Relationship Between Length of Stay and Outcomes

In the King County Drug Court

NW HIDTA/DASA Drug Court Evaluation

Alcohol and Drug Abuse Institute

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ISSUE.

In King County over 22% of successful drug court cases graduate in 50 weeks or less, compared to essentially no such cases in other courts. This raises the question of whether it is appropriate to graduate participants so early. This set of analyses was performed to determine how these early releases compared with other graduates on the three major outcomes we have used: rearrest, reconviction (for a crime committed after entry into drug court) and earned income.

A secondary question was whether outcomes for the Did Not Finish subgroup varied depending on how long they remained in the drug court program.

METHODS.

Subjects. Subjects are offenders who entered the King County drug court. Participants who fell into the two following outcome subgroups were included in these analyses>

- **Graduates** are individuals who entered and graduated from a drug court.

- **Did Not Finish (DNFs)** are individuals who entered a drug court program and either failed or dropped out prior to completion.

    Offenders in the following outcome subgroups were *not* included:

- **Ineligibles** are persons who passed an initial legal screen and were referred to the court, but on closer examination were found to be ineligible on either legal or clinical grounds.

- **Opt Outs** are persons who met all criteria, and were offered entry to the court, but who personally declined to participate.

- **Actives** are all remaining cases still in the drug court. They are not included in these analyses.

Data. Three outcomes are examined: rearrest following entry into drug court, conviction for an offense that occurred after entry into drug court, and earned income in the second and third years (separately) following entry into drug court.

We were interested in whether there was a relationship between length of stay in drug court and outcomes, for both Graduates and DNFs. Since this relationship might be complex, we choose to divide the Graduates into 10 groups, each containing approximately 10% of the cases, based on length of stay. DNFs were then categorized using the same cutoff points. The lengths of stay defining the categories, and the percentages of both groups in each category,

are listed in Table 1. Table 2 breaks down the number of departures from the court by months for the first year (and breaks the twelfth month into halves).

ANALYSES.

Analyses consisted of breaking the members of each of these two groups into the categories defined in Table 1, and comparing the rates of rearrest and conviction, and the amounts of income in the second and third years post drug court referral, across the categories. Graphs of the results are shown in Figures 1 through 4. Analyses of variance were also performed on the data.

Note that the issue of selection that we have had in most analyses persists in this case, but that it is less problematic here than in other analyses. In the present case the question is whether there are *some* drug court participants who can be graduated early without there being an adverse impact on outcomes. We would not expect to show that *all* participants could be released early, so some selection process would be necessary to select early graduates. We are evaluating outcomes for one such set of selections.

It is also worth emphasizing that the graphs do not represent results over time. In these analyses we have paid less attention to results over time than usual, except that the outcomes are all based on post referral behavior. The graphs are representing results for different categories of participants, based on all of the data available for each subject.

RESULTS.

Table 1 shows the number and percent of each of Graduates and DNFs in each of the 10 Length of Stay (LOS) categories, as well as the interval that each category represents. The Graduates are fairly evenly distributed across these periods (the breakpoints were selected to accomplish this), but the DNFs are heavily clustered at the very short, and to a lesser extent the very long, LOS periods.

Table 2 breaks the first year into months, and the 12th month into halves, to give a more detailed picture of how graduations and departures are distributed across the period. Again there are large differences between the two groups. Graduations begin at a very low rate in the fourth month, accelerate in the ninth month, and peak in the 12th month. DNFs begin occurring immediately, peak through the middle of the year, and are already declining by month 12 or earlier.

Figure 1 shows the percent of participants in each of the categories (as defined in Table 1) arrested after beginning in drug court. DNFs are shown in the upper line, Graduates in the lower. The results for the Graduates are particularly striking. There is almost a straight line increase in percent arrested across the categories, beginning with about 13% in the Graduates with the shortest stays, and increasing to about 90% (the only Graduate category to have a worse outcome than a DNF subgroup) for those with the longest LOSs. The biggest increase is between those who graduate in 15 months or less, and those who take over 15 months to complete, with another big jump for those taking longer than 26 months (these may be offenders who spent some time on bench warrant status). Clearly in King County, the longer a Graduate takes to complete drug court, the more likely they are to be rearrested.

This does not mean that all cases should be graduated in 12 months or less. It does mean that, at least in King County, there are cases that can be graduated in periods shorter than a year, and that for these cases there is no drop-off in the outcomes we are observing. It also seems to mean that the King County Drug Court is doing a good job of identifying such cases.

Interestingly, although the arrest rate is much higher for DNFs, there is some of the same pattern of increasing rates of rearrest the longer the offender is in court. This may be an artifact of re-arrest being one of the reasons for failing to finish the program.

Statistically, for Graduates there are very strong differences overall among the categories in their arrest rates, and a huge linear effect across the categories. For DNFs there are similar, but not nearly so large, effects.

Figure 2 is like Figure 1 except that is shows data for convictions instead of arrests (these are convictions for offenses that occur after admission to drug court). Results for the Graduates are very much as they were for arrests: There are differences among subjects in the categories, and there is a strong linear effect, with the rate of conviction rising as the LOS becomes longer. The statistical results are similar also, but not as strong.

DNFs also show a pattern like that for arrests.

Figure 3 shows the mean quarterly income for each category, for the period from the 13th month through the 24th month post drug court entry. Again there is a statistically significant association between drug court LOS and income, with an almost linear relationship between longer LOS and lower income. DNFs have much lower incomes, and show no such relationship between income and LOS. There is no overlap between Graduate and DNF curves: All Graduate categories do better than any DNF category.

Note that income period for the short LOS subjects in both groups includes some or all post drug court time. This makes the high mean incomes for the very earliest graduates all the more impressive, since there would be a substantial gap for some of these subjects between the time they graduated and the period for which incomes were used in this analysis. For the subjects with LOSs longer than 12 months, at least some of their income data would be while the subjects were being encouraged by their drug court attendance. We would speculate that one criterion for early graduation may be the pattern of employment.

Figure 4 shows mean quarterly income data for the period of 25 through 36 months post drug court referral. There are three interesting impressions from the Graduate's curve. First, those who graduate in less than a year show no drop-off in income, at a time that they are at least a year removed from the program. Second, there may be some decline in income for those who graduated with LOSs between 12 and 17 months. Third, there is an increase in income for those with the longer LOSs, up to about the level of the 12-17 month group.

DNFs operate at about the same level of income in Figure 4 as in Figure 3. There are no apparent patterns across categories or between years.

CONCLUSIONS.

There is a very clear-cut answer to the question that led to this analysis. At least in King County, there are drug court participants who can be graduated with less than a year in the court program with every reason to anticipate that their long-term outcomes will be among the best expected from the program.

The importance of this finding is that it leads to a more cost effective drug court program. These short stay participants are being retained only so long as there appears to be a need. By graduating them earlier than is typical, the court opens up program slots for additional participants, and the court makes better use of scarce resources.

(An ancillary question, but one more difficult to address, because it would require revising court procedures and would have to be a prospective study, is whether the long LOS graduates are benefiting from the full duration of their stays, or whether they could be graduated earlier with little decrement in outcomes.)

TABLE 1

Numbers and Percents of Participants in Each Length of Stay Category
For Graduate and Did Not Finish Subgroups

Length of Stay Category in Months	Graduated		Did Not Finish	
	Number	Percent	Number	Percent
<9.5	30	10	344	44
9.5-11	26	9	58	7
11-12	30	10	28	4
12-13	39	13	27	3
13-14	29	10	35	4
14-15	19	6	21	3
15-17	36	12	45	6
17-20	30	10	54	7
20-26	29	10	59	8
26+	29	10	117	15
Total	297		788	

TABLE 2

Numbers and Percents of Participants
Leaving the Program in Each Month of the First Year
For Graduate and Did Not Finish Subgroups

Length of Stay Category in Months	Graduated		Did Not Finish	
	Number	Percent of those leaving in 1 year	Number	Percent of those leaving in 1 year
<1	0	0	2	<.1
1-2	0	0	8	1.9
2-3	0	0	33	7.7
3-4	2	.7	51	11.9
4-5	3	1.0	48	11.2
5-6	1	.3	52	12.1
6-7	5	1.7	43	10.0
7-8	1	.3	34	7.9
8-9	15	5.1	58	13.5
9-10	12	4.0	39	9.1
10-11	17	5.7	34	7.9
11-11.5	12	4.0	16	3.7
11.5-12	13	4.4	12	2.8
Total	81		430	

Figure 1
Percent Rearrests for Graduates and DNFs for Different Lengths of Stay

Graduates - Arrests
Did Not Fisnish - Arrests
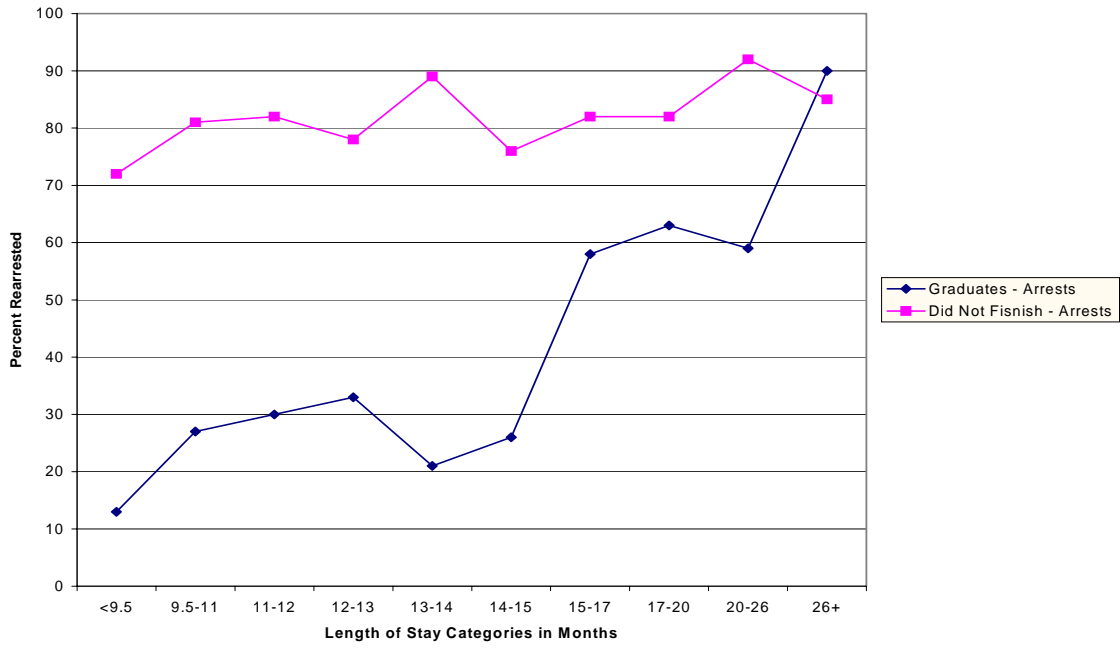
Figure 2
Percent Reconvicted for Graduates and Did Not Finish for Different Lengths of Stay

Graduates - Convictions
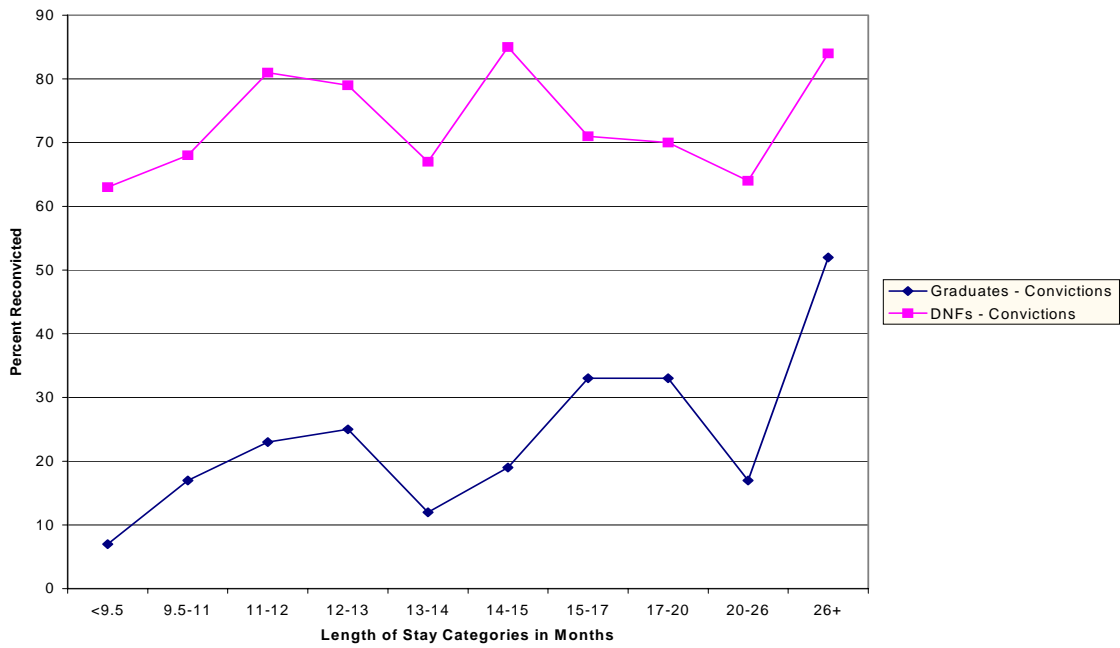DNFs - Convictions

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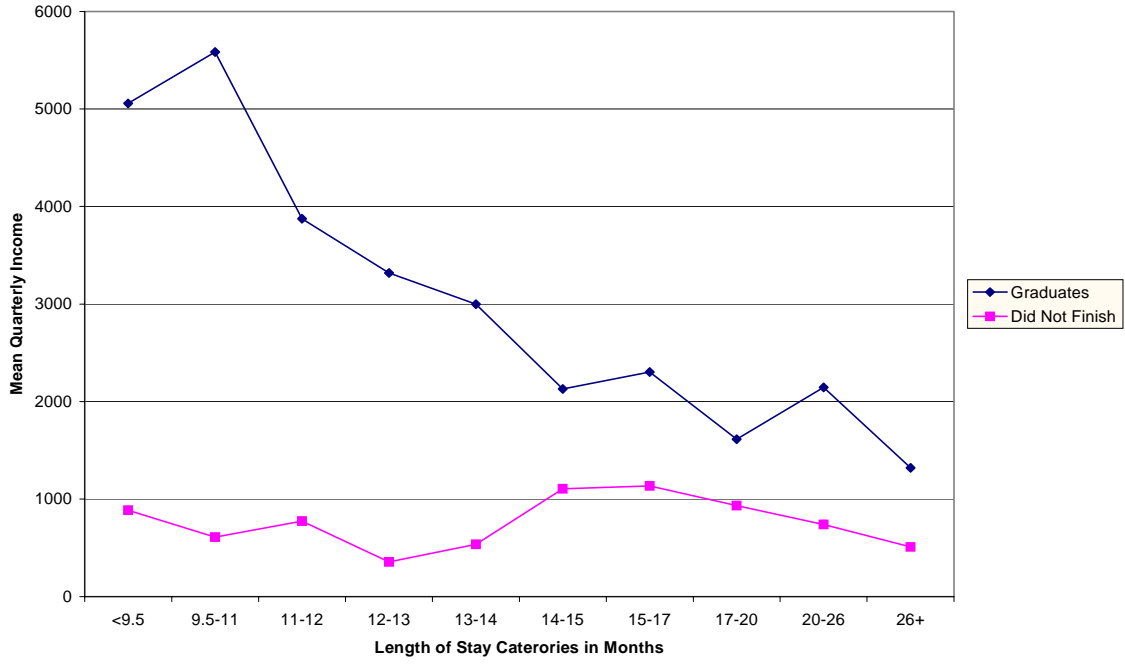**Figure 3 Mean Quarterly Income in Second Year Post Referral**

Figure 4   Mean Quarterly Income in Third Year Post Referral