

Update

Prison Time Served by Drug Court Participants

NW HIDTA/DASA Drug Court Evaluation
Alcohol and Drug Abuse Institute
University of Washington

February 20, 2001¹

Issue.

Time spent in Washington State Prisons by subgroups of drug court offenders is an important indicator of criminal justice system involvement, and an important component of cost offset analyses. Thus prison time served can be seen as an important index of drug court effectiveness.

Conclusion.

Graduates of drug courts show a lower rate of incarceration following drug court referral than any of the other drug court groups.

Drug Court Outcome Groups.

Subjects are grouped as follows:

- **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.
- **Graduates** are individuals who graduated from a drug court.
- **Did Not Finish** (DNF) are individuals who had been admitted to a drug court program and either failed or dropped out.
- **Active** cases are those remaining in the drug court program at the time of data collection.

Method.

Data for these analyses were obtained from the Department of Corrections, and consisted of admission and discharge dates for prison incarcerations. The current data set includes not only incarcerations that had been completed (which were used in the earlier report), but also those that were still ongoing at the time of data acquisition (new in this analysis).

A graphical analysis plots the percent of each outcome group that had any days of prison incarceration in each month for three years pre and three years post date of referral to the county's drug court. Note that for Graduates the first one to 1.5 years post referral is spent in the drug court program, and that many DNFs also spend substantial amounts of post referral time in drug court. The percentages are based on the number of offenders who have data extending that far before or after contact with the court, so the sample sizes vary per group and month. Tables of these numbers are also attached.

¹ This report is an updated version of the one dated December 29, 2000 (Version 2). The 12/29/00 report did not include data on offenders who were incarcerated at the time of the data acquisition, i.e., it included only incarcerations for offenders who had been released from prison by the time of data collection. Offenders who were incarcerated at the time of data collection are included in these data analyses. A comparison of the results for the two reports is included in this report.

In addition, for each offender, the total number of days of prison incarceration in the two years before the drug court referral and the two years after, were determined. Only subjects with a full two years pre and post were included. The change in total number of days incarcerated was calculated by subtracting the total number of incarcerated days pre from the total number post. Statistical analyses were performed on this change score.

Results.

- The graphical analysis shows:
 - The Graduate groups have very favorable outcomes. They have low incarceration rates pre drug court, but even lower rates, in most cases zero, post drug court entry.
 - The Ineligible groups do not fare well in the larger counties. They have the highest rate of incarceration post drug court referral in both King and Spokane counties, with the post rate considerably higher than the pre rate. In Pierce county, this group has the second highest post drug court rate.
 - The Did Not Finish also do poorly. They have the highest post drug court incarceration rate in Pierce, and second highest in King and Spokane. Their rates are also higher in the post period than in the pre.
 - The Opt Out groups generally have a low or the lowest incarceration rate before drug court, and maintain a low rate after, but in all cases (except Skagit and Kitsap) the after rates are higher than the before rates, so across several counties the groups are showing a pattern of worsening performance.
- The statistical analysis showed that in King and Pierce counties, controlling for pre drug court levels, the Graduate groups on average showed a significantly larger reduction in days incarcerated than any of the comparison groups (Ineligibles, Opt Outs and DNFs), and also a significantly larger reduction when compared to all the other groups combined. In Spokane County, the Graduates had a statistically significantly larger reduction than the other groups combined, and significantly larger than the Ineligible group, but not significantly larger than the Opt Outs or DNFs.
- In King and Pierce Counties, the overall statistical test showed an effect size in the medium range, in Spokane the effect size was in the small range. "Effect size" is an index of the magnitude of the effectiveness of treatment independent of sample size. Medium effect sizes are generally about the best to be found in most social service programs.

Comparison with the Previous Report.

The numbers of persons incarcerated is somewhat larger here than for the earlier report, because of the addition of the (then) currently incarcerated persons. These additional incarcerations had two effects on the graphs:

- The levels of incarceration increased by about 1% to 5% for most groups during the post drug court referral period.
- There was less trail-off in the curves for some groups in the two to three year post period.

There was, however, very little change in the shapes of the curves, or in the relative performances of the groups of offenders, so the interpretation of these results is unchanged.

The statistical analysis for this report was more complete than in the December report. The additional subjects with incarcerations improved the statistical results for Spokane (although they still

have much smaller group sizes than King or Pierce). The analysis comparing the subgroups is more thorough, and we also added the analysis of effect sizes. These amplified on the very brief statement in the earlier report, but did not substantially change the interpretation of the results.

Comment: Selection in drug courts and evaluation responses.

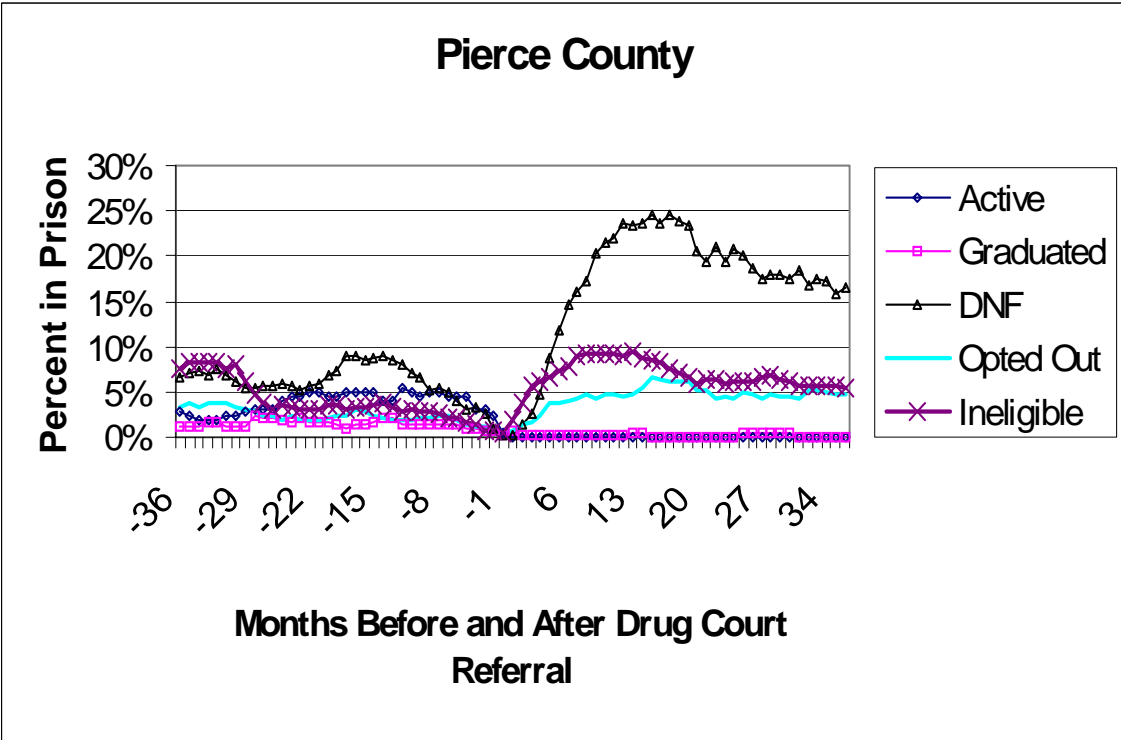
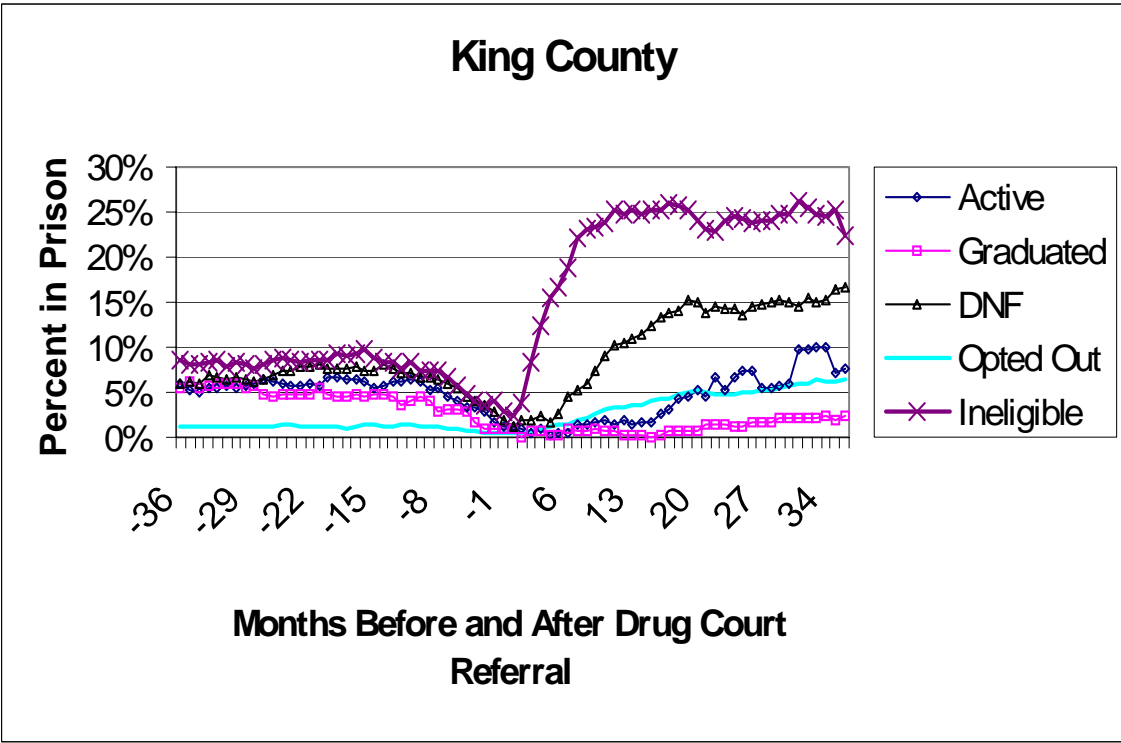
The low Graduate incarceration rates in conjunction with the rising rates for the Did Not Finish groups emphasizes the role of selection in the court programs. That is, drug court participants who subsequently spend time in prison are not likely to be retained in the drug courts; they become program failures in part because of their re-incarceration. Those who graduate become by definition those who are not re-incarcerated. Only King County seems to retain any Graduates who had any prison time. This type of selection can be justified on the grounds of maximizing efficient use of resources, but it greatly complicates the evaluation process, making it extremely difficult to determine whether positive outcomes are due to the effects of court participation or the selection process.

From an evaluation perspective, the best solution is to apply an "intent to treat" evaluation analysis. The drug court group would become all persons who were drug court participants. There are two forms of this grouping,

- (1) the drug court group would be those who *entered* drug court: the Graduates plus DNFs, or,
- (2) the drug court group would be those who were *offered* drug court: the Graduates plus DNFs plus Opt Outs.

The latter is usually the preferred alternative, but the choice can be argued either way, and the decision should probably be based on the nature of the comparison group.

The comparison group would be comparable offenders who (1) did not enter drug court, or (2) were not offered entry into drug court, respectively. Truly comparable offenders for either of these groups are hard to identify. In our situation the Ineligibles are probably the best available approximation in both cases.



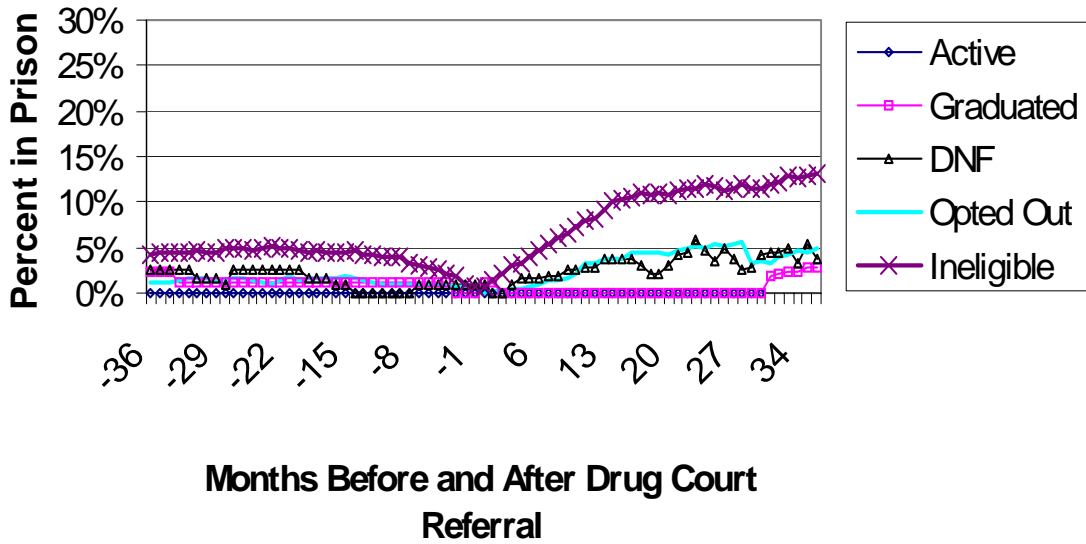
King County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	419	425	425	427	429	431	431	431	431	431	431	431	431	310	237	182	149	124	94	68	45	37	34	30	26	
Graduate	205	225	239	256	278	308	317	317	317	317	317	317	317	317	317	317	313	304	289	277	259	244	234	223	202	
DNF	564	613	647	674	729	769	809	809	809	809	809	809	809	806	793	777	763	735	713	673	620	586	548	521	471	
Opted Out	1827	1951	2022	2123	2248	2334	2369	2369	2369	2369	2369	2369	2369	2294	2149	2062	1996	1911	1833	1759	1646	1577	1473	1408	1330	
Ineligible	436	443	452	475	491	514	523	523	523	523	523	523	523	502	453	406	363	329	287	261	232	216	193	173	156	

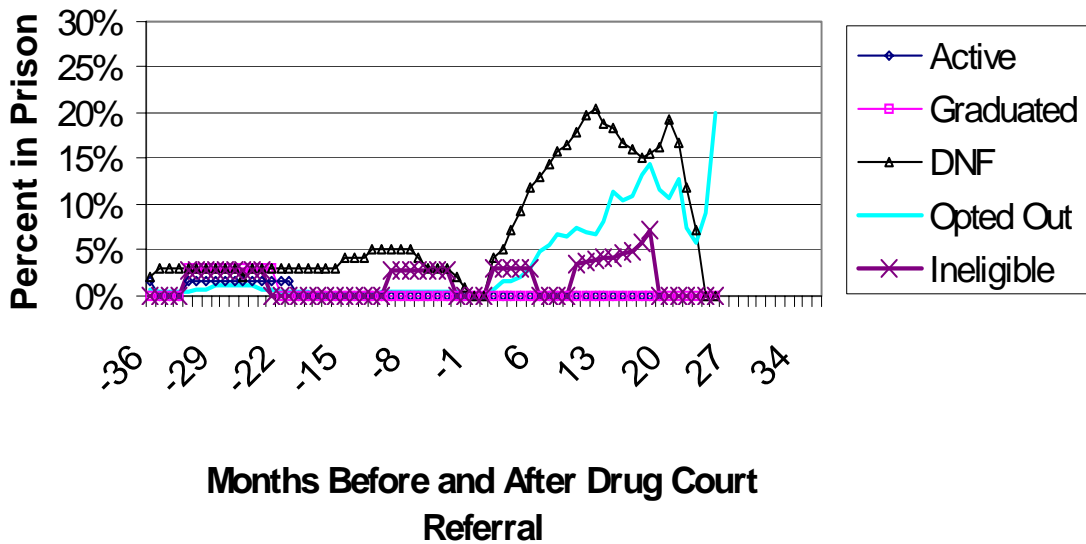
Pierce County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	220	220	220	220	221	221	221	221	221	221	221	221	221	216	175	144	103	77	53	41	28	24	16	15	11	
Graduate	253	254	256	271	283	287	287	287	287	287	287	287	287	287	287	287	284	268	252	237	216	201	172	153	132	
DNF	435	435	436	453	466	473	473	473	473	473	473	473	473	473	453	437	413	402	363	348	323	296	269	245	207	
Opted Out	214	214	215	323	383	425	425	425	425	425	425	425	425	423	409	402	398	393	385	369	352	331	309	292	278	
Ineligible	276	276	278	515	719	866	866	866	866	866	866	866	866	859	835	820	801	786	766	750	741	722	697	684	674	

Spokane County



Thurston County



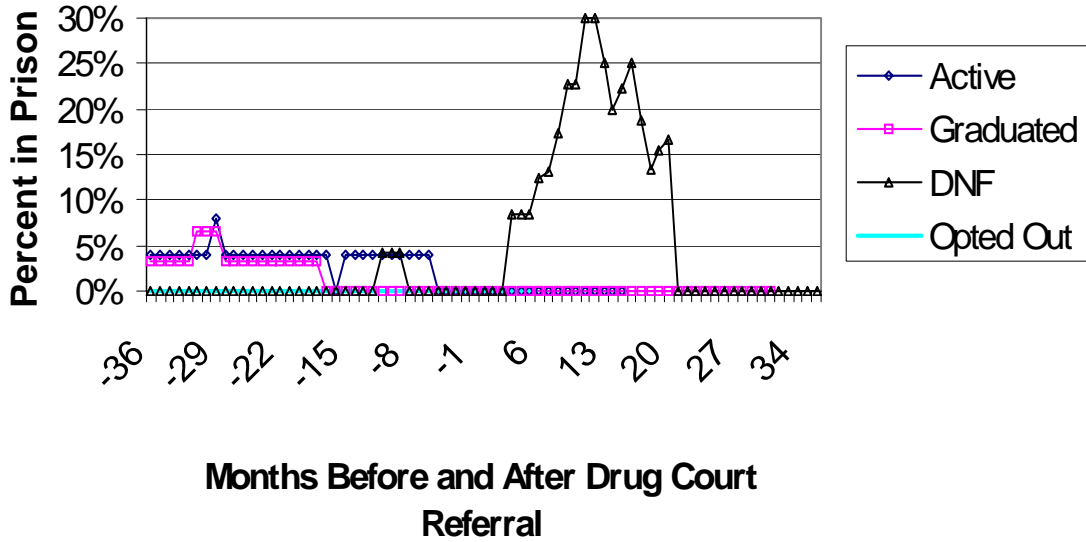
Spokane County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	29	29	29	29	29	29	29	29	29	29	29	29	29	29	21	18	12	5	3	2	1	1	1	0	0	
Graduate	85	85	85	85	85	85	85	85	85	85	85	85	85	85	85	85	85	79	73	69	64	61	51	43	37	
DNF	119	119	119	119	119	119	119	119	119	119	119	119	119	117	115	113	109	105	99	96	85	78	72	61	54	
Opted Out	477	477	477	477	477	477	477	477	477	477	477	477	477	460	426	407	364	341	316	296	270	239	198	163	123	
Ineligible	1853	1853	1853	1853	1853	1853	1853	1853	1853	1853	1853	1853	1853	1707	1574	1447	1294	1160	1047	945	854	756	647	548	440	

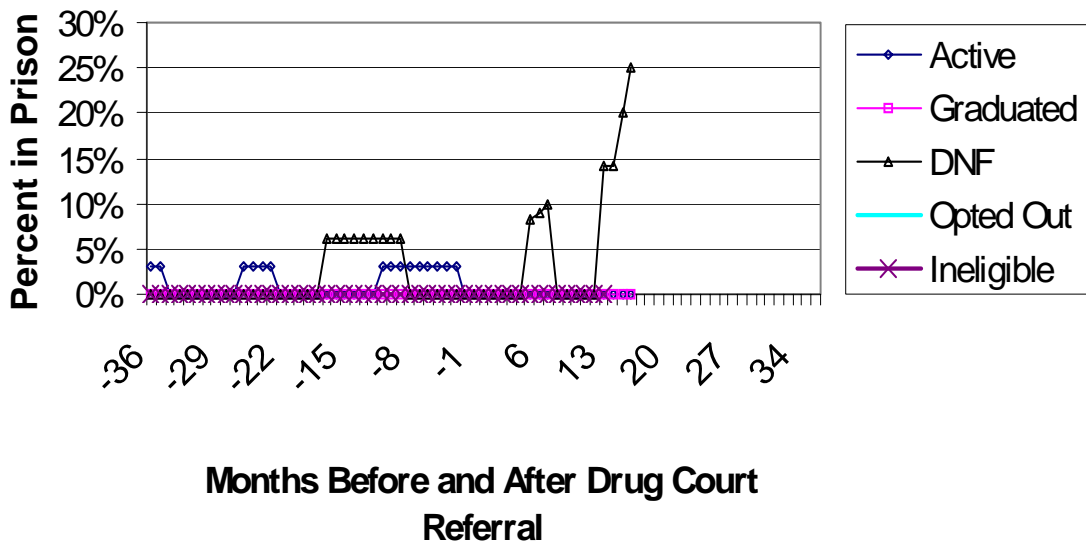
Thurston County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	61	61	61	61	61	61	61	61	61	61	61	61	61	49	32	23	9	2	1	0	0	0	0	0	0	
Graduate	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	31	27	19	11	5	0	0	0	0	
DNF	96	96	96	96	96	96	96	96	96	96	96	96	96	96	92	85	73	60	45	24	7	0	0	0	0	
Opted Out	274	274	274	274	274	274	274	274	274	274	274	274	274	249	222	183	150	95	62	31	11	0	0	0	0	
Ineligible	37	37	37	37	37	37	37	37	37	37	37	37	37	33	31	29	26	22	14	11	7	0	0	0	0	

Skagit County



Kitsap County



Skagit County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	25	25	25	25	25	25	25	25	25	25	25	25	25	20	16	11	5	1	0	0	0	0	0	0	0	
Graduate	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	26	18	15	11	8	4	0	0	
DNF	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	22	20	18	15	10	9	6	4	1	1	
Opted Out	1	1	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	

Kitsap County
 Numbers of Offenders in Each Subgroup
 For Three Years Pre and Post Drug Court Referral
 (Every Third Month)

Offender Subgroups	Months Pre Drug Court (at 3 month intervals)													Months Post Drug Court (at 3 month intervals)												
	-36	-33	-30	-27	-24	-21	-18	-15	-12	-9	-6	-3	0	3	6	9	12	15	18	21	24	27	30	33	36	
Active	32	32	32	32	32	32	32	32	32	32	32	32	32	24	18	13	9	6	0	0	0	0	0	0	0	
Graduate	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	3	0	0	0	0	0	0	0	
DNF	16	16	16	16	16	16	16	16	16	16	16	16	16	15	11	9	7	5	0	0	0	0	0	0	0	
Opted Out	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	0	0	0	0	0	0	0	0	
Ineligible	3	3	3	3	3	3	3	3	3	3	3	3	3	2	1	1	1	0	0	0	0	0	0	0	0	