

Malheur County Adult Drug Court (S.A.F.E. Court) Cost Evaluation: *Final Report*



Submitted to:

Malheur County S.A.F.E. Court

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*Research designed to promote effective decision-making by policymakers
at the national, state and community levels*

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INTRODUCTION

Background

In the past fifteen 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. There are now well over 1000 drug courts operating in all 50 states, the District of Columbia, Puerto Rico and Guam. The purpose of drug courts is 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. In the typical drug court program, participants are closely supervised by a judge who is supported by a team of agency representatives that operate outside of their traditional adversarial roles including addiction treatment providers, district attorneys, public defenders, law enforcement officers and parole and probation officers who work together to provide needed services to drug court participants.

Malheur County is one of Oregon's poorest counties. According to 1997 U.S. Census Bureau figures, 19.6% of the county's adult population lived below the poverty line, along with 26.0% of its children, the highest that year in Oregon. The median household income in 1997 was \$28,204. According to the 2000 U.S. Census, Malheur County has a population of 31,200 with a high proportion of Hispanics. While the overall population is about 30% Hispanic, Hispanics, primarily males, account for around one half of all arrests for alcohol-related traffic offenses.

An examination of case statistics from the District Attorney's Office shows increased numbers of substance abuse prosecutions, despite extremely limited law enforcement activities targeting drug crimes. In 1999, there were 158 felony prosecutions for substance abuse violations, but in 2000 the number was 308, with no increase in enforcement activity to account for the difference. The vast majority of these cases involved methamphetamine. In addition, Malheur County has consistently had one of the highest rates of impaired driving arrests in Oregon for the past 30 years, and a high rate of alcohol-related crashes, including crashes resulting in death or serious injuries. There has also been a marked increase in the number of people arrested for impaired driving due to use of controlled substances, particularly methamphetamine, either alone or in combination with alcohol. With these statistics in mind, Malheur County began planning a drug court and was awarded a program-planning grant in 1998.

The planning grant allowed key participants to attend trainings and planning sessions, and to receive technical assistance to determine the need for a drug court program in Malheur County, as well as the form that the program should take. The Malheur County Adult Drug Court, which is called the S.A.F.E. ("Stop Addiction For Ever") Court, is an adult post-adjudication program for repeat offenders who have substance abuse problems. The S.A.F.E. Court is gender specific. There are two concurrently running programs, one for women and one for men, respectively headed by a female and male judge. By providing a gender-based program to offenders, the county hopes to increase successful participation and completion of long-term treatment. Further, the county intends to enhance program services so that it can offer a comprehensive and culturally sensitive drug court program for a larger number of participants, particularly the large Hispanic population.

On January 18, 2001, Malheur County held its first S.A.F.E. Court session. Arrangements were made to collect client data in a drug court database, the Oregon Drug Court Case Management System (ODCMS), which is used in several counties in Oregon. In September of 2001, Malheur County received a drug court implementation grant from the Drug Court Program Office (DCPO) at the National Institute of Justice. This grant provided funds for evaluation and NPC Research was hired to perform process and outcome studies of the Malheur County S.A.F.E. Court. The final process and outcome reports can be found on NPC's Web site, www.npcresearch.com.¹ After NPC began work on the process and outcome evaluations, additional funds were found for NPC to perform a cost evaluation of the S.A.F.E. Court, building on the process and outcome work already being performed.

The fundamental reasoning for performing cost analyses on drug courts and substance abuse treatment is that untreated substance abuse is very costly to taxpayers who must, in one way or another, fund the consequences of negative social behaviors resulting from substance abuse. Substance abuse leads to ancillary negative social behaviors that have cost consequences to many publicly funded systems, including the criminal justice system. The S.A.F.E. Court was interested in determining how effective their policies and procedures were in reducing costs — both the costs of program itself, as well as costs associated with participant outcomes.

This report contains the results of the S.A.F.E. Court cost evaluation performed by NPC Research. The cost study followed the pre-post program design started in the outcome evaluation due to difficulties in finding the data necessary to select an appropriate comparison group. Costs were determined using NPC Research's Transactional and Institutional Cost Analysis (TICA) methodology, which views offenders' interactions with the criminal justice system (e.g., court hearings, treatment sessions) as transactions during which system resources are consumed. This methodology is described in more detail in the methodology portion of this report. The cost for two years of participant recidivism (re-arrest and jail time served) results are compared to arrests and jail time served for the same participants two years prior to drug court entry. Program costs are calculated including the costs for drug court hearings, drug treatment sessions, residential treatment, drug tests, case management and employment assistance resources. In addition, participant and program characteristics (particularly gender) and program completion (graduation) status are examined in relation to program and outcome costs. The first section of this report is a brief summary of the S.A.F.E. Court program process and procedures.² The second section of the report contains a summary of the outcome evaluation results.³ Following the outcome evaluation summary is a description of the methods used to perform the cost evaluation — including sample selection, data collection and analysis. The final section provides the results of the cost analyses and a discussion of these results. A summary of the results with overall conclusions can be found at the end of this report.

¹ Click on the link for "Drug Court."

² This process is described in detail in the final process evaluation report, which can be found at the NPC Web site — www.npcresearch.com.

³ The full report of the outcome evaluation results can also be found at the NPC Web site.

Malheur County S.A.F.E. Court Process Summary

Annual capacity of the Malheur County S.A.F.E. Drug Court is 35 participants total, including both men and women. The main goals of the S.A.F.E. Court are to help participants become clean and sober, improve their lives, and reduce their involvement with the criminal justice system. The S.A.F.E. Court is a post-plea program. Incentives to graduate for clients who enter the program through probation violations are early termination of probation or receiving bench probation, and the possibility of becoming clean and sober. Charges are not dismissed upon graduation, but there is the possibility that jail time or some fines may be reduced. People who are out on conditional discharge may have some charges dismissed.

Offenders with either felony or misdemeanor crimes may be accepted into Malheur County's S.A.F.E. Court. The main offenses targeted are possession charges, second and third DUII charges (in Oregon), and theft charges related to alcohol and drugs. Drug Court clients can be referred by the Judge, District Attorney, Defense Attorney, Treatment Providers, Probation Department or the Jail. Most participants are referred from Probation.

There are six phases in the Malheur County Drug Court Program. All phases have both Treatment and Probation requirements. Phase II has additional requirements from the Training and Employment Consortium. Job contacts then become a requirement of Probation. Both Treatment and Probation requirements have attached fees. Participants pay for their drug tests (urinalyses and breathalyzers), for their Probation supervision (a monthly supervision fee), and for their treatment sessions. Each drug test and treatment session must be paid for at the time it occurs. Failure to pay results in sanctions. Phases V and VI are considered Aftercare Phases, although they occur before graduation from the Program.

At one time there were two outpatient treatment providers for the S.A.F.E. Court — Lifeways and Brady and Associates. However, the Drug Court has changed recently to a single treatment provider model and uses just Lifeways for S.A.F.E. Court outpatient treatment. Some participants may be mandated to inpatient treatment. These participants go to the Alcohol Recovery Center (ARC), an inpatient facility for alcohol and drug addiction.

All Drug Court participants must attend either Alcoholics Anonymous (AA), Narcotics Anonymous (NA) or self-help groups through the faith-based community. Attendance requirements vary but average approximately three meetings weekly. In addition, it is required that participants have a sponsor.

Drug Court services include job training and job placement assistance, education and housing assistance, the Head Start Program, batterers treatment, domestic violence shelter, victims' groups, child abuse groups, grief counseling, family therapy, alcohol & drug counseling, and vocational rehabilitation. Drug Court participants receive referrals for mental health, medical, and dental services. Classes offered include HIV, Hepatitis C, anger management, GED, and parenting education.

Drug Court sessions are held every Tuesday and generally last about one hour. Men and women clients attend court on alternate weeks. The Drug Court Team members who attend court sessions are the two Judges (every other week), the head of Community Corrections, the two Probation Officers (every other week), Defense Attorney, District Attorney, Drug Court Coordinator, Employment Supervisor, Police Liaison, the Treatment Counselors and their

Supervisor, and a representative from the Department of Human Services. Participants who are in-patients at ARC check in at the drug court session by telephone. Also, if the month has five Tuesdays, the fifth Tuesday is used for all participants (both men and women) who are doing poorly in the Program.

During Phases I and II, clients receive two urinalyses (UAs) per week. Phase III requires one UA per week, and Phase IV requires one UA every other week. In Phases V and VI, the UAs increase to twice a week until graduation. (The purpose of this increase is to monitor the clients closely in these last two phases as their Treatment and Probation contacts decrease). Clients are given coupons for ten free UAs at the beginning of the Program and testing is free during the last two phases.

Drug Court participants receive rewards for attending treatment, fully complying with the treatment plan, being employed, going to work, having a good attitude, staying clean, paying fines, having stability in life, doing the best they can in all areas, continued abstinence, going to all classes, having clean UAs, receiving education, and for progressing in treatment. Rewards include applause, praise, pool passes, gift certificates for haircuts, candy bars, change in phase including certificates for completing a phase, free pizza, free UAs, key chains and moving through phases more quickly. The Team decides rewards at the staffing meetings with the Judge's approval.

Sanctions are graduated and imposed swiftly. Sanctions are given for not paying UA fees, tampering with UAs, denying a dirty UA, not cooperating with job service, dishonesty, using profanity, not working, being disruptive in treatment or job search, failure to report for treatment or job search, not following through with the treatment plan, not checking in, missing an appointment, using, and committing a new crime. Sanctions may include work crew, days in jail, attending day treatment at Lifeways, and increasing the frequency of UAs and breathalyzers.

If participants receive six sanctions in a month, they are put on "strict compliance." If the participant has a violation while on strict compliance or if they abscond for longer than 60 days, they will most likely be terminated. Continual use or dealing can also cause termination. New crimes may lead to termination but are looked at on a case-by-case basis. If a participant is terminated, they are required to attend a probation violation hearing, at which time the Judge imposes the sentence. Some clients go to jail while others may go back to regular probation.

In order to graduate, a S.A.F.E. Court participant must have one year of treatment, a job for a minimum of six months, Drug Court fees paid, no new charges in the last six months, eight hours of community service, clean and sober for six months, peer facilitated and run self-help groups, pass all phases of the Drug Court Program, have a sponsor, overall stability in life, a letter of reference to read at graduation, exit interview, supervision fees current and a payment plan with treatment. Graduations happen as needed, and occur about once every other month.

The process evaluation final report performed by NPC Research contains a detailed process description, a presentation of the results of client focus groups and an evaluation of the S.A.F.E. Court process in regard to the Ten Key Components of Drug Courts (developed by the NADCP in 1997). The executive summary for this report can be found in Appendix A.

Malheur County S.A.F.E. Court Outcome Evaluation Summary

The outcome evaluation utilized a pre-post design to examine the effects of the drug court program on participant drug use and recidivism. A traditional matched comparison group of offenders eligible for S.A.F.E. Court but who did not participate was not used for this evaluation because it was not feasible to obtain the data necessary to choose an appropriate comparison sample from existing Malheur criminal justice databases.

NPC Research identified all offenders who had entered the S.A.F.E. Court program at least one year before the start of the evaluation and compared their behaviors in the two years prior to entering S.A.F.E. Court to the time period (twelve months to two years) following their entry into the program. The goal of this design is to determine whether participation in S.A.F.E. Court was influential in changing behavior patterns established prior to S.A.F.E. Court entry.

The participants were examined through existing administrative databases from the date of the initial contact with the Drug Court program through September 2004. For those participants who entered the program soon after implementation, this allowed follow-up for 24 months post S.A.F.E. Court entry. The evaluation team used the data sources on criminal activity and treatment utilization, described in the cost evaluation methodology below, to determine whether S.A.F.E. Court participants' arrest histories differed prior to and following entry into the program. Also examined were the effectiveness of the program in reducing drug use and whether there were any clear predictors (such as demographics, prior criminal history, and readiness for treatment) of final program status (graduation versus termination) or of reduced recidivism. When applicable, these variables were statistically compared "before" and "after" the intervention point (S.A.F.E. Court entry). Because S.A.F.E. Court is gender specific, particular attention was given to gender in the aforementioned analyses.

The outcome evaluation was designed to answer the following research questions:

1. Does participation in drug court, compared to traditional court processing, reduce the number of re-referrals for participants?
2. Does participation in drug court reduce levels of substance abuse?
3. How successful is the program in bringing participants to completion and graduation within the expected time frame?
4. What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the program differ from those who have graduated?

A summary of the outcome evaluation results is presented below. The relatively small sample size (particularly for those analyses involving only those who completed the program and for those analyses that were performed within gender) means that most analyses did not have enough power to produce valid statistical significance. Therefore, most of the results were examined in a more qualitative manner. The data must be considered in terms of apparent trends rather than in terms of statistical significance. As the program grows and expands over time, further evaluation can examine a greater sample size, providing verification of these results.

RESEARCH QUESTION #1: RECIDIVISM.

Does participation in drug court reduce the number of re-referrals for participants?

Figure 1: Average Number of Re-arrests for S.A.F.E. Court Participants

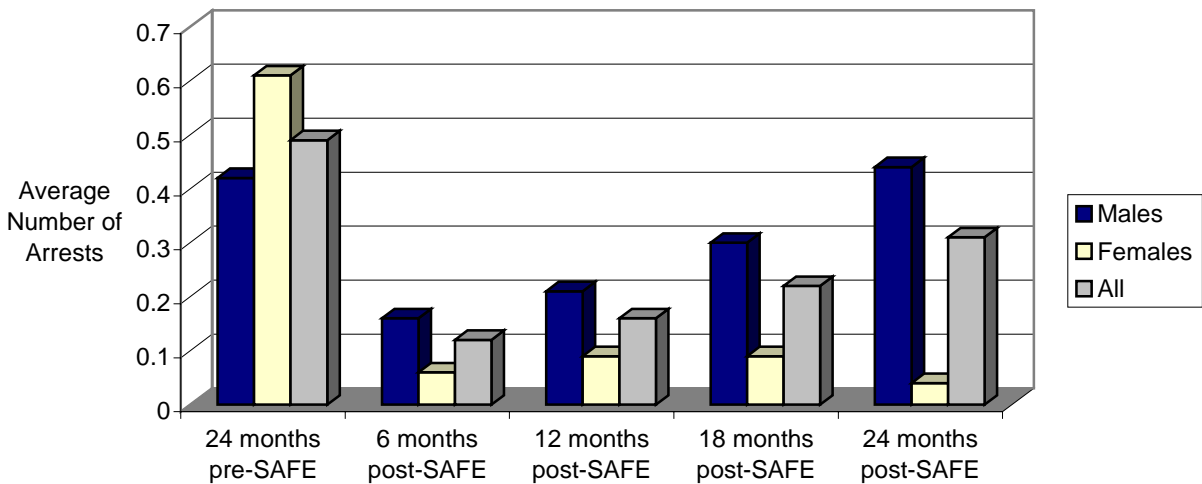


Figure 1 contains the recidivism patterns for the 24-month period prior to S.A.F.E. Court entry and then cumulative arrests at 6, 12, 18, and 24 months following entry into S.A.F.E. Court. It should also be noted that the overall number of re-arrests and the number of individuals re-arrested out of the 125 participants is very small, an average of less than one-half of one arrest per participant.

Overall, it appeared that participation in S.A.F.E. Court was beneficial to participants and to the criminal justice system. The average number of re-arrests for males and females combined in the 24-month period following entry into the program is less than the corresponding period prior to their entry into the program. That is, S.A.F.E. Court participants are re-arrested less often after entering the program. (This difference is statistically significant at 6, 12, and 18 months.) This was particularly true for females who have, on average, more arrests prior to S.A.F.E. Court than the males but were re-arrested far fewer times after entry into the program than males.

In addition, the number of individuals who were arrested after drug court entry is much smaller than the number of those arrested in the two years prior to S.A.F.E. Court entry. On the whole, 16% of participants were re-arrested in the two years following drug court entry — 19% of the men and 10% of the women (compared to 100% in the two years prior to drug court entry). **This recidivism rate, which is for all S.A.F.E. Court participants regardless of completion status, is similar to that quoted for drug court graduates nationally** (Roman, Townsend, and Bhati, 2003). In sum, participation in S.A.F.E. Court appears to reduce re-engagement in the criminal justice system substantially.

RESEARCH QUESTION #2: REDUCING SUBSTANCE ABUSE.

Does participation in drug court reduce levels of substance abuse?

The average number of positive UAs was calculated for each three-month block from the date of program entry for all participants who were in the program for at least 9 months. Although it is somewhat suspect to use the number of positive UAs over time as an indicator of reduced level of substance abuse (because a reduction in positive UAs is required for continued enrollment in the program), all individuals with at least 9 months in the program were included in this analysis, so graduates, current participants, and those that were terminated are represented.⁴ The means for each of these time periods is reported below in Figure 2.

Figure 2: Mean Number of Positive UAs Over 9 Months in Program

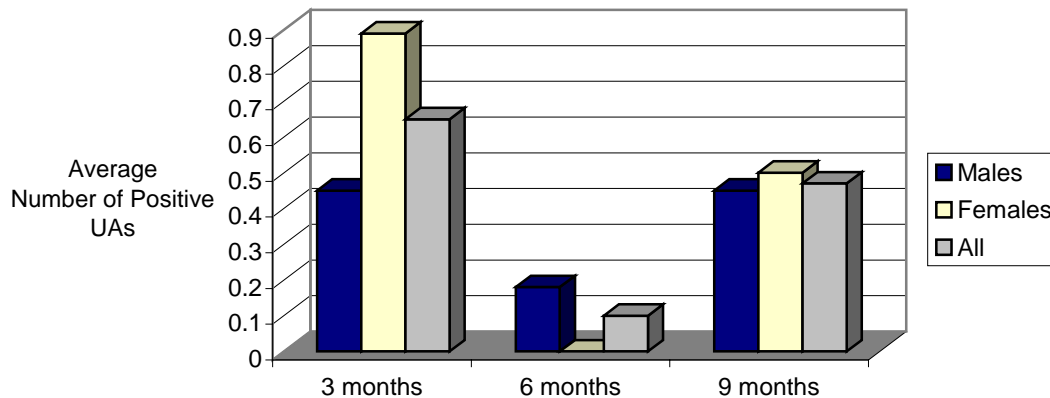


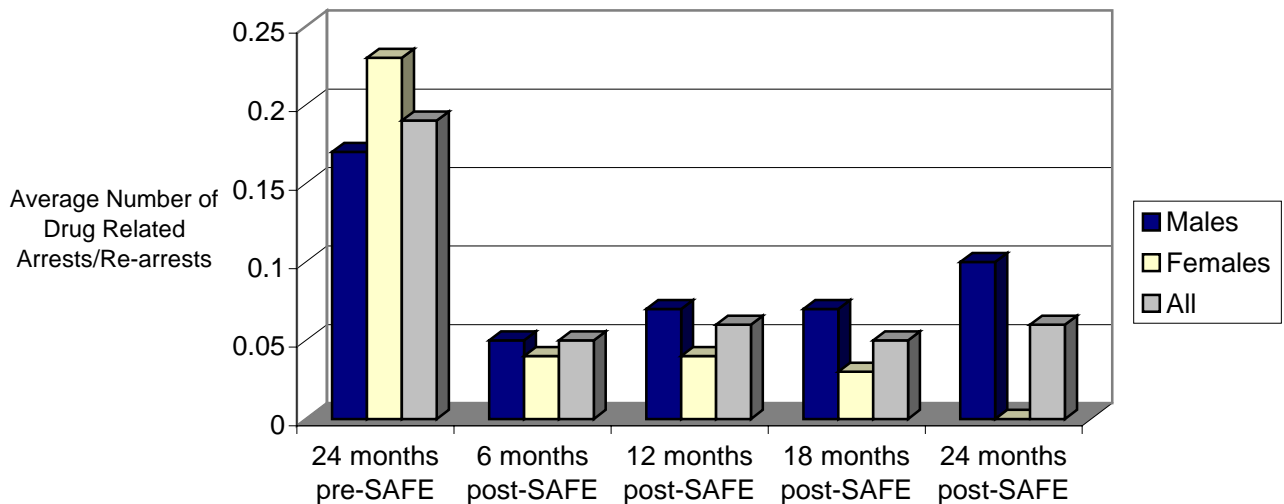
Figure 2 shows that the number of positive UAs at the beginning of the participants' tenure, both gender groups and combined, was higher than at the 6- and 9-month marker (except for males at 9 months), indicating that the levels of substance abuse had indeed been reduced. The apparent increase at 9 months is likely an artifact due to the small sample size and number of UAs. The maximum of average positive UAs for the 6- and 9-month periods does not exceed 2 for either males or females.

An additional approach to examining the influence of S.A.F.E. Court participation on substance abuse is through the number of re-arrests for drug-related crimes.

⁴ Another way to examine whether there is a reduction in drug use is to look at the percent of positive UAs to total UAs during Drug Court participation. However, this information may not present an accurate picture due to the decreasing number of UAs given to participants over the course of their Drug Court tenure. A single positive result has a greater impact on the percentage if only one or two UAs are given versus multiple UAs. In addition, the lack of complete data on dates of UAs with negative results affects the accuracy of this analysis; therefore this analysis was not performed.

Figure 3 shows that there was a significant reduction in drug-related re-arrests from the pre-S.A.F.E. Court period to 24 months following program entry. Generally, although males were re-arrested for drug-related crimes more often than females, both genders had fewer drug-related re-arrests after entering the S.A.F.E. Court Program. Females demonstrated the most drastic and significant reduction in drug-related re-arrests. Taken together, these results indicate that participation in the S.A.F.E. Court Program achieves the goal of reducing substance use as can be inferred by a reduction in drug-related recidivism.

Figure 3: Drug-Related Re-Arrests for the Overall Group and by Gender



RESEARCH QUESTION #3: PROGRAM COMPLETION.

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

The average time from program entry to graduation in this program is just under 15 months. The expected length of time for participants to complete the S.A.F.E. Court Program is approximately 12 months. It is very common for drug court participants to take longer than the intended duration of the program (Cooper, 2000).⁵ Most drug courts have 12-month programs, though more recently some have extended their programs to 18 months. NPC Research has found in its experience with 9 drug courts in California, 5 drug courts in Oregon, and 3 drug courts in Maryland that many drug courts with 12-month programs have an average time to graduation of 18 months. Therefore, the S.A.F.E. Court Program is similar in timing to most drug courts and is on a reasonable schedule in bringing its graduates to completion in their expected time frame.

⁵ American University Web site: <http://spa.american.edu/justice/pubcats.php?subnumber=50>; <http://spa.american.edu/justice/publications/execsum.pdf>

Another measure of the success of treatment programs in bringing participants along in treatment is retention rate. In this sample of S.A.F.E. Court participants, the program demonstrates a retention rate of 48% (60 graduated or currently participating, and 65 terminated or withdrew). Within the male participants there was a 51% retention rate whereas females demonstrated a 44% retention rate. Although the retention rate for women is lower than that for men, using the number of re-arrests as an indication, the women still appear to benefit from the program regardless of graduation status. In spite of the difference, the retention rate for both men and women in the S.A.F.E. Court Program is better than most standard (non-criminal justice related) treatment programs (Cooper, 1997) and retention may increase as this relatively new program fine-tunes its process.

RESEARCH QUESTION #4: PREDICTIONS OF SUCCESS.

What participant characteristics predict successful outcomes? What are the commonalities of clients terminated from the program? How do those terminated from the program differ from those who have graduated?

The characteristics of those who graduated and those terminated were examined in order to determine if there were certain participant characteristics that could be predictive of success (or termination). There were not a large number of demographic characteristics that strongly predicted exit status. Age, marital status, race, and years of education were not correlated with status at exit. This implies that the program is able to equitably serve clients with a range of demographic characteristics, particularly a broad range of ages, differing ethnicities and individuals with varying education. However, drug of choice did appear to affect status at program exit. Those who reported alcohol as their primary drug of choice were more likely to graduate, while those who reported methamphetamine were more likely to terminate before program completion. This is most likely due to the combination of a men's inpatient treatment facility available for treating alcohol addiction as well as the large amount of organic damage due to methamphetamine use. Interestingly, none of the women in the sample reported alcohol as their primary drug of choice.

Graduates tended to have fewer arrests prior to Drug Court entry, were slightly more likely to be male, were less likely to use methamphetamine, were more likely to have had treatment prior to drug court entry and were more likely to score high on the readiness-for-treatment scale (i.e., as might be expected, graduates were apparently more ready for change). Those terminated were more likely to use methamphetamine, less likely to use alcohol or marijuana, attended fewer treatment sessions and scored lower on readiness-for-treatment. Similar results were found when examining these characteristics in relation to recidivism. **In particular, a greater number of treatment sessions was related to fewer re-arrests. Interestingly, women attended a greater number of treatment sessions on average than men and had lower recidivism than men.** It is recommended that the S.A.F.E. Court Team continue to watch these trends, and look for other trends, as the program matures so that, 1. The Team can use participant characteristics to determine an offender's appropriateness for the program and 2. The Team can seek out specific services that can be added to the program to address the issues that appear to lead to unsuccessful termination.

One concern in this outcome study was that because the S.A.F.E. Court Program is relatively young and still growing, the sample for this first outcome evaluation was, of necessity, small — particularly when analyzing gender-specific data. In addition, there is some question whether the

recidivism results could be attributed directly to the program because there was no non-drug court comparison group.⁶ For this reason, the results of the analyses described in this report should be taken with some caution. However, the overall trend in outcomes for the Malheur County S.A.F.E. Court is very positive. The S.A.F.E. Court Program appears to be impacting its participants in the intended manner. Further examination of outcome data as the program continues to grow will allow for a larger sample size and the ability to verify the positive preliminary results achieved in the current evaluation.

⁶ However, an examination of a comparison group from another drug court site two years prior and two years post the date of a drug court eligible arrest showed a slight (though non-significant) increase in the number of arrests in the two years after the pivotal arrest. This indicates that a decrease in arrests in this type of population may not occur without some type of intervention, such as a drug court program.

COST EVALUATION DESIGN

The cost evaluation builds on the process and outcome evaluations already performed on the Malheur County S.A.F.E. Court. For this reason, the cost evaluation, like the outcome evaluation, utilizes a pre-post study design. The costs to the criminal justice system (cost-to-taxpayer) in Malheur County incurred by drug court participants in the two years prior to drug court entry are compared to the costs incurred by those same participants in the two years after drug court entry. In addition, the specific program costs are calculated separately in order to determine the per-participant costs of the S.A.F.E. Court program to Malheur County.

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.

In addition, 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 METHODOLOGY

TICA Methodology

The TICA methodology is based upon six distinct steps. Table 1 lists each of these steps and the tasks involved.

Table 1: 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). This was performed during the process evaluation.)
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 (performed during process evaluation.)
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 program key informants using program typology and cost guide. Direct observation of program transactions Administrative data collection of # of transactions (e.g., # of court appearance, # of treatment sessions, # of drug tests) See Appendix A
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)	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 for program participants 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.)

The direct observation of the program process and the specific program transactions occurred during the process evaluation. (For a detailed methodology on the process evaluation see the Malheur County S.A.F.E. Court Evaluation Final Report on the NPC Web site at www.npcresearch.com). The key informant interviews using the Typology Interview Guide were also performed during the process evaluation (see the Drug Court Typology Guide also on the NPC Web site). Much of the data collection (described below) was performed in the process of conducting the outcome evaluation. However, some additional transaction data (such as jail time served) was collected specifically for the cost evaluation as well as all the cost data. Cost data were collected through interviews with drug court staff and budgetary officers as well as from budgets online and provided from agency staff.

The specific transactions used in this cost evaluation were somewhat limited due to budget constraints. The costs to the criminal justice system outside of drug court program costs consist of those due to arrests, bookings and jail time served. Program costs include all program transactions including drug court sessions, group and individual treatment sessions, residential treatment days, participant interactions with the Training and Employment Consortium (TEC), drug tests, and case management.

Data Collection

The data on numbers of transactions were gathered from several sources. Most of the data were pulled from the administrative databases described below. Some data (such as some treatment and drug testing information) had not been entered into the Drug Court case management system and therefore were provided by the treatment agency from their internal database. In addition, jail time served (jail bed days) for each drug court participant was provided by the local Sheriff's Office from their internal database, and data on employment services for participants were provided by the Training and Employment Consortium.

Oregon Drug Court Case Management System (ODCMS)

The Oregon Drug Court Case Management System (ODCMS) was developed by the Oregon Judicial Department, State Justice Institute and was considered fully operational in April 2003. The database allows drug courts to record information on client demographics, drug court hearings, drug testing, treatment providers, substance abuse and criminal history, case notes, outcomes, and follow-up information. The ODCMS data were a primary source of drug court utilization data for the evaluation. However, due to the recent development of the ODCMS, some of the information on clients who began the program before the pilot testing of the database was not entered. In addition, some information was not entered because staff found it difficult to pull back out for client management, so it was considered an inefficient use of staff time to enter it. Data that were not entered into ODCMS were provided for the evaluation by the treatment provider.

Oregon Judicial Information System (OJIN)

This is a case tracking system that stores Oregon State Court case information from multiple sources into a single database. Courthouses throughout the state are electronically tied together into a statewide network. OJIN contains data regarding an individual's arrest charges, case status (i.e., whether it is in warrant status, probation violation status, or active), court dates, times and locations, motions and orders filed, sentences, case history from when it was filed until disposition, attorney names, and demographic information. There is an OJIN terminal at NPC

Research and trained staff available to use it. OJIN data allows the evaluation team to gather in-depth information on each sample participant’s criminal history and criminal record since entering Drug Court.

Data from Treatment Provider

Lifeways, the main Treatment Provider, provided the evaluation team with a paper copy of an excel spreadsheet containing summary information for each participant on the number of group and individual treatment sessions, the number of drug tests conducted by Lifeways, and the readiness-for-treatment score as determined at the initial assessment.

Sample Selection

Drug Court Participants

The Drug Court participant sample consists of all those who entered the Malheur County Adult Drug Court since its implementation who had at least 20 months of data post S.A.F.E. Court entry. This provided a total of 89 participants in the Drug Court sample (57 males and 32 females). The primary drug of choice for all S.A.F.E. Court program participants was methamphetamine (51%), followed by alcohol (41%). The most common secondary drug of choice was methamphetamine (40%), followed by marijuana (28%) and alcohol (28%). The Drug Court participant sample is described further in Tables 2 and 3, below.

Table 2: Overall Drug Court Demographics

	Mean Drug Court
Gender	64% Male
Ethnicity	67% White 28% Hispanic
Mean age at time of DC entry	31.69
Mean number of arrests (all types) 2 years prior to DC entry	.47
Mean number of <i>drug-related</i> arrests 2 yrs prior to DC entry	.17

Table 3: Drug Court Demographics by Gender

	Mean age at time of referral	Ethnicity	Primary Drug of Choice
Males N = 57	32.47 years <i>(range=19 to 67)</i>	70% White 30% Non-White (1 African American 15 Hispanic 1 Native American)	Alcohol 62% Methamphetamines 47%
Females N = 32	30.32 years <i>(range=20 to 47)</i>	63% White 37% Non-White (10 Hispanic 2 Native American)	Methamphetamines 84% Marijuana 40%

RESULTS

Costs were calculated including public costs only. Costs paid for by private insurance or by the individual participant were subtracted from the total costs leaving only cost-to-taxpayer amounts. All cost results provided in this report are based on fiscal year 2004-2005 dollars.

Program transaction costs calculated for this study include the cost of drug court sessions, individual and group treatment sessions, residential treatment, case management, services such as employment counseling from the Training and Employment Consortium, and drug tests. The S.A.F.E. Court Program is an excellent example of a drug court that is on its way to becoming financially independent (from public funds) due to practices that include supporting clients in having jobs and having participants pay court fees, probation fees and treatment fees out-of-pocket.⁷

Program Costs

A *Drug Court Session*, for the majority of drug courts, is one of the most staff intensive program transactions. In Malheur County, these sessions include representatives from the Circuit Court (e.g., judge, drug court coordinator), the District Attorney, the defense attorney, Probation, Lifeways (the outpatient treatment provider), the Ontario Police Department, the Training and Employment Consortium, the Department of Human Services and the Alcohol Recovery Center (residential treatment provider). The cost of a *Drug Court Appearance* (the time during a session when a single participant is interacting with the judge) is calculated based on the average amount of court time (in minutes) each participant uses during the court session. This includes the direct costs of each Drug Court Team member present, the time Team members spent preparing for the session, the agency support costs, and overhead costs. The average cost for a single drug court appearance was \$143.19. The cost for women's appearances and men's appearances was very similar with women costing \$147.24 per appearance and men costing \$140.49. The slightly higher cost for women was related to the smaller number of female participants per session. This cost per appearance is similar to per appearance costs at other drug courts studied by NPC Research. For example, courts in California and Oregon had appearance costs ranging from \$97 to \$156. The Malheur County costs per appearance are well within this range (Carey and Finigan, 2003; Carey, et al., 2004).

Case Management is based on the amount of staff time dedicated to case management activities during a regular work week and is then translated into a total cost for case management per participant per day. The main agency involved in case management for S.A.F.E. Court is Probation, although Police and the Department of Human Services also play a role in this transaction. The per day cost of case management at the S.A.F.E. Court is \$4.29 per participant. Case management costs from cost analyses in California (Carey, et al., 2004) varied widely depending to a large extent on the level of Probation involvement. In programs with low probation involvement the costs averaged just over \$1 per day while drug courts with high Probation involvement ranged from \$4.10 to over \$11.00 per day. Probation is highly involved with the S.A.F.E. Court program and the costs of case management reflect this. However, the

⁷ The Department of Human Services (DHS) was unable to provide NPC with local information on indirect costs. In the place of local information or this agency, NPC used Oregon state support and overhead rates gathered from the Oregon.gov website.

costs to the taxpayer are defrayed somewhat due to the requirement that S.A.F.E. Court participants pay monthly Probation fees.

Individual and Group Treatment Sessions are provided on an outpatient basis by Lifeways treatment agency. Although calculating the cost of treatment is simpler in one way, because there is just a single agency involved in this transaction, it is complicated by the various possible sources of payment. Clients are required to pay for their own treatment either through insurance or out-of-pocket. Some clients have private insurance but the majority with insurance have the Oregon Health Plan (OHP).⁸ Participants who pay out-of-pocket are offered a sliding scale. Since this cost analysis is focused on public funds, the cost of treatment to the taxpayer in this instance is only the amount paid for by the OHP. It was necessary to determine the percentage of clients who have OHP as well as the amount paid by OHP to calculate the cost of treatment to the taxpayer. Individual treatment per participant averaged **\$49.51 per session**. Group treatment per participant averaged **\$24.77 per session**. Keep in mind that this is not the actual cost of treatment to the treatment agency, this is just the portion covered by public funds. These costs per session are somewhat lower than the cost in other drug courts due to the requirement that participants pay out-of-pocket for their own treatment whenever insurance is not available. This requirement is an excellent example of how a drug court can begin to become financially independent. However, a note of caution in this practice is that there is danger to the treatment agency of being unable to cover expenses. Drug court participants are a population that is unlikely to have the money to pay for treatment in full and rarely has reliable insurance. The existence of OHP in Oregon assists in making this practice possible.

Residential Treatment is provided by the Alcohol Recovery Center (ARC). Calculating the cost for residential treatment is very similar to doing so for outpatient treatment. Participants are required to pay with insurance or out-of-pocket. Only 18% of the cost of residential treatment is paid for by OHP. The cost to the taxpayer of residential treatment is therefore only **\$13.50 per day**. This is extremely low and is again, an excellent example of how a drug court program could become self-sustaining. However, the same caution applies here as for the outpatient treatment. It is important to ensure that the treatment agency can cover its expenses from the funds provided through private insurance and from clients directly. In Malheur County, the drug court participants are billed for any cost of residential treatment not paid for by insurance but only 30% of this amount is actually paid.

Urinalyses (UAs) are performed by Probation (except for an occasional test performed by Lifeways when participants are suspected of using). The Drug Court pays for the first ten UAs as well as all participant UAs in Phases 5 and 6. All other UAs are paid for out-of-pocket by the participants. The cost per UA paid for by public funds is **\$4.35**. However, participants pay \$10.00 per UA for those UAs not paid for by the program. This practice actually leads to a small amount of “profit” by the program, which goes to defray other program costs. This is yet another example of this program’s financial independence from taxpayer dollars. Table 4 below shows the amount saved in drug testing due to the policy of having participants pay.

Employment Services are provided by the Training and Employment Consortium (TEC) and are paid for partially from the drug court grant from the Bureau of Justice Assistance and partially from other county funds. The per participant cost of employment services was calculated based on the amount billed by TEC for drug court related activities and translated into a cost per day

⁸ There is currently a county fund that assists in paying for a portion (one month) of treatment for the drug court participants. This fund did not exist during the time period for the drug court participants in this study.

for the length of time participants are active in the program. Participants are required to report to TEC every day until they have gained a job. As long as participants have a job, they are not required to use TEC services, therefore there is not a constant use of TEC services by every participant, which keeps the cost of this service low. The cost per drug court participant of TEC services is **\$0.58 per day**. This is quite low and is an extremely logical use of public funds as employment services are targeted to assist participants in becoming financially independent, furthering the drug court program's goal of having participants pay for their own services as well as producing contributing members of society.

Table 4 provides the average number of S.A.F.E. Court Program transactions per participant and the total cost for each type of program transaction. The sum of these transactions is the total per participant cost of the program. These numbers include the average of all S.A.F.E. Court participants, regardless of completion status. It is important to include participants who terminated as well as those who graduated as all participants use program resources, whether they graduate or not.

Table 4: Program Costs (All Participants)

Transaction	Avg. # of Program Related Transactions	Avg. Cost per Participant
Drug Court Appearances	17	\$2,434
Case Management	329 Days ⁹	\$1,411
Individual Treatment Sessions	16	\$792
Group Treatment Sessions	58	\$1,437
Residential Treatment	7 Days	\$95
Urinalyses (UAs)	30	+ \$85
Employment Services	329 Days ¹⁰	\$191
Total S.A.F.E.		\$6,275

Note: These are transactions associated with the program only, not including other transactions associated with the drug court case.

Table 4 illustrates the relatively low cost to the taxpayer of the S.A.F.E. Court Program. On average, in other drug court programs studied by NPC, the program cost per participant is approximately \$7,200, ranging from \$4,000 to \$12,000 depending on the extent to which the

⁹ Case management is calculated by number of days in drug court, so the average number of transactions in this case is the average number of days spent in the drug court program.

¹⁰ Employment service costs are averaged out to costs per day, so the average number of transactions in this case is the average number of days participants spend in the drug court program.

programs use public funds for their services (Carey and Finigan, 2003; Carey, et al., 2004). The S.A.F.E. Court Program is clearly on the lower cost end of this range.

The transaction that is the most expensive to the taxpayer in Malheur County is drug court appearances, followed by treatment and then case management. In the majority of drug courts, treatment is the most expensive transaction. However, due to the amount of treatment paid for by non-public funds, this is not the case in Malheur County. It is important to note that due to the pre-post design of this study, it was not possible to determine the cost to the criminal justice system of “business-as-usual” for offenders who were eligible for drug court but did not attend. As has been shown in other drug court cost studies performed by NPC, it is likely that the cost to the taxpayer of business-as-usual is similar to the cost of the drug court program, so the \$6,275 in Table 4 may not be any more than what the system would be paying for these offenders if they did not attend drug court. The key question then, is whether drug court is more effective than business-as-usual in reducing outcome costs due to lower recidivism. Although we cannot compare the program outcome costs directly to business-as-usual outcome costs, we can compare how drug court participants do after entering the program to their criminal history before entering the program. The S.A.F.E. Court outcomes and costs are described later in this report.

As discussed earlier, it should be noted that the first ten UAs of the program and UAs given during phases 5 and 6 are paid for by program funds and UAs given outside those parameters are paid by the participant at a cost of \$10 per UA. The final cost estimate included in Table 4 reflects that a “profit” was actually incurred by the program through the administration of UAs. The cost analyses by gender (Tables 5 and 6) indicate that on average, females are more likely to receive a higher number of UAs, resulting in a slightly higher profit.¹¹

¹¹ Following an inspection of the UA data provided to the evaluators, it is suggested that the UA data should be interpreted with some caution as there is some question to whether the data were entered consistently throughout the lifespan of the program.

Table 5: Program Costs for Males

Transaction	Avg. # of Program Related Transactions	Average Cost per Participant
Drug Court Appearances (Men)	17	\$2,388
Case Management	336 Days ¹²	\$1,441
Individual Treatment Sessions	15	\$743
Group Treatment Sessions	53	\$1,312
Residential Treatment	6 Days	\$81
Urinalyses (UAs)	24	+\$58
Employment Services	336 Days	\$195
Total Males		\$6,102

The program costs for males outlined in Table 5 indicate that it cost less for males to participate in the program (\$6,102) than it did for the group as a whole (\$6,275) or for females (\$6,585), although these are not significant differences. Although males spent more days in the program, resulting in higher case management costs, these costs were offset by fewer treatment sessions, both individual and group. However, this has implications for outcome costs for male participants, with male participants experiencing higher recidivism (more re-arrests and more jail days) than females.

¹² Case management is calculated by number of days in drug court, so the average number of transactions in this case is the average number of days spent in the drug court program.

Table 6: Program Costs for Females

Transaction	Avg. # of Program Related Transactions	Average Cost per Participant
Drug Court Appearances (Women)	17	\$2,503
Case Management	317 Days ¹³	\$1,360
Individual Treatment Sessions	17	\$842
Group Treatment Sessions	68	\$1,684
Residential Treatment	10 Days	\$135
Urinalyses (UAs)	41	+\$123
Employment Services	317 Days	\$184
Total Females		\$6,585

Females had slightly higher program costs than males (\$6,585 compared to \$6,102). The differences can be noted in treatment costs, primarily because women engaged in more treatment services than men. When comparing across the three tables (Tables 4-6), the average number of court appearances for men and women was the same (17), but the costs for men were slightly lower (\$141 per appearance) than for women (\$147 per appearance) due to the efficiencies incurred with the greater number of men in the program and therefore greater numbers attending court sessions.

¹³ Case management is calculated by number of days in drug court, so the average number of transactions in this case is the average number of days spent in the drug court program.

Table 7: Average Program Cost per Offender by Agency

Agency	<u>Males -</u> Average Agency Cost per Participant	<u>Females -</u> Average Agency Cost per Participant	<u>Overall -</u> Average Agency Cost per Participant
Circuit Court	\$548	\$587	\$564
District Attorney	\$641	\$670	\$653
Defense Attorney	\$363	\$366	\$364
Probation¹⁴	\$1,020	\$920	\$981
Treatment Agency	\$2,055	\$2,526	\$2,229
Law Enforcement	\$577	\$559	\$570
Training and Employment Consortium	\$409	\$408	\$409
Department of Human Services	\$368	\$374	\$371
Alcohol Recovery Center (residential)	\$122	\$178	\$136
Total	\$6,102	\$6,586	\$6,275

Table 7 provides a breakdown of the program costs per participant *by agency*. As with the majority of drug court programs, the treatment agency incurs the most expense of all the agencies involved with the S.A.F.E. Court. Since the main purpose of drug courts is to connect participants with treatment and help ensure continued participation in treatment, the higher cost to the treatment agency is both logical and appropriate.

It appears the residential treatment cost is quite low. This is due to two factors. One is that not all participants require residential treatment and therefore averaging the cost of residential treatment across all participants brings the amount down. The second factor, discussed earlier, is that only 18% of the residential treatment is paid for by taxpayer dollars.

The agency that commits the highest resources next to outpatient treatment is Probation. This is due to the large amount of case management performed by probation officers. Drug court programs generally include a high level of supervision and in the case of the S.A.F.E. Court, this supervision is performed primarily by Probation. These probation costs would be higher but they are offset somewhat by the probation fees required by the program.¹⁵

As discussed earlier, the total cost of the program is on the low-end for courts that have high probation involvement. This is due to a large extent to the S.A.F.E. Court policies that require participants to pay for many of the services they receive.

¹⁴ The probation costs include the “profit” shown in the program cost tables relating to UAs.

¹⁵ As a note of interest, these fees are required of all offenders on probation, not just those in the drug court program.

The next section describes the outcomes in terms of re-arrests, bookings and jail time experienced by participants of the S.A.F.E. Court Program and the associated costs. Because this cost analysis has a pre-post design, the arrests, bookings and jail time are compared from two years before S.A.F.E. Court entry to two years after S.A.F.E. Court entry. Lower recidivism and lower costs after S.A.F.E. Court entry would indicate that the program was effective in its goal of reducing recidivism.

Outcomes and Outcome Costs

Outcomes pre- and post-drug court entry

Because some time passed between the outcome evaluation and the cost evaluation, the outcome numbers have been updated to reflect the additional data. In addition, jail time served was collected specifically for the cost evaluation. Figures 4-9, below, contain the average number of arrests and jail bed days per participant in the two years prior and the two years post drug court *entry* for all participants and broken down by gender. The majority of these participants have exited the program. However, there were 3 active participants (1 male and 2 female) for whom at least 20 months of outcome data were available. They are included in the group and subgroup totals.

Figure 4: Average Number of Arrests Pre and Post S.A.F.E. Court (All Participants)

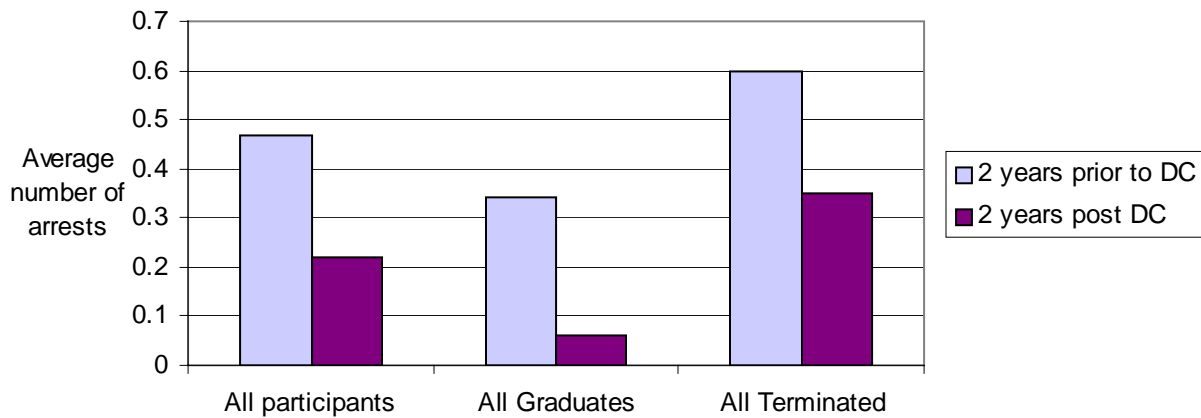
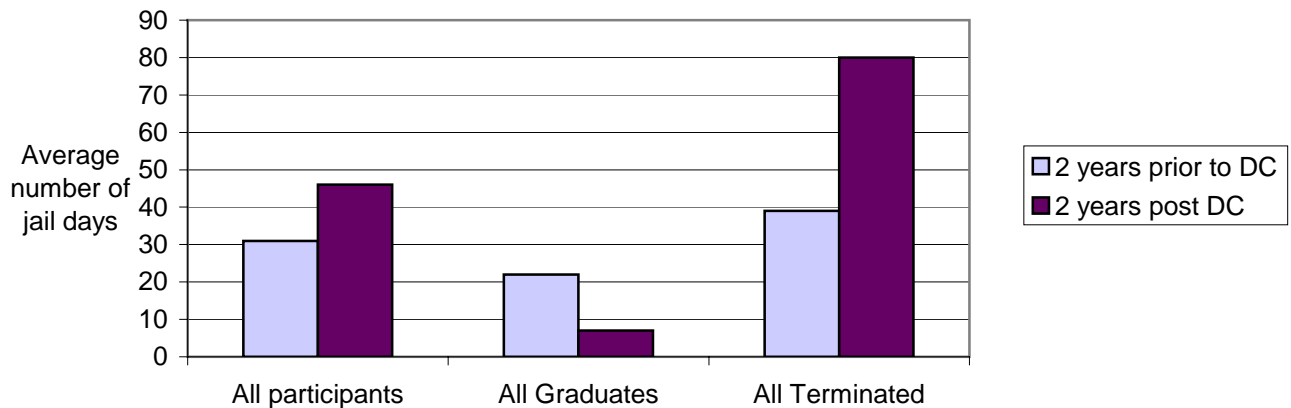


Figure 5: Average Number of Jail Days Pre and Post S.A.F.E. Court (All Participants)

Figures 4 and 5 indicate that overall, graduates (43%) had more positive outcomes than did those who failed to complete the program (54%).¹⁶ Both graduates and terminated participants were re-arrested fewer times in the post drug court entry time period, but terminated participants tended to spend more time in jail during the two years post entry than they did in the two years prior to drug court. It is to be expected that terminated participants would either be serving out a deferred sentence or would be serving jail time for new charges. When averaged across all participants, this results in more jail time after S.A.F.E. Court entry overall. An examination of criminal history prior to drug court entry shows that terminated participants had a greater number of prior arrests and a greater number of jail days before entering the program. It appears that those with more serious criminal histories are less likely to graduate and are more likely to spend more time in jail after program entry. However, they are also less likely to be re-arrested after program entry. This could be due in part to more time in jail, but it may also be that the program is effective for participants whether they graduate or not. Conversely, it is clear that the program graduates and the criminal justice system are benefiting from the drug court program as program graduates are 5 times less likely to be arrested after starting the drug court program and spend more than 3 times fewer days in jail. As illustrated later in this section, this leads to lower criminal justice system (taxpayer) costs for program graduates.

Because the S.A.F.E. Court Program is gender specific, it is important to examine outcomes for both men and women. The following figures show the number of re-arrests and jails days for two years pre and post drug court entry for men and women.

¹⁶ Because this study is a pre-post design, rather than a comparison group design, it is possible to compare graduates to non-graduates both before and after program entry and determine whether there are differences prior to drug court entry that may have led to differences in outcomes.

Figure 6: Average Number of Arrests Pre and Post S.A.F.E. Court for Men

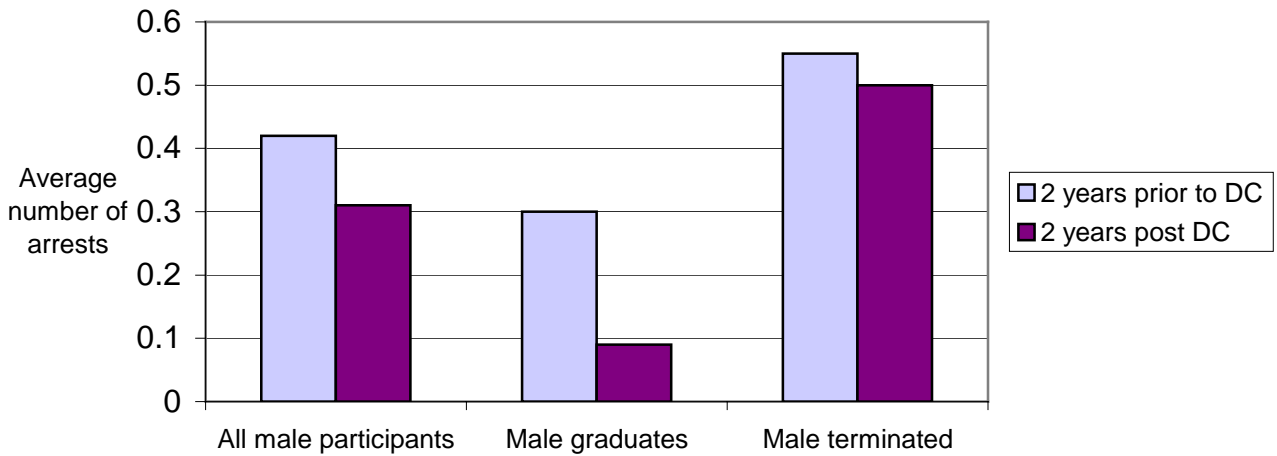


Figure 7: Average Number of Jail Days Pre and Post S.A.F.E. Court for Men



As illustrated in Figures 6 and 7, males (N = 57) tended to be re-arrested fewer times in the 2 years following S.A.F.E. Court entry than the 2 years prior to the program, however, overall they spent more time in jail after S.A.F.E. Court entry. It is useful to further divide the clients into graduates (program completers) and non-graduates to understand the group average. Male graduates (N = 27) were re-arrested far fewer times and spent significantly less time in jail after entering the program. The S.A.F.E. Court Program was clearly successful in reducing the contact of male graduates with the criminal justice system. In contrast, terminated males, who account for approximately 50% of the male drug court sample (N = 29), spent significantly more time in jail after starting drug court than they did prior to their exposure to S.A.F.E. Court. Although the terminated men were re-arrested slightly less often after S.A.F.E. Court entry, this may be due to the greater amount of time spent in jail. It is possible that this increase in jail time is at least partially due to the increased level of supervision inherent in the drug court program setting, both

because of the use of jail as a program sanction (particularly for those who eventually end up terminated) and because a drug court participant is more likely to be recognized by the Police and Probation as a drug court participant. The cost implications for this finding are discussed later in this report.

Figure 8: Average Number of Arrests Pre and Post S.A.F.E. Court for Women

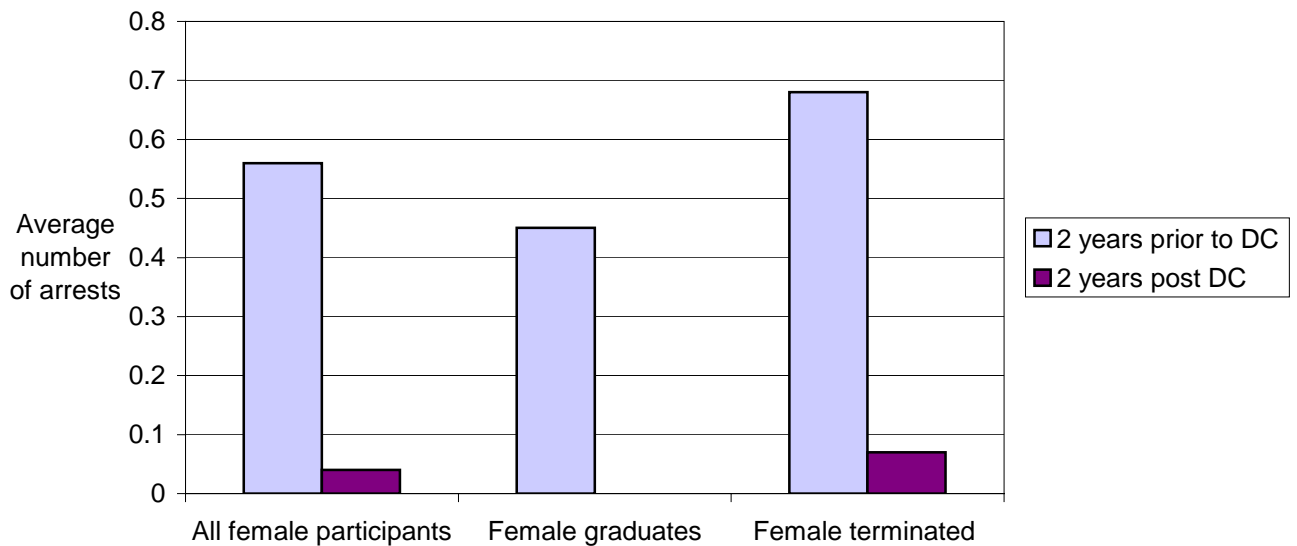
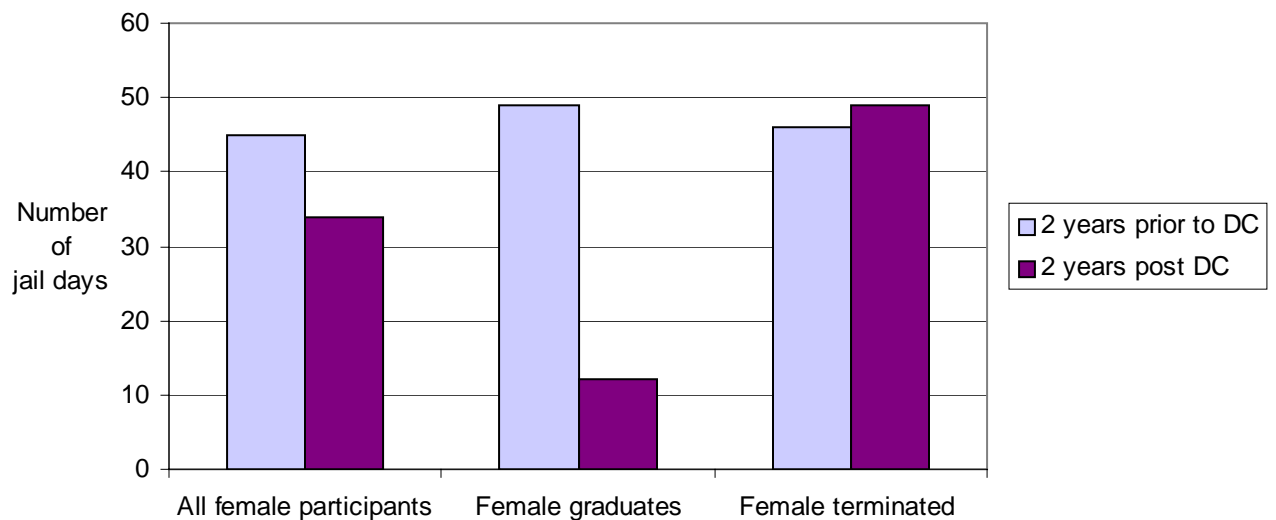


Figure 9: Average Number of Jail Days Pre and Post S.A.F.E. Court for Women



Figures 8 and 9 include the results for the 30 female participants who had at least 20 months of outcome data post drug court entry. These figures include arrests and jail time for the 19 (59%) females who did not complete the program, as well as for 11 (34%) female graduates. Unlike the male participants, terminated women do not have a more severe criminal history than graduated women. In fact, the female graduates have slightly more jail time prior to drug court entry than terminated females. This demonstrates that a more severe criminal history does not necessarily make it less likely for a participant to graduate, especially as the criminal histories for women are slightly more severe than for men.

As discussed previously, S.A.F.E. Court is successful in its goal to reduce recidivism for all its participants. Although more females were terminated than graduated, re-arrest rates for all female participants, regardless of completion status and jail time dropped substantially for graduates. It appears that participation in drug court may have lasting effects, even for those women who do not successfully complete the program.

The figures above illustrating arrests and jail time indicate an overall trend of diminishing re-arrests after starting S.A.F.E. Court for males, females, and the group as a whole. In general, females are less likely to be re-arrested following S.A.F.E. Court entry than are men in spite of having a more severe criminal history (females participants have a greater number of arrests *prior* to starting the program than male participants). One possible reason for fewer re-arrests is greater time in jail. However, the lower rate of arrest for women cannot be attributed to spending more time in jail than men. In fact, the results show that females are less likely than their male counterparts to spend time in jail following their entry into the program (an average of 34 days for women compared to 52 days for men). Beyond gender differences, the data indicate distinct differences between the graduates of the program and those who failed to complete the program. Days spent in jail declined sharply for graduates after they entered the program; this is particularly noticeable for women graduates. Data for terminated male participants indicate an increase in jail time post drug court entry, while the average jail days for terminated female participants remained nearly the same pre and post S.A.F.E. Court entry. It is also interesting to note that terminated male participants showed very similar re-arrest dates for pre and post entry.

Outcome costs

Outcome costs were primarily taken from numbers already calculated by the Police and Sheriff. The methods of calculation were examined to ensure that all direct costs, support costs and overhead costs were included as specified in the TICA methodology followed by NPC Research. The cost of a single arrest was **\$165.61**, the cost of a booking was **\$10.00**, and the cost per jail bed day was **\$49.20**.

Table 8: Outcome Costs Pre-Post S.A.F.E. Court Program for All Participants

	All Participants Costs		Graduates Costs		Terminated Participants Costs	
	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC
Arrests	77.83	36.43	56.31	9.94	99.37	57.96
Booking	4.70	2.20	3.40	.60	6.00	3.50
Jail Bed Days	1,525.20	2,263.20	1,082.40	344.40	1,918.80	3,936.00
Total	\$1,607.73	\$2,301.83	\$1,142.11	\$354.94	\$2,024.17	\$3,997.46

Table 8 presents the cost results for the entire S.A.F.E. Court sample. Significant differences existed for both graduates ($p < .05$) and terminated participants ($p < .05$). For graduates, there existed a significant savings. The criminal justice system costs for graduates in the two years after entering S.A.F.E. Court was over three times less than the costs for these same individuals in the two years prior to entering S.A.F.E. Court. In contrast, terminated participants evidenced an increase in costs during the two years after they began S.A.F.E. Court. It should be noted that the cost differences do not appear to be due to an increase in re-arrests; in fact, recidivism rates declined for all three groups. The cost differentials are due to changes in the amount of time spent in jail. Graduates spent less time in jail after participating in S.A.F.E. Court, whereas terminated participants spent more time in jail following their tenure with the program. One potential reason that participants were terminated from the program is because they may have committed an offense that required jail time.

Table 9: Outcome Costs Pre-Post S.A.F.E. Court Program for Male Participants

	Female Participants Costs		Female Graduates Costs		Female Terminated Participants Costs	
	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC
Arrests	92.74	6.62	74.52	.00	112.61	11.59
Booking	5.60	.40	4.50	.00	6.80	.70
Jail Bed Days	2,214.00	1,672.28	2,410.80	590.40	2,263.20	2,410.80
Total	\$2,312.34	\$1,679.30	\$2,489.82	\$590.40	\$2,382.61	\$2,423.09

As shown in Table 9, in general, the costs for males in the 2 years following S.A.F.E. Court entry was significantly higher than the 2 years prior to starting the program ($t = -2.84, p < .01$). A closer examination of the costs for the participants who graduated and those who did not complete the program indicates that the higher post S.A.F.E. costs for the male participants as a group are due to the post S.A.F.E. jail costs for the males who were terminated from the program. Terminated males actually were re-arrested fewer times after participating in drug court, but the amount of time they spent in jail following drug court was much higher than the pre drug court jail time. Future cost studies should take into account the nature of the post drug court arrests to determine whether those participants who were terminated spent more time in jail due to an increase in severity of the offense or if the increase in jail time (and by extension, costs) are due to having a past criminal history.

Table 10: Outcome Costs Pre-Post S.A.F.E. Court Program for Female Participants

	Female Participants Costs		Female Graduates Costs		Female Terminated Participants Costs	
	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC	2 years prior to DC	2 years post DC
Arrests	92.74	6.62	74.52	.00	112.61	11.59
Booking	5.60	.40	4.50	.00	6.80	.70
Jail Bed Days	2,214.00	1,672.28	2,410.80	590.40	2,263.20	2,410.80
Total	\$2,312.34	\$1,679.30	\$2,489.82	\$590.40	\$2,382.61	\$2,423.09

Table 10 depicts the cost results for female participants in the two years prior to and post S.A.F.E. Court entry. Females as a group accrued lower costs in the two years following drug court and S.A.F.E. Court resulted in significant savings to the system when females graduated from the program ($p < .05$). There was nearly no difference in costs for the pre and post S.A.F.E. periods for those females who were terminated from the program.

Figure 10: Outcome Costs Pre and Post S.A.F.E. Court Program by Gender

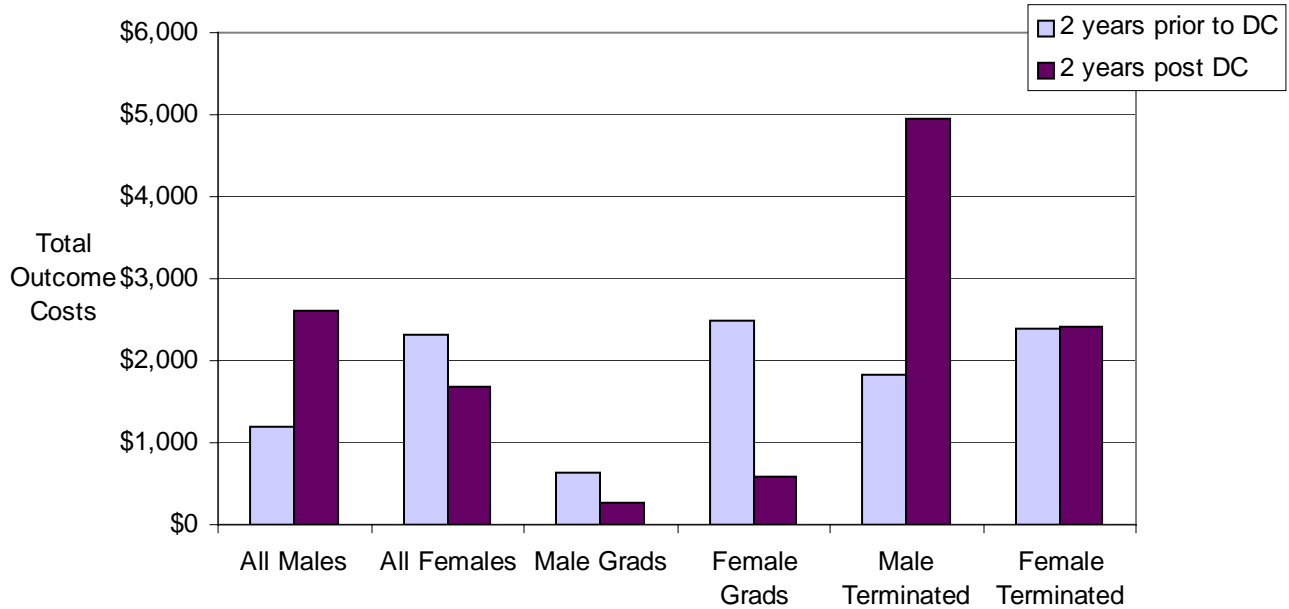


Figure 10 illustrates the cost differences between outcomes for male and female graduated, terminated and all participants. An examination of this figure shows that in general, female participants began the S.A.F.E. Court Program with higher costs in the two years prior to starting the S.A.F.E. Court Program than male participants due to a greater number of previous arrests and jail time. Conversely, females show lower outcome costs than males in the two years after starting the S.A.F.E. Court Program. There is a similar pattern between male and female terminated participants. However, male graduates have lower costs both prior to and after starting the S.A.F.E. Court than female graduates. It appears that the S.A.F.E. Court Program is effective for females regardless of criminal history. In contrast, the S.A.F.E. Court Program appears to be more effective for males with a less severe criminal history. It is important to note that the sample size for this study is relatively small and the program is fairly new. Therefore these apparent trends should be taken with caution. Further evaluation should be performed with a larger sample as the program matures to determine the validity of these trends.

SUMMARY AND CONCLUSIONS

The average cost for the S.A.F.E. Court Program in Malheur County was \$6,275 per participant. Compared to the range of costs in other drug courts studied by NPC Research (\$4,000 to \$12,000) this amount is relatively low (Carey and Finigan, 2003; Carey, et al., 2004). The low cost is most likely due to S.A.F.E. Court policies requiring participants to pay for many of the program services received either through private insurance or out of their own pockets.

Overall, females show a decrease in costs (a cost savings) after starting the S.A.F.E. Court Program while males, except for graduates, show an increase in costs after starting the program. This increase in costs is due entirely to an increase in time spent in jail as re-arrest rates show that all male participants, regardless of completion status were re-arrested less often after starting the program. It was not possible to separate jail time due to drug court sanctions from jail time due to subsequent charges. Therefore, it is not possible to say definitely that the increase in jail time is a consequence of the S.A.F.E. Court Program using jail as a sanction. However, the program may want to examine their sanctioning practices and determine whether men are sanctioned to jail more often than women and if so, if there are other, less expensive sanctions that may be equally effective.

It appears that the gender specific program for females is extremely effective. Female participants overall, regardless of completion status, were re-arrested less often and spent less time in jail after starting the S.A.F.E. Court Program. It may be beneficial for the program to look at their gender specific services for men and see if there are ways to encourage more men to successfully complete the program. In addition, the process evaluation (see the executive summary in Appendix A) revealed that male participants felt that they were treated as “offenders” while female participants were treated as “victims” who needed support. It is possible that a more encouraging atmosphere for the men would help with their successful completion rate which in turn would help decrease their jail time.

In general, the S.A.F.E. Court is successfully keeping program costs down while decreasing overall recidivism for its participants. Re-arrests and their associated costs are lower for the majority of participants. Although jail costs increase for many men after S.A.F.E. Court entry, male graduates and all females show a decrease in this taxpayer cost as well. Subsequent evaluation on a larger sample when the S.A.F.E. Court becomes a more mature program is needed to determine the validity of these results.

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**APPENDIX A: MALHEUR COUNTY S.A.F.E. COURT PROCESS
EVALUATION EXECUTIVE SUMMARY 2003**

MALHEUR COUNTY S.A.F.E. COURT PROCESS EVALUATION

EXECUTIVE SUMMARY

The Malheur County Adult Drug Court, also known as the S.A.F.E. (Stop Addiction For Ever) Court, held its first court session on January 18, 2001. The S.A.F.E. Court is unique in that it is a gender-specific Drug Court with a male Judge, Treatment Therapist and Probation Officer for the men and a corresponding female Judge, Therapist and Probation Officer for the women.

Before implementation of the S.A.F.E. Court, the Malheur Court received a planning grant from the Drug Courts Program Office (DCPO) in 1999, which they utilized for drug court trainings and planning meetings with several justice system and other community players. Following receipt of an implementation grant from the DCPO in September 2001, NPC Research was hired to perform a process and outcome study of the S.A.F.E. Court. This report includes the process evaluation performed by NPC, using the Ten Key Components of Drug Courts (developed by the NADCP in 1997) as a framework. The Malheur County S.A.F.E. Court was evaluated on its ability to demonstrate these key components. The chief results are as follows:

Ten Key Components of Drug Courts

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

The ability to integrate alcohol and other drug treatment services with justice system case processing is one of this Drug Court's biggest strengths. The S.A.F.E. Court Team includes members from many different agencies, all working positively together. Team members are encouraged to share information about each client and voice their opinions about possible actions before coming to a consensus on the final decisions. Observations show that the Team has good communication and cooperation, both of which allow the Court to act swiftly when problems arise.

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

The Prosecution and Defense Counsel believe that that the individual mission of each has not been compromised by their participation in Drug Court. Instead of being adversaries, they use a cooperative, team approach when working with Drug Court clients. While providing a united front in the courtroom, the District Attorney continues to represent the best interest of the state, and the Defense Attorney continues to advocate for the clients in staffing. Public safety and clients' rights continue to be protected, as well.

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

Similar to many drug courts, the S.A.F.E. Court process has been challenged in its efforts to identify eligible participants early and to promptly place them in the program. Although it varies, the length of time from arrest to entrance into Drug Court is generally quite long — up to six weeks, due partially to a backlog created by a statewide budget crisis. There is also some concern that the District Attorney's Office is not completely aware of the S.A.F.E. Court eligibility criteria and therefore is not referring as many participants as possible. However, most of the issues influencing length of time from arrest to entry into S.A.F.E. Court are outside the control of the S.A.F.E. Court. However, the length of time from referral to entrance into the program is under the control of the S.A.F.E. Court, and is much shorter (as short as one week).

Component 4. Drug courts provide a continuum of alcohol, drug, and other related treatment and rehabilitation services.

The S.A.F.E. Court excels in the area of providing alcohol, drug, and other related treatment and rehabilitation services. Along with drug and alcohol treatment, clients are offered a variety of services, such as mental health treatment, employment training, educational programs, domestic violence, and parenting. They are also given mental health, medical, and dental referrals.

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

Based on the results from the American University National Drug Court Survey (Cooper, 2000), the number of urinalyses (UAs) given in this Drug Court are comparable to the large majority of drug courts nationally. The S.A.F.E. Court's two to three UAs a week during the first two phases and one to two UAs a week in later phases is typical of drug courts nationally. However, the S.A.F.E. Court is above the national average for number of UAs in the last two phases, due to the Team's desire to measure continued abstinence as supervision decreases. S.A.F.E. Court clients who are alcohol abusers receive regular breathalyzer tests on the same schedule as the UA testing.

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

The S.A.F.E. Court Team is exemplary in having a coordinated strategy around participants' compliance. The Team works together to determine sanctions (based on their written guidelines) and rewards, with the Judge making the final decision. The Probation Officer and Treatment Therapist may give immediate sanctions for certain violations, an excellent example of swift sanctions. This is followed by notification of the Judge and the Team and discussion of the violation and sanction at the next staff meeting.

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

S.A.F.E. Court participants are required to be in court every two weeks, regardless of phase level, which means that they have very regular contact with their Judge. Participants who are in residential care check in with their Judge by speakerphone during Drug Court sessions. The Judges are involved in all decision-making for each participant.

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

The S.A.F.E. Court staff was very supportive of this evaluation. They made themselves available for interviews, responded to multiple follow-up questions and welcomed the evaluation staff into their meetings. The Coordinator responded quickly to evaluation staff requests, helped set up site visits and focus groups and facilitated communication between the evaluators and the S.A.F.E. Court Team. The S.A.F.E. Court also performs good self-monitoring and makes adjustments to process and policy as warranted.

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

Education on Drug Court planning, implementation and operation is a high priority for this Drug Court. All Drug Court Team members attend drug court trainings on a regular basis, and several have observed other drug courts as well. New information is brought back and discussed with the Team.

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

The S.A.F.E. Court has strong relationships with a large number of community agencies, most of which have provided staff to be part of the S.A.F.E. Court Team. For example, the Employment and Training Consortium aids clients in finding employment, a requirement of the S.A.F.E. Court. The Court also has strong ties with the Department of Human Services (DHS), Adult and Family Services (AFS), and the Department of Housing and Urban Development (HUD), among many other agencies. The S.A.F.E. Court continually works toward creating positive relationships with community members.

Comments and Observations

- ▶ One of the notable features of this Drug Court is that clients in residential care participate in Drug Court by phone, thus allowing them to continue in the S.A.F.E. Court Program and maintain their relationship with the Court.
- ▶ Another notable practice is participation in the Community Corrections' Web site (not public), which allows Police Officers to keep up-to-date on Drug Court clients and monitor them closely in the community.
- ▶ Female clients who participated in the focus group were extremely positive about S.A.F.E. Court and had difficulty finding anything negative to say about the Program or Program staff. They did report that they felt the cost of the program was too high.
- ▶ Male clients who participated in the focus group were more than a little concerned about the costs of the program.

- ▶ Allowing Probation Officers and Treatment Therapists to provide immediate sanctions (following specific guidelines) is a laudable practice of this Court. This provides immediate consequences that help modify behavior.
- ▶ The clients have very positive relationships with the two Judges. They want the Judges to be proud of them, a strong motivating factor for avoiding use.

Recommendations

Explore the option of becoming self-sustaining: With the instability of funding due to the budget crisis in Oregon, the S.A.F.E. Court might wish to consider becoming self-sustaining as a way to ensure the stability of the Drug Court.

Monitor gender attitudes: In some ways it appears that the gender-specific treatment leads to some polarization in attitudes toward the two genders, resulting in some gender stereotyping. In addition, separating the participants into two groups leads naturally to group identities and competition between the two groups. It is recommended that the Team examine the tendency to have disparate attitudes toward the two genders and guard against having this influence their decisions and actions.

Try monthly fees: Most participants were unhappy with the cost of the S.A.F.E. Court. It is possible that this is partially due to the frequency of payments per week. Monthly treatment fees (or fees every other week) and an opportunity to buy a month's worth of UA coupons in advance may reduce the salience of this issue for participants while retaining the point that the participants are receiving a valuable service.

Consider decreasing the number of court appearances as a reward: Clients of S.A.F.E. Court often have difficulty traveling to Vale to for S.A.F.E. Court sessions. For that reason, decreasing the number of court appearances may be a particularly effective reward for S.A.F.E. Court clients who are doing well in the Program.

Summary/Conclusion

The Malheur County S.A.F.E. Court demonstrates the Ten Key Components of Drug Courts in an exemplary fashion. The Program is well organized due, in a large part, to a well-organized Drug Court Coordinator. It was reported that the Ten Key Components were used in designing and implementing the S.A.F.E. Court Program and it is evident that this is the case.

The one Key Component that was less strong than the others was the early identification and prompt placement of eligible clients in the S.A.F.E. Court Program, both of which may be improved after examination by the S.A.F.E. Court Team members.

The Malheur County S.A.F.E. Court Program is well organized, has a highly integrated and diverse Team, and an unusually large number of positive community relationships and support. In addition, the S.A.F.E. Court has several unique and notable practices, such as their gender-specific services. Notable strengths include a strong commitment to education and the ability of both Judges' to show their care and concern for S.A.F.E. Court clients.