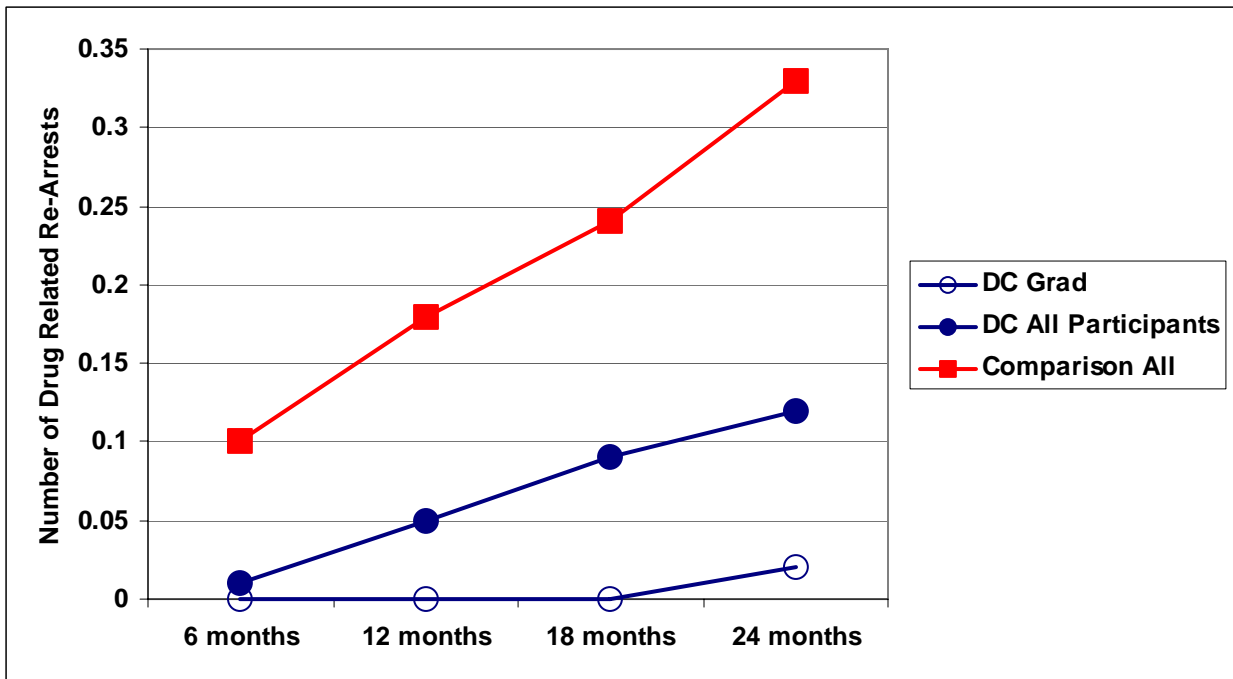
Note: All re-arrests in a 24-month period for 1) VCDC graduates 2) all VCDC participants 3) VCDC participants excluding those with alcohol as their drug of choice, and 4) comparison group for the study period 1/1/02-12/31/04 with follow-up through 6/30/06. DC = drug court.

Question #3: Does the VCDC reduce substance use?

Yes. VCDC participants consistently showed less drug use than the comparison group as measured by re-arrests for substance abuse related crimes.

Figure B illustrates the number of drug-related re-arrests for the VCDC and comparison group. This figure shows a significantly ($p < 0.05$) lower number of re-arrests for drug-related crimes in the VCDC group following program entry.

Figure B. Number of Drug-Related Re-arrests for the VCDC and Comparison Group



Note: All re-arrests for drug related charges in VCDC participants (graduates and all participants) and comparison group for the study period 1/1/02-12/31/04 with follow-up through 6/30/06. DC = drug court.

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 VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court. When this per participant savings of **\$4,251** is multiplied by the 697 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 \$3 million**.

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. As the existence of the program 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 VCDC is both beneficial to participants and beneficial to the Indiana taxpayers.

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, prosecutors, public defenders, law enforcement officers, and probation officers who work together to provide needed services to drug court participants. Prosecutors 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-solving

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>.

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 late 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's final evaluation 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 conferences.

Under contract with the IJC, NPC Research began conducting process, outcome and cost evaluations of five adult drug courts in the counties of Marion, Monroe, St. Joseph, Vanderburgh, and Vigo. Additionally, NPC Research was hired to perform process only evaluations on three juvenile drug courts in Indiana in the counties of Vanderburgh, Howard and Tippecanoe. This report contains the process, outcome and cost evaluation for the Vigo County Drug Court (VCDC) 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 VCDC, and program documents such as the *Vigo County Drug Court Handbook*.²⁻⁴ The majority of the information was gathered from one-on-one key stakeholder interviews and, as much as possible, the evaluators have attempted to represent the information in the same words in which it was given.

Methods

SITE VISITS

NPC evaluation staff traveled to Terre Haute, Indiana in April 2006 to observe Vigo County Drug Court sessions, team meetings and staff operations. Three focus groups with current and former VCDC program participants were also conducted during the site visit. These activities gave the researchers firsthand 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 individuals involved in the drug court, including the drug court coordinator, Vigo County Court Alcohol and Drug Program director, judge, prosecutor, public defender, field officer, and a treatment provider from the largest provider of care.

NPC has designed and extensively utilized a *Drug Court Typology Interview Guide*,⁵ 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 VCDC 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 operations of the program as well as focusing on the most significant and unique characteristics of the VCDC.

The topic/subject areas in the *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), which lays out a conceptual framework for drug courts. The typology interview covers a number of areas—including specific drug court characteristics, structural components, processes, and organizational characteristics—that contribute to a more comprehensive understanding of the drug court being evaluated. Topics in the *Typology Interview Guide* also include questions related to eligibility guidelines, specific drug court program processes (e.g., phases, treatment providers, urinalyses, fee structure, rewards/sanctions), graduation, aftercare, termination, non-drug court processes (e.g., regular pro-

² Vigo County Drug Court Handbook

³ The Vigo County Court Alcohol & Drug Program Assessment Form

⁴ The Substance Abuse Subtle Screening Inventory (SASSI)

⁵ *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.

bation), identification of drug court team members and their roles, and a description of drug court participants (e.g., general demographics, drugs of use).¹

FOCUS GROUPS AND PARTICIPANT INTERVIEWS

NPC staff conducted three focus groups at the VCDC; 1) one with active and graduated participants (N=6), 2) one with terminated male drug court participants (N=3) which was conducted in the Vigo County Jail and 3) terminated female former participants (N=3). The focus groups and interviews allowed the current and former participants to share with the evaluators their experiences and perceptions about the drug court process. Select results from these focus groups are incorporated into the process discussion below and the full results can be found in Appendix A.

DOCUMENT REVIEW

The evaluation team solicited documentation from the drug court program that furthered their understanding of the program's policies and procedures. The *Vigo County Drug Court Participant Handbook* was reviewed, which provided a description of the drug court's rules, phases, fees, and other information on the operation of the drug court. The *Substance Abuse Subtle Screening Inventory (SASSI)* and *Vigo County Court Alcohol & Drug Program Assessment Form* were reviewed to gain a better understanding of the potential participant screening process. Examination of this documentation helped to further the evaluation team's understanding of the drug court intended operations and practices.

Once all the process information was gathered and compiled, a description of the program process was written and sent to the VCDC coordinator for feedback and corrections.

Results

VIGO COUNTY, INDIANA

Vigo County, located on the western border of Indiana, is primarily urban. Terre Haute is the only city among several towns and townships in the county. As of the 2000 census, the county had a population of 105,848 (estimated at 95,094 in 2005), with 74% of the population over the age of 18 and a median age of 35. The racial breakdown consisted of 91% white and 6% African-American with the remaining 3% made up of small percentages of other races. There were 40,998 households in 2000; 19,678 of those were married couple households and 13,291 were households with children under the age of 18. The median household income was \$33,184 and the median family income was \$42,957. The county's unemployment rate was 4.3% with 14.1% of individuals and 10.3% of families living below poverty level. The main industry category was educational services, health care, and social assistance; followed by retail trade. Terre Haute, the county seat had a population of 59,614 in 2000.

¹ The full typology guide can be found on 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)

VIGO DRUG COURT OVERVIEW

The Vigo County Drug Court (VCDC), located in Terre Haute, was implemented in September 1996 and was later certified by the Indiana Judicial Center (IJC) in May 2004. A number of Vigo County community agencies have collaborated to make the VCDC possible. The drug court is a program of the Vigo County Superior Court Division V and operates with assistance and some oversight from the Vigo County Court Alcohol and Drug Program (Vigo County A&D Program). The drug court team consists of the judge, director of the Vigo County A & D Program, VCDC coordinator, deputy prosecutor, three deputy public defenders, a case manager, a field officer, chief deputy sheriff, community corrections coordinator, two local treatment providers and a member of the drug task force. The VCDC has three program tracks. The first is a 36-month program for Operating a Vehicle While Intoxicated (OVWI) Defendants. The second is a 24-month program for C felony defendants and the third is an 18-month program for D felony defendants. VCDC works to reduce substance abuse and recidivism by immersing participants in treatment, case management, and court supervision.

IMPLEMENTATION

In 1995, Judge Brugnaux, the current VCDC Judge, submitted a request for a federal drug court planning grant. Once that funding was secured, key partners in the planning effort included the judge, the director and several staff from the Vigo County Alcohol and Drug Program, a drug court coordinator, a deputy prosecutor, public defender, treatment providers and representatives from law enforcement. Team members attended training in Denver, Colorado, researched information about drug court functions and funding, and made site visits to two existing drug courts outside of Vigo County. Once the policies and procedures were in place, the drug court began as a pilot program in September 1996. The team then applied for and was awarded an implementation grant from the U.S. Department of Justice and became fully operational in 1997. The drug court was certified by IJC in May 2004.

PARTICIPANT POPULATION AND PROGRAM CAPACITY

Currently, the VCDC serves approximately 100 participants at any given time. Since the drug court program has been operational, the VCDC has been able to accommodate all eligible participants. As of May 2006, 697 individuals have enrolled in the drug court; 39% of these participants graduated, 45% are terminated, and 16% are active.

The majority of participants are White (90%) and male (94%). Of the non-White participants, 93% are African American.

VIGO COUNTY DRUG COURT GOALS

According to the drug court staff, the goals of the VCDC are to offer a timely sentencing alternative to alcohol and drug defendants in order to reduce substance use and recidivism within the community. The VCDC provides resources to participants that will increase their chances for recovery and enable them to become productive citizens. The VCDC also acknowledges that relapse is an expected part of treatment and therefore provides participants with tools and supports that will help them increase the length of time between relapses and result in a lifetime commitment to sobriety.

For VCDC program staff, indicators of progress toward program goals include the recidivism rate of graduates (as measured by new arrests), and the percentage of positive drug screen results.

ELIGIBILITY CRITERIA

VCDC program eligibility is not limited by a number of prior convictions. Individuals with non-drug offenses are accepted into the VCDC as long as there is a substance abuse element or motivation associated with the crime. The pending offense must be non-violent and must not be a dealing offense. An individual with prior violent convictions is assessed based on the nature of the prior conviction, the amount of time that has passed since that conviction, and whether there is a significant history of violent convictions or whether it was a one-time event. Those with prior dealing convictions are also considered on a case-by-case basis.

A list of inclusion and exclusion criteria is provided in Appendix B.

Other cases given careful consideration are individuals with dual diagnoses for both substance abuse and mental health conditions. Dual diagnosis defendants are not excluded from participating in the drug court program automatically, but the court closely examines whether those individuals are appropriate for the program.

DRUG COURT PROGRAM SCREENING

The following describes the process potential participants go through before entering the drug court. A visual representation of this description is provided in the following flow chart titled, *Vigo County Adult Criminal Justice System Pre-Drug Court System*. Once a potential VCDC participant is arrested, they are booked at the Vigo County Jail and the Prosecutor's Office determines the charge. The charge determines which division of the court the case will be heard in. If the case is heard in division V, during the initial hearing process, and a case appears to be a potential drug court case, the prosecutor will recommend a drug court evaluation. The judge then orders the individual to participate in that evaluation as a condition of bond. Offenders may also be referred to the drug court because they have violated the conditions of their probation or have been non-compliant with the Court A & D Program.

Next, the offender participates in the drug court evaluation, starting with an initial face-to-face interview with either the case manager or the coordinator. The interview inquires on their history of alcohol and drug use, family history, education, mental health history, employment, etc. The *Substance Abuse Subtle Screen Inventory (SASSI)*² is also administered and a baseline drug screen sample is obtained. Those with possible mental health needs are referred to Hamilton Center and participants without mental health needs are given a choice of referral to either Hamilton Center or Recovery Associates providers.

If the offender is found to be appropriate for drug court and wants to participate, they enter pre-drug court status. During the pre-drug court status, prospective participants are under drug court supervision. The individual is required to submit two drug screens a week, attend self-help meetings, and must make an appointment for or begin participating in an outpatient treatment program.

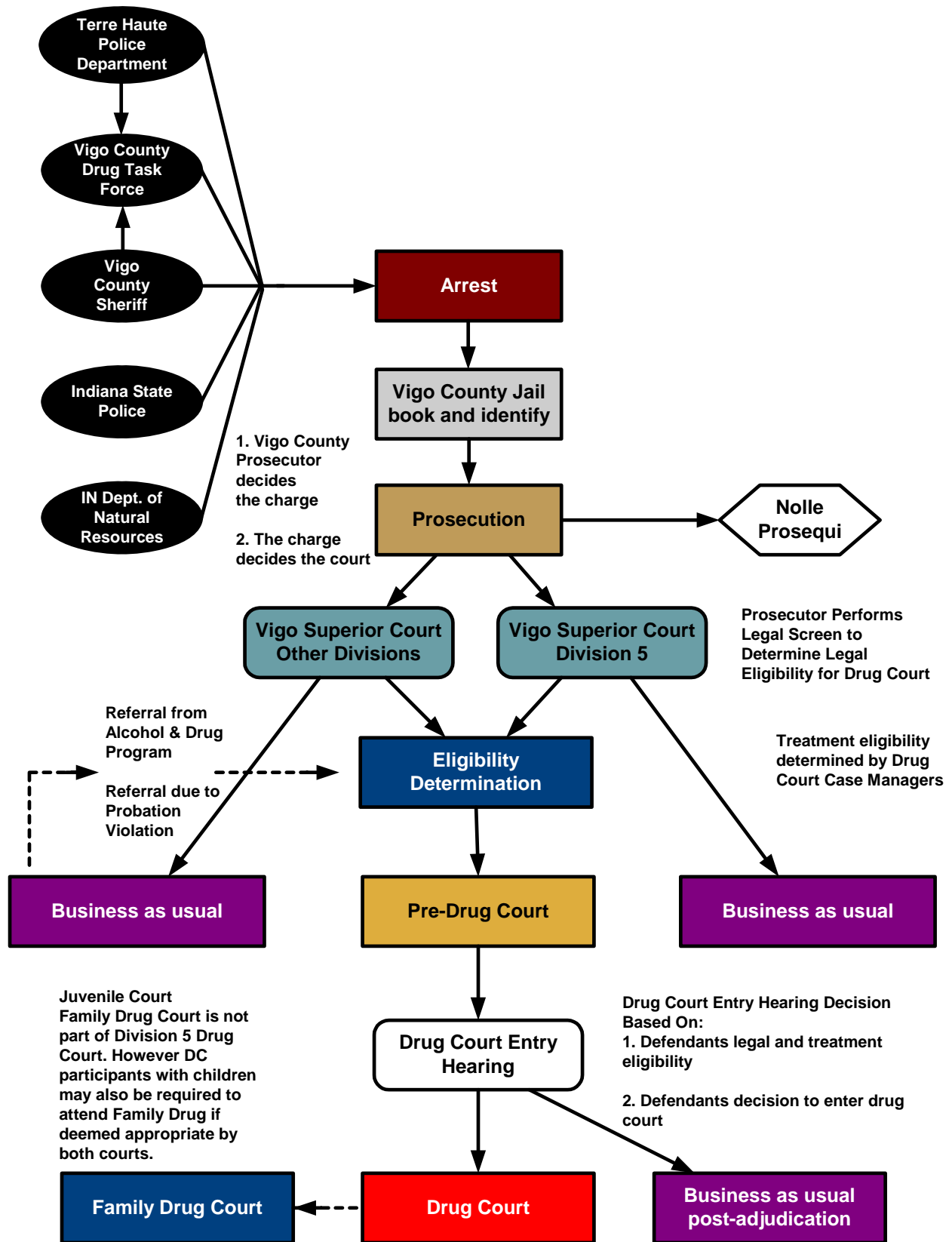
The reason for the pre-drug court period is so the potential participant can demonstrate: 1) they understand what the requirements are going to be, and 2) they are willing and able to meet those

² More about the SASSI can be found on the SASSI Institute website at <http://www.sassi.com/sassi/index.shtml>.

requirements. The VCDC instituted the pre-drug court period because initially many people said they wanted to participate in the drug court program, but several weeks later it became evident that they lacked the motivation to participate successfully. The length of the pre-drug court period is dictated in part by the court calendar of the drug court judge.

If the potential participant is still interested in the program after the pre-drug court period, they will have a drug court entry hearing. The judge's decision on whether to admit an offender into the program is based on the drug court evaluation and the legal eligibility determined by the prosecutor. According to the case manager, the time from referral to entry into the VCDC program is estimated at 4 to 6 weeks.

Figure 1. Vigo County Adult Criminal Justice System Pre-Drug Court System



INCENTIVES FOR DEFENDANTS TO ENTER (AND COMPLETE) THE VCDC PROGRAM

The incentive for defendants to enter and complete the VCDC program is to have their case dismissed upon graduation from the program.

DRUG COURT PROGRAM PHASES

The VCDC program has a maximum of five phases, depending on the charges:

- Participants charged with Class D felonies complete three phases that last a total of 18 months (although with full compliance participants may graduate within 12 months).
- Participants charged with Class C felonies complete four phases that last 2 years.
- Participants charged with an OVWI violation complete five phases that last 3 years.

The *VCDC Handbook* describes the phases and detailed requirements for completion of each phase as follows:

PHASE I:

- Submit to two drug screens each week. Screens are conducted on Monday and Thursday between 7:00 a.m. and 11:30 a.m.;
- Meet with case manager at least once a week;
- Participate in treatment and self-help program;
- Carry a pager;
- Maintain employment;
- Participate in other services if applicable (GED, Parenting classes, etc.);
- Appear in court when scheduled (a minimum of every other week on Wednesdays at 11:00 a.m.);
- Make weekly payments toward drug screens and program fees.

Participants may move to the next phase once they have achieved clean drug screens for 2 months. Participants must also be cooperative with all other assignments (including obtaining a self-help sponsor). Failure to complete this phase in 6 months may result in removal from the program and a petition to enter judgment of conviction filed.

PHASE II:

- Submit to one drug screen each week. Screens are conducted on Tuesday between the hours of 7:00 a.m. – 11:30 a.m.;
- Meet with case manager at least biweekly;
- Participate in treatment and self-help program;
- Carry a pager;
- Maintain employment;
- Participate in other services if applicable;
- Appear in court when scheduled (typically every 3 to 5 weeks);

- Make regular payments toward drug screens and program fees.

Participants may move to the next phase once they have achieved 5 months clean. They must also be cooperative with all other assignments and have drug screen fees paid to date.

PHASE III:

- Submit to two drug screens a month (randomly scheduled) plus random drug screens;
- Meet with case manager at least once a month;
- Participate in treatment and self-help program;
- Carry a pager;
- Maintain employment;
- Participate in other services if applicable;
- Appear in court when scheduled (typically every 5 to 8 weeks);
- Make payments toward drug screens and program fees;

The completion of Phase III requires participants to comply with the above-mentioned requirements, remain clean, and pay all fees. Class D felony participants are eligible to graduate from the program any time after 12 months once they have achieved 12 months of clean drug screens, paid program and drug screens fees, and complied with all other recommendations.

Phase IV – OVWI and Class C Felony:

- Random drug screens;
- Meet with case manager every 6 weeks;
- Respond to all pages;
- Participate in self-help program;
- Make payments on drug screens and other applicable services.

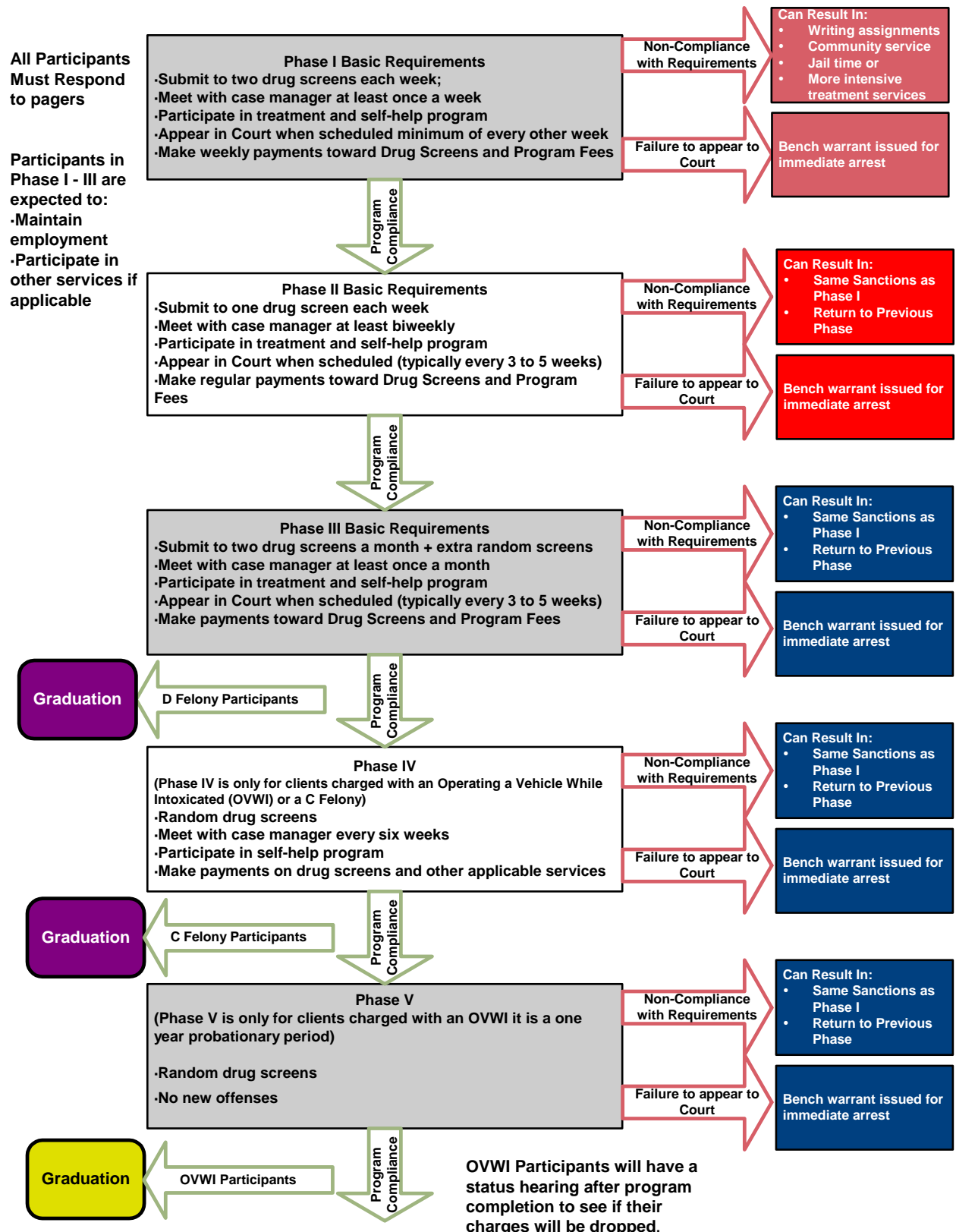
Completion of Phase IV requires participants to appear and test clean for random drug screens, appear for appointments, attend self-help programs, and have all fees paid. This phase lasts for 6 months.

Phase V – OVWI defendants only (Phase V is a 1-year probationary period):

- Random drug screens;
- Respond to all pages;
- No new offenses.

At the conclusion of the program, Phase V participants will have been in the program for 3 years. Participants will be required to appear at a status hearing at the end of the 3 years to have their charges dismissed.

Figure 2. Vigo County Drug Court Process



TREATMENT OVERVIEW

VCDC participants receive treatment from either Hamilton Center or Recovery Associates. If through the drug court screening it becomes apparent that an individual has mental health issues, they are referred to Hamilton Center, which offers treatment tailored to dual-diagnosis clients. Individuals who do not have mental health issues have the choice between Hamilton Center and Recovery Associates.

On their first visit to Hamilton Center, a comprehensive addictions mental health assessment is completed in order to determine what services are needed. Hamilton Center provides individual and group treatment sessions that are (as appropriate) based on the Gorsky Relapse Prevention Model, cognitive behavioral theory, and gender specific protocols. Detoxification, education and information groups, intensive outpatient program (IOP), Corrective Thinking group (a rational emotive cognitive behavioral therapy), and residential treatment is offered. Hamilton Center also offers Collaborative Family Treatment for participants who have issues regarding their children (such as custody).

Recovery Associates offers residential treatment, gender specific groups, recreational therapy, relapse prevention groups, addiction education, continuing care, and IOP treatment. Other services include parenting, nutritional, and financial management classes, case management, and pathological and problem gambling treatment.

All VCDC enrollees are required to participate in self-help programs, generally either Alcoholics Anonymous (AA) or Narcotics Anonymous (NA). VCDC staff acknowledges that AA and NA self-help programs are not effective for everyone, but believe that all participants should at least try this approach to see if it works for them.

As appropriate, VCDC participants may also be referred to Gamblers Anonymous, day treatment programs, the state hospital (which has a 90-day residential treatment program), the free medical clinic, food banks, soup kitchens, sober living environments, housing, employment, vocational rehabilitation, and child care. In addition, Ivy Tech State College offers job training sessions in which VCDC participants can enroll.

THE DRUG COURT TEAM

Judge

The current VCDC judge implemented the program and has been the only judge since implementation. She also has both civil and criminal court caseloads in addition to the drug court. The VCDC judge presides over all drug court sessions, staffing and monthly team meetings. She also supervises the drug court coordinator and reviews and signs off on grants.

Drug Court Coordinator

The VCDC coordinator oversees the day-to-day operations of the program, formulates policies and procedures, communicates them to all drug court team members, and assures that they are followed. The coordinator attends drug court sessions, case staffings, and monthly team meetings. In addition, the coordinator seeks out grant opportunities, writes grant applications, coordinates with various agencies, and educates personnel within the criminal justice system as well as in the local community about the drug court. The VCDC coordinator also carries a caseload of about 40 to 50 participants.

Drug Court Case Manager

The primary role of the VCDC case manager is to monitor participant compliance with the program and prepare progress reports for the court. The case manager carries a caseload of approximately 50 participants. Monitoring of individuals is more intensive during the early part of their participation in the program, with a gradual reduction in contact as the person progresses. The case manager also attends court sessions, case staffings, and monthly team meetings.

Probation Department

The involvement of the Probation Department in the VCDC is minimal. Few participants are placed into the drug court as a part of their probation or in place of a probation violation. In cases where the possibility of drug court participation while on probation does come up, drug court staff consults with the Probation Department to assess whether the individual would be a good candidate for the program. Once a probation participant enters the drug court program, one of two things happens: they are either required to continue reporting to a probation officer, or their probation requirements are satisfied by drug court supervision, monitoring, and reporting.

Public Defender

Four attorneys from the Public Defender's Office are assigned to Vigo Superior Court Division V, and represent drug court participants, only three of which are drug court team members. The public defenders refer potential participants to the program and meet with them before and after they go through the drug court evaluation process in order to give them a clear picture of what the drug court program entails. Before the participant signs a written agreement and a plea agreement to enroll in the drug court, the public defender discusses this decision with the participant and ensures that they understand what participation means, including the rights they will give up (for example, they would be giving up the right to a trial). If the participant does not perform satisfactorily in the drug court program and the judge grants a petition to enter a judgment of conviction, the public defender represents the participant on the petition.

County Prosecutor

The deputy prosecutor refers potential participants to the program and determines whether they are legally eligible to participate. She also attends monthly VCDC team meetings, during which she advises the drug court team on matters such as when to file criminal violations on participants. When appropriate, the deputy prosecutor files or signs off on participant violations that are filed with the court. Finally, when participants successfully complete the program, the deputy prosecutor moves to have their charges dismissed.

Law Enforcement

The chief deputy sheriff attends monthly drug court team meetings.

Field Officer

The VCDC field officer is a part-time employee of the drug court who has been deputized by the Sheriff's Department to be able to carry out responsibilities such as execution of bench warrants or facilitation of custody issues. The field officer also conducts home visits, during which he collects samples for UDS. He also pages participants to report to the office for random UDS testing. The field officer has frequent contact with the Sheriff's Department, the Drug Task Force, and the Police Department. Involvement with those agencies includes anything from running crimi-

nal background investigations to obtaining a police report on a drug court participant who has been arrested.

Technicians

There are two technicians, one male (full time) and one female (part time), who provide office support and supervise the collection of urine samples for male and female drug court participants, respectively.

Alcohol and Drug Program Director

The Vigo County A & D Program director attends the monthly VCDC team meetings and provides some oversight to the program. The drug court operates under the auspices of the A & D Program, which provides space and some funding for the drug court.

Treatment Providers

A representative from each of the two treatment agencies attend weekly staffing meetings and monthly team meetings to discuss participant issues. The provider representatives sit in court during proceedings, advocate for participants, and report on participant circumstances before the bench as needed. Treatment providers are also available to drug court team members to provide case information or coordination as needed.

TEAM MEETINGS

VCDC team members meet weekly for staffings, during which the team discusses participant treatment progress, issues, and drug screen results. If necessary, updates on participants are provided regarding home detention or required community service, employment status, family issues, and health issues. Attendees at staffings are the VCDC judge, coordinator, case manager, field officer, and a representative from each of the two treatment providers: Hamilton Center and Recovery Associates. In addition, the public defenders meet with prosecuting attorneys weekly to talk about all the cases in which they are involved, including drug court cases.

Monthly team meetings are held to discuss special issues regarding participants; for example, participant accomplishments, review of possible graduates, and outstanding program fee balances. The monthly meetings might also consider possible filings of conviction petitions for non-compliant participants, staff training opportunities, and conferences. Attendees are the VCDC judge, VCDC program coordinator, the case manager, field officer, director of the Vigo County Alcohol and Drug Program; representatives of the County Prosecutor's and Public Defender's Offices, representatives of the two treatment providers, chief deputy sheriff, Community Corrections and a member of the drug task force.

Outside of team meetings, the VCDC program coordinator interacts with the Alcohol and Drug Program director daily, and with the Community Corrections program and the Prosecutor's and Public Defender's Offices several times per week each. Treatment providers contact drug court staff via telephone or email whenever an issue arises with a client. In addition, the VCDC case manager contacts the VCDC judge whenever necessary via telephone or email regarding participant issues.

PROVIDER AND TEAM COMMUNICATION WITH COURT

Each week a participant is scheduled to attend drug court, the treatment providers fax detailed written participant progress reports to drug court staff. The VCDC case manager and field manager add their assessments of participants' compliance status and progress, compile the information, and enter it into the drug court database. This information is then shared during the staffing meeting before each court session. When issues or problems arise, treatment providers inform the rest of the team via phone, email, and letters.

DRUG COURT SESSIONS

VCDC team members who attend drug court sessions include the judge, the drug court coordinator, the case manager, the field officer, a representative from the two treatment providers, someone from the Sheriff's Department (primarily for security reasons), the court bailiff, and court reporter.

Drug court sessions are held once a week. The frequency with which a participant appears in court depends on the individual's stage in the program, according to the following schedule:

Phase I - when scheduled (minimum of every other week)

Phase II - when scheduled (typically every 3-5 weeks)

Phase III - when scheduled (typically every 5-8 weeks)

Phase IV - court appearances not required

Phase V - court appearances not required

The court sees approximately 20 to 25 participants per session. On average, the judge spends approximately 5 minutes with each participant. However, the amount of time is a little longer with participants who are in the earlier phases of the program (as much as 10 minutes each), and a little shorter as participants progress through the program and their situation stabilizes.

DRUG COURT TEAM TRAINING

VCDC staff and team members have attended a variety of workshops and conferences on drug court-related topics since the VCDC first received a planning grant in 1995. VCDC staff regularly attends semi-annual trainings offered by the IJC to enable them to meet continuing professional education requirements. VCDC team members also participate in the annual conferences of the National Association of Drug Court Professionals and the National Drug Court Institute, as well as state-level conferences of those organizations. Several team members have also attended more specialized training, such as a conference on managing methamphetamine users.

DRUG COURT PARTICIPANT FEES

The VCDC requires all participants to pay a \$500 program fee and a fee for each drug screen they receive. Each UDS is \$10 and an additional \$15 is charged for positive UDS. All participants are mandated to carry a pager at all times, which requires a deposit of \$32 (refundable at program completion) and a \$3 per month pager service charge. If a participant is court ordered to use the Interlock (which locks the automobile ignition until a clean breathalyzer sample is submitted), they must pay \$159 for a 2-month period. Participants ordered to OVWI home detention must pay \$100 for the start-up fee and \$ 35 each week they remain on home detention. In addi-

tion, participants are financially responsible for any treatment services they receive during the program. The treatment providers have been able to offset this cost on an income-based sliding scale with financial assistance from the Hoosier Assurance Plan (HAP).

DRUG TESTING

The VCDC male and female technicians observe regularly scheduled drug tests in the program office. Additionally, the field officer randomly calls or pages participants to have them report to the office for testing. The VCDC field officer may also conduct drug tests at the participant's home or work. The frequency of drug testing differs according to VCDC program phases. Participants in the first phase report twice a week for drug screens, the second phase reports once a week, and the third phase reports twice a month on scheduled dates that are mailed to the participant. OVWI defendants are enrolled in the VCDC for 3 years and participate in Phase IV and V of the program. During the fourth and fifth phase participants are subject to random drug screens.

REWARDS

The VCDC program rewards participants for modest achievements: for example, attending all self-help meetings, attending treatment sessions, being on time, staying free of substance use, or paying fee balances. VCDC staff report that in their court rewards are given as often as sanctions. Tangible rewards sometimes take the form of gift certificates and other items provided by local organizations. The judge also awards "stars" to participants for positive achievements. Also, participants receive tokens for staying clean for a certain amount of time during self-help meetings. If a person receives tokens and reports their accomplishment to the judge, the court gives them a round of applause.

SANCTIONS

Sanctions are graduated and determined by the entire team during staffing meetings. The *VCDC Handbook* indicates which actions will result in sanctions. Participants that fail to provide a clean drug screen, provide a dilute screen (a dilute screen is treated as a deliberate attempt at over-hydration or excessive fluid intake), fail to appear for a required drug screen, or fail to participate in treatment and self-help programs will receive sanctions such as writing assignments. Community service and jail time are also used as sanctions. The participant may also be required to enter more intensive treatment services, such as Intensive Relapse Prevention Group offered by Hamilton Center. Failure to appear for drug court will result in a bench warrant being issued for the participant's immediate arrest and the field officer will locate and arrest the person.

TERMINATION

Issues that will result in revocation in the drug court program include forging a sign-in sheet verification of attendance at self-help meetings or falsifying a urine specimen. Other issues that might constitute grounds for program termination include: repeated non-compliance with drug court program rules, failure to appear in court, failure to appear at the office for drug screens, and non-compliance with treatment requirements. However, unless a person violates the self-help group attendance or urine sample requirements, removal from the program is usually a last resort. The decision to remove a participant is decided by the drug court team.

Participants removed from the drug court program re-enter the regular mainstream court process. A hearing is held to identify that a person has violated the terms of their agreement with the drug court, which is followed by a sentencing hearing. Defendants charged with a Class D felony face

a maximum 3-year prison sentence and Class C Felony defendants face a maximum 8-year prison sentence. OVWI defendants are considered Habitual Traffic Violators and lose their driver's license for 10 years.

GRADUATION

VCDC program participants must have completed each phase of the program successfully in order to graduate. Although the court strongly encourages participants to obtain a job in the early phases of the program, employment is not a condition of graduation. In addition, their drug screening and drug court program fee balances must be paid in full before they graduate. Fees are not reduced as a reward for completing program requirements. If the participant is under bond, they will often ask the court to release the bond in order to pay their drug screening or drug court fee balances. As long as the person has complied with the drug court program and treatment requirements, has consistently attempted to pay their bills, and is under financial constraints that prevent them from paying off all of their expenses, then the court may release part of the bond to offset the debts.

During VCDC graduation ceremonies, the judge calls the participant up in front of the court, presents a "before and after picture" of the participant, and recounts their activities and progress through the program. Participants are also provided with gift certificates and AA "Living Sober" books. Participants who have completed the first three phases of the drug court program are also recognized on graduation day. Participants in all phases including those in the pre-drug court status attend the ceremony.

DATA COLLECTED BY THE DRUG COURT FOR TRACKING AND EVALUATION PURPOSES

Data on VCDC participants is kept in an electronic Access database. VCDC staff can record data such as the referrals to the drug court, the number of assessments conducted, the number of assessed defendants accepted into the VCDC, the number of appointments that case managers have with participants, the number of home visits made, the number of drug screens conducted and the percentage of positive and negative screens, the number of bench warrants served, and the number of program terminations. Assessments of participants' progress and the extent of their compliance with program requirements are also entered into the database. Drug court staff also compares the percentage of positive and negative drug screen results with the non-drug court population.

DRUG COURT FUNDING

Aside from drug court participant fees, most of the funding for the VCDC is passed through the Indiana Criminal Justice Institute from the federal government. Historically, the VCDC has also received funding from the Local Law Enforcement Block Grant, now known as the Justice Assistance Grant.

The VCDC receives "in-kind" services from the County A & D Program, including time that the program director and support staff spend on drug court activities, building space, use of the copier, copy paper, and general administrative support costs. The A & D Program also covers some incidental and overflow costs for VCDC participants if other funding is not available, such as picking up the cost of pagers for participants in the final phases of the program. The drug court has also received funding from the Drug Free Community Fund (IC 5-2-11) awarded through the Vigo County Local Coordinating Council for a Drug Free Community (LCC).

The Local Coordinating Council helps pay for a portion of VCDC staff salaries. In the past, the program has also received funding from other local public agencies such as the Wabash Valley Community Foundation, and from civic clubs such as the Terre Haute Breakfast Optimists and the Terre Haute Rotary Club. The civic groups in particular have been interested in trying to develop rewards for VCDC participants who are graduating from the program.

VCDC 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 VCDC. The importance of the *10 Key Components* is recognized by the IJC as the components are a part 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 VCDC, 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?

At VCDC, the list of agency contributors is comprehensive—it includes both treatment and justice system partners. The partner agencies seem to work well together; respondents 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 meeting, which is attended by the majority of the team members, several staff members provide different types of information, ultimately helping the team make a more informed decision.

We're all on the same page we don't argue amongst one another we come to mutual consensus versus the judge being the ultimate ruler.

– Treatment provider

Substance abuse treatment providers share information with the rest of the team through progress reports and verbal reports during staffing meetings and drug court sessions. The team stays in contact between meetings and court sessions with frequent email and phone interactions.

The field officer is able to check on compliance in a unique manner during home and places of employment visits and share that perspective with the other team members during team meetings.

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.

The public defender and prosecuting attorney do not attend team meetings where participant progress is discussed or drug court sessions. The VCDC may wish to consider involving the two attorney roles more deeply in the program process. Staff indicated that drug court team members work well together, but suggested that communications among drug court team members could be improved to ensure that everyone is fully and timely informed about changes in participant status.

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

Respondents indicated that all the entities involved in this drug court are fully committed to a non-adversarial approach. The public defenders that represent participants retain the role of advocate, but cooperate with team members for what seems to be the participant's best interest.

The prosecutor and the public defenders are both looking for prospective participants that they can refer to the program. Without such intervention, it is possible that those defendants would be convicted and sent to correctional facilities.

The prosecutor and public defender team members attend the monthly team meetings; however they do not attend the pre-court staffing meetings and actual drug court sessions. As they do not participate in weekly staffing meetings or in drug court sessions, it is difficult to evaluate whether their behavior is consistently that of the national drug court model – where the prosecutor and public defender embrace an alternative, non-adversarial roles built on cooperation and communication.

My traditional definition of a prosecutor is that our role is to seek justice, not just to seek punishment or penalty. When we're talking about people with addiction issues, long-term justice includes giving them both motivation and opportunity to reform their lifestyle and hopefully give them the skills to live a sober life.

– Drug Court Prosecutor

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?

With the volume of cases seen in this court division, all staff must work together to resolve cases. Everyone involved recognizes the need to identify the appropriate people for the available resources and connect them to those resources as quickly as possible.

Analyses of the database found that the average time from referral to entry into the drug court program is approximately 9 weeks. This time period is partially dictated by the division V court calendar. The potential participants are in the pre-drug court during this time. While in the pre-drug court period, they are under supervision, submitting to drug screens, attending case management appointments and possibly starting an outpatient treatment program. The quicker placement in the actual program can happen, the better, as immediate responses to behavior are most effective and the sooner participants can begin treatment the better.

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.

The VCDC program provides a continuum of necessary services to DC participants. The VCDC works with two treatment providers (Hamilton Center and Recovery Associates) to provide a continuum of services appropriate for each individual, depending upon their needs. There is no requirement on the frequency of treatment sessions as treatment is individualized for each participant. Services include IOP sessions, detoxification services, educational groups, family treatment, individual counseling and residential treatment. The treatment providers report to court staff on treatment progress and compliance in written and verbal reports. The frequency of treatment sessions vary due to individualized treatment plans, however, the majority of drug court participants attend IOP group treatment sessions at Hamilton Center or Recovery Associates. Participants attend IOP group three times per week, which is in line with the suggested frequency of treatment sessions.

Respondents felt that the ancillary services, such as sober living housing, were helpful in their recovery efforts. The services support participants in other areas of their lives to help them func-

In addition to the structure of the program [e.g., appointments, meetings, court appearances], it was really time in the recovery house, with other addicts, that helped the most.

– Drug Court participant

tion more smoothly in the community once they have completed the program. For example, participation in NA or AA is a drug court program requirement and a job training session sponsored by Indiana State University is offered to VCDC participants. Drug court staff and treatment providers may refer participants to Gamblers Anonymous, day treatment programs, the state hospital (which has a 90-day residential treatment program), the free medical clinic, food banks, soup kitchens, sober living environments, housing, employment, vocational rehabilitation, and child care.

A consistent concern from focus group respondents was the shortage of NA meetings, especially in the evenings. As participation in AA or NA is required, non-alcohol abusing clients felt discriminated against in AA meetings. They stated they were not encouraged to share feelings and concerns.

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 different 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. The VCDC conducts UDS consistent with the average adult drug court: at least 2 days a week during Phase I. Random urine testing is at least once per week during Phase II and Phase III participants are tested at least twice per month.

As with most drug courts, VCDC drug testing is more frequent in the beginning of the program, and gradually tapers off toward the end of the program. VCDC provides a program that is highly structured and rigorous (in terms of meetings/treatment/UDS required weekly), especially early on. Some participants felt that they had to work fewer hours in order to meet the program requirements.

VCDC should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. It is important to maintain the positive aspects of frequent monitoring without creating an undue burden on participants. The

People who work 9-5 or 8-4 should be able to come in during the evenings and do their drug screens and meet with their counselors, because they lose those hours (during work), which is a loss of money.

– Drug Court participant

purpose of this program is to engage and retain individuals in treatment and help them adjust to a new lifestyle, free of drugs and criminal behavior. These efforts and subsequent changes are extraordinarily difficult work for the participants.

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. VCDC addresses the need for immediate responses to non-compliant behavior by allowing the drug court field officer and case manager to impose less serious sanctions such as more frequent breath tests immediately. The judge (with input from the team) imposes more serious sanctions such as community service hours or jail time during drug court sessions.

VCDC sanctions are graduated, meaning the severity of the sanction increases with more frequent or more serious infractions. This is a recommended practice throughout criminal justice programming. VCDC sanctions include writing assignments, community service hours, jail time or more intensive treatment.

VCDC has a *Handbook* that lists possible rewards and sanctions; however there are not guidelines as to how appropriate sanctions are determined. Reports regarding progress or non-compliant participant behaviors from treatment providers, case managers, and the field officer are discussed during staffing meetings prior to court. Then the team discusses and recommends sanctions and rewards to the judge.

The judge speaks with the participant during court, considers the recommendations the team has made in the staffing meeting, and imposes appropriate sanctions. This process is the most common process nationally, which is for the judge to make the final decision regarding rewards and sanctions based on input from the team. Although participants commonly complain about inconsistency in the sanctions imposed for similar transgressions, the team must take into account participant circumstances and adjust sanctions to best fit the individual participant.

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

They need to be consistent with giving the same consequences for similar behaviors. For example, they would move some people back a phase for a positive [drug test result], whereas others might just get community service.

– Drug Court participant

the drug court program, is in place, which means that the participants with more extensive criminal histories can avoid incarceration. The VCDC incentive to complete the program is in line with these commonalties, as VCDC participants have suspended sentences while in the program and are rewarded with the dismissal of their charges that brought them into drug court.

Appendix C 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 VCDC program while others might provide some new and different ideas for the VCDC 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?

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.).

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 for their drug court term, as experience and longevity is correlated with cost savings (Carey et al., 2005; Finigan, Carey, & Cox, 2006).

You can't lie to [the Judge]; she scares me more than my own mama.

– Participant comment about Judge Brugnaux

In the VCDC, participants attend drug court less frequently than the most common model reported nationally, but well within the frequency found to be effective in NPC's study findings: Phase I participants have contact with Judge Brugnaux at least once every 2 weeks; Phase II every 3-5 weeks and once every 5-8 weeks during Phase III.

Judge Brugnaux has been presiding over the VCDC since its inception in 1996. Drug courts with judges who preside for at least 2 years and/or who rotate through more than once have been found to have better outcomes than drug courts with regular rotations of less than 2 years (Carey et al., 2005; Finigan, Carey, & Cox, 2006).

The judge learns about the participants' progress during the staffing meeting from drug court staff, written reports and through discussions with the participants. This process brings each participant's situation to the judge's attention in a personal, interactive way that helps build the relationship that the judge has with each participant. The judge also interacts with participants outside of drug court sessions to show her support of them. For example, the judge has attended participants' weddings and basketball games.

Judge Brunaux interacts with the participants in a stern, but caring and respectful manner. During court sessions, Judge Brugnaux speaks with participants about their personal lives such as their

jobs and families. The judge also earns the respect of participants by holding them accountable for their actions while rewarding them for their successes.

Participants interviewed held a very positive view of Judge Brugnaux. They respected her judgment and experience on the bench. They also talked about how they feel that the judge cares about them and wants them to do well in the program.

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?

The cornerstone of effective monitoring and evaluation is the availability of quality program data for independent review. Although the Court Alcohol and Drug database contains the drug court data including information on assessments, program start and end dates, completion status, drug tests and treatment, the data was entered inconsistently. Over time, different types of information were entered into the same variable field and the same type of information was entered into different variable fields. There was no data dictionary to document modifications to the database. Unfortunately, although NPC has worked with over 50 drug court databases, at no time during NPC's evaluation, were we able to pull complete information from the database or independently duplicate the findings reported by VCDC.

[The judge has] been up there on the bench long enough where she could see who wants it and who doesn't [want to change], which is why she gives some folks more chances than others.

—Drug Court participant

Ideally, the current database should be modified to include a section specific to the VCDC, which would include data elements appropriate to drug court data management and follow-up, including evaluation. If evaluators are unable to duplicate findings reported by the program, the validity and accuracy of those findings can be called into question. Any VCDC staff members who perform data entry should receive training on entering data consistently for every field and should receive training on data entry specific to the drug court program. Clear documentation should be kept on any changes to the database and how different fields are used. Subsequent evaluations using the new data would then be more reliable and could verify information reported by the program. VCDC has recently applied for and received grant funds from the Indiana Supreme Court for data base enhancement.

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?

VCDC team members receive ongoing training. Members of the VCDC team have attended drug court training conferences and workshops offered by IJC, NADCP, and NDCI. The VCDC coordinator and case manager attend the semi-annual IJC trainings and the NADCP annual trainings to satisfy the certification requirement of 20 hours of substance abuse education and 5 hours of

criminal justice training. The judge has attended the majority of the NADCP conferences since the implementation of VCDC. In addition the judge has been a faculty member for the NADCP and is a current NADCP board member. The field officer, prosecutor, treatment provider and public defender have attended NADCP training when funding was available. Finally, the deputy prosecutor has attended drug court training for prosecutors.

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.

VCDC staff refers participants to various services in the community and require participants to attend AA or NA support groups. Several drug courts have advisory boards that include representatives from community agencies. The VCDC may want to consider implementing an advisory board in order for the drug court to reach out and make more connections to community agencies. Further connections with the community would benefit the VCDC and its participants. Having representatives from community agencies, such as employment, education, housing, and health care on the drug court team would greatly facilitate participants' access to these services as well as provide further resources to the drug court team. Once these individuals are connected with the drug court and see the work that the program does, they may be willing to donate services and can often gain some benefit themselves in being involved with the drug court.

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 effect them.

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

- Previous research (Carey et al., 2005) has indicated that greater representation of the prosecuting attorney and defense attorney at team meetings and court sessions is correlated with positive outcomes for clients, including reduced recidivism and, consequently, reduced costs at follow-up. We recommend that the VCDC public defender and prosecutor attend the pre-court staffing meetings and drug court sessions in order to stay informed on participant is-

sues. This would allow the attorneys to advocate for the participants best interests as well as the state's interest more consistently.

- NPC was unable to use the data on drug court participants due to severe inconsistencies in the database as well as in data entry. It is strongly recommended that the VCDC modify the database so that drug court participant data is specific to the VCDC program. It is also recommended that clear documentation be made of any changes to the database and how data fields are used. In addition, those who perform data entry should receive training on consistent use of the new and old data fields. This will allow future evaluation to verify results reported by the program.
- VCDC may wish to consider offering flexibility in several areas of the program including drug testing and drug court sessions. For example, participants requested flexibility in the times and days of the week that drug court sessions take place and UDS testing times to accommodate job schedules. Many drug court programs offer early morning or evening court sessions and drug testing schedules.
- VCDC should consider creating a sanction schedule that matches type and frequency of non-compliant behavior to specific sanctions or a range of sanctions (to maintain flexibility). This may assist the judge in determining and imposing more consistent sanctions and when shared with participants, help the participants better understand the consequences of noncompliant behavior.
- Non-alcohol using drug court participants felt that the available self-help meetings were oriented too much toward alcohol use and were not addressing their needs. As part of their community outreach efforts, the drug court team may wish to look into ways to make more NA meetings available; especially evening sessions and also to make community NA/AA meeting organizers aware of the drug court program and its participants.
- Since 9 weeks from referral to entry is pushing the limits of what should be considered as "promptly placed," the VCDC 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 in order.
- Several participants 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 VCDC team should consider the optimal program dosage and intensity required to maximize accountability and oversight, while promoting successful participation. It is important to maintain the positive aspects of frequent monitoring without creating an undue burden on participants.

OUTCOME EVALUATION

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 rates for VCDC and compared them the national average for drug court 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 VCDC by comparing the post-program recidivism (re-arrests) of a sample of VCDC participants with the recidivism of a sample of individuals who were eligible for drug court but had never attended drug court and had similar demographic characteristics and prior criminal records. The recidivist records of the VCDC sample and the comparison group were examined for a maximum 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 completion and graduation within the expected time frame?
2. Does participation in drug court reduce recidivism for those individuals compared to traditional court processing?
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 arrests for 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 reviewed by NPC researchers used recidivism data collected 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 in which charges are filed (not all arrests), and 4) it is limited to the state of Indiana and does not provide arrest information for the bordering states. Vigo County is near the border of Illinois. It is not inconceivable that additional offenses may

have occurred outside Indiana boundaries. When Vigo drug court arrests were searched in ProsLink, 96% of the index records were located. We may be underestimating subsequent court cases by approximately 4%. Although we are likely underestimating these 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.

Vigo County Drug Court Participant Sample

Given the severe limitations of the VCDC database, findings based on this study group sample should be interpreted with caution. With the assistance of VCDC staff, NPC identified a sample of participants who enrolled in the VCDC program from January 1, 2002, through December 31, 2004. This time interval was chosen to be consistent with the other Indiana drug court sites under evaluation and because of available data for the comparison group. For the evaluation time interval, there were 188 drug court participants—94 graduates, 78 individuals terminated and 11 currently active. Data elements could not be determined consistently from the database. For example, drug of choice was not located in the drug of choice field. Demographic variables were provided by VCDC as we could not locate or duplicate their data counts.

Comparison Group

NPC identified a comparison group from individuals who were charged with drug court eligible crimes, had never participated in drug court, and were sentenced to a probation- supervised program. Given the numerous problems NPC had with the Vigo database, we chose a comparison group from a neighboring county for whom reliable records were available.

A total of 633 names were identified as having eligible drug-related offenses in the study date range. However, after excluding individuals with drug court exclusion offenses as well as those who were previous drug court participants, 199 remained in the comparison group.

There were no notable demographic differences between the VCDC group and the comparison group. The primary difference between the two groups was the absence of alcohol as a drug of choice for the comparison group. Analyses presented later in this section looked for an influence of this difference and found a negligible effect. A strength of this comparison group is the comparable frequency of methamphetamine use relative to the drug court group. In the analyses, the VCDC and comparison groups were matched on age, gender, ethnicity, drug of choice and criminal history including prior arrests to remove potential differences between the groups (Table 1). Both groups were followed through ProsLink for a period of 24 months from the date of drug court entry for the drug court group and an equivalent interval for the comparison group (interval was based on the median drug court interval from arrest to drug court start; this median interval was then applied to the comparison group's arrest dates) .

Outcome Evaluation Results

Table 1 provides the demographics for the study sample of VCDC participants and the comparison group. This table shows that drug court participants included fewer female clients and fewer arrests in the 2 years before program start. They were comparable for methamphetamine use. The comparison group had no participants with alcohol as their drug of choice. These differences were controlled for in subsequent analyses.

Table 1. VCDC Participant and Comparison Group Characteristics

	Drug Court N = 188	Comparison N = 199
Gender	81% male 19% female	70% male 30% female
Ethnicity		
White	91%	75%
African American	8%	25%
Other	1%	—
Average age at start	33 years	31 years
Median	31 years	27 years
Range	18-56 years	18-66 years
Drug of Choice		
Cocaine/crack	5%	25%
Marijuana	18%	33%
Methamphetamine	38%	38%
Alcohol	31%	---
Average number of arrests in the 2 years prior to program entry	0.9 (range 0-10)	1.5 (range 0-7)

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 measured by program graduation (completion) rate, retention rate and by the amount of time participants spend in the program. Program **graduation rate** is the percentage of participants who graduated from drug court out of the total cohort of participants. Program **retention rate** is the percentage of individuals who have either graduated or are still active out of the total number who entered drug court.

National research has reported an average graduation rate of 48% for drug court programs (Belenko, 1999). NPC Research identified a graduation rate of 50% (94/188) for VCDC; approximately 4% higher than the national average. The program retention rate is 56%. According to SAMHSA, the average completion rate nationally for intensive outpatient treatment for non-court based treatment was 35%.

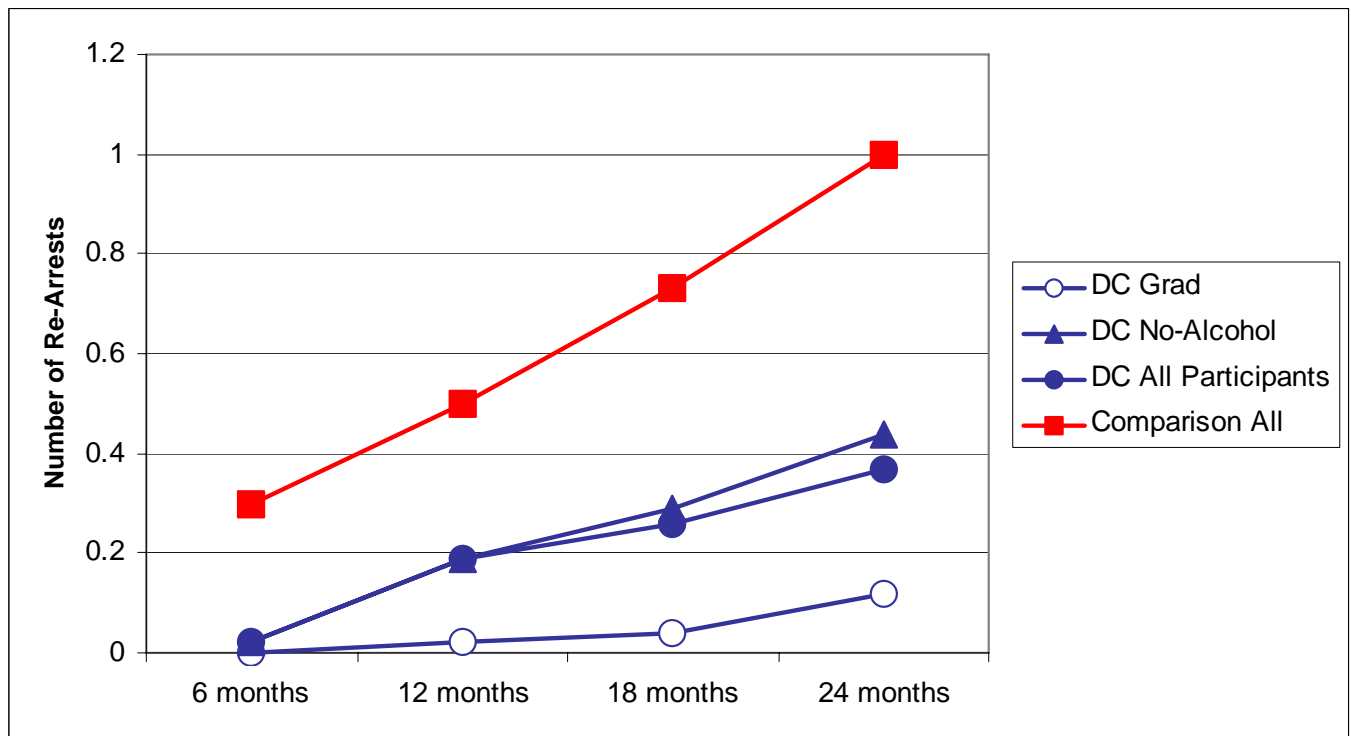
To measure whether VCDC graduates its participants within the program time frame, length of time in the program was calculated from program start and end dates provided by VCDC staff. Drug court graduates (N=70) spent an average of 17.1 months in the program with a maximum of 37 months. As the program intended minimum length is 18 months, VCDC is graduating its participants in slightly less than the targeted program time frame.

Research Question #2: Recidivism

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

The VCDC sample demonstrated a significantly ($p < .05$) lower average number of arrests over the 2 years after drug court entry and a lower rate of recidivism³ compared to the comparison sample. Figure 3 displays the average number of re-arrests for all drug court participants, drug court graduates, drug court participants excluding those with alcohol as their drug of choice, and all comparison clients over a 24-month period at 6-month intervals from program entry. The significant difference between drug court and comparison group was constant regardless of whether the participants' drug of choice included alcohol. This analysis was conducted to consider whether the positive effect of drug court was due to the effect of alcohol as being more amenable to treatment than methamphetamine. Although there is a slight increase in recidivism once the alcohol drug court group was removed, the positive drug court effect is still significant.

Figure 3. Re-Arrests Over Time VCDC and Comparison Groups

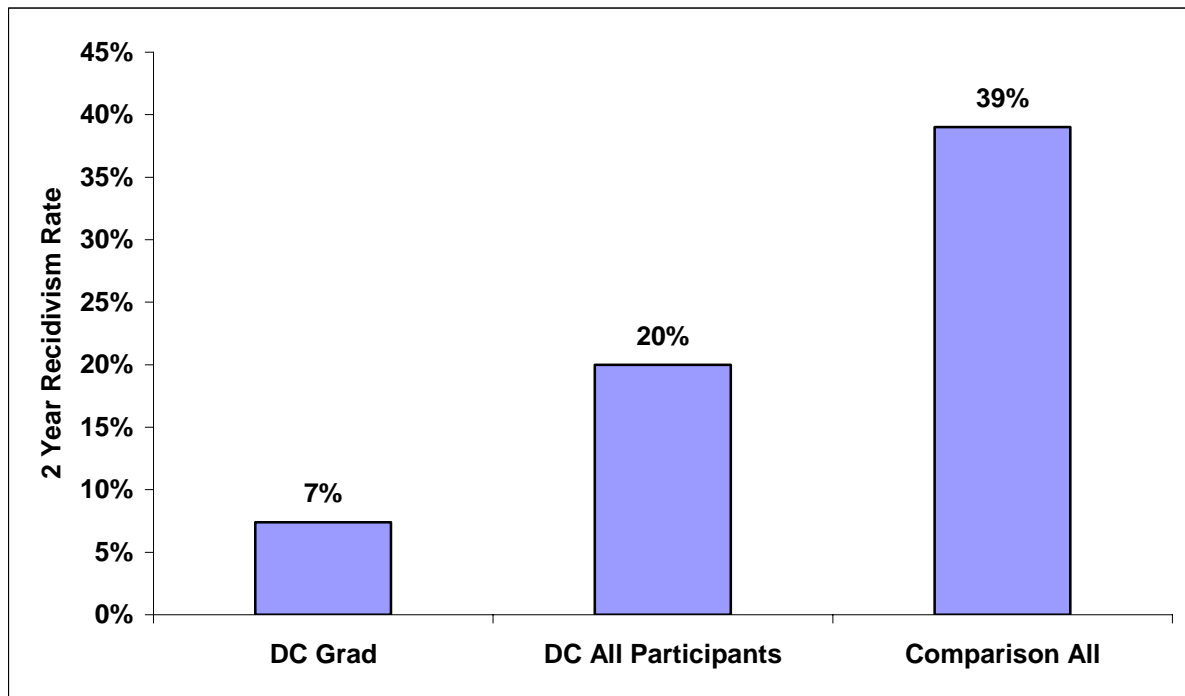


Note: All re-arrests in a 24-month period for all VCDC participants, VCDC graduates, VCDC participants excluding individuals with alcohol as their drug of choice and comparison group for the study period 1/1/02-12/31/04 with follow-up through 6/30/06. DC = drug court

³ Defined as "re-arrested at least once in a 24-month period" from drug court start date or comparable date for the comparison group.

Figure 4 displays the recidivism rates of VCDC graduates, all drug court participants (including graduated and terminated participants) and all comparison group members. The 24-month recidivism rate for drug court was 20% while the rate for the comparison group was 39%. Drug court participants (regardless of graduation status) were half as likely to have had any arrests in the 24-month follow-up period relative to the comparison group. The recidivism rate for graduates was 7%, substantially below the recidivism rate of 17% for graduates reported nationally.

Figure 4. Recidivism Rate for VCDC and Comparison Group



Note: Two-year recidivism rate for VCDC participants (graduates and all participants) and comparison group for the study period 1/1/02-12/31/04 with follow-up through 6/30/06. DC= drug court

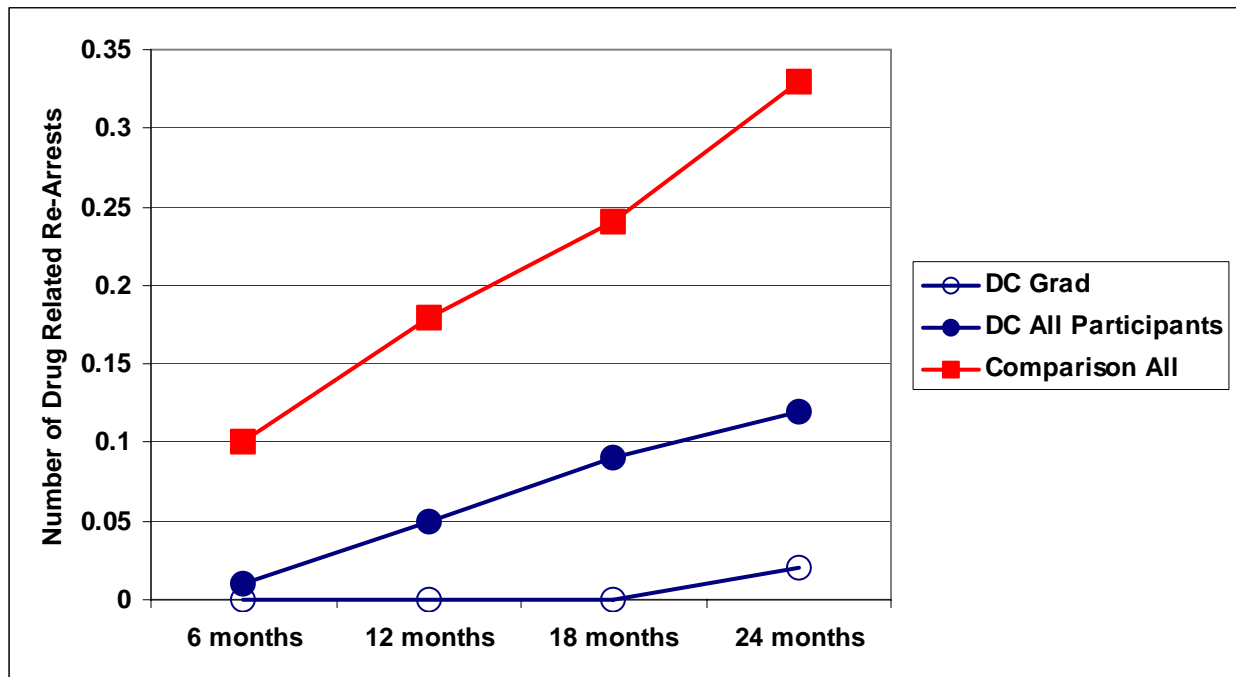
RESEARCH QUESTION #3: REDUCING SUBSTANCE ABUSE

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

A way of measuring reduction in substance abuse is to evaluate the rate of recidivism for drug related crimes.⁴ Over a 24-month follow-up period, the arrests of all individuals were analyzed as to whether part or all of the charge was classified as a substance abuse related crime. Figure 5 conveys that drug court graduates and all drug court participants were consistently and significantly lower in drug-related arrests than the comparison group.

⁴ The Indiana code citations for substance abuse related crimes were identified by a county prosecutor.

Figure 5. Drug Related Re-Arrests Over 24 Months



Note: All re-arrests for drug related charges in VCDC participants (graduates and all participants) and comparison group for the study period 1/1/02-12/31/04 with follow-up through 6/30/06.

Outcome Summary

The outcome analyses were based on a cohort of VCDC participants who entered the drug court program from January 1, 2002, through December 31, 2004, and a comparison cohort of offenders who had eligible charges for drug court but participated in a probation-based program in a neighboring Indiana county. The outcome results indicated that participants in the drug court were re-arrested half as often as the comparison group in the 24 months following drug court entry. This provides clear support that the VCDC has been successful in reducing recidivism for its population of substance abusing offenders.

Overall, the drug court program also has been successful in reducing drug use among its participants as measured re-arrests for drug related crimes. There was significantly and consistently fewer drug-related re-arrests for all drug court participants (regardless of graduation status) than the comparison group.

COST EVALUATION

Cost Evaluation Methodology

This section of the report describes the research design and methodology used for the cost analysis of the VCDC 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 policymakers, 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. 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.

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 Web site—www.npcresearch.com) 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 the drug court program costs consist of those due to new arrests, subsequent court cases, probation, prison, jail time served, and victimizations.

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

DRUG COURT PROGRAM AND TRADITIONAL COURT PROCESSING COSTS

While NPC was able to assign costs to outcome transactions for both the drug court participants and comparison group, due to the unavailability of drug court program and other administrative data, NPC was unable evaluate the drug court program or traditional court processing costs.

Based on the study results from 4 other drug court sites in Indiana, the average drug court program cost per participant was \$11,000 (with a range of \$3,800 to \$20,000) and the average cost

to the taxpayer of traditional court processing per person at the same 4 sites was \$3,400 (with a range of \$2,200 to \$5,800).

OUTCOME COSTS

This section describes the cost outcomes experienced by drug court and comparison group participants. As described in the methodology section, the Transactional and Institutional Cost Analysis (TICA) approach was used to calculate the costs of each of the outcome transactions. Transactions are those points within a system where resources are consumed and/or change hands. 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.

The specific outcome transactions examined include re-arrests, subsequent court cases, bookings, jail time, prison and probation for drug court program participants and comparison group offenders. Outcome costs were calculated for 2 years from the time of program entry (VCDC program entry for the drug court participants and entry into the probation based treatment program for the comparison group). Lower recidivism and lower costs for VCDC participants compared to those offenders who did not participate in drug court (comparison group members) indicate that the program can provide a return on its investment. It should be noted that the costs for this study were calculated including taxpayer costs only and that all cost results provided in this report are based on fiscal year 2007 dollars.

The outcome costs discussed below were calculated using information gathered by NPC's researchers from the Vigo County 2006 operating budget, Vigo County Superior Court, Vigo County Sheriff's Department, Vigo County Prosecutor's Office, Vigo County Public Defender, Vigo County Probation Department, Terre Haute Police Department, Indiana Judicial Center, Indiana Department of Correction and the Indiana FY 2006 As-Passed Operating Budget.

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

Arrests in Vigo County are conducted by multiple law enforcement agencies, including the Terre Haute Police Department and the Indiana State Police. As the most active arresting agency in Vigo County, the Terre Haute Police Department was used as the basis for constructing an arrest cost model. The cost model was constructed from information provided by representatives of the Terre Haute Police Department. Through the application of this information it was determined that the cost of a single arrest is **\$124.09**.

To determine a reasonable cost model for recidivist *court cases*, NPC's researchers focused on D Felony cases.⁵ To construct the cost model for court cases we considered activities pursued by the Vigo County Superior Court, the Vigo County Prosecutor's Office and the Vigo County Public Defender's Office. Our research also referred to the Indiana Courts 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 particu-

⁵ 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.

lar 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 **\$292.97**.

Jail booking episodes are performed by the Vigo County Sheriff's Department. The cost per booking was based on information provided by the administrator of the Vigo County Jail. The cost of a single jail booking is **\$29.22**. Due to a lack of data, costs for jail bookings were not included in this analysis.

Jail days are provided by the Vigo County Sheriff's Department. Jail bed days are **\$32.38** per person per day. This is a calculated rate, based on information from the 2006 Vigo County Jail budget and the daily population rate of the jail from 2006. 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 **\$53.01**.

Adult probation services in Vigo County are provided by the County's Probation Department. Through an interview with a representative of the department and analysis of the Probation Department's 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 \$0.97 to be the probation supervision cost per day. People on felony probation pay initial fees of \$200 and then \$20 for each month they are on probation (the fee is a bit less for misdemeanor probation), so the probation supervision cost per day is therefore reduced to **\$0.30**.

Victimizations were calculated from the National Institute of Justice's *Victim Costs and Consequences: A New Look (1996)*.⁶ The costs were updated to fiscal year 2007 dollars. **Property crimes** are **\$11,858** per event and **person crimes** are **\$38,414** per event.

⁶ 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 OUTCOME COST CONSEQUENCES

Table 3 represents the criminal justice system experiences of the drug court group and comparison sample.

Table 3. Average Number of Outcome Transactions per Drug Court and Comparison Group Member

Transaction	Drug Court Participants (n=188)	Comparison Group (n=199)
Arrests	.37	1.01
Court Cases	.37	1.01
Jail days	11.00	22.72
Prison days	1.53	5.85
Probation days	48.11	61.23
Property Victimizations	.13	.22
Person Victimizations	.04	.10

Table 3, above, clearly shows that VCDC participants experience far less recidivism than offenders who were eligible for the program but did not participate. VCDC participants have substantially lower numbers across every transaction.

Table 4 represents the cost consequences associated with criminal justice system outcomes for the drug court group and comparison sample.

Table 4. Criminal Justice System Outcomes Costs per Drug Court and Comparison Group Member

Transaction	Drug Court Participants (n=188)	Comparison Group (n=199)	Difference	Percentage Difference
Arrests	\$46	\$125	-\$79	-172%
Court Cases	\$108	\$296	-\$188	-174%
Jail days	\$356	\$736	-\$380	-107%
Prison days	\$81	\$310	-\$229	-283%
Probation days	\$14	\$18	-\$4	-29%
Property Victimizations	\$1,542	\$2,609	-\$1,067	-69%
Property Victimizations	\$1,537	\$3,841	-\$2,304	-150%
Total	\$3,684	\$7,935	-\$4,251	-115%

Tables 3 and 4 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 (**\$4,251** per drug court participant) throughout the local criminal justice system.

If the VCDC program continues to enroll 100 new participants annually, this results in a yearly savings of **\$425,100** multiplied by the number of new cohorts that continue to enroll in the program each year the program remains in operation. 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 over **\$4 million**.

OUTCOME COSTS BY AGENCY

Of particular interest to state and local policymakers and managers are the financial impacts on the agencies that support the criminal justice system as a result of the operation of the drug court program. Table 5 represents these financial impacts on Vigo County. It should be noted that for some local agencies—Superior Court and Prosecutor’s Office—the state and county share cost responsibility.

Table 5. Criminal Justice System Outcomes Costs by Agency per Drug Court and Comparison Group Member

Jurisdiction/Agency	Drug Court Participants (n=188)	Comparison Group (n=199)	Difference	Percentage Difference
Superior Court	\$63	\$171	-\$108	-171%
Prosecutor’s Office	\$25	\$69	-\$44	-176%
Public Defender	\$20	\$55	-\$35	-175%
Law Enforcement Agencies	\$402	\$861	-\$459	-114%
Department of Correction	\$81	\$310	-\$229	-283%
Probation Department	\$14	\$18	-\$4	-29%
Victimizations	3,079	\$6,450	-\$3,371	-109%
Total⁷	\$3,684	\$7,934	-\$4,250	-115%

As can be seen in Table 5, substantial cost savings are realized as the result of the VCDC. In terms of their comparative recidivist experiences, drug court participants (regardless of graduation status) are shown to cost **\$4,250** or **115%** less per participant than members of this study’s comparison group. If this per participant savings is multiplied by the number of participants who have entered the program since its inception (N = 697), the total savings accrued by the MCDTC so far comes to **\$2,962,250**.

⁷ The totals in this row may not equal the totals for the cost per transaction table due to rounding.

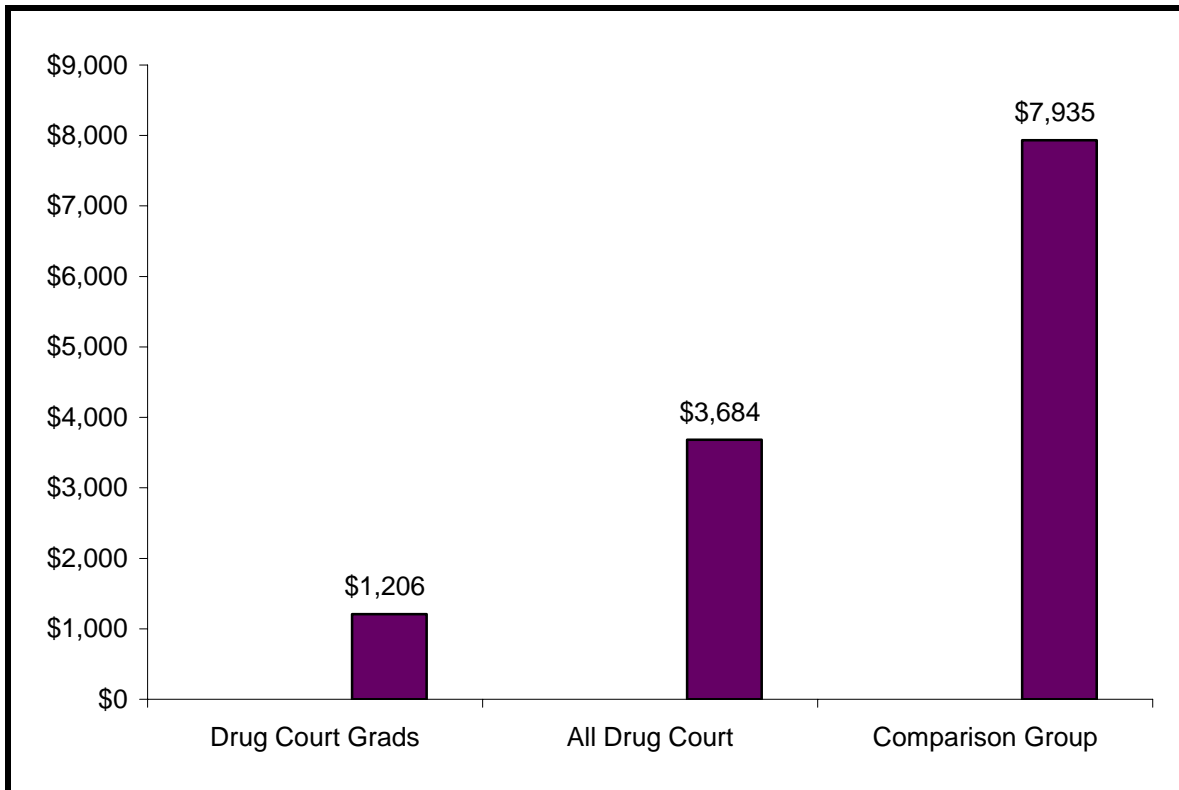
Similar to many of the drug court studies in which NPC has been involved, greater outcome savings associated with drug court participants accrue to some agencies than others. In the case of the VCDC, the Indiana Department of Correction realizes by far the greatest financial benefit of all the agencies involved in the outcome experience of offenders.

The comparative criminal justice outcomes cost experiences of all drug court participants, drug court graduates and comparison group members are graphically represented in Figure 6. Due to very low rates of recidivism, drug court graduates experience the lowest outcome costs compared to all drug court participants and to comparison group members. VCDC graduates show a savings of **\$2,478** per participant compared to drug court participants and **\$6,729 per participant** when 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 2 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, and 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 6. Comparative Criminal Justice Outcomes Cost Consequences per Drug Court and Comparison Group Member (including drug court graduates)



SUMMARY AND CONCLUSIONS

The Vigo County Drug Court has many characteristics that closely follow the *10 key components* of drug courts. The team is composed of partners from many different agencies. Participants have access to a wide array of treatment and ancillary services.

As with many other drug court programs, the VCDC 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. In addition, one of the *Key Components* includes evaluation and monitoring to measure the achievement of program goals and gauge effectiveness. We suggest that the VCDC explore avenues to accomplish this goal such as a new database management system dedicated to drug court. The drug court should also continue to build on its strong community connections and support from various facets of the community, including businesses and faith-based organizations.

The outcome results indicated that participants in VCDC were half as likely to be re-arrested as the comparison group in the 24 months following drug court entry. Overall, the program has been successful in reducing drug use among its participants. This was supported by an extremely low number of drug-related re-arrests for the drug court participants. These findings provide clear evidence that the VCDC has been successful in reducing recidivism for its target population of nonviolent, substance-abusing OVWI and felony offenders.

The cost per participant for the VCDC program was not available due to a lack of administrative data, but an average cost per participant at 4 other drug courts in Indiana was approximately \$11,000. 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 VCDC cost outcomes were \$3,684 per participant compared to \$7,935 per offender that did not participate in drug court. When this per participant savings of **\$4,250** is multiplied by the 697 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 **\$2,962,250**.

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. As the existence of the program 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 VCDC is both beneficial to participants and beneficial to the Indiana taxpayers.

REFERENCES

- Bureau of Justice Assistance Drug Court Clearinghouse Project, Justice Programs Office, School of Public Affairs, American University (2006). *Summary of drug court activity by state and county*. Retrieved November 8, 2006, from http://spa.american.edu/justice/publications/us_drugcourts.pdf
- Carey, S. M., & Finigan, M. W. (2003). A detailed cost analysis in a mature drug court setting: Cost-benefit evaluation of the Multnomah County Drug Court. *Journal of Contemporary Criminal Justice, 20*(3), 292-338.
- Carey, S. M., Finigan, M. W., Waller, M. S., Lucas, L., & Crumpton, D. (2005). *California drug courts: A methodology for determining costs and avoided costs, Phase II: Testing the methodology, final report*. Submitted to the California Administrative Office of the Courts, November 2004. Submitted to the USDOJ Bureau of Justice Assistance in May 2005.
- Cooper, C. (2000). *2000 drug court survey report: Program operations, services and participant perspectives*. Retrieved from <http://spa.american.edu/justice/pubcats.php?subnumber=50>; <http://spa.american.edu/justice/publications/execsum.pdf>
- Crumpton, D., Brekhus, J., Weller, J. M., & Finigan, M. W. (2004). *Cost analysis of Anne Arundel County, Maryland Drug Treatment Court*. Report to the State of Maryland Judiciary, Administrative Office of the Courts and Baltimore Substance Abuse Systems, Inc.
- Crumpton, D., Brekhus, J., Weller, J. M., & Finigan, M. W. (2004). *Cost analysis of Baltimore City, Maryland Drug Treatment Court*. Report to the State of Maryland Judiciary, Administrative Office of the Courts and Baltimore Substance Abuse Systems, Inc.
- Finigan, M. W. (1996). *Societal Outcomes and Cost Savings of Drug and Alcohol Treatment in the State of Oregon*. Portland, OR: NPC Research.
- Finigan, M. W., Carey, S. M., & Cox, A. (2006). *The Impact of a Mature Drug Court over 10 Years of Operation: Recidivism and Costs*. Submitted to the U. S. Department of Justice, National Institute of Justice, December 2006. NIJ Contract 2005M073.
- Government Accountability Office (2005). *Adult drug courts: Evidence indicates recidivism reductions and mixed results for other outcomes*. Retrieved 2006 from [http:// www.gao.gov/new.items/d05219.pdf](http://www.gao.gov/new.items/d05219.pdf)
- Longshore, D. L., Turner, S., Wenzel, S. L., Morral, A. R., Harrell, A., McBride, D., Deschenes, E., & Iguchi, M. Y. (2001). Drug courts: A conceptual framework. *Journal of Drug Issues, 31*(1), Winter 2001, 7-26.
- National Association of Drug Court Professional Drug Court Standards Committee (1997). *Defining drug courts: The key components*. U.S. Department of Justice, Office of Justice Programs, Drug Court Programs Office.

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

Vigo County Drug Court Focus Group Summary

As described in the process section of this report, three focus group interviews were conducted in April 2006, the first group with five active drug court participants, representing the different program phases, and one program graduate. The other two focus groups consisted of former participants who did not complete the drug court program. One of these latter groups was conducted in the local jail with incarcerated non-completers [seven male respondents].

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, advice they would give someone considering entering the drug court program, and recommendations for the program.

What they liked

Active participants/graduate group:

- [The drug court program] saved my life; I could be dead or in prison now. It saved my family.
- The DC process keeps you on track. You have your appointments; you have to be in court. It gives you your structure back in your life. I've learned to schedule my time; responsibility has come back to me.
- Even though I'm no longer [in the program], the support from drug court staff is still there.
- You have a graduate of drug court here from 2 years ago [participating in the focus group]; that says something about the program.
- The staff at the Hamilton Center has been helpful.

Participants not completing the program:

- The people in drug court are really nice people, very caring people, and they will not give up, even when you've let them down.
- If I was still out there, I'd be dead by now.
- The program helped [with regard to] coming to terms with my addiction. Getting over that hump, finally, and seeing some hope and a light at the end of the tunnel.
- In addition to the structure of the program [e.g., appointments, meetings, court appearances], it was really time in the recovery house, with other addicts, that helped the most.
- It's relationships I've built with staff and people in AA that have helped.
- Drug court helped me with organization. It helped me see what I was missing from my life. When I was there, that's when I decided to become an addictions counselor for juveniles. When I was there [in drug court], that's when I was most happy.

What they didn't like

Active participants/graduate group:

- We have to go to AA meetings, but in a lot of those meetings you have to lie and say that you are an alcoholic, even if you're not. [In AA] they don't want you to talk about your drug use; they don't think alcohol is a drug.

- Being made to go to three (AA) meetings a week was a challenge; I had a hard time finding meetings that were helpful.
- I had smoked marijuana only once but, because it takes some time to get out of your system, I tested positive multiple times [as the drug levels decreased in my blood stream] and had to pay more for that [for every positive]. This doesn't seem fair since other drugs take a lot less time to get out of your system.
- The fees are hard to pay, especially in the beginning because you don't have a job.
- I was on thin ice with my job because of all of the drug tests that were required at first.
- I'm a diabetic, so I drink a lot of water. As a result, I can catch a positive screen [because urine is diluted]. That's a problem.
- I have this pager, which I pay for, and I never get paged.
- The number of times we had to come in [e.g., for drug court sessions, meetings with the case manager] was hard. It beat me up on the inside [with all of my other responsibilities] and caused me sometimes to want to use [in order to cope with the stress], which I did not do.
- I couldn't make it to a job interview because the court session went too long.

Participants not completing the program:

- Being in drug court felt like everybody was watching you; watching what moves you made there, are you going to do this right, going do this wrong, or if your screen's going to come back clean...
- It was stressful, because I had to carry my pager around with me wherever I went.
- It seems like everybody knows that you're in drug court; like all cops know that you're in drug court now, so they try and keep an eye on you.
- My addiction was marijuana. Alcohol is legal, so I don't understand why I can't have a social drink while in the program.
- With the [private provider], it seemed like it was all about the money. When I relapsed, they did not seem interested anymore in helping me.
- The cost of the program made me start selling drugs again.
- The time requirements made it very difficult (e.g., meetings, private provider appointments, drug testing), especially on top of working 12 hours a day and taking care of my family. Plus, the cost was really difficult with all of my other financial commitments.
- I got moved back a whole phase in the program because someone told them [drug court staff] that I was in a bar. There was no evidence against me, but they sent me back anyway. That's not fair.

General feedback regarding the program (including DC staff)

Active participants/graduate group:

- You can't lie to [the judge]; she scares me more than my own mama. At first, I didn't trust anyone; now I tell them everything. You're like a child, learning everything all over again.
- [The judge has] been up there on the bench long enough where she could see who wants it and who doesn't [want to change], which is why she gives some folks more chances than others.
- Don't think that they [the drug court staff] don't know what goes on in your life, because they do.

- Seems like [some staff members] are recovered addicts. That's helpful because they understand what you're going through.
- If you're going to succeed, you've got to work the [drug court] program and got to get an AA sponsor. I learned from the [private provider] how to stay clean, to look at the big picture.
- The day I graduated, the craving came back. It scared me, so I immediately went to Club Soda and asked for a friend's help. I got through that day and I haven't had a feeling like that since.
- This is my first offense. It was a wakeup call. My incentive is to get the charges dropped; can't get any better than that.

Participants not completing the program:

- I was so mad that I let [the judge and whole drug court team] down. If I could go back to drug court and get off of home detention, I would. Even if it were for 18 months to 2 years, I'd still do it.
- They came and talked to me everyday in jail. They sat me down and told me what drug court was about, what I was going to have to do and then asked me, "Do you think you need help?" I said "Yes."
- At the beginning [in the drug court program] you do have a lot of stress, but once you get your mind focused on what you have to do and what you don't need to do, everything will be alright.
- [The judge] has a good heart, but there are times too when she's had enough of your "crap" and you go to jail.
- They [drug court staff] all were worried, because they were really pulling for me. When I got kicked out, it was like I disappointed myself but also disappointed drug court. But now that I'm clean and doing good, I call and touch base to let everyone know I'm doing okay.
- The people who work in drug court are good people and are pretty observant. I worked the program well but was unable to do one thing: let go of my friends. The drug court staff told me that but I didn't listen.
- [The judge] cares but can be very tough, like your momma. She gave me many chances.
- The people that don't make it, they fail the program, the program doesn't fail them.

Drug court's effect on personal relationships

Active participants/graduate group:

- They should have a support program for family members of drug court clients [specifically, children of participants]. I don't want my kids to repeat my patterns, who are still scared when I walk out the door, even though nothing as happened for a year.

Participants not completing the program:

- It's hard to talk with my mom about my addiction, because she doesn't understand. I'd rather talk with my sponsor.
- I've stayed in contact with some friends who were in drug court; they've helped a lot.

What advice would you give someone considering drug court?

Participants not completing the program:

- I'd tell them to sit down and weigh their options. First I'd ask, "Do you really think you need the help?" If, yes, then you should go [to drug court]. If, no, don't go in because you're going to end up going to jail.
- I'd say, "They'll help you. Just talk to them." Also, they've got to want to do it for themselves [and not anyone else].
- You need to be 100% straight with yourself and drug court staff, or it's going to be 100% fail.
- The longer you stay in the program, the more you'll learn about the addiction and, once you get some clean time in, it will be easier. The first 6 months are really hard.
- You'd better be ready; be honest about that. If you're not ready, they'll set you up for failure.

Recommendations for the program

Active participants/graduate group:

- The drug court program needs to be 18 months long because it takes you 12 months just to get it together.
- In my opinion, people who work 9-5 or 8-4 should be able to come in during the evenings and do their drug screens and meet with their counselors, because they lose those hours (during work), which is a loss of money. If they want you to have a job, they need to compromise, so that we can be successful.
- There should be even an evening court for those who work.

Participants not completing the program:

- They need to be consistent with giving the same consequences for similar behaviors. For example, they would move some people back a phase for a positive [drug test result], whereas others might just get community service. It seems like the repeat offenders often get a slap on the wrist, while those who have clean records get more severe consequences.
- It would be good if there was a methamphetamine clinic connected with the program, where a person could have outpatient treatment. Just locking users up is no solution.
- A lot of our D&A problems are deep seeded [beyond the addiction]. That needs to be addressed.
- It's hard to turn off an addiction. When I slipped at the beginning of the program, I got penalized a lot. They should understand that it takes some time.
- People are different, so the program should be more individualized.
- I bet you'd see improvement if you let people who were terminated from the program back in a second time.
- There are really no inpatient treatment centers in the area; there needs to be. If I had meetings and drug education classes every day, it would help.

**APPENDIX B: VCDC ELIGIBILITY (INCLUSION AND
EXCLUSION) CRITERIA**

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

1. Possession of a Controlled Substance, Class C Felony
2. Possession of a Controlled Substance, Class D Felony
3. Possession of Methamphetamine, Class C Felony
4. Possession of Methamphetamine, Class D Felony
5. Possession of Cocaine or Narcotic Drug, Class C Felony
6. Possession of Cocaine or Narcotic Drug, Class D Felony
7. Possession of Marijuana, Class D Felony
8. Possession of Paraphernalia, Class D Felony
9. Maintaining a Common Nuisance, Class D Felony
10. Illegal Drug Lab; Possession of Drug Precursors, Class C or D Felony
11. Illegal Drug Lab; Sale of Drug Precursors, D Felony
12. Operating a Vehicle While Intoxicated, Class A Misdemeanor (facing HTV status) or D Felony
13. Theft, receiving stolen property, Class D Felony
14. (Attempting to) or Obtaining a Controlled Substance by Fraud or Deceit, Class D Felony
15. Forgery, Class C Felony
16. Burglary, Class C Felony
17. Prostitution, Class D Felony
18. Currently on probation in County
19. Currently on probation out of County
20. Currently on parole in County
21. Currently on parole out of County

The offenses that are excluded from participation in VCDC are as follows:

1. Burglary, Class A or B Felony
2. Any "crime of violence: as defined by IC 35-50-1-2:
3. Felony Murder (not categorized)
4. Attempted Murder
5. Voluntary manslaughter, Class A or B Felony
6. Involuntary manslaughter, Class A Misdemeanor or D or C Felony
7. Reckless homicide, Class C Felony
8. Aggravated battery, Class A or B Misdemeanor or D or C Felony
9. Kidnapping, Class A Felony
10. Rape, Class A or B Felony
11. Criminal deviate conduct, Class A or B Felony
12. Child molest, Class A, B or C Felony
13. Sexual misconduct with a minor, Class A or B Felony
14. Robbery, Class A or B Felony
15. Causing death with a motor vehicle or causing serious bodily injury, Class B or C Felony
16. Open warrants
17. Charges Pending out of county and/or other pending charges otherwise excluded per program criteria

**APPENDIX C: 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 D: 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 1 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 lead to cases files in the courts.

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.