

**The State of the Drug Court:
A Systematic and Critical Analysis
Of Drug Court Evaluations**

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(Abstract)

Drug courts have become an important part of adult and juvenile corrections. Since the establishment of the first adult drug court in 1989, the therapeutic court model has developed, and can now be considered a significant component in American criminal justice.

The problem is adult drug courts have faced considerable disapproval in the area of evaluation and documentation. Through the Bureau of Justice Assistance (BJA), the federal government allots millions of dollars to support drug court programs; there have been attempts to count and record the activities of these programs with little success, there is little uniform data on actual drug court success nationwide.

The intent of this dissertation was to systematically and critically analyze drug court evaluations. My major goal was to demonstrate the need for uniformity in regards to assessing the impacts on outcomes. I analyzed drug court evaluations and their attempt to identify factors that contribute to graduation, in-program recidivism/ retention rates, drug treatment relapse and post-program recidivism rates. Forty drug court evaluations were used in this examination. Further, I introduced a model that will aid in examining the impacts on outcome. My studies' unit of analysis is the evaluation report. I attempted to explain specific issues, such as how well drug courts work for different types of offenders. I was also able to generate a well founded policy recommendation for the evaluation of drug courts based on empirical data and literature. Conclusions show that Drug Courts do reduce post-program recidivism however there were certain impacts on graduation and termination rates. I also demonstrated the need for more methodologically sound and uniform evaluations in order to determine effectiveness.

Dedication

This Dissertation is dedicated to my mother Gerlaldine B. Neal; my aunt Vera Kelley.

In loving memory of my grandparents Granvile and Louise Bradley; my father Stanley Neal ; brother Stanley Neal Jr; and to a real American Hero Dwyane Kelley my cousin who was killed in Iraq and received a Congressional Medal Of Honor.

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Chapter 1

Introduction

Overview

The purpose of this dissertation was to systematically and critically analyze adult drug court evaluations. Drug Courts are specialized courts that handle non-violent substance abusing offenders. This study aided in identifying methodological concerns in the evaluations and in identifying what factors contributes to graduation, thus demonstrating its importance. Previous adult drug court evaluations, government reports and literature from various research centers were used to develop a systematic way to analyze the literature based on logic and practice.

Crime is arousing to people; it can draw our attention or cause great distaste. Simultaneously it can do both. Crime is often entertaining when we hear lighthearted adventurous acts or practical jokes that do not harm anyone. It can also cause fear or alarm if the individual becomes the victim. Crime can also cause displeasure as when a family member or someone from your community is killed. According to Bartol, “violent crime in particular draws attention, consider the excitement and fear in a neighborhood or small town when news of a local murder hits the street” (Bartol, 2004 :1).

A lot of people have an unpleasant feeling of anxiety about crime. However; they can also be preoccupied with it even though they have no on-going experience to criminal behavior. The majority of information about crime comes from the media (Chermak, 1995) and sometimes from watching real-crime dramas such as *COPS* and fictionalized crime stories such as *Law & Order* on television. “Media coverage of crime is extensive and might in fact contribute to our widespread perception that crime has increased

dramatically in this country” (Kendall, 2004 : 183).

According to a study conducted by The PEW Center on the States (Pew, 2008) incarceration rates in the United States are extremely high. The study reported that the United States imprisons more people than any country in the world, even more than China which has an extremely large population.

The Pew Foundation (2008) stated “that between 1987 and 2007, the national prison population has nearly tripled. The Consequences of that upward trend are many, but few can rival this: more than 1 in 100 adults is now locked up in America. With 1,596,127 in state or federal prison custody, and another 723,131 in local jails, the total adult inmate count at the beginning of 2008 stood at 2,319,258. With the number of adults just shy of 230 million, the actual incarceration rate is 1 in every 99.1 adults (Pew, 2008: 5).

Literature and empirical data, reveals a strong drug-crime relationship. According to Bartol (2004) the relationship between drugs and crime may be viewed from two perspectives: (1) the use, sale manufacture, distribution, and possession of an illegal drug; (2) the pharmacological effects certain drugs have on a user’s behavior in promoting criminal actions. Further, research directed two perspectives in recent years that concluded six things:

1. More individuals are incarcerated or held in jails and prisons for drug offenses than any other offense;
2. Arrestees frequently test positive for illicit drug use;
3. Arrestees and incarcerated offenders were often under the influence of illicit drugs when they committed their offenses;
4. Some offenders commit property crime to support their drug habit;
5. Drug trafficking often engenders violent crime.
6. The drug- crime relationship is difficult to identify and measure (Bartol,

2004:374).

As a result of incarceration rates and the drug-crime relationship intervention strategies, such as problem solving, courts were developed.

Berman and Feinlatt (2001) state “Problem solving courts can be traced back to the first drug court in Dade County Florida in 1989” (Berman and Feinlatt, 2001: 126). These drug courts represent a initiative to combat the drug crime relationship.

Often referred to as a “marriage” between treatment and the court, a drug court is a special court given the responsibility to handle cases involving drug-using offenders through comprehensive supervision, drug testing, treatment services, and immediate sanctions and incentives. Adult drug court programs bring the full weight of a variety of participants (judges, prosecutors, defense counsel, substance abuse treatment specialists, probation officers, law enforcement and correctional personnel, education and vocational experts, community leaders and others) to bear forcing the offender to deal with his or her substance abuse problem. (National Association of Drug Courts, 1998: 2)

As a substitute to less successful interventions such as imprisonment adult drug courts swiftly recognize substance-abusing offenders and place them under stern court management and community supervision, with continuing treatment and rehabilitation services. In this scheme the drug court participant undergoes an extreme regimen of substance abuse and mental health counseling while reporting to regularly scheduled status hearings before a judge with specific proficiency in the drug court model (Fox, 2003).

In addition, adult drug courts provided job training, skill training, family/group

counseling and many other skill enhancement services. More importantly, drug use and criminal behavior was reduced while offenders participated in adult drug courts (Belenko, 1998). Adult drug courts also reduced criminal recidivism. According to a study released by the National Institute of Justice (NIJ) from a national sample for 17,000 drug court graduates, only 16.4 percent had been released and charged with a felony offense within one year of graduation (Roman, et.al., 2003). A Vera Institute of Justice report stated that the literature on recidivism has become strong enough, despite methodological issues to assume that finishing a drug court program reduces the likelihood of future criminal Behavior and arrest (Fluelle and Trone, 2000).

The majority of the literature on drug court evaluations has not been consistent or clear in regards to the effect of drug courts and the factors that significantly impacted graduation. This dissertation explores that phenomenon and attempts to explain the factors that contributed to outcomes.

Convincing arguments for this research was that the previous studies have been inconclusive, inconsistent and of most importance, lacked uniformity. This study contributes to the existing research on drug courts. Its unique contribution has an emphasis on impacts on outcomes from adult drug courts. The following flow chart conceptualizes what impacted the development of the drug court movement.

Statement of the Problem

The problem is adult drug courts have faced considerable debate in the area of evaluation and documentation from those who examined drug court's effectiveness. Through the Bureau of Justice Assistance (BJA), the federal government allots millions of dollars to support drug court programs. There have been attempts to count and record the activities of these programs with little success. There is little uniform data on actual drug court success nationwide. Congress has asked the Government Accountability Office (GAO) to review drug court evaluation and outcome research. The rationale is to determine the effectiveness of drug courts. The most recent GAO Congressional Report on adult drug courts discovered only 27 of 117 evaluations of drug court programs methodologically dependable enough to use for analysis (GAO, 2005). The conclusion from these evaluations proposed that drug courts produce positive results, but the lack of a methodologically sound evaluation leads to skepticism and many unanswered questions (NDCI, 2006).

This research aids in identifying critical issues in the evaluations that could be resolved in allowing them to receive better approval. Further, this project has the potential to produce publications and literature in scholarly academic journals that will also aid in the production of better drug court evaluations in the future.

Chapter 2

Literature Review

In this section of my dissertation I examined from a historical perspective the literature on drug abuse in the United States. This included extent of drug abuse, impact of drug abuse, and cost of abuse. I gave an overview on the history of drugs and their classifications. I discussed the drug crime relationship. The relationship between drugs and recidivism was also examined. I discussed the history of adult drug courts, the drug court process; specifically the planning and implementation stages and I present a drug court model.

I also examined the ideology behind drug courts; what they are supposed to do and the inadequacy of existing literature addressing outcomes. This supported the need to conduct more thorough evaluations with policy implications.

A. History of Drug Abuse in the United States

The criminalization of drug use makes the drug user appear abnormal, dangerous, deviant, or immoral. It is apparent that some users possess these characteristics perhaps because of their drug use. Nevertheless, drug users can be normal and otherwise conventional members of society, or they can be deviant (Voight, Thornton, Barrile, Seamanm, 1994).

According to the authors, opium has the longest history of illegal substance abuse. Approximately 2,000 years ago in middle east Asia, substances were produced from the opium poppy. Prior to the Revolutionary War in America home remedies that contained opium were consumed (Voight et al., 1994).

In 1906, Congress passed the Pure Food and Drug Act which required products to

list their ingredients. Historically, a social control came with the passage of the Harrison Stamp Act in 1914. The act made opiates and cocaine controlled substances. As a result producers had to register and pay taxes to the U.S. government. The anti-drug policy helped reduce the number of addicts and users in addition to setting a precedent for social control. This meant the state and law enforcement agencies had the right to control the consumption of drugs that they defined as illegal (Voight et al., 1994).

According to (Bartal, 2004) there are four major categories of psychoactive drugs: (1) the hallucinogens or psychedelics; (2) the stimulants; (3) the opiate narcotics; and (4) the sedative-hypnotics or depressants. A psychoactive drug is a chemical substance that influences a person's mood, perception, mode of thinking, and behavior. A controlled substance is any psychoactive drug or chemical substance whose availability is restricted, as designated by state or federal law. The *Controlled Substances Act(CSA)*, Title II of the *Comprehensive Drug Abuse Prevention and Control Act of 1970*, places all substances of potential abuse into one of five schedules.

Table 1: Controlled Substances

Schedule	Potential For Abuse	Accepted Medical Use in U.S.	Physical Dependence	Psychological Dependence	Examples
I	High	No	High	High	Heroin, LSD, Marijuana
II	High	Yes	High	High	PCP, Cocaine, Morphine, Methamphetamine
III	Medium	Yes	Moderate	High	Codeine, Steroids, Barbiturates
IV	Low	Yes	Low	Low	Darvon, Talwin, Valium, Xanax
V	Low	Yes	Low	Low	Cough Medicines with Codeine

Source: Drug Enforcement Administration, 2000.

B. The Extent of Abuse

According to (Schmallegger, 2002) data on drug abuse in the United States is available through a variety of sources, such as the Monitoring the Future study, conducted by the University of Michigan's Institute for Social Research with funding from the National Institute on Drug Abuse at the National Institutes of Health; the **National Household Survey on Drug Abuse (NHSDA)**, conducted annually by the Substance Abuse and Mental Health Services Administration (SAMHSA); the National Narcotics Intelligence Consumers Committee's *NNICReport*, published in conjunction with the Drug Enforcement Administration; the National Institute of Justice's quarterly Arrestee Drug Abuse Monitoring Program report; the **Office of National Drug Control**

Policy's (ONDCP)*Pulse Check: National Trends in Drug Abuse*, which reports at least once a year on drug-use trends; and annual reports published by the SAMHSA's Drug Abuse Warning Network (Schmallegger, 2002).

C. Impact of Drug Abuse

1. Fetal Abuse

A recent area of concern is fetal abuse, leading some states to change their homicide statutes to include killing a fetus. For example, California defines murder as “the unlawful killing of a human being, or a fetus, with malice aforethought” (Reid, 2003: 312). This change in the common law view of murder as applying only to persons already born has resulted in convictions for murder for those who kill the fetus of a pregnant woman. The issue here, however, is whether the substance abuse of a pregnant woman, when it causes birth defects or the death of the fetus, should form the basis for a criminal charge against the mother, especially in light of the following evidence. Babies born to mother who drank alcohol during the last six months of pregnancy are 10 times more likely to develop leukemia during infancy. In addition, mothers who smoke are 50 percent more likely to give birth to babies with mental disabilities than are mothers who do not smoke (Reid, 2003:312).

Some jurisdictions have considered prosecuting pregnant women who abuse drugs. Most jurisdictions have not succeeded (Savoy, 1989). For example, the Florida Supreme Court held that the state's statute prohibiting delivering drugs to minors is not applicable to the case of a woman who ingested illegal drugs while pregnant and gave birth to a drug-addicted baby (Schmallegger, 2002).

However, in South Carolina, a different result was reached. In 1996 the state supreme court held that in the state's child abuse and endangerment statute the word *child* includes a viable fetus (DEA, 2009).

More recently, in 2001 a South Carolina woman was sentenced to 12 years in prison after she smoked crack cocaine and her fetus died as a result. Regina McKnight, age 24, was convicted of homicide by child abuse. Her stillborn baby was delivered when she was eight and a half months pregnant. McKnight plans to appeal the decision (BJS, 1994).

2. Costs of Abuse

Office of National Drug Control Policy estimates that in 2000, Americans spent \$62.3 billion to purchase illegal drugs (ONDCP, 2001: 30). The true cost of drug abuse, however, was difficult to measure. Included among them were measurable expenditures such as those for law enforcement activities intended to prevent drug growing, importation, and use; criminal justice case processing; drug-treatment programs; money laundering; and time lost from work as a result of drug involvement. More difficult to qualify, but equally real, were other costs related to drug abuse, such as death and sickness resulting from exposure to controlled substances, drug-related crime, the fragmentation of families and other relationships caused by illegal drug use, changes in attitudes and worldview among the American population due to drug-crime fear, lost human potential, and the image of the United States and the world stage (ONDCP, 2001, p.31).

D. Drug-Crime Relationship

The drug- crime relationship is very hard to measure, and the association between

drugs and crimes is complicated by “(1) the pharmacological effects of the drug, which refer to the chemical impact of the drug on the body; (2) the psychological characteristics of the individual using the drug; (3) the psychosocial conditions under which the drug is taken; and (4) the interactions a particular drug has with other consumed simultaneously” (Bartol, 2004: 377).

More individuals are imprisoned or held in jails for drug charges than any other offense. According to the 1997 *National Household Survey on Drug Abuse*, 77 million (35.6 percent) of Americans aged twelve and older reported some use of an illicit drug at least once during their lifetime (Office of National Drug Control Policy, 1999: 1). According to Wilson (2000) “In 1998, an estimated 417,000 jail inmates or 70 percent of all inmates in local facilities, had committed a drug offense or used drugs regularly” (Wilson, 2000: 1). A quarter of those jail inmates had current charges or convictions for drug possession and 9 percent for drug trafficking. About two thirds of federal prisoners were also held for drug charges during the same year (Beck, 2000: 2). Eighty-five percent of those federal prisoners confined for a drug offense were involved in trafficking at the time of their arrest, and only five percent were incarcerated because of possession of an illicit drug (Bartol, 2004: 374).

Another discovery was that arrestees often test positive for illicit drug use. In 1999, the Arrestees Drug Abuse Monitoring Program (ADAM) collected information from more than 30,000 adult male arrestees in 34 different sites. Urinalysis and self-report data were used to ascertain the level of drug use by the arrestees and detainees (Bartol, 2004: 375).

According to the ADAM program the level of drug use is of huge implications. It

was reported that at least 50 percent of adult males who were arrested tested positive for at least one type of drug. Marijuana was the illegal substance most frequently detected in male arrestees, followed by cocaine. The illegal substance most commonly detected among females was cocaine followed by marijuana and methamphetamine. Multiple drug (polydrug) use was also common, it was reported that more than one quarter of the adult male arrestees testing positive for poly substance abuse. Marijuana continues to be a favorite among all arrestees (Bartol, 2004: 375).

Findings from illicit drug research disclosed that arrestees and incarcerated offenders had often consumed illicit drugs when they committed their crimes. The Office of National Drug Control Policy reports that 60 percent of the jailed inmates acknowledged that they were under the influence of drugs or alcohol at the time they committed the crime consequently resulting in their incarceration (Office of National Drug Control Policy, 1999).

Further, research has disclosed that some offenders commit property crime to support their drug addiction, 19 percent of state prisoners and 16 percent of federal prisoners said they committed their recent offenses for cash which would be used to buy drugs (Bureau of Justice Statistics, 2000).

It has also been noted that dealing drugs is notably associated with violent crime. There is also evidence that violence accompanies drug distribution. There may be disputes in regards to territory and disputes between rival dealers and in conflicts between the buyer and dealer. Further places where drug deals occur bring together illegal drugs, large sums of cash, guns and people that are prone to violence.

While the manufacture, sale, transportation and use of controlled substances is

itself criminal. Drugs and crime are also linked in other ways. The addict who is so habituated to the use of illegal drugs that he steals to support his “habit,” the drug importer who kills a rival dealer, and the offender who commits a criminal act due to the stimulation provided by drugs all provide examples of how drug abuse may be linked in other forms of criminal activity.

Recognizing these differences, the Bureau of Justice Statistics (BJS) distinguishes between drug-defined and drug-related crimes. **Drug- defined crimes** are “violations of law prohibiting or regulating the possession, use, or distribution of illegal drugs” (BJS, 1992, p.2). The costs of all drug-defined crime, says BJS, is directly attributable to illegal drug use. **Drug- related crimes**, on the other hand, “are not violations of drug laws but are crimes in which drugs contribute to the offense” (BJS, 1992, p.126). Illegal drug use, says BJS, “is related to offenses against people and property in three major ways: (1) pharmacologically drugs can induce violent behavior, (2) the cost of drugs induces some users to commit crimes to support their drug habits, [and] (3) violence often characterize relations among participants in the drug distribution system” (BJS, 1992). Below you will find an explanation of drug-crime relationships according to (Schmallegger, 2002: 401).

Table 2: Drugs and Crime

	Definition	Examples
Drug-defined offenses	Violations of laws prohibiting or regulating the possession, use, distribution, or manufacture of illegal drugs.	Drug possession or use. Marijuana cultivation. Methamphetamine production. Cocaine, heroin, or marijuana sales.
Drug-related offenses	Offenses to which a drug's pharmacologic effects contribute; offenses motivated by the user's need for money to support continued use; and offenses connected to drug distribution itself.	Violent behavior resulting from drug effects. Stealing to get money to buy drugs. Violence against rival drug dealers.
Drug-using lifestyle	A lifestyle in which the likelihood and frequency of involvement in illegal activity are increased because drug users may not participate in the legitimate economy and are exposed to situations that encourage crime.	A life orientation with an emphasis on short-term goals supported by illegal activities. Opportunities to offend resulting from contacts with offenders and illegal markets. Criminal skills learned from other offenders.

According to the U.S. Department of Justice, there is extensive evidence of the strong relationship between drug use and crime. The relationship can be summarized in the following three points, each of which the department says supported by a review of the evidence (BJS, 1992).

- Drug users report greater involvement in crime and are more likely than nonusers to have criminal records.
- People with criminal records are much more likely than others to report being

drug users.

- Crimes rise in number as drug use increases (Schmallegger, 2002, p.401).

1. Recidivism and Drug Treatment

A body of research conducted in 1980 showed that a significant number of offenders who were arrested and incarcerated were drug users (US Department of Justice, 1992; Texas Commission on Alcohol and Drug Abuse, 1990).

Drugs are related to crime in multiple ways. Most directly, it is a crime to use, possess, manufacture, or distribute drugs classified as having a potential for abuse. Cocaine, heroin, marijuana, and amphetamines are examples of drugs classified to have abuse potential. Drugs are related to crime through the effects they have on the user's behavior and by generating violence and other illegal activity with drug trafficking (Bureau of Justice Statistics, 1994:1).

The National Institute of Justice (NIJ) Drug Use Forecasting (DUF) Program measures drug use among arrestees by disclosing the percentage of individuals with positive urine tests for drug use. DUF collects data voluntarily and anonymously at the time of arrest from arrestees in booking facilities in chosen U.S. cities. "The data collected from males arrestees in 1992 in 24 cities showed that the percentage testing positive for any drug ranged from 42 percent to 79 percent across cities" (Bureau of Justice Statistics, 1994:2).

In 2002, more than two-thirds of jail inmates were found to be dependent on or to abuse alcohol or drugs, based on data from the Survey of Inmates in Local Jails, 2002. Two in five inmates were dependent on alcohol or drugs, while nearly 1 in 4 abused alcohol or drugs, but were not dependent on them. Estimates of substance dependence or

abuse were based on criteria specified in the *Diagnostic and Statistical Manual of Mental Disorders*, fourth edition (DSM-IV) (Bureau of Justice Statistics Special Report, 2005:1).

As a result of drug abuse in our country, there has been an increase in the number of drug related crime. Consequently, jail and prison administrators have been motivated to develop programs to reduce drug relapse and drug related crimes. Two studies examined the effectiveness of substance abuse counseling of recidivism (Peters, Rogers, H., et.al. 1993; McMurray Harvey L., 1993). The findings indicate that following release from custody in which inmates participated in jail treatment programs; they remain significantly longer in the community until . Commonly, few experienced and served less jail time in comparison with those untreated inmates. Other research indicated that substance abuse treatment deters both substance abuse and criminality associated with substance abuse. Hillsburg County has offered substance abuse treatment programs in Tampa, Florida since 1988 (Peters, Rogers et. al, 1993). The program was designed to address that short-term treatment needs of pre-trial inmates. As the program developed, an increasing number of inmates were sentenced to the program. The in-jail treatment was provided to each inmate admitted to the program. There were 48 male and 12 females participants. A treatment milieu was created with the emphasis on recovery, cooperation, and independence (Peters, Rogers et. al, 1993).

E. Drug Courts

1. What Impacted the Drug Court Movement?

The history of drug control policy in the United States is as interesting as it is diverse. According to Schmelleger, in 1937 the passage of the Marijuana Tax Act

effectively outlawed marijuana, a federal stance that was reinforced by the Boggs Act of 1951. The Boggs Act also mandated deletion of heroin from the list of medically useful substances and required its complete removal from all medicines. The 1956 Narcotic Control Act increased penalties for drug traffickers and made the sale of heroin to anyone under age 18 a capital offense (Schmelleger, 1999).

Further, according to Schmelleger(1999), the most comprehensive federal legislation addressing controlled substances to date is the 1970 Comprehensive Drug Abuse Prevention and Control Act. Title 2 of that act is referred to as the Controlled Substance Act (CSA) and established five schedules that classify psychoactive drugs according to their medical use, degree of psycho activity, and adjudged potential for abuse. These schedules are previously referenced in Chapter 2.

Another federal initiative, the 1988 Anti-Drug Abuse Act, proclaimed the goal of a “Drug-Free America by 1995.” Although many of the act’s provisions, such as the preamble that contained the “drug-free” phrase, were more rhetoric than substance, the act substantially increased penalties for recreational drug users and made weapons purchases by suspected drug dealers more difficult. The law also denied federal benefits – ranging from loans (such as federal student loans) to contracts and licenses – to federal drug convicts (Schmelleger, 2002).

The far-reaching Violent Crime Control and Law Enforcement Act of 1994 included a number of drug related provisions. Specifically, the act

- Allocated other drug treatment monies for the creation of state and federal programs to treat drug-addicted prisoners. The act also created a treatment schedule for all drug-addicted federal prisoners and requires drug testing of

federal prisoners upon release.

- Provided \$1 billion for drug court programs for nonviolent offenders with substance abuse problems. Participants will be intensively supervised, given drug treatment, and subjected to graduated sanctions-- ultimately including prison terms for failing random drug tests (Schmelleger, 1999).

Throughout the years, major policy initiatives in the battle against illicit drugs have included (1) anti-drug legislation and strict enforcement, (2) interdiction, (3) forfeiture, (4) crop control, and (5) anti-drug education and treatment (Machinzie and Uchida, 1994).

2. Anti-Drug Control Legislation/Strict Enforcement

According to Voigt, Thornton, Barrile, and Seaman (1994), “zero tolerance” is the popular name given to anti-drug legislation during the Reagan years. Zero tolerance is a political policy and law enforcement program targeted at the user, even if he or she is a weekend recreation user of marijuana. It was designed with the hope of reducing demand by exacting rather extreme punitive sanctions on possessors with arrest, prosecution, and seizure of property.

In conclusion, the authors state “certainly zero tolerance enforcement has led to a few major drug interdictions” (Voigt et al. 1994).

3. Policy Consequences

According to Bartol (2004), four fundamental considerations were usually in operation when offenders are sentenced: (1) protection of other members of society, frequently

called **incapacitation**; (2) **rehabilitation**; (3) **punishment** (or **retribution**); and (4) **deterrence**. The first (incapacitation) was the most straightforward justification for confining convicted individuals against their will. If the criminal were believed to be dangerous to society, on the basis of past conduct, then society must be protected from future injury. However, if society relies heavily on incapacitation to remove the offender from the streets, it is in danger of increasing the inmate population dramatically and far beyond the present capacity of correctional facilities.

In recent years, the effectiveness of incapacitation has been seriously questioned (Blumstein, Cohen, Roth, & Visher, 1986; Cohen, 1983; Visher, 1987). In addition, rehabilitation “is being revived, reaffirmed, and resold” (Visher, 1987, p. 514). Rehabilitation as a justification for confinement often creates heated debate. Rehabilitation is essentially restoring the person to a useful life, either through education, training, treatment, or a combination of these.

The concept of rehabilitation has yet to regain a comfortable foothold within the correctional system. In the scholarly community, however, rehabilitation remains a valuable alternative (Cullen & Gilbert, 1982; Gendreau & Ross, 1983; Greenwood & Zimring, 1985). One consequence of social policy is a behavior pattern called prisonization. Prisonization is defined as “the taking on, in greater or lesser degree, of the folkways, mores, customs, and general culture of the penitentiary (Clemer, 1958).

The most important aspects of prisonization are “the influences which breed or deepen criminality and antisociality and make the inmate characteristic of the ideology in the prison community” (Clemer, 1958). Clemer (1958) viewed prisonization as the process by which inmates become familiar with and internalize prison norms and values. He

argued that, once inmates become prisonized, they are, for the most part, immune to the influences of conventional value systems (Clemmer, 1958).

Further, many federal and state sentencing policies have added a particular provision called career criminal which enhances the sentence of the defendant. The concept of career criminal and criminal career are somewhat interchangeable. However, a distinct difference does exist.

The concept of the criminal career has been well established within the field of criminology. Most generically, the criminal career is the longitudinal sequence of delinquent and criminal acts committed by an individual as the individual ages across the lifespan from childhood through adolescence and adulthood.

Frequency, seriousness and career length can vary greatly among individuals, who may range from having zero offenses across the lifespan, to having one offense of a non-serious nature, to a being *chronic career criminal* with multiple, serious offenses across a broad span of their lives (Blumstein and others, 1986).

Further, this particular policy has a significant impact on the length of sentences of those labeled career criminals. Blumstein and Cohen (1987) explained the importance of studying criminal careers for policy decision-making. The criminal career paradigm is superior to cross-sectional community studies of the correlates of crime for two primary reasons. The explanation includes the examination of a longitudinal pattern of criminal activity and distinguishing between causal factors that 1) contribute to participation in crime and 2) affect the frequency of offending or the termination of a criminal career (Blumstein and Cohen, 1987).

Further, consequences of sentencing policies is the kingpin statue. The definition

of a kingpin is “the most important person or element in any enterprise or system” (Webster, 2009: 266). This definition is not equivalent to the history and convictions of the majority of those incarcerated for drug offenses. The data show that there is a significant percent of those incarcerated who have an addiction problem and are considered small scale dealers. They have committed a crime as a result of being under the influence or having a desire to obtain money to purchase drugs. Many feel the need to manufacture/ distribute drugs to support their own addiction and lifestyle.

In regards to sentencing, reactions to the federal sentencing guidelines continue to vary. However, the American Bar Association noted that since the guidelines had been enacted, sentences for young African American men were “significantly higher” than sentences for white men (ABA, 1994).

4. Sentencing Disparity

The most dramatic reaction to alleged sentence disparity has been a return to determinate sentencing. Despite the warnings, most states did not consider the total impact of their actions when legislating determinate sentences. In many states insufficient attention was given to the consequences of this movement, and the results have been disastrous in some cases (Reid, 2003).

According to Reid (2003) five problems transpired.

- First, there is the possibility that determinate sentencing leads to greater disparity, although of a different type than before. With discretion removed from judges and with stiff penalties imposed by legislatures, prosecutors might be more

reluctant to prosecute, and judges and juries might be more reluctant to find defendants guilty. When either of these possibilities occurs, those defendants receive disparate treatment compared to defendants who committed similar or identical crimes but who were prosecuted and convicted.

- Second, determinate sentences may contribute to the increasingly serious problems of jail and prison overcrowding. For example, just one year after California enacted its broad three-strikes law, it was reported that because of the longer sentences faced by many defendants, judges were setting bail at twice the usual amount for “second-strike” defendants and refusing bail for defendants accused of a third felony. This, along with the refusal of two- and three-strikes defendants to accept plea bargains, increased jail populations (Criminal Justice Newsletter 26, 1995).
- Third, it is doubtful whether determinate sentencing achieves the goal of decreasing the violent crime rate by deterring crime, and some studies question the effectiveness of three-strikes legislation and other determinate sentences or mandatory minimums.

A study of 1,175 Massachusetts inmates, published in 1997 by researchers at the Harvard medical School, concluded that mandatory sentencing laws are wasting prison resources on nonviolent, low-level offenders and reducing resources available to lock up violent offenders. Thus it was concluded that it seemed prudent to spend more money on drug abuse treatment and prevention rather than locking up non-serious drug offenders(Rand Corporation, 1997). The report further disclosed that the mandatory minimums might be effective if judges

had the discretion to apply them only to high-level dealers, but that is not the case.

- A fourth problem is that under determinate sentencing with stiffer penalties, defendants may be less likely to plead guilty and more likely to insist on trial, thus increasing the burden on already overcrowded court systems (Carlson, 1982).
- Fifth, there is evidence that in the California system African Americans have been disproportionately affected by the three-strikes legislation. They have been imprisoned for a third strike “at over 13 times the rate of whites” (Reid, 2003).

5. Prevalence of Imprisonment and Incarceration

According to (PEW, 2008. pg 5) more than 1 in 100 adults is now locked up in America. With 1,596,127 in state or federal prison custody, and another 723,131 in local jails, the total adult inmate count at the beginning of 2008 stood at 2,319,258. With the number of adults just shy of 230 million, the actual incarceration rate is 1 in every 99.1 adults. The report went on to add that the United States incarcerates more people than any country in the world.

According to a report by the Bureau of Justice Statistics, at year-end 2001 there were 1,319,000 adults confined in state or federal prisons and an estimated 4,299,000 living former prisoners. A total of 5,618,000 U.S. adult residents, or about 1 in every 37 U.S. adults, had ever served time in prison (Bureau of Justice Statistics Special Report, 2003:1).

Data show that between 1974 and 2001 the number of former prisoners living in

the United States more than doubled, from 1,603,000 to 4,299,000. Relative to the adult population, the number of former prisoners totaled 2,045 per 100,000 adult U.S. residents in 2001, up from 1,102 per 100,000 in 1974. “At year-end 2001, 1 in every 49 adults in the United States was a former prisoner” (Bureau of Justice Statistics Special Report, 2003: 3).

Nearly two-thirds of the 3.8 million increases in the number of adults ever incarcerated between 1974 and 2001 occurred as a result of an increase in the rates of first incarceration. In 1974, the number of persons admitted to prison for the first time totaled 44 per 100,000 adult residents. By 2001, the rate had nearly tripled, reaching 129 first admissions per 100,000 adults (Bureau of Justice Statistics Special Report, 2003: 3).

Nearly 9 times as many men (5,037,000) as women (581, 000) had ever been incarcerated in a state or federal prison at year-end 2001. As a percentage of all persons ever confined in prison, women increased from 7.8% in 1974 to 10.3% in 2001 (Bureau of Justice Statistics Special Report, 2003: 7).

At midyear 2006 more black men (836,800) were in custody in state or federal prison or local jail than white men (718,100) or Hispanic men (426,900). Black men comprised 41% of the more than 2 million men in custody, and black men age 20 to 29 comprised 15.5% of all men in custody on June 30, 2006. Relative to their numbers in the general population, about 4.8% of all black men were in custody at midyear 2006, compared to about 0.7% of white men and 1.9% Hispanic men. Overall, black men were incarcerated at 6.5 times the rate of white men. The incarceration rate for black men was the highest among black men age 25-29. About 11.7% of black males in this age group were incarcerated on June 30, 2006. Across age groups black men were between 5.7 and

8.5 times more likely than white men to be incarcerated. (Bureau of Justice Statistics Special Report, 2003: 9).

Female rates, though significantly lower, reveal similar racial and ethnic disparities. Adult black females were nearly 2 ½ times more likely than adult Hispanic females and 5 ½ times more likely than adult white females to have ever served time in state or federal prison (Bureau of Justice Statistics Special Report, 2003: 5).

According to the (Bureau of Justice Statistics Special Report, 2003: 7-9) if the current trends continue, the prevalence of having been in prison will rise among the U.S. adult population as more birth cohorts experience the full impact of current level of first incarceration. Assuming that the current age-specific rates of first incarceration remain at 2001 levels, the number of adults having ever served time in prison is projected to rise to 7.7 million by 2010. A total of 3.4% of the adult population (1 in 29 person ages 18 or older) is expected to have served time in prison (Bureau of Justice Statistics Special Report, 2003).

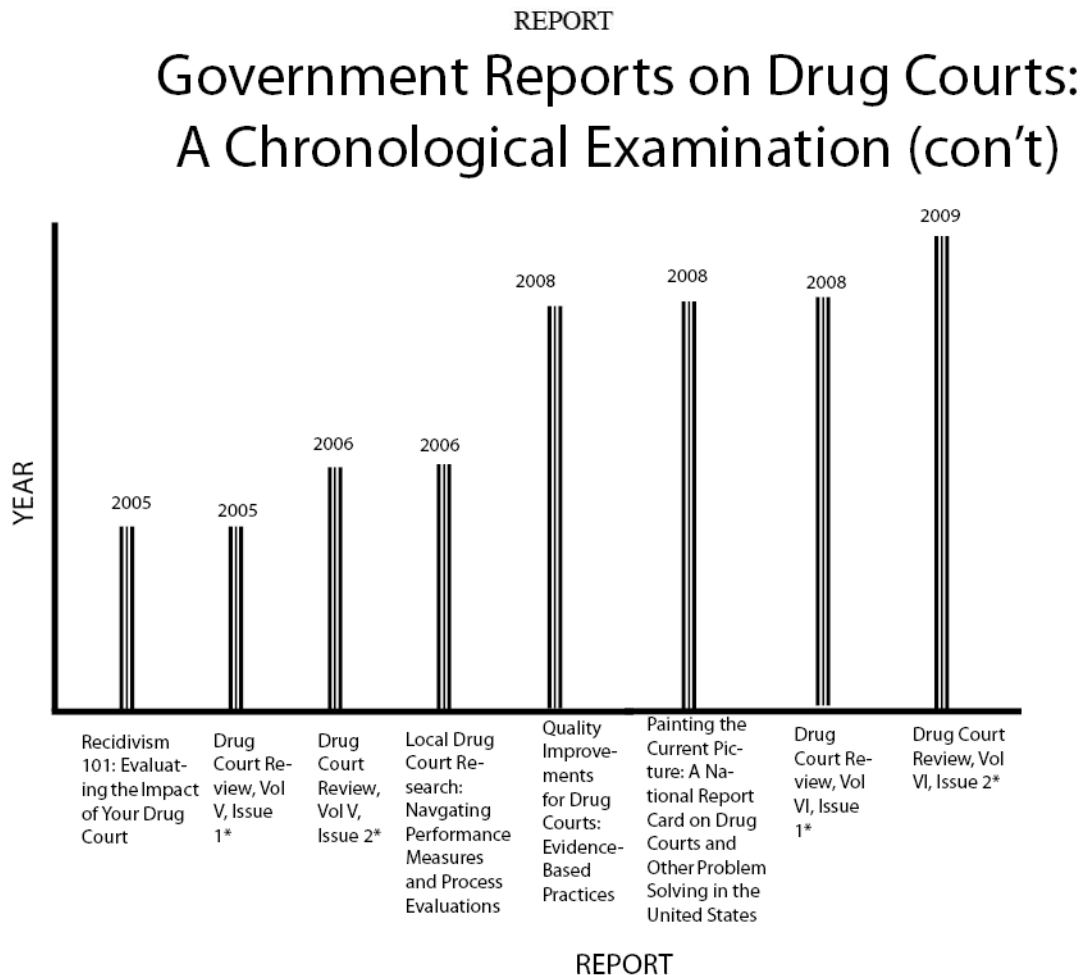
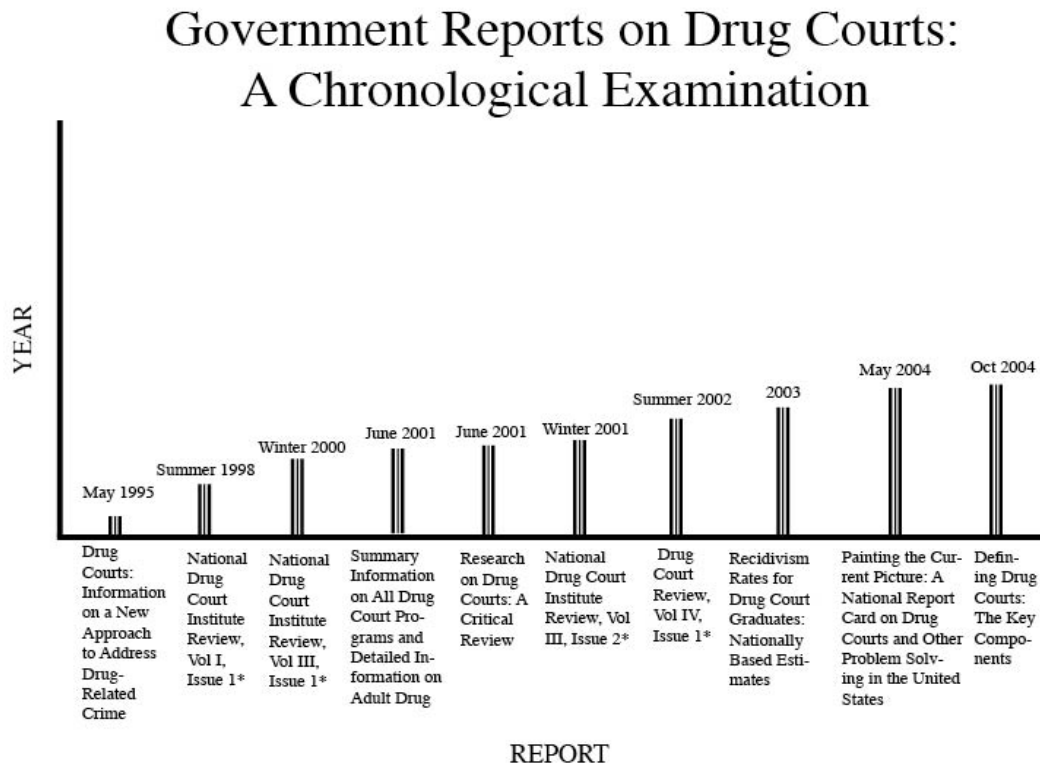
Considering the literature and data on incarceration, it is clear and convincing that there is a strong drug-crime relationship. Further, there is a disproportionate rate of minorities incarcerated. Problem solving courts such as drug courts were developed as an alternative to incarceration; however, the impact of minority status is less than favorable in regards to drug court outcomes in this study. There was little to no reference to treatment. There was no uniformity in data collection and reporting, among other shortcomings.

6. History of Drug Courts

Drug courts have become an important part of adult and juvenile corrections. Since the establishment of the first adult drug court in 1989, the therapeutic court model has developed, and can now be considered a significant component in American criminal justice. Drug courts are considered rehabilitative and therapeutic because of the emphasis on substance abuse treatment rather than incarceration. “The underlying assumption of the program is that drug use fuels or exacerbates other criminal activity and the offender has a clinically significant syndrome that could be expected to respond to treatment” (DeMatteo, Marlowe, &Festinger, 2006: 114).

The following two charts illustrate the literature on drug courts from a chronological perspective. The government reports reflect critical issues, which have also been referenced in this dissertation. The sources for Figure 2 are from government publications, specifically the National Association of Drug Court Professionals, National Drug Court Institute and the Department of Justice.

Figure 1: Government Reports



7. Drug Courts

The drug court model is a court supervised substance abuse treatment program that offers non violent offenders an opportunity to return to the community as productive members of society instead of being incarcerated in prison.

A drug court is made up of a team that includes a district court judge, district attorney, defense counsel, coordinator, substance abuse treatment provider, and law enforcement. The composition of the team may vary depending on the size of the court and jurisdictions.

In 2004, the total number of operational drug court programs in the United States reached 1,621 and the total number of problem-solving courts in general was 2,557 (Huddleston, Freeman-Wilson, & Marlowe, 2005). Drug courts have been credited with reducing recidivism, retaining clients in treatment, and improving outcomes for substance abusing offenders. As the result of research, it is becoming clear that drug courts are an effective alternative to traditional methods.

According to a publication by the Bureau of Justice Assistance in May of 2008 there were 1,174 operating adult drug courts in the United States. There were 455 juvenile drug courts, 301 family drug courts, 110 designated DWI courts, 24 reentry drug courts, 72 tribal drug courts, 6 campus drug courts, and 5 federal district drug courts. The report went on to add “in fact over 70,000 drug court clients are being served at any given time throughout the United States and its territories. In addition, more than 19,900 participants had graduated from a drug court in 2005” (NDCI, 2008:8). The report further stated that the number of clients being served and graduating drug courts nationally is expected to be substantially higher.

The drug court was available to adult individuals who are charged with nonviolent felony offenses. Participants in the program must have had a substance addiction diagnosis and must have committed a drug/alcohol motivated crime.

The drug court was not available to individuals who are charged with the following offenses: (1) a violent crime committed against a person; (2) a sexually motivated crime; (3) a felony controlled substance crime; and (4) a crime involving the use of a firearm or other dangerous weapon.

Individuals were disqualified from the program if they have a prior felony conviction for a violent offense committed against a person or a prior felony conviction for an offense involving the use of a firearm or other dangerous weapon.

8. Planning Process

The Department of justice has a set of procedures guidelines /requirements which must be met in order to establish a drug court. I have had the personal experience to participate in this process.

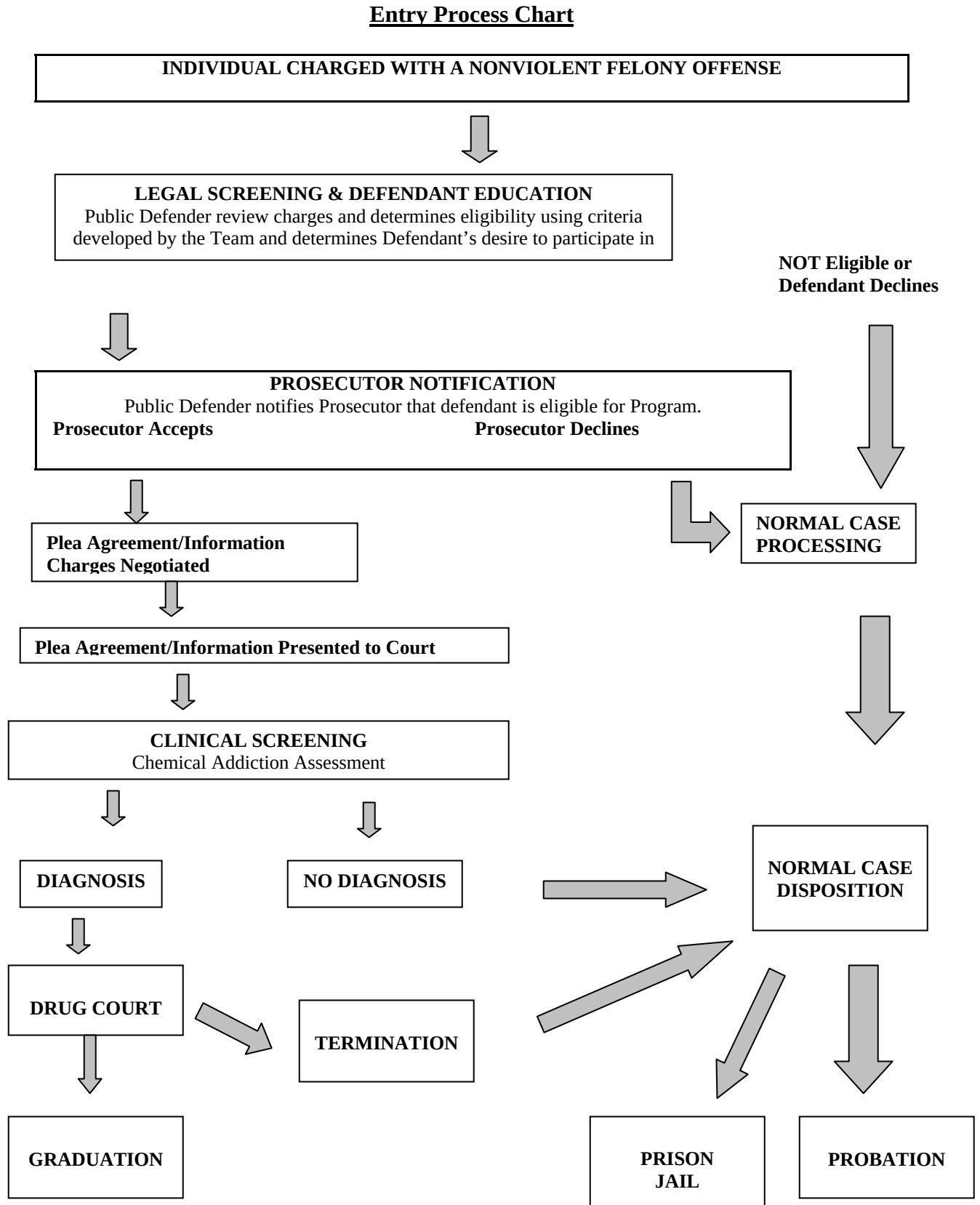
On October 15, 2002 I was appointed by Mercer County Commission of West Virginia to be the Grant Coordinator for the 9th Judicial Circuit Court which is governed by the West Virginia Supreme Court of Appeals. On November 1, 2004 I submitted a grant proposal to the US Department of Justice for FY 2005 Drug Court Planning Initiative Grant. On November 15, 2004 I was notified by the Department of Justice that our jurisdiction had been accepted to participate in the Bureau of Justice Assistance Adult Court Planning Initiative. The team which consisted of ten members was to participate in a training program that were in three phases. The first phase was designed for the judge and the coordinator of the drug court. This phase was called the Adult Introductory

Training Program. The program enhanced the awareness of the policies, procedures, components and critical issues. These were in regards to the team composition, team communication and team leadership. Issues to consider were key stakeholder, empowerment of treatment, blending of criminal justice systems, and judge as a leader.

The second phase of the training program was the Adult Skills-Based Training Program. I participated in this training program as the Drug Court Evaluator. During the training we developed a mission statement, goals and objectives, targeting and eligibility, we developed a court model, and discussed intake and entry.

Referrals to the drug court program may come from a variety of individuals including the arresting officer, jail officials, Prosecuting Attorneys, Probation Officers, Judges or Public Defenders. The process by which the Drug Court Program typically moves offenders from arrest to treatment is illustrated in the following Entry Process Chart (Saddler and Neal, 2005).

Figure 2: Entry Process Chart



The US Department of Justice of Bureau of Justice Assistance defines the ten key components of drug courts which they published. The ten key components provided by the Department of Justice is as follows (NADCP, 2004).

Key Component 1:

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

Purpose:

The mission of drug courts is to stop the abuse of alcohol and other drugs and related criminal activity. Drug courts promote recovery through a coordinated response to offenders dependent on alcohol and other drugs. Realization of these goals requires a team approach, including cooperation and collaboration of the judges, prosecutors, defense counsel, probation authorities, other corrections personnel, law enforcement, and pretrial services agencies.

Key Component 2:

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

Purpose:

To facilitate an individual's progress in treatment, the prosecutor and defense counsel must shed their traditional adversarial courtroom relationship and work together as a team. Once a defendant is accepted into the drug court program, the team's focus is on the participant's recovery and law-abiding behavior- not on the merits of the pending case.

Key Component 3:

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

Purpose:

Arrest can be a traumatic event in a person's life. It creates an immediate crisis and can force substance abusing behavior into the open, making denial difficult. The period immediately after an arrest, or after apprehension for a probation violation, provides a critical window of opportunity for intervening and introducing the value of Associate of Drug Court treatment. Judicial action, taken promptly after arrest, capitalizes on the crisis nature of the arrest and booking process.

Key Component 4:

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

Purpose:

The origins and patterns of Associate of Drug Court problems are Complex and unique to each individual. They are influenced by a variety of accumulated social and cultural experiences. If treatment for Associate of Drug Court is to be effective, it must also call on the resources of primary health and mental health care and make use of social and other support services.

Key Component 5:

Abstinence is monitored by frequent alcohol and other drug testing.

Purpose:

Frequent court-ordered Drug Court testing is essential. An accurate testing

program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress. Modern technology offers highly reliable testing to determine if an individual has recently used specific drugs. Further, it is commonly recognized that alcohol use frequently contributes to relapse among individuals whose primary drug of choice is not alcohol.

Key Component 6:

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

Purpose:

An established principle of Associate Of Drug Court treatment is that addiction is a chronic, relapsing condition. A pattern of decreasing frequency of use before sustained abstinence from alcohol and other drugs is common. Becoming sober or drug free is a learning experience, and each relapse to Associate of Drug Court use may teach something about the recovery process.

Key Component 7:

Ongoing judicial interaction with each drug court participant is essential

Purpose:

The judge is the leader of the drug court team, linking participants to Associate of Drug Court treatment and to the criminal justice system. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a participant will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to

participants- often for the first time- that someone in authority cares about them and is closely watching what they do.

Key Component 8:

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

Purpose:

Fundamental to the effective operation of drug courts are coordinated management, monitoring, and evaluation systems. The design and operation of an effective drug court program result from thorough initial planning, clearly defined program goals, and inherent flexibility to make modifications as necessary.

Key Component 9:

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

Purpose:

Periodic education and training ensures that the drug court's goals and objectives, as well as policies and procedures, are understood not only by the drug court leaders and senior managers, but also by those indirectly involved in the program. Education and training programs also help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice and Associate of Drug Court treatment personnel, and promote a spirit of commitment and collaboration.

Key Component 10:

Forging partnerships among drug courts, public agencies, and community-

based organizations generates local support and enhances drug court program effectiveness.

Purpose:

The Drug Court is considered to be a unique part of the criminal justice system.

They are designed to develop collaborations among other agencies and institutions such as private or community based agencies, criminal justice agencies, and drug treatment delivery systems (NADCP,2004).

9. Evaluations

Drug courts have, however, faced criticism specifically in the area of evaluation. Through the Bureau of Justice Assistance (BJA), the federal government allots millions of dollars to finance and evaluate drug court programs. However, there is little uniform data on actual drug court success nationwide. On four different occasions Congress has asked the Government Accountability Office (GAO) to review drug court evaluation and outcome research to determine the effectiveness of drug courts.

The (GAO 2005) found most of the adult drug court programs assessed in the evaluations GAO reviewed led to recidivism reductions during the periods of time that generally corresponded to the length of the drug courts program. GAO analysis of evaluations reporting these data for 23 programs showed the following:

- Lower percentages of drug court program participants than comparison group members were re-arrested or reconvicted.
- Program participants had fewer recidivism events than comparison group members.

- Recidivism reductions occurred for participants who had committed different types of offenses.
- There was inconclusive evidence that specific drug court components such as the behavior of the judge or the amount of treatment received, affected participants' recidivism while in the program.

Recidivism reductions also occurred for some period of time after participants completed the drug court program in most of the programs reporting these data” (GAO 2005: 1).

Further, Bouffard and Richardson (2007) acknowledged that drug courts can and do work. However, they went on to add that the evaluations have not paid close attention to specific issues regarding the impact on certain types of offenders. They went on to add that “In fact some existing research has identified that certain personal characteristics (e.g., age, gender, race, offense) may have been related to higher rates of failure in drug court treatment programs.” (Bouffard and Richardson, 2007: 275).

Locally in an evaluation of the Drug Treatment Court Program Twenty-Third Judicial Circuit of Virginia, one of the more significant associations with outcome was race. Over three fourths (76.9%) of the whites in the sample were graduates, while only 38% of the non-whites were graduates (Shoemaker, and McDonald, 2003).

In April, 2002, The United States General Accounting Office also identified some issues of concern in a report to Congress. They concluded that “(1) many drug court programs were not maintaining follow-up data on program participants criminal recidivism or drug relapse after they have left the program and (2) differences and limitations in the objectives, scope, and methodology of existing evaluation studies

among other things, did not permit firm conclusions to be made on the over all impact or effectiveness of drug court programs” (GAO, 2002:1).

Lutze and Wormer (2007) also examined the effectiveness of the drug courts. They reflected on the ineffective legal policies that were associated with the war on drugs. “ Drug courts appear to be a more balanced approach that relies on treatment while acknowledging the need to hold offenders accountable for their behavior during the process of change” (Lutze,Wormer, 2007 : 240).

According to Sung and Belinko (2005) recidivism is not an accidental event, occurring by chance. Past research has repeatedly identified a small collection of factors associated with re-offending in the general offender population (Sung and Belinko, 2005:78). The National Drug Court Institute (2006) reported that “Drug Courts reduce criminal recidivism by roughly 15 to 20 percentage points as compared to the traditional adjudication of drug related offenses” (NDCI, 2006: 4). Further, in a comprehensive review of the literature, David Wilson (2002) and colleagues advised that recidivism rates, were lower among drug court participants than among other similar defendants. They studied 42 sites. The recidivism rate was lower for drug court participants by an average of approximately 13 percentage points. Some programs yielded larger and some much smaller effects (Wilson, Mitchell, &MacKenzie, 2002).

However, a lot of the recidivism literature, especially the first studies completed in the 1990s, had serious methodological problems, according to (Belenko, 2001).Identifying an appropriate “comparison group” of defendants was a major problem according to Belenko.

The United States Government Accountability Office (2005) stated that there is

evidence that indicates that there are reductions in recidivism for drug court participants however, there were mixed results for other outcomes. The office addressed what factors predict program completion. From the evaluations examined they reported that the participants who were older and had little or no criminal history were more likely to complete the program.

In conclusion, I would like to stress that as a result of previous evaluations the effectiveness of drug courts require more examination, which demonstrates the need to explore rates of effectiveness, such as graduation, termination, and recidivism as well as reasons for effectiveness.

Chapter 3

Methodology

A. Objectives

The purpose of this dissertation is to systematically analyze drug court evaluations. A major goal is to demonstrate the need for uniformity in regards to assessing the impacts on outcomes. Drug court evaluations are analyzed with specific references to the factors that contribute to graduation, termination, and post-program recidivism rates. Further, the unit of analysis is the evaluation report. I attempted to explain specific issues, such as how well drug courts work for different types of offenders.

More generally the goal of this study is to become familiar with the drug court evaluation process. The purpose is to explore the methodological and experimental designs used as well as the issues and the concerns with these different designs. Another goal of the study is to generate recommendations for future drug court evaluations.

B. Dependent Variables/ Outcomes

The literature review on drug court outcomes identified program success of individual participants' graduation, termination, and post-program recidivism. Each of these variables will be defined in the next section of this chapter.

1. Graduation

The drug court programs vary in length of process. Graduation will be defined as simply graduating from the program.

2. In-Program Termination

Program termination occurs when a person is terminated from the program because he or she (1) is arrested, (2) is convicted of a new crime, (3) violates a condition of the drug court, (4) has been terminated from a treatment program, consequently leading to termination from the drug court, (5) has absconded from drug court supervision, (6) voluntarily withdrew, (7) or dies.

3. Post-Program Recidivism

Post-program recidivism is when a person is arrested or convicted for a new crime, after completing a drug court program. It is one of the major indicators on drug court success. Post program recidivism measures range from 1-3 years after drug court completion. In addition recidivism is examined relative to felony versus non felony and misdemeanor versus non misdemeanor convictions. The following categories were examined re-arrest, felony vs. non-felony conviction, and misdemeanor vs. non-misdemeanor conviction.

Independent Variables/Predictors

From the literature reviews, recommendations and publications provided by the Department of Justice, these variables were identified as having an impact on drug court outcomes. The National Drug Institute provided a publication titled *Local Drug Court Research: Navigating Performance Measures and Process Evaluations* (Heck, 2006). The publication identified guidelines for the data collection for drug courts. All of the independent variables used in this research were referenced in the guidelines. The variables attempt to explore some of the factors that might explain a relationship between graduation rates, recidivism rates, post-program recidivism rates for certain individuals.

1. Minority Status

Minority: If one is classified as non-white.

Non-Minority: If one is classified as white.

2. Gender

Male: If one is classified as male.

Female: If one is classified as female.

3. Criminal History

The following categories refer to criminal history related to outcomes prior to drug court.

No Felony Conviction: One who is classified as having no felony conviction.

Felony Conviction: One who is classified as having a felony conviction.

Misdemeanor Conviction: One who is classified as having a misdemeanor conviction.

No Misdemeanor Conviction: One who is classified as having no misdemeanor conviction.

Re-arrest: One who is classified as having been re-arrested in one but not limited to all tables.

4. Employment Status

Full-Time: If one is gainfully employed full-time at any time during participation in the drug court.

Part-Time: If one is gainfully employed part-time at any time during participation in the drug court.

Unemployed: If the drug court participant is classified as unemployed

Welfare: One who has been classified as a recipient of welfare.

5. Education

Less than HS Diploma: If one has not received a high school diploma.

Diploma or Equivalent: If one has received a high school diploma or GED.

More than 12: If one has received more than 12 years of education.

College Degree: If one has received a college degree.

6. Marital Status

Married: If one is legally married.

Single: If one is single.

Divorced: If one is divorced.

Separated: If one is separated.

7. Family Composition

Children in Household: Children who are physically living in the household during participation in the drug court.

8. Age

Average Age: Total participant average.

Under 45: Participants under the age 45.

45+ : Participants age 45 or older.

9. Drug of Choice

It is to be noted that the drug of choice is in regards to acknowledgment that drug use occurred before drug court, in addition to relapse, treatment and

outcomes.

Cocaine/Crack: Those who identify cocaine/crack as their drug of choice and test positive for the substance on a drug test.

Heroin: Those who identify heroine as their drug of choice and test positive for the substance on a drug test.

Crystal Meth: Those who identify crystal meth as their drug of choice and test positive for the substance on a drug test.

Marijuana: Those who identify marijuana as their drug of choice and test positive for the substance on a drug test.

Alcohol: Those who identify alcohol as their drug of choice and test positive for the substance on a drug test.

Other: Those who identify with a drug not referenced above.

Cocaine: Drug court participants classified as using, abusing, or treatment for cocaine.

Crack: Drug court participants classified as using, abusing, or treatment for crack.

10. Time of Termination

Phase 1: If an evaluation discloses a Phase 1 of treatment.

Phase 2: If an evaluation discloses a Phase 2 of treatment.

Phase 3: If an evaluation discloses a Phase 3 of treatment.

Phase 4: If an evaluation discloses a Phase 4 of treatment.

0-2 months: The evaluation documents that the length of stay prior to termination of treatment was 0-2 months.

3-6 months: The evaluation documents that the length of stay prior to termination of treatment was 3-6 months.

7-12 months: The evaluation documents that the length of stay prior to termination of treatment was 7-17 months.

13+ months: The evaluation documents that the length of stay prior to termination of treatment was 13+ months.

11. Other measures

Positive urine test: The evaluation discloses the number of positive urine tests while in drug court.

D. Explanation of Data Collection

I used data from the Department of Justice, specifically the Bureau of Justice Statistics, the National Drug Court Institute, the National Association of Drug Court Professionals, the Office of National Drug Control Policy, and the Government Accountability Office. Further, the study used evaluations and literature from academic journals such as the Criminal Justice Policy Review, Law and Policy, and Criminal Law Bulletin. Also, evaluations from research institutions on adult drug courts such as the National Center on Addiction and Substance abuse were used. Using the methodological criteria for inclusion in this study, 40 evaluations were selected for analysis.

There were 20 evaluations collected between 1993 and 2000. There were 20 evaluations from that time period that had been published and accessible. The remaining 20 evaluations were published from 2001 to 2009. The first 20 evaluations that had been published and accessible were used for the second time period.

The criteria that I used to include an evaluation in this dissertation consisted of the following. 1. It must be a quantitative analysis of data collected on program participants. 2. It must examine at least one of the outcome variables expressed below. I examined all evaluations within the limitations and scope of this dissertation. 3. It must have been a published evaluation. I used a purposive sampling technique. Purposive sampling is a non probability sampling method in which elements are selected for a purpose, usually because of their unique position. In this dissertation availability was an issue. I collected and filed the first 20 evaluations which I could access. I coded the evaluations by identifying the contents as related to my variables and then add them to the respected category on a table. I then analyzed the data by adding the occurrences and document the findings in the table. For each evaluation I coded the population studied including place and time, experimental randomized design or other design.

There were also a variety of critical reviews on drug courts. For example, in 2001 Dr. Steven Belenko completed a critical review of 37 published and unpublished evaluations of drug courts produced between 1999 and 2001 (Belenko, 2001). Further, the National Criminal Justice Reference Service has annual reports on adult drug courts. There were also Department of Justice reports on the drug court outcomes. I also made contact with the Department of Justice regarding adult drug court evaluations and they have provided links to access drug court evaluations. The publications on drug court evaluations have been used in this analysis.

According to a recent publication in the National Drug Court Institute in the Drug Court Review (2008) “ Drug Courts differ substantially from one jurisdiction to the next, which makes comparisons between evaluation that use different designs and data

collection tools problematic”(NDCI, 2008: 37). This lack of uniformity had an impact on the present study. For example, there were little to no data available on the impact on treatment. Further, there was no uniformity in the evaluations which made the analysis challenging.

In summary, this study analyzed 40 evaluations, 20 in each of two time periods, 1993-2000 and 2001-2009. Within the 40 evaluations there were 142 jurisdictions/courts and 27, 252 drug court participants. More detailed characteristics of these evaluations are provided in Appendices A and B.

Chapter 4

Findings

It is to be noted that graduation rates were not consistent in regards to reporting. Some rates were calculated from active participants and others at the conclusion of the program. Several of the evaluations used a moving model which reflected all active and terminated drug court participants while other evaluations used closed case numbers to generate more accurate comparisons. Consequently two different graduation rates could have been reported however due to the scope of this study all rates reported were analyzed as one.

The outcome measure of termination was also inconsistent in regards to reporting. Some rates were calculated from closed cases and some used a moving model that included participants who had absconded, died, or incarcerated for other charges.

The recidivism rates for drug court graduates, based on national estimates, were 16.5% for the first year and 27.5% for the second year. The evaluations varied in regards to recording post-program recidivism. Considering that there were two different nationally based estimates for recidivism, the average of the two were taken which is 22%.

A. Overview of Tables

Fourteen tables in this chapter systematically and critically analyze the drug court evaluations. The first 10 evaluations that I located and met my criteria were selected for that particular table. Considering the limited number of published and accessible evaluations, there was no random assignment. The tables are divided by time periods. There are 10 evaluations on each table. Table 3 discloses the number of evaluations that

reported on the three different outcomes: graduation, termination, and post- program recidivism. The analysis includes all 40 evaluations. In addition, the numbers were calculated with missing data, consequently giving the appearance of not having an equal number of evaluations reporting. Tables 4 and 4 (continued) examine the impact of individual characteristics on *graduation* from drug court evaluations that were produced from 1993 - 2000. Tables 7 and 7 (continued) examine the impact of individual characteristics on *graduation* from drug court evaluations that were produced from 2001 - 2009. Each table identifies the specific jurisdiction, the number of participants and the overall graduation rate. The predictors/impacts are listed on the vertical axis. Two columns represent each jurisdiction; one identifies a number of participants for each respective category, and the other identifies an average percentage of the outcome measure.

Tables 5 and 5 (continued) examine the impact of individual characteristics on in-program *termination* from drug court for evaluations that were produced from 1993 - 2000. Tables 8 and 8 (continued) examined the impact of individual characteristics on *termination* from drug court for evaluations that were produced from 2001 - 2009.

Tables 6 and 6 (continued) examine the impact of individual characteristics on *post-program recidivism* from drug court for evaluations that were produced from 1993 - 2000. Tables 9 and 9 (continued) examine the impact of individual characteristics on *post-program recidivism* from drug court for evaluations that were produced from 2001 - 2009.

Table 10 contains a summary of impacts on graduation outcomes from 1993-2000 in comparison to impacts on graduation outcomes from 2001-2009.

Table 11 contains a summary of impacts on termination from 1993-2000 in comparison to the impacts on termination from 2001-2009.

Table 12 contains a summary of the impacts on post-program recidivism from 1993-2000 in comparison to the impacts on post-program recidivism from 2001-2009.

Table 13 gives a significant test for population proportion of two groups. The two-proportion Z-test, unspooled was used to generate these data and is shown in the following equation:

$$z = \frac{(\hat{p}_1 - \hat{p}_2)}{\sqrt{\frac{\hat{p}_1(1-\hat{p}_1)}{n_1} + \frac{\hat{p}_2(1-\hat{p}_2)}{n_2}}}$$

where p_1 is average1, p_2 is average2, n_1 and n_2 is the total population. If $-1.96 < Z < 1.96$ the outcome was deemed insignificant, at the 0.05 level of confidence. However if $Z < -1.96$ or $Z > 1.96$ the outcome was deemed significant.

Table 14 provides a significant test for population proportion of two time periods in regard to outcomes and impacts. The two-proportion Z-test, unspooled was also used. (did not repeat Z formula)

B. Explanation of Data Analysis

The method of analysis used has no specific or formal terminology. A step-by-step process to analyze literature based on logic and practice. A source of previously collected information, available in the form of government reports or previously conducted drug court evaluations was located. Further, a methodical step-by-step process to reorganize and combine the information to explore features of large amounts of material related to drug court evaluations was used.

The data were entered on an Excel spreadsheet with the outcome measure represented on the horizontal axis and impacts on the vertical axis. The tables list the number of participants in each drug court. In addition percentages related to graduation, in-program recidivism/retention, relapse/treatment, and post-program recidivism are also listed. The total number participants and the weighted average of the outcomes are given at the end of the tables. Further, the range provided variability of the size of the drug courts. Formulas and equations were entered on the spreadsheet to ensure accuracy of the data analysis. The following formulas compensated for missing data by leaving out specific cells when the evaluation did not report data:

Sum = Total Number in cell

Average = The average of the cells

Max = The largest number reported

Min = The smallest number reported

Range = Max - Min

The averages that were reported for the 10 evaluations documented in each table cannot be compared to the overall average because they are a part of a smaller subset. The number of impacts regarding the outcomes that were reported in all 40 evaluations are disclosed in Table 3.

C. Tables

Summary of Table 3: Summary of Impacts Reported

The data in Table 3 examine the number of impacts that were reported in all 40 evaluations. The impacts were examined regarding the three outcomes: graduation, termination and post- program recidivism. A total of 33 evaluations discussed *graduation* rates. Several reports acknowledged that, due to the recent development of the drug court, data information did not adequately reflect on graduation rates. This was more likely in the 20 evaluations that were analyzed in the first time period, from 1993-2000.

Criminal history was discussed 33 times in regards to graduation, and 31 evaluations examined drug of choice in regards to graduation. The least likely reported impact was age, which had no evaluations reported, and family composition had only one evaluation.

The *termination* rate was discussed in 19 evaluations, and 16 evaluations looked at criminal history and termination. Further, 10 evaluations examined the length of time in the program prior to termination. No reports disclosed the age at the time of termination.

In regards to post- program recidivism, all 40 evaluations disclosed conviction rates for post -program recidivism. This category consisted of graduates, non-graduates, drug court participants, and non-drug court participants. Post-program recidivism rates were discussed in 14 evaluations and 11 evaluations looked at post-program recidivism and criminal history. Age was the least reported.

Table 3: Summary of Impacts Reported					
Summary of Impacts Reported					
GRADUATION		TERMINATION		POST PROGRAM RECIDIVISM	
Measurable Impacts	# of Evaluations Reporting	Measurable Impacts	# of Evaluations Reporting	Measurable Impacts	# of Evaluations Reporting
<i>Graduation</i>	33	<i>Termination</i>	19	<i>Post Program Recidivism</i>	40
<i>Race/Ethnicity</i>	12	<i>Race/Ethnicity</i>	7	<i>Rearrest/Conviction Rates</i>	40
<i>Gender</i>	11	<i>Gender</i>	6	<i>Race/Ethnicity</i>	0
<i>Criminal History</i>	33	<i>Criminal History</i>	16	<i>Gender</i>	1
<i>Employment</i>	22	<i>Employment</i>	12	<i>Criminal History</i>	11
<i>Education</i>	15	<i>Education</i>	12	<i>Employment</i>	2
<i>Family Factors</i>	19	<i>Family Factors</i>	13	<i>Education</i>	4
<i>Family Composition</i>	1	<i>Family Composition</i>	0	<i>Family Factors</i>	0
<i>Age</i>	0	<i>Age</i>	0	<i>Family Composition</i>	0
<i>Drug of Choice</i>	31	<i>Drug of Choice</i>	14	<i>Age</i>	0
<i>Treatment</i>	7	<i>Treatment</i>	11	<i>Drug of Choice</i>	0
		<i>Time of Termination</i>	10	<i>Treatment</i>	1
		<i>Other Measures</i>	15	<i>Other Measures</i>	5

Summary of Table 4: Graduation Time Period 1993-2000 Evaluations

The information in Table 4 shows 3,779 drug court participants. The graduation rate for the 10 evaluations is 46.3 percent, which is near the national graduation rate of 47 percent during their time (Belenko, 2001). Two evaluations did not disclose the graduation rate and one did not indicate the number of drug court participants, and another evaluation did not disclose the graduation rate. The undisclosed graduation rates were not included in the overall average. Five evaluations did not report any impacts on graduation, and five evaluations reported on five or more impacts on outcomes. Hamilton Ohio had the highest graduation rate of 92 percent and Fayette County Kentucky had 15 percent which was the lowest graduation rate reported. Minorities had a 37.3 percent graduation rate compared to a 58.7 percent graduation rate for non-minorities. In regards to employment, those employed full time had a 55.6 percent graduation rate, compared to a graduation rate of 30 percent for those unemployed. Participants with less than a high school diploma had a graduation rate of 45.9 percent. Those with a diploma or equivalent had a 63.5 percent graduation rate.

Table 4: Graduation Time Period 1993-2000 Evaluations

	Date County		Fayette County		Orange County		2nd of VA		Phase II Douglas County		Texas		Ohio		Hamilton OH		Oklahoma		Kentucky		Total ***	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Min	Max
Participant Graduation Rate	245	60%	176	15.00%	473	n/a**	209	59.8%	n/a*	n/a*	292	25%	339	44%	226	92%	1,074	30%	745	44.00%	888	176
Race/Ethnicity																						
Minority			27	23%			35	38%									236	22%	469	63.00%	442	27
Non-Minority			36	40%			90	76.90%									838	78%	272	36.50%	802	36
Gender																						
Male			51	56%													687	64%	520	69.80%	636	51
Female			40	44%													387	36%	223	29.90%	347	40
Criminal History																						
Prison			75	82%															79	10.60%	4	75
Felony conviction			53	58%			71	61.20%									402	54.00%	349	53	402	
Misdemeanor conviction			19	21%													499	67.00%	489	19	499	
One conviction							35	71.40%									146	19.60%	111	35	146	
No Prior																					0	56
Previous Convictions	151	58%																			0	151
No misdemeanor	56	82%					42	82.40%													14	42
No felony	152	91%					24	58.50%													128	24
1 Misdemeanor Conviction	36	78%																			0	36
2+ Misdemeanor Conviction	86	58%					43	43%													43	86
1 Felony Conviction	55	21%																			0	55
2+ Felony Conviction	99	38%					44	56.80%													55	44
Employment																						
Full-time			26	29%															551	74.00%	525	26
Part-time			27	30%															180	24.00%	0	27
Welfare																					0	180
Regular							67	72.80%									752	70%	685	67	752	
Irregular							50	48.50%											87	11.70%	37	50
Not employed																	322	30%	11,00%	0	322	322
Education																						
Less than HS Diploma							34	45.90%													0	34
Diploma or Equivalent							48	64%									677	63%	629	48	677	
More than 12							29	67.40%									64	6%	35	29	64	
Family Factors																						
Married			19	21%			31	68.90%									322	30%	97	13.00%	303	19
Single			20	22%			62	54.40%											402	54.00%	382	20
Divorced							25	73.50%													0	25
Separated			30	33%			134	64.30%													104	30
Family Composition																						
Age																						
Drug of Choice																						
Cocaine							75	53.60%											333	46.00%	278	75
Heroin							70	33.30%													0	70
Marijuana							17	89.5%									146	15.00%	129	17	146	
Chemically Dependent							202	98.00%													0	202
Treatment																						
In-Treatment							115	55%													0	115
AA							131	62.70%													0	131
Previous Treatment			20	21%																	0	20
Other Measures																						

**= evaluation did not disclose the number of participants nor graduation rate

***= overall average will be included with another 10 evaluations in table 10

NOTE: The undisclosed graduation rates were not included in the overall average

Summary of Table 4 continued: Graduation Time Period 1993-2000 Evaluations

The number of drug court participants in Table 4 continued is 5,191. The graduation rate for the 10 evaluations is 39.8 percent, which is below the national graduation rate of 47 percent for that time (Belenko 2001). One evaluation did not disclose the graduation rate. According to the Denver, CO evaluation, ethnicity is the strongest predictor of drug court failure, and is also predicted in pre-drug court failure regarding probation. The evaluation controlled for drug charge, criminal history, employment at arrest, and residential stability, and black offenders were 4.62 times more likely to fail the program. The Santa Fe evaluation reviewed program operations, treatment services, and recommendations, with no impact on outcomes. One evaluation, the Ohio Drug Court research study, produced an outcome evaluation model and data collection process that determined the effectiveness of the drug courts operating in Ohio. This evaluation disclosed that most drug courts have not been in operation long enough to establish a stable graduation rate and termination rate as outcome measures. One evaluation's totals and averages did not reflect those participants still active, absconded, or deceased. **The overall graduation rate (46.3 percent) is included with another 10 evaluations in Table 10.** The undisclosed graduation rates were not included in the overall average. Seven evaluations did not report any impacts on outcomes. Three evaluations reported on five or more impacts on outcomes. The highest graduation rate is 50.4 percent and 28 percent is the lowest graduation rate reported. Minorities had a 12.5 percent graduation rate compared to a 54.6 percent for non-minorities. In regards to employment, full time employees had a 38.8 percent graduation rate compared to a graduation rate of 4.9 percent for the unemployed.

Table 4 (continued): Graduation Time Period 1993-2000 Evaluations

[illegible]

Summary of Table 5: Termination Time Period 1993-2000 Evaluations

Data in Table 5 show 3,779 drug court participants. The termination rate for the 10 evaluations is 51.8 percent. Two evaluations did not disclose the termination rate and one did not report the number of drug court participants. The overall termination rate is 51.8 percent and is included with another 10 evaluations in Table 10. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. The undisclosed termination rates were not included in the overall average. Four evaluations did not report any impacts on outcomes, and six evaluations reported on five or more impacts on outcomes. The highest termination rate is 85 percent and 8 percent is the lowest termination rate reported. Minorities had a 65.7 percent termination rate, compared to a 29.3 percent termination rate for non-minorities. In regards to employment, those working full time had a 45.3 percent termination rate, compared to a termination rate of 33.5 percent for those unemployed. Participants who had less than a high school diploma had a termination rate of 52.1 percent. Those with a diploma or equivalent had a 42 percent termination rate.

Table 5: Termination Time Period 1993-2000 Evaluations														
	Dade County	Fayette County	Orange County	Orange County	23rd of VA	Phase II Douglas County	Texas	Ohio	Hamilton OH	Oklahoma	Kentucky	Total***		
	Number	%	Number	%	Number	Number	%	Number	%	Number	%	Range	Min	Max
Participants/Terminated	245	40%	176	85%	473	n/a**	209	40%	n/a*	n/a*	292	60%	339	56%
Race/Ethnicity														
Minority														
Non-Minority														
Gender														
Male														
Female														
Criminal History														
Prison														
On parole														
No Felony Conviction	15	9%												
Felony Conviction														
Rearrest														
No Prior	12	18%												
1 Misd	10	22%												
2+ Misd	61	42%												
1 Felony	45	79%												
2+ felony Convictions	23	62%												

Employment														
Full-time														
Welfare														
Not Employed														
Employed														
Irregular employment														
Regular employment														

Education														
Less than HS Diploma														
Diploma or Equivalent														
more than 12														
College Degree														
Family Factors														
Married														
Single														
Divorced														
Separated														
Family Composition														

Age														

Drug of Choice														
Cocaine/Crack														
Heroin														
Marijuana														

Treatment														
Retention														
Inpatient Treatment														

Time of Termination														
Phase 1														
Phase 2														
Phase 3														
Phase 4														
0-2 Months														
3-6 Months														
7-12 Months														
13+ Months														

Other Measures														
Positive Urine Test														
Abandoned														
Non-compliance treatment														

== evaluation did not disclose the number of participants not rate

**= evaluation did not disclose rate.

***= overall average will be included with another 10 evaluations in table 10

****= Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

OOTE: The undisclosed graduation rates were not included in the overall average

**= evaluation did not disclose the number of participants nor rate

***= evaluation did not disclose rate.

***= overall average will be included with another 10 evaluations in table 10

***Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

NOTE: The undisclosed graduation rates were not included in the overall average

Summary of Table 5 continued: Termination Time Period 1993-2000 Evaluations

Data in Table 5 continued show 5,191 drug court participants. The termination rate for the 10 evaluations is 22.3 percent. One evaluation did not disclose the termination rate or the number of drug court participants, and another five evaluations did not disclose the termination rate. The overall termination rate is 22.3 percent and is included with another 10 evaluations in Table 10. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. The undisclosed termination rates were not included in the overall average. Five evaluations did not report any impacts on outcomes, and five evaluations reported on five or more impacts on outcomes. The highest termination rate is 32 percent, and 9 percent is the lowest termination rate reported. In regards to employment, those working full time had a 13.6 percent termination rate, compared to a termination rate of 23.3 percent for those unemployed.

Table 5 (continued) : Termination Time Period 1993-2000 Evaluations																									
	Denver		Sante Fe, NM		Multnomah County, OR		Ohio		Washington DC		Philadelphia		Missouri		Baltimore		Pensacola Florida		Jackson County, MO		Total****				
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Range	Min	Max		
Participants/Termination rate	519	N/A	23	N/A	844	N/A	1318	N/A	N/A	N/A	383	9%	771	N/A	157	N/A	483	26%	693	32%	1,295	23	1,318		
Race/Ethnicity																									
Gender																									
Male													249	32.30%							0	249	249		
Female													90	11.70%							0	90	90		
Criminal History																									
Rearest	61	11.80%																			0	61	61		

Employment																									
Full-time													105	13.60%							0	105	105		
Part-time													37	4.80%							0	37	37		
Not Employed													180	23.30%							0	180	180		

Education																									

Family Factors																									
Married													34	4.40%							0	34	34		
Single													297	38.50%							0	297	297		

Family Composition																									

Age																									

Drug of Choice																									
Cocaine/Crack	362	69.75%																			0	362	362		
Heroin	64	12.33%																			0	64	64		
Marijuana	30	5.78%																			0	30	30		
Other	34	6.55%																			0	34	34		

Treatment																									
Previous Treatment													207	26.80%							624	90.00%	417	207	624
Dual Diagnosis													59	7.70%								0	59	59	

Time of Termination																									
Chemically Dependent	420	81%																			0	420	420		
Phase 2													345	90%							0	345	345		
Phase 3													N/A												

Other Measures																									
Positive Drug Test													238	30.80%								237	1	238	

* = evaluation did not disclose the number of participants nor rate																									
** = evaluation did not disclose rate.																									
*** = overall average will be included with another 10 evaluations in table 10																									
**** = Several impacts were deleted as a result of non-reporting to generate an aesthetically pleasing table																									
NOTE: The undisclosed graduation rates were not included in the overall average																									

Summary of Table 6: Post Program Recidivism Time Period 1993-2000 Evaluations

Figures in Table 6 show 3,779 drug court participants. The post-program recidivism rate for the 10 evaluations is 23.6 percent. Based on 1-3 year follow ups according to Roman and Townsend (2003), the recidivism rates for drug court graduates, based on national estimates, were 16.5 percent for the first year and 27.5 percent for the second year. Consequently, the average of 23.6 percent is above the national average for one year and below the average for the second year. One evaluation did not disclose the recidivism rate or the number of drug court participants, and another five evaluations did not disclose the recidivism rate. The overall recidivism rate is 23.6 percent and is included with another 10 evaluations in Table 10. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. The undisclosed recidivism rates were not included in the overall average. Five evaluations that did not report any impacts on outcomes and five evaluations reported on five or more impacts on outcomes. The highest post-program recidivism rate is 35 percent and 14 percent is the lowest post-program recidivism rate reported.

Table 6: Post-Program Recidivism Time Period 1993-2000 Evaluations

[illegible]

**Summary of Table 6 continued: Post-Program Recidivism Time Period 1993-2000
Evaluations**

Data in Table 6 continued show 5,191 drug court participants. The post-program recidivism rate for the 10 evaluations is 39.8 percent. In this table, the first-year and second-year percentages are above the national average. One evaluation did not disclose the recidivism rate or the number of drug court participants, and another three evaluations did not disclose the recidivism rate. The undisclosed recidivism rates were not included in the overall average. The overall recidivism rate is 23.6 percent and is included with another 10 evaluations in Table 10. The Jackson County, Missouri evaluation used random assignment, and the impacts were disclosed using multi-variant analysis where a significant amount of data did not fall in the parameters. The same evaluations disclosed that blacks have a higher eventual rate of recidivism compared to whites. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. Four evaluations did not report any impacts on outcomes, and six evaluations reported on five or more impacts on outcomes. The highest post-program recidivism rate is 50.4 percent and 28 percent is the lowest post-program recidivism rate reported.

Table 6 (continued): Post-Program Recidivism Time Period 1993-2000 Evaluations

[illegible]

Summary of Table 7: Graduation Time Period 2001-2009 Evaluations

Figures in Table 7 show 4,423 drug court participants. The graduation rate for the 10 evaluations is 42.8 percent, which is below the national graduation rate of 47 percent for the 1990s. (Belenko 2001). The Douglas County, NB evaluation reported findings in levels of significance. The only significant indicators were gender and employment. The non-significant indicators were criminal history, education, and drug of choice. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. All ten evaluations reported on five or more impacts on outcomes. The highest graduation rate is 70 percent, and 24.2 percent is the lowest graduation rate reported. Minorities had a 30.8 percent graduation rate, compared to a 67.9 percent graduation rate for non-minorities. In regards to employment, those working full time had a 59.9 percent graduation rate, compared to a graduation rate of 19.4 percent for those unemployed. Participants with less than a high school diploma had a graduation rate of 61.1 percent. Interestingly, those with a high school diploma or equivalent had a 57 percent graduation rate.

Table 7: Graduation Time Period 2001-2009 Evaluations

Table 7: Graduation Time Period 2001-2009 Evaluations																					
	23rd of VA 2001	Akron	Lancaster	Rappahannock	Douglas County, NB*	Alaska	North Carolina	Staten Island	Oklahoma	Maine	Range	Total***									
	Number	%	Number	%	Number	%	Number	%	Number	%	min	max									
Participants/Graduation #	261	68.20%	334	N/A	165	24.20%	83	43%	255	34.90%	258	33%	876	43%	180	70%	1,666	1,583	83	1,666	
Race/Ethnicity																					
Minority	55	55%			47.85	29%													94	48	144
Non-Minority	123	76.6%			99	60%													1,019	99	1,118
Gender																					
Male	108	66%			89.1	54%	30	36.40%		5									1,191	30	1,191
Female	70	71%			90.75	55%	43	51.30%											465	422	465
Criminal History																					
Prison			75	82%															41	34	75
Felony conviction			53	58%			71	61.20%		NS									140	102	38
Misd conviction			19	21%															162	143	19
one conviction							35	71.40%											68	33	35
Previous convictions	151	58%																	0	151	151
Rearrest																			103	0	103
No misd	56	82%					42	82.40%											14	42	56
No felony	152	91%					24	58.50%											128	24	152
1 Misd Conviction	36	78%																	36	0	36
2+ Misd Conviction	86	58%					43	43%											43	43	86
1 F Conviction	12	21%																	12	0	12
2+ F Conviction	14	38%					44	56.80%											30	14	44
Employment																					
Full-time																			121	67%	998
Part-time																			38	21%	
Welfare																					
Regular	117	76.50%																			
Irregular	61	56.50%																			
Not employed																			1666	19.40%	
Education																					
Less than HS Diploma	66	61.10%																			
Diploma or Equivalent	69	75%																	650	39.00%	
more than 12	43	71.10%																	455	27.30%	
Family Factors																					
Married	42	75%																	575	34.50%	
Single	88	65.70%																			
Family Composition																					
Age																			821	49.30%	
Drug of Choice																					
Cocaine	19	79.20%					6	7.10%													
Crack	53	54.60%																			
Heroin	5	62.50%					21	25.30%													
Marijuana	69	73%					32	38.60%													
Alcohol							21	25.30%													
Multiple Drug Use							47	56.60%													
Treatment																					
In-treatment																					
Out-treatment																					
Dual Diagnosis																					
Other Measures																					
** = reported findings in levels of significance. The evaluation used logistic regression strategies. S means significant and NS means not significant																					
*** = several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table																					
*** = overall average will be included with another 10 evaluations in table 10																					

* = reported findings in levels of significance. The evaluation used logistic regression strategies. S means significant and NS means not significant

** = Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

*** = overall average will be included with another 10 evaluations in table 10

Summary of Table 7 continued: Graduation Time Period 2001-2009 Evaluations

Data in Table 7 continued show 13,859 drug court participants. The graduation rate for the 10 evaluations is 41.6 percent, which is below the national graduation rate of 47 percent for the 1990s (Belenko 2001). One evaluation reflected 88 drug courts in the state of Florida. The Vanderburgh, Indiana evaluation reported whites were 70 percent more likely to graduate than non-whites. The Washington State evaluation reported low recidivism rates; however this study did not provide specific numbers. The undisclosed graduation rates are not included in the overall average. Four evaluations did not report any impacts on outcomes, and six evaluations reported on five or more impacts on outcomes. The highest graduation rate is 52 percent and 31 percent is the lowest graduation rate reported. Minorities had a 25.7 percent graduation rate, compared to a 41.8 percent graduation rate for non-minorities. In regards to employment, those working full time had a 52.4 percent graduation rate, compared to a graduation rate of 46.8 percent for the unemployed. Participants with less than a high school diploma had a graduation rate of 36.8 percent. Those with a high school diploma or equivalent had a 41 percent graduation rate.

Table 7 (continued) Graduation Time Period 2001-2009 Evaluations

		Ohio		Florida*		New York		Pima County, AZ		Vanderburgh, Indiana		Polk County, Iowa		Washington State**		North Carolina		Maine		California		Total****		
		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Range	Min	Max
Participants / Graduation Rate		788	31%	10000	N/A	1366	36%	349	N/A	153	45%	124	48%	N/A	N/A	594	33%	345	50%	N/A		10,076	124	10,200
Race/Ethnicity																								
Minority										52	34%	22	17.40%									30	22	52
Non-Minority										90	59%**	61	49.50%									29	61	90
Gender																								
Male								255	78%									176	51%			79	176	255
Female								94	27%									159	46%			64	94	159
Criminal History																								
Felony conviction												5	3.70%									0	5	5
Misd conviction												37	29.60%									0	37	37
Previous Arrest																		231	67%			0	231	231

Employment																								
Full-time												33	26.30%					217	63%			896	33	929
Part-time												83	66.70%									0	83	83
Irregular																								
Not employed												58	46.80%									0	58	58

Education																								
Less than HS Diploma												50	40.50%					114	33%			64	50	114
Diploma or Equivalent						219	16%					67	5.4%					183	53%			132	67	219
Some college/Training												74	60%									0	74	74

Family Factors																								
Married												89	71.40%									0	89	89
Single												48	38.60%									0	48	48
Divorced												88	70.60%									0	88	88
Separated												62	50%									0	62	62
Family Composition																								

Age																								

Drug of Choice																								
Cocaine								209	60%			25	20.50%			12	2.20%					198	12	209
Crystal Meth								66	19%			72	58.10%									6	66	72
Marijuana								42	12%	49	32%	31	25%			12	2.20%					178	12	190
Alcohol																		193	56%			0	193	193
Other								31	9%			62	50%					173	50%			141	31	173

Treatment																								
Dual Diagnosis																		176	51%			0	176	176
Previous Treatment																		169	49%			0	169	169

Other Measures																								

* = the evaluation reflected 88 drug courts in the state of Florida																								
** = evaluation reported whites were 70% more likely to graduate than non-whites																								
*** = evaluation reported low recidivism however did not provide specific numbers																								
**** = Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table																								
***** = overall average will be included with another 10 evaluations in table 10																								

Summary of Table 8: Termination Time Period 2001-2009

Figures in Table 8 show 4,423 drug court participants. The termination rate for the 10 evaluations is 37.9 percent. Also, the undisclosed termination rates were not included in the overall average. One evaluation did not report any impacts on outcomes, and nine evaluations reported on five or more impacts on outcomes. The highest termination rate is 57 percent and 12 percent is the lowest termination rate reported. Minorities had a 42.8 percent termination rate, compared to a 52.8 percent termination rate for non-minorities. In regards to employment, those working full time had a 31.4 percent termination rate compared to a termination rate of 47.8 percent for the unemployed. Participants with less than a high school diploma had a termination rate of 38.9 percent. Those with a high school diploma or equivalent had a 37.4 percent termination rate.

Table 8 Termination Time Period 2001-2009 Evaluations

	23rd District of VA	Akron	Lancaster	Rappahannock	Douglas County, NB	Alaska	North Carolina	Staten Island	Oklahoma	Maine	Range	Total**
	Number	%	Number	%	Number	%	Number	%	Number	%	min	max
Participants/Terminated	261	N/A	334	N/A	165	46.1%	83	N/A	255	50.59%	258	43%
Race/Ethnicity												
Minority	117	45%			122	74%			157	9.4%***	1058	63
Non-minority	63	24%			117	71%			1058	63.50%	995	63
Gender												
Male	55	34%			120	73%			1058	63.50%	1,003	55
Female	28	29%			114	69%			608	36.50%	580	28
Criminal History												
Felony Conviction							103	40.30%	52	3.10%	2	51
Rearrest			45	27.30%			149	17%	508	30.50%	2	12
No Prior	12	18%										12
1 Misd	10	22%										10
2+ Misd	61	42%										61
1 Felony			7	4.20%								7
Employment												
Full-time									523	31.40%	0	523
Not Employed									796	47.80%	0	796
Employed												
Education												
Less than HS Diploma	42	38.90%									0	42
Diploma or Equivalent	24	25%							828,002	49.70%	804	24
Some college/training	17	28.30%							265	15.90%	248	17
Family Factors												
Married	14	25.60%							383	23%	369	14
Single	46	34.30%									0	46
Divorced	11	24.40%									0	11
Separated	12	46%									0	12
Family Composition												
Age												
Drug of Choice												
Multiple							47				0	47
Cocaine/Crack											270	37
Heroin							307	35%			0	307
Crystal Meth											0	60
Marijuana							149	17%			105	44
Alcohol							263	30%			224	39
Treatment												
NA									650	39.00%	0	650
Dual Diagnosis									188	11.3%	0	188
Inpatient Treatment			58	35%							38	20
Outpatient Treatment							148	58%			9	139
Dual Diagnosis							245	28%			0	245
General Drug Treatment			245	73.40%							0	245
Time of Termination												
Phase 1			33	20%			71	60%			38	33
Phase 2			35	21%			21	16.5%			14	21
Phase 3			89	54%			10	17.9%			79	10
Phase 4			8	5%			10	17.9%			2	8
0-2 Months	5	6.10%									0	5
3-6 Months	18	20.70%									0	18
7-12 Months	36	43.9%									0	36
13+ Months	24	29.30%									0	24
Other Measures												
Positive Urine Test			119	72%			53	6%			110	32%
Non compliance treatment							204	80%			151	53
Positive Urine Test Graduates							2	2.75%			0	587
Positive Urine Test Non Graduates							6	7.28%			0	6

**=Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

***=Overall average will be included with another 10 evaluations in table 10

***=This evaluation had 3 categories for race and ethnicity: white (non-hispanic), black (non-hispanic), and Native American. This specific study reported white (non-hispanic) and black (non-hispanic) for consistency.

Summary of Table 8 continued: Termination Time Period 2001-2009 Evaluations

Data in Table 8 continued show 13,859 drug court participants. The termination rate for the 10 evaluations is 31.5 percent. One evaluation reflected 88 drug courts in the state of Florida. The North Carolina evaluation used logistic regression analysis for termination. The undisclosed termination rates were not included in the overall average. Five evaluations did not report any impacts on outcomes, and five evaluations reported on five or more impacts on outcomes. The highest termination rate is 35 percent and 28 percent is the lowest termination rate reported. Minorities had a 73.9 percent termination rate, compared to a 47.4 percent termination rate for non-minorities. In regards to employment, those working full time had a 73.7 percent termination rate, compared to a termination rate of 53.2 percent for the unemployed. Participants with less than a high school diploma had a termination rate of 62.2 percent. Those with a high school diploma or equivalent had a 43.5 percent termination rate.

Table 8 (continued) Termination Time Period 2001-2009 Evaluations

	Ohio		Florida		New York		Pima County, AZ		Vanderburgh, Indiana		Polk County, Iowa		Washington State		North Carolina**		Maine		California		Range		Total ****	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	min	max	min	max
Participants/Termination R	788	35%	10200	N/A	1366	28%	349	N/A	153	N/A	124	N/A	534	N/A	54	N/A	345	N/A	N/A	N/A	0	10,200	124	10,200
Race/Ethnicity																								
Minority											92	73.90%									0	92	92	92
Non-Minority											59	47.40%									0	59	59	59
Gender																								

Criminal History																								
Rearrest	252	32%																			0	252	252	252

Employment																								
Full-time											91	73.70%									0	91	91	91
Part-time											41	33.30%									0	41	41	41
Not Employed											66	53.20%									0	66	66	66

Education																								
Less than HS Diploma											77	62.20%									0	77	77	77
Diploma or Equivalent											54	43.50%									0	54	54	54
Some college/Training											50	40%									0	50	50	50
College Degree																								
Family Factors																								
Married											35	28.60%									0	35	35	35
Single											76	61.40%									0	76	76	76
Divorced											36	29%									0	36	36	36
Separated											62	50%									0	62	62	62
Family Composition																								

Age																								

Drug of Choice																								
Cocaine/Crack					260	19%					88	71%			205	38.40%					172	88	260	260
Crystal Meth											49	39.20%			61	11.40%					0	49	49	49
Marijuana					874	64%					93	75%									813	61	874	874
Heroin					123	9%															0	123	123	123
Alcohol					55	4%															0	55	55	55
Other					55	4%															0	55	55	55

Treatment																								
Previous Treatment															352	66%					0	352	352	352
Chemically Dependent															527	98.60%					0	527	527	527
Not in-treatment															182	34%					0	182	182	182
Detox					27	2%															0	27	27	27
Inpatient Treatment					669	49%															35%	669	669	669
Outpatient Treatment					560	41%															0	560	560	560

Time of Termination																								

Other Measures																								
Positive Urine Test															123	23%					0	123	123	123

= the evaluation reflected 88 drug courts in the state of Florida

** = used logistic regression analysis for rearrest

*** = Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

**** = Overall average will be included with another 10 evaluations in table 10

Summary of Table 9: Post Program Recidivism 2001-2009 Evaluations

The data in Table 9 include 4,423 drug court participants. The post-program recidivism rate for the 10 evaluations was 23.0 percent. Consequently, the first-year was above the national average and below the average for the second year. Nine evaluations did not disclose the recidivism rate. The undisclosed recidivism rates were not included in the overall average. Four evaluations did not report any impacts on outcomes while six evaluations reported on five or more impacts on outcomes. The only post program recidivism rate reported on this table is 23 percent. Participants with less than a high school diploma had a post-program recidivism rate of 58 percent while those with a high school diploma or equivalent had a 40 percent post-program recidivism rate. In regards to employment, those working full time had a 25 percent post-program recidivism rate, compared to a post-program recidivism rate of 40 percent for the unemployed.

Table 9 Post-Program Recidivism Time Period 2001-2009 Evaluations

	23rd Judicial Court of VA 2001				Akron		Lancaster		Rappahannock		Douglas County, NB		Alaska		North Carolina		Staten Island		Oklahoma		Maine		Total**		
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Range	min	max
Participants/Recidivism Rate	261	N/A	334	N/A	165	N/A	83	N/A			255	N/A	258	N/A	876	N/A	180	N/A	32	1,666	345	23%	1,583	83	1,666
Re-arrest/Conviction Rates																									
Graduates																	1	0.63%	32	1.90%			31	1	32
Non-Graduates																	2	1.19%	132	7.90%			129	2	132
Arrest/Conviction rate for grads			134	40%																			0	134	134
Arrest/Conviction rate for nongrads			174	52%																			0	174	174
Misd conviction for grads	55	21%																					0	55	55
Misd conviction for non grads	87	33.3%																					0	87	87
Felony conviction for grads	18	7%																					0	18	18
Felony conviction for non grads	37	14%																					0	37	37
Race/Ethnicity																									
*																									
Gender																									
*																									
Criminal History																									
Prison											4	1.60%											0	4	4
No Prior																							0	0	0
Felony Conviction											31	12.20%											0	31	31
Misd Conviction											62	24.40%											0	62	62
Rearrest					25	15%																	0	25	25
*																									
Employment																									
Employed			84	25%																			0	84	84
Unemployed			134	40%																			0	134	134
*																									
Education																									
Less than HS Diploma																							0	194	194
Diploma or Equivalent											134	40%											0	134	134
*																									
Family Factors																									
*																									
Family Composition																									
*																									
Age																									
*																									
Drug of Choice																									
*																									
Treatment																									
*																									
Other Measures																									
non violent																							0	25	25
violent																							0	3	3
drug offenses																							0	7	7
*																									

*=several impacts were deleted as a result of non-reporting to generate an aesthetically pleasing table

= overall average will be included with another 10 evaluations in table 10

*several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table
 **= overall average will be included with another 10 evaluations in table 10

Summary of Table 9 continued: Post-Program Recidivism 2001-2009

The data in Table 9 continued show 13,859 drug court participants. The post-program recidivism rate for the 10 evaluations is 35.80 percent which is higher than the first and second year national averages. Eight evaluations did not disclose the recidivism rate and two failed to report the number of drug court participants. One evaluation reflected 88 drug courts in the state of Florida. Several impacts were deleted as a result of non-reporting thus generating an aesthetically pleasing table. The undisclosed recidivism rates were not included in the overall average. Three evaluations did not report any impacts on outcomes. Seven evaluations reported on five or more impacts on outcomes. The highest post-program recidivism rate is 61.5 percent, and 10 percent is the lowest post-program recidivism rate reported. In regards to employment, those working full time had a 17 percent post-program recidivism rate, compared to a post-program recidivism rate of 38 percent for the unemployed. Participants with less than a high school diploma had a post program recidivism rate of 26 percent. Those with a high school diploma or equivalent had a 18 percent post program recidivism rate.

Table 9 (continued) Post-Program Recidivism Time Period 2001-2009 Evaluations

	Ohio		Florida*		New York		Pima County, AZ		Vanderburgh, Indiana		Polk County, Iowa		Washington State		North Carolina		Maine		California		Total	***	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Range	min	max
Participants/Recidivism Rate	788	N/A	1020	N/A	1366	N/A	349	N/A	153	10%	124	61.50%	N/A	N/A	334	N/A	345	N/A	N/A	N/A	10,076	124	10,200
Reentry/Conviction Rates																							
Graduates			1673	16.40%			83	23.8%	46	29.90%					96	18%			17%		1,627	46	1,673
Non-Graduates			4437	43.50%			215	61.5%	60	39.20%					219	41%			41%		4,377	60	4,437
Drug Court participants	252	32%																			0	252	252
Drug Court Non-participants	347	44%																			0	347	347
**																							
Race/Ethnicity																							
**																							
Gender																							
Male											77	62%									0	77	77
Female											41	33%									0	41	41
Criminal History																							
Prior Record	394	50%																			0	394	394
No Prior Record	205	26%																			0	205	205
Felony Conviction							29	8.30%			21	16.90%									21	0	21
Misd Conviction							64	18.30%			55	44.60%									55	0	55
**																							
Employment																							
Employed	134	17%																			0	134	134
Unemployed	299	38%																			0	299	299
**																							
Education																							
Less than HS Diploma	205	26%																			0	205	205
Diploma or Equivalent	142	18%																			0	142	142
**																							
Family Factors																							
**																							
Family Composition																							
**																							
Age																							
**																							
Drug of Choice																							
**																							
Treatment																							
In treatment	402	51%																			0	402	402
**																							
Other Measures																							
**																							

*=the evaluation reflected 88 drug courts in the state of Florida

**=Several impacts were deleted as a result of non reporting to generate an aesthetically pleasing table

***= overall average will be included with another 10 evaluations in table 10

Summary of Table 10: Comparison of Graduation Outcome by Time Period

Table 10 includes a summation of Tables 4, 4 continued, 7 and 7 continued and gives an analysis of the total percentage of impacts related to outcomes for the two respective time periods. Due to the limitation of this examination, only four impacts were used for statistical significant testing: race/ethnicity, employment, education, and conviction rates for graduates, non-graduates, participants, and non-participants. Of equal importance, the tabulation of a total percentage of all 40 evaluations allowed comparison with national estimates and rates.

A small difference in rates occurred in regards to graduation. A significant difference appeared with respect to race and ethnicity--55.73 percent non-minorities graduated while 26.58 percent minorities graduated. The impact of gender revealed a significant difference—males at 57.15 percent and females at 40.63 percent. The impact of employment revealed another significant difference—those employed full time at 51.67 percent and those unemployed at 25.28 percent. The impact of education also revealed a significant difference—participants with a diploma or equivalent had a 61 percent graduation rate, compared to a rate of 47.41 percent for those without a high school degree.

The maximum graduation rate is 92 percent for the time period 1993-2000, compared to the minimum rate of 15 percent. The maximum graduation rate is 70 percent for the time period 2001-2009, compared to the minimum rate of 24.2 percent. The range is 77 percent for the time period 1993-2000. The range is 45.8 percent for the time period 2001-2009.

Table 10: Comparison of Graduation Outcomes			
Graduation			
	1993-2000	2001-2009	Average
Participants/ Graduation Rate	43.06%	42.16%	42.61%
Maximum	92.00%	70.00%	81.00%
Minimum	15.00%	24.20%	19.60%
Range	77.00%	45.80%	61.40%
Race/Ethnicity			
Minority	24.89%	28.27%	26.58%
Non-Minority	56.64%	54.83%	55.73%
Gender			
Male	32.62%	48.65%	40.63%
Female	54.81%	59.49%	57.15%
Criminal History			
Prison	45.93%	45.93%	45.93%
Felony conviction	53.27%	22.11%	37.69%
Misd conviction	34.05%	31.83%	32.94%
one conviction	45.50%	45.50%	45.50%
No Prior	82.00%		82.00%
Previous Arrest		67.00%	67.00%
Previous Convictions	58.00%	58.00%	58.00%
Rearrest		6.20%	6.20%
No misd	82.20%	82.20%	82.20%
No felony	74.75%	74.75%	74.75%
1 Misd Conviction	78.00%	78.00%	78.00%
2+ Misd Conviction	50.50%	50.50%	50.50%
1 F Conviction	21.00%	21.00%	21.00%
2+ F Conviction	47.40%	47.40%	47.40%
Employment			
Full-time	47.18%	56.17%	51.67%
Part-time	17.40%	66.70%	42.05%
Welfare	24.10%		24.10%
Regular	71.40%	76.50%	73.95%
Irregular	30.10%	56.50%	43.30%
Not Employed	17.45%	33.10%	25.28%
Education			
Less than HS Diploma	45.90%	48.93%	47.41%
Diploma or Equivalent	63.50%	49.00%	56.25%
More than 12	67.40%	54.60%	61.00%
Family Factors			
Married	21.95%	63.08%	42.51%
Single	37.76%	52.15%	44.95%
Divorced	73.50%	70.60%	72.05%
Separated	48.65%	50.00%	49.33%
Family Composition			
Children in the Household		49.30%	49.30%
Drug of Choice			
Cocaine	41.85%	35.36%	38.60%
Crack		54.60%	54.60%
Heroin	19.10%	43.90%	31.50%
Crystal Meth		38.55%	38.55%
Marijuana	33.73%	40.52%	37.12%
Alcohol	10.80%	40.65%	25.73%
Multiple Drug Use		56.60%	56.60%
Other	5.60%	36.33%	20.97%
Chemically Dependant	62.78%		62.78%
Treatment			
In-treatment		16.10%	16.10%
AA		47.40%	47.40%
Dual Diagnosis	5.10%	31.50%	18.30%
Previous Treatment	21.50%	49.00%	35.25%

Summary of Table 11: Comparison of Termination Outcomes

Table 11 includes a summation of Tables 5, 5 continued, 8 and 8 continued and gives an analysis of the total percentage of impacts related to outcomes for the two respective time periods. Due to the limitation of this examination, only four impacts were used for statistical significant testing: race/ethnicity, employment, education, and conviction rates for graduates, non-graduates, participants, and non-participants. Of equal importance, the tabulation of a total percentage of all 40 evaluations allowed comparison with national estimates and rates.

In regards to termination, a significant difference appeared in regards to race and ethnicity. The impact of gender revealed a significant difference—males at 61.45 percent and females at 27.63 percent. Minorities were terminated at a rate of 69.8 percent, while the termination rate for non-minorities were 50.13 percent. In regards to employment, no significant difference occurred for termination rate. Also for education, a practical significant difference occurred. Participants with a high school diploma or equivalent had a termination rate of 52.5 percent compared to those with less than a high school diploma was 42 percent.

The maximum termination rate is 85 percent for the time period 1993-2000, compared to the minimum rate of 8 percent. The maximum termination rate is 57 percent for the time period 2001-2009, compared to the minimum rate of 12 percent. The range is 77 percent for the time period 1993-2000. The range is 45 percent for the time period 2001-2009.

Table 11: Comparison of Termination Outcomes			
Termination			
	1993-2000	2001-2009	Average
Termination Rate	37.07%	22%	29.56%
Maximum	85.00%	57.00%	71.00%
Minimum	8.00%	12.00%	10.00%
Range	77.00%	45.00%	61.00%
Race/Ethnicity			
Minority	65.73%	74%	69.87%
Non-Minority	29.27%	26%	27.63%
Gender			
Male	49.90%	73%	61.45%
Female	22.10%	27%	24.55%
Criminal History			
Prison	10.70%		10.70%
On parole	2.50%		2.50%
no Felony Conviction	39.87%		39.87%
Felony Conviction	51.70%	22%	36.70%
Rearrest	12.60%	26%	19.08%
No Prior	18.00%	18%	18.00%
1 Misd	22.00%	25%	23.50%
2+ Misd	42.00%	43%	42.50%
1 Felony	79.00%	4%	41.60%
2+ felony Convictions	52.60%		52.60%
Employment			
Full-time	29.45%	53%	40.98%
Part-time	4.80%	33.3%	19.05%
Welfare	39.30%		39.30%
Not Employed	28.38%	50.5%	39.44%
Employed	50.00%		50.00%
Irregular employment	51.50%		51.50%
Education			
Less than HS Diploma	52.05%	50.5%	51.28%
Diploma or Equivalent	42.00%	40.45%	41.23%
more than 12	32.60%	31.05%	31.83%
College Degree			
Family Factors			
Married	15.22%	26.45%	20.83%
Single	46.38%	47.85%	47.11%
Divorced	26.50%	26.7%	26.60%
Separated	64.30%	48%	56.15%
Drug of Choice			
Cocaine/Crack	58.80%	24%	41.32%
Heroin	39.67%	5%	22.10%
Crystal Meth		36%	36.40%
Marijuana	29.89%	43%	36.41%
Alcohol		17%	16.68%
Multiple		4%	4.00%
Other	6.55%		6.55%
Treatment			
Previous Treatment	58.40%	99%	78.50%
Not in-treatment		34%	34.00%
Detox		2%	2.00%
Inpatient Treatment		33%	32.50%
Outpatient Treatment		54%	54.25%
Dual Diagnosis	7.70%	28%	17.85%
Time of Termination			
Phase 1	42.00%	60%	51.00%
Phase 2	90.00%	17%	53.25%
Phase 3		3%	2.75%
Phase 4		7%	7.28%
0-2 Months	3.60%		3.60%
3-6 Months	3.10%		3.10%
7-12 Months	46.00%		46.00%
13+ Months	19.00%		19.00%
Other Measures			
Positive Urine Test	60.00%	64.25%	62.13%
Absconded	16.50%		16.50%
Non compliance treatment	17.90%		17.90%
No Misd Conv		2.75%	2.75%
one Misd Conviction		7.28%	7.28%

Summary of Table 12: Comparison of Post-Program Recidivism Outcomes

Table 12 includes a summation of Tables 6, 6 continued, 9 and 9 continued and gives an analysis of the total percentage of impacts related to outcomes for the two respective time periods. Due to the limitation of this examination, only four impacts were used for statistical significant testing: race/ethnicity, employment, education, and conviction rates for graduates, non-graduates, participants, and non-participants. Of equal importance, the tabulation of a total percentage of all 40 evaluations allowed comparison with national estimates and rates.

In regards to post-program recidivism rates, a significant difference occurred in regards to graduates and non-graduates being re-arrested or reconvicted. The graduates' re-arrest rate is 14.88 percent and non-graduates' re-arrest rate is 36.29 percent. Also, a significant difference appeared in drug court participants and non-participants. The post-program recidivism rate for drug court participants is 25.46 percent, and the rate for non-participants is 45.43 percent. The impact of gender revealed an obvious significant difference—males at 62 percent and females at 33 percent.

The maximum post-program recidivism rate is 50.4 percent for the time period 1993-2000, compared to the minimum rate of 14.4 percent. The maximum post-program recidivism rate is 61.5 percent for the time period 2001-2009, compared to the minimum rate of 10 percent. The range is 36 percent for the time period 1993-2000. The range is 51.5 percent for the time period 2001-2009.

Table 12: Comparison of Post-Program Recidivism Outcomes

Post Program Recidivism			
	1993-2000	2001-2009	Total
Participants/ Post Program recidivism	29.67%	29.40%	29.54%
Maximum	50.40%	61.50%	55.95%
Minimum	14.40%	10.00%	12.20%
Range	36.00%	51.50%	43.75%
Rearrest/Conviction Rates			
Graduates	17.03%	12.74%	14.88%
Non-Graduates	44.48%	28.10%	36.29%
Drug Court participants	18.93%	32.00%	25.46%
Drug Court Non-participants	46.85%	44.00%	45.43%
Race/Ethnicity			
Gender			
Male		62.00%	62.00%
Female		33.00%	33.00%
Criminal History			
Prison		25.80%	25.80%
No Prior		52.50%	52.50%
Felony Conviction	42.00%	8.80%	25.40%
Misd Conviction	24.00%	20.31%	22.15%
Rearrest	15.00%		15.00%
no misd		67.00%	67.00%
no felony		86.00%	86.00%
Employment			
Employed		21.00%	21.00%
Unemployed		39.00%	39.00%
Education			
Less than HS Diploma		42.00%	42.00%
Diploma or Equivalent		29.00%	29.00%
Treatment			
In treatment		51.00%	51.00%
Other Measures			
non violent		30.12%	30.12%
violent		3.61%	3.61%
drug offenses	22.00%	8.43%	15.22%

Summary of Table 13: Test for Significance of Outcomes by Time Periods

The figures in Table 13 consider the three outcomes graduation, termination and post-program recidivism and the relationships to the independent variables by time period. In regards to **graduation**, a significant difference appears between the proportion of minority and non-minority who graduate from drug court. Further, in regards to employment, a significant difference is discernible between the proportion of fully employed and unemployed who graduate from drug court. A significant difference occurred between the proportion of participants with less than a diploma and participants with a diploma or equivalent who graduate from drug court. In conclusion, a significant difference occurred between the proportion of male participants and female participants who graduate from drug court.

In regards to **termination**, a significant difference occurred between the proportion of minority and non-minority who were terminated from drug court. Further, in regards to employment, no significant difference occurred between the proportions of fully employed and unemployed who were terminated from drug court. A significant difference occurred between the proportion of participants with less than a diploma and participants with a diploma or equivalent who were terminated from drug court. In conclusion, a significant difference occurred between the proportion of male participants and female participants who were terminated from drug court.

In regards to **post-program recidivism**, a significant difference occurred between the proportion of fully employed and unemployed who recidivated from drug court. Further, participants with less than a high school diploma were significantly more likely to recidivate than those with a high school degree or equivalent. A significant difference

occurred between the proportion of graduates and non-graduates who recidivated from drug court. Furthermore, a significant difference occurred between the proportion of participants and non-participants who recidivated from drug court. A significant difference occurred in arrest rate between graduates and non-graduates. A significant difference is also found between the proportion of felony convictions and non-felony convictions who recidivated from drug court. A significant difference is also found between the proportion of misdemeanor convictions and non-misdemeanor convictions who recidivated from drug court. In conclusion, a significant difference is also found between the proportion of male participants and female participants who recidivated from drug court. Males were more likely to recidivate than females.

Impacts have been condensed in this table. These impacts are disclosed in Table 10. They were condensed because of size limitations of the spread sheet and little reporting.

Table 13: Test for Significance

Graduation	Race/Ethnicity					Z	significant
	Minority		Non Minority				
	average1	Population	average2	Population			
	26.50%	1485	55.73%	3961	-21.0158		
	Employment					Z	significant
	Full-time		Not Employed				
	average1	Population	average2	Population			
	51.60%	3283	25.28%	2144	20.54154		
	Education					Z	significant
	Less than HS		Diploma or Eq.				
	average1	Population	average2	Population			
47.41%	264	61.00%	1912	-4.15681			
Gender					Z	significant	
Male		Female					
average1	Population	average2	Population				
40.63%	3893	57.15%	2031	-12.2274			
Termination	Race/Ethnicity					Z	significant
	Minority		Non Minority				
	average1	Population	average2	Population			
	68.87%	1756	50.13%	1932	11.81705		
	Employment					Z	not significant
	Full-time		Not Employed				
	average1	Population	average2	Population			
	29.45%	1216	28.38%	1705	0.628243		
	Education					Z	significant
	Less than HS		Diploma or Eq.				
	average1	Population	average2	Population			
52.05%	696	42%	276	2.852628			
Gender					Z	significant	
Male		Female					
average1	Population	average2	Population				
61.45%	2702	24.55%	1439	25.08445			
Post Program Recidivism	Employment					Z	significant
	Full-time		Not Employed				
	average1	Population	average2	Population			
	21%	218	39%	433	-4.97239		
	Education					Z	significant
	Less than HS		Diploma or Eq.				
	average1	Population	average2	Population			
	42%	399	29%	276	3.529612		
	*					Z	significant
	Drug Court Graduates		Drug Court Non-Graduates				
	average1	Population	average2	Population			
	14.88%	2888	36.29%	6909	-24.3483		
	Drug Court Participants		Drug Court Non-Participants		Z	significant	
	average1	Population	average2	Population			
	25.46%	596	45.43%	803	-7.97428		
	Arrest Rate Drug Court Grads		Arrest Rate Drug Court Non-Grads		Z	significant	
	average1	Population	average2	Population			
	40%	134	52%	174	-2.11291		
Felony Conviction		Non-Felony Conviction		Z	significant		
average1	Population	average2	Population				
25.4%	435	86.00%	435	-22.7048			
Misd Conviction		Non-Misd Conviction		Z	significant		
average2	Population	average2	Population				
22.15%	199	67.00%	199	-10.0855			
Gender					Z	significant	
Male		Female					
average1	Population	average2	Population				
62.00%	77	33.00%	41	3.154332			

no significance $\alpha = 0.05$ level

* It is to be noted that the evaluations varied in regards to how they reported post-program recidivism. There was no uniform method of reporting. Further, there was no clear definition in regards to arrest or conviction.

Summary of Table 14: Comparison of Time Periods by Outcomes

The data in Table 14 compares the three outcomes and independent variables by time period. In regards to graduation, no significant difference occurs between the participants in 1993-2000 and the participants in 2001-2009. There was little difference in the graduation rates 43.06 percent for 1993-2000 compared to 42.16 percent from 2001-2009. In regards to termination, a significant difference occurs between the participants in 1993-2000 and the participants in 2001-2009. The termination rate actually decreased from 1993-2000 time periods from 37.00 percent to 22.05 percent. In regards to post-program recidivism, a significant difference occurs between the participants in 1993-2000 and the participants in 2001-2009.

In regards to graduation, there were no major differences between the proportion of minority in 1993-2000 and minority in 2001-2009 who graduate from drug court. In regards to employment, there is a significant difference between the proportion of those fully employed in 1993-2000 and those fully employed in 2001-2009 who graduate from drug court 29.45 percent compared to 53.50 percent. A significant difference also occurred between the proportion of those unemployed in 1993-2000 and those unemployed in 2001-2009 who graduate from drug court 17.45 percent compared to 33.10 percent. A significant difference occurred between the proportion of males in 1993-2000 and males in 2001-2009 who graduate from drug court. .

In regards to termination, a significant difference occurred between the proportion of minority in 1993-2000 and minority in 2001-2009 who were terminated from drug court. More minorities were terminated from drug court in the 2001-2009 than in the 1993-2000 time periods. The rate was 65.73 percent compared to 74.00 percent. Further,

a significant difference appears between the proportion of non-minority in 1993-2000 and non-minority in 2001-2009 who were terminated from drug court.

In regards to post-program recidivism, no Z-test could be conducted on the impacts minority, non-minority, male, female, full time, and unemployed participants due to non-reporting.

Table 14: Comparison of Time Periods											
Outcomes	Graduation										
	1993-2000				2001-2009				Z	not significant	
	average1	Population	average2	Population							
	43.06%	8970	42.16%	18282	1.400256						
	Termination										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	37.07%	8970	22.05%	18282	25.24618						
	Post-Program Recidivism										
	1993-2000				2001-2009				Z	significant	
average1	Population	average2	Population								
29.67%	8970	25.38%	18282	7.411892							
Graduation Impacts	Minority										
	1993-2000				2001-2009				Z	not significant	
	average1	Population	average2	Population							
	24.89%	1099	28.27%	386	-1.28142						
	Non-Minority										
	1993-2000				2001-2009				Z	not significant	
	average1	Population	average2	Population							
	56.64%	2469	54.83%	1492	1.114983						
	Full Time										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	47.18%	1106	56.17%	2177	-4.88787						
	Unemployed										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	17.45%	420	33.10%	1724	-7.20792						
	Male										
	1993-2000				2001-2009				Z	significant	
average1	Population	average2	Population								
32.62%	2043	48.65%	1850	-10.2913							
Female											
1993-2000				2001-2009				Z	significant		
average1	Population	average2	Population								
54.81%	1110	59.49%	921	-2.1255							
Termination Impacts	Minority										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	65.73%	1268	74.00%	488	-3.45677						
	Non-Minority										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	29.27%	635	26.00%	1297	1.499881						
	Full Time										
	1993-2000				2001-2009				Z	significant	
	average1	Population	average2	Population							
	29.45%	602	53.50%	614	-8.78004						
	Male										
	1993-2000				2001-2009				Z	significant	
average1	Population	average2	Population								
49.90%	1469	73.00%	1233	-12.7154							
Female											
1993-2000				2001-2009				Z	significant		
average1	Population	average2	Population								
22.10%	689	27.00%	750	-2.1641							
Post-Program Recidivism Impacts	Minority										
	1993-2000				2001-2009				Z	N/A	
	average1	Population	average2	Population							
	N/A	N/A	N/A	N/A	N/A						
	Non-Minority										
	1993-2000				2001-2009				Z	N/A	
	average1	Population	average2	Population							
	N/A	N/A	N/A	N/A	N/A						
	Full Time										
	1993-2000				2001-2009				Z	N/A	
	average1	Population	average2	Population							
	N/A	N/A	21.00%	218	N/A						
	Unemployed										
	1993-2000				2001-2009				Z	N/A	
	average1	Population	average2	Population							
	N/A	N/A	39.00%	433	N/A						
	Male										
	1993-2000				2001-2009				Z	N/A	
average1	Population	average2	Population								
N/A	N/A	62.00%	77	N/A							
Female											
1993-2000				2001-2009				Z	N/A		
average1	Population	average2	Population								
N/A	N/A	33.00%	41	N/A							

no significance alpha = 0.05 level

Chapter 5

Discussion/Conclusions

This study has considered various factors that have impacted the outcomes of drug courts. Drug courts were also examined in the context of this research contributing to future implications. The research included 27,252 drug court participants and 40 evaluations involving 142 courts/jurisdictions from two time periods, 1993-200 and 2001-2009.

A major finding of the data show significant difference occurred in the graduation of participants regarding minority/non-minority rates. Minorities had a graduation rate of 28.2 percent compared to 55.73 percent for non- minority. This difference could be the result of higher arrest rates for minorities and men. There may also be discrimination within the criminal justice system. There is no significant difference between the two time periods in regards to minority/non-minority graduation rates. The overall graduation rate of 42.61 percent is lower than the national rate of 47 percent. There was also a significant difference in graduation rates regarding employment. The graduation rate for those with regular employment was 73.95 percent compared to 25.28 percent of those who were not employed. Further part time employed had a graduation rate of 42.05 percent. A significant difference also appeared in education. Those who had more than 12 years of education had a graduation rate of 61 percent compared to 47.4 percent of those with less than a high school diploma.

The data also show that there is a significant difference in minority and non-minority termination rates. The termination rate for minorities was 69.8 percent compared to 50.13 percent non-minorities. The overall termination rate of 29.5 cannot be compared to a national rate which unfortunately does not exist. The comparisons of time

periods in Table 14 show that there was a significant increase in terminations of minorities from 1993-2000 and 2001-2009. This could be the result of an increase of minority participants from 1993-2000 and 2001-2009.

Due to non-reporting and the lack of uniformity in the data of drug court evaluations, the post-program recidivism rates for minority and non-minority could not be examined. The overall post-program recidivism rate for graduates (14.88 percent) is below the national average of 16 percent for the first year and 27 percent for the second year. Non- drug court graduates (36.29 percent) are above the first year average (16 percent) and below second year average (27 percent). For drug court participants (25.46 percent), the rate is above the first year average but below the second year. Non-participants (45.43 percent) were above the first and second year averages.

Considering that the evaluations did not differentiate between one or two year periods, an average of the two periods (21.5 percent) was calculated. Therefore, graduates are below the average of 21.5 percent, while non-graduates, participants, and non-participants are above the average.

Male participants have a higher termination (61.45 percent) and recidivism rate (62 percent) compared to female participants' termination (24.55 percent) and recidivism (33 percent) rate. Female participants have a higher graduation (57.15 percent) rate than compared to male participants (40.62 percent). This difference may be the result of treatment, specifically conformist perspectives. The difference may also be the result of attitudes, rules of the drug court or that these groups are more receptive to treatment. That is we cannot say for sure because there is little to no research on the impact of treatment.

As just indicated there is limited information available in regards to treatment. Is treatment a significant factor in regards to the success of drug court participants? It may be, however, we don't know because it has not been thoroughly examined. Further, no uniformity appears in regards to reporting impacts on outcomes specifically regarding treatment.

This study demonstrates that drug courts are successful overall, specifically regarding post-program recidivism. There have also been some improvements in the last evaluations over time from 1993-2000 to 2001-2009 Impacts such as race, gender; employment and education were examined in regards to outcomes. The evaluations have also become more sophisticated and detailed. I also learned that drug courts are not uniformly effective. Some courts work better for certain groups.

A significant difference appeared with respect to race and ethnicity--55.73 percent non-minorities graduated while 26.58 percent minorities graduated. The termination rates were 69.87 percent for minorities and 50.13 percent for non-minorities.

This qualitative learning experience made me aware that there has been some progress or changes in drug court evaluations since the development of drug courts. Nevertheless, I also learned that any evaluation is better than none.

A. Why Are Drug Courts Effective?

Drug Courts were designed to reduce the drug crime relationship. As of December 31, 2007 there are 1,057 other operational problem solving courts in the

United States. That represents 513 new problem solving courts from 2004-2007, a 94 percent increase. Adding the total number of operational drug courts and other problem solving courts, there are 3,204 problem-solving courts in the United States as of December 31, 2007 (Huddlestone and Marlowe, 2008).

Sixty-seven percent of states and territories report that state appropriations and budgets fail to meet the demand for drug court services. However, 19 percent of states surveyed reported that their appropriation met the demand and need for a drug court. Another 14 percent of states could not answer the question.

Although drug court participants have reduced post-program recidivism rates, a question remains as to why this is the case. Is it the role that the judge plays in the process, the discipline of the program, the whole team concept, pre-meeting discussions, or the impact of treatment? More research, including qualitative analysis such as interviews, questionnaires, and surveys may shed light on the factors which contribute to the success of drug courts. A survey of drug court evaluators would also be helpful and shed some insight on what actually is the key component for drug court success. I would consider treatment however the impact of treatment has not been examined thoroughly. Another question that could be raised is why drug courts are effective for certain groups? By saying that we must also consider and be aware that institutional forms of discrimination and inequality could exist. It is also important to remember that politics and drug court evaluations also play a major role in the future of drug courts. There is a lot of political discussion and debate regarding the effectiveness of drug courts. These debates have an impact on present and future funding.

B. Contributions/Future Implications

Upon conclusion of the analysis in this dissertation, it is important to point out that there may be significant considerations for future directions of research on drug courts. Contact was made with Dr. David Marlowe from the National Drug Court Institute asking “Is there a National Drug Court termination rate,” at which time I was advised, “Oddly enough, no. The termination rate has generally been assumed to be 100 percent minus the graduation rate. However, there are other ways that participants can leave drug courts.” This study generated a termination rate for 40 studies analyzed in addition to examining impacts related to termination. Further, the study looked at the impact on termination. This study also identified the need to focus on treatment and its effects. The model that was designed also demonstrated the usefulness of a uniformed approach to study the impacts on outcomes from drug court. Further, as a result of this research, regional and cross sectional analysis and can aid in a longitudinal study.

C. Limitations of the Study

With the consideration of the above statements, it is important to discuss limitations to this study. The results presented in this dissertation are taken from a non-random and non-representative sample. Any attempt to generalize the findings to the larger population should be done cautiously. My sample size consisted of 40 evaluations in two different time periods. There was a challenge in regards to finding published evaluations specifically in the first time period which was from 1993 to 2000. There were a number of evaluations that did not have data to report.

A major limitation of the study was the lack of reporting .I was unable to examine the effect of treatment on outcomes. Another limitation of this study was that the drug court graduation rate reported represented data from drug court clients who were classified as terminated, active, and graduated. For example, the lowest graduation rate in the 40 evaluations was 15 percent. The graduation rates in some of the evaluations also had participants that had absconded from supervision or were deceased. The graduation rates were a fluid situation and it was not always clear what the graduation rate represented.

D. Recommendations

The following recommendations are offered for consideration based on the findings described in this dissertation.

Recommendation 1: *The Department of Justice and National Drug Court Institute mandate that all Drug Courts follow the guidelines for program evaluations as recommended.*

These guidelines are found in *The Introductory Handbook for DWI Court Program Evaluations*. Pursuant to a conversation with Dr. Douglas B. Marlowe the Chief of Science, Policy & Law, NADCP, I was advised that at this time there are no requirements only recommendations for evaluations for adult drug courts.

Recommendation 2: *That the Department of Justice and National Drug Court Institute mandate that the evaluators be provided training to ensure methodologically sound and uniform evaluations.*

This study demonstrated that there is no uniformity in regards to drug court evaluations in

the 40 studies that were examined. It is to be noted that critical evaluations and government accountability office reports have made assessments on drug courts with smaller and larger samples and have also expressed concern.

Recommendation 3: That the Department of Justice and National Drug Court Institute mandate evaluators make every attempt to use a true experimental design.

A variety of the evaluations discussed the lack of opportunity to conduct a true experiment. This is a challenging task considering the position of the court and the rehabilitation philosophy that is entitled to all. In order to conduct a true experiment, the evaluator must randomly sample participants which makes designing a true experiment difficult considering the rehabilitation needs of the client(s).

Recommendation 4: That the Department of Justice and National Drug Court Institute mandate all evaluations should examine the individual impactson outcomes, specifically minority outcomes.

In this examination, there was a significant statistical difference in minority and non minority graduation and termination rates. There are also significant statistical differences in employment and non employment. In regards to education, there is a significant statistical difference in less than HS and diploma or equivalent in regards to graduation and termination rate.

Recommendation 5:*That the Department of Justice and National Drug Court Institute mandate that the program looks at treatment and the impact of substance abuse treatment on outcomes.*

I explored treatment as an outcome, however, due to lack of reporting I was unable to gather enough information to report on. Treatment is extremely important in regards to two outcomes, graduation or termination. **As a sociologist with training in psychology,** I am aware of the importance of multi cultural counseling and psycho-therapy. The Department of Justice recommends that the health care providers be trained in cultural competency; however I am not sure if they are actually accountable. Further, there are a variety of rehabilitation programs using different models, psycho therapy, and rationale that are effective for certain types of groups and substance abusers. My findings could not generate any impact on treatment.

Recommendation 6:*That the Department of Justice and National Drug Court Institute should make extra efforts to explore why the drug court works and is effective overall.*

Some seem to feel that the judge is the key to success in the drug courts. Some view that the discipline of the program makes it a success. Specialized substance treatment has also been important. The whole team concept and pre meeting discussions were also considered to have an impact.

Recommendation 7:*That the Department of Justice and National Drug Court Institute tabulates a nationally based termination rate.*

Some of the evaluations disclosed a termination rate unfortunately, a nationally based

termination rate could not be found. Contact was made with the National Drug Court Institute. I was advised that there was no nationally based termination rate.

Recommendation 8: That the Department of Justice and National Drug Court Institute use more qualitative analysis in regards to examining the impacts on outcomes.

A qualitative analysis such as interviews, questionnaires, and surveys administered to drug court professionals, treatment providers, and participants will aid in understanding success in drug courts. This type of examination will enable the evaluators to explore the perceptions, attitudes, and beliefs of those previously referenced.

Recommendation 9: That the Department of Justice and National Drug Court Institute strongly encourage more efficient and effective data collection and evaluation efforts needed to measure impact of drug court programs.

There were a variety of drug court evaluations that had missing data for this analysis. It is also important to stress data collection at intake. Further allowing the evaluator to gather previous and post graduation data will aid in the evaluation process.

Recommendation 10: That the Department of Justice and National Drug Court Institute strongly recommend jurisdictions to submit a detailed evaluation plan in order to receive funding.

Such a requirement might significantly reduce some of the problems. **This will produce more uniform evaluations and of equal importance an evaluator will have been selected and prepared to collect the baseline data.**

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Appendix A: Evaluations Analyzed 1993-2000

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
Dade County, FL	Assessing the Impact of Dade County's Felony Drug Court	John S. Goldkamp , Doris Weiland	U.S. Department of Justice	December 1993	1	1	245	Graduation, Length of Participation, Re-arrest/ Recidivism	Y
Fayette County, KY	Fayette County Drug Court Program Evaluation: Findings from the ASI Intake Data	TK Logan, Carl Leukefeld	Center on Drug and Alcohol Research, University of Kentucky	October 1998	1	1	176	Graduation, Termination, Impacts on graduation & termination , Mental health, Drug use	Y
Orange County, California	Evaluation of the Orange County Drug Courts	Elizabeth P. Deschenes , Iraj Imam, Tom Foster	National Drug Court Institute Review	Winter 2000	1	1	473	Recidivism Retention	Y
Virginia	Evaluation Report for the Drug Treatment Court Program, Twenty-Third Judicial Court of Virginia	Donald Shoemaker	Virginia Tech	October 1999	1	1	209	Graduation, Post-Program Recidivism , Substance use, Impacts on Outcomes, Treatment, Criminal history	Y
Douglas County, NB*	Phase II Douglas County Drug	Thomas J. Martin, Cassia C Spohn,	N/A	1999	1	13	*N/A	Recidivism , Cost benefit	N

	Court Evaluation Final Report: Executive Summary	R.K. Piper, Jill Robinson							
Tarrant County, TX	The Effect of the Tarrant County Drug Court Program on Recidivism	A. Bavon	Department of Public Admin., University of North Texas	July 1999	1	1	292	Re-arrest/ Recidivism , Treatment success	Y
Ohio*	Ohio Drug Court Evaluation	Edward Latessa	Ohio Office of Criminal Justice Service	1999	1	12	339	Recidivism , Drug treatment/ Offenders needed	Y
Hamilton County, OH	The Hamilton County Drug Court: Outcome Evaluation Findings	Shelley Johnson, Edward J. Latessa	Center for Criminal Justice Research, University of Cincinnati	July 2000	1	1	226	Graduation, Recidivism , Treatment, Post-program recidivism, Re-arrest rates, Participant satisfaction	Y
Oklahoma City, OK	Evaluation of Oklahoma Drug Courts	David Wright, Bob Clymer	Oklahoma Criminal Justice Resource Center	1997-2000	1	1	1,074	Graduation, Termination, Impacts on graduation and termination	Y
Kentucky	Kentucky Drug Court Outcome Evaluation	TK Logan, William Hoyt, Carl Leukefeld	Center on Drug and Alcohol Research University of Kentucky	1999	1	3	745	Graduation, Termination,	Y

* The evaluation reported reduced recidivism findings. However, no numbers were documented.

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
Denver, CO	An Evaluation of the Denver Drug Court: The Early Years 1995-1996	The Colorado Lawyer	The Colorado Department of Justice	1995	1	1	519	Graduation, treatment, recidivism, impacts on outcomes	Y
1 st Judicial District: Santa Fe, NM	Review of the Drug Court Program in the First Judicial District, Santa Fe, New Mexico	Angelina Quintana	OJP Drug Court Clearinghouse and Technical Assistance Project	September 1998	1	1	23	Treatment services, recommendations	N
Multnomah County, OR	An Outcome Program Evaluation of the Multnomah County S.T.O.P. Drug Diversion Program	Michael W. Finigan	Department of Community Corrections	January 1998	1	1	844	Graduation, termination	Y
Ohio**	The Ohio Drug Court Research Study: Status and Recommendations	Edward J. Latessa	Center for Criminal Justice Research, University of Cincinnati	December 1999	1	N/A	1318	N/A	
Washington DC***	Evaluation of the D.C. Superior Drug	Adele Harrell, Shannon Cavanagh, John	National Institute of Justice	April 2000	1	3	N/A	Sanctions, treatment, drug use, reductions of drug use	Y

	Court Intervention Programs	Roman							
Philadelphia PA	The Philadelphia Treatment Court	John S. Goldkamp	Crime and Justice Research Institute	August 2000	1	1	383	Graduation, completion of treatment, court processing and operation	Y
Missouri	Multi-Jurisdictional Enhancement for Drug Courts	University of Missouri-Columbia School of Social Work	State of Missouri Office of State Courts Administrator	December 2000	1	10	771	Graduation, termination, , impacts on outcomes, client interviews	N
Baltimore, MD	The Baltimore City Drug Treatment Court: One-Year Results from a Randomized Study	D. Gottfredson, M. Exum	Dept. of Criminology and Criminal Justice, the University of Maryland	April 2000	1	1	157	Graduation Recidivism rearest	yes
Pensacola Florida	Impact Evaluations of Pensacola	Truitt, Rhodes, Seeherman, Carrigan, and Finn	Abt Associates	November 2000	1	1	483	Graduation Termination rearest	yes
Jackson County (Kansas City), MO	Kansas City Drug Court Programs	Truitt, Rhodes, Seeherman, Carrigan, and Finn	Abt Associates	November 2000	1	1	693	Graduation Termination rearest	yes

*It is to be noted that the evaluations were not consistent in regards to reporting. Some graduation rates were calculated from active participants and others at the conclusion of the program. Several of the evaluations used a moving model which reflected all active and terminated drug court participants while other evaluations used closed case numbers to generate more accurate comparisons. Further, the outcome measure of termination was also inconsistent in regards to reporting. Some rates were calculated from closed cases and some used a moving model that included participants who had absconded, died, or were incarcerated for other charges.

***The evaluation reported reduced recidivism findings. However, no numbers were documented.

***The Ohio Drug Court research study to produce an outcome evaluation model and data collection process that could be used to

determine the effectiveness of the drug courts operating in Ohio. Further it disclosed that most drug courts have not been in operation for long enough to have established a stable graduation rate and termination rate in regards to the impacts.

****Reported findings on impact, however, they only disclosed levels of significance

Appendix B: Evaluations Analyzed 2001-2009

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
23rd Judicial District	An Evaluation of the Drug Court of the Twenty-Third Judicial Circuit Court of Virginia: A Response to the War on Drugs	Donald J. Shoemaker, Danielle McDonald	Virginia Polytechnic Institute and State University	2003	1	1	261	Graduation, Recidivism, Post-program, Impacts	Y
Akron	The Akron Municipal Drug Court: Outcome Evaluation Findings	Shelley Johnson Listwan, Deborah Koetzle Shaffer, Edward J. Latessa	Center for Criminal Justice Research	2001	1	1	334	Graduation, Recidivism/, Treatment / Recidivism	Y
Lancaster	Lancaster County Adult Drug Court: An Evaluation of the First Three Years	Maria L. Hein	ISED Solutions	2005	1	1	165	Graduation, Impact on Outcomes, Drug Use, Criminal History	Y
Rappahannock	Outcome Evaluation of the Rappahannock Regional Adult and Juvenile Drug Treatment Court	Donald J. Shoemaker, Jeffrey Toussaint	Virginia Polytechnic Institute and State University	2003	1	1	83	Graduation, Recidivism/ New Charges, Impacts on Graduation, Cost Consideration	Y
Douglas County, NB	The Douglas County Court: Characteristics of	Cassia Spohn, R.K. Piper	University of Nebraska at Omaha	2004	1	1	255	Graduation, Recidivism, Impacts on	Y

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
	Participant's Case							Outcomes	
Alaska	Evaluation of the Outcomes in Three Therapeutic Courts	Alaska Judicial Council	Legislature and the Alaska Department of Health and Social Services	2005	1	3	258	Graduation, Treatment	Y
North Carolina	Annual Report on North Carolina's Drug Treatment Courts	Sarah E. Parker, Ralph A. Walker	North Carolina General Assembly	2007	1	22	876	Graduation, Impacts on Outcomes	Y
Staten Island	Staten Island Treatment Court Drug Court Initiative	Darren Edwards, Justin Barry	Criminal Court of New York City	2007	1	1	180	Impact evaluation, Treatment, Recidivism	Y
Oklahoma	Analysis of Oklahoma Drug Courts: Fiscal Years 2002-2003	K.C. Moon	The Oklahoma Criminal Justice Resource Center	2004	1	19	1,666	Multiple Assessments	Y
Maine	An Evaluation of Treatment in the Maine Adult Drug Courts	Faye S. Taxman, April Pattavina, Jeffrey Bouffard	University of Maryland-College Park, University of Southern Maine	2005	1	6	345	Treatment	N/A

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
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Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
Ohio	Outcome Evaluation of Ohio's Drug Court Efforts	Edward J. Latessa	Ohio Office of Criminal Justice	July 2002	1	4	788	Recidivism rates, treatment, termination, impacts on outcomes, substance use	Y
Florida	Report on Florida's Drug Courts	Supreme Court Task Force on Treatment-Based Drug Courts	Office of the State Courts Administrator/Office of Court Improvement	July 2004			10200		
New York	Manhattan Treatment Court	Drug Court Initiative Annual Report	Criminal Court of NYC	2006	1	1	1366	Graduation, retention rates, impacts on outcomes	N
Pima County, AZ	Drug Court Annual Report	Edward T. Gilligan	Adult Probation Department	February 2006	1	1	349	Graduation, recidivism	Y
Vanderburgh County, Indiana	Indiana Drug Courts: Vanderburgh County Day Reporting Drug Court	Indiana Drug Court Evaluation Team	NPC Research	April 2007	1	1	153	Process, Outcomes, graduation, impacts on graduation	Y
Polk County, Iowa	Final Report on the Polk County Adult Drug Court	Paul Stageberg	Iowa Dept. of Human Rights Division of Juvenile Justice Planning	2001	1	1	124	Recidivism, impacts on outcome, post program recidivism	Y

Jurisdiction	Title	Author	Organization	Date	# of Evals	# of Jurisdictions	# of Participants	Measurable Outcomes	Control Group
Washington State	NW HIDTA/D ASA Washington State Drug Court Evaluation Project	Gary Cox	Northwest High Intensity Drug Trafficking Area and DSHS	July 2001	1	3	N/A	Reconviction, , recidivism	Y
North Carolina	North Carolina Drug Treatment Court	Amy Craddock	North Carolina Drug Treatment Court Program	May 2002	1	5	534	Graduation rates, rates,	Y
Maine	Evaluation of Maine's Statewide Adult Drug Court Program	Kimberly Johnson	University of Southern Maine	January 2004	1	6	345	Graduation rate, retention, termination	Y
California	California Drug Courts: Outcomes, Costs, and Promising Practices	Shannon Carey	Journal of Psychiatric Drugs	2006	1	9	N/A	Graduation rate, retention	Y