
The Ohio Drug Court Research Study: Status and Recommendations

FINAL REPORT

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Introduction

In March of 1997, the Supreme Court of Ohio contracted the University of Cincinnati, Division of Criminal Justice, to develop an outcome evaluation model and data collection process that the Supreme Court of Ohio could use to determine the effectiveness of drug courts operating in Ohio. The long-term objective of the Supreme Court is to utilize the evaluation model and data collection process to engage in on-going evaluations of Ohio's drug court programs. The implications of the project are of national significance as no other state has undertaken a statewide drug court outcome evaluation.

Specifically, the Supreme Court of Ohio required the University of Cincinnati to deliver the following services: (1) the development of an analytical process, (2) development of a data collection process, (3) installation of the data collection process at every operating drug court, (4) training, (5) user documentation (6) technical documentation, and (7) application support. This report contains a detailed account of the services provided in adherence to the grant proposal.

Development of the Analytical Process

In March of 1997, a research team from the University of Cincinnati was formed to undertake the development of the evaluation model. Meetings were held between the principal investigator, Dr. Edward Latessa, five research associates, Alex Holsinger, Betsy Fulton, Shelley Johnson, Jody Sundt, and Jamie Price, and a research consultant, Dr. Lawrence Travis to discuss project parameters and develop a project timeline. Two previous outcome evaluations of the drug courts in Hamilton and Butler counties were in the final stages of completion and experiences gained from those evaluations provided

background for the current project. Ms. Johnson and Ms. Sundt were involved in the Hamilton County evaluation and recognized the need for a data collection process that covered all parts of the system. That is, among other goals, drug courts are designed to reduce drug use and criminal recidivism. Drug court programs typically combine early intervention, judicial monitoring of treatment progress, and the use of sanctions and incentives to encourage an offender's abstinence from drugs and alcohol (Carver, 1996). The Hamilton County Drug Court adheres to this typical design and provides community-based treatment and judicial monitoring. During the initial outcome evaluation, however, it became clear that the current level of data collection and automation in each part of the system involved in treating the offender (i.e. pretrial, probation, court, and treatment provider) was poor. The lack of information from the treatment facility and probation hindered the initial outcome evaluation that inevitably relied on Pretrial Services and court dockets. Ms. Fulton had similar experiences during the Butler County Drug Court evaluation. The court did not have a data collection system in place that allowed for an outcome evaluation and much of the information came from what data did exist as well as a review of the case files. It had been our experience that data collection by outside researchers that must rely on a review of case files and hand written notes compromises the validity of the analysis. Often information useful to the analysis is not routinely and consistently recorded in these case files. Hence, it was decided very early on that relevant data needed to be collected at intake, during the entire progress through relevant services, and at termination by individuals working at each drug court site.

In addition to previous experience with drug courts in Ohio, a comprehensive literature review was conducted to determine the essential data elements required for an

outcome evaluation of a drug court program. As of January 1997 there were five counties that had implemented a drug court: Hamilton County, Butler County, Montgomery County, Summit County, and Erie County. At that time, there were no juvenile drug courts operating in Ohio. However, there were a number of juvenile drug courts and additional adult drug courts in the planning stages. For example, Mansfield Municipal Drug Court (located in Richland County) and Richland County Common Pleas Drug Court were scheduled to begin in April of 1997. In addition, Fairfield County Juvenile Drug Court and Lucas County Common Pleas Drug Court were scheduled to begin in August 1997¹. Differences existed in the populations served by each court and the size of jurisdictions. For example, Hamilton County screens approximately 2,000 cases a year whereas Erie County will screen less than 100. These differences presented us with both advantages and disadvantages. One advantage was that very little research had been conducted that provided outcome information on a variety of drug courts serving a variety of populations. The development of a data collection process for future outcome evaluations provided an excellent opportunity to determine the effectiveness of many different drug court programs. The disadvantage, however, was in developing a data collection model that could be maintained at each of the drug court sites regardless of their differences.

In our effort to develop a standardized data collection model that could be maintained at each drug court site, a review of previous outcome and process evaluations of drug courts was conducted. We found that despite the rapid expansion of drug courts, very little was known about the effectiveness of the drug court model. After reviewing

¹Both courts in Cuyahoga county and Montgomery County juvenile court were introduced in 1998.

the limited assessments of drug court programs, relying on our own experiences with outcome evaluations, and consulting the literature released from American University's Justice Program Office, we began to develop a data collection process to support future drug court outcome evaluations.

Evaluating Drug Courts

As with any evaluation, assessing the operations and impacts of a drug court program is a complex process. Each drug court was planned to achieve specific outcomes for identified types of cases or offenders. While some program impacts are common to all courts (reduced criminality, reduced substance abuse, etc.), the characteristics of participants, treatment options, monitoring activities, and sanctions were expected to vary across sites. The statewide evaluation model needed to be sensitive to differences between the courts while also producing summary information about drug courts in general.

A drug court program can be viewed as a process designed to produce specific impacts, much like a manufacturing operation. The program has inputs (offenders and offenses, staff, resources), throughput (procedures, treatments, sanctions) and outputs (changes in recidivism and substance abuse). The drug court evaluation required that we develop measures of each component. The impact or effect of drug court programming can be understood against a benchmark of what would be expected had there been no court program. Thus, the outcome evaluation required an ability to compare drug court product (recidivism rates, relapse, levels of substance abuse) with similar measures for cases that did not participate in the drug court program. Ideally, the evaluation would enable us to attribute any observed differences only to the drug court.

To do this, the effect of drug court programming on participant levels of recidivism and substance use would need to be isolated through the development of a comparison for each court, where the only difference between groups was participation in the drug court program. Thus, uniform measures of input and output for drug court cases and a sample of offenders who did not participate are essential. Further, to understand how the drug court produces differences in output, we need to compare how treatments (throughput) differed.

Development of a Data Collection Process

The Supreme Court required the development of a data collection process that appropriately captured the data necessary to complete an outcome evaluation. In order to integrate this model it was determined that we would take into account any existing data collections systems at each site. The research team from the University of Cincinnati had two tasks at hand: (1) include essential standardized data elements to conduct a future outcome evaluation and, (2) include all the drug court sites' recommendations and system requirements in the development of the data collection forms. Drawing on previous experience, the literature reviews, and discussions with representatives from the various drug courts, we identified a set of required data elements to be included in the data collection process. These elements reflected the input, throughput, and output of the drug court programs.

Input (Intake information)

Basic demographic characteristics such as age, race, sex, marital status, education level, employment status, family history, criminal history and residential stability may all be related to program outcome. Knowing the population served by the drug court allows

researchers to determine whether and how case outcome is influenced and answer questions such as: (1) Are particular drug courts more effective with younger than older defendants, (2) Are there any responsivity considerations with regard to race or ethnicity (3) Are certain drug court program services more effective with males than females (4) Are defendants who are married more or less likely to engage in future criminal behavior (5) Are defendants with less than a High School education (not including juveniles) more or less likely to engage in future criminal behavior? (6) Are defendants who hold a full time job more or less likely to engage in future criminal behavior, and (7) Are defendants who have a relatively stable residence more or less likely to engage in future criminal behavior. Overall demographic characteristics can provide important information regarding which drug court program works and with whom.

In addition to the basic description of the population, it is important to document the current charge and disposition of each case. Charge information allows us to assess severity of the offense and important cost benefit information such as time from arrest to other action by the court (e.g. arraignment, disposition, etc.). Disposition or sentencing information provides us with an account of services or sanctions rendered. When analyzing outcome, it is essential to capture all of the services to which the client is exposed. Having knowledge of the defendant's previous arrests and convictions, past drug behavior, incarceration history, and supervision history allows the researcher to assess severity and has important treatment considerations. In other words, the level of service required by a defendant who exhibits a long history of drug using behavior might be very different from an offender arrested for the first time. Further, this information

allows researchers to assess whether the court program was applied to the appropriate target population.

In an effort to measure drug use severity, we also knew it would be important to capture the use of assessment instruments, their recommendations, and the seriousness of the drug use problem. Hamilton County currently uses the Offender Profile Index, a measure of drug use severity. This measure provided us with a framework of questions that could be used in the data collection forms.

Finally, as part of the intake form, treatment needs exhibited by the defendant as well as where the defendant was sent to drug treatment were included. Again, the severity of the drug use problem and identification of the treatment needs gives the researcher a baseline measure of the level of services required by the defendant. We may expect a higher rate of failure among those exhibiting many different treatment needs.

Throughput (Treatment and supervision)

As stated previously, our experience with Butler and Hamilton counties influenced the decision to document the process. That is, for an effective outcome evaluation, the researcher needs to know what happened to the client while under drug court supervision. This level of documentation required the drug court staff to record when the client started treatment, if they moved to different phases based on progress (if applicable), the outcome of treatment, the outcome of drug testing, and any record of technical violations that may have occurred. This information is crucial to determine how well the program in operation matched the program that was planned. Researchers then could assess whether failure or success rates differ based on type and level of services received and degree of relapse exhibited during the process. Throughput data allow us to

document the drug court treatment and determine how differences in treatment are related to differences in case outcome.

Output (Termination)

In addition to determining the population served by each court, the level of services received and the degree of relapse exhibited, case outcome measures were essential. Outcome evaluations often focus solely on rearrest and conviction information. However, in addition to these important measures, there are a number of intermediate objectives that needed to be measured to assess whether the drug court was meeting its goals. For example, it was important to assess whether the sanctions imposed at disposition such as fines, restitution, and community service were fulfilled. One very important feature of the drug court model is the judicial supervision or monitoring through status or treatment hearings. A measure of attendance at those hearings allows the researchers a measure of participation by the defendant. In order to assess the type of defendant with whom the drug court is most successful, a measure of success or status at termination is crucial. Further, a measure of new crimes committed by participants while under supervision would allow a test of the effect of drug court programming on public safety. Similarly, measures of substance abuse allow a test of the impact of drug court programming on levels of substance use. Finally, a measure of program graduation is needed to enable a comparison of cases completing drug court programs with those who do not complete the program regimen.

Additional Information (Participant Surveys and Juveniles)

Satisfaction with the program and motivation to change criminal and substance abusing behavior may be correlates of program output. To test for the potential effects of

participant motivation on drug court outcomes, we developed a client questionnaire to be completed during the drug court experience. This questionnaire allowed us to test for correlation between case outcome and offender motivation. Participant perceptions of the drug court program also provide important information regarding how the clients of the program perceive the treatment and supervision processes. Participant perceptions and reported satisfaction represent a distinct measure of program impact by informing us of how participation might influence motivation to change, as well as participant ratings of program importance and impact.

Understanding the differences between adults and juveniles the research team felt it would be important to include a number of relevant factors such as: primary residence, home behavior (e.g. a record of running away or school suspensions), and school performance and related behaviors. In order to develop a standardized data collection process that could be used throughout the State it was decided that the questions pertinent to juveniles would be highlighted in bold print on the data collection forms.

Development of Analytic Process

As described above, the overall design of the drug court evaluation model was planned to enable researchers to isolate the impact of drug court programming on later criminal and substance abuse behavior. The collection of data pertaining to all components of the drug court process was planned to support an analysis of how drug courts produced their effects. The basic analytic plan called for a multivariate analysis to determine which aspects of drug court input (offender characteristics) and throughput (treatment and monitoring activities) were related to differences in outcome. This

analysis would identify any combinations of input and throughput which were especially important in explaining output differences.

To isolate the effects of drug court programming it was necessary to develop groups of comparison cases for each court site. The scientific “gold standard” for comparison groups requires a random assignment of eligible cases to either the treatment (drug court) or control (non drug court) condition. Other, less rigorous assignment methods can be used which also yield adequate comparisons. The outcome evaluation analysis then consists of comparing outcomes between those who participate in the drug court with those who do not to determine whether participation is associated with differences in outcome measures such as rearrest or levels of substance abuse. To develop comparison groups, the research team conducted site visits and met with representatives of the drug courts. The control groups used in each site are described in the site descriptions presented later in this report.

Site Visits

While some members of the research team were drafting instruments to capture the data elements described above, Mr. Holsinger began contacting sites regarding their possible participation. Meetings were then held in March, April, and May of 1997 with all participating sites. Site visits were made for a variety of reasons. First, to familiarize each site with the study and its goals. Second, to gauge the unique processes at work at each drug court site that may influence data collection. Information was gathered from each court that gave us a profile outlining the courts’ goals, target population, eligibility requirements, program start dates, treatment options, in-program sanctions, frequency of drug testing, and completion requirements. Third, to request comments and suggestions

pertaining to the data collection effort. It was our intention to develop a system that would work in each court and feedback from the individual sites was given high priority in the development of the data collection forms. And fourth, to develop a comparable group of defendants who did not receive drug court services in order to assess effectiveness.

Technical Documentation

It was decided that the data collection process should be automated to allow for data transfer to the Supreme Court for analysis and report preparation, and to provide the courts with an information system they could use for monthly statistical reports and federal grant report requirements. The development of an automated system did not begin until the data collection forms were finalized because we felt the database should be a direct mirror image of the forms. Mr. Price, the database developer on staff, constructed the database in FoxPro. The database contained all of the data collection forms and provided a “query maker” to enable sites to construct individualized reports. The database codebook can be found in the appendix. By the Spring of 1998, the database was completed. At this time, Ms. Johnson and Mr. Holsinger made site visits in order to train court staff on its use.

Through letters and phone calls throughout the duration of this project, researchers strove to maintain constant contact with each drug court. Reactions of drug court staff to the data collection process and operation of the automated database during this time indicated that a revision of the database was appropriate. First, it was brought to our attention that the data collection forms/database did not adequately capture the phenomenon of relapse and interim sanctions that occurs during drug court programming.

In addition, several string fields or notes categories were lengthened to allow for the input of longer case notations as requested by drug court staff. Third, the report generator or query maker was improved by making predetermined reports suggested by many sites. Fourth, data transfer via the Internet was made available to all sites. Fifth, since many courts were required to produce a process evaluation based on federal grant recipient requirements, process variables were added to both data collection forms and the database to ease this burden placed on the courts. And finally, although the satisfaction survey was to be administered at both 90 days and termination, the database did not provide space for both surveys. The database was expanded so that both forms could be entered. New data collection forms and the second version of the database were disseminated at a training conference held by the Supreme Court in March 1998.

Implementation of the Data Collection Process and Training

Throughout the project, site visits and phone conversations were completed to determine if any problems were occurring and to provide any assistance needed by the sites. As discussed previously, the original nine sites were consistently consulted throughout the inception of the data collection process regarding any problems or questions regarding their role. The development of the database was seen as an effort to aid both the evaluator in data analysis and the individual courts in daily operations. The University of Cincinnati worked with each site to determine the level of assistance required and to reduce the burden that may have been caused by their participation. Sites that were unable to enter data collected on hard copy while the database was under construction were informed they could send the material to the University and members of the data entry staff would enter the data and send the information back to the site on

disk. The developer, Mr. Price, responded to technical questions regarding database concerns. In addition, in the winter of 1998, new drug court sites began contacting the University of Cincinnati for copies of both the data collection forms and database. Site visits and training were conducted with all new sites in an effort to increase the validity and reliability of the data collection.

User Documentation

In the beginning of the study when all suggestions for data collection were taken into consideration, a draft of the data collection forms was sent to each site and the Supreme Court. The sites were given instructions to review the forms and provide any additional feedback. Approximately five different drafts were sent to the sites before the standardized data collection forms were finalized. Once the forms were finalized, a codebook was produced as a reference guide that explained each data element or question in detail. The finalized materials were then sent to each of the sites and data collection on both drug court participants and control group cases began in the Fall of 1997². Once the first version of the database was completed, site visits were again made and a codebook describing how to install and enter data into the database was provided. Once version 2 of the database was distributed, new data collection forms and codebooks were sent to each site. A separate section on how to write queries for reports was also included in the codebook. The version 2 materials were disseminated at the training meeting held at the Supreme Court in March 1998. Copies of the materials have been forwarded to new sites as necessary.

² Nine drug courts began collecting data at this point, the remaining three began in the Spring of 1998.

Application Support

All sites were given a telephone number to contact at the University of Cincinnati for technical support. Many technical support questions could be answered over the phone, however, in the event of a more detailed problem, site visits were conducted. As an example, Butler County had difficulty using the software on their network. Site visits made appear to have addressed the problem, although they are considering visual FoxPro as an alternative application.

Project Status

During December 1998 researchers began contacting sites to instruct them to send the data gathered for the study in order to compile a summary report for the Supreme Court of Ohio by February 1999. However, the sheer number of sites requiring assistance with data collection provoked the court to ask for a no cost extension in order to allow the University more time to collect the appropriate data. Although many phone calls and letters were sent out requesting the status of data collection, it was unknown until this time the level of assistance required by some of the courts. Examples of assistance required by sites included data entry of hard copies sent to the University and site visits to collect data from individual case files. Specifically, in January 1999, a research team began traveling to sites to assist them in data collection activities. Most sites were extremely cooperative and data collection was completed within a short period of time. However, a few sites required multiple visits and more attention. For example, Hamilton County has a very fragmented system which required the team to collect data at three different sites: the court, probation, and at the treatment facilities. Montgomery County required multiple visits because the staff collected very little data. We were not alerted to

this problem in previous phone conversations with Montgomery County. Cuyahoga County Municipal court had a difficult time collecting the appropriate data and a site visit was required. Finally, Richland County collected the appropriate data on the paper copy, but had difficulty with the time consuming task of entering the data collected while the database was under construction. The data were sent to the University and entered by the data entry staff. A more detailed description of the problem we had (or still have) with the sites will be discussed in the next section of the report. Data collection was completed within all 12 sites as of July 1999. Once all data were collected in the sites requiring assistance, the information was returned to the University of Cincinnati and entered into a single, master database. At that time the data were sent to the database manager and converted into a format for cleaning and analysis. The data were cleaned during September and preliminary analyses are currently underway.

Site Descriptions³ and Problems Encountered

It should be noted that there were no problems encountered during the initial phase of the project. Individual drug court sites were willing to participate in the study and a data collection protocol was established that did not meet with any substantial resistance. Throughout the project numerous letters were sent to the sites requesting cooperation as well as offering assistance if needed. The sites were also contacted a number of times to determine whether any problems had arisen with regard to the data collection or database. During this time, many sites also called the University on occasion to discuss matters related to comparison groups or database problems, but some of the sites were unresponsive to phone calls or letters designed to monitor their

³ Percentage and frequency distributions of demographic characteristics can be found in tables 1 and 2.

participation. As a general rule, many sites appear to be having difficulty collecting data on comparison group cases. Each sites' progress in the study is delineated in the following discussion.

This project included 12 drug court sites described below:

Butler County Common Pleas Drug Court Profile

The Butler County Drug Court began on September 16, 1996. The goals include: reducing the amount of time involved in the court processing of drug offenders; increasing the rate of participation and completion of treatment for drug offenders; reducing the rate of recidivism among drug offenders; and improving education and employment of drug court offenders

The court's target population includes any felony or drug abuse offense of the 3rd, 4th, or 5th degree and companion cases, any non-violent theft offense of the 3rd, 4th, or 5th degree and companion cases, and offenders determined to be a drug or alcohol dependent person or in danger of becoming a drug or alcohol dependent person who would benefit from treatment. The eligibility criteria are based on the current and past behavior of the defendant, they must demonstrate a willingness to participate, and exhibit no significant history of violent behavior or mental illness.

Our database contains information on 564 offenders who have been screened for the drug court. Comparison cases include defendants who are eligible for the drug court but who are rejected by the prosecutor. Discussion with officials in Butler County have revealed this comparison group is too limited and should be expanded to all those eligible but not accepted for any reasons. When the University contacted Butler County in December 1998, it became apparent that the site had not been collecting and entering

relevant information on drug court cases or comparison cases. Subsequent visits and correspondence with the court produced data on both groups. Within the next year, enough time will have elapsed to conduct an outcome evaluation.

Butler County has concerns regarding confidentiality, especially with regard to the collection of recidivism data on treatment and comparison cases. Specifically, Judge Rogers had indicated problems with two areas of the study. First, when a client is given treatment in lieu of conviction and successfully completes the treatment requirement, the record is often expunged. The Judge feels this person's name and all their case information should be removed as he feels our database represents an "official record" and legally this information should not exist. Our response to him remains that our database is not an official record and can not be accessed for any reason by any outside party other than the Supreme Court of Ohio. This issue of confidentiality has been resolved to this point, although he has threatened us with contempt of court. Second, the judge does not believe we have a "right" to collect rearrest data on cases once they complete the drug court program. He feels the record check represents an invasion of privacy and does not see the utility. We have spoken with him at length regarding the importance of rearrest data in an outcome evaluation. He recently spoke at the OCCO conference on confidentiality and we believe he has resolved his issues. We recommend that the Butler County Drug Court remain as part of the study given that issues of confidentiality can be resolved.

Cuyahoga County Municipal Drug Court

The Cuyahoga drug court began in April 1998. The goals of the court are to provide an alternative response to drug addicted offenders not offered through traditional

court, to divert felony cases and maintain them in municipal court, and to reduce the number of days for case processing.

The program targets defendants appearing in Cleveland Municipal Court on felony 4 or 5 drug offenses (including possession of criminal tools) with no prior adult felony convictions or violent convictions and no other pending felony charges. Referrals are taken from the Narcotics Unit of the Cleveland Police Department, the Grand Jury, Municipal Court bond investigators, and from judges and attorneys. The eligibility of the offender is based on the charges filed and an initial criminal history.

Our database contains information on 100 offenders who have been screened for the drug court. Comparison cases include those defendants who are eligible for the drug court but are sent to an alternative treatment provider and do not receive drug court supervision. As of December 1998, Cuyahoga County Municipal Court was unable to collect the appropriate data for the study. The program did not start until April and was having staffing difficulties that prevented the data collection effort. A team from the university was sent to Cleveland and data were collected from case files on both drug court participants and comparison cases. The files contained mostly intake information, and we were unable to determine treatment status and activity. At that point the drug court had been in existence for less than seven months so the level of data collection was sufficient. Data were then returned to the university and entered into the database before being returned to the site. Subsequent phone calls with Ms. Loretta Ryland indicate they have been able to maintain the data collection effort. We recommend the court remain in the study, however it will not be ready for an outcome evaluation for at least two more years.

Cuyahoga County Juvenile Drug Court

The Cuyahoga County Juvenile Court began in March 1998. The goals of the drug court include: increasing the effectiveness of judicial decision-making through the improved use of court docket time; decreasing juvenile out-of-home placements through alternate community-based treatment programs; monitoring a successful screening and assessment of the target population; establishing a treatment evaluation plan for the AOD juvenile drug court.

The target population includes juveniles charged with drug related offenses (felony level three or four) who have no prior felony level one or two offenses and no violent offenses. In addition to the juveniles charged with drug related offenses (F3 or F4), the Cuyahoga County Department of Children and Family Services will refer 50% of the dependency, neglect, and abuse cases from their newly formed program, Sobriety Treatment and Recovery Teams (START). The eligibility criteria are based on the offender's offense and criminal history, as well as the approval of the police department and the offender's willingness to participate.

Our database contains information on 28 offenders who have been screened for the drug court. Comparison cases include eligible defendants who are not able to participate due to a lack of resources. Data collection has progressed smoothly and data were sent to the University of Cincinnati on disk when requested, however, the data reveal the site needs to increase the size of their comparison group. We recommend that court remain in the study. We estimate that it will take at least two more years before this site can be subjected to a meaningful outcome evaluation.

Erie County Common Pleas Drug Court Profile

The Erie County Drug Court began in April 1996. The goal of the Erie County Drug Court is to divert drug-using offenders from prosecution and conviction, and provide drug and other treatment to these offenders.

The target population for Erie County Common Pleas Drug Court is individuals who have committed drug, or drug related crimes. Drug traffickers are excluded from eligibility. However, individuals who have committed other types of crimes are eligible — for example, someone who commits a burglary, but is deemed drug-dependent is eligible for diversion through the drug court. The eligibility criteria for the drug court are: an arrest for a felony drug or drug-related crime excluding drug trafficking or violence; meeting eligibility for treatment by drug assessment professionals; obtain a security clearance determined by the prosecutor.

Our database contains information on 49 offenders who have been screened for the drug court. The comparison cases include felony 4 drug related cases arrested with a substantial amount of crack or cocaine. When Erie County was contacted in December the data were not entered and ready to send. Erie County had expressed concern over issues of confidentiality. They did not want to send any identifying information about the client with the data. It remains our position that all data are kept in a locked file cabinet and identifiers are stripped from the database. The main reason we require identifying information is to provide the site with the names of individuals requiring record checks. However, we were able to resolve the confidentiality issues by allowing the site to provide us with a unique identifier instead of name and social security number. The only condition is that the site keep a list of the identifiers and corresponding names in order to

run future record checks. Once issues of confidentiality were resolved, the court was able to send a disk with appropriate data. We recommend Erie County remain the study and an outcome evaluation be performed within the next year.

Fairfield County Juvenile Drug Court Profile

The Fairfield County Drug Court began in August 1997. The goals of the Fairfield County Juvenile Drug Court are: the reduction of unruly/truancy filings through school by 50 percent and attainment of 90 percent school attendance by Drug Court participants; reduction of commitments (incarceration) to the Ohio Department of Youth Services by 20 percent; 50 percent reduction of juveniles entering the court system on drug and alcohol offenses who have a delinquency conviction on their record; and that 75 percent of drug court participants will not re-offend within a two-year period following completion of drug court.

The target population is drug or drug-related non-violent juvenile offenders. The eligibility criteria include: a positive review by the prosecutor and/or the probation officer. At the initial arraignment or review, the Judge, as “gatekeeper” will refer the youth to the court’s substance abuse counselor for an initial evaluation and a drug test through urinalysis. At the disposition the Judge will make the final decision regarding admission to drug court and the specifics of probation and treatment.

Our database contains information on 40 offenders who have been screened for the drug court. The comparison cases include cases eligible prior to when the drug court began. The site expressed that they have kept very close records on these individuals prior to the beginning of the court. At this point, however, we have not received the appropriate data on comparison cases. Phone calls will be made to this particular site to

resolve the issue with comparison cases. Data collection on drug court participants has progressed smoothly and data were sent on a disk to the University per our request. We recommend the Fairfield County Juvenile Court remain in the study and expect to complete an outcome evaluation in another eighteen months.

Lucas County Common Pleas Drug Court Profile

The Lucas County Drug Court began in August 1997. The goals of the court include developing a program that will implement comprehensive, structured intervention, treatment, and rehabilitation services to substance abusing non-violent adult offenders. In addition the program strives to provide expeditious court case management to 45 (30%) of specifically identified criminal cases; develop additional resources to provide early treatment assessment and access for the target population; reduce recidivism of project participants; reduce costs associated with criminal case processing and rearrest; reduce jail overcrowding and incarceration; introduce project participants to an ongoing process of education and recovery designed to achieve total abstinence; and to promote self sufficiency through work skill development and job placement.

The target population of the Lucas County Drug Court is substance abusing non-violent adult offenders, with special emphasis on the felony non-support offender. The eligibility criteria include offenders charged with any variety of offenses, with the exception of first or second degree felonies, violent offenses, drug charges with presumption of incarceration, and sex offenses.

Our database contains information on 35 offenders who have been screened for the drug court. Comparison cases include those cases appearing in other courts that will not be part of the drug court although they would be eligible. The database contains

enough cases that were eligible but did not enter into drug court for an adequate comparison; however, the size of the comparison group will have to increase before an outcome evaluation is completed. The data collection process has gone smoothly and the court was able to send a disk to the University upon request. We recommend the court remain in the study, however, an outcome evaluation should not be performed for at least eighteen more months.

Mansfield Municipal Drug Court Profile

The Mansfield Drug Court began in April 1997. The goals of the Mansfield Municipal Drug Court Program are to institute the opportunities of drug court services to rehabilitate nonviolent male and female felony offenders who have substance abuse problems, and thereby decrease criminal activity of these offenders.

The target population includes nonviolent male and female felony offenders who have substance abuse problems -- Felony 3, 4, or 5. For Mansfield Municipal Court, the offenders will be low-level drug dependent misdemeanants. To be eligible for participation in the drug court program, the current charge must be a probationable offense. There may not be any history of significant violent behavior. There must be no history of mental illness. Current and/or past criminal behavior should be drug-driven. The offender must demonstrate a sincere willingness to participate in the 12-month treatment process. Any acute health condition should not be present. All offenders who are incarcerated must have the approval of the Richland County Prosecutor before entering the program.

Our database contains information on 27 offenders who have been screened for the drug court. Comparison cases include those who are eligible for the court but

declined. The court felt the defendants declined for a number of reasons and this group would be applicable. Data collection has progressed smoothly and the site was able to send a disk with relevant information per our request, however, the size of the comparison group will need to increase. We recommend the court remains in the study and an outcome evaluation could be performed one year from now.

Montgomery County Common Pleas Drug Court Profile

The Montgomery County Adult Drug Court began in March 1996. The goals include providing treatment in lieu of conviction to low-level drug using felons, and to reduce the court case load (through diversion) of these types of low-level offenders.

To be eligible for the drug court, an offender must have committed a possession (felony 5) offense, generally for crack cocaine only. Trafficking cases will be excluded, as well as repeat offenders, and individuals that have been to prison on a previous charge. It should be noted that offenders have the option of participating in the drug court, or not. If they refuse, their case is adjudicated normally and they will be placed on probation, or given treatment in lieu of conviction. Often times those who refuse are given the same type of programmatic treatment they would receive if they had chosen the drug court route.

Our database contains information on 160 offenders who have been screened for drug court. Comparison cases include felony 4 drug offenders placed on probation. Comparison data were not collected on site and problems with the MIS department did not allow us to have access to these defendants' records. Previously the MIS department had the capability to select specific cases and filter out pertinent information. However, phone conversations with a variety of individuals (we have never had a solid contact

person in this department) have indicated that they have lost the staff with the expertise to complete these tasks. The most recent phone conversations held in June 1999 indicated that the entire MIS staff had been fired. It is unknown at this point the status of the MIS department in Montgomery County. When the site was contacted in December 1998 they informed us that no data had been collected to that point. The site began compiling the data in January, but the task became too time consuming for staff to finish. A team from the University was sent to collect data from case files. The case files, however, did not contain any information on supervision, treatment, or termination. Subsequent visits were made in an attempt to collect this information by reviewing automated case notes in July, however, the Supreme Court informed us to cease data collection in order to complete the project. Recent conversations with Mr. Paul Ringer have indicated that they are not participating in the data collection effort because he feels they do not have the staff needed to collect the appropriate data. We recommend that Montgomery County be terminated from the study.

Montgomery County Juvenile Drug Court Profile

The Montgomery County Juvenile Court began in March 1998. The goals of the Montgomery County Juvenile Drug Court are as follows: to reduce drug use among the juvenile offender population participating in the drug court; to reduce the general delinquency docket by removing all non-violent drug-related cases and placing them on the drug offense specific track; and to attain a 20 percent reduction in drug related offense referrals upon completion of the first year of this project's implementation.

The target population includes non-violent drug, drug-related, or alcohol offenders. The eligibility criteria include all non-violent drug and alcohol related

offenses will be assigned to the docket once fully operational. All adjudicated youths referred to probation will undergo drug screening.

Our database contains information on 596 offenders who have been screened for the drug court. Comparison cases include those who are eligible and willing but are denied due to a lack of resources. Data collection has progressed smoothly and the site was able to send a disk with the relevant information when requested. We recommend the site remain in the study, however, an outcome evaluation should not be completed for at least another two years.

Richland County Common Pleas Drug Court Profile

The Richland County Drug Court began in April 1997. The goal of the Richland County Drug Court Program is to institute the opportunities offered through drug court services in an effort to rehabilitate nonviolent male and female felony offenders who have substance abuse problems, thereby decreasing criminal activity of these offenders.

The target population includes nonviolent male and female felony offenders who have substance abuse problems. -- Felony 3, 4, or 5. The eligibility criteria for the Richland County Drug Court include the following: the current charge is a probationable offense, there is no history of violent behavior patterns; no history of severe mental illness; the current or past criminal behavior is drug and/or alcohol motivated; the offender demonstrates of sincerity and willingness to participate in an eighteen month treatment process; the approval of the county prosecutor's office prior to entering the SATC Program is given, the offender is deemed to be alcohol and/or drug dependent or in danger of becoming dependent; the offender must be charged with a felony offense,

nothing more serious than a third degree felony. This excludes drug trafficking charges and the offender currently charged with a DUI/DWI.

Our database contains information on 199 offenders who have been screened for the drug court. Comparison cases include those defendants who are eligible for the court but refuse to participate. Richland County was able to collect the appropriate data on hard copy and the paper forms were sent to the University of Cincinnati where they were entered into the database. The data were sent back to the site with a copy on disk, however, recent conversations revealed data entry errors were made by University staff. Steps have been taken to ensure this problem does not happen in the future. We recommend the site remain in the study and will be ready for an outcome study in one year.

Akron Municipal Drug Court Profile (Summit County)

The Akron Drug Court began on June 15, 1995. The goals of the Akron Drug Court include a reduction in the number of offenders incarcerated for drug abuse, reduction in processing time from arrest to disposition, and an increase in the number of drug abuse offenders court-ordered for chemical assessment.

The target population includes crack using felony 4 or 5 possession cases. Drug abuse offenders who meet the criteria for the program are processed in Municipal Court. The offender never appears in Common Pleas Court, despite being charged with a felony. Prosecution is accelerated, and the offender participates in treatment for the period of one year. Offender pleads No Contest to an amended charge of Attempted Drug Abuse (M-1). The eligibility criteria are based on the offender's offense and criminal history, as well as the approval of the police department and the offender's willingness to

participate. There must be no history of violence in the offender's criminal history. All the drug court participants are considered to be on probationary supervision status.

Our database contains information on 377 offenders who have been screened for the drug court. Comparison cases include felony 4s charged with crack/cocaine possession. Data collection at this particular site has gone smoothly. In addition, sufficient time has elapsed for an outcome evaluation; however, data collection on comparison cases needs to increase. We recommend that the Summit County Drug Court in Akron remain part of the study.

Hamilton County Drug Court Profile

The Hamilton County Drug Court began in March 1995. The goals include: to provide the traditional case processing system with a mechanism that will remove certain cases from the docket, by providing it with greater flexibility, and enabling it to conserve its limited resources for those cases requiring greater docketing demands; to provide eligible drug dependent defendants or those in danger of becoming drug dependent with immediate drug intervention services, and a dispositional option that is supported by treatment compliance rather than incarceration; and to relieve congested civil and criminal dockets through improved planning and management of existing resources.

The target population includes those arrestees who are drug dependent or in danger or becoming drug dependent are ineligible for diversion. A snapshot of the Hamilton County jail population on December 31st of each year, consistently indicates that nearly 300 of the individuals detained pretrial or incarcerated on a sentence, are there because of drug related offenses. This represents nearly one-fourth of the entire jail population. Eligibility criteria are based on local Common Pleas Court Rule 35 which

sets forth the conditions under which clients may be assessed as eligible for the drug court. To qualify for either treatment or the fastrack option (in which the defendant enters a plea to push them through the system faster, but they do not opt for treatment), the defendant must fit the following criteria: (1) the defendant must be charged with a fourth or fifth degree felony (2) there must be no history of violent behavior (3) the current and /or past criminal behavior is drug-driven (4) the Hamilton County Prosecutor must approve of all incarcerated offenders' applications, (5) the defendant (who chooses the treatment track) must have no active mental illness, and (6) the offender must demonstrate a sincere willingness to participate in a 15 month treatment process and have no acute health conditions.

Our database contains information on 456⁴ offenders who have been screened for the drug court. Comparison cases include those defendants who are eligible for the court, however, are either refused by the prosecutor or treatment provider or refuse themselves. Data collection at pretrial services and at the court has progressed smoothly. The University relies on an existing database for intake information. However, the court is very fragmented and it has been difficult to obtain the appropriate supervision and termination data. Teams were sent to the treatment facility to collect appropriate treatment and case outcome data. Probation was hired to collect appropriate supervision data and the court ran the appropriate rearrest information. The data collection process was long and time consuming, however, data will allow us to conduct an outcome evaluation on the court and will be contained in a separate report. We recommend the court remain in the study.

Conclusion

Over the past two years a tremendous amount of work has been completed. The original intent was to include five drug courts in the evaluation plan and the number quickly climbed to twelve. Now there are over eighteen existing courts with at least ten more in the planning stages. This represents a significant increase in the number of courts with which the research team must work, increasing the training, technical support, and general contact requirements faced by the team.

Recognizing that an outcome evaluation requires a sufficient number of completed cases, drug courts which have recently started operation will not produce enough graduates or “failures” to support an outcome assessment for at least three years. The research literature on correctional program outcomes indicates that a two to three year follow-up period post program completion is required to measure program impact on criminal recidivism. To guard against potential seasonality effects, a court should be in operation for at least a full year before the follow-up begins. This results in an estimate that the court should operate for approximately three full years before an outcome assessment can be completed with confidence.

Being unable to use a random assignment protocol in the drug courts, our analysis plan requires the use of statistical controls (matching) for the establishment of comparison groups. The requirements of most statistical tests include a minimum number of cases in both the treatment and comparison groups to yield adequate statistical power to support conclusions with confidence. For courts with smaller caseloads, it may

⁴ This number represents a matched sample gathered from Pretrial Services in Hamilton County for the purpose of an outcome evaluation that does not necessarily reflect how many defendants were screened

require more than one year's intake to reach a sufficient number of cases to allow for statistical analyses.

Our experience through the past two years have taught us much. Our original plan anticipated that most data collection would be accomplished during routine case management in the drug court and comparison programs. In reality, many sites required assistance with either data collection or data entry. Fortunately, we were able to provide sufficient support to those courts to complete required data collection. Continued efforts will include provision for anticipated data collection assistance.

We have also learned that our efforts at maintaining contact with the research sites must be more focused. We were surprised at the number of sites which had not completed required data collection at the time we requested they submit data last winter. We have instituted a process of monitoring data collection and database problems through routine telephone contact with the sites. A research assistant has been hired and assigned the task of routinely contacting the study sites on a regular basis to inquire about data collection and to identify any project-related problems.

We experienced a breakdown of quality control in our own data entry effort with the Richland County Common Pleas Drug Court. Upon completion of data entry, the data file was returned to the court prior to a quality control check. We were embarrassed to discover that the file contained numerous data entry errors. We have instituted new quality control procedures including reliability checking and preliminary data analyses to be conducted before returning data files to participating courts.

Based on our experiences throughout the project, the following observations and recommendations can be made.

- We now believe we are in a position to take the necessary steps to evaluate several of the courts in Ohio including: Hamilton County, Erie County, Butler County, and Akron County. We also recommend that Montgomery County not be evaluated for the reasons listed above.
- We recommend the current database be modified to include some limited case management fields and correct any deficiencies that may exist.
- The database should be made available to all courts that request a copy. The University of Cincinnati will continue to provide technical assistance to these sites, however, it should be made clear to new sites that they will not be included in the current evaluation study.
- The Supreme Court and the University of Cincinnati should work together to develop a confidentiality protocol so that the sites can feel comfortable giving the University necessary data.

Given the data we currently have, we plan to provide a report profiling participants and comparison cases. We have sufficient data to provide an outcome evaluation of the Hamilton County Drug Court. This report will be ready by the end of the year. The Supreme Court project provides a unique opportunity to evaluate different drug court models (adult versus juvenile, common pleas versus municipal, inpatient versus outpatient treatment models, etc.). However, it must be recognized that in order for outcome data to be collected, the drug court must have served a sufficient number of offenders, a sufficient percentage of participants should have graduated, and an adequate follow-up period needs to be available. As a rule, drug courts should be in existence for at least three years before an outcome evaluation can be conducted. At this point, only

four courts are close to meeting that criterion. Hamilton County is currently being evaluated. We plan an interim assessment of drug court operations and impact for later in 2000. This interim assessment will describe and evaluate the overall operation of the drug courts as a whole and each individual court as of the time of the report.

Appended to this report are descriptions of the drug court and comparison populations. To date, a total of 1,318 cases have participated in the twelve drug courts with population sizes ranging from 21 (Cuyahoga Juvenile and Lucas Adult) through 238 (Butler Adult). Of these, only 315 (24%) have been terminated from the programs, with only half of these being program graduates. At this point, most drug courts have not been in operation for long enough to have established a stable graduation rate, and terminated cases are comprised disproportionately of program failures. Only the passage of more time will allow us to estimate the actual rate of drug court completion and failure, and to identify the characteristics of offenders and programs that may be related to court outcomes.