

Program Performance Report

Enhancement Grantees of the Adult Drug Court Discretionary Grant Program

*Federal Fiscal Year 2012 Report:
October 2011–September 2012*



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Adult Drug Court Discretionary Grant Program (ADC)—Enhancement—FY 2012

Program Performance Report (October 2011–September 2012)

The Adult Drug Court Discretionary Grant Program (ADC) Program, administered by the Bureau of Justice Assistance (BJA), is intended to “build and/or expand drug court capacity at the state, local, and tribal levels to reduce crime and substance abuse among high risk, high need offenders.”¹ Drug courts, which are a significant part of a larger universe of problem-solving courts, have been proven to reduce recidivism and substance use among program participants. When implemented in an evidence-based manner, drug courts have also been proven to increase the likelihood of rehabilitation. Some of the key components that serve as guidelines for drug court operations include early intervention and intensive treatment, close judicial supervision, mandatory and random drug testing, community supervision, appropriate incentives and sanctions, and recovery support services.

BJA awarded grants to states, state and local courts, counties, units of local government, and Indian tribal governments. Enhancement grants were awarded to operational adult drug courts (operating at least 1 year) that sought to (1) expand their target population, (2) enhance court operations, (3) improve court services, and (4) enhance offender services. The following report examines data entered into the Performance Measurement Tool (PMT) for October 2011–September 2012 (FY 2012) for enhancement grants and subgrants awarded in fiscal years 2008–2011 (Table 1).²

Table 1. Operational Enhancement Grantees by the Grant Award Year, FY 2012

Grant Award Year	Total Responding to at Least One Question
FY 2008 (N=3)	1
FY 2009 (N=34)	32
FY 2010 (N=91)	87
FY 2011 (N=63)	54

Table 1 shows the active enhancement grantees by the fiscal year in which they were awarded. An active award means that grantees executed program activities outlined in their applications and spent award funds during the quarter(s) for which they are reporting.

- Almost half (46%) of the active grantees were awarded grant funds in FY 2010.

Table 2. Enhancement Grantees and Subrecipients Reported, FY 2012

Quarter	Total Responding to at Least One Question
Oct.–Dec. 2011 (N=188)	152
Jan.–March 2012 (N=191)	172
April–June 2012 (N=183)	170
July–Sept. 2012 (N=180)	159

¹ Bureau of Justice Assistance. (2012). *Adult Drug Court Discretionary Grant Program FY 2012 competitive grant announcement*. Washington, DC: U.S. Department of Justice, Office of Justice Program, Bureau of Justice Assistance.

² Subgrants are awarded to local drug court programs by state organizations.

Table 2 shows the number of active drug court enhancement grantees and subrecipients that submitted quarterly reports in the PMT by quarter.

- Overall, 88% of grantees and subrecipients completed their quarterly reporting requirements in the PMT.
- Among drug courts, 155 unique courts received 172 grants **and** reported performance measurement data in the PMT. This represents about 6% of an estimated 2,459 adult drug courts and other problem-solving courts³ nationwide (as of December 31, 2009).⁴ Some courts received multiple grants that were awarded in different years (i.e. different solicitations).

Table 3. Numbers of Years BJA-Funded Drug Courts Were Operational as of September 30, 2012

Number of Years Operational	N	Percentage
Unknown	2	1%
0 to 1 Year	20	13
2 to 5 Years	26	16
6 to 10 Years	45	28
10 or More Years	66	42
Total	159	100%

Table 3 shows the number of years that drug courts receiving enhancement grants funds have been operational as of September 30, 2012.

- On average, drug courts receiving enhancement grants have been operational for 9 years, and many (42%) have been operational for 10 or more years.

Program- and Participant-Level Key Measures

Table 4. Services Added by Drug Court Programs

Services Added	Total
Inpatient Slots Added	1,538
Outpatient Slots Added	3,705
Case Management or Offender Supervision Staff Added	154

Enhancement drug court grantees generally use BJA funds to add services or increase their capacity. In FY 2012, 1,538 inpatient and 3,705 outpatient treatment slots were added (Table 4). In addition, 154 case management and offender supervision staff were hired, which averages out to almost 1 new staff person per program.⁵

³ Other problem-solving courts include juvenile drug/treatment courts, family courts, tribal health and wellness courts, reentry drug courts, veterans courts, and DUI/DWI courts.

⁴ Huddleston, W., & Marlowe, D. (2011). *Painting the current picture: A national report on drug courts and other problem-solving court programs in the United States*. Alexandria, VA: National Association of Drug Court Professionals, National Drug Court Institute.

⁵ This may not represent all personnel hired under the grant.

Table 5. Program Entry- and Participant-Level Outcomes

Screened	Eligible		Admitted		Graduation Rate		Positive Alcohol/Drug Test		In-Program Recidivism		
	N	%	N	%	N	%	N	%	N	%	
Location											
Urban (N=93)	15,477	9,912	64%	6,539	66%	3,190	51%	5,316	20%	1,003	7%
Suburban (N=39)	4,760	4,128	87	1,495	36	785	55	2,998	15	165	5
Rural (N=46)	2,607	1,793	69	1,071	60	580	48	1,103	19	242	9
Tribal (N=8)	321	167	52	109	65	23	39	80	24	17	12
Overall	23,165	16,000	69%	9,214	58%	4,578	51%	9,497	18%	1,427	7%

Table 5 shows participant-level key measures for enhancement drug court programs by location type. The key measures are the percentage of screened candidates eligible for program participation (eligible), percentage of eligible candidates newly admitted/enrolled (admitted), the graduation rate, the percentage of drug and alcohol screening tests that showed usage (positive drug/alcohol test), and the in-program recidivism rate. For further clarification on the program entry- and participant-level outcomes, see the Key Performance Measures table on page 7.

- The FY 2012 overall graduation rate for all locations is 51%, which is slightly lower than the average graduation rate of 57% according to a 2008 national survey of drug courts.⁶ BJA's target graduation rate across all drug court programs (i.e., enhancement and implementation drug courts) is 48%.
- The graduation rate is lower among tribal programs (39%) than in programs in other locations, although the sample size for tribal programs is small (N=8).
- Interestingly, over 87% of screened candidates in suburban locations are eligible, but only 36% are admitted into a drug court program. This may be due to a lack of capacity in drug courts located in suburban locations in particular.

Table 6. Participants with High Criminogenic Risks and Substance Abuse Treatment Needs

Location	Assessments Completed	High Risk and Needs (N)	High Risk and Needs (%)
Urban (N=93)	6,101	3,654	60%
Suburban (N=39)	4,609	1,242	27
Rural (N=46)	1,065	773	73
Tribal (N=8)	131	76	58
Total	11,906	5,745	48%

Table 6 shows the number of risk and needs assessments completed and the percentage of those participants scored as being high risk and having high substance abuse treatment needs. Research suggests that drug court programs can have the most impact in reducing recidivism by targeting offenders who are at high risk for reoffending and have high substance abuse treatment needs and increases the cost-effectiveness of the program.

- In FY 2012, 11,906 risk assessment screening were completed. More screenings were completed than there were new drug court participants.
- Almost half (48%) of the participants who were assessed and admitted into the program have high criminogenic risk factors and/or have high substance abuse treatment needs.

⁶ Huddleston & Marlowe (2011).

- Not one standard assessment instrument is used across all programs. Many different assessment/screening instruments are used, such as the Level of Service Inventory–Revised (LSI–R), Substance Abuse Subtle Screening Inventory (SASSI), and the Addiction Severity Index (ASI), among many others.

Table 7. Participants Who Exited the Program Unsuccessfully

Exit Reasons	N	%	Time Frame	N	%
Subsequent Criminal Involvement	1,491	29%	0 to 3 Months	1,311	30%
Lack of Engagement	1,853	36	4 to 6 Months	815	19
Absconding	913	18	7 to 9 Months	616	14
Relocating or Case Transfer	179	4	10 Months or More ⁷	1,598	37
Death or Serious Injury	70	1			
Other ⁸	580	11			
Total	5,086	100%			

- Almost half (49%) of drug court participants do not graduate from the program for various reasons (Table 7).⁹
- The most common reasons given for participants not graduating are a lack of engagement by participants (36%), followed by subsequent criminal involvement (29%) and absconding (18%).
- Eleven percent of participants exit the program for “other” reasons, including voluntary withdrawal, continued drug and alcohol use, and failure to meet the conditions of the court.¹⁰
- Participants are more likely to unsuccessfully exit the drug court program in the first 3 months or after 10 months than they are in the middle stages of the program. This indicates that the 30% of offenders who left in the first 3 months may have been ill suited for the program or may not have received the initial intensive support they needed in the first 90 days.
- From time to enrollment to time to graduation, most successful drug court participants are in the program for 12 to 18 months.¹¹

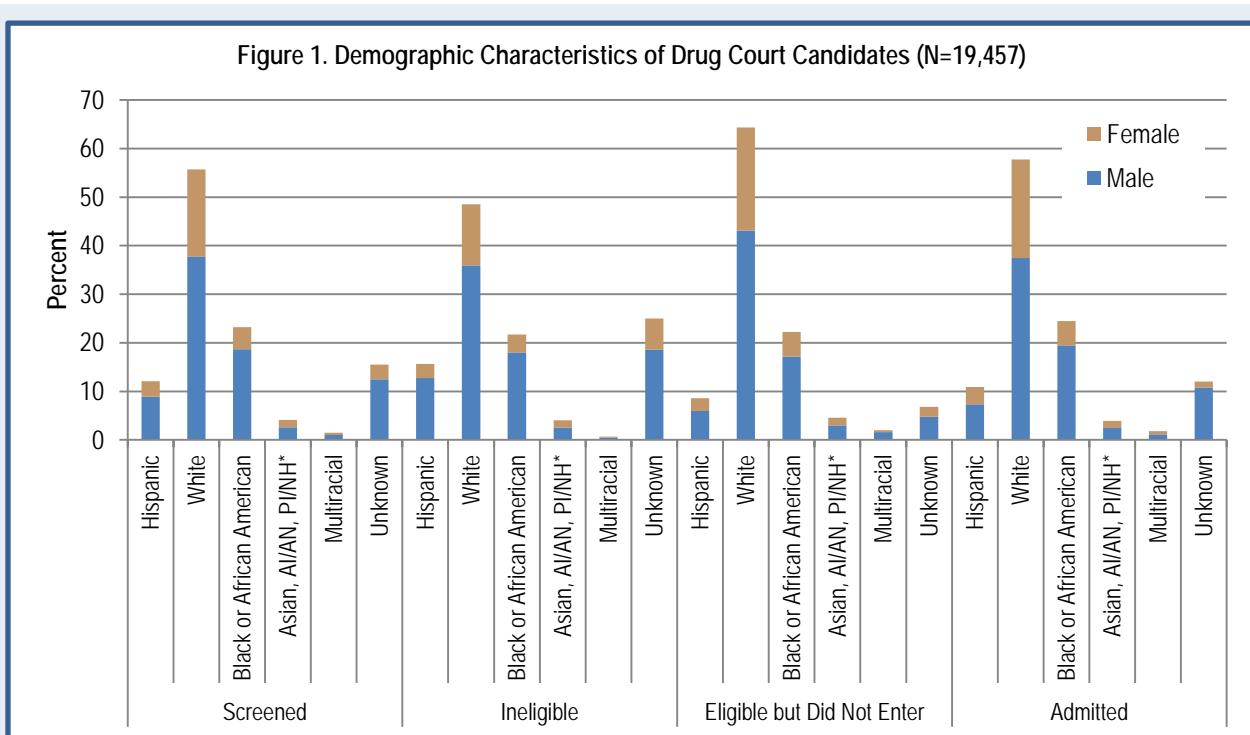
⁷ Additional timeframes beyond 10 months were added to the PMT that will be examined in future reports.

⁸ BJA revised the measures so that the “other” category can be examined in more detail in future reports.

⁹ This is calculated by taking the graduation rate and subtracting it from 100% ($100\% - 51\% = 49\%$).

¹⁰ Some grantees classified failure to meet the conditions of the court as “other,” when in fact they could also be classified under the “lack of engagement” category.

¹¹ BJA recently added a performance measure that asks programs to report on the time to graduation for program participants. This new measure will be included in future reports.



*American Indian/Alaska Native, Pacific Islander/Native Hawaiian.

Figure 1 compares the demographic makeup of potential drug court candidates from screening through admission. Potential drug court candidates are typically identified at the time of arrest or referred to the court by a criminal justice professional. Candidates are first screened for eligibility to ensure they meet certain eligibility criteria. Those candidates who do not meet all the criteria are considered ineligible. Drug court candidates who are eligible are considered for admission into the program. A portion of eligible candidates do not enter the program for various reasons, such as refusing entry or judicial objection (Table 8). Eligible candidates may then be admitted into the drug court program.¹²

- The demographic characteristics (gender, race, and ethnicity) were reported for 84% (19,457) of all screened candidates (23,165).¹³
- The demographic makeup of admitted candidates (i.e., 60% white, 25% black or African American, and 10% Hispanic) is consistent with the findings of a 2009 national survey of drug courts.¹⁴
- The demographic makeup at each stage from screening through admission does not change considerably. In other words, the demographic makeup of all candidates screened closely matches the demographic makeup of those participants who are admitted into drug court programs.
- Over 10% of screened candidates are classified as being an “unknown” race.

¹² Some drug court candidates may be screened in one quarter but not admitted until subsequent quarters.

¹³ Data checks were added into the PMT so that the demographic characteristics of all drug court candidates are reported.

¹⁴ Huddleston & Marlowe (2011). This report presents an estimate of the national Drug Court population and the average demographic characteristics. Drug Courts in this report includes adult, DWI, juvenile, family, tribal, campus, reentry, Federal, and veteran drug/treatment courts.

Table 8. Reasons Screened Candidates Did Not Enter the Program by Location Type, N (%)

Location	Urban		Suburban		Rural		Tribal		Overall	
	N	%	N	%	N	%	N	%	N	%
Eligible But Did Not Enter	2,219	100%	373	100%	655	100%	39	100%	3,286	100%
Participant Refused Entry	1,034	47	182	49	328	50	18	46	1,562	48
Prosecutor or Defense Objection	240	11	78	21	102	16	3	8	423	13
Judicial Objection	172	8	18	5	23	4	0	0	213	6
Out of Jurisdiction	46	2	9	2	37	6	4	10	96	3
Arrest, Conviction, or Incarceration on Another Charge	97	4	23	6	57	9	5	13	182	6
Other ¹⁵	630	28	63	17	108	16	9	23	810	25
Ineligible	5,344	100%	605	100%	806	100%	219	100%	6,974	100%
No Drug Problem	399	7	57	9	96	12	60	27	612	9
Exclusionary Prior Nonviolent Offense	975	18	101	17	185	23	22	10	1,283	18
Violent History	685	13	114	19	182	23	38	17	1,019	15
Mental Health Problem	234	4	65	11	44	5	6	3	349	5
Other ¹⁶	3,051	57	268	44	299	37	93	42	3,711	53

Table 8 shows the reasons that screened candidates did not enroll in a drug court program. Offenders were classified as either eligible or ineligible.

- Of those who were eligible but did not enter a drug court program, almost half (48%) of eligible offenders refused entry, and 25% did not enter for “other” reasons.

Table 8 also notes screened offenders who were ineligible to enroll in a drug court program and the reasons for their ineligibility.

- The most common reason cited for ineligibility was listed as “other.” BJA has revised these measures so that the “other” category can be examined in more detail in future reports.

Observations

The following observations are based on analysis of the FY 2012 Drug Court performance measures for enhancement grantees.

- In FY 2012, 4,578 drug court participants graduated, for a graduation rate of 51%. This is 3 percentage points above the target BJA graduation rate.
- In FY 2012, 154 new case managers and offender supervision staff were hired among 155 drug court programs.
- The most common reason cited among drug court candidates who were eligible but didn’t enter a program was that the participant refused entry (52%).
- On average, drug courts receiving enhancement grants have been operational for 9 years.

¹⁵ BJA revised the measures so that the “other” category can be examined in more detail in future reports.

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Key Performance Measures

Measure	Data Elements Used to Calculate Measure	Definition	Interpretation
Percent Eligible	A. Number of eligible offenders B. Number of candidates screened % Eligible = A/B	This compares the number of candidates meeting eligibility criteria with the number of candidates screened for program participation.	This provides an assessment of the results of the screening process.
Percent Admitted	A. Number of participants admitted to drug court programs B. Number of candidates meeting eligibility criteria % Admitted = A/B	Admitted participants compared with the total number of offenders who were eligible.	Assesses the ongoing capacity of the program by tracking new participant admissions.
Graduation Rate	A. Number of participants successfully completing program requirements B. Number of participants who failed the program due to court or criminal involvement C. Number who failed due to lack of engagement D. Number who failed due to relocating or case transfer E. Number who failed due to death or serious illness F. Number who failed for other reasons % Successful = A/(A+B+C+D+E+F)	Number of participants who successfully completed the program.	Assesses how many participants have successfully completed program requirements as determined by the drug court program. Can also be thought of as the graduation rate.
Percent Who Tested Positive for Drug or Alcohol Use	A. Number of participants who tested positive for drug or alcohol use B. Number of participants tested % Positive Drug or Alcohol Test = A/B	Percentage of participants that have failed drug and alcohol tests while in the program.	Assesses how many participants continue to use substances while in the program. Also assesses the use of drug and alcohol testing as a key component of the program.
In-Program Recidivism	A. Number of participants charged with a drug offense B. Number of participants charged with a nondrug offense C. Number of new participants enrolled in the program In-Program recidivism = (A+B)/C	Rate of recidivism for participants who have been charged with a new drug and/or nondrug-related offense while enrolled in the program.	Assesses participation in continued criminal behavior while enrolled in the drug court program.
Percent High Risk	A. Number of participants assessed as having high criminogenic risks and needs B. Number of participants assessed using a risk assessment instrument % High risk = A/B	Percentage of participants identified using a valid screening/assessment instrument as having high criminogenic risks and needs.	Assess the percentage of drug court participants with high criminogenic risks and needs; participants with high criminogenic risks and needs are at higher risk for reoffending when compared with low- and medium-risk individuals.