www.npcresearch.com

A Detailed Cost Analysis in a Mature Drug Court Setting:

A Cost-Benefit Evaluation of the Multnomah County Drug Court

Prepared for:

Janice Munsterman
Office of Research and Evaluation
National Institute of Justice
810 Seventh Street NW
Washington, D.C. 20531

Prepared by:

Shannon Carey, Ph.D.

Michael Finigan, Ph.D.
NPC Research, Inc.
5200 SW Macadam Ave., Ste. 420
Portland, OR 97239-3857
(503) 243-2436
Fax: (503) 243-2454
E-mail: carey@npcresearch.com

July 2003

Acknowledgements

This report was made possible through the cooperation and support of local criminal justice and substance abuse treatment agencies. NPC Research would like to offer our deepest appreciation to:

- Valerie Moore, Craig Willadsen, Sharon Loeffler, Phoebe Burns, Roselee Jaffe and all the staff at InAct for their open and supportive attitude toward research and for aiding us throughout the study, giving freely of their time in spite of heavy workloads and budget crises.

- Judge Harl Haas, Judge Douglas Beckman, Judge Edward Jones at the Multnomah County Courthouse for supporting this study, being available for questions and graciously allowing us into their court rooms.

- Mike Schrunk and John Kavorinos at the Multnomah County District Attorney's Office; Kathy Erwin and Joyce Griffin at the Multnomah County Sheriff's Department; Ray Stout and Steve Beedle at the Portland Police Bureau; Nora Goya at the OADAP; David Wells at the Oregon State Probation Office and Jim Hennings, Shawn Neault, Chris Howard, Lynn Holguin, Rebecca Perin and other staff at the Metropolitan Public Defender's Office for answering our constant questions and providing us with reams of data.

Finally, we would like to thank the staff at NPC Research for their quality work on this study.

- Dave Crumpton for introducing us to the TCA approach and for performing many cost calculations.
- Chris Heiser, Becky Roth, Chris Neukom and Mark Waller for tracking drug court participants at sites throughout the community, entering data and sitting for many hours in the courtroom.
- Jennifer Aborn for providing guidance on the functioning of the local court system, coordinating the data collection, designing the chart review database and conducting a very large number of chart reviews.
- Lisa Lucas for coordinating the project and ensuring the happiness of project staff.
- Teresa Young, Jodi Brekhus, Jerod Tarte and Lisa Lucas for performing many hours of data cleaning and analyses.

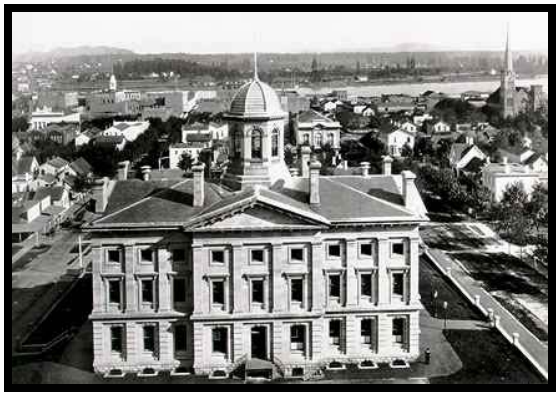
ABSTRACT

Assessing the costs of drug court in relation to its benefits has become an important issue for policy makers as budgets become tight and the perceived costliness of drug court implementation is weighed. Past cost-benefit studies have often relied on proxy estimates, client self-reports and/or non-local data to provide estimates of the cost advantages of drug courts. This is less than helpful to policy makers particularly at the local level who were trying to understand both the actual investment into drug court and the real local cost savings. In addition, researchers need to understand how accurate some of the less intensive methods of collecting these data are compared to more exact, but more resource intensive methods.

This study is an intensive examination of investment costs and benefits resulting from the operation of a single court in Multnomah County, Oregon. The study was designed to provide an extensive level of detail on the use of local publicly-funded resources by both a sample of drug court clients and a sample of drug court eligible clients that received "business as usual" services. Offenders in both groups were tracked over a two year period in their use of court, district attorney, public defender, law enforcement, correctional and probation services. Data were collected in a manner that allowed costs and benefit to be assessed overall and agency-by-agency, as well as to allow for an assessment of the value of less intensive approaches in providing similar estimates. The study used a Transactional Cost model that examines complex multiple agency contributions to client transactions with the system, and adds indirect institution costs to the model, as well.

Overall, the results of this study demonstrate that drug courts can be a cost effective use of taxpayer resources. In this court, the total investment cost per client of the drug court was actually **less** (by $1,441.52) than the investment cost per client of the "business as usual" process. The data also demonstrated that money is saved in outcome costs ($2328.89 per participant), although this savings is not spread equally among the agencies. Total cost savings over a 30-month period (including victimization costs) averaged **$5071.57** per drug court participant. Data presented on the utility of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonably accurate results.

EXECUTIVE SUMMARY



In 2000, NPC Research secured a grant from the National Institute of Justice (NIJ) to perform a cost-benefit evaluation of the Multnomah County Drug Court (the second oldest drug court in the United States) in Portland, Oregon. Cost-benefit analysis of drug courts had in the past relied heavily on gross estimates (proxies) that did not rely on locally collected data. Such estimates were often criticized both as to their validity as well as their relevance to the local policymakers. NPC research proposed to gather data on drug court costs in a very intensive manner based on the offender's actual behavior and based on locally collected data.

We proposed to accomplish the following tasks under this grant:

- Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report these findings in a manner relevant to local policy makers.
- Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols.
- Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites.

Research Design

The overall research design was to collect highly detailed data on a small, randomly selected sample of individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. These highly detailed data would then be used to augment administrative data collected at an individual level on a much larger sample of drug court and non-drug court participants. The detailed data were collected by tracking drug court eligible offenders into court sessions, attorney visits and treatment sessions. The court and treatment sessions were timed with stopwatches down to the

second, in order to determine the exact amount of resources being used as each individual moved through the drug court or 'business-as-usual' system.

This detailed information was used to supplement the administrative data gathered on the larger sample. The larger sample consisted of 1167 individuals who were eligible for drug court (594 drug court participants and 573 non-drug court participants). These two groups were matched on demographics and criminal history[1] removing these as potential sources of selection bias. Data were collected on the use of resources for each individual in each agency involved in drug court, including the court, the public defender, the district attorney, law enforcement, probation, drug court treatment, and treatment received by both groups outside of drug court. Total costs to the system/taxpayer were calculated, including "investment" and outcome costs for both the drug court and 'business-as-usual' process, for 30 months after the drug court eligible arrest.

Results

The results provided data that addressed a number of key policy questions, including the following:

Q: Does it cost more for drug court than for "business as usual"?

A: **No.** The total investment cost by the agencies involved in drug court[2] averaged $5,927.80 per participant compared to $7,369.32 for "business as usual." The "business-as-usual" offenders cost $1,441.52 **more** than the drug court participants. **Thus, the drug court approach actually saved the taxpayer money in investment costs.** This was in a large part due to the use of jail and probation time for "business-as-usual" processing, and is also due to significant use of treatment and court resources.

Q: Do agencies save money up-front from drug court versus "business as usual?"

A: **Yes.** Law enforcement/corrections and the public defender's office received an immediate savings from the drug court approach. All agencies saved money in outcomes.

[1] As these two groups were matched, there was no significant difference between the two groups on demographics, previous treatment episodes or criminal history.
[2] The agencies included in this calculation were the court, the district attorney's office, the public defender, law enforcement, corrections and treatment.

Q: Are there cost savings in outcomes due to drug court processing?

A: **Yes.** When the outcome costs for drug court participants are compared to the outcome costs for "business as usual," the drug court saved an average of **$2328.89** per year for each participant. With victimization costs added, the average savings becomes **$3596.92** per participant.

Q: What are the total cost savings (investment and outcomes) that can be attributed to the drug court process?

A: Combining the outcome cost savings with the investment savings, over a 30-month period, we find that the drug court saved an average of **$5071.57** per participant including victimization costs. Multiplied by the 300 participants who enter this drug court each year, this is **$1,521,471** in cost savings for the local taxpayers per year. This difference in total costs (investment and outcome costs combined) is truly the "bottom line" for the cost to the system of drug court participants versus the cost of non-drug court participants.

Note: These savings are local taxpayer costs only (excluding any state or federal costs that might be saved by lessened welfare payments or Medicaid or by increased tax revenue from increased employment).

Q: Can this kind of cost data be collected with less intensive techniques?

A: **Yes**. Data on the utility of a number of less intensive means of gathering costs data showed that in many cases a medium intensity method, generally involving the use of client level administrative data, brought reasonable results.

Overall, the results of this study established that drug courts can be a cost effective use of criminal justice system and taxpayer resources. Since this study was only performed on one site, some of the conclusions, particularly in terms of data gathering methodology, should be tested on at least one more site. At that point a complete guide to the use of these methods and protocols that could be used at other sites could be developed.

Table of Contents

EXECUTIVE SUMMARY I
INTRODUCTION 1
STATEMENT AND DISCUSSION OF ISSUES IN COST RESEARCH ON DRUG COURTS 2
The link between substance abuse and crime 2
Drug courts as a response to this problem 3
The economic consequences of substance abuse 5
Issues in a cost analysis of the effects of drug courts 6
Project goals 11
Key policy questions 11
Importance of this study for treatment providers, policymakers, and researchers 12
RESEARCH DESIGN 13
Overall research strategy 13
Data collection strategy 14
Proxy assessment strategy 16
Cost assessment strategy 16
METHODOLOGY 19
Sample selection 19
Cost analysis protocols 23
Proxy costs methodology 36
RESULTS 38
The costs and benefits of drug court 38
Results of data collection at three levels of intensity – What proxies work? 49
Summary of results 57
Conclusion and future directions 58
REFERENCES 59

APPENDIX A: DATA COLLECTION FORMS AND INSTRUCTIONS 62
APPENDIX B: DESCRIPTION OF DRUG COURT AND NON-DRUG COURT PROCESSING 90

List of Tables

Table 1. Approaches to Costs and Cost Offset Data Collection 10
Table 2: Demographic and Criminal History of Administrative Sample 22
Table 3. Proxy Methods: Low- to High-intensity data gathering methods to estimate service utilization costs and avoided costs 37
Table 4. Criminal Justice System Costs Invested in Drug Court 39
Table 5. Drug Court Investment Cost for Each Agency per Participant 40
Table 6. Investment Cost for 'Business-as-Usual' Process 41
Table 7. Difference in Investment Cost for Drug Court and 'Business-as-Usual' Process per Transaction 42
Table 8. Drug Court and Non-Drug Court Investment and the Difference in Investment for Each Agency 43
Table 9. Average number of transactions for each group after the eligible arrest 45
Table 10. Outcome Costs and Savings over 30 months 46
Table 11. Outcome and Investment costs for graduates and terminated participants 47
Table 12. Costs or Savings Associated with Outcomes for Each Agency 47
Table 13. Total Costs for Drug Court Participants and Non-Drug Court (both Investment and Outcome costs) for Each Agency over 30 Months 49
Table 14: Court Appearance Proxies 52
Table 15. Results of number of treatment sessions using low medium and high-intensity approaches to data collection 54

INTRODUCTION

In 2000, NPC Research secured a grant from the National Institute of Justice (NIJ) to perform a cost-benefit evaluation of the Multnomah County Drug Court in Portland, Oregon (the second oldest drug court in the United States). Although NPC Research has performed a cost-benefit evaluation of this drug court in the past (Finigan, 1998), this one is different in the comprehensive level of detail in the data being collected.

Few comprehensive studies of the long-term costs and benefits of drug courts have been conducted. Part of the reason pertains to the serious difficulties in assessing both the costs and cost offsets in a drug court setting. Most studies have relied on some sort of proxy estimates of these costs. Additionally, the complex nature of the court and criminal justice systems in which drug courts operate creates barriers. Only an intensive study that tracks individuals through these systems and other community-funded agencies could accurately capture the system costs and benefits. This NIJ study will begin to remedy this situation by providing more detailed data on the costs of drug courts to the community.

We proposed to accomplish the following tasks under this grant:

1. Collect and examine data from a mature drug court using a high-intensity cost assessment protocols developed specifically for this study and report them in a manner relevant to local policy makers.
2. Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols.
3. Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites.

This report is organized into four main sections. The first section is a statement and discussion of the problem. The second section discusses our research strategy. The third section details our research methodology. The fourth section presents our results including a discussion of the implications of our results for policymakers.

STATEMENT AND DISCUSSION OF ISSUES IN COST RESEARCH ON DRUG COURTS

The following section discusses the link between substance abuse and crime, drug courts as a response to this problem, the economic consequences of drug abuse, issues in a cost analysis of the effects of drug courts, project goals and key policy questions to be addressed by this research, and finally, the importance of this research to policymakers, providers, and researchers.

The link between substance abuse and crime

There is a well-researched link between substance abuse and criminal behavior. Approximately 68 percent of new arrestees test positive on a urine screen for one or more illicit drugs (National Institute of Justice, 1996). The combined impact of criminal activity and substance abuse is also well documented. Summary statistics gathered in 1996 from the Department of Justice suggest that nationally 36% of adult offenders were under the influence of alcohol *at the time of their offense* (Greenfeld, 1998). Data from the Arrestee Drug Abuse Monitoring (ADAM) program research indicates that two-thirds of convicted jail inmates were actively involved with drugs prior to their admission to jail. (Drug Use, Testing and Treatment in Jails, BJA, USDOJ, 2000.)

Furthermore, there is evidence that treating substance abuse leads to a reduction in criminal behavior. For individuals receiving substance abuse treatment, The National Treatment Improvement Evaluation Study (NTIES, 1997) found significant declines in criminal activity between the 12 months prior to treatment and the 12 months subsequent to treatment. Those declines included:

- Self-reported incidence of selling drugs by 78 percent
- Shoplifting by almost 82 percent
- Supporting oneself largely through illegal activity by more than 48 percent
- Arrests for any crime by 64 percent.

Gerstein, Harwood, Suter, et al. (1994) found positive effects of drug and alcohol treatment on self-reported subsequent criminal activity in a statewide sample. In a study using administrative data, comparing those who completed treatment with a comparison group of those eligible but

not receiving treatment in the State of Oregon, Finigan (1996) also found significant reduction in police-report arrests for those who completed treatment.

Drug courts as a response to this problem

The prevalence of offenders with substance abuse issues in the criminal justice system was the primary impetus for the formulation of drug courts specifically designed to handle offenders who committed crimes while under the influence of drugs or alcohol. Drug courts represent a "combined systems" approach to treating offenders. Rather than the court system handing off an offender to the correction system and/or the treatment system and seeing the offender again only when the offender returned to the system as a re-offender, drug courts create a combined team effort involving resources from the district attorney's office, the public defender's office, probation and treatment providers, all under the leadership of a judge. This combined systems approach has the potential to provide greater efficiency as well as heightened accountability for the offender. On the other hand, it creates complexity in understanding both the costs of the program and the avoided costs that may accrue from the impact of the program.

A limited number of impact studies have been conducted examining the outcomes of the drug court model. The quality of the research and the validity of their conclusions have varied depending on research design issues. First, and foremost, is the issue of comparison groups in quasi-experimental designs. Impact studies must be able to compare outcome results of drug court program participants to a valid comparison group that can represent the conditions of "business as usual" that would occur without a drug court. The major problem with comparison groups is the potential that some selection bias has been introduced in the development of these groups that will bias the comparison. For example, some drug courts have wanted to compare their graduates with those that enrolled in drug court but were terminated before completion. This clearly introduces a selection bias since those who graduated by definition represent those who succeeded at drug court and those terminated represent a group that failed. The graduates and those that were terminated belong to the same group, i.e., drug court participants. There is no comparison group. It's of little value to learn that "succeeders succeed, and failures fail" (Goldkamp, personal communication, 2002).

Most of the better research designs have used some sort of "business as usual" comparison group that is similar in fundamental characteristics to those who receive the program. While unable to completely remove selection bias, this design is nonetheless particularly useful to policy makers trying to make decisions about alternative models. Belenko (1998) suggests examples of comparison groups used in valid drug court designs, including the following:

- Similar drug offenders, adjudicated before the drug court began
- Drug court eligible offenders who were referred to drug courts but did not enroll
- Matched samples of drug court offenders assigned to probation

Although selection bias (such as motivational issues[3]) cannot be completely ruled out in these samples, matching these groups to a drug court sample (e.g., on criminal history, demographics) can produce a reasonable comparison for the policy maker between "business as usual" and drug court.

A few studies (e.g. Gottfredson, 2003) have been able to conduct random assignment into treatment and control conditions. Although this approach provides the best ability to rule out potential selection bias (including motivational issues) in the development of a comparison group, it is not entirely free from problems. Random assignment is an artificial condition placed on a system and not truly a "business as usual" comparison. Also, assignment to groups early in the drug court referral process may result in mis-assignment.[4] However, Gottfredson's study using random assignment did find positive effects of the drug court program similar to those using the comparison group methods outlined by Belenko, lending credibility to positive effects found in these research designs.

Belenko (1998) provides a summary review of drug court research. He suggests that the research findings are consistent with the following:

---

[3] Some researchers have questioned whether individuals who are eligible for drug court but choose not to go are less motivated to change their drug habits than those who choose drug court. Others have argued that the coercive nature of drug court brings some non-motivated offenders into program where they then gain motivation (e.g., Harrell, 2003).

[4] Gottfredson's (2003) well-controlled assignment conditions nonetheless experienced some mis-assignment as 9% of the treatment group did not participate in drug court and 7% of the comparison group were enrolled in drug court. Random assignment is a difficult condition to maintain in real system settings.

1. Drug courts are successful in engaging and retaining offenders in treatment,
2. Drug courts provide more comprehensive supervision of offenders,
3. Drug use is reduced for offenders who participate in drug court,
4. Criminal recidivism is reduced for offenders,
5. Drug courts can generate cost savings,
6. Drug courts can successfully bridge the gap between multiple publicly funded systems.

He also suggests that cost research modeled on the approach used by Finigan (1996) would provide useful information on the costs and benefits of drug court.

In a meta-analysis of drug court impact studies, Wilson, et al. (2002) found that 34 of 40 evaluations using comparison groups (such as the ones outlined by Belenko) reported lower rates of crime among drug court participants. The pooled results also showed significantly lower amounts of recidivism. These data suggest that good comparison groups matched in characteristics to drug court participants provide a consistent picture and one consistent with the results found in randomized studies. This argues that well matched comparison groups, while unable to completely remove the threat of unknown selection bias, can produce consistent and valid results.

The economic consequences of substance abuse

The economic consequences to society of drug and alcohol abuse have long been detailed. From a health perspective, untreated substance abusers produce tangible costs to health systems from both the health complications of substance use, as well as increased accidents that result from the use of alcohol and drugs. In addition, substance abuse leads to other negative social behaviors that have cost consequences to other systems, such as the criminal justice system. French (1995) described an array of tangible and intangible costs of substance abuse. This underscores the fundamental reasoning of a cost-benefit approach to substance abuse treatment: untreated substance abuse is very costly both to the individual, the individual's family and friends, and to taxpayers who must, in one way or another, fund the consequences of the negative social behaviors that result from substance abuse. Policymakers and practitioners need cost-benefit information because substance abuse treatment and the court's increasing involvement in the

treatment system (e.g., drug court) is perceived as expensive to implement, and data are needed to demonstrate that such treatment reduces costs in the long run.

Cost-benefit analysis is sometimes confused with cost effectiveness analysis. Cost effectiveness analysis compares the relative cost of several programs to achieve some given outcome. It is easier to accomplish than cost-benefit analysis since it does not require that the outcomes of the programs be expressed in economic terms. Cost-benefit analysis places economic value both on the cost of a program and the benefits that its outcomes might produce.

Much of the literature on cost and cost-benefit research has been focused on assessing the impact of substance abuse treatment alone. This is somewhat easier, since the costs are incurred primarily in one system (the treatment system). However, with the advent of drug courts in the last few years there is a growing need to identify cost-benefit approaches that can be applied to drug courts with all the complexities involved in a combined systems model.

Issues in a cost analysis of the effects of drug courts

The purpose of this section is to describe some of the issues that arise in determining costs in drug courts. These issues require decisions to be made by the researcher that affect the research design. We will discuss some of these issues and the strategies we have adopted in our research design in order to address them. These issues are as follows:

- Use of Client Self-Report Data
- Recipient of the Cost or Benefit
- Opportunity Resources
- Linkage Between Publicly Funded Systems: The Transaction Cost Approach
- Continuum of Treatment
- Use of Proxies
- Intensity of Cost Data Collection

Use of Client Self-Report Data

Some cost-benefit research has relied on self-reported data to assess services utilized in substance abuse treatment and also to assess subsequent cost outcomes such as arrests and incarcerations. Analysis based on the National Treatment Improvement Evaluation Study (1997) and the California Drug and Alcohol Treatment Assessment (CALDATA) study are examples.

While there are clear advantages to the extensive data that can be collected with a self-report instrument, it is difficult to use such data to address the actual costs spent by local treatment and criminal justice systems. In addition, there are troublesome issues such as the respondent's telescoping of time periods, memory issues, misperceiving police contacts as arrests, and providing "socially desirable" answers.

The approach taken in this study is not to rely on client self-report for data but instead uses information from administrative databases, budgets, staff interviews and direct tracking of clients.

Recipient of the Cost or Benefit

The concept of cost-benefit begs the question of "benefit or cost to whom?" Some recipients of benefits and costs may be of less interest to policymakers in the public realm. Koenig, et al. (2000) contrast an approach focused on benefits to society as a whole and an approach that focuses on benefits to the non-treated population (i.e., taxpayers). The "society as a whole" approach, for instance, would look at food stamps, welfare receipt, or even robbery as transfer of income without net gain or loss. The "cost to the taxpayer" approach focuses on the expenditures of taxpayer dollars and looks at costs solely from the point of view of the taxpaying public. In this approach, food stamps, welfare receipt, and robbery all have obvious costs to the taxpaying public.

The "Cost to Taxpayer" approach was used in this research. It focused on the expenditure of economic resources in the publicly funded arena. Therefore, for example, although it might be of interest to examine the increase in income for clients of substance abuse treatment, the interests of this analysis focused on the expenditure of costs within the public budgets of the treatment, court, and correctional systems.

Opportunity Resources

Many policymakers have failed to see any declines in actual budgets as a result of the linkage between criminal justice and substance abuse treatment. For instance, while substance abuse treatment and drug courts have been linked to a reduction in re-arrests in the criminal justice system, many police and jail budgets remain unchanged, and jails remain full.

The approach used in this analysis viewed publicly funded costs as opportunity costs. The concept of opportunity cost from the economic literature suggests that system resources are available to be used in other contexts if they are not spent on a particular transaction. For

example, if drug court reduces the number of times that a client is subsequently incarcerated, the local sheriff may see no change in his or her budget, but an opportunity cost resource will be available to the sheriff in the form of a jail bed that can now be filled by another person. The term "opportunity resources" may be preferable to describe these costs, because it implies that costs saved are less in dollars than in budgeted resources (people's time, jail bed space, residential beds) that can be used in another manner to better fulfill the mission of the public budget-spending agency.

Linkage Between Publicly Funded Systems: The Transaction Cost Approach

Cost-benefit researchers have looked at avoided costs in various publicly funded systems, considering each system separately. Little effort has been made to understand the cost implications of the linkages among systems. Specifically, the substance abuse treatment system is often intertwined with the court and correctional systems. The proliferation of drug courts, day reporting centers, in-jail treatment, and pre-treatment programs is an indication that the court and correctional systems have made the need for substance abuse treatment part of their mission.

The approach used in this research examined the provision of opportunity resources by publicly funded agencies as a set of transactions. The approach follows some trends in the literature of organization theory that suggest that organizations can be best understood as contributing their resources to sets of transactions (Martinez & Dacin, 1999; Moe, 1984). This transaction cost analysis assumes that clients make contacts with multiple systems and use resources from all those systems. In order to understand the costs that are spent and to place economic value on the complexity of reduced costs that accrue due to the benefits of a program, one must focus on the interaction of multiple systems. In particular, the focus in this study is on the treatment system, the court system, and the corrections system. This approach is described in more detail in a subsequent section.

Continuum of Treatment

Following traditional program evaluation approaches, substance abuse treatment has been viewed as a discreet event with a specific start date and a specific end date after which the client can be assessed a success or failure, and subsequent benefits can be measured. In fact, substance abuse treatment, when seen as a continuum of treatment, operates in fits and starts, and can have several "completions" before the impact can be assessed.

In this study we are collecting actual treatment start and end dates in order to obtain the total amount of time in treatment for each individual.

Use of Proxies

In the absence of the ability to directly collect local, client-specific data on cost, most studies have relied on proxy data to estimate these costs. For example, the CALDATA study (Gerstein, et al., 1994), which did not collect specific data on local police cost per arrest per client in their sample, instead used a proxy estimate which divided the total police cost in the State of California by the total number of arrests statewide to estimate the average cost per arrest. Although useful, these kinds of proxies have two significant shortcomings. First, they are not relevant to local public policymakers, as they need information about costs in their setting. Second, little is known about how accurate these estimates are as proxies for the actual treatment or drug court settings. That is, we do not know which proxies can be safely estimated more globally without too much error. This study compares easily gathered proxy data to intensively gathered data in order to determine what proxies are reasonably accurate

Intensity of Cost Data Collection

Although there have been attempts to provide cost information as part of drug court evaluations, most have been low intensity data gathering with results of questionable accuracy. Low intensity cost data collection is often based on very crude proxy estimates. For example, when ascertaining the number of hearings per client for a sample, a researcher may simply ask the judge to give his or her best estimate, on average, per client. To ascertain the cost of the drug court program, one might simply consult the budget of a funding source, ignoring resources contributed by other agencies, e.g., the district attorney's office or probation. This tends to give a crude and often erroneous picture of the costs and benefits of drug courts. Indeed, one of the charges sometimes leveled by legislators toward such research is that the costs are based on such gross proxy estimates as to lack credibility.

In one sense, cost studies are fairly simple in design. The researcher needs only to determine the system service units that are utilized (or which are avoided on the benefit side) and match them with accurate per unit costs. However, this is difficult to accomplish with accuracy without a great expenditure of resources.

Three levels of cost data collection intensity can be identified. These are described in the following table. For each level of intensity, a description of the methodology is included as well as the advantages and limitations of each approach.

Table 1. Approaches to Costs and Cost Offset Data Collection

Approach	Description	Pros	Cons
Low intensity	Service utilization based on program descriptions-all clients are assumed to receive whatever services program provides Unit costs determined by average costs based on state or national data	Very low cost to implement. Can be done by all programs.	Validity of data questionable. Long term outcomes and avoided costs difficult to assess Cannot determine what aspects of programs or types of clients produce the best outcomes
Modest intensity	Service utilization-based on program MIS. Can get client level data. Unit costs based on interviewing key informants about their estimates	Low cost. Can be done by programs with reasonable MIS Local unit cost estimates	Long-term outcomes and avoided costs difficult to assess Unit cost estimates of unknown accuracy Cannot determine what aspects of programs or types of clients produce the best outcomes
High Intensity	Service utilization on a client level based on a identifying and following clients as they appear for hearings and treatment plus a variety of administrative data-sets	Validated proxies can be developed Can determine some aspects of programs or types of clients that produce the best outcomes	Resource intensive

The high-intensity approach can produce the most valid results, but it is expensive to conduct. It should be used when there is an important need to assess cost and benefits that are both locally relevant and provide a high degree of validity. Alternatively, the high-intensity approach can be used to validate some of the lower intensity strategies, by indicating whether low intensity methods get

tolerably similar results. This study is designed to implement a high-intensity approach to cost data collection in a single drug court site.

Project goals

We proposed to accomplish the following tasks under this grant:

1. Collect and examine data from a mature drug court using high-intensity cost assessment protocols developed specifically for this study for both a sample of drug court program participants and for a matched comparison group of those who were eligible for the drug court but who received standard court processing. We proposed to collect this data for up to 24 months subsequent to the arrest that made them eligible for drug court and to determine the relative cost-benefit of the drug court option as compared to traditional processing.
2. Examine the differences between the proxy measures that we might have used in this study with the actual costs generated by our detailed cost assessment protocols. This suggests where a lower intensity approach to cost assessment can be as useful at producing valid data as a higher intensity approach.
3. Develop preliminary cost and cost offset assessment protocols that can be used by other drug court sites across the country with the ability to provide valid and reliable data on both program costs and avoided costs for drug courts compared to traditional court processing.

Key policy questions

There are seven key policy questions that this research is designed to answer:

1. What are the total criminal justice system costs invested in drug court, not just for graduates but for all participants?
2. What are the costs for each agency that invests in drug court?
3. What are the investment costs in drug court over and above the costs for the 'business-as-usual' process?
4. What are the costs or savings associated with outcomes for drug court as compared with "business as usual" participants?
5. What are the costs or savings associated with outcomes for each separate agency that contributes to drug court?
6. Are there some offices/agencies (e.g., district attorney, public defender) that never reclaim their costs?

7. What costs and avoided costs can be effectively measured by easy to gather proxies (data collection methods that are easier and less resource intensive but give reasonable approximations of real cost data) at drug court sites and what costs need to be measured directly to achieve valid and reliable data?

Importance of this study for treatment providers, policymakers, and researchers

Policymakers and practitioners are challenged to implement innovative approaches to addressing the problem of substance abuse and its relation to criminal activity. These include drug courts, family courts, mental health courts, day-reporting centers, in-jail treatment programs, drug-free zones, and more substance abuse-focused supervision. These innovations are occurring in difficult cost environments. Budgets are tight, with little additional funding available to fund programs. In other words, what is the best use of available dollars?

Increasingly, the criminal justice system (with its court and correctional components) has accepted the link between substance abuse and criminal justice activity. Nonetheless, substance abuse treatment is perceived as expensive, and court-involved treatment (e.g., drug courts) is perceived as particularly expensive.[5] A cost-benefit approach makes particular sense in that it provides data on the actual value of this response to substance abusing individuals in the criminal justice system.

While previous cost-benefit studies suggesting high benefit to cost ratios have produced excitement among advocates of treatment, they have been more valuable in promoting treatment generally and have been less helpful to local treatment, court, and correctional justice system stakeholders who are looking for evidence of savings in their budgets. In addition, as the court and correctional systems become intertwined with the substance abuse treatment systems, the court and correctional systems desire some accounting of the costs of treatment to them. Finally, there is a growing recognition that successful substance abuse treatment is not simply the result of one episode of treatment, but may result from a pattern of treatment and failure that is costly to all three systems. This research is focused on estimating the costs from specific budgets of these systems as well as the avoided subsequent costs to the three systems from substance abuse treatment.

[5] Some judges take the opposite view, suggesting that the marginal costs (resources in addition to those already in place) of these programs are slight.

For the research community, the value of this research and its data set lies in the development of protocols to conduct valid cost-benefit analysis in drug court settings. However, another important value in this research lies in the identification of aspects of a cost-benefit approach that require an intensive research effort (in order to gain valid data) and the identification of areas where less intensive protocols are adequate.

RESEARCH DESIGN

The basic research strategy for this project was to gather data about costs and avoided costs at a single mature drug court site using intensive data collection techniques. These data were then used to provide a more comprehensive picture of costs and avoided costs of drug court as well as to compare more intensive data collection techniques with less intensive (and less expensive) techniques. This section outlines our basic strategies for our cost assessment and data collection strategies. The next section (methodology) describes our protocols in detail.

Overall research strategy

The overall research design was to collect highly detailed data on a small, randomly selected sample of approximately 120 individuals who were eligible for drug court. These individuals (some of whom participated in drug court and some who received traditional court processing) would be tracked intensively through both the criminal justice and drug court treatment system for the purpose of collecting more detailed data than is generally available in administrative datasets. An example of this detailed data would be the duration of court hearings for every type of case with which the individuals in the sample were involved. This highly detailed data would then be applied to administrative data collected on a much larger sample (approximately 1200 individuals) of drug court and non-drug court participants. The detailed data would augment individual level administrative data collected on the larger group. For example, the number of drug court hearings attended by a drug court participant in the larger sample could be gathered from administrative data, then the average length of time of a drug court hearing, gathered from the detailed data collection, could be applied to each of those hearings. The purpose of the larger sample was to provide power for statistical analyses. This larger group would be used to determine the cost and benefits of drug court versus that of traditional court processing.

Data collection strategy

Intensive Tracking

The main method used for the *detailed* data collection was intensive tracking of the smaller sample of drug court eligible individuals, as described above. This small sample of individuals was therefore termed the "intensive sample." Intensive tracking involved following these individuals through public systems, such as the criminal justice system. Using a database that has information on arrests and subsequent court hearing dates for specific individuals, data collectors were able to be present at those court hearings in order to collect information on the resources being used (e.g., judge time, attorney time, law enforcement time) by the individuals in the intensive sample. This manner of collecting detailed data does not involve participant interviews and therefore is not subject to the problems of self-report.

This method of tracking allows for the collection of extremely detailed data on the specific resources being used as an individual moves through local public systems. However, it is also extremely resource intensive. Because this method does not include direct contact with individuals in the study samples, it is necessary to perform "detective work" in determining where and in what system (e.g., the court, the public defender's office) a study participant may appear. This is particularly difficult for those who are not in drug court, as their activities are far less structured and less supervised. A large amount of researcher time is devoted to finding individuals and then being present when those individuals are using system resources. Because of the large use of researcher resources, this tracking method has not been used in previous studies. Therefore, it was necessary to develop new protocols specifically for this study. These protocols are described later in this report, in the methodology section.

Because this type of tracking is so resource intensive, it was not possible to follow a large sample of individuals. As described above, the main purpose of the detailed collection of information on this small "intensive" sample was to gather the type of data that could logically be applied to supplement administrative data gathered on a much larger sample. (The strategy for the use of administrative data is described below.)

A second purpose of this intensive tracking was the opportunity to compare of the quality of resource intensive data collection to that of more easily gathered data, such as data from administrative databases, key informant interviews, or policy manuals. This more easily gathered

data is described in this study as "proxies" or estimates of actual data. (The proxy strategy is described in more detail below.) If the more easily gathered proxies were reasonably accurate, then it could be concluded that detailed, and resource intensive, data collection may not be necessary in future studies.

Administrative Data

For a detailed assessment of avoided costs between a drug court program group and a valid comparison group, data on the utilization of system resources must be gathered on an individual level. Some studies have utilized data gathered from self-report instruments. The CALDATA study (Gerstein et al., 1994) used extensive interviews with substance abuse treatment clients to gather data on issues such as subsequent arrests and subsequent use of medical services. However, as French (1995) has pointed out, the use of self-reported data for this information is unreliable and is expensive to gather.

Another approach has been to ask the programs themselves to estimate data on, for example, jail bed days saved by the program (Cooper, 2000; Guydish, 2001). Unfortunately, this approach often provides little in the way of a standardized method to calculate the results and raises questions about the validity of the data.

A different solution for drug court cost studies was developed by Finigan (1999) and Harrill (1999), which uses administrative datasets (data collected regularly and kept in databases by a program or agency) to determine system service utilization, both during programs as well as subsequently. Although this overcomes the problems of self-reported data, it is highly dependent on the availability and adequacy of administrative databases. This raises issues regarding access to existing administrative databases, issues surrounding confidentiality, issues surrounding common data element definitions and issues surrounding the reliability of the particular database.

However, for this type of cost study, administrative datasets are the best source of data on an individual's use of taxpayer-funded administrative resources because these data sets generally contain individual level information collected on a regular basis. Further, these datasets are often used for billing purposes, which means there is a fairly strong incentive for thoroughness in the collection and entry of data. Although these databases are themselves subject to error (missing data, data entry error, etc.), they are extremely important to cost research because they represent

the agencies' best information on the resources that have been used and are often the basis upon which future budgets are created. However, these datasets are not always easily accessible to researchers and present the challenge of extracting needed data from a variety of diverse data systems.

In spite of these challenges, the use of administrative datasets is still an important and useful strategy. It allows the acquisition of individual level data without the time and resource commitment involved in collecting it directly from the source (e.g., from client interviews or intensive tracking). Administrative data was a key source of information used for this study.

Proxy assessment strategy

Most of the attempts of other studies to assess unit costs have had to depend on the use of proxies. Proxies are estimates of costs that can stand in place of the true costs when the detailed data needed to calculate the true costs are not available. For instance Gerstein, et al., estimated police arrest and booking costs by taking the total amount spent on police in the State of California and dividing by the total number of arrests in the State to come up with the per arrest unit cost. Proxies have been used in most of the existing cost-benefit studies of substance abuse treatment (e.g., Gerstein, et al., 1994; Finigan, 1996) and of drug courts and other programs designed to reduce crime (e.g., Finigan, 1998; Aos, et al., 2001), because local data specific to the site was not known and the resources to gather that data were not in place. Until now, research has not taken the step to examine the relative value of these proxy data gathering techniques as estimates of these local data.

We have taken this step in this cost evaluation of the Multnomah County Drug Court. In this evaluation, the detailed data gathered using intensive local participant tracking and administrative data were compared to more easily gathered local proxies. Those proxies that closely resembled the costs calculated with detailed data may be recommended as a valid approximation of local data.

Cost assessment strategy

Transaction Cost Analysis

In order to assign costs to these highly detailed data, it was necessary to adopt a cost strategy that was appropriate to that level of detail. Transactional Cost Analysis (TCA) was determined to be an

approach that could be used to assign cost to this detailed data[6]. It was also determined that it could be adapted to the drug court setting[7]. The Transactional Cost Analysis approach views an offender's interaction with publicly funded agencies as a set of *transactions* in which the offender utilizes resources contributed from multiple agencies. Transactions are those points within a system where resources are consumed and/or change hands. In other words, each time a client has contact with the system, a transaction occurs. In the case of drug courts, when a drug court participant appears in court or has a drug test, resources such as judge time, public defender time, court facilities, and urine cups are used. Court appearances and drug tests are transactions. TCA is an intuitively appropriate approach to conducting costs assessment in an environment such as a drug court, which involves complex interactions among multiple taxpayer-funded organizations.

The NPC Research TCA approach to cost evaluation differs from the traditional form of TCA in that it carefully identifies the level of resources used by each agency and also incorporates indirect costs (both jurisdictional support and overhead costs) with the direct costs to get a more complete picture of the resources used for each transaction.

The TCA methodology is based upon six distinct steps. The key steps in this methodology involve learning about the drug court and non-drug court process, identifying the transactions that occur within this process, identifying the agencies involved in each transaction, determining the resources used during each transaction, determining the cost of those resources, and then calculating overall costs. The protocols involved in each of these steps are described in detail in the methodology section, below.

Cost to the Taxpayer

In order to maximize the study's benefit to policy makers, a "cost-to-taxpayer" approach was used for the evaluation. This focus helps define which cost data should be collected (costs and avoided costs involving public funds) and which cost data should be omitted from the analyses (e.g., costs to the individual participating in the program). In this approach, any criminal justice related cost incurred by the drug court or comparison group participant that directly impacts a

[6] Dave Crumpton (2001) was instrumental in introducing this approach to NPC Research and modifying this approach to fit the drug court setting.
[7] A paper containing a detailed review of the literature on the theoretical and practical grounding of NPC Research's approach to TCA is in process.

citizen (either through tax-related expenditures or the results of being a victim of a crime perpetrated by a substance abuser) is used in the calculations.

The central core of the cost to taxpayer approach in calculating benefits (avoided costs) for drug court specifically is the fact that untreated substance abuse will cost various tax-dollar funded systems money that could be avoided or diminished if substance abuse were treated. In this approach, any cost that is the result of untreated substance abuse and that directly impacts a citizen (either through tax-related expenditures or the results of being a victim of a crime perpetrated by a substance abuser) is used in calculating the benefits of substance abuse treatment.

Opportunity Resources

Finally, NPC's cost approach looks at publicly funded costs as "opportunity resources." The concept of opportunity *cost* from the economic literature suggests that system resources are available to be used in other contexts if they are not spent on a particular transaction. The term opportunity *resource* describes these resources that are now available for different use. For example, if substance abuse treatment reduces the number of times that a client is subsequently incarcerated, the local Sheriff may see no change in his or her budget, but an opportunity resource will be available to the Sheriff in the form of a jail bed that can now be filled by another person.

In the above section we explained our basic strategies in this study. The following section describes our methodology in detail.

METHODOLOGY

As explained in the above research strategies, the protocols developed for this study included intensive tracking of a sample of drug court eligible individuals. Data collectors literally followed these individuals from their arrest and first arraignment through the criminal justice and treatment processes for both the drug court program and traditional court processing. Court appearances, treatment sessions, and meetings with attorneys were timed with stopwatches to the second in order to achieve an accurate picture of the system resources used in both processes. In this section we discuss the study protocols used in more detail, including sample selection, the intensive tracking procedures, administrative data collection, and the methodology used to gather proxy data. Much of this methodology falls within the six steps of NPC's TCA approach.

Sample selection

There were two samples selected for this study; 1) A smaller sample of individuals that were followed through the criminal justice and treatment system by intensive tracking, termed the "intensive sample" and 2) A larger sample (for statistical power) of individuals who were followed using administrative databases from several agencies and to which the detailed data gathered from intensive tracking was applied. This larger sample was termed the "administrative sample."

The Intensive Sample. As described above, the main purpose of this smaller sample was to gather detailed data (such as the duration of court and treatment transactions, and the agencies involved with these transactions) that could then be applied to the larger sample to determine the costs and benefits associated with this Drug Court. A second purpose was to compare the detailed data gathered using more intensive (more expensive) techniques to the more easily gathered proxy data.

In order to identify individuals for the intensive sample, NPC data collectors attended arraignments twice a week. Arraignments were held every workday morning for offenders who were arrested the day (or weekend) before. The arraignment judge would explain to drug court-eligible offenders that they were eligible for this diversion program and tell them to attend a drug court orientation at the public defender's office the following morning. NPC data collectors obtained a copy of the court docket for the arraignments they attended and circled the names of

those offenders who were told they were eligible for drug court. The data collectors then attended the public defender orientation the next day. A legal assistant at the public defender's office described drug court to the group of offenders who appeared at the orientation. Each offender then met with an attorney to discuss his or her options and to confirm eligibility for drug court. (Occasionally, upon further examination of the offender's criminal record, the initial eligibility finding by the DA would be found to be incorrect). The attorneys would not allow NPC data collectors to sit in on their one-on-one sessions and would not discuss case details, so it was not possible to determine whether an individual was truly eligible for drug court until they appeared in court later in the day. All offenders were required to appear before the drug court judge that afternoon, whether or not they were eligible for drug court. When the offenders who were not eligible were called before the judge the deputy public defender would announce their ineligibility to the judge at which time we would drop them from the study sample. The eligible offenders could either choose to try drug court for two weeks, or decline the drug court option. Any offender found to be eligible at this hearing, whether they chose to try drug court or not, were included in the intensive sample and then were tracked throughout the rest of the study. These offenders were not told that they were being followed for a research study, as all information gathered on these individuals was either public information (e.g., obtained during open court hearings) or administrative data that could be legally released for legitimate research purposes.

Our original research design proposed "recruiting" 30 individuals a month for four months for a final intensive sample of 120. In order to allow for attrition (particularly in those who attended drug court treatment), 155 individuals were tracked in the final intensive sample. The final sample contained 87 individuals who participated in drug court and 68 individuals who experienced traditional court processing. All 155 individuals were tracked for at least 18 months (those who were selected earlier in the study were tracked longer, up to 22 months). This tracking included transactions that occurred due to the drug court eligible charge (e.g., court appearances, attorney meetings, treatment sessions) and transactions that occurred due to re-arrests (generally, court sessions).

The administrative sample. The larger, administrative, sample was selected from a database kept by the public defender's office. This database contains the names and case information for offenders who were eligible for drug court. Approximately 1,400 offenders who had been arrested for drug court-eligible charges between 1999 and 2000 were pulled from the database. (The sample was selected from those years in order to allow the collection of at least 30 months of administrative data from the time of the drug court eligible arrest.) Individual level drug court treatment use and criminal history data were then gathered for these individuals. All drug court eligible offenders appear before the judge at an initial drug court hearing. However, only a subset of this group actually enters drug court, therefore this hearing could not be used as an indication of drug court entry. Because there was no clearly defined point in the administrative data at which an offender entered drug court prior to their first treatment session, groups were assigned based on presence in drug court treatment. Those who had no drug court treatment sessions were assigned to the comparison group while those with one or more drug court treatment sessions were assigned to the drug court participant group. Another reason this is a good point to assign individuals to the drug court participant group is that this is the point that drug court costs start to accrue.

Aggregate matching[8] was performed on the two groups on ethnicity, gender, and age as well as criminal history and previous treatment episodes in the two years before the drug court-eligible arrest. The final sample contained 1,173 individuals, 594 drug court participant group members and 573 comparison group members. Because the drug court participant group and the comparison group were matched, there was no significant statistical difference in demographics, criminal history and previous treatment episodes between the two groups (see Table 2).

[8] Propensity scoring was considered for use in matching the drug court participant and comparison groups, but the results of initial analyses (e.g., logistic regression) on the available variables indicated that this method would not provide results different than those gained from aggregate matching.

Table 2: Demographic and Criminal History of Administrative Sample

Demographics	Drug Court Participants	Non-Drug Court Participants
Age	34 years	35 years
Gender	76% male	72% male
Ethnicity/Race	74% white (non-hispanic)	76% white (non-hispanic)
	16% black	18% black
	10% other	6% other
# of Prior Arrests (In 24 month period prior to the drug court eligible arrest)	0.9	1.1
# of Prior Bookings (In 24 month period prior to the drug court eligible arrest)	1.3	1.4
# of Previous Treatment Episodes (In 24 month period prior to the drug court eligible arrest)	.49	.51

* No differences between the two groups on the variables listed in Table 2 were statistically significant ($p > .05$).

One potential source of selection bias that could not be controlled for was the possibility of differences in motivation between the two groups. As discussed earlier in the review of the literature, this is the bane of most quasi-experimental designs used in outcome studies of drug courts, particularly those collecting retrospective data. In the case of retrospective data collection, it is not possible to determine whether those who actually participated in the drug court program were more motivated to change their drug habits than those who received traditional court processing. It is also not possible to determine the myriad reasons offenders may have for choosing either drug court or traditional court processing. However, interviews with key informants, such as the public defender, as well as information gathered from interviews with participants in other drug court research (personal communications, Finigan, 2002 and Carey, 2003) suggests that the reasons offenders choose for or against participating in drug court are not always related to motivational issues. Many offenders choose drug court because the alternative is extended incarceration and/or court fees. Other offenders refuse drug court because they live

too far away, or they have children and would be unable to afford childcare, or their defense attorney advises them that the case against them is weak and could be dismissed. Harrell (2003) has underscored the coercive elements in drug courts but also suggests that they are not unlike the coercive elements that operate from family and friends to entice individuals to enter treatment in non-drug court settings. In the end, motivation to change may not be as important a factor in choosing a drug court option as other legal and personal factors. If that is true, it is less of a concern as a selection bias.

Nevertheless, it is not possible to rule out motivation issues without true random assignment at the time eligibility is determined. However, Gottfredson's recent (2003) randomized design study provides outcome results similar to those in this study, suggesting that positive results are not simply a function of motivational selection bias. Finally, regardless of motivation issues, the end result of importance to policy makers in this type of cost analysis is to describe the actual cost of those who participate in drug court and the actual cost of those who go through traditional court processing. The cost of the offenders in this study to Multnomah County is the actual cost to the system for drug court and traditional court processing.

Cost analysis protocols

The basic steps of NPC's TCA methodology are listed below. The protocols involved in these steps include the intensive tracking protocols, administrative data collection protocols, key informant interviews and other data collection such as how information was gathered for proxies.

Step 1: Determine drug court and non-drug court flow/process (i.e., how clients move through the system)

Step 2: Identify the transactions that occur within this flow (i.e., where clients interact with the system)

Step 3: Identify the agencies involved in each transaction (e.g., court, treatment, police)

Step 4: Determine the resources used by each agency for each transaction (e.g., judge time, attorney time, overhead)

Step 5: Determine the cost of the resources used by each agency for each transaction (e.g., cost of judge's time per hour or per drug court session, etc.)

Step 6: Calculate cost results (e.g., cost per transaction, total cost of the program per participant)

Step 1: Determine drug court and non-drug court flow/process

There were three general methods for collecting drug court and non-drug court ("business as usual" or traditional) process information: document review, key informant interviews, and observation during tracking.

Document Review. Documents, such as the drug court policy manual, were obtained from the Multnomah County Drug Court program (the STOP program) in order for the researchers to begin to understand the basic flow of the program. This kind of document gave indications for where data collectors should look for study participants at the beginning of the intensive tracking process.

Key Informant Interviews. Key informants from each of the agencies involved in the drug court were interviewed about the drug court process. These key informants included the drug court judge, the public defender, the district attorney, legal assistants, the treatment provider, the sheriff, and probation staff. They were asked to describe, in detail, the flow of drug court participants through the drug court process, and in particular, their own agency's involvement with each participant. Key informants were also asked to describe the non-drug court process in the same manner.

Observations During Tracking. In order to achieve a truly detailed understanding of the drug court and non-drug court system process for the drug court target population, NPC Research staff "pretended to get arrested" during a weekend early in project start-up. The research staff went to the jail and learned how the offenders were processed. They then followed offenders through the system. For example, the offenders arrested over the weekend went from jail to arraignments on Monday morning. The research staff attended Monday morning arraignments and listened as the judge explained to the defendants that they were eligible for drug court and told them they should talk to the public defender who was there at the arraignment, and that they should go to the public defender orientation at 9:00 the next day. In this way, from listening to the judge's instructions in court, or listening to instructions given by the offenders' attorneys, the research staff was able to determine each step in the process, from court hearings, to meetings with attorneys, to the treatment agency, and back to court. In some cases this lead to other questions, which we would ask of our key informants. For instance, when NPC research staff attended arraignments, they discovered that the court already had information on whether an offender was

eligible for drug court. This provided a clue that someone had done some work between the weekend arrest and arraignments on Monday morning. Key informants explained that the district attorney reviewed the new arrests that came in each day and determined eligibility before arraignments started each morning.

The information gathered through the above techniques was used to create a detailed description of the Multnomah County STOP Drug Court process and the non-drug court process. These descriptions can be found in Appendix B.

Step 2: Identify the transactions that occur within this flow

Drug Court and Non-Drug Court Program Transactions. The detailed descriptions of the drug court and non-drug court process developed during Step 1 were examined to identify points at which the drug court participant and non-drug court participant interacts with the system and uses system resources. Following is a list of these transactions for the Multnomah County criminal justice system. These transactions are specific for felony drug possession charges (the charges eligible for the STOP Drug Court program).

Not all participants engage in every possible transaction. For example, the majority of drug court participants do not receive jail as a sanction and many of those who did not participate in drug court did not attend an orientation at the treatment agency. A detailed description of each of these transactions can be found in the results section of this report.

<u>Transactions for drug court participants</u>

- Arrest
- Booking
- 1st Arraignment
- Public Defender orientation
- InAct Treatment Orientation
- STOP Court Hearings (drug court hearings)
- Physical exam at InAct treatment agency
- D&A and mental health assessment at InAct treatment agency
- Individual and group treatment sessions
- Urinalyses

- Jail as a sanction
- Exit Interview
- Graduation
- Hearing for New Dates
- Stipulated Facts Trial
- Review Hearing

Transactions for non-drug court participants (comparison group)[9]

- Arrest
- Booking
- 1st Arraignment
- Public Defender Orientation
- InAct Treatment orientation
- Court Hearings
  - Grand Jury
  - STOP court hearing
  - 2nd Arraignment
  - Custody Hearing
  - Hearing for New Dates
  - Assignment Call Hearing
  - Drug Call Hearing
  - Plea
  - Sentencing
  - Motion to Suppress Hearing
  - Trial
  - Substitution of Counsel Hearing
  - Probation Violation Hearing
  - Clean Court Hearing
- Jail Time
- Probation Time

[9] Note: Urinalyses are not included in non-drug court transactions, as urinalyses required by the Multnomah County criminal justice system outside of drug court must be paid for by the offender and so are not included in taxpayer costs.

Outcome Transactions. The above transactions are considered "up-front" costs, or investment costs, of the drug court process and of the criminal justice system process without drug court. These are all transactions that can occur due to the drug court eligible charge. Both of these processes lead to outcomes that are measured in terms of further transactions within the criminal justice system.

The same types of outcome transactions are possible for both the drug court participants and non-drug court participants. Transactions that occur *after* the drug court-eligible arrest (except those due to the eligible arrest) are considered outcome transactions. As explained above, not all transactions will occur for every individual. The process can vary depending on attorney advice, defendant choice, defendant criminal history and type of case. For example, most offenders will choose to plea and take the district attorney's offer, rather than go to trial.

Outcome transactions for both drug court and non-drug court participants[10]

- Arrests
- Bookings
- Court Hearings
  - 1st Arraignment
  - Grand Jury
  - 2nd Arraignment
  - Hearing for New Dates
  - Assignment Call; Drug Call
  - Plea
  - Sentencing
  - Motion to Suppress
  - Trial
  - Substitution of Counsel
  - Probation Violation
  - Clean Court
  - Community Court
  - Pre-plea
  - Pre-trial Conference

[10] As with other non-drug court transactions, urinalyses are not included as they are paid for by the offenders and so are not included in taxpayer costs.

    - Further Proceedings
- Jail Time
- Probation Time

Note: These transactions are described in more detail in Appendix B.

Once the transactions within the process were identified, in order to learn where system resources were being used, it was necessary to determine which agencies were involved with each transaction.

Step 3: Identify the agencies involved in each transaction

The agencies involved with each transaction were identified through observations during intensive tracking. Data collectors were asked to write down who was present at each transaction, what agency they were from, and to obtain contact information. Interviews were performed when needed with those who were present at the transactions for clarification of observed activities. Interviews with these individuals were also performed in order to gain information on time used to prepare for the transactions (e.g., preparation for various court hearings) so that this time could be included when calculating costs. This is described in more detail in step 5. The agency staff involved with each transaction are listed in the process description in Appendix B of the results.

Step 4: Determine the resources used for each transaction (for each agency)

Data on the resources used for each transaction includes the amount of time used in the transaction itself, as well as time used in preparing for that transaction and time used in tasks that occur in consequence of the transaction. For example, the public defender will spend time preparing for a trial, spend time at the trial itself, and then will spend time after a trial writing up case notes and performing other activities as a consequence of the trial. Other resources used for transactions, besides agency staff time, include materials used in a transaction such as paper or urine cups.

However, in order to determine the specific system resources being used by program participants and the cost outcomes for those same participants, it is necessary to collect this information at the individual participant level.

Utilization Data Collection

There are two main forms of utilization data that together measure the resources being used for each type of transaction. There is the frequency of each transaction (e.g., how many drug court hearings occur for each drug court participant) and there is the duration of a transaction (e.g., the length of time used to complete a single drug court hearing per individual participant).

This individual level data was collected in several ways-- intensive tracking (following individuals from court sessions to orientations, etc.), chart reviews, and administrative data. The main method for collecting this data was through intensive tracking.

Intensive Tracking. As described above, NPC data collectors attended arraignments, obtained a copy of the docket (which contains individuals' names and case numbers) and listened for when those who were eligible for drug court were called before the judge. Stopwatches were used to time the length of the arraignment for each eligible offender. At every court appearance, the judge would tell an offender where they should next appear and on what date. Data collectors wrote down this information and therefore knew where to appear next. The offenders in the smaller intensive sample were tracked through court appearances, orientations, physicals and treatment sessions. The length of time used for each transaction for each individual in the intensive sample was gathered with stopwatches down to the second. Since one on one time with attorneys and any treatment sessions were not public information, these sessions were timed through having the data collectors sit in the waiting room at each agency, clicking the stopwatch on when the client was called in and clicking it off when the client reappeared. (The data collection protocols for intensive tracking can be found in Appendix A).

The research staff continued to follow participants through every step of the system, including activities related to re-arrests for twenty-one months. Using the Oregon Judicial Information Network (OJIN), a database with up-to-the-moment information on criminal justice system activities including arrests and court hearings, data collectors were able to check for re-arrests and changes in hearing dates daily.

All drug court staff were informed of the NPC cost evaluation and were extremely cooperative and supportive of the study. Although the data collectors began the study timing drug court hearings from the public seats, by the last year of the study the court had made a place for them to sit at the table with the attorneys. Occasionally, there would be study participants at so many

different court appearances simultaneously that the data collection staff was unable to cover every participant. In these cases the legal assistant from the public defender's office who was assigned to drug court volunteered to time the appropriate study participants.

A tracking data database was created to hold the information gathered through the tracking process. Data collectors entered their own data into the database within 2 days of gathering the data. The data gathered during intensive tracking includes the dates and duration of orientations, court hearings, and treatment sessions, dates of re-arrests, sentences, and outcomes of drug court hearings. A list of the data gathered in tracking can be found in Appendix A.

Chart Reviews. Early in the tracking process, the treatment provider informed the data collectors that the length of treatment sessions, acupuncture sessions and other ancillary services were kept in client charts for billing purposes. A pilot test was performed comparing the time written down by treatment provider staff and the times kept by the NPC data collectors. It was determined that the information in the charts was accurate. From that point forward this information was obtained through chart reviews.

After a confidentiality process between NPC and the treatment provider (InAct), and after the data collectors had signed personal confidentiality certificates, NPC project staff were given access to treatment provider charts. Data on the use of treatment resources was gathered through chart reviews. (The protocol used for these reviews can be found in Appendix A). The data was gathered at the provider's office and entered into a chart review database (developed specifically for this project) on a laptop directly from the chart. Only information related to demographics, the clients' use of resources and client progress through the system was gathered. Notes on individual treatment sessions and client personal issues were not read and were not entered in the database.

Administrative Data. Individual level utilization data was collected from administrative databases on both the administrative sample and the intensive sample. The purpose of collecting this form of data on the intensive sample was so the administrative data could be compared for accuracy to the data gathered from intensive tracking. This is particularly useful in determining whether data that is gathered though databases, a more easily and cheaply gathered proxy

compared to intensive tracking, is accurate enough that intensive tracking is not necessary. Thirty months of data was gathered on all individuals in the administrative sample.

The administrative data gathered for this study came from several sources: the public defender's drug court database, the Portland Police database (PPDS), the Multnomah County Sheriff's database (SWIS), the InAct (drug court treatment provider) database, the Oregon Judicial Information Network (OJIN), the district attorney's database (DACTS), a statewide treatment database (CPMS) and the statewide probation database. The data collected for each individual in both intensive and administrative samples includes demographics (most databases); drug court eligibility information (public defender and DACTS); criminal history including arrests and charges (PPDS, OJIN); drug court hearing dates, drug court treatment group and individual session dates, and urinalyses dates and results (InAct database); jail entry and exit dates (SWIS), probation start and end dates (statewide probation database); and non-drug court treatment start and end dates (CPMS).

Agency Resource Data Collection

Interviews. As described at the beginning of step 4, to achieve a complete picture of the system resources being used for transactions, it was necessary to include the staff time involved before and after each transaction that support the occurrence of that transaction. Staff time includes not only the persons directly involved with the transaction but also those in support roles such as clerical staff and those in management roles, such as supervisors. Staff at each agency (such as finance staff, division heads, and legal assistants), were interviewed about the tasks they and/or their staff performed related to the transactions of interest and the approximate amount of time they spent on each task. This allowed the researchers to achieve a clearer picture of the complete system resources devoted to the occurrence of each transaction. These resources are included in the final cost of the transactions presented in the results section below.

Step 5: Determine the costs associated with resources used for each transaction (for each agency)

As explained above, costs associated with the activities involved in each transaction include both direct costs (time and materials) and indirect costs (facilities, support costs, overhead costs). The majority of the cost information was gathered through interviews and extensive electronic communications with court, law enforcement, probation, treatment, district attorney, and public defender staff members most familiar with the activities involved with each of the above-named

transactions. The transactional activities were described and the questions focused on frequency and duration of each activity and the numbers and types of personnel involved. For example, for the transaction of a drug court hearing, deputy district attorneys assigned to drug court would be asked how often they attended drug court sessions, the duration of a typical drug court session, the amount of time they took preparing for these sessions, and if there were any other staff whose time was used in support of drug court sessions.

The cost of these activities was gathered in three forms: (1) the hourly direct cost (generally labor cost, such as staff salaries, including fringes and benefits) associated with the agency staff involved in each transaction; (2) support cost (usually as a percentage of direct cost) in the form of the agency or department overhead; and, (3) jurisdictional overhead cost (also as a percentage of direct cost). The research staff combined the direct transactional cost with the support and overhead costs to generate total per hour, per activity, and per transactions costs. The information used to generate the cost data was verified by key operating and financial management personnel involved with the drug court and non-drug court processes.

Step 6: Calculate cost results

The costs calculated for this study include the following four cost results. This section describes how these costs were calculated.

a. Cost per transaction
b. Investment costs for drug court and non-drug court transactions
c. Costs for drug court and non-drug court outcomes
d. Cost savings

a. Cost Per Transaction. The costs incurred by each agency in terms of direct costs (staff time and materials) and indirect costs (support costs and overhead calculated as a percentage of the direct costs) involved in a transactional cost area were combined to create a cost for each agency for each transaction. The costs for each agency were then added together to get a total cost per transaction. For instance, in the case of the cost of drug court sessions, the per hour cost for courts, law enforcement agencies, district attorney offices, public defender offices, treatment agencies, and probation agencies were combined to generate a total per hour cost for ***drug court sessions***. Using the average amount of seconds used per participant for a

single drug court hearing (from tracking of the intensive sample), this cost *per hour* was then translated into the cost for a single ***drug court hearing*** per participant. (Note: Drug court sessions should be differentiated from drug court hearings. A drug court session is the entire session, involving multiple drug court participants. A drug court hearing is the court appearance of a single drug court participant). This cost per hearing was then multiplied by the number of hearings for each participant to get the overall cost of drug court hearings per participant.

Costs were calculated based on budgets and other financial information from 2000, 2001 and 2002. These costs were adjusted, as necessary, to 2002 dollars. A zero discount rate was used, as any change in cost figures due to the discount rate would be negligible.

b. **"Up-Front," or Investment, Costs for Drug Court and Non-Drug Court Processes.** The costs for the drug court program and non-drug court process were calculated by simple addition of the costs per individual for every transaction in the process *that resulted from the drug court-eligible arrest*. (See Step 2, above, for a list of these transactions). Some transactions due to the drug court eligible arrest occurred *after* drug court for those who terminated without graduating, such as jail and probation time. These transactions are included in the investment costs. The number of transactions of each type, for each participant was collected through administrative data as described above. This addition resulted in the total cost of the drug court process or the total cost of the non-drug court process for every individual. The average of these individual costs is the average cost per participant of the drug court program and the average cost per offender for the non-drug court system process.

However, for three types of data, it was not possible to directly associate the use of resources to the particular drug court eligible arrest. The treatment database and (surprisingly) the Probation and Sheriff databases did not include regular reference (such as a court case number) for a charge or sentence that might have brought them in contact with that system. Both Probation and jail time can be served for several cases simultaneously, so there was no way to determine directly what case was associated with time served. For these types of data, it was necessary to estimate the use of system resources that were attributable to the drug court eligible arrest. To perform this estimate, a reasonable date was chosen as a cut off for

investment costs versus outcome costs. Any treatment, jail or probation resources used between the date of the drug court eligible arrest and this cutoff date were considered "investment costs." Any treatment or probation resources used in the year after this date were considered outcome costs.

Several factors were taken into account in choosing the cutoff date in order for the resources used in this time period to be considered due to the drug court eligible arrest. According to information gained from interviews with judges and confirmed with aggregate data, the most common sentence for the drug possession charges that were eligible for drug court was thirty days in jail and 18 months probation. However, most offenders who behave well do not serve the full sentence of either jail or probation time. In addition, the conditions of probation for these charges included an assessment for drug abuse and, if indicated by this assessment, the offender must engage in treatment.

An examination of the data from our large administrative sample showed that, for those in the comparison group who entered jail and began probation during the 18 months from the time of the drug court eligible arrest, an average of 26 days in jail and 12 months probation was served. This is very close to what would be expected for time served on the type of drug possession charges associated with the drug court eligible arrest. Further, after 18 months, approximately 95% of the drug court participants had completed the drug court program (either by terminating unsuccessfully or graduating). For these reasons, an 18 month cutoff date was chosen for this data. Any treatment, probation or jail resources used by both the drug court participants and the comparison group were counted as investment costs (due to the drug court eligible arrest) if they began within 18 months of the drug court-eligible arrest date. Therefore, drug court participant treatment investment costs included all treatment received from the drug court treatment provider, regardless of the length of time an individual was in the program, as well as any additional treatment received after termination from drug court if the treatment fell between the termination date and the 18-month mark.

The total investment costs can also be multiplied by 300 (the average number of participants who enter this drug court each year) to obtain the average investment cost per year for both groups.

c. **Costs for Drug Court and Non-Drug Court Outcomes.** Outcome costs were calculated in the same manner as the investment costs described above. The costs per individual for all outcome transactions were summed to determine the total outcome costs per individual. Outcomes included any transactions that occurred *after* the drug court eligible arrest, except for those directly related to the eligible arrest. This includes any re-arrests and court hearings due to those re-arrests, even if they occurred while an individual was still in drug court. For the treatment, probation and jail data that could not be associated with a particular case, transactions (e.g., jail time served, treatment episodes) counted as outcomes if they occurred after the 18-month cutoff date.

   In order to calculate the cost of hearings for the administrative sample, the data gathered on the smaller intensive sample was used to determine the average amount of court time spent per arrest. This number was used per re-arrest for each individual in the larger administrative sample.

   The cost per individual in both the drug court participant group and the comparison group were averaged to get the mean outcome cost per individual for each group. This number could then be multiplied by 300 (the average number of participants who enter drug court each year) to get the yearly outcome costs for both groups.

The outcome costs were calculated first without victimization costs, to determine the costs for the criminal justice and public treatment systems, and then are calculated with the victimization costs included in order to present a more complete picture of the costs to the taxpayer.

d. **Cost Savings.** Once the average costs per participant for the drug court process, the comparison court process, and the treatment and criminal recidivism outcomes were calculated, any cost savings could be determined by taking the difference between the two groups. The difference was computed in three ways:

- *The difference in investment costs*: The investment costs for the drug court participant group was subtracted from the investment costs for the comparison group to determine the difference. A positive number would indicate costs savings (benefits) in investment in drug court while a negative number would indicate that the drug court cost more to run than the non-drug court process. This difference in investment costs describes the cost to the system of the drug court versus traditional court processing.

- *The difference in outcome costs*: The outcome costs for the drug court participant groups was subtracted from the outcome costs for the comparison group to determine the difference in outcome costs. As above, a positive number would indicate savings due to drug court while a negative number indicates loss due to drug court.
- *The difference in total costs*: The investment and outcome costs for each group were added to obtain the total cost to the system for those who participate in drug court and those who do not. The total costs of the drug court group were subtracted from the total costs of the comparison group to determine the overall cost difference between the two. Once again, a positive number would indicate overall cost savings due to drug court while a negative number would indicate loss due to drug court. This difference in total costs is truly the "bottom line" for the cost to the system of drug court participants versus the cost of non-drug court participants.

Proxy costs methodology

One of the important policy questions discussed in earlier in this report was the issue of the collection of more easily gathered (proxy) data versus the intensive technique developed in this study. One of the goals of this study was to compare the more intensive approach to cost data collection with a less intensive approach to understand how much value the more intensive approaches add to the assessment and to determine whether some less intensive approaches may be as valuable. To ascertain this, we conducted some additional data collection using less intensive strategies to determine the relative value of these strategies. Table 3, below, indicates the type of low intensity and moderate intensity approaches to data collection that were undertaken by NPC Research to gather data parallel to that being gathered for the high-intensity approach. The results of this lower intensity data gathering are presented in the results section.

Table 3. Proxy Methods: Low- to High-intensity data gathering methods to estimate service utilization costs and avoided costs

Transaction	**Low Intensity** (E.g., expert opinion, policies, aggregate admin data)	**Moderate Intensity** (E.g., client level admin data)	**High Intensity** (Intensive tracking)
Arrests/Bookings	Aggregated data (not client level). (E.g., frequencies on number of arrests in a specific population by type of crime)	Client level administrative data to determine average arrests	Tracking individuals to verify actual arrest/booking
Hearings	Expert opinion on hearing frequency and duration	Timing each individual at a random selection of hearings (i.e., a cross section of individuals rather than a specific sample Administrative data on number of hearings at client level	Following individuals in a sample into hearings to get actual number Timing actual hearings for each participant in sample to obtain duration
Treatment Sessions	Expert opinion on frequency Policies on frequency for each phase	Client level administrative data	Following individuals in a sample into client level records to get actual number of treatment sessions
Jail Time	Aggregated data on average offender jail time per booking	Client level on frequency (e.g., # of arrests) and aggregated data average for jail time served	Follow individual sample through jail database with actual frequency and duration
Probation Time	Sentenced probation time for PCS charges. Aggregate data on average amount of probation time served for PCS charge	Client level data on time served after PCS arrest.	Client level data on average time served at each level of supervision (in order to include cost for each level).

RESULTS

This section contains the results as they relate to the policy questions this study was designed to answer. The first six policy questions are concerned with the costs and benefits associated with drug court. The seventh policy question is concerned with determining the optimum research methodology for obtaining information on drug court costs and benefits (in terms of maximizing the accuracy of the information obtained while minimizing the expense and time for the researcher).

The results section is divided into two parts. The first part provides the cost and benefit results for the investment costs and outcome costs for the Multnomah County (STOP) Drug Court as determined from our intensive cost data collection. The second part demonstrates the type of information obtained when using data collection methodologies of differing levels of intensity.

As described in the methods section, in order to conduct this study it was necessary to obtain very thorough descriptions of the drug court and 'business-as-usual' processes. The detailed descriptions of the Multnomah County STOP Drug Court process and the Multnomah County non-drug court 'business-as-usual' process can be found in Appendix B. Also in Appendix B is a description of the various types of court hearings that occur in both processes along with the average time in seconds for each type of hearing.

There were a total of 1,173 individuals in the large administrative sample. As described in the methodology, individuals were assigned to the drug court group if they had at least one treatment session at the drug court treatment agency. Individuals with no drug court treatment sessions were assigned to the non-drug court (comparison) group. These two groups were then matched on gender, age, ethnicity and criminal history. Significance tests were run on each of those variables and the differences were found to be non-significant. (See Table XX in the methods section.)

The costs and benefits of drug court

The following results are organized around the policy questions discussed in Section 1. Each policy question is listed and then the results are presented along with a discussion of those results.

Note: All costs described in this section include the time spent in the actual transaction plus staff preparation time, support staff time, benefits and jurisdictional overhead. Drug court hearings include the cost to the court (judge, judicial assistant, court reporter, etc.), the district attorney, the public defender, corrections (when an offender is in custody), the sheriff (bailiff) and the treatment provider court liaison.

Policy Question # 1. What are the total criminal justice system costs invested in drug court, not just for graduates, but for all participants?

Table 4. Criminal Justice System Costs Invested in Drug Court

Drug Court Participant Transactions (Mean number)	Investment Cost per Participant (n = 594)	Cost per year (300 participants)
Arrest (1)	$192.91	$57,873.00
Booking (1)	$284.34	$85,302.00
Drug court hearings (14)	$681.54	$204,462.00
DC Treatment (334 days in treatment)/ $6.50 per day	$2,199.58	$659,874.00
Non-DC treatment post termination (14 days)/ $31.77 per day	$444.90	$133,470.00
Jail time post termination and sanctions (15 days)	$1,610.89	$483,267.00
Probation post termination (130 days)	$513.64	$154,092.00
Total DC cost per participant	$5,927.80	$1,778,340.00

The results reported in the above table are investment costs associated with all those who entered drug court treatment from the time of the initial drug possession arrest through to the resolution of that case. This includes jail, probation and treatment time for participants who withdrew or were terminated from drug court and then underwent a stipulated facts trial. This also includes individuals who had as little treatment as a single group session. (There are 100 individuals assigned to the drug court participant sample who had fewer than 5 group treatment sessions).

Consistent with general expectations of drug courts, the largest investment costs in this drug court are due to drug court treatment. Although, considering the cost per day of drug court treatment ($6.50 per day) compared to the cost of non-drug court treatment ($31.77 per day), drug court treatment is clearly the less expensive option.

The next largest investment cost is from the relatively small amount of jail days due to those terminated from drug court. Clearly, jail is an expensive option for dealing with drug offenders.

Although it is a common expectation that drug court hearings are an expensive piece of the drug court program, this is not confirmed by the above cost numbers. This is particularly true when compared to the court costs for those going through the 'business-as-usual' system, which will be presented shortly.

Policy Question # 2.What are the costs for each agency that invests in drug court?

Table 5. Drug Court Investment Cost for Each Agency per Participant

Agency	Cost per Participant (n=594)	Cost per year (300 participants)
Court	$98.70	$29,610.00
Public Defender	$208.00	$62,400.00
District Attorney	$217.13	$65,139.00
Law Enforcement (arrest, bookings, jail, court time)	$2,106.37	$631,911.00
Treatment (DC treatment, non-DC treatment, Court time)	$2,783.96	$835,188.00
Probation	$513.64	$154,092.00

Table 5 presents the drug court investment costs per participant as well as per year[11] for each agency/system involved with drug court. The agencies with the largest investment costs are treatment and law enforcement. As discussed above, most of the costs for law enforcement are due to jail time for those who terminated from drug court and who were then sentenced to time in jail as well as time on probation. The court system, including attorneys, actually invests a relatively small amount of money in the drug court process.

Policy Question # 3. What are the investment costs in drug court over and above the costs invested in the 'business-as-usual' process?

In order to answer this question, it is necessary to first determine the costs per participant for the 'business-as-usual' process. These numbers can then be subtracted from the costs due to drug court to achieve the costs of drug court over-and-above the usual process.

[11] This is based on an average of 300 participants entering drug court each year.

Note: Court time costs include the court (judge, judicial assistant, court reporter, etc.), the district attorney, the public defender, corrections (when an offender is in custody), and the sheriff (bailiff).

Table 6. Investment Cost for 'Business-as-Usual' Process

Non-Drug Court Participant Transactions	Investment Cost (n=573)	Cost per year (300 Individuals)
Arrest (1)	$192.91	$57,873.00
Booking (1)	$284.34	$85,302.00
Court time (1475.01 seconds)	$678.50	$203,550.00
Treatment (142 days)	$2,009.18	$602,754.00
Jail time (26 days)	$2,782.55	$834,765.00
Probation time (362 days)	$1,421.84	$426,552.00
Total cost per non-DC participant	**$7,369.32**	**$2,210,796.00**

As Table 6 shows, the largest investment in the non-drug court process is due to time in jail. Again, this is an expensive option when dealing with drug offenders and, as the outcome results will show (below), an apparently ineffective option as well.

Although the 'business-as-usual' process is generally thought of as one that does not involve treatment, this is inaccurate. For many offenders, treatment is a condition of their probation. After the cost due to jail time, the next largest investment in the non-drug court process is treatment.

The table below (Table 7) demonstrates the difference in investment between drug court and non-drug court participants. In this table, a negative number in the difference column indicates that the drug court process costs less than the non-drug court process.

Table 7. Difference in Investment Cost for Drug Court and 'Business-as-Usual' Process per Transaction

Transactions	Investment Cost per DC Participant (n = 594)	Investment Cost per Non-DC Offender (n=573)	Cost Difference (Benefit)
Arrest (1)	$192.91	$192.91	$0.00
Booking (1)	$284.34	$284.34	$0.00
Court time	$681.54	$678.50	$3.04
Treatment	$2,644.48	$2,009.18	$635.30*
Jail time	$1,610.89	$2,782.55	- $1,171.66*
Probation time	$513.64	$1,421.84	- $908.20*
Total cost	**$5,927.80**	**$7,369.32**	**- $1,441.52**

*These cost differences are significant at $p < .05$.

Contradicting the belief that court costs for drug court participants are much higher (due to the numerous hearings) than the court costs for non-drug court, the average cost for 'business-as-usual' court processing ($678.50) is only about three dollars less per offender than the average cost of drug court sessions ($681.54). This is most likely due to drug court sessions being generally quite short in duration, and to less preparation time required for the attorneys and the judge for each court appearance.

Following is the total cost per participant and per year for drug court over-and-above the cost for non-drug court.

Cost per participant for the drug court process minus non-drug court processing:

$5,927.80 - $7,369.32 = - $1,441.52

Cost per year based on 300 drug court participants each year:

- $1,441.52 * 300 = - 432,456.00

As the negative number indicates, the cost for processing an offender through the Multnomah County Drug Court (including those who terminate) is actually less than the cost of 'business-as-usual.' It is generally assumed that, due to the expense of treatment and multiple court sessions,

the drug court process will cost more than the non-drug court process. However, this is not always the case. A previous cost study performed in California on three drug court sites also found cost savings in the drug court process at one of those sites (Carey and Finigan, et al, 2002).

The savings in this case appear to be due in a large part to the high cost of incarceration in the 'business-as-usual' process. The cost of treatment is also a large contributing factor in this group.

Differences in investment cost by agency. The following table presents the investment costs in the drug court and in non-drug court processes for each agency. Also presented is the difference in investment costs per agency between the two processes. In this table, the difference represents costs over-and-above the cost of 'business-as-usual.' A positive number indicates an additional cost due to drug court while a negative number indicates that the agency spends less on drug court than on non-drug court.

Table 8. Drug Court and Non-Drug Court Investment and the Difference in Investment for Each Agency

Agency	Cost per Drug Court Participant	Cost Per Non-Drug Court Participant	"Cost" Difference (Benefit)	"Cost" difference per year (300 participants)
Court	$98.70	$73.75	$24.95	$7,485.00
Public Defender	$208.00	$416.00	-$208.00	-$62,400.00
District Attorney	$217.13	$162.25	$54.88	$16,464.00
Law Enforcement (arrest, bookings, jail, bailiff court time)	$2,106.37	$3,286.30	-$1,179.93	-$353,979.00
Treatment (DC treatment, non-DC treatment, Court time)	$2,783.96	$2,009.18	$774.78	$232,434.00
Probation	$513.64	$1,421.84	-$908.20	-$272,460.00

The table above demonstrates that the total cost savings, or benefits, in investment in the drug court process are not shared equally among the agencies. The court and the district attorney both spend a relatively small amount more on the drug court process than on the 'business-as-usual' process. The cost of treatment for drug court participants (including treatment that occurred after termination) is greater than the cost for treatment for non-drug court participants. This is to be expected, as all drug court participants are required to engage in treatment while not all offenders

outside of drug court have mandated treatment. What is more unexpected, perhaps, is the relatively small size of that difference. It appears that taxpayer dollars are paying the high cost of treatment, whether or not an offender enters drug court.

In contrast to the court and the district attorney, the public defender spends half as much on drug court participants as it does on non-drug court participants. Law enforcement and probation also see cost savings due to the drug court process. Probation spends over twice as much on 'business as usual' offenders compared to drug court participants. As these results make evident, the total cost savings during the drug court process is primarily due to less use of law enforcement (jail) and probation resources—the traditional response to drug possession cases.

The results so far have established that the drug court process in Multnomah County is less expensive than the 'business-as-usual' process. These differences in investment cost should hold, regardless of the motivation level of the offender, as the resources used in the traditional court process should remain fairly stable whether or not offenders intend to change their drug use habits.

However, the questions still remain as to whether the outcomes of drug court result in cost savings and, perhaps more importantly, whether public safety is protected when using this alternative approach to the traditional criminal justice response in these cases.

Policy Question #4. What are the costs or savings associated with outcomes for drug court and "business as usual" participants?

In order to establish the costs, it is necessary to determine the outcomes in terms of each transaction for both groups. The following table presents the average number or amount of time spent by each group for each transaction not associated with the drug court eligible arrest.

Table 9. Average number of transactions for each group after the eligible arrest

Outcome Transactions (Mean number)	Drug Court Participant Outcomes	Non-Drug Court Outcomes
Arrests**	2.7	3.3
Bookings*	3.2	3.7
Court time**	757 seconds	925 seconds
Jail time*	51 days	67 days
Treatment	36 days	46 days
Probation time	301 days	307 days

* These outcomes were significantly different between the two groups ($p<.01$).

** These outcomes were significantly different between the two groups ($p<.05$).

As Table 9 demonstrates, the outcomes for the drug court participant group are more positive than those in the comparison group. That is, the drug court participant group had significantly fewer re-arrests, bookings and jail time than those who did not participate. If the number of re-arrests and bookings after drug court is taken as a reasonable indication of criminality, it appears that public safety is safeguarded more by the drug court process than by traditional court processing. Less criminal activity also results in lower costs.

The following table gives the costs per participant associated with each transaction for both the drug court and the non-drug court group. This table also presents the difference in costs between each group per individual and per year.[12] The difference is presented in terms of savings—a positive number indicates savings while a negative number indicates loss.

[12] Annual costs are based on the average of 300 participants entering the drug court program per year.

Table 10. Outcome Costs and Savings over 30 months

Outcome Transactions	Drug Court Participant Outcomes and Costs	Non-Drug Court Outcomes and Costs	Difference/Cost Savings For Drug Court Participants	Drug Court Outcome Savings per Year (300 Offenders)
Arrests	$524.49	$627.88	$103.39*	$31,017.00
Bookings	$915.25	$1,058.96	$143.71*	$43,113.00
Court time (280.2 seconds per arrest)	$351.21	$420.45	$69.24*	$20,772.00
Jail time	$5,316.62	$6,961.78	$1,645.16*	$493,548.00
Treatment	$764.93	$892.02	$127.09	$38,127.00
Probation time	$1,110.06	$1,350.36	$240.30	$72,090.00
Total Outcome costs	**$8,982.56**	**$11,311.45**	**$2,328.89***	**$698,667.00**
Victimization costs[13]	$6,675.69	$7,976.85	$1,301.16*	$390,348.00
Total Outcome costs plus victimizations	**$15,658.25**	**$19,288.30**	**$3,630.05***	**$1,089,015.00**

*These cost differences are significant at $p < .01$.

The above table reveals that there are cost savings in outcomes for drug court participants across every transaction. Once again, the largest savings is due to less use of jail beds by drug court participants. The total outcome cost savings is over $2,300 for each drug court participant. These savings, when multiplied by the average number of people who enter the Multnomah County Drug Court each year results in nearly $700,000 in savings per year. When victimization costs are added, the number increases to over $1,000,000 in savings per year for drug court participants. Please note that these numbers are outcome costs (savings) only and do not include

[13] The victimization costs in this paper are reported as a point of interest for those who consider victimizations a cost that occurs to tax paying citizens and therefore a cost that should be included in a "cost to the taxpayer" approach. These victimization costs are based on the National Victimization Survey. The National Institute of Justice's *Victim Costs and Consequences: A New Look documents estimates of costs and consequences of personal crimes* documents losses per criminal victimization, including attempts, in a number of categories, including fatal crimes, child abuse, rape and sexual assault, other assaults, robbery, drunk driving, arson, larceny, burglary, and motor vehicle theft. The reported costs include lost productivity, medical care, mental health care, police and fire services, victim services, property loss and damage, and quality of life. In our study, arrest charges were categorized as violent or property crimes, and therefore costs from the victimization study were averaged for rape and sexual assault, other assaults, and robbery and attempted robbery to create an estimated cost for violent crimes, and arson, larceny and attempted larceny, burglary and attempted burglary, and motor vehicle theft were averaged for an estimated property crime cost. National Institute of Justice Research Report, Victim Costs and Consequences: A New Look (January 1996).

the investment savings presented earlier. Policy question #6 presents the sum of the investment and outcome costs, or the total costs.

A common method used by researchers and policymakers is to compare the outcomes for graduates versus those terminated from drug court. Although this may not be a valid comparison because graduates may be more motivated to change, it is still interesting to examine the costs attributable to outcomes and investments in each group.

Table 11. Outcome and Investment costs for graduates and terminated participants

	Total Outcome Costs	Total Outcome Costs with Victimizations	Investment Costs
Graduate	$2,717.10	$6,687.46	$5,806.19
Terminated	$15,201.50	$24,802.47	$6,288.28

Unsurprisingly, the costs for the two groups are substantially different, with graduates costing the system far less than those terminated from drug court. However, this is not a good indication of the costs saved due to drug court, as those terminated still consumed drug court resources.

Policy Question #5. What are the costs or savings associated with outcomes for each agency?

The next table illustrates the costs and savings related to participation in drug court for each agency. Again, the difference between the costs for the two groups is presented in terms of savings, so a positive number indicates cost savings.

Table 12. Costs or Savings Associated with Outcomes for Each Agency

Agency	Outcome Cost per Drug Court Participant	Outcome Cost per Non-Drug Court Participant	Savings Associated with Outcomes	Drug Court Savings per Year (300 participants)
Court	$37.83	$44.83	$7.00	$2,100.00
Public Defender	$211.83	$251.06	$39.23	$11,769.00
District Attorney	$83.22	$98.63	$15.41	$4,623.00
Law Enforcement (arrests, bookings, jail and court time)	$6,774.69	$8,674.55	$1,899.86	$569,958.00
Treatment	$764.93	$892.02	$127.09	$38,127.00
Probation	$1,110.06	$1,350.36	$240.30	$72,090.00

Unlike investment costs, in the case of outcome costs, every agency experienced savings to varying degrees. The court and the district attorney see the smallest amount of savings, although if the trend of lower recidivism in the drug court participant group continues, these agencies will see more savings over time. Once again, law enforcement experiences the most savings due primarily to less jail time for the drug court participants. Interestingly, even the treatment system experienced savings in outcomes, though this is most likely due drug court participants using treatment resources up-front while in drug court, while non-drug court offenders may get involved in treatment at any time. In addition, apart from cost, there is always the question of whether repeated treatment use is an indication of failure (the first treatment episode didn't "work" so the offender had to go back again) or a success (the offender realizes his or her need for treatment and is actively engaged in getting help).

Policy Question #6. Are there some offices (e.g., district attorney) that never reclaim their investment costs?

Since half the agencies actually experienced savings in the investment itself, these agencies have no costs to reclaim. However, the district attorney, the court and treatment all invested more in drug court participants than they did in the in the non-drug court system offenders. The following table (Table 13) gives the total costs (both investment and outcome costs) incurred by each agency in the drug court and non-drug court process over 30 months. The differences between the costs for the two groups are again presented as savings—a positive number indicates savings, negative number indicates loss. The last row of this table presents the total cost and savings to the system over a 30-month period from the drug court eligible arrest. One of the main advantages of this calculation is that it avoids any issue of whether a cost is an investment or an outcome. This calculation is a true indication of the cost to the system of drug court participants versus those who did not participate in drug court. Further, regardless of motivation level, these figures are what it cost Multnomah County taxpayers for drug court participants and non-drug court participants.

Table 13. Total Costs for Drug Court Participants and Non-Drug Court (both Investment and Outcome costs) for Each Agency over 30 Months

Agency	Total Cost per Drug Court Participant	Total Cost per Non-Drug Court Participant	Total Savings	Savings per Year (300 participants)
Court	$136.53	$118.58	-$17.95	-$5,385.00
Public Defender	$419.83	$667.06	$247.23	$74,169.00
District Attorney	$300.35	$260.88	-$39.47	-$11,841.00
Law Enforcement (arrests, bookings, jail and court time)	$8,881.06	$11,960.85	$3,079.79	$923,937.00
Treatment	$3,548.89	$2,901.20	-$647.69	-$194,307.00
Probation	$1,623.70	$2,772.20	$1,148.50	$344,550.00
Total	**$14,910.36**	**$18,680.77**	**$3,770.41**	**$1,131,123.00**

The total savings presented in this table show that the court, the DA, and the treatment agency do not recoup their investment over the 30 months after the drug court eligible arrest in spite of the savings in outcomes shown in Table 13. The loss to the court and the district attorney is quite small. It is likely that, if these participants had been followed through the system longer, and those outcome trends continued, these agencies would recoup their investments and would begin to see cost savings. However, in the short term, these agencies are excellent candidates for financial support from local county government or state and federal grants in order to offset the higher investment costs. This is a particularly good investment for the county because in the long run, for the county as a whole, this drug court results in very large taxpayer savings. As the table above demonstrates, there is a total savings to the taxpayer, of over $1.1 million per year due to participation in drug court

Results of data collection at three levels of intensity – What proxies work?

Policy Question #7. What cost and avoided costs can be effectively measured by easy to gather proxies at drug court sites and what costs need to be measured directly to achieve good data?

Data Collection Proxies

Low and medium intensity methods were used to collect the same types of data as that gathered using our high-intensity approach for each transaction. The low-intensity approaches included

asking "experts" in the area of the transaction of interest and using aggregate data rather than client level data. This level of data collection is extremely quick, and easy if one knows the right person to ask. Medium intensity approaches included administrative client level data, combinations of aggregate and client level data, and timing a "cross section" of different court hearings for random individuals rather than following a specific sample of individuals longitudinally. Although this method does not use as much direct researcher time as the high-intensity tracking approach, gaining access to administrative data sets and then making the request and waiting for the data download can be a lengthy process. There can be a wait time of anywhere from two weeks (when things go smoothly) up to one year. Also, cleaning the data for analysis can take some time, up to a week of full-time work. Below is a description of the methods used to collect data for each transaction along with the results from each level of intensity.

Arrests. The data of interest in this case was the average number of arrests per offender the in 30 months after a drug possession arrest.

- ***Low Intensity*:** Aggregate data. Called a data manager at the state and asked for the average number of re-arrests in 30 months after a possession charge from a county database.

  Approximate use of direct researcher time: about 30 minutes.
  Result: an average of 2.4 re-arrests

- ***Medium Intensity*:** Client level administrative data. Used SPSS to calculate the mean for the individuals in each sample.

  Approximate use of direct researcher time: 10 days. Wait time: one month (as we already had a relationship with the agency that provided the data).
  Result: an average of 3.1 re-arrests

- ***High Intensity:*** Followed individuals intensively through the court and treatment system.

  Approximate use of researcher time: 24 months with a project manager, a project coordinator, and three data collectors.
  Result: an average of 3.8 re-arrests

Conclusion: Clearly the intensive method captures the most data. Also clearly, the aggregate data was far from accurate. However, medium and high intensity results are similar, and if the researcher is comparing the relative differences between two groups, the administrative data seems sufficient. This conclusion should be tested at another site to confirm.

Hearings. The data of interest for hearings was both the average number (i.e., the frequency) of hearings and the duration of each hearing. The results are presented in Table 15, below.

- ***Low Intensity:*** Called two individuals at the district attorney's office, two at the public defender, and three judges. They were asked about the average duration for various types of hearings, the average number of hearings from arraignment to case resolution for a non-drug court possession case, and the average length of time between arraignment and case resolution.

  Approximate use of direct researcher time (including repeated phone calls): about 6 hours. Wait time between returned (and un-returned) phone calls: 3 weeks

- ***Medium Intensity:*** Client level administrative data and timing a cross-section of court hearings. Used SPSS to calculate the mean for the individuals in each sample.

  Approximate use of direct researcher time: 14 days. Wait time: 3 weeks (as we already had a relationship with the agency that provided the data).

- ***High Intensity:*** Followed individuals through the court and treatment system.

  Approximate use of researcher time: 24 months with a project manager, a project coordinator, and three data collectors.

The following table (Table 14) provides the results for hearing proxies.

Table 14: Court Appearance Proxies

	Low Intensity			Medium Intensity	High Intensity
Appearance	**Range of expert responses**	**Avg. expert opinion (with any outliers removed)**	**Avg. of Judge-only responses**	**Timing cross section of different types of appearances**	**Intensive tracking of specific individuals**
Arraignment	120 to 300 seconds	214 seconds	180 seconds	185 seconds	127 seconds
Assignment Call	15 to 150 seconds	64 seconds	60 seconds	33 seconds	35 seconds
Drug Call	20 – 480 seconds	164 seconds	107 seconds	48 seconds	48 seconds
P/V Hearing	600 to 1,800 seconds	1,071 seconds	700 seconds	162 seconds	391 seconds
Stop Court	120 to 900 seconds	250 seconds	180 seconds	208 seconds	146 seconds
Length of time between 1st and last court appearance. (Traditional court processing)	2.5 to 5 months	3.5 months	4 months	NA	5 months
Number of court appearances from 1st appearance to final disposition. (Traditional court processing)	4 to 9 appearances	5.3 appearances	5.7 appearances	NA	9.4 appearances

Although the data in Table 14 show that there is some difference between a cross-section timing approach and the actual time for specific individuals, the medium intensity (cross-section) method is probably reasonable to perform to obtain the duration of hearings. Expert opinion on hearing duration does not appear to be accurate, though the judges seem to be a better resource than attorneys, most likely because they spend more time consistently in the court room.

Expert opinion is also off on the length of time and number of appearances between the first court appearance and case resolution, although the judges were not far off on the length of time.

Conclusion: Actual data, at least in terms of a cross-sectional approach, is necessary to get a reasonably accurate duration for court appearances. Also, actual data on the dates of court hearings is necessary to determine the length of time and number of appearances to case resolution. However, the court and the district attorney often keep records of court appearances so following individuals into court is not necessary to obtain reasonably accurate data. These conclusions need to be verified by data from at least one other site.

Treatment and Drug Court Sessions. The data of interest in this case was the average number of treatment and drug court sessions per participant during the time they were engaged in the program.

- ***Low Intensity:*** We spoke with three counselors at the drug court treatment program and they gave us their estimates of numbers of group and individual treatment sessions, acupuncture sessions, and court appearances. 2. Using their stated policy on number of sessions per phase in the program, and total program length of one year, we calculated the total number of each type of session.

  Approximate use of direct researcher time: about one hour.

- ***Medium Intensity:*** Client level administrative data. Used SPSS to calculate the mean for the individuals in each sample.

  Approximate use of direct researcher time: 7 days. Wait time: one month (as we already had a relationship with the drug court treatment agency that provided the data).

- ***High Intensity:*** Followed individuals through the drug court treatment system, pulled each treatment session from client charts, tracked them into every court appearance.

  Approximate use of researcher time: 24 months with a project manager, a project coordinator, and three data collectors.
  Result: See Table 15.

Table 15. Results of number of treatment sessions using low medium and high-intensity approaches to data collection

Type of Session	Low Intensity		Medium Intensity	High Intensity
	Expert Opinion	Stated Policy	Administrative data	Intensive Tracking
Group	69	103	47.5	45
Individual	25	25	26	24
Acupuncture	51	51	44	29
Court Sessions	11	11	14	19

In the case of treatment sessions, these varying methods of low, medium and high-intensity data collection resulted in the most variation in numbers. The larger numbers in the low intensity (expert opinion and stated policy) approaches are certainly due to these calculations being performed using the assumptions that everyone completed the program, that the program was completed in one year and that everyone had the same needs in terms of frequency of treatment sessions. If the termination rate of approximately 50% is used, and the assumption is made that most of those terminated receive little or no treatment, then the numbers become half of what is expected due to policy. Although this results in some numbers being closer to those found in the intensive method, it is still not accurate. The administrative data is much more accurate in relation to the high-intensity approach, except for the number of acupuncture sessions. It is possible that the calculations performed in the database by the agency to determine the hours of acupuncture time were incorrect.

Conclusion: Similar to the findings above, the administrative data appears overall to be reasonably accurate and certainly far easier and less expensive to collect. Administrative data collection for cost analysis appears to have the most 'bang for your buck.' However, this conclusion should be tested in at least one other site for confirmation.

Jail Time Served. The data of interest for jail time for these proxy methods was the average number of days served per offender in the 30 months after a drug possession arrest.

- ***Low Intensity:*** Aggregate data. Called a data manager and researcher at the Sheriff's office and asked for the average number of jail days served for possession charges. Because the Sheriff database was not set up to determine jail days served for a particular case, they were only able to give us the number of jail days served per booking. More

detailed analysis would require much more intensive work on their part, and would require payment. Using the aggregate data on number of re-arrests as an approximation of the number of bookings multiplied by the aggregate number of jail days results in a number of jail days served in the 30 months after a possession arrest.

Approximate use of direct researcher time: about one hour.
Result: Average jail days served per booking = 20 days.
2.4 aggregate arrests * 20 jail days = 48 days

- ***Medium Intensity:*** We used two methods: 1. Client level administrative data on number of re-arrests combined with aggregate data on jail days served per booking. 2. Client level administrative data on number of bookings combined with aggregate data on jail days served per booking. It is generally easier to obtain client level data on number of arrests, as that data is kept by several sources (e.g., police, sheriff, probation), while the number of actual bookings is usually only kept at the jail. Method 1 assumes booking data is unavailable. Used SPSS to calculate the mean for the individuals in each sample.

  Approximate use of direct researcher time: 10 days. Wait time: two months (our data request had to wait in line behind other requests, but wait time was shorter than it might have been because we already had a data sharing agreement with this agency).
  Result: 3.2 re-arrests multiplied by 20 jail days = 64 days
  3.7 bookings multiplied by 20 jail days = 74 days

- ***High Intensity:*** Administrative data for both bookings and dates of jail days served plus tracking through more than one administrative database.

  Approximate use of researcher time: one month plus 3 months wait time for data requests.
  Result: (Average days served per booking within our sample = 18 days)
  Actual jail days served = 67 days

These results show that purely aggregate data is not nearly as accurate as a combination of client level administrative data and aggregate data. Assuming that the tracking through more than one administrative database is more accurate than an approach that relies partially on aggregate data, the data gathered through the medium intensity approach is reasonably similar to that for the high-intensity approach.

Conclusion: The medium intensity approach combining aggregate data with client level administrative data appears to be the best option, in terms of achieving reasonably accurate data for the least amount of researcher expense. As with all the conclusions for proxies in this study, this method should be performed at least one other site for verification.

Probation Time Served. The data of interest for probation time for these proxy methods was the average number of probation days served per offender for drug possession charges.

- ***Low Intensity:*** There were two low intensity methods for this proxy. 1. Sentencing information gathered along with other court data. 2. Aggregate data. Emailed a data manager at the state probation office and asked for the average number of probation days served for drug possession charges.

  Approximate use of direct researcher time: 1. No additional time specifically for probation data except for creating mean of sentencing data. 2. The email request and return of the result took about one hour.
  Result: 1. Sentence: Average probation sentence = <u>17 months</u>.
  2. Aggregate data: Average probation time served = <u>16 months</u>.

- ***Medium Intensity*:** Client level administrative data with start and end dates for probation. Used SPSS to calculate the mean for the individuals in the sample.

  Approximate use of direct researcher time: two weeks. Wait time: two weeks (quite short due to an extremely responsive data manger at the state probation office).
  Result: Client sample average = <u>14 months</u>.

- ***High Intensity:*** Administrative data on probation start and end dates, plus data on level of supervision. (allowing more accurate calculation of costs due to greater cost for higher supervision levels).

  Approximate use of researcher time: The additional data was not difficult to obtain-approximately the same amount of time was required as for the medium approach. Additional time was due to matching level of supervision with probation dates and then assigning costs.
  Results: Average time spent per participant on each level of probation.

  Level 1 = 1 month
  Level 2 = 5.1.months
  Level 3 = 3 months
  Level 4 = 5 months
  Total = 14.1 months

The aggregate probation data was actually reasonably accurate in this situation, although the client level administrative data is more precise. This site had probation data that was unusually easy to access. Other sites may not have that advantage.

Conclusion: Depending on a grant's budget, aggregate probation data may be the best option. However, the medium and high-intensity approaches were not that different in researcher time, so the most accuracy for a reasonable amount of expense (in this county) would be the high-

intensity approach. This methodology must be repeated in at least one other site to determine differences in the ease of obtaining data and in the quality of the results.

Conclusion of proxy data gathering approaches. Overall, it appears that the medium intensity approaches achieve the most accurate results for the least amount of researcher expense. This would lead to the conclusion that, in the case of cost analysis of drug courts, administrative data combined with a small amount of aggregate data when client level data is not available, along with timing a cross-section of court hearings, would give a fairly accurate representation of the resources utilized in the drug court and non-drug court process. In addition, in the case of very small budgets, comparison costs (but not drug court costs) made up of aggregate (non-client level) data may be a reasonable approach.

Summary of results

Overall, the results of this study demonstrate that drug courts can be a cost effective use of criminal justice system and taxpayer resources. We found that money is saved from the beginning in investment costs, although this savings is not spread equally among the agencies. The public defender, law enforcement, and probation all invest far less in drug court than in the 'business-as-usual' process, while the district attorney, the court, and treatment invest more. However, the combined investment cost of all the agencies in drug court is $1,441.52 **less** for drug court.

We also found that money is saved, for every agency, in outcome costs. A total of $2328.89 is saved per participant in outcome costs. If victimization costs are included, that number rises to $3,630.05. As with the investment costs, the largest benefactor of outcome savings is law enforcement and corrections.

When investment savings and outcome savings are combined, a total cost savings averages $3,520.85 for every participant who enters drug court, including graduates and those who terminated less than a week after starting the program. When victimization costs are added, the total savings averages $5071.57 per participant. This is $507,157 for every one hundred participants who enter drug court.

Finally, data was presented on the utility of a number of less intensive means of gathering costs data. In many cases a medium intensity method, generally involving the use of client level

administrative data, brought reasonably accurate results when compared to the highly intensive and detailed data collection approach.

Conclusion and future directions

In sum, this study has demonstrated the positive cost effect that drug courts can have on the criminal justice system. We have learned that some less-intensive data gathering approaches may be reasonably accurate compared to an intensive approach and would be far less expensive.

A question of interest in future studies would be an examination of what type of treatment, and what number (or combination) of treatment and court sessions result in the lowest outcome costs. However, this question can only be answered with multiple drug court sites where the differences in type of client and type of treatment can be accounted for.

Future work should include a repetition of this study in a different site. Specifically, the lower intensity data collection methods that appeared to be effective in this site should be tested against the detailed data collection methods in a new context. It would be particularly helpful to perform this testing in a site that is quite different from the Multnomah County site, in order to examine the practicality of these methods in a setting that is organized differently. In addition, there are several protocols that could be changed with the advent of newer technology (which is now becoming less expensive) that might make some parts of the detailed data collection more efficient and less resource intensive (e.g., using PDAs to enter court hearing duration directly, rather than writing the time on paper and then entering the data later).

Finally, testing these protocols in at least one new site would allow us to better determine how well these protocols can be generalized across other drug court sites. This would make it possible for us to develop a more flexible set of protocols, a transaction cost analysis tool, that can be used effectively to calculate costs in other drug courts.

REFERENCES

Alterman, A.I., O'Brien, C.P., McLellan, T., August, D. S., Snider, E.C., Droba, M., Cornish, J.W., Hall, C.P., Raphaelson, A.H., & Schirade, F.X. (1994). Effectiveness and costs of inpatient versus day hospital cocaine rehabilitation. The Journal of Nervous and Mental Disease, 182, 157-163.

Aos, S., Phipps, P., Barnoski, B., Lieb, R. (2001). The Comparative Costs and Benefits of Programs to Reduce Crime. In Costs and Benefits of Preventing Crime. Westview Press.

Bachman, S.S., Batten, H.L., Minkoff, K., Higgins, R., Manzik, N., & Mahoney, D. (1992). Predicting success in a community treatment program for substance abusers. The American Journal on Addictions, 1(2), 155-167.

Belenko, S. (1998). Research on drug courts: A critical review. National Drug Court Institute Review, 1(1), 1-42.

Carey, S.M., Finigan, M.W., Crumpton, C.D., & Worcel, S. (2002). California drug courts: A methodology for determining costs and avoided costs, phase I: Building the methodology, final report.

Carey, S.M., Weller, J., and Roth, B. (2003). Clackamas County Juvenile Drug Court Process Evaluation: Final Report.

Carey, S.M., Weller, J., and Heiser, C. (2003). Clackamas County Adult Drug Court Process Evaluation: Final Report.

Cartwright, W. S. (1998). Cost-benefit and cost-effectiveness analysis of drug abuse treatment services. Evaluation Review, 22(5), 609-636.

Crumpton, C.D. (2001). A Transactional and Institutional Cost Model of the Multnomah County, Oregon, Ciminal Justice System Dedicated to Serious Adult Crimes. [Report].

Cooper, C. (2000). Personal correspondence.

Dunlap, L. J. and French, M. T. (1998). A Comparison of Two Methods for Estimating the Costs of Drug Abuse Treatment. Journal of Maintenance in the Addictions. 1(3), 29-44.

Finigan, M. (1996). Societal outcomes and cost savings of drug and alcohol treatment in the State of Oregon. [Report to the Office of Alcohol and Drug Abuse Programs.]

Finigan, M. (1998). An outcome program evaluation of the Multnomah County S.T.O.P. drug diversion program. [Report to the Multnomah County Department of Community Corrections.]

Finigan, M., Carey, S., Mackin, J., Lucas, L., Cole, R. (1999). Evaluation of the Douglas County Adult Drug Court.

Finigan, M. (2000). Oregon: The Multnomah County STOP drug diversion program. Creating a New Criminal Justice System for the 21st Century: Findings and Results From State and Local Program Evaluations (Bureau of Justice Assistance Effective Programs Monograph No. 2). Washington, DC: US Department of Justice.

Finigan, M. and Schnacker, L. (2002). Costs and benefits associated with substance abuse treatment in the Portland Target Cities Initiative. (NEDS Contract No. 270-00-7078). Washington, DC: Center for Substance Abuse Treatment.

French, M. T. (1995). Economic evaluation of drug abuse treatment programs: Methodology and findings. American Journal of Drug and Alcohol Abuse, 21(1), 111-135.

French, M.T. (2000). Economic evaluation of alcohol treatment services. Evaluation and Program Planning, 23, 27-39.

French, M.T., Salome, H.J., Krupski, A., McKay, J.R., Donovan, D.M., McLellan, A.T., & Durrell, J. (2000). Benefit-cost analysis of residential and outpatient addiction treatment in the State of Washington. Evaluation Review, 24(6), 609-634.

Gerstein, D. R., Harwood, H., Fountain, D., Suter, N., & Malloy, K. (1994). Evaluating recovery services: The California Drug and Alcohol Treatment Assessment (CALDATA). Washington, DC: National Opinion Research Center.

Goodman, A, Tilford, J., Hankin, J., Holder, H., & Nishiura, E. (2000). Alcoholism Treatment Offset Effects: An Insurance Perspective. Medical Care Research and Review, Vol. 57 No.1 51-75.

Greenfeld, L. A. (1998). Alcohol and crime: An analysis of national data on the prevalence of alcohol involvement in crime. Washington, DC: U.S. Department of Justice.

Gottfredson, D., Najaka, S., Kearly, B. (2003). Effectiveness of Drug Treatment Courts:Evidence from a Randomized Trial, Criminology and Public Policy, Vol. 2, No. 2.

Goldkamp, J. (2002). Personal Communication.

Guydish, J. (2001). Personal correspondence.

Harrell, A. (2003). Effectiveness of Drug Treatment Courts:Evidence from a Randomized Trial, Criminology and Public Policy, Vol. 2, No. 2.

Koenig, L., Denmead, G., Nguyen, R., Harrison, M., & Harwood, H. (1999). The costs and benefits of substance abuse treatment: Findings from the National Treatment Improvement Evaluation Study (NTIES) (NEDS Contract No. 270-97-7016). Fairfax, VA: Caliber Associates.

Koenig, L., Harwood, H. J., Sullivan, K., & Sen, N. (2000). Do the benefits of more intensive substance abuse treatment offset the costs? (NEDS Contract No. 270-97-7016) Fairfax, VA: Caliber Associates.

Longabaugh, R., McCrady, B., Fink, E., Stout, R., McAuley, T., Doyle, C., & McNeill, D. (1983). Cost effectiveness of alcoholism treatment in partial versus inpatient settings. Journal of Studies on Alcohol, 44(6), 1049-1071.

Martinez, R. J. & Dacin, M. T. (1999). Efficiency motives and normative forces: Combining transactions costs and institutional logic. Journal of Management 25 (1), 75-97.

Mintzberg, H. (1993). Structure in Fives: Designing Effective Organizations. Englewood Cliffs, NJ: Prentice Hall.

Moe, T. M. (1984). The new economics of organization. American Journal of Political Science 28(4), 739-777.

Morgan, D. & Robinson, K. (2000). Handbook on Public Budgeting. Portland, OR: Portland State University, Hatfield School of Government.

National Institute of Justice, Department of Justice. 1996. The Arrestee Drug Abuse Monitoring (ADAM) Data. Washington, DC: Author.

National Treatment Improvement Evaluation Study (1997), SAMHSA.

Perrow, C. (1986). Complex Organizations: A Critical Essay, Second Edition. New York: McGraw-Hill, Inc.

Powell, W. W. & DiMaggio, P. J., eds. (1991). The New Institutionalism in Organizational Analysis. Chicago: The University of Chicago Press.

Roman, Woodard, Harrell, & Riggs. (1998). A Methodology For Measuring Costs and Benefits of Court-Based Drug Intervention Programs Using Findings From Experimental and Quasi-Experimental Evaluations.

Schneider, R., Mittelmeier, C., & Gadish, D. (1996). Day versus inpatient treatment for cocaine dependence: An experimental comparison. The Journal of Mental Health Administration, 23(2), 234-245.

Scott, W. R. (2001). Institutions and Organizations, Second Edition. Thousand Oaks, CA: Sage Publications.

Wilson, D., Ojmarrh M. and MacKenzie, D. (2002). A Systematic Review of Drug Court Effects on Recidivism. Presented at the American Society of Criminology, Chicago Ill.

Yates, B. T. (1999). Measuring and Improving Costs, Cost-Effectiveness, and Cost-Benefit for Substance Abuse Treatment Programs. Washington, DC: National Institute on Drug Abuse.

APPENDIX A: DATA COLLECTION FORMS AND INSTRUCTIONS

- **Data Entry Protocol**
- **Court Appearances Data Collection Form**
- **NIJ Tracking Protocols**
- **Data Collecting Protocols**
- **Data Entry Instructions**

Data Entry Protocol

Data is collected through OJIN and attending scheduled court appearances. The data entry procedures have been a constantly changing process. The procedures below are a general outline. On most occasions the data collector that collected the data is in charge of entering their own information. The team felt that by having each data collector enter their own data this would eliminate questions and duplicating pieces of data in the database. Things have been added to the database throughout data collection.

Initial Case

The original case is where data entry starts. Each client is recruited at his or her Arraignment. As clients go through the process of their case, data is collected at each court appearance and through OJIN. General information is obtained at Arraignments.

Client Information Box

The Client Information Box houses several boxes of information. The first step in data entry is to enter the assigned **ID** number into the appropriate box. The **Group box** has two options: STOP and Comparison. A client that accepts the STOP program is entered as STOP in the Group box, and a client who declines the STOP program is entered as Comparison in the Group box. The **current status box** is used to track the status of the client and has 6 options. A client who is still active in the stop program is entered as active status and kept that way until/if that status changes. A client who bench warrants from the STOP program is entered as bench warrant status until/if that status changes. In the **current status box** there is also the option for terminated and graduated. A client who is terminated from the stop program current status will be entered as terminated. A client who graduates from the stop program will have their current status as graduated. The **current status box** will change as clients graduate, terminate, bench warrant, and return from bench warrant. An example of this is a client absconds from the stop program. The person who is entering the data at this time will enter bench warrant into the **current status box**. This client may return to the stop program and at this time the person entering the data will change the status in the **current status box** from bench warrant status back to active status. The **final status box** is used to track the final status of the client. A client that graduated from the stop program will have graduated final status. A client who is terminated will have terminated in the **final status box.** At the end of data collection a client who is still in bench warrant status at the end of data collection will have a final status as bench warrant. It should be noted that clients that are in the comparison group will always be kept in active status in the **current status** box no matter if they are in bench warrant status or not. This was done because the comparison group was not in a program and they were considered always in active status. In the **client information box** the client's whole name is entered along with gender, date of birth, ethnicity, and age at arraignment. At the far right of the client information box is certain ID numbers. Each client has a **MCL, PPDS, SID, and FBI** box. These boxes contain Id numbers that are used to identify clients. The ID numbers are assigned by the various agencies and not by the data collectors.

Drug Court Flow

The drug court flow starts by entering the data collectors initial into the **interviewer box**. The **arrest date box** is for the date of the client's initial arrest. The **arraignment box** is used for the client's first arraignment date. The case number for the client's original case is entered into the **case number box**. The arrest charges are entered into the **arrest charges box**. The data collector will enter yes or no into the **eligible for x-plea box** and probable cause box**.** In the **custody status at arraignment box** the data collector will enter in custody for clients that appear in custody for arraignment or ROR which stands for released on realized on own recognize. IF a client has an interpreter at his or her arraignment then yes is entered the **interpreter box**. Yes or no is entered into the **court appointed attorney box** depending on whether or not the client had a court appointed attorney. The data collector enters the time of arraignment in seconds in the **arraignment ET box**. It should be noted that all the above is collected at the arraignment of the client.

Drug Flow Table MPD Portion

The following is collected at the MPD office during the client's orientation. If a client has an interpreter at orientation yes is entered into the **MPD orientation interpreter box**, no is entered for clients who do not require an interpreter. Yes or no is entered into the **MPD parole/ probation box** depending if the client is or is not on probation or parole. The client is asked whether or not they have been offered the stop program before and depending on the answer yes or no is entered into the **MPD previous stop participation box**. The length time for the orientation is entered into the **MPD ET orientation box**. After the orientation each client meets with an attorney to discuss his or her options; this meeting is timed and the length of time is entered into **MPD post-orientation attorney ET**.

Drug Flow First Stop Appearance

A client attending his or her first stop appearance that requires an interpreter has that information into the **first STOP appearance interpreter present box**. The **first STOP appearance results box indicates** whether the client will be participating in the stop program. Clients declining the stop program will be put into the comparison group. The **first STOP appearance social support box** indicates if a client attends the court appearance alone or with social support. .

Drug Flow INACT Orientation

A data collector is present at INACT orientation. The data collector notes if there is an interpreter present for the client at orientation and enters this information in the **INACT orientation interpreter box**. The time of the orientation is timed and the length of time is entered into **INACT orientation ET box**. The client's eligibility for OHP is entered into the **OHP eligibility box**. The OHP meeting is timed and entered into the **INACT OHP Class ET box**. Each client that participates in the stop program receives a medical physical that is timed by a data collector. The length of time for the physical is entered into the **INACT Physical ET box.**

Court Appearances 2

The court appearances box is used to track the length of time for each client's court appearances. Both the Stop group and the comparison group original case are tracked in this section. Clients that pick up new charges have their additional charges and cases are tracked in the Rearrest database. In the court appearances table each client has there ID entered into the **ID box.** The comparison and Stop Group is noted in the **group box.** A client that has additional charges tracking with their original case has the additional case numbers noted in the **additional case numbers box**. In the court appearances table there is a **court date box**. For each court date the data collector will enter the date of each court appearances. The **appearance box** is used to indicate the type of appearance. An example of this is a client has a stop appearance. The data collector will click the tab on the side of the **appearance box** and click stop court. There are many choices in this box from which to choose. A comparison group client may have an assign call appearance. The data collector then will choose assign call and this will appear and be noted in the **appearance box.** The **court time ET box** is used to record the length of time for each appearance. The **bench warrants box** is used to record if a client receives or has a bench warrant rescinded at a specific court appearance. A client that receives a bench warrant in the stop program will have his or her status changed in the **current status box** to bench warrant status until he or she has the bench warrant rescinded and then they will have their status changed back to active status in the **current status box**. A client in the stop program who graduates will have this noted in the **court appearances box** and then has their current status changed to graduated in the **current status box**. A client who is terminated from the Stop program and is ordered to Clean Court will have their court appearances for Clean Court tracked as their original case. A client who is in the comparison group will have more varied court appearances noted in the **appearance type** box. Comparison group clients have their case on the trial docket and this is the reason their court appearance types are more varied. It should be noted that some court appearances are tracked through OJIN and these appearances, along with appearances that data collectors are not present at, are given a proxy time that is entered in the **court time ET box**.

Verdict Table

The verdict flow table is used to document the outcome for each client's case. The **verdict box** is used to show if the client was found guilty acquitted, or had the case dismissed. If a client had more than one charge the verdicts for each charge is noted in the additional **verdict charge boxes**. The **jail/prison box** is used to record the number of days the client receives in jail or prison. The **probation box** is used to record the number of months a client receives parole or probation. If a client receives a drug free zone exclusion this is noted in the **drug free zone exclusion box**. The **drug package box** is used for clients that are given the drug package for being found guilty. The dollar amount for the attorney that is ordered by the judge is recorded in the **attorney fee box**. The unitary assessment is recorded in dollar amount in the **unitary assessment box**. Any additional fee is recorded in the **other fee box**. The **grid box** is used to record the grid of each client. A client's driver license may be suspended if they are found guilty of charges. License suspension is noted in the **driver's license activity box** and the length of suspension is noted in date of the **driver's license activity box**. It should be noted that a client that receives a dismissal or acquittal of his or her charges will only have the verdict charge box filled in for this section.

Rearrest Table

The rearrest table is used for clients that are arrested or charged on a new set of charge or charges. A Clients original case is never tracked in the rearrest table. One note is that a client that is convicted on his or her original case and receives a probation violation while on probation on their original case will have their probation violation tracked in rearrest. Probation violations are treated as new charges even though the case number is the same as their original case. A client that has been charged with new charges has rearrest date entered into the **rearrest date box**. The case number is entered into the **R court case number box**.

Rearrest Appearance Table

The id number is placed in the **id box**. The **group box** indicates if the client is in the stop group or the comparison group. The **rearrest date box** is used to indicate the date of the original rearrest. The case number is placed into the **R court case number box.** The date of the specific court appearance is entered into the **R appearance date box**. The type of court appearance is entered into the **R appearance type box**. This box you may click on the tab to pick the type of appearance that was attended. The length of time for each appearance is entered into the **R court time box**. Appearances tracked through OJIN and appearances not attended by a data collector will have a time proxy entered into the **R court time box**. The **R bench warrant box** indicates whether a bench warrant was ordered or rescinded at a certain court appearance.

Rearrest Verdict Table

The rearrest table is used in the same way that the verdict table is used in the drug flow table. One exception is that in the rearrest verdict table there is a space for community service. A client that receives community service will have the amount entered in hours in the **R community service box.**

Court Appearances Data Collection Form

Data Collector: _____

Participant ID: _____ Name:_____

Appearance type: _____ Where: _____

Court Date: court time: text time: elapsed time in seconds

_____ _____ _____ _____

Benchwarrants: _____

Notes:

RESULTS:

Charge:

Verdict:

Sentence:

Fines: Jail: Probation: DFZ: Drug package:

$_____ _____ _____ _____ _____

NIJ Tracking Protocols

In the beginning.....

- As the data collection forms come back from arraignments, the future dates that have been set and recorded are then put into a tracking notebook calendar ("The White Book").
- Individual files are labeled for each participant, which will contain all data collection forms from here on out.
- Files are stored in a locked file cabinet.

White Book

- The white book contains the dates, times and locations of every participant's scheduled court appearances. Case numbers for the particular cases being addressed are also listed next to the name.
- If a certain appearance cannot be attended by a data collector, the case is still tracked (using the case number) through OJIN in order to record new future dates.
- The white book is checked on a daily basis by the tracking coordinator who ensures that scheduled court appearances will be attended by data collectors.
- The white book is stored in a locked file cabinet.

Black Book

- The black book contains an on-going list of study and comparison group participants (names and case numbers) that are:
    - In bench warrant status
    - In cannot proceed status
    - Have a future drug call date
- For participants in **bench warrant status**, the tracking coordinator looks up the case in OJIN on a DAILY basis in order to track future dates if and when the case is back in the system. Any future dates discovered from this process are then recorded in the white book.
- For participants in **cannot proceed status**, the tracking coordinator looks up the case numbers in OJIN once a week to determine if/when the case has been indicted, so that we may continue to track the case if necessary. Any future dates discovered from this process are then recorded in the white book.
- For participants who **have a future drug call date**, the tracking coordinator looks up the case numbers in OJIN 2-3 times per week in order to catch those cases which may "turn into" pleas suddenly. Any future dates discovered from this process are then recorded in the white book.
- The black book is stored in a locked file cabinet.

Re-arrests

- An OJIN check for every participant in the study is performed weekly, specifically to check for potential re-arrests of those defendants (arrests occurring any time AFTER the date we obtained their original case for purposes of this study). Each person is searched by name, which includes case file dates, allowing you to view the dates arrests are filed in order to determine if it is a new arrest since the onset of the study.
- When a re-arrest is discovered, the coordinator enters the name and new case number into an ongoing Excel file. By having such a file, when we come across that name in future re-arrest checks, we have an efficient way to confirm whether we have already noted the particular re-arrest.
- A re-arrest data entry form is then completed and placed in the "to be entered" file for our data entry specialist to enter into our re-arrest tracking database.
- Because it was decided we would not track non-crime "re-arrests" (e.g., traffic violations), any re-arrests for violations that we find are simply listed by name and case number in another "tab" of the Excel Re-arrest Tracking file (labeled "Traffic non-tracking"). This way we have a record of violations if/when we decide to use them.
- Any future dates for the re-arrests to be tracked are entered into the white book and attended by a data collector.

OJIN (Oregon Judicial Information Network)

- As noted above, OJIN is used frequently to aid us in tracking the court appearances and status of all study and comparison group participants. If there is ever a question regarding the status of a particular case, OJIN is a very good resource to keep us informed and up to date.
- For quality control, an OJIN "sweep" is performed on all participant files. This involves one person on the OJIN database and one on the NPC tracking database. The participant's case number is pulled up on both databases, and then all demographics, court dates/times, and outcomes are compared, using OJIN as the "final word". Not only does this clean up the NPC database (getting rid of old, unnecessary dates), it is another opportunity to capture future dates that may have slipped through the cracks.
- For further details on the specifics of OJIN and how to use it, see the Public Access User's Guide.

Data Collecting Protocols

Arraignment:

- Attend arraignments every Monday and Wednesday at JC3 at 1:30.
- Obtain docket from legal assistant.
- Identify STOP clients from arraignment hearing docket.
- Complete data arraignment form.
- Time STOP clients in front of the judge.

STOP Orientation (MPD)

- Attend MPD Stop orientation when scheduled at 9am at office of MPD.
- Time the STOP Orientation and complete data/STOP orientation form.
- After orientation, relocate to the lobby in order to time the court-appointed attorney and client meeting; record elapsed time on same data form.

*6/01/01: Record elapsed time clients spend individually with STOP court attorney, as well as the orientation group.

STOP Court

- Attend STOP court at 1:30 in courtroom 716 (Judge Beckman) on the days our participants are scheduled.
- Crosscheck docket (copies found in courtroom) with NPC tracking notebook.
- Watch for any of our participants who may be returning to the court process from bench warrant status.
- Complete data form by recording elapsed time participant spends before the judge, as well as any pertinent information such as:
  -Termination
  -Next STOP court date
  -1 to 2 day sit sanction
  -1 to 3 weeks forest work camp
  -1 to 5 days jail
  -Hold in custody for detox
  -Hold in custody for residential treatment
  -8 to 40 hours community service

INACT Orientation

- Check in with receptionist to confirm how many of our participants that are scheduled for orientation have appeared. If no-show, make note to attend STOP court that day to verify appearance.
- Complete data InAct form.
- Record elapsed time STOP participants spend with InAct orientation counselor.
- Obtain client's treatment schedule.
- Record reentering bench warrant participants to InAct database system.

*Detail different procedures as a result of changing orientation counselors.

INACT Physical

- Check in with receptionist to confirm participants' presence at physical.
- Make note of time when participant begins and exits their physical at the InAct office.
- Record time on data collection form.

INACT Oregon Health Plan Orientation

- Check in with receptionist to confirm participants' presence at appointment.
- Make note of the elapsed time the participant spends at orientation.

Grand Jury-Indictment Hearings

- Attend scheduled grand jury hearings for comparison participants (this date is issued at the original arraignment hearing).
- Complete data form from information read off of docket by DA (cannot proceed, no complaint, true billed)

Assignment Call

- Attend scheduled assign call in room 208 of courthouse at 8:30.
- Complete data form, including elapsed time of comparison participants in front of judge.
- This appearance directly preludes drug call (set out about six weeks).
- Note bench warrant if failure to appear.

Drug Call

- Attend scheduled drug call at 1:30 at courthouse (courtroom changes monthly, so check with information desk upon arrival at courthouse).
- Complete data form which includes new drug call date or immediate plea and sentence.
- Record elapsed time of comparison client in front of judge.
- These appearances are frequently set-over for additional drug call dates.
- Note bench warrant if failure to appear.

Plea/Sentencing (Felony)

- Attend scheduled pleas immediately following drug call in courtroom assigned by drug call judge.
- Complete data form, including elapsed time of comparison participant's time in front of judge.
- Include all details of sentencing.
- These appearances frequently conclude comparison participants' cases.
- Note bench warrant if failure to appear.

2nd Arraignment

- Attend scheduled second arraignments in JC3 at 10:30.
- Complete data form, including elapsed time of comparison participants in front of judge.
- Note bench warrant if failure to appear.

Community Court (Misdemeanor)

- Attend scheduled community courts for re-arrest participants at any of three locations: SE, NE, or West.
- Times vary, depending on type of court appearance: 9:00, 10:30, or 1:00.
- Complete data form by recording elapsed time of participant in front of judge.
- Record sentence and potential review date
- Note bench warrant if failure to appear.

Motion to Suppress

- Attend scheduled appearances, which are determined at drug call.
- Make note of elapsed time for entire proceeding.
- Record witnesses present (police officers, public servants, etc.) and time elapsed for their participation and length of stay in the courtroom.
- Record outcome
  -Evidence suppressed results in dismissal by state in a majority of cases.
  -Evidence not suppressed results in case set for plea/sentencing/trial.

Substitution Hearings

- *Attend scheduled court appearance.*
- Record elapsed time attorney and participant spend in front of the judge.
- Note new assigned attorney.
- Note bench warrant if failure to appear.

Bench Warrant Lift (STOP Court)

- Attend scheduled court appearance.
- Record elapsed time in front of the judge and new court date.

Bench warrant Lift (JC3)

- Attend scheduled court appearance.
- Record elapsed time in front of the judge and new court date.

Probation Violation Hearing

- Attend scheduled hearing.
- Record elapsed time in front of the judge, as well as any sanction or new date.

Review Hearing

- Attend scheduled hearing
- Record elapsed time in front of the judge, including any new date.
- This is a status check for former STOP participants (those terminated from STOP)

Trial

- Attend scheduled trial.
- Make note of elapsed time for entire trial.
- Record witnesses present (police officers, public servants, etc.) and time elapsed for their participation and length of stay in the courtroom.
- Record outcome of trial.

Process Protocols

Arraignment

- Potential STOP clients are arraigned
- Judge court-orders potential STOP clients to attend STOP orientation at MPD at 9am the following work day (unless client is Spanish speaking which requires 2 days).
- Judge court-orders potential STOP clients to attend STOP court at courthouse, Room 716, the following day at 1:30 pm.

STOP Court Orientation

- Clients attend STOP orientation (approximately 45 minutes) at the Public Defender's office at 9am.
- Clients meet with the STOP court attorney individually to review police reports and discuss options.
- Clients are reminded and instructed to attend STOP court at 1:30 that same day.
- If client misses or is late for STOP orientation, they will be docketed for the same afternoon's STOP court.

STOP Court (Petitioners)

- Clients attend STOP court at 1:30pm in Room 716 of the courthouse.
- If client misses court, judge issues a bench warrant.
- Potential clients observe the entire STOP court proceeding.
- Clients are called to appear in front of Judge Beckman.
- Clients have two options:
  -Clients can decline the STOP program in which case they are appointed a new attorney and the original grand jury hearing date stands.
  -Clients can agree to a 2-week trial-period to make an informed decision about entry or declination of the program.
- Judge court-orders clients to appear at InAct the following day at 9am if they agree to the 2-week trial-period.
- Judge orders one or more of the following:
  -Next STOP court date
  -1 to 2 day sit sanction
  -1 to 3 weeks forest work camp
  -1 to 5 days jail
  -Hold in custody for detox
  -Hold in custody for residential treatment
  -8 to 40 hours community service

STOP Court Clients (Active)

- Attend STOP court dates
- Clients who are currently participating in the program may leave the courtroom after they appear in front of the judge.

Graduation Exit Interview

- Client attends scheduled exit interview with STOP court judge.
- At conclusion of interview, judge determines if client will, in fact, be allowed to graduate

Graduation STOP Court

- Client attends scheduled graduation date.
- Client hears from STOP court judge, Public Defender attorney and legal assistant, District Attorney, InAct court liaison, and other InAct staff.
- Clients are asked to say a few words about themselves and their experience with the program.

INACT

- Clients attend InAct at 9am for orientation.
- Clients meet with the InAct orientation counselor to organize treatment schedule.
- If client misses orientation, they are docketed for that same day in court. If they do not appear, judge orders a bench warrant.

Grand Jury

- DA reads the grand jury results from the docket to the courtroom before the judge sits.
- Comparison clients are not required at this appearance but are responsible for being in touch with their attorney to obtain results and schedule 2nd Arraignment if necessary.

2nd Arraignment

- Comparison clients (those who have declined STOP and have been indicted on their drug charge) appear in JC3 at 10:30 on scheduled date.
- Judge arraigns them or issues a bench warrant for those who do not appear.
- Custody status is reviewed and clients are given their assignment call date.

Assignment Call

- Comparison clients must attend in room 208 of the courthouse. If not present, the judge orders a bench warrant.
- When the judge calls their name, the client stands and his/her attorney reports the status of their case, at which time the judge usually sets the next court date for drug call about 6 weeks out.
- This is the time for issues to be raised, such as conflict of interest. In this case, the judge will set a Substitution Hearing, which the client and attorney must attend.

Drug Call

- Comparison clients attend in the assigned courthouse room for that month at 1:30.
- For in-custody clients, the attorney will meet with them in jail and go over the DA's offer prior to their being brought to the courtroom by the guards.
- Attorneys approach the bench as they are prepared to report the readiness/status of their case.

- The judge will either:
  -Send the case to another courtroom for plea/sentencing
  -Set the case over for a new drug call date.
  -Set the case out for trial
  -Issue a bench warrant if out-of-custody client not present.

Plea and Sentencing

- Comparison clients appear with their attorney before the judge assigned by the drug call judge. If not present, the judge orders a bench warrant.
- Out-of-custody clients are accompanied to the courtroom by guards and their attorney.
- Clients plea either guilty or no contest when asked by the judge how they plead to the charge/s.
- The judge accepts their plea and proceeds to sentencing.
- Sentencing is the time and place for the client's attorney to make any statements or requests of the judge regarding the sentence recommended by the DA.
- The case is closed at the conclusion of sentencing, however, clients who are given probation have conditions which, if not met, can bring them back to court on a probation violation charge.

Community Court

- Comparison clients appear at scheduled location and time. If not present, the judge orders a bench warrant.
- Clients are called before the judge with attorney present (most oftentimes court appointed).
- Judge reads charge/s and possible sentence to the client.
- Judge advises client that the option for trial is available.
- Judge asks the client how they plea to charge/s.
- Client pleads to charge/s or requests trial (vast majority plead guilty).
- Guilty plea results in judge sentencing clients to:
  - 2-page paper on a topic related to charge
  - Community service between 8-20 hrs.
  - Possible jail (never witnessed in court)
  - Possible fine
- Judge sets new court date for review.

Change in the Process Protocol

STOP Orientation

- See above process.
- Public defender met with clients as a group for approximately 15 minutes.

STOP Court

- Clients with prior felony conviction must plead guilty on the 14-day review as a condition of entering the STOP program.

INACT Physicals/OHP/Assessments

- If client misses appointment, they are docketed for the next day's STOP court.
- If client appears at this court appearance, judge orders rescheduling of missed appointment.
- If client fails to appear, the judge issues bench warrant.

DATA ENTRY INSTRUCTIONS

CHART REVIEW DATA COLLECTION

Welcome to the chart data collection!!

Overall:

If you are looking for a document in the chart and it's not there, use 99 for missing in the variables that would have been collected from that page. This will not be possible in date fields; just enter past dates in those instances.

Many chart documents have several entries (i.e., group sessions, acupuncture, counseling). Please enter a new record within that person's data for each copy of the form.

If a date is incomplete, use 01 for whatever parts are missing (i.e., if they list 3/97, enter 3/01/97)

"Closed charts" are not in the panel format. All of the 'panels' are bound together on the left side of the file folder, however they ARE in panel order. The court file is on the right side of the file folder.
"Open charts" follow the panel order listed in each section below.

Symbol = client or defendant

LAPTOP:
Turn on computer
Open Access
Open Jennifer/InAct Chart (password: stopdc)
Go to Forms (on left)
Double click on frmDataEntry
Using arrow record scroller, locate next person to collect data on

SAMPLE CHART:
This is an excellent resource showing the order of the chart (for active charts), as well as listing ALL variables in their actual place within the chart.

CHART:
Find the chart for the person you have identified. Files are stored in alphabetical order in 3 places: Light green labels are active; red labels are files closed in 2001/02; white cardboard boxes are files closed in 2000. Make sure to place an "out card" in the spot where you retrieve the file. If you can't find a file, move on to the next person.

WHEN DOING A SECOND ROUND OF DATA ENTRY ON A CHART:
For any "tab" or "page" of data entry that contains a repeating form (i.e. group sessions, counseling sessions, acupuncture): click on the date variable then click on the "ascending/descending" icon in order to sort dates. Then click on arrow at bottom of screen that will bring you to the MOST RECENT date in that section. From here you can review the chart to see if any new entries have been added since that date, then make those entries into the database.

TO GET STARTED:
Open the chart to begin entry from left side
Say an incantation for proper paper order
Locate the DA number on the upper right hand corner of the admission sheet and enter it in the top section of the data entry form to the right of the ID number.
Tab to variable "file location" and enter "red", "green", or "white" (for appropriate file location); for "file status" enter "a" or "c" (for active or closed); next variable enter today's date followed by your initials. If first date and initials are already filled in, enter today's date and your initials in the "dcdt2" and "init2" variables.
Click on tab labeled pg2
Click on date on admission sheet
Begin typing in following information:

VARIABLES	LOCATION OF FORM/SPECIAL INSTRUCTIONS
Admission Check Off Sheet (Panel 1)	
Date on Admission Sheet	ENTER THE OLDEST ADMISSION SHEET FIRST (there are frequently >1)!!!
Name of client's counselor	
Is this new or return client?	There are two versions of this sheet; the old one won't have where client is returning from so just choose "5" for "return no reason given".
Insurance qualification	No insurance info listed on newer form so use "98" in those cases
Date of Assessment	
Date of Physical	
# days per week acupuncture	Count checked boxes and enter total number
Notification of Completion of Assessment (blue half sheet in Panel 2)	
Is this new or re-assessment?	If you are entering data for a second Admission Sheet but there is only 1 of these forms, just enter "98" here. However, keep an eye out for a possible Reassessment form and enter that data here.
Date of Notification	If you are entering data for a second Admission Sheet but there is only 1 of these forms, just enter past this variable. However, keep an eye out for a possible Reassessment form and enter that data here.
SCROLL DOWN TO NEXT VARIABLE AND CLICK INSIDE IT	

Master Problem List page 2 (still Panel 2)	
What problems bring client to InAct?	Usually indicates drug charge – just enter charge listed or indication that client is entering STOP
Client's zip code	
Who do you live with?	If answer doesn't fit drop down box options, choose "6"
If client lives with "other", please specify	
Number of children	
Ages of children	
Children in SCF custody?	
If so, what are conditions of return?	
Significant/traumatic events?	Quickly read response then answer yes or no. If filled out, it USUALLY means yes!
Any A/D or physical abuse in current relationship?	Quickly read response then answer yes or no. If filled out, it USUALLY means yes!

Master Problem List page 4	
1st drug of choice	
2nd drug of choice	If not more than 1, type 98
3rd drug of choice	If not more than 1, type 98
Master Problem List page 5	
# of physical abnormalities	Count number of boxes marked "yes" under #3 on the left-hand side, and enter that total
Master Problem List page 6	
# of emotional/behavioral conditions	Count number of boxes marked "yes" in questions 5-21 and enter that total
Master Problem List page 7	
Any mandates from SCF/CSD?	
Any mandates from JOBS/AFS?	
Any mandates from employer?	
Any mandates from spouse/significant other?	
Any mandates from criminal justice system?	
Any mandates from SSI?	
Any mandates from family?	
Any mandates from housing requirements?	
Master Problem List page 10	
# of arrests in lifetime?	
Age at first arrest	
Is client currently on probation?	
Is client currently on parole?	
Dual Diagnosis Screen page 3	
Was the disposition to assign to Dual Diagnosis Program?	Not all files will have this 3-page form so enter "99" if not there. If one IS there, it should be following page 10 of Master Problem List. Bottom of page 3 under disposition – only interested in whether 1st line is checked (yes or no).
Employment/Income Information – page 11 (of master prob list)	
Employment status	
Valid driver's license	
Any former employees	If any are listed, enter "1" (yes); if blank enter "2" (no)
DSM IV Multi-Axial Evaluation – page 15 (of master prob list)	
General medical conditions	Type in medical conditions listed, use 99 if none
Placement Criteria: Decision Summary – page 18 (of master prob list)	
Which level was the client admitted/referred to on the Decision Summary	Enter level I-IV
SCROLL UP AND CLICK ON TAB pge2E	
Personal Information (still panel 2)	

Age	
HS graduation status	Determine if client has graduated (check highest grade completed) or has a GED and enter yes if either one is true, enter no if they do not have a HS diploma or equivalent. This question is listed on page 1 of old form, and page 3 of the new form.
Are you a parent	
Are you a single parent	If client is not a parent at all, enter "98"
Ethnicity	Enter up to three ethnicities using the drop down boxes; enter "99" if none are marked, and "98" if there are at least one but fewer than three.
Ethnicity specify	Specify others
Marital status	
Living arrangements	
Do you consider your living situation stable?	
If employed, how long for?	Enter whatever is there; use 98 if unemployed
If employed, what are hours?	Use 98 if unemployed
If employed, what is gross monthly income?	This may be on bottom of page 1 or top of page 2. Use 98 if unemployed
If unemployed, how long has it been	Use 98 if employed
If unemployed, what are client's job skills and interests?	Use 98 if employed
Personal Information -- page 2 (still panel 2)	
What is the source of income?	
Number of people ages 6 and under dependent on total household income	Enter number (0, 1, 2). This question is found on page 2 of the OLD Personal Info form, and page 1 of the NEW.
Number of people 6-17 dependent on total household income	Enter number (0, 1, 2). This question is found on page 2 of the OLD Personal Info form, and page 1 of the NEW.
Number of people ages 18-64 dependent on total household income	Enter number (0, 1, 2). This question is found on page 2 of the OLD Personal Info form, and page 1 of the NEW.
Number of people ages 64+ dependent on total household income	Enter number (0, 1, 2). This question is found on page 2 of the OLD Personal Info form, and page 1 of the NEW.
Are you now covered by health insurance?	
If covered, you get health care from:	Use 98 if not covered
Specify other health care	
Are you covered by Medicare?	
Are you currently on probation/parole?	If yes, on probation or parole, enter for what from the next line down, if they are on probation/parole and this is missing use 99, if they are not on probation/parole use 98 for not applicable

If on p/p what is PO's name?	
If on p/p what is PO's phone number	
If on p/p when did it begin?	
If on p/p what PO office?	
If on p/p what is the release date?	
Has alcohol been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has amphetamines been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has hallucinogens been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has cocaine been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has PCP been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has marijuana been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has opiates been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has sedatives/hypnotics been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has nicotine been a problem for client?	If checked enter yes (1), if blank enter no (2)
Has caffeine been a problem for client?	If checked enter yes (1), if blank enter no (2)
SCROLL UP AND CLICK ON TAB pge2A	
Legal History (back to page 10 of Master Problem List!! Still panel 2)	
What has client been charged with in the past?	Enter the first charge, if any, as listed. However, if the only one listed is present charge that got client into InAct, just enter "nothing". IF ANY CHARGES ARE LISTED BELOW the table (on "Offense" line), go ahead and enter those here, then use "99" for the last 3 variables.
What was the date of this past charge?	Enter the date (if only a year, enter that) that corresponds with first charge listed
Did this charge result in prison?	Usually there is a check mark or "X" which will indicate "yes"; or it will SAY yes! If blank all the way across (prison, prob, drug-related), enter as "99"
Did this charge result in probation?	Usually there is a check mark or "X" which will indicate "yes"; or it will SAY yes! If blank all the way across (prison, prob, drug-related), enter as "99"
Was this charge drug related?	Usually there is a check mark or "X" which will indicate "yes"; or it will SAY yes! If blank all the way across (prison, prob, drug-related), enter as "99"
CLICK ON pge3	
Clinical Referral Form – Panel 3	
Ref'ing department/provider	Use 99 if this form does not exist in chart (I have seen VERY few so far!)
Specify oth ref department	Use 99 if this form does not exist in chart (I have seen VERY few so far!)
Rec'ing dept/provider	Use 99 if this form does not exist in chart (I have seen VERY few so far!)
Specify oth rec dept	Use 99 if this form does not exist in chart (I have seen VERY few so far!)
No Harm Contract – still panel 3	

Noharm contract pg	Just want to know if this exists in file or not! If not, enter "99"; if there, enter "1"
SCROLL DOWN AND CLICK IN NEXT VARIABLE	
Treatment Plan Review (Chemical Dependency and/or Mental Health) – still panel 3	
Txplan fin decision	This is a 2-sided form and there are frequently more than one. VERY bottom of page is where you will see 5 possible answers for this variable; consult drop-down box.
Date	Flip page over and enter date listed on bottom of page
CLICK ON TAB pge3A	
Counseling Progress Notes – still panel 3 (This is a repeating table – may be MANY entries!)	
Date of counseling note	
Units for counseling note	If missing use "99" UNLESS the notes indicate type of service is a fax, phone call, etc., in which case use "98".
Type of service used for this counseling session	Pay attention to drop-down box: we added a couple of our own! If there is simply an entry for a phone call, fax, court rpt written or lognote, there are codes for that.
Is this counseling note billable?	
Progress type for counseling note	
counnote	This will rarely be used – don't read through entire notes! Sometimes if the columns are left blank, I will scan the notes and make a small comment that will capture what that session involved. Also, if "8" is used in "type of service" variable, enter log note here.
CLICK ON TAB pge4	
InAct Group Progress Notes – Panel 4 (This is a repeating table – may be MANY entries) ***NOTE: there are TWO entries per page!***	
Date of grp note	
Phase/type of group	Very long drop-down box!
Absence at grp excused?	Be sure to use "98" if client DID attend
Duration of group	Will most frequently be 1.5 (if file says "90", still enter "1.5"); if group not attended, enter "0"
Grp participation rating	Sometimes they mark two: always use the higher number so we're all consistent; if group not attended, enter "98"
Grp attitude rating	Sometimes they mark two: always use the higher number so we're all consistent; if group not attended, enter "98"
Grpnote	Rarely used
CLICK ON TAB pge5	
Acupuncture Treatment Plan – Panel 5	
Is client diagnosed with a dependence on:	Enter first drug checked; if none checked, enter 99
Is client diagnosed with a dependence on:	Enter second drug checked; if no other, enter 98
Is client diagnosed with a dependence on:	Enter third drug checked; if no other, enter 98
Is client diagnosed with abuse of:	Enter first drug checked; if none checked, enter 99
Is client diagnosed with abuse of:	Enter second drug checked; if no other, enter 98

Is client diagnosed with abuse of:	Enter third drug checked; if no other, enter 98
Specify other dependence or abuse	Specify other drug here that is not on list, or 98 "other" not marked. THEN: don't hit "enter"; you must click into next variable ☹
Acupuncture Tx Plan Review Date	Note that there are TWO of these dates per page, so in order to enter the second date you must fill in all the dependence/abuse variables with 98
SCROLL UP AND CLICK ON TAB 5A	
Acupuncture Progress Notes – still Panel 5 (This is a repeating table – may be MANY entries)	
Date of acupuncture	
Unit of time used for acupuncture	If no show, just enter past this variable – it will automatically enter "0"
Service type	Enter "98" if notes indicate a no-show
Acupuncture billable?	Enter "98" if notes indicate a no-show
Progress in acupuncture	Enter "98" if notes indicate a no-show
Acupuncture progress notes	Not used much BUT be sure to enter "no show" here when indicated (it's often recorded in file as "NS"
CLICK ON TAB pge6	
Breath Alcohol Testing Results – Panel 6	
Date of the breath alcohol test	This is a single sheet of paper – many files don't even have them. If not, just enter past this variable.
Level of alcohol detected	Enter "99" if this sheet does not exist
Was the breath alcohol test legally intoxicated?	Enter "99" if this sheet does not exist
Redwood Toxicology Lab – still Panel 6	
How many UA reports are from Redwood Toxicology?	If you are entering as a follow up to the first data collector (in other words, you are dc2), RECOUNT # of UA reports in case any have been added since the last date of data entry. If # of reports has changed, simply enter the new number.
Dominion Diagnostics – still Panel 6	
How many UA reports are from Dominion Diagnostic?	If you are entering as a follow up to the first data collector (in other words, you are dc2), RECOUNT # of UA reports in case any have been added since the last date of data entry. If # of reports has changed, simply enter the new number.
Physical Examination – still Panel 6	
Was a physical exam performed?	This is a three page document – just yes/no whether it even happened
Qualified for outpt drug/alc therapy?	This question is on third page near the top. If no physical ("99" in previous variable), enter "98" here.
SCROLL UP AND CLICK ON TAB pge6A	
Health Services Progress Notes – still Panel 6 (these may be back towards front of panel 6)	
Date of health service	
Unit of time used for health service	If no units listed, enter past this variable ("0" will automatically enter)
Service type	
Is this health service billable?	
Progress in this health service	

Health service progress notes	If the last 4 variables are missing (often the case), glance at these notes and indicate what service appeared to be done on this date, IF possible! This is also the place they will indicate if client didn't show for physical: please enter "no show for physical exam"
CLICK ON TAB pge6B	
Health History – still panel 6	
What date was health history done?	Just leave blank if no health history found
How was client's general health?	This question is at the top of the first page of the health history. Enter "98" if no health history done.
If pregnant, how many weeks?	If male OR non-pregnant female, enter 98
CLICK ON TAB pge8	
STOP Client Fee Payment Agreement and Authorization – Panel 8	
What is the client fee for clinical assessments?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
What is the client fee for individual counseling per 30-minute session?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
What is the client fee for individual counseling per 60-minute session?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
What is the client fee for group counseling per 90-minute session?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
What is the client fee for ua testing?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
What is the client fee for acupuncture (per tx)?	Enter dollar amount listed, however most of these authorizations, if there is even one in the file, will indicate "N/A", in which case you enter "98". If more than one authorization and they ALL say "N/A", only enter once through.
CLICK ON TAB pge9	
Enrollment Form – Panel 9 (there can be more than one)	
What was the date at enrollment?	
Date of birth	
Is the program area alcohol?	
Is the program area drugs?	
Is the program area gambling?	There are a couple versions of this form: one of them asks about drug/alcohol only, the other includes gambling. If the form does NOT ask about gambling, enter "98" into the database for this question.
The level of care for which client was assessed at enrollment was:	Again, the question only appears on the newer enrollment form. If the form you are entering from does NOT include this question, just enter "98"; otherwise, be SURE to consult drop-down box and compare it to code sheet for appropriate code!
Gender	
Client pregnant at enrollment?	Even though their form indicates "3" for "Not Applicable", please be sure to use "98" so we are consistent with OUR data.

Interpreter services needed?	Be aware this isn't a yes/no question: note drop-down box. I've coded answers to match InAct's.
Highest grade completed	
Now enrolled in school or training?	
Primary source of health insurance?	
Specify other primary source of hlth ins	
Primary source of household income	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" MAKE SURE you consult drop-down box: order of codes is different than on form.
As of enrollment, how many arrests in past 5 years?	
As of enrollment, how many duii arrests in past 5 years?	
Employability Factor	Our codes match InAct's
Was methadone prescribed?	If they have entered "00", that means "no", so you enter "2".
Admission Modality/Level of Care	BEWARE: there are at least 3 enrollment forms that vary slightly. One will have this variable as "Admission Modality", and the other as "Level of Care at Admission". All possible answers have been coded and combined into the drop-down box so consult it carefully! Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box.
Primary substance addiction	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box.
Secondary substance addiction	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box. Enter "98" if blank/no more than a primary addiction.
Tertiary substance addiction	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box. Enter "98" if blank/no more than a primary and secondary addiction.
Frequency of use of primary substance	If primary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
Frequency of use of secondary substance	If secondary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
Frequency of use of tertiary substance	If tertiary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
If gambling is the issue, what is the degree of abuse at enrollment?	If gambling was the answer ("22") in any of the above 3 substance addiction questions, answer frequency of use/degree of abuse here.
If alcohol is the issue, what is the degree of abuse at enrollment?	If alcohol was the answer ("04") in any of the above 3 substance addiction questions, answer frequency of use/degree of abuse here.
If nicotine is the issue, what is the degree of abuse at enrollment?	If nicotine was the answer ("23") in any of the above 3 substance addiction questions, answer frequency of use/degree of abuse here.

Most recent route of admin of primary substance	Use “98” for gambling, NOT “7” which is what they use here for “not applicable”.
Most recent route of admin of secondary substance	Use “98” for gambling, NOT “7” which is what they use here for “not applicable”.
Most recent route of admin of tertiary substance	Use “98” for gambling, NOT “7” which is what they use here for “not applicable”.
Age at first use of primary substance	
Age at first use of secondary substance	
Age at first use of tertiary substance	
SCROLL DOWN TO NEXT VARIABLE AND CLICK INSIDE IT	
Termination Form – still Panel 9 (there can be more than one)	
Type of termination	
Date of last tx contact	
Date term form completed	
Client pregnant at termination?	Again, use our “98” for “not applicable”, not their “3”
Client’s highest grade completed as of termination?	
Is client enrolled in school or training at time of term?	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Total arrests during tx?	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Total duii arrests during tx?	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Estimated gross month income at term	If answer if “0001”, enter “refused”; if answer is “0002”, enter “unknown”; if answer if “9999”, enter “more than $9999/month”. Otherwise, enter amount shown.
What is client’s primary source of household income at time of termination?	Be sure to enter “01” and not just “1” if “wages/salary” is the answer
Employment status at time of term	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Employability factor at time of term	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Progress in educ or skill develop prog during tx?	If “9” or “09”(“unknown”) is the answer listed on form, use “99” for “missing”.
Comply w/CSD during tx – progress toward cust of children?	Again, use our “98” for “not applicable”, not their “3”
Client abstinent from substance abuse 30 days before delivery of infant?	Again, us our “98” for “not applicable”, not their “3”
Self help grp used by client during tx?	
Antabuse used during tx?	
Number of positive drug/alc use tests	

Number of administered drug/alc use tests at term.	
Primary substance addiction at termination	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box.
Secondary substance addiction at termination	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box. Enter "98" if blank/no more than a primary addiction.
Tertiary substance addiction at termination	Be aware to enter BOTH digits of the code; for example: "01" and NOT just "1" See drop-down box. Enter "98" if blank/no more than a primary and secondary addiction.
Frequency of use of primary substance at termination	If primary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
Frequency of use of secondary substance at termination	If primary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
Frequency of use of tertiary substance at termination	If primary substance is gambling, enter a "7" here; alcohol, enter "8" here; nicotine, enter "9" here; then enter the answer under appropriate of 3 variables below: "If gambling/alcohol/nicotine is the issue, what is degree…"
If gambling is the issue, what is the degree of abuse at termination?	If gambling was the answer ("22") in any of the above 3 substance addition questions, answer frequency of use/degree of abuse here.
If alcohol is the issue, what is the degree of abuse at termination?	If alcohol was the answer ("04") in any of the above 3 substance addition questions, answer frequency of use/degree of abuse here.
If nicotine is the issue, what is the degree of abuse at termination?	If nicotine was the answer ("23") in any of the above 3 substance addition questions, answer frequency of use/degree of abuse here.
Most recent route of admin of primary substance at termination	Use "98" for gambling, NOT "7" which is what they use here for "not applicable".
Most recent route of admin of secondary substance at termination	Use "98" for gambling, NOT "7" which is what they use here for "not applicable".
Most recent route of admin of tertiary substance at termination	Use "98" for gambling, NOT "7" which is what they use here for "not applicable".
SCROLL UP AND CLICK ON pge 9A	
Status Change Form (blue or yellow) – still Panel 9 (there could be many)	
Effective date on SCF	Blank if no status change forms exist
What action taken is indicated on SCF?	99 if no status change forms exist. If form is yellow, answers in Action Box will differ from blue form, so enter "7" in these instances then describe the action listed in next variable.
Describe the type of action taken on Status Change Form	Just enter whatever they have written in this section. Also, if "7" (other) is indicated in the previous variable, you can do the "specify" here. Enter 99 if no status change forms exist.
What is the outside treatment organization listed on the status change form?	99 if no status change forms exist
CLICK ON pge9B	

Termination Summary – Panel 9 if open, Panel 1 if closed	
Date of STOP admission on TSF	
Date of STOP termination on TSF	
What is the reason for discharge on the Termination Summary?	Just enter exactly what they have written
Termination type	
CLICK ON pgeCourt	
COURT FILE	
These are separate files within the open files, and on left-hand side of the closed files	
InAct/Stop Client Status Report (there could be many)	
Date court report prepared	
Number of days of treatment thus far	
Eligible for federal money?	
Percentage of attendance shows	
Percentage of positive UA's	
Amount of unpaid fees thus far	If $0, just return through this variable (automatic $0 will be entered)
Counselor rating of attendance	If more than one are circled, enter the HIGHEST number.
Counselor rating of group participation	If more than one are circled, enter the HIGHEST number.
Counselor rating of attitude	If more than one are circled, enter the HIGHEST number.
Counselor rating of treatment progress	If more than one are circled, enter the HIGHEST number.
CLICK ON pgeCourtA	
InAct/Stop Client Status Report (still!)	
Entry here will be from "UA Results" section of this report (middle of page)	
Date of UA	
Show for UA?	
Client's UA tested on above date was positive/negative for amphetamines	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for barbiturates	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for benzodiazepines	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for cocaine	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".

Client's UA tested on above date was positive/negative for opiates	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for PCP	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for marijuana	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for methadone	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for proxyphene	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for alcohol	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for ecstasy	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
Client's UA tested on above date was positive/negative for LSD	If client did not show for UA ("2" in previous variable), enter "98". Otherwise, if blank, enter "3" for "not tested for". Also, BEWARE: not all drugs show up on all forms (there's an old and new version), so if drug isn't even listed enter "98".
SCROLL TO THE RIGHT AND UP AND CLICK ON Page 10	
Personal Recovery Plan – Panel 10	
Is there a personal recovery plan?	Enter yes (1) or no (2) if it's there or not, and "3" if it is there but NOT signed by client (see drop-down box).
Is there a personal relapse prevention plan?	Enter yes (1) or no (2) if it's there or not, and "3" if it is there but NOT signed by client (see drop-down box).

APPENDIX B: DESCRIPTION OF DRUG COURT AND NON-DRUG COURT PROCESSING

Description of Non-Drug Court Processing

One element of the NIJ-funded cost study is to compare drug court clients with those who were eligible for the STOP Program but did not participate. These individuals go through traditional court processing. In Multnomah County, this processing includes having their case heard by a Grand Jury, and hearings at a variety of court appearances that could include Assignment Call, Drug Call, Motion to Suppress Hearings, Pre Plea Hearings, Plea Hearings and Trials Defendants are expected to attend most hearings. If they fail to appear, a warrant will be issued for their arrest.

Warrants

Most appearances require a defendant's presence in the courtroom. If a defendant fails to appear in the courtroom, a bench warrant will be issued for his or her arrest by the judge. Indictment warrants are issued for defendants whose charges have been dismissed pending further evidence but are then indicted based on the presence of additional substantiation. If the defendant is stopped by law enforcement for any reason and has a warrant they will be taken into custody and held at Multnomah County Detention Center until the warrant is processed. Defendants remain in custody until a hearing can be scheduled and takes place (usually the next business day). The hearing serves to assign a new court date returning the case to active status and addresses release.

"Set Overs"

Set overs are requests made of the judge to schedule a court appearance for a date in the future. Defense attorneys and the State are both allowed a fixed number of set overs. For example, the defense may request a set over if they need time to interview witnesses or to further investigate the charges. The State may request a set over if a police officer scheduled to be questioned as a witness is not available or if they cannot locate a key witness. The judge allows the first few set overs without much explanation, but will request an explanation after recurring instances of requests for set overs, and may deny the request.

First STOP Court Appearance

If clients decide to commit to the two-week trial period in STOP, their case is set over at this first appearance. The two-week period is intended for clients to see if the STOP Program is appropriate for them. Clients who decide to decline the STOP Program are assigned a new attorney and their case is added to the Assignment Call Docket for a future court date.

Grand Jury

Defendants who have declined the STOP Program have their cases heard by the Grand Jury. At a Grand Jury proceeding, the State calls witnesses and presents evidence to convince jurors of sufficient evidence against a defendant to bring formal charges against them. Neither the defendant nor their lawyer is present at these proceedings. The Grand Jury decides whether the District Attorney can proceed with the case. Three dispositions are possible; 'true-bill,' 'no complaint' or 'cannot proceed.' A defendant's case will be 'true billed' if the defendant is indicted and the DA can proceed with charging the defendant. 'No complaint' denotes that the case is dismissed and the defendant will not be charged. The case will receive a 'cannot proceed' disposition when an indictment is not being pursued at that time, but the case is left open and the State may charge the defendant for up to three years. Grand Jury results are reported before the start of Arraignments the following day in court. The District Attorney reads the Grand Jury Report if a case has been dismissed (3 years) the defendant is free to go, if a case has been indicted, the defendant is required to schedule another arraignment date with their attorney. At this arraignment an Assignment Call date is set.

Assignment Call

When defendants' are indicted by the Grand Jury, their cases are set out for Assignment Call. Defendants are required to attend this appearance. Assignment Call is essentially a status check, the State and the defense attorney inform the judge of the status of the case and either ask for a set over or to be scheduled for Drug Call. In most cases, Drug Call is scheduled for a date 4-6 weeks after Assignment Call.

Drug Call

Drug Call is also a status check hearing. Defendant attendance is required. At Drug Call, the defense attorney and the State report their readiness for the case to proceed or make requests for set overs. Drug Call is an opportunity for the defense attorney and the State to announce their intentions for the case. A case may be resolved with a plea made by the defendant or scheduled for a trial. If the case is determined to be ready for a plea, the judge will then send the case to another judge's courtroom for the plea to take place that same day. If a case is ready for trial, the judge will send the case to another judge's courtroom for a trial to start within a few days. A case at Drug Call can also be set for a Motion to Suppress proceeding.

Motion to Suppress Hearings

A Motion to Suppress proceeding is requested by the defense attorney in an effort to suppress evidence being presented by the State. If the defense proves to the judge that the evidence should be suppressed, the state will often dismiss the case. Most Motion to Suppress proceedings involve the defense attorney attempting to prove that narcotics found on their client were obtained through an illegal search and seizure. During a Motion to Suppress Hearing, police officers will often testify on how they obtained evidence. The State and defense are provided time to present their cases, call witnesses, and cross-examine each other's witnesses. There is no jury present at a Motion to Suppress Hearing. The judge examines the testimony given and decides on the legality of the obtaining of evidence. If the judge rules in favor of the State and the motion is denied, the case will be sent back to Drug Call to be scheduled for a Trial or Plea Hearing. If the judge rules in favor of the defense, the evidence will be excluded from the case. The State has two choices then, to return to Drug Call to have the case heard without the evidence or to dismiss the case. Typically, the State dismisses the case.

Plea Hearings

At the request of the defense attorney, a Plea Hearing can be scheduled at Assignment Call, Drug Call, or before a Trial. At a Plea Hearing, defendants enter a plea of 'guilty' or 'no contest' to the charges brought against them by the State. Before hearing the plea, the judge will explain a defendant's right to a jury trial and that they are waiving that right by choosing to plead to the charges. The judge reads the charges and asks the defendants for a plea. After the plea has been entered, the judge determines the sentence. Usually the State recommends sentencing based on the agreement made previously between the defense attorney and the district attorney's office. Judges typically follow the State's recommendations, but may choose not to.

Trial

For cases where the defendant has entered a plea of 'not guilty' or has lost a Motion to Suppress Hearing, the judge will schedule a Trial date at Drug Call. The Trial consists of the State and defense attorney's presenting their cases before a jury. After hearing the case, the jury decides on a verdict of guilt or innocence. The judge, in accordance with the law, sentences a defendant that is found guilty. Defendants found guilty will usually receive sentences that include both jail and probation time. Defendants who are acquitted (found innocent) have their cases dismissed.

Sentencing

In the recent past, defendants were generally sentenced to 30 days in jail, a drug free zone exclusion and 18 months of probation. Jail time is assigned with a "turn self in" date or the defendant is taken into custody at the Hearing. Conditions of probation can include: a drug evaluation, successful completion of treatment, random drug testing, obey all laws, submit person/residence/vehicle/property to search by Probation Officer, maintain full-time employment or school, community service work, driver's license suspension and no firearms. Due to current budget cuts (February 2003), the DAs office cannot prosecute simple drug possession charges at this time, therefore, no adjudication or sentencing is occurring in these cases.

Probation

Probation sentences for PCS charges are usually 18 months long. Multnomah County Community Justice provides probation supervision. Supervision by a Probation Officer includes monitoring defendants in the community and ensuring defendants follow through with the conditions of probations set forth by the judge at the time of sentencing. Supervision by probation includes recommendations for treatment based on an alcohol and drug assessment that takes place when a defendant begins probation. Treatment may include attendance at twelve step programs, inpatient treatment and random drug testing. If the defendant fails to follow the conditions of probation, the Probation Officer has the authority to file a Violation of Probation with the court, which usually results in a hearing and the defendant could be taken into custody.

Probation Violation Hearing

Defendants who violate probation will be ordered to attend a Probation Violation Hearing. A lawyer will represent defendants at the hearing. A representative from the probation department recommends a sanction. The decision made by the judge may be to continue the defendant's probation with or without a sanction (for example, community service or treatment) or to revoke probation, which may earn a defendant up to six months in jail.

Successful Completion of Probation

Defendants who comply with the terms of probation for 18 months have their probation terminated. They have no further obligations to their Probation Officer or the courts. A record of this charge, indictment, verdict and time served will remain on the person's criminal record.

What Do We Know About the STOP Drug Court Program?

History and Overview

Multnomah County instituted their drug court program in August 1991 using a Byrne grant and local city funds. Judge Harl Haas, Jim Hennings, Metropolitan Public Defenders, Norma Jaeger, Multnomah County Behavioral Health (A&D), and Tamera Holden, Adult Community Justice were instrumental in devising the first Oregon drug court. Haas visited the Dade County, Florida, drug court, which was one year old at the time, and saw that churches and the local county paid for treatment for those arrested on drug charges. He learned more about the drug court model and decided to establish a similar specialized court in Multnomah County. He negotiated with the Multnomah County District Attorney and the leader of the local public defender's office. The STOP (Sanctions, Treatment, Opportunities and Progress) drug court program was among the pioneer drug courts to be established in the United States. The program was designed to be a pre-plea offer to individuals arrested on drug charges. Upon successful completion of this intensive program, charges are dropped and a defendant can apply to have them removed from their criminal history record.

Conditions of eligibility have included, no evidence of distributing illegal drugs, no holds in other jurisdictions, no gang associations, no other felony or class A misdemeanors and no driving under the influence of intoxicants (DUII) associated with this charge. Participants were given one chance; if they tried the program and failed they would not be invited to participate a second time if arrested again. Over the years, eligibility for the program has changed to include or prevent new participants based on funding availability and treatment provider capacity. For example, in 1992, STOP closed the invitation to those defendants currently on probation or parole, but in July 1995, those defendants were once again eligible. Most likely as a result of a $500,000 USDOJ award the previous fall, eligibility changed again in the spring of 1996 to include those who had not successfully completed the program

A single drug treatment provider supplied outpatient treatment to participants when the program began in 1991 and the program was open to individuals charged with possession of a controlled substance (PCS). However, due to some questions about the quality of treatment, that treatment

provider was dismissed and in July 1992, the current provider, InAct took over as the sole treatment provider.

Judge Haas was the presiding judge for the first two and a half years of the program. He was replaced by Judge Robinson, and then in January of 1996, Referee Lawrence replaced Judge Robinson when the court moved to the local Justice Center. In March of 1998 Judge Haas brought the drug court back to the Multnomah County courthouse and resumed his post as presiding judge until January 2000 when Judge Douglas Beckman became the STOP court judge. Today, a former defense lawyer, Judge Edward Jones presides over the drug court in Multnomah County.

STOP Program Participants

The STOP Program is offered to people charged with Possession of Controlled Substance, Possession of More Than an Ounce of Marijuana and Tampering with Drug Records (forging prescriptions for pharmaceutical drugs). All of these charges fall under Oregon Revised Statute #475. The STOP Program was pre-plea for the first 10 years of operation. That is, participants did not have to plead to the charge or charges for which they were accused. Upon agreement to participate in the STOP program clients must formally acknowledge that they have waived their right to a trial by jury. Instead, upon self-termination (repeated failures to appear) or termination (treatment non-compliance) clients receive a stipulated facts trial. This alternative consist of the STOP court judge reading the police report and determining guilt or innocence without the benefit of a jury or witnesses.

Historically (between 1991 and September 2000), the drug court has graduated approximately one-third (32%, 1858 out of a total of 5818) of the people who have entered drug court, though this percentage has risen higher than 50% in some years. 2601 have declined the program (initially or at the end of the 14 day trial period). The STOP program as of 2002 had about 500 active clients. However, recent budget cuts have led the DAs office to stop prosecuting simple drug possession clients so that population is no longer being sent to drug court. In addition, the budget cuts have affected the treatment agency directly resulting in the agency letting go 26 of their 40 full-time staff. The future of this drug court is now in question.

STOP Program Enrollment

A defendant will be informed by the Public Defender at their arraignment if they are eligible for the STOP Program. These defendants are court-ordered to attend an orientation at the Metropolitan Public Defender's office at 8 A.M. the following morning. Following their orientation, and after the Public Defender has confirmed their eligibility, clients must appear at STOP court that day to declare their intentions. Please see Chart 1 for a detailed model of the flow of clients through the criminal justice system in Multnomah County and into the STOP Program.

Eligibility Screening

Eligibility criteria have changed over time due to changes in funding, space availability at the treatment agency and politics. The Program is offered to participants based on: arrest charge, criminal history, probation status, additional charges, status at other jurisdictions (holds or retainers) and previous participation in drug court. As in all criminal justice areas, discretionary power can be exerted by the district attorney or the judge in determining who is eligible. The Multnomah County District Attorney's office is responsible for determining client eligibility for the Program.

Participation has been denied based on prior convictions, prior STOP Program participation and probation/parole status. Convictions of a violent offense make a client ineligible. Major violent offenses such as Assault I and Armed Robbery are the types of crimes for which a client would be denied entry to STOP. Simple Assault and charges of this nature do not usually prevent a client from entering the STOP Program. STOP participants may have more than one charge when they enter the Program. A client may have two PCS charges or a Criminal Trespass or Theft charge as well as the Possession charge.

Public Defender Orientation

The Metropolitan Public Defender's STOP orientation begins with a 45-minute description the program. The legal assistant in charge of the STOP program presents this orientation. Curriculum for the session describes the benefits of the STOP program, including: treatment functions, acupuncture, drug testing, and dismissal of charges upon completion of program. The sanctions participants could receive for non-compliance are also covered. These include jail time, the stipulated facts trial, sit sanctions, detoxification programs, inpatient treatment and forest work camp. The legal assistant provides a clear picture of what a year in the STOP program will

be like. The participants then meet individually with their attorney to discuss their case. The attorney reviews the police report and gives the client advice on accepting the Program or taking the case to trial. The client ultimately has the final decision and must appear in STOP Court at 1:30 p.m. that afternoon to pronounce their intentions.

First STOP Court Appearance

All clients offered the STOP Program must appear before the judge at STOP the day following their arraignment. If a client declines the STOP Program they will be assigned a new non-drug court attorney from the public defender's office, if necessary, and their next court date will be set out to a future date on the 'Call Docket.' A client that decides to enter the Program is told to report to In-Act, the treatment provider the following morning at 9 A.M. The client is given a two-week 'set over.' The two-week set over is a 14-day trial period that provides a chance for the client to see if the STOP Program is suitable for them.

InAct Orientation

The admissions staff at InAct conducts the orientation. The potential clients participate in a one-hour group orientation. The admission staff describes what a year in the STOP Program will entail. Clients then have individual meetings with an admissions staff member to complete the intake paperwork and create their treatment schedule. The admission counselor assigns the client to a group for group counseling, an individual counselor and schedules acupuncture treatments, the intake assessment with their new counselor and a date for a physical examination with the InAct naturopathic doctor. The admission counselor also discusses insurance options with the client. If a client has private insurance then they will self-pay for treatment. Participants with no insurance are assigned an Oregon Health Plan (OHP) appointment.

Declaration Day

After two weeks of participating in the Program, clients appear in STOP court and declare their intentions. If they are staying in the program, they will continue with treatment and future court appearances will be scheduled (typically one-month from the declaration day). Clients do not have to plead to the charge for which they are entering. If a client declines the Program, their case will be set back on the trial docket and will be heard by a non-drug court judge. A client declining the program will be given a new lawyer at Metropolitan Public Defenders if necessary and have their case set on Trial Docket.

The STOP Drug Court Program

Clients who accept the Program will be working towards having their charges dropped by attending prescribed treatment services, appearing at drug court and paying STOP Program fees. InAct provides treatment for most clients. Resources are made available to clients such as Oregon Health Plan enrollment services and connections with community resources.

Court Appearances

Clients appear before the judge based on the treatment phase they are currently completing. During court appearances the judge checks in with the client's progress, both from the client's perspective and the treatment provider's. The treatment liaison provides information to the judge on the client's progress from the counselors at InAct. The District Attorney makes note of subsequent arrests and brings this data to the courtroom. The judge offers encouragement and rewards to clients who are complying with the treatment regime. The judge also imposes sanctions, checks on the completion of previously imposed sanctions and the status of their fee payment. Bench warrants are issued and lifted based on a client's appearing in court as scheduled.

Warrants

Most appearances require a defendant's presence in the courtroom. If a defendant fails to appear in the courtroom, a bench warrant will be issued for their arrest by the judge. If the defendant is stopped by law enforcement for any reason and has a warrant, they are taken into custody and held at Multnomah County Detention Center until the warrant is processed. Clients remain in custody until they can appear at drug court, usually the next business day.

Sanctions

Sanctions are used in the STOP program as tools to help enforce the rules and to assist clients in their completion of the program. Sanctions are employed as punishments as well as motivation for participants. Individual judges have their own style of imposing sanctions. An important motivational tool used by drug court judges is the 'impose but suspend' rule. This is accomplished by the judge imposing a certain sanction, but suspending it until the client's next court date. This is often used when a client is doing poorly in the program. At the following court date, if the client is doing better or completed specific tasks required by the judge, the sanction is not imposed. The judge may leave the sanction in 'impose but suspend' status for the following court date. This approach can be described as 'the ball is in your court' approach. If a client at

the following court date has not performed up to expectations, the judge imposes the promised sanction. Sanctions can only be imposed by the judge, with or without recommendations from the treatment counselors. Sanctions are often graduated, that is they steadily increase with the severity of the non-compliant behavior. The court always follows through with its threat of sanctions and imposes them swiftly after they are ordered. Sanctions are consistently imposed across individuals for similar noncompliant behavior or actions. The types of sanctions used by the Multnomah County STOP Program include 'sit' sanctions, forest work camp, jail sanctions and community service.

- Sit Sanction. A sit sanction is usually the first sanction that is handed down by the court when a client begins to fail to comply with treatment and court orders. A client that receives a sit sanction is required to sit in court and observes the day's proceedings. Sit sanctions usually last for two days but can be as long as a week. A client receiving a sit sanction is often required by their counselor to write an essay describing their observations in the court room, what they learned from the sit sanction and how it can be applied to their recovery.
- Forest Work Camp. Forest work camp is more severe than a sit sanction. Forest work camp is in a wooded area about an hour outside of Portland where people are sent to do conservation work. Participants can be sentenced to two to three weeks at the camp for violating the Program rules. A client sanctioned to forest work camp will also attend treatment while at the camp. Groups and counseling sessions are conducted at the camp. Forest work camp removes clients from their current problems and gives them the opportunity to reflect on their issues. It is used as a sanction, but clients have mentioned anecdotally that it helped to turn them around. Participants have been sentenced to forest work camp for as little as week and as long as a month.
- Jail Sanction. The jail may be used as a sanction in several ways. Occasionally a judge will impose a jail sanction as an immediate detoxification. Participants are given a chance to locate a detoxification facility on their own. If they are unable or unwilling, the judge sentences them to a five to seven day 'jail detox.' Jail is occasionally used as a motivational tool as well. The judge may give a client a one-day jail sanction for every treatment function missed; suspend the sanction until next court date and see how the client performs. For example, if the client attends all treatment sessions, no jail days are ordered. However, if a client misses three group counseling sessions and one urinalysis (UA) test then the client might receive four days in jail at their next court appearance. The judge may impose one day of jail for each positive urinalysis test. Jail is also used to hold participants in custody while they are waiting for a residential bed. This is usually on the advice of the client's personal counselor. A client in custody waiting for a residential bed could remain in jail as long as six

months due to the lack of available treatment facilities. Counselors caution clients that waiting in custody for a residential bed is imminent when they are unable to avoid substance use; this sanction is never a surprise. In spite of all the possible ways to use jail as a sanction, this sanction is imposed rarely. On our intensively tracked clients, an average of 0.4 jail days were imposed.

- Community Service. Community service is used as an alternative to forest work camp for female clients (there are no forest work camp facilities for woman), but may also be imposed on men. The judge will assign eight hours of community service for each positive urinalysis test and/or each treatment function missed. The client is always warned that a full day of community service will be forthcoming if they are unable to comply with treatment requirements.

Rewards

A client is succeeding in the Program when they are making an effort towards or are free from drugs according to their urinalysis tests and in good attendance at the treatment provider. Clients can be rewarded in several ways. A 'quick list' of individuals who are doing well or making a commendable effort is compiled by the treatment liaison. Clients on the quick list are called first on the docket. Being called first can mean the difference between sitting in court for ten minutes and sitting in court for 4 hours. Another reward is the six-week set-over. Participants performing well earn the right to appear in court every six weeks instead of every four.

Program Fees

A $400 fee is required to be paid before a dismissal disorder will be signed by the judge. A client can graduate if they have paid at least half. Participants failing to pay the $400 fee in a month of entering treatment are charged an additional $50 in interest. No pre-determined monthly installment is expected; however the judge makes monthly inquiries about each client's fees. Once entering the Program a client is bound to pay the fee regardless of their outcome. A client who is terminated from the Program is still responsible for the fees. The judge has discretionary power on imposing an individual's Program fees and may waive all or a partial amount. Participants receiving Social Security Income and those facing economic hardships may have their fees waived.

STOP Program Treatment Options

InAct is the only contracted treatment provider for the STOP Program. InAct provides case management for all participants, including those who receive treatment elsewhere. Clients may receive treatment elsewhere if they require residential services, methadone treatment for heroin abuse or live outside of Multnomah County and prefer to attend counseling sessions in their community. For most clients, treatment involves attending counseling sessions, submitting to drug testing and acupuncture treatments at InAct. Successful clients complete three phases of treatment.

Drug Court Treatment Phases

The STOP Program has three phases that vary in length by client need. For example, a client can move rapidly through Phases I and II and spend the majority of their time in Phase III.

One of the requirements for graduation is that clients must have spent 365 days in the Program. A client has what is called a 'STOP clock.' The STOP clock is the amount of treatment days a client has in the program. If a client absconds and is placed in bench warrant status by the judge, their STOP clock is stopped. For example, if a client is in bench warrant status for 45 days their time in the program is extended by 45 days to make up those days in treatment. Days away in bench warrant status are not counted towards treatment time. When a client returns to the Program from bench warrant status, their STOP clock starts again.

During Phase I, a client is expected to attend three group counseling sessions and three acupuncture treatments per week. The client will also have at least one monthly meeting with her or his personal counselor and a minimum of one court appearance per month.

Phase II program requirements are often adjusted based on client needs. Clients in Phase II typically attend two group counseling sessions per week. Clients may stop attending acupuncture treatment if their counselor determines it is no longer necessary. During this phase, the client may also be put on 'one on one' status. One on one status is weekly individual sessions with their counselor. In Phase II, the client will have at least one court appearance every six weeks.

Phase III includes one group counseling session per week and one individual counseling session per month. The judge and InAct staff work together to determine the number and frequency of court appearances. Clients complying with program requirements may be given a six week set over or monthly set over. Participants performing poorly may be ordered to appear in court

weekly or bi-monthly. People who are in danger of relapse, harming themselves or who are waiting for space availability at a detoxification program or inpatient treatment may be given daily court appearances. The judge and court team are able to provide structure and incentives to stay clean until assistance in the form of inpatient treatment or detoxification is available.

Urinalysis

InAct performs the STOP Program urinalysis drug testing. All clients are randomly tested at least once a week. Clients are assigned a number upon entry into the Program and are responsible for calling the 'UA line' each day to see if their number has been chosen. Numbers may be called more than once a week. A client having trouble staying clean or suspected of dishonesty may be randomly tested up to three times a week. Clients treating at the methadone clinic or in a residential center are also required to have weekly random urinalysis testing at their treatment center. Clients in jeopardy of missing a drug test may also have an off-site certified lab perform a urinalysis if they are unable to get to InAct. The results must be sent to InAct for verification.

Aftercare

Aftercare is not a requirement for the STOP Program. One year of Aftercare is available to all participants who have graduated. After care programs are designed based on client needs. After graduation, a client is eligible to attend as many group counseling sessions as desired, may meet with their individual counselor, attend educational classes provided at InAct and remains eligible for mental and physical health services provided by InAct. Although strongly encouraged, participants are not required to participate in aftercare activities.

Client Outcomes

The goal of the Program is to keep clients engaged until they have completed the graduation requirements. The Program seeks to graduate as many clients as possible. Clients are introduced to a drug-free existence. Ideally at graduation, clients have jobs or career prospects, have started or are into looking into GED classes or college coursework, have adequate housing and are working on family issues. Termination from the Program is a last resort. The Program philosophy is to support clients and give them as many opportunities to succeed as possible, as it may be the last chance for some to get off drugs. Even if a client is using substances, while participating in the Program, if they are attending treatment and court sessions, the STOP Program will continue to work with them. Often the judge will say, "You're a drug addict, we know you might use but you

must at least fill the chairs." Participants are far more inclined than the Program to give up. Self-terminations are far more common than Program staff initiated terminations.

Self-Termination

Self-termination can happen at any time during the Program. Clients choose to end their participation in the Program for many reasons. Anecdotally, the most frequent reasons include: choosing not to go to jail to wait for a space at a residential treatment center, time commitment issues, or are just not interested in the program anymore. Historically, (and during the time of our sample) a client who terminated received a stipulated facts trial, was usually convicted of the charges and sentenced to 30 days in jail and 18 months on probation. As of June 2001, STOP clients plead guilty to their charges when they choose to participate in the Program and are sentenced at their termination to 10 days in jail and 18 months on probation and are also sent to the alternative drug court (Clean Court).

Termination

The District Attorney and the treatment provider recommend terminations to the judge, who ultimately has the final decision. Subsequent arrests for violent crimes result in an immediate termination from the Program. Clients charged with a violent crime during the Program are automatically terminated. Terminations occur for a number of reasons. Clients who repeatedly abscond from the Program may be terminated. Clients who tamper with their urine samples for drug tests may be terminated. Clients who constantly use drugs may be terminated. Clients who are unable to engage in treatment for extended periods of time may face termination. Termination is used as a last resort in the STOP Program. Participants are given many chances before they are terminated. Clients are warned in advance of a possible termination and given alternatives before it actually happens. Terminations rarely happen if a client is engaged in treatment. After the judge has exhausted all other sanctions, they will order a ninety –day 'up or out.' An 'up our out' is the participant's last chance. The client has ninety-days to graduate the program or face termination. This gives the client one last try to comply with Program.

Graduation

Three hundred and sixty-five days in treatment are required to graduate the Program. In addition, clients need six consecutive clean urinalysis tests and a recommendation from their individual counselor to complete the Program. Graduates complete an exit interview two days before the

formal graduation. The exit interview is private discussion between client, judge, public defender, and the District Attorney. Clients are asked to share thoughts and feelings on the Program, make suggestions for program improvement and highlight the most helpful aspects of the Program for them, especially what helped them avoid drugs. Graduation is held at the drug court during a regular court session. Graduations begin the drug court proceedings for that day and last for about an hour. Graduation is used to inspire other Program participants. At graduation, clients receive a certificate of Program completion, gift certificate for a local restaurant and their booking photo from their original arrest. The treatment provider, judge, District Attorney, and public defender give speeches to the graduates. The judge then allows each graduate to speak. Friends and family members of the graduates and InAct staff are given an opportunity to speak as well. The District Attorney then requests all charges be dropped against the defendants and the judge finalizes the order.

The STOP Program Drug Court Team

The drug court team acts a cohesive unit to help each client complete the Program. Unlike standard court proceedings, there are no adversarial relationships between team members. The public defender and District Attorney have the same goal in this courtroom-- to help each client stop using substances and remove the pending felony from their record. Each team member's role is vital to the success of the participants. The team members include the judge, treatment coordinator, the public defender, the public defender's legal assistant and the District Attorney. The team meets daily.

Drug Court Team Meetings

The drug court team meets informally everyday to share information on participants. The treatment coordinator informs the team of clients who are at-risk for failing to comply with treatment, clients who are doing poorly or who are having a relapse. They also talk about any special circumstances arising for a client. These informal meetings provide a forum to discuss at-risk participants before the court proceedings begin. This ensures that everyone is on the same page before the court session begins. The drug court team also has monthly formal operations meetings to determine new policies and work out questions and concerns of the team members.

Judge

The judge plays a unique and very important role in the STOP Program. The judge is the only team member who can impose sanctions, terminate a client from the Program or order a client to attend either a detoxification program or residential treatment. The judge uses judicial discretionary power where necessary. The treatment coordinator and District Attorney can only recommend sanctions for the judge to consider. Clients look to the judge for guidance as they struggle with their recovery and praise when deserved. The judge's compliments or criticisms are quite significant to some participants. The participants are held accountable for their actions by the judge.

The current judge has an understanding of substance abuse issues and strives to be compassionate to the clients as they work on their recovery. Participants have serious issues in their lives and their addictions must be taken into account. The judge uses his own attitude to assist clients with complying with Program requirements. He knows there is a time for harshness and a time for understanding. The judge understands this is not a one-chance program. Each client is given time and patience to turn their addiction around.

Treatment Coordinator/Court Liaison

The main function of the treatment coordinator is to provide a link between the treatment counselors and the court. The treatment coordinator discusses each client on the docket with each personal counselor before attending the team meeting. The treatment coordinator speaks in court for each client's personal counselor. This connection provides a direct account of the client's progress. The treatment coordinator makes recommendations on sanctions and rewards to the judge. The treatment coordinator in the STOP program is also a certified substance abuse treatment counselor and is able to offer participants guidance in their recovery.

The current treatment coordinator has a great understanding of the drug court and treatment. He has persuaded participants from terminating the STOP Program on numerous occasions. His role in court as acting counselor is invaluable. Participants turn to him for guidance in the court on a wide range of issues. The treatment coordinator always has an open ear for his participants.

Public Defender

The public defender's role in drug court is different than regular court. While mindful of clients' interests, the public defender understands that the clients' best interest may be jail time.

Sanctions and the judge's ability to determine when to use them are part of the Program's curriculum. The public defender rarely objects to sanctions imposed by the judge. Working as part of the team, the public defender understands that sometimes protecting participants from sanctions would undermine the court's intentions. There is one occurrence that the public defender will defend his participants vehemently; this is termination. The public defender will do his best and make his best argument to STOP his participants from being terminated from the program. A client faced with termination will have the public defender doing everything in his power to STOP his client from being terminated. The public defender also makes recommendations to the court about participants. The public defender may recommend certain sanctions that he believes would be beneficial to his client's efforts to stay clean.

Public Defender's Legal Assistant

The legal assistant for the public defender plays a vital role between the client and the STOP Program. She introduces the Program to the participants and instructs clients how work within the criminal justice system as they complete the Program. She offers information on how to rescind a bench warrant, schedule their community service hours and add their name to the docket for court appearances if needed beyond their scheduled drug court date. She is responsible for the daily monitoring of participants and their current situations and reporting this information to the court. If a client is unable to attend a court appearance, the legal assistant is the client's contact person. The current legal assistant for the STOP program maintains participant files and all information is organized and updated regularly. The participants rely on the assistant as they navigate the Program.

District Attorney

The District Attorney represents the interest of the State during STOP court proceedings. The District Attorney makes recommendations to the judge on sanctions and terminations. The District Attorney is focused on the success of all participants but is also ensuring the integrity of the Program. The District Attorney will suggest termination as a reminder to the client to take their participation seriously. The recommendation is often a bluff to remind the client of the potential felony conviction if they fail to comply with Program requirements.

Program Challenges and Successes

The current graduation rate of 45% (2287 graduates/5080 participants, *numbers provided by InAct*) is probably the greatest reward for the STOP Program team. This drug court was the second drug court to be developed and has been replicated nationwide. Drug court teams from across the country come to observe the Multnomah County STOP court for educational purposes and to ask for guidance on how to run a successful drug court program. The largest challenge faced by the team is administering the program without enough or consistent funding.

Other successes include:

- Good collaboration among team members,
- Frequent and highly structured court and treatment session,
- A system of graduated sanctions,
- A holistic view of treatment,
- Listening to participants and taking a genuine interest in them as people,
- Helping participants with tangible successes such as obtaining a GED; and
- Having dedicated team members who devote their time and energies to a program that they really believe in

Challenges include:

- The availability of consistent funding
- The program is often at or near capacity. More funding is needed to treat all eligible participants. InAct is working with the most clients in its history with the smallest amount of staff.
- Inpatient services are needed and Inact would like to be able to provide these services, but lacks the funding to do so.
- The large numbers of clients needing treatment
- How to handle participants in bench warrant status for long periods of time
- Educating judges about substance abuse treatment

Hearing Descriptions and Durations for Multnomah County

Drug Court Hearings

STOP Court

- **First STOP appearance:** Potential drug court participant attends entire court proceedings. Treatment provider/judge explains participant's requirements. Clients then chose to either decline or participate in a two-week probationary period.
  Duration: 420 seconds (7 minutes)
- **Two-week set over STOP appearance:** Potential drug court participant attends court and declares his/her decision to either enter or decline program.
  Duration: 240 seconds (4 minutes)
- **STOP Court (standard):** Drug court participants attend hearings set over by judge from previous hearings. The baseline for set overs is four weeks. It can vary from as little as daily (extreme cases) to as many as six weeks between appearances.
  Duration: 120 seconds (2 minutes)

Present for all above appearances: Judge, DA, Public Defender attorney, Public Defender legal assistant, treatment provider, clerk, 2 Corrections Officer if in-custody client

AVERAGE DURATION FOR ALL STOP APPEARANCES: 146 seconds (2.43 minutes)

Exit Interview: A semi-formal review with STOP team to discuss participant's experience in the program. Team approves graduation for participant. Team can also revoke graduation approval per participant's counselor.
Duration: 373 seconds (6.22 minutes)
Present: Judge, Public Defender, DA, court liaison for InAct (in judges chambers)

Graduation: Final appearance in STOP court. Opportunity for client to be recognized in successfully completing STOP program. Clients with no balance on STOP fee will have case dismissed by DA.
Duration: Average is 52 minutes, 43 seconds (keep in mind this is not a "per person" time – there can be anywhere from 2 to 20 people graduating at a time! This average is a "per-graduation event")
Present: Judge, judge's clerk, Public Defender, PD's legal assistant, DA, court liaison for InAct approximately 10 InAct staff.

Review Hearing: Hearing set out by STOP judge for clients who have terminated from STOP. Opportunity for judge to review client's community performance.
Duration: 89 seconds (1.48 minutes)
Present: Judge, judge's clerk, Public Defender, DA

Traditional Court Hearings

Arraignment: Initial court appearance where newly arrested people receive their first court date and address custody status.
Duration: 105 seconds (1.75 minutes)
Present: Judge, DA, Public Defender attorney and legal assistant, Judicial Assistant, judges clerk, bailiff, Corrections Officer if in-custody

Grand Jury Report:

This is simply a report date where the DA reads aloud in court (prior to arraignments) the results of the Grand Jury report – whether cases on the docket were indicted (true billed) or "no-complaint." He/she begins with an

explanation of what "true billed" and "no complaint" means, as well as defendant's responsibility in response to the outcome of their report. We have no info regarding the actual Grand Jury process.

Duration: Average time from beginning of explanation to last report read off docket is 4 minutes, 46 seconds
Present: Judge, DA, Public Defender attorney and legal assistant, Judicial Assistant, judges clerk, bailiff. However...the only person really participating is the DA – he/she simply reads results.

2nd Arraignment: If a client's grand jury report comes back with a "true bill", they must attend this appearance in order to be arraigned on the indictment, address any custody issues again, and set the next court date (Assign Call).

Duration: Average is 127 seconds (2.12 minutes)
Present: Judge, DA, Public Defender attorney and legal assistant, Judicial Assistant, judges clerk, bailiff, Corrections Officer if in-custody.

Assignment Call: Provided a case doesn't plead out in between arraignment and this appearance, this is the next court appearance following arraignment that defendants are required to attend.
The status of their case is reported by the attorney, and the case is set for next appearance, which is either a plea, trial or, when it's a drug case, drug call.

Duration: 35 seconds (0.58 minutes)
Present: Judge, DA, Public Defender attorney and legal assistant, Judicial Assistant, judges clerk (in custody folks are not brought in for this)

Drug Call: This appearance is for drug cases only. Attorneys and DA's report "readiness" of case from BOTH sides: whether they are ready for trial or plea or need a set over. Each "side" gets a certain number of set overs. Judge then either grants a set over, or sends case out to another judge for plea or trial.

Duration: 48 seconds (0.8 minutes)
Present: Judge, 4 DA's, Public Defender attorney, Judicial Assistant, judges clerk (in custody folks are not brought in for this)

Plea/Sentencing: Time and place for defendants to enter a plea of guilty in lieu of trial and be sentenced.

Sentence determined before actual plea happens.

Duration: 556 seconds (9.27 minutes)
Present: Judge, DA, Defense Attorney, judge's clerk, Corrections Officer if in custody

Trial: Hearing to determine the guilt or innocence of defendant. Only 4 of our study participants went to trial.

Duration: Mean = 8883 seconds (approximately 2 ½ hours)
Present: Again, it varies. Always a judge, clerk, DA, Defense Attorney, any witnesses.

Probation/Parole Violation Hearing: Hearing to address probation/parole violations committed by defendant. Judge, DA, and probation liaison discuss possible sanctions. Judge imposes sanction.

Duration: 391 seconds (6.52 minutes)
Present: Judge, DA, Defense Attorney, judge's clerk, 2 Corrections Officers, probation court liaison.

Hearing for New Dates: For purposes of lifting bench warrants and setting new court dates for defendants who had failed to appear for a previous court date.

Duration: Average is 9 seconds
Present: Judge, DA, Public Defender attorney and legal assistant, Judicial Assistant, judges clerk, bailiff, Corrections Officer if in-custody (significant number

Pretrial Conference/Hearing: This hearing is for misdemeanors only! It's wild and crazy and hard to explain: basically it is a time for the DA's and attorneys to negotiate pleas. These are held on Fridays only and take up most of the morning. MANY are set all at once so there are attorneys and DA's everywhere! Defendants gather in the hallways of one of four courtrooms, wait for their name to be called by their attorney, then discuss (still in the hallway) what the DA is "offering". The attorney then goes back into the crowded room of DA's to renegotiate, if necessary. Eventually, defendants end up in the courtroom before a judge and any of these things could happen: plea/sentencing, set for trial, set over, or bench warrant if no-show.

Duration: The whole "scene" goes on for 2–3 hours. Once in the courtroom, if the case is set over or a bench warrant issued, the time is about 10 seconds. If a plea happens, the average is 9.57 minutes.
Present: Judge, several DA's handling several cases, several Defense Attorneys handling several cases, judge's clerk, 2 corrections officers.

Clean Court: This appearance is for clients who have been terminated from the STOP program, or are not eligible for STOP, and are ordered to participate in the Clean Court Program. Clients are ordered to appear in court on an as-needed basis (similar to STOP).

Duration: 302 seconds (5 minutes, 2 seconds)
Present: Judge, DA, Defense Attorney, Legal Assistant (to defense), judge's clerk, 2 corrections counselors

Community Court: At this appearance, clients with certain misdemeanors and violations receive the option of going to trial OR pleading guilty to the charge and receiving a sentence of community service (between 8-20 hours).

Duration: Average is 121 seconds (2 minutes, 1 second)
Present: Judge, DA, Defense Attorney, Legal Assistant (to defense), judge's clerk, sheriff deputy