

Final Report on the Polk County Adult Drug Court Executive Summary and Summary of Findings

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Division of Criminal and Juvenile Justice Planning
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Executive Summary

An evaluation has been conducted on the Polk County Drug Court, comparing clients entering the program from its inception through September 30, 1998 with a group of revoked probationers from FY96 (the “pilot group”) and other offenders referred to drug court who did not enter the program (the “referred group”). Findings of the evaluation include the following:

COMPLETION RATES

- Of the 124 drug court clients in the study population, 44 percent graduated. The graduation rate rose through the program’s first two years and has since remained above 50 percent. This graduation rate is consistent with graduation rates in other drug courts serving similar (largely felony) populations. Most of those failing in the program were terminated for failure to meet program requirements or continued drug use rather than re-arrests for new crimes.

RECIDIVISM

- Drug court graduates had lower total post-program recidivism than comparison groups.

| | Total Felony Recidivism | Total Misdemeanor Recidivism | Total Recidivism |
|----------------------|-------------------------|------------------------------|------------------|
| Drug Court Successes | 3.7% | 29.6% | 33.3% |
| Drug Court Failures | 16.9% | 44.6% | 61.5% |
| Referred Group | 21.8% | 32.4% | 54.6% |
| Pilot Group | 25.2% | 49.6% | 74.8% |

- In terms of recidivism, the drug court appears to work best for felons. Drug court graduates who entered the program on felonies showed a total recidivism rate of 28.1%, compared to 51.3% for program failures, 47.5% for referrals, and 74.5% for the pilot group.

JUSTICE SYSTEM COSTS

- When controlling for the seriousness of entry crimes and referral type, the total corrections system costs for drug court clients (\$26,021.59) was less than the comparison groups (\$29,427.80 for the referred group and \$39,776.75 for the pilot group). The costs of processing *felony* drug court clients showed an even greater difference (\$31,274.37 in the drug court, vs. \$38,352.33 and \$56,588.48) due to reduced imprisonment costs. The cases of successful felony drug court clients averaged \$15,902 in costs.

TREATMENT COSTS

- Overall, drug court clients received more drug treatment than the comparison groups, at a cost of \$5,149 per client served (compared to \$3,949 for the referred group and \$2,539 for the pilot group).
- Drug court clients received the largest percentage of treatment services in the same quarter as their entry to drug court. The first quarter after the entry quarter also saw substantial treatment costs.
- A year after the referral quarter, the treatment costs of drug court clients appear to have stabilized, but at a lower level than the comparison groups. This may suggest a positive long-term effect from the intensive treatment received in the early months of drug court participation and/or a positive effect from the drug court process and supervision.

SUMMARY OF FINDINGS

Using funding from the Governor's Office of Drug Control Policy (OCDP), the Division of Criminal and Juvenile Justice Planning (CJJP) has studied the Polk County Drug Court during its first four years of operation. Special attention was paid to the period between August, 1996 and September 30, 1998 to enable a study of recidivism. The group of clients entering the drug court was compared to a group consisting of offenders referred to the drug court but not accepted (the "referred group") and a group of probationers selected by the drug court planning group as the likely target group for the drug court (the "pilot group").

Between its inception in August, 1996 and September 30, 1998, the Polk County Drug Court screened and accepted 124 clients, including 61 women and 63 men. The typical client stayed in the program 315 days. Polk County's is the first drug court in Iowa, although as of this writing drug courts have also begun operating in the Third, Fourth, and Second Judicial Districts and in the Polk County Juvenile Court. Drug courts are currently being planned for other areas, as well.

The theory behind drug courts is that a year or more of intensive supervision, combined with existing community drug treatment resources and regular judicial intervention, can assist drug-abusing defendants in staying "clean and sober" and remaining crime-free. In Polk County this theory has resulted in a drug court team consisting of the following:

- a part-time presiding judge,
- a program supervisor,
- two probation officers (one of whom was added in late-1998),
- two Treatment Alternatives to Street Crime (TASC) counselors,
- a part-time assistant county attorney,
- a part-time public defender,
- part-time clerical support.

Total budget for the program has ranged from approximately \$300,000 to \$350,000 per year. While it has never been maintained that drug courts are inexpensive programs, their expansion nationally has been due to the belief that long-term reductions in criminal justice and societal costs will occur as addicts involved in criminal behavior turn away from drug abuse. These programs have been extensively evaluated in other jurisdictions, and they have been found to be cost-effective.¹

Major findings in this report include the following:

¹ Belenko's 1999 review of drug court evaluations cites a number that indicate short- or long-term savings from drug courts. See Belenko, "Research on Drug Courts: A Critical Review, 1999 Update," National Drug Court Institute Review, Volume II, Number 2.

1. Program administration

- Through its first four years of operation (August, 1996 – July, 2000), Polk County's drug court has accepted 211 clients. Of these, 69 have graduated (32.7 percent) and 49 were active at the end of July, 2000. The program's completion rate was 42.6 percent and its retention rate was 55.9 percent, both consistent with figures from other drug courts serving (largely) felony populations.²
- Of the 124 clients in the two-year study population, 54 (or 43.5 percent) graduated. Felons showed slightly higher graduation rates than misdemeanants. Most of those failing in the program were terminated for failure to meet program requirements or continued drug use rather than re-arrest for new crimes. The graduation rate rose through the first three years; study population clients accepted in 1998 achieved a 59 percent graduation rate.
- Polk County has succeeded in implementing a true intensive supervision program. The typical client spent 315 days (median) in the drug court program. During this time he/she averaged 47 contacts with probation officers, 57.5 contacts with TASC officers, 15 contacts with the judge, and 40 urine tests. A very small percentage of urine tests have been positive.
- The original staffing of the drug court limited its potential in serving its target audience, i.e., felons facing probation revocation. A majority of drug court clients in its early months were misdemeanants, presumably because the judge assigned to the Court was an associate district court judge.³ Since that time, however, the program has served clients consistent with its original target group.
- The number of clients entering the drug court has vacillated, ranging from an average of seven per month during the first half of 1997 to less than three per month in the last half of 1997 and between July and September, 1998. Low rates of referral continued well into 1999 and well after a second probation officer had joined the team. It was not until late fall of 1999 that the program reached its optimum client level
- Graduation rates for white and non-white clients are disparate. Non-white clients have achieved very low rates of completion in the drug court.
- The graduation rate for methamphetamine addicts was markedly higher than was true for clients whose drug of choice was either marijuana or cocaine.

2. Impact on jail costs

- While one of the program's original goals was to reduce Polk County's jail population, delays in getting new clients into treatment have limited the extent to

² The General Accounting Office has reported completion rates for drug courts ranging from eight percent to 95 percent, with an average completion rate of about 48 percent. These figures include all surveyed drug courts operational on December 31, 1996 for more than 18 months. About half these programs were pre-trial diversion programs and most of the others were post-adjudication programs. Few, if any, targeted probation revocations, as is true in Polk County. See General Accounting Office, Report to the Committee on the Judiciary, U.S. Senate, and the Committee on the Judiciary, House of Representatives: Drug Courts: Overview of Growth, Characteristics, and Results, July, 1997.

³ Associate district court judges in Iowa have limited only jurisdiction in felony cases.

which the drug court can affect the jail population. Nonetheless, when controlling for the referral status of clients, the typical felony drug court client accumulated \$8,050 in jail costs while under justice system jurisdiction, compared to \$8,844 for the group referred to the drug court but not entering the program. Felony members of the pilot group accumulated jail costs of \$11,956.

- When controlling for referral status, jail costs for misdemeanor drug court clients were also positive. The mean cost for drug court misdemeanants was \$6,040, compared to \$7,151 for the referred group and \$6,807 for the pilot group.
- **The drug court consistently showed lower rates of jail usage for probationers who were admitted while they had new charges pending.** This was true both for felons and misdemeanants. Overall, drug court jail costs for this group were \$6,819, compared to \$8,592 for the referred group and \$9,772 for the pilot group.

3. Impact on prison costs

- **Results suggest that the drug court has diverted some felons from prison.** Felony drug court clients averaged prison costs of \$17,550 per client, compared to \$24,130 for comparable felons in the referred group and \$40,620 for the pilot group. Imprisonment costs for drug court misdemeanants were also somewhat lower than both comparison groups (\$6,881 vs. \$7,112 for the referred group and \$10,218 for the pilot group).

4. Total corrections costs

- Mean corrections system costs for drug court clients were lower than those for comparable clients in the comparison groups (\$26,022 for drug court, \$29,428 for the referred group, and \$39,777 for the pilot group). **The cost of processing felony drug court clients was much lower than the other groups due to reduced prison costs** (drug court felony mean of \$31,274.37 vs. \$38,352 for the referred group and \$56,588 for the referred group, when controlling for referral status). **This analysis showed that the drug court paid for itself when it dealt with felons.**
- When controlling for referral type, misdemeanants entering the drug court showed corrections costs higher than the referred group (\$18,690 for the drug court, vs. \$16,971) and about the same as the pilot group (\$18,380). This difference in cost was more than accounted for by the cost of the drug court (average \$4,490 per misdemeanor client).

5. Treatment costs

- Substance abuse treatment costs during the study period were higher for drug court participants than the comparison groups. The Substance Abuse Reporting System (SARS) reported that 86 percent of the drug court clients received substance abuse treatment during the study period (including 94 percent of the drug court graduates), compared to 67 percent of the referred group and 36 percent of the pilot group. The average cost per individual treated was \$5,149 for drug court clients, \$3,949 for the referred group, and \$2,539 for the pilot group. While treatment costs for drug court clients were generally higher than the

comparison groups, after two years the latter showed slightly higher costs than the former.

- The quarter of referral to the drug court (the quarter of revocation, for the pilot group) and the quarter immediately following showed the highest levels of treatment for the drug court and referred groups. The pilot group showed the highest level of treatment one year after referral.

6. Recidivism

- Nineteen percent of the study population was convicted of new crimes committed during participation in the drug court, with most of the new offenses being misdemeanors. Seven offenders were convicted of new felonies while in the program. Within-program re-conviction rates were almost twice as high during the program's first year as during the second.
- The post-program recidivism rate for program graduates after an average 416-day follow-up was 28 percent, with only one of the 15 convictions being felonies. The rate for graduates was slightly more than half that of failures (54 percent for failures), with more of the failures being convicted of felonies, in particular. Overall, 85 percent of the new convictions were for misdemeanors. Combining the successes, failures, and neutral terminations, approximately 40 percent of former drug court clients at risk were convicted of post-program crimes during the study period.
- **The drug court appears to have a particularly salutary effect on women.** Combining within-program and post-program recidivism, 62 percent of the men entering the drug court have been convicted of new crimes, while the figure for women was 33 percent. Drug court males, although they showed lower felony recidivism, performed somewhat worse overall than males in the referred group, who showed a 56 percent recidivism rate, but better than males in the pilot group (69 percent). Women in the referred and pilot groups showed total recidivism rates of 52 and 82 percent, respectively.
- While drug court clients showed a total recidivism rate somewhat lower than that of the referred group (48 percent to 55 percent), their **felony** recidivism rate was substantially lower (11 percent to 22 percent). Both these groups showed markedly lower rates than the original pilot group, which showed a total rate of 75 percent. Statistical risk assessments of the three comparison groups suggested that the drug court group should have about four percent less recidivism than the pilot group and 3.4 percent more recidivism than the referred group. Considering all program clients, the drug court group performed better than these figures, particularly for new felonies. Drug court *graduates* did even better.
- **In terms of recidivism, the drug court appears to work best for felons.** Felons graduating from the drug court showed a total recidivism rate of 28 percent (compared to 41 percent for the misdemeanor graduates). While drug court felony failures showed higher total rates than felons in the referred group (51 percent to 48 percent), their felony recidivism rate was slightly lower (15 percent to 19 percent). Both the drug court felons and referred felons showed lower total rates of recidivism than pilot group felons (75 percent).

- While evaluations of some other drug courts have shown residual positive effects even among program failures, this does not appear to be true in Polk County except for slightly reduced felony recidivism.
- With regard to an offender's status at the time of referral, the drug court appears to work best for probationers. This group showed lower total recidivism than other drug court clients (39 percent vs. 52 percent for probationers with pending charges and 53 percent for pre-trial referrals). When controlling for status at referral, however, the biggest differential was for probationers with pending charges. These drug court clients showed a 52 percent recidivism rate, compared to 63 percent for the referred group and 76 percent for the pilot group. As noted above, this was achieved at a lower cost per person than in either the referred group or pilot group.