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# SUPREME COURT OF VIRGINIA



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December 22, 2009

The General Assembly of Virginia  
Division of Legislative Automated Systems  
910 Capital Square  
General Assembly Building, Suite 660  
Richmond, VA 23219

Dear Senators and Delegates:

The Virginia Drug Treatment Court Act (Virginia Code 18.2-254.1) directs the Office of the Executive Secretary of the Supreme Court of Virginia, with assistance of the state drug treatment court advisory committee, develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. Pursuant to the Act, a report of these evaluations shall be submitted to the General Assembly. Please find attached the current evaluation report.

If you have any questions regarding this report, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "KRH".

Karl R. Hade

KRH:atp

Enclosure

**Program Evaluation of Virginia's Drug Treatment Courts**

**2009 Report**

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## **EXECUTIVE SUMMARY**

Legislative attention to the drug treatment courts culminated in the passage of the Virginia Drug Treatment Court Act in 2004, thereby directing the Supreme Court of Virginia to provide administrative oversight for the state's drug treatment court programs. In this capacity, the Supreme Court of Virginia is mandated to oversee an evaluation of all drug treatment courts operated and implemented in Virginia. This report summarizes recent program evaluation findings, in fulfillment of this legislative mandate.

### **Evaluation Activities**

Although the evaluation of Virginia's drug treatment courts is an ongoing process, primary tasks completed during this evaluation cycle include:

- Monitoring of data from the Supreme Court of Virginia's web-based drug treatment court database; as well as supporting localities with data collection and data entry requirements;
- Analysis of performance measures for drug treatment courts, utilizing data from this system;
- Analysis of outcomes data from the drug treatment court database at SCV; and
- Analysis of recidivism data for exiting drug treatment court participants, based upon supplementary data sources (e.g., Virginia State Police and the Virginia Department of Juvenile Justice).

### **Key Findings**

A total of 28 drug treatment courts currently operate in Virginia, implementing four different models (adult, juvenile, family, and DUI). Data from twenty-six drug treatment courts initiated prior to 2009 were included in this evaluation effort.

This evaluation includes two specific samples: (1) adult, juvenile and family drug treatment court participants who were active on or since July 1, 2007 through September 30, 2009, as well as a sample of non-participants who were referred to the program, but not admitted, beginning July 1, 2007 through September 30, 2009 from the Supreme Court of Virginia Drug Court Database; and (2) DUI drug treatment court offenders who were active on or after July 1, 2008 through June 30, 2009, unless otherwise noted from the Fredericksburg Regional DUI Drug Treatment Court. During the sample timeframe, a total of 3,411 individuals were referred to a Virginia drug treatment court program. Of these, 2,354 (69%) were admitted. Selected analyses within this study examine differences between those who complete drug court successfully or graduate (completers), those who participate in drug court but do not successfully complete the program (terminated or withdrew) (non-completers), and referred individuals who are ineligible to participate or refuse participation (non-participants) identified as referrals in the drug court database.

This report summarizes evaluation findings with respect to several primary issues; such as post-program recidivism, within-program substance use, and drug treatment court performance measures. While it is important to note that the sample size and tracking periods may be enhanced in future research, and interpretations of findings will strengthen as more individuals complete program services, several interesting findings have emerged which are consistent with prevailing drug treatment court national studies. Specifically, the prevalence of rearrests is

favorable for drug court graduates as compared to non-participants, retention in substance abuse treatment for successful and unsuccessful participants is high, and the per-participant cost for drug court participants is lower than alternative sanctions for like populations. More details on key findings are summarized below.

### **Outcomes After Program Participation**

***Recidivism analyses suggest better outcomes for adult and juvenile drug treatment court graduates, as compared to non-participants, on prevalence of arrest and time until first arrest. Positive results are also notable for DUI drug treatment court graduates.***

Individuals who complete adult and juvenile drug court programs consistently showed lower rearrest rates than non-participants. Recidivism data further revealed lower rearrest rates for adult and juvenile drug court program graduates, as compared to non-participants, at the 12-month follow-up point. Completers in the adult diversion model had a rearrest rate of 17% as compared to 32% for non-participants. Completers in the adult post-adjudication model had a rearrest rate of 15% versus 21% for non-participants. Further, completers in the juvenile model had a rearrest rate of 28% when compared to 61% for non-participants. The differences revealed for rearrests remain, but are somewhat less prevalent, upon reviewing conviction statistics for adult and juvenile programs. Overall, individuals who have participated in the drug court programs, across both adult and juvenile models, have demonstrated lower recidivism rates than those who do not participate. Furthermore, individuals who graduate from the DUI drug court program demonstrate considerably lower rearrest (10%) and conviction (4%) rates than those who participate but do not graduate (25% and 9%, respectively).

### **Outcomes During Program Participation**

***During program participation, evidence of substance use was considerably lower for participants who completed the program versus those who were terminated or withdrew (non-completers).***

Evidence of substance use during program participation for drug courts is gathered via scheduled and random drug tests. About one-third of adult and one-quarter of juvenile program graduates demonstrated no substance use during participation. Overall, rates of substance use were almost doubled for unsuccessful participants when compared to program completers (graduates).

### **Estimated Drug Court Costs**

***Estimated costs for drug treatment courts are favorable when compared to alternative sanctions for adult and juvenile offenders, based upon available cost information.***

The annual cost of drug treatment court participation is estimated to range from slightly over \$6,000 per participant for adult diversionary and to under \$11,500 per participant for post-adjudication programs to over \$24,000 per participant for juvenile programs. The DUI program, which operates based largely upon offender fees, has a minimal estimated cost-to-taxpayer of \$48 annually per participant.

When converted to a daily cost per participant, drug treatment court costs compare favorably to other sanctions, such as Department of Corrections (DOC) incarceration, community corrections, and commitment to the Department of Juvenile Justice (DJJ). In all instances, when compared to



alternative sanctions for the same population, estimated daily drug treatment court costs are lower.

### **Compliance with Drug Treatment Court Standards**

*Most Virginia Drug Treatment Court programs show 100% compliance with established standards established by the Supreme Court of Virginia.*

Based upon findings from standards compliance review visits, conducted by the Office of the Executive Secretary of the Supreme Court of Virginia during 2009, all Virginia Drug Treatment Courts are wholly or largely compliant with the established Virginia Drug Treatment Court Standards. The visits included reviewing evidence to demonstrate compliance with each standard and practice, as well as attending the drug court staffing and status hearings with the drug court team. Any courts demonstrating compliance below 100% will be reviewed again in the upcoming year.

### **Drug Treatment Court Case Volume**

*The majority of individuals referred to drug court programs are admitted; however, many programs steadily operate under capacity.*

Over the course of the evaluation period, over 3,400 individuals were referred to drug court programs in Virginia. Of these, 69% (2,354) were admitted. However, a review of active enrollment compared to total program capacity at the end of FY2009 suggests that 16 of 28 operational programs are operating substantially under capacity.

### **Retention in Treatment Services**

*Drug court graduates (completers) spend substantial time in substance abuse treatment.*

Post-adjudication program graduates have an average length of nearly two years in the program, about four months longer than adult diversionary programs. Successful participants spend about 17 months in the DUI drug court program, 16 months in the family program, and 14 months in the juvenile programs. Retention in treatment is at least 5 months longer on average for participants who graduate (completers) versus those who unsuccessfully complete (non-completers) the programs.

### **Future Evaluation Efforts**

In 2010, the Office of the Executive Secretary of the Supreme Court of Virginia hopes to complete a cost-benefit analysis of appropriate programs from each drug court model. These efforts are contingent upon the availability of resources and data to support the study.

## I. INTRODUCTION AND BACKGROUND

From a national perspective, the movement to create a drug treatment court model was initiated in the late 1980s as a response to increasing numbers of drug-related court cases. Drug treatment court programs are specialized dockets within the existing structure of Virginia's court system. They provide judicial monitoring, intensive substance abuse treatment, and strict supervision of addicts in drug-related court cases. The power and intuitive appeal of the "problem solving court" model is evidenced by the rapid expansion of such courts throughout the United States since that time (National Association of Drug Court Professionals, NADCP, 2008).

The collaborative approach between the court and treatment provider is the core of the drug treatment court program. However, many other groups and individuals, such as probation and law enforcement supervision services, play a vital role in making these programs successful. Although the specific design and structure of drug treatment courts is typically developed at the local level to reflect the unique strengths, circumstances, and capacities of each community, the NADCP and the U.S. Department of Justice's Office of Justice Programs (1997) have identified ten standard components (commonly referred to as the *Ten Key Components*) that define model drug treatment courts and offer performance benchmarks to guide program implementation.

In Virginia, legislative attention to the drug treatment court model culminated in the Drug Treatment Court Act (*Code of Virginia* §18.2-254.1; see Appendix A), which was passed by the Virginia General Assembly in 2004. The Act directed the Office of the Executive Secretary of the Supreme Court of Virginia (OES) to provide administrative oversight for the state's drug treatment court programs, including distribution of funds, technical assistance to local courts, training, and program evaluation. The five specific goals outlined in legislation for Virginia's drug treatment courts include: 1) reducing drug addiction and drug dependency among offenders; 2) reducing recidivism; 3) reducing drug-related court workloads; 4) increasing personal, familial, and societal accountability among offenders; and 5) promoting effective planning and use of resources among criminal justice system and community agencies. In consultation with the state drug treatment court advisory committee, the Act also directs the OES to conduct and report annually on ongoing evaluation of the effectiveness and efficiency of all local drug treatment courts. This report is prepared for the 2009 General Assembly to fulfill this reporting mandate.

### Virginia Drug Treatment Court Models

Consistent with the National Drug Treatment Court movement, drug treatment courts in Virginia have developed locally in response to local needs and, therefore, vary accordingly. Drug treatment courts are most frequently encountered in the adult criminal justice system; however, alternatives to the adult drug treatment court model have also been implemented for other populations (juveniles, families in distress, DUI offenders) in an effort to address emerging problems within the traditional court system. Examples of common drug treatment court models are described below.

***Adult Drug Treatment Courts.*** Generally, adult drug treatment courts have taken two approaches to processing cases, deferred prosecution (diversion) and post-adjudication, though a few programs employ a blended service model which includes both case situations. In the ***diversion type*** program, the offender enters into a plea agreement with the Commonwealth's

Attorney, with the requirement that the offender successfully complete the program. Upon successful program completion, the charge can be dismissed/or reduced by the Commonwealth's Attorney, with the concurrence of the Court. This approach provides an incentive for the defendant to rehabilitate because conviction and incarceration are contingent upon successful compliance with the rigorous supervision and treatment requirements imposed in the drug treatment court. In the *post-adjudication type* program, the offender is already on probation. He or she requests drug treatment court after being charged with violating probation. The violation of probation is typically the continued use of illegal drugs. If accepted into the drug treatment court, the probationer avoids additional incarceration for the probation violation on the condition that he or she successfully completes the program. In both adult models, termination from drug treatment court typically results in incarceration.

Adult drug treatment courts handle felony cases with and without additional misdemeanor offenses involving drug-using offenders in Circuit Court. Overarching goals of the adult model are to reduce recidivism and drug use among drug-abusing participants. In serving this population, the programs utilize a blend of court-ordered supervision, drug testing, treatment services, court appearances, and behavioral sanctions and incentives. All of the adult drug treatment courts require a minimum of 12 months of participation for program completion, with one requiring as much as 36 months.

***Juvenile Drug Treatment Courts.*** Similar in concept, the juvenile drug treatment courts strive to reduce recidivism and substance use by processing substance-abusing juveniles charged with delinquency in Juvenile and Domestic Relations Court. The juvenile model likewise incorporates probation supervision, drug testing, treatment, court appearances, and behavioral sanctions and incentives. Such programs also strive to address issues which are unique to the juvenile population, such as school attendance for the juvenile and parenting skills for the parents/guardians, and the families of these juveniles play a very important role in the drug treatment court process. The parent/guardian is required to attend court hearings along with the juvenile. As with the adult model, the juvenile drug treatment court program targets reduced recidivism and substance use as primary outcomes. For each of these programs, the average length of participation is between 9 – 12 months.

***Family Drug Treatment Courts.*** Family drug treatment court programs focus on drug-addicted parents who are brought to the attention of the court through child abuse and/or neglect petitions in Juvenile and Domestic Relations court. Unlike criminal court models, family drug treatment court programs work towards the primary goal of providing safe and permanent homes for children by reducing substance use in parents. This program operates as a civil docket, with a supplementary goal of reducing substance use in parents who participate in the program. Family drug treatment courts integrate treatment, drug testing, social services, court appearances, and behavioral sanctions and incentives. For each of these programs, the minimum participation time is 12 months.

***DUI Drug Treatment Courts.*** Driving Under the Influence (DUI) drug treatment courts, targeted for offenders arrested for DUI, is modeled after the "Drug Court" concept. The primary goals of the DUI treatment court, operating within the General District Court, are to enhance public safety and reduce alcohol/drug use by these offenders. The DUI Drug Court is designed to address the treatment classified offender. Treatment classification indicates the offender has multiple DUI offenses or offenses that exhibit tolerance to alcohol/drugs and serious problems

related to abusive patterns of use. Virginia's current DUI drug treatment court provides intensive judicial oversight, community supervision and long-term treatment services for dependent offenders arrested for DUI. Under the DUI model, DUI offenders are court-ordered to the local Virginia Alcohol Safety Action Program. For those who require treatment, the DUI drug court is mandatory and charges will not be reduced or dismissed upon the successful completion of the DUI drug court program. The ultimate goal is to address the recurrence rate of Driving Under the Influence by promoting substance abuse intervention, in combination with immediate judicial sanctions that address the offender's substance abuse problem. For this program, the minimum participation time is 12 months.

### **Virginia's Drug Treatment Courts**

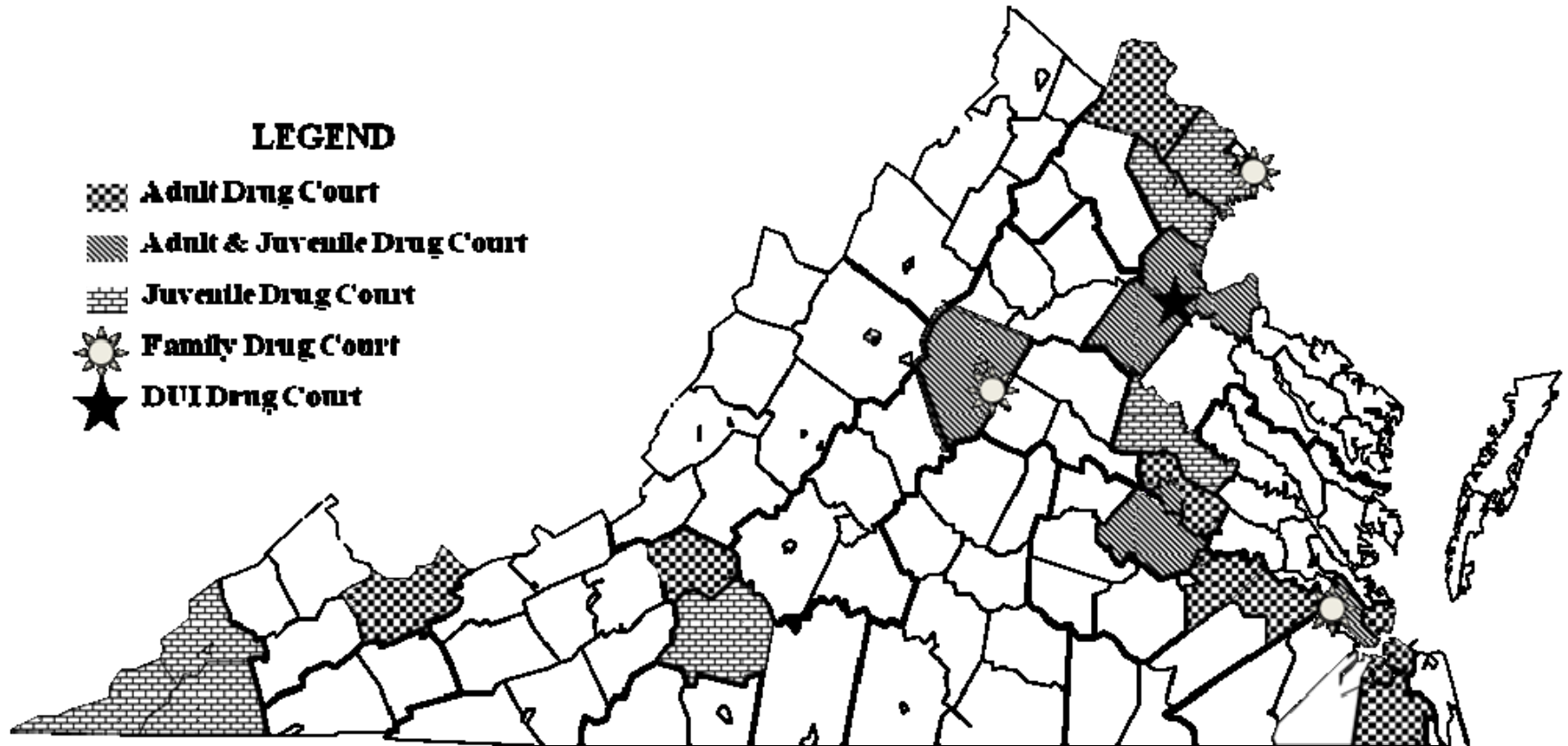
Virginia's first drug treatment court program, located in Roanoke, was developed in 1995 as a response to escalating numbers of adult drug offenders on court dockets. Since passage of the Drug Treatment Court Act 2004, the Supreme Court of Virginia has provided administrative oversight for the Commonwealth's drug treatment courts. The General Assembly currently provides funds to the Supreme Court of Virginia to administer to a total of 14 (10 adult and 4 juvenile) drug treatment court programs in Virginia.

Virginia currently has 28 drug treatment courts utilizing the four different models (adult, juvenile, family, and DUI). Currently, there are fifteen adult courts, nine juvenile courts, three family courts, and one regional DUI drug court operational in Virginia. Table 1 summarizes general characteristics of these drug treatment courts. Findings suggest that 16 of 28 courts were operating substantially below capacity as of June 30, 2009. A map portraying the locations of each court is provided in Figure 1.

<b>Table 1<sup>1</sup></b>				
<b>General Characteristics of Virginia's Drug Treatment Courts</b>				
<b>Locality</b>	<b>Court Model</b>	<b>Date Established</b>	<b>Total Program Capacity</b>	<b>Active Enrollment June 30, 2009</b>
<b><i>Adult Drug Treatment Courts</i></b>				
Charlottesville/Albemarle	Adult	July 1997	45-50	27
Chesapeake	Adult	August 2005	9	7
Chesterfield /Colonial Heights	Adult	September 2000	50	59
Hampton	Adult	February 2003	50	20
Henrico County	Adult	January 2003	No maximum capacity	43
Hopewell/Prince George County	Adult	September 2002	15-20	5
Loudoun County	Adult	June 2004	20	13
Newport News	Adult	November 1998	55	45
Norfolk	Adult	November 1998	50	55
Portsmouth	Adult	January 2001	75	28
Rappahannock Regional	Adult	October 1998	75	47
Richmond City	Adult	March 1998	60-65	35
Roanoke City/Salem City/Roanoke County	Adult	September 1995	80	105
Staunton	Adult	July 2002	20	12
Tazewell County	Adult	March 2009	New Program	New
<b><i>Juvenile Drug Treatment Courts</i></b>				
Chesterfield County	Juvenile	January 2003	20	15
Fairfax County	Juvenile	May 2003	12	4
Franklin County	Juvenile	July 2009	New Program	New
Hanover County	Juvenile	May 2003	No Maximum Capacity	10
Newport News	Juvenile	March 2002	25	14
Prince William County	Juvenile	February 2004	12	9
Rappahannock Regional	Juvenile	October 1998	20	13
Richmond City	Juvenile	July 1999	12	5
30 <sup>th</sup> District (Lee, Scott, and Wise Counties)	Juvenile	April 2002	No Maximum Capacity	26
<b><i>Family Drug Treatment Courts</i></b>				
Alexandria	Family	September 2001	15	16
Charlottesville/Albemarle County	Family	July 2002	15	8
Newport News	Family	July 2006	5	5
<b><i>DUI Drug Treatment Court</i></b>				
Fredericksburg Regional	DUI	1999	300 or more	328

<sup>1</sup> The Tazewell County adult drug court and Franklin County juvenile drug court were initiated in 2009 and are not included in these evaluation results.

Figure 1  
Drug Treatment Court Programs in Virginia



## II. PROJECT APPROACH

The primary purpose of this evaluation is to report data on performance measures and participant outcomes for drug treatment courts in the Commonwealth of Virginia. Specifically, this evaluation seeks to accomplish the following primary tasks:

- Describe drug treatment court referral and participant characteristics;
- Report on drug treatment court performance measures, including recidivism; and
- Report on court standards compliance.

For this report, both qualitative and quantitative data were collected through a variety of methods for a cohort of individuals who had become engaged with adult, juvenile, DUI, or family drug treatment courts. To capture the most accurate information, the study sample was restricted to two specific samples of drug treatment court participants: (1) adult, juvenile and family drug treatment court participants who were active on or since July 1, 2007 through September 30, 2009, as well as individuals who were referred to the program, but not admitted, beginning July 1, 2007 through September 30, 2009; and (2) DUI drug treatment court participants who were active on or since July 1, 2008<sup>i,ii</sup>. This process resulted in a cohort of participants including 1,351 adult drug treatment court participants, 274 juvenile drug treatment court participants, 64 family drug treatment court participants, and 663 DUI drug treatment court participants. In this report, data are generally reported separately for each drug treatment court model. Where feasible, data from the adult drug treatment court model are also reported separately for diversionary and post-adjudication models. Sources of data are described below.

***Existing Drug Court Database at the Supreme Court of Virginia.*** In 2006, the Supreme Court of Virginia initiated a web-based database to support statewide drug treatment court evaluation and case management. Participant-level data were collected for adult, juvenile and family programs, including referral and participant demographic information; drug and alcohol histories; criminal history information; mental and physical health histories; program compliance information; progress toward goals; program completion type; and program completion dates.

***External Sources of Participant Data.*** The DUI drug treatment court is mandated to enter data into the Inferno database of Virginia Alcohol Safety Action Program (VASAP); therefore, client data for this program were obtained from this source. Post-program arrest and conviction data were retrieved from the Virginia State Police and Virginia Department of Juvenile Justice databases for all participants and referrals in the cohort.

***Cost Information.*** Cost information were collected from all localities by providing coordinators with a “Cost Information Worksheet” which requested program costs associated with all aspects of the program, including drug court staffings, hearings, services (i.e., individual, group, intensive outpatient), and drug screens. The number of jail days imposed as a sanction was gathered from the Drug Court Database of the Supreme Court of Virginia. Data on the average daily cost of jail beds by each locality were gathered from the Virginia Compensation Board.

***Compliance Reviews.*** Data on adherence to Virginia Drug Treatment Court Standards was provided by the Supreme Court of Virginia, gathered during compliance site visits.

***Document Reviews.*** Document review activities further enhanced the data collected. Funding documentation and reports from the Statewide Advisory Committee and subcommittees were

reviewed. Where applicable, information from these supplementary sources was integrated into this report.



### **III. REVIEW OF DRUG TREATMENT COURT PERFORMANCE MEASURES**

The performance indicators for Virginia's drug courts portrayed in this report were identified from two sources. First, the literature on drug treatment court performance generally identifies five types of performance indicators which any program should track over time (Rempel, 2005). These include the following: case volume, participant profiles, case processing time, retention and graduation rates, and time to graduate.

Second, the Drug Treatment Court Advisory Committee, Evaluation Subcommittee developed additional measures to guide evaluation activities, as described below:

- Re-arrest rates within 6 months, within 12 months, and within 24 months for program participants who successfully completed a drug treatment court program (completers), program participants who do not successfully complete a drug treatment court program (non-completers), and non-participants (referrals) who were referred to a drug treatment court program but not accepted;
- Re-conviction rates within 6 months, within 12 months, and within 24 months for program participants who completed a drug treatment court program (completers), program participants who do not complete a drug treatment court program (non-completers), and non-participants (referrals) who were referred to a drug treatment court program but not accepted; and
- Within-program substance use based upon program drug test results.

Each of these performance indicators is discussed at length in this section.

#### **Volume of Referred and Initiated Cases**

Assessing the volume of drug treatment court cases addresses the question of whether or not programs are screening, assessing, and enrolling enough participants to sustain programs. This is particularly useful in Virginia, as many courts have reported operating below capacity for some time. Some courts have reported a decrease in the number of referrals into their program, particularly as funding has become less stable.

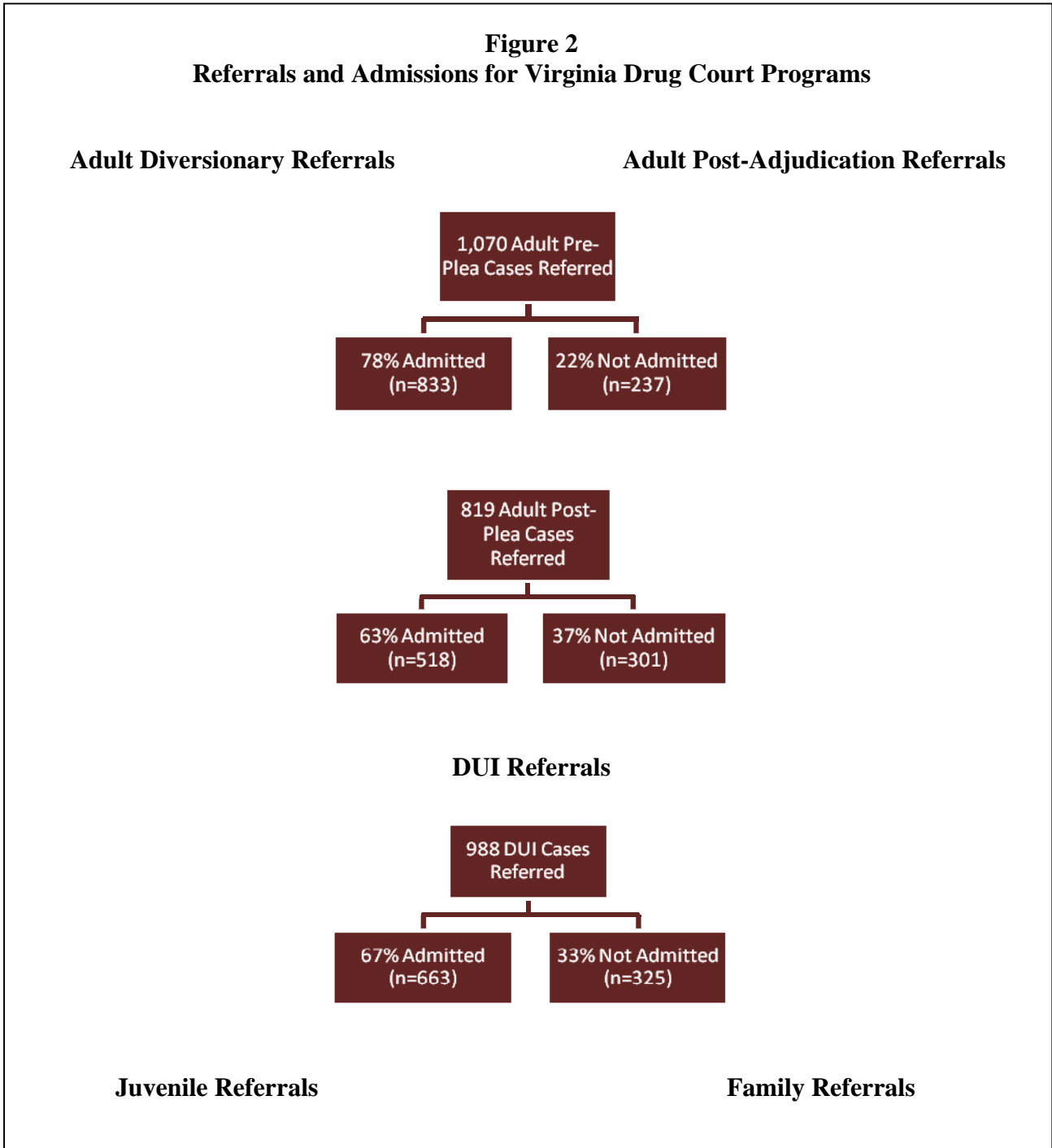
The process of referring participants into the drug treatment courts varies by court model but typically involves a formal referral to the program, followed by an assessment of whether or not the referred individual meets the program's eligibility criteria. If deemed eligible, the participant may or may not agree to participate in the drug treatment court. Drug courts are voluntary. This study included adult, juvenile and family drug treatment court participants who were active on or since July 1, 2007 through September 30, 2009, as well as individuals who were referred to those programs, but not admitted, beginning July 1, 2007 through September 30, 2009. A sample of DUI drug court treatment court participants who were active on or since July 1, 2008 were also included in the program review.

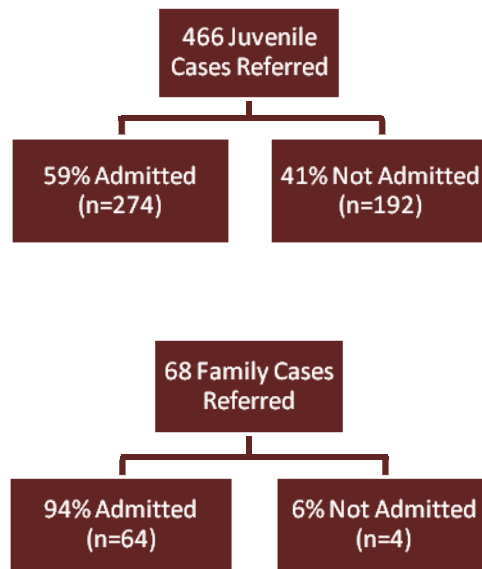
#### **Referral Flow**

Using the sample described above, a total of 3,411 individuals were referred to a Virginia drug treatment court program. Of these, the majority 2,354 (69%) were admitted. During this time period, adult programs reported a total of 1,889 referrals, of which the majority (72%) was admitted. DUI followed closely, with a total of 67% of referrals resulting in program admission.

Juvenile programs reported the lowest percentage of referrals which were ultimately admitted into the program, with 59%. Interestingly, 94% of family drug treatment court referrals entered the program, with only four referred individuals who were not admitted or refused to participate. It is important to note that referred offenders who are ultimately deemed ineligible do represent a portion of the drug court staff workload.

Figures 2 below portrays the referral flow for all Virginia Drug Court models.





NOTE: Admissions include all individuals within the sample who entered the drug court, including cases still active at the time of the study.

### **Case Volume By Locality**

The Drug Treatment Court Act states that each local Drug Treatment Court advisory committee shall establish its own parameters around capacity, workload, and acceptance. Table 2 portrays the number of referrals not admitted and the number of new participants across drug treatment court programs by locality. During FY2009, the average number of new participants per locality varied greatly, ranging from 2 to 361 new participants across models.

<b>Table 2: Number of Referrals and New Participants by Locality – FY2009</b>		
<b>Court</b>	<b>Number of new participants</b>	<b>Number of referrals not accepted<sup>2</sup></b>
<b><i>Adult Drug Treatment Courts</i></b>		
Charlottesville/Albemarle	34	25
Chesapeake	10	45
Chesterfield/Colonial Heights	28	16
Rappahannock Regional	52	70
Hampton	14	12
Henrico	36	44
Hopewell	2	4
Loudoun	13	24
Newport News	20	28

<sup>2</sup> These data were extracted from available data in the drug treatment court database at Supreme Court of Virginia. Several drug treatment courts may not have entered complete information for referrals during the examination period.

Norfolk	53	1
Portsmouth	10	4
Richmond	28	62
Roanoke	69	6
Staunton	12	1
<b>Juvenile Drug Treatment Courts</b>		
30 <sup>th</sup> District	28	1
Chesterfield/Colonial Heights	16	31
Fairfax	3	12
Rappahannock Regional	14	13
Hanover	13	3
Newport News	13	7
Prince William County	10	18
Richmond	6	18
<b>Family Drug Treatment Courts</b>		
Alexandria	10	--
Charlottesville/Albemarle	9	3
Newport News	3	--
<b>DUI Drug Treatment Court</b>		
Fredericksburg Regional	361	214

Case volume data reveal that:

- Adult programs admitted an average of 27 new participants in FY 2009.
- Juvenile programs admitted an average of 13 new participants in FY 2009.
- Family programs admitted an average of 7 new participants in FY 2009.
- The DUI program admitted more than 350 participants in FY 2009.

### Ineligible Cases

Referred individuals who are not admitted into the drug treatment court program are either deemed to be ineligible for the program or unwilling to participate are used as the non-participant comparison group. For FY2009, participants are most frequently deemed ineligible for the drug treatment court programs for the reasons listed below as reported by drug treatment court staff (see Table 3).

Reason	Adult		Juvenile (n=79)	Family (n=3)	DUI (n=214)
	Div (n=100)	Post- Adj (n=176)			
Did not appear	3%	1%	3%	***	--
Dual diagnosis	--	2%	--	***	--
Non-resident	8%	1%	--	***	--
Not drug dependent	12%	1%	1%	***	100%
Not suitable, generally	14%	11%	28%	***	--
Prosecutor objected	--	7%	4%	***	--

Record of distribution	4%	9%	1%	***	--
Record of violence/sex/weapons	7%	15%	10%	***	--
Parents refused	--	--	13%	***	--
Other	18%	11%	16%	***	--
Not eligible; no reason noted	34%	43%	24%	***	

NOTE: The family court sample for this analysis is too small to calculate meaningful percentages.

Summary findings suggest that prevalent specified reasons for ineligibility include lack of drug dependency for adult participants, a record of violence/sex/weapons offenses for post-adjudicatory adults and juveniles, a refusal of parental permission for juveniles. In addition, a relatively high percentage of those deemed ineligible are for unspecified reasons across all program types.

### **Declined Participation**

Furthermore, if individuals are eligible to participate in the drug court program, but choose not to participate, drug court team staff captured the reported reasons for refusal. Possible reasons which best describe why participants elected not to participate, for the FY2009 time period, are shown in Table 4.

<b>Table 4: Reasons for Not Participating, if Eligible – FY2009</b>					
<b>Reason</b>	<b>Adult (n=66)</b>		<b>Juvenile (n=24)</b>	<b>Family (n=0)</b>	<b>DUI (n=0)</b>
	<b>Div (n=34)</b>	<b>Post- Adj (n=32)</b>			
Too time consuming	6%	25%	25%	--	--
Lack of family support	--	--	21%	--	--
Chose to do jail time	6%	3%	--	--	--
Dislikes rules/structure	--	9%	13%	--	--
Chose alternative treatment	3%	--	4%	--	--
Other	24%	28%	25%	--	--
Not willing; no reason noted	62%	34%	13%	--	--

Primary findings for this analysis are:

- Post-adjudicatory and juvenile participants are much more likely to refuse participation because they deem the program too time consuming.
- Other prevalent reasons that juveniles refuse to participate are lack of family support and dislike of rules and structure.
- A substantial percentage of participants across programs refused participation for unspecified reasons.

## Participant Profiles

As a performance measure, participant profiles summarize demographics, criminal history, and other background information that is useful in determining the nature and severity of participants' problems, the extent to which the drug treatment court is serving the intended population, and the possible need for further services to be included in the drug treatment court program (Rempel, 2005). Participant profile data for the evaluation sample are reviewed below.

### Demographic Information

Local drug treatment courts captured basic demographic information on all participants, including gender, race/ethnicity, and age, along with a wide range of additional descriptive information. As shown in Table 5, for both adult models and the juvenile model, participants are more likely to be male. Participants are most commonly Caucasian in the adult diversionary and juvenile programs and most likely African-American in adult post-adjudication programs. DUI participants are more likely to be males and Caucasian. Family programs tend to more commonly serve African-American females.

<b>Table 5: Demographic Data for Drug Treatment Court Participants<sup>iii</sup></b>					
Characteristic	Adult (n= 1351)		Juvenile (n=274)	Family (n=64)	DUI (n=663)
	Div (n=833)	Post-Adj (n=518)			
Gender					
Male	61%	51%	72%	20%	77%
Female	38%	44%	22%	78%	23%
Missing	<1%	5%	16%	2%	0%
Race/Ethnicity					
Caucasian	67%	28%	62%	27%	75%
African-American	28%	65%	15%	61%	19%
Hispanic	<1%	<1%	3%	6%	5%
Other	<1%	<1%	2%	0%	1%
Missing	4%	7%	18%	6%	0%
Mean Age	32	38	16	33	34

Analyses of other participant characteristics *at the time of program entry* reveal the following:

**Marital Status:** The majority of drug treatment court participants, across program models, have never been married, and almost 20% of family court participants are separated.

**Education:** Nearly one third of juvenile participants have less than a 9<sup>th</sup> grade education level. For adults, post-adjudication participants are a bit more likely to have achieved GED or high school graduate status, while diversionary participants are slightly more likely to have at least

some college education. Although the range of educational achievements was considerable across participants in all drug treatment court models, few distinctions were prevalent.

**Employment:** Adult drug treatment court participants were more likely than participants in the other models to be employed part- or full-time. Across all drug treatment court models, the percentage of participants who were unemployed at the time of program entry was high.

**Criminal History**

Instant offense information was entered into the Virginia Drug Treatment Court (VDTC) database by adult and juvenile drug court staff. At the time of the drug treatment court assessment, about one-third of adult and juvenile participants were incarcerated, compared to 16% of family participants. Table 6 displays the most frequently cited offenses which brought participants to the attention of the drug treatment court program. Many offenders had more than one reported instant offense.

<b>Table 6: Instant Offense Which Prompted Drug Court Participation</b>			
<b>Offense Type</b>	<b>Adult</b>		<b>Juvenile (n=181)</b>
	<b>Div (n=685)</b>	<b>Post-Adj (n=342)</b>	
<b><i>Drug Offenses</i></b>			
Possession of Schedule I or Schedule II Drug	60%	18%	8%
Possession of Marijuana	1%	---	31%
Prescription Drug Violation	12%	*	---
Purchase/Possession/Use of Alcohol by a Minor	---	---	16%
Drugs/Other	6 %	4%	16%
<b><i>Other Offenses</i></b>			
Probation Violation	7%	89%	29%
Grand Larceny/Embezzlement	13%	4%	11%
Petit Larceny/Embezzlement	5%	4%	12%
Forgery/Fraud	11%	2%	4%
Traffic (Including DWI)	3%	1%	6%

NOTE: Instant offense data was not available for family or DUI participants. Cells denoted with asterisks indicate less than 1% of the sample.

The majority of participants (60%) in adult diversionary programs had a recorded Possession of Schedule I or Schedule II Drug as the instant offense, while the primary instant offense for post-adjudication programs was as indicated a Violation. of Probation Instant offenses for juvenile

participants were somewhat more diverse, with Possession of Marijuana and Probation Violations as the most common. Further, the juvenile population included several other offenses not included as an adult instant offense, including assault, disorderly conduct, obstruction of justice, property damage, and violation of court order.

Information was also collected from the Virginia State Police and the Department of Juvenile Justice regarding arrests that occurred before acceptance in the drug treatment court program for participants, as well as those occurring prior to referral for non-participants. Findings, portrayed based upon final program status as shown in Table 7, suggest that:

- Almost all adult drug court participants showed evidence of prior arrests, and the majority had prior convictions.
- Adults who completed the diversionary drug court program were less likely to have a prior conviction than all other adults in the participant sample.
- Prior arrest histories for juvenile participants vary little between completers and non-completers; however prior convictions for the juvenile non-completers are nearly twice the rate of juvenile completers. This is expected because participants that terminate or withdraw are convicted of the instant offense.

<b>Table 7: Percent of Completers, Non-completers, and Non-participants with Offenses Prior to Participant Acceptance or Referral</b>		
	<b>Prior Arrest</b>	<b>Prior Conviction</b>
<b>Adult/Div (n=571)</b>		
<i>Completers (n=301)</i>	95% (287)	60% (181)
<i>Non-Completers (n=270)</i>	96% (258)	90% (243)
<i>Non-Participants (n=157)</i>	92% (146)	82% (128)
<b>Adult/Post –Adj (n=286)</b>		
<i>Completers (n=151)</i>	98% (148)	95% (144)
<i>Non-Completers (n=135)</i>	99% (133)	95% (128)
<i>Non-Participants (n=137)</i>	93% (128)	90% (123)
<b>Juvenile (n= 169)</b>		
<i>Completers (n=76)</i>	84% (64)	36% (27)
<i>Non-Completers (n=93)</i>	86% (80)	73% (68)
<i>Non-Participants (n=121)</i>	16% (19)	5% (6)
<b>Family (n=36 )</b>		
<i>Completers (n=13)</i>	***	***
<i>Non-Completers (n=23)</i>	***	***
<i>Non-Participants (n=3)</i>	***	***
<b>DUI (n=296)</b>		
<i>Completers (n=213)</i>	77% (165)	67% (142)
<i>Non-Completers (n=83)</i>	84% (70)	78% (65)
<i>Non-Participants (na)</i>	--	--

NOTE: Criminal history data for adult and family program participants were gathered from the Virginia State Police. Juvenile data was analyzed using a combination of data from the Virginia State Police and Department of Juvenile Justice. Findings from family programs could not be interpreted due to small sample sizes.



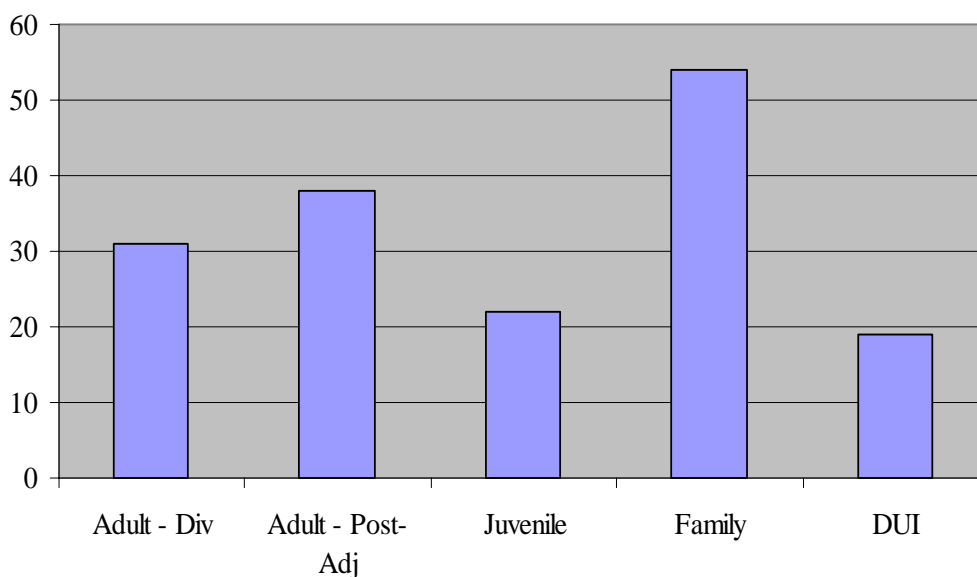
## Drug Treatment Court Case Processing Time

Research further addresses the immediacy related to case processing time (i.e., beginning substance abuse treatment as soon as possible following the arrest) as a critical performance indicator. Relevant findings are provided below.

### Time to Begin Drug Treatment Court

There is wide variation between court models in the number of days between initial referral to the drug treatment court and date of acceptance or intake into the court as noted below.

**Figure 3**  
**Number of Days Between Referral and Acceptance**



Based on these data, it appears that juvenile and DUI drug treatment courts are more effective at meeting the immediacy requirement of drug treatment courts, formally accepting participants into their courts quite a bit faster than post-based adult and family programs. Individuals with multiple offenses or a history of prior treatment, for instance, may require more time to review for eligibility.

### **Retention and Graduation Rates**

Retention rates and graduation rates, also examined for this study, are a significant indicator of success, with research stating that higher retention rates are related to success in treatment, as well as future success with substance use and criminal activity (Rempel, 2005). It is important to note; however, that some drug treatment court programs may have a lower retention or graduation rate because they work with more difficult populations. For this reason, it would be inaccurate to assume that the programs with the highest retention and graduation rates are more likely to most positively impact the participant. Retention and graduation data for the Virginia cohort are described below.

## Retention in Treatment

The average number of days needed to successfully complete drug treatment court by drug court model is provided in Table 8 below. Data reveals that the time retained in-program varies quite a bit.

Post-adjudication participants graduate with an average length of nearly two years in the program, about four months longer than adult diversionary programs. Successful participants spend about 17 months in the DUI program, 16 months in the family program, and 14 months in the juvenile programs. Additionally, participants who withdrew or were terminated also generally experience lengthy treatment.

<b>Table 8: Average Number of Days in Program Since Date Accepted</b>					
<b>Current Status</b>	<b>Adult</b>		<b>Juvenile (n=274)</b>	<b>Family (n=64)</b>	<b>DUI (n=663)</b>
	<b>Div (n=833)</b>	<b>Post- Adj (n=518)</b>			
Active	448	495	293	403	167
Completed Drug Court	461	569	339	399	515
<i>Successful Completion</i>	558	696	423	492	499
<i>Termination</i>	359	437	272	336	558
<i>Withdrawal</i>	235	422	157	420	--

## Program Completion Rates

Program completion rates were analyzed by drug treatment court model, as well as by approach (diversionary versus post-adjudication) for the adult courts. Of the fourteen adult programs in the study, seven adult drug treatment court programs operate primarily under the diversionary model, whereas the remaining seven programs operate primarily under the post-adjudication model. Table 9 portrays the completion rates across these models.

Successful completion rates were highest for the DUI program, with almost three-quarters completing the program. Completion rates for both adult models and juvenile programs were lower, with about half of participants completing the programs. Family programs showed a notably lower completion rate at 35%.

<b>Table 9: Program Completion Rates by Court Model</b>					
<b>Category</b>	<b>Adult Div (n=580)</b>	<b>Adult Post-Adj (n=304)</b>	<b>Juvenile (n=188)</b>	<b>Family (n=40)</b>	<b>DUI (n=329)</b>
Total Number of Successful Completers	303	155	88	14	239
Total Number of Participants Who Withdrew or Were Terminated	277	149	100	26	90
<b><i>Successful Completion Rate</i></b>	<b><i>52%</i></b>	<b><i>51%</i></b>	<b><i>47%</i></b>	<b><i>35%</i></b>	<b><i>73%</i></b>

## **Reasons for Leaving Drug Treatment Court**

Drug treatment court participants leave the program unsuccessfully for many different reasons, which vary depending upon the model. Participants are able to withdraw from drug treatment court programs at any point during the program. Further, participants can be terminated from the program based on several different factors, including absconding, excessive relapses, new criminal offenses, repeated minor violations, unsatisfactory performance, or inability to achieve the permanency goal. The primary reasons for leaving drug treatment court are highlighted in Table 10 below.

The most commonly reported reason for being terminated from adult diversionary programs was unsatisfactory performance, followed distantly by absconding. The pattern was reversed for adult post-adjudication programs with absconding most common, followed closely by unsatisfactory performance. For juvenile, family, and DUI program models, unsatisfactory performance was the most prevalent reason for termination. Excessive relapses were also a fairly prevalent reason for termination for the DUI program.

<b>Table 10: Reasons for Leaving Drug Treatment Court Prior to Completion</b>					
<b>Reason</b>	<b>Adult (n=426)</b>		<b>Juvenile (n=100)</b>	<b>Family (n=26)</b>	<b>DUI (n=92)</b>
	<b>Div (n=277)</b>	<b>Post-Adj (n=149)</b>			
Absconded	19%	32%	16%	12%	7%
Excessive relapses	9%	18%	11%	4%	26%
New criminal offense	8%	7%	12%	--	--
Repeated minor violations	3%	7%	10%	--	--
Unsatisfactory performance	41%	27%	27%	54%	58%
Withdrawal from the program	3%	6%	6%	12%	--
Other reason (not specified)	18%	3%	18%	8%	3%
Permanency goal not achieved	n/a	n/a	n/a	8%	n/a
Recovery goal not achieved	n/a	n/a	n/a	4%	n/a
Failure to pay fees	n/a	n/a	n/a	n/a	7%

## **When Is Termination Most Likely to Happen?**

Data were also analyzed to examine the timing of termination for non-completers. Findings are summarized in Table 11 below.

<b>Table 11: Number of Days in Program Prior to Termination</b>					
<b>Time in Program</b>	<b>Adult (n = 398)</b>		<b>Juvenile (n = 94)</b>	<b>Family (n=23)</b>	<b>DUI (n=90)</b>
	<b>Div (n=269)</b>	<b>Post-Adj* (n=140)</b>			

Less than 30 days	2%	1%	1%	4%	0%
Between 30 days and 3 months	10%	9%	13%	13%	1%
Between 3 months and 6 months	18%	16%	27%	9%	11%
Between 6 months and 1 year	32%	26%	36%	35%	28%
Over a year	38%	44%	23%	39%	60%

\*Completion date information was unavailable for a small percentage of adult post-adjudication cases.

Termination patterns suggest substantial retention for many participants, specifically:

- Adult and family drug treatment court terminations occur more frequently after one year of participation as compared to juvenile programs; however, terminations after one year occur most commonly for the DUI model;
- Juvenile participants are most likely to terminate between 6 months and 1 year;
- Very few terminations occur before the first 30 days in treatment across all models;
- A significant number of terminations occur between 6 months of 1 year of treatment across all models.

### Time to Graduate

Finally, the amount of time required to graduate from the drug treatment court program is a key performance indicator. Data reveals that the time in-program varies tremendously for successful graduates across program types. The average number of days needed to successfully complete drug treatment court by drug court model is provided in Table 12 below.

Post-adjudication participants graduate with an average length of nearly two years in the program, about four months longer than adult diversionary programs. Successful participants in DUI, family and juvenile programs spend about 17, 16, and 14 months in the program, respectively.

<b>Table 12: Average Number of Days to Successfully Complete Program</b>				
Adult Diversionary (n=303)	Adult Post-Adjudication (n=155)	Juvenile (n=88)	Family (n=14)	DUI (n=239)
558	696	423	492	499

### Recidivism

Recidivism, or reoffending, is an important concept for any evaluation of a criminal justice intervention, serving as a measure of post-program success. There are many different evaluation methodologies for calculating recidivism as well as varying definitions of recidivism. For instance, researchers have traditionally examined three measures of recidivism, including rearrest, reconviction, and reincarceration rates, and program participants have been followed for periods of time extending from several months to several years after completing an intervention or being released from a correctional facility.

### **Recidivism Analyses**

For the purposes of this study, recidivism was measured by as described below. Findings for participants and non-participants were compared to assess differences in recidivism between the two groups.

#### ***For participants:***

Rearrests were assessed for all participants who exited the program, regardless of completion status.

Reconvictions were also assessed for all participants who exited the program, regardless of completion status.

Three time periods were examined:

- Within 6 months post program exit
- Within 12 months post program exit
- Within 24 months post program exit

#### ***For non-participants (Referrals):***

Rearrests were assessed for individuals referred to the drug treatment court programs, but who ultimately did not participate.

Reconvictions were also assessed for all individuals who were referred to the program but ultimately did not participate.

Three time periods were examined:

- Within 6 months post referral
- Within 12 months post referral
- Within 24 months post referral

In this study, the type of recidivism analysis accomplished is driven by the available tracking periods. Both rearrest and conviction data were examined. Although examining rearrest data may possibly be a better indicator of police activity than offending behavior, it is helpful because it provides a sense of the maximum rate of known reoffending that occurs over time.

In an effort to be consistent with prior studies of recidivism by state agencies in Virginia, the analysis includes only rearrests and reconvictions for offenses that involved a new criminal act. Therefore, it does not include traffic offenses or technical violations such as violations of probation or parole. Rearrest and reconviction data were supplied by the Virginia State Police for all drug treatment court participants and non-participating referrals included in the study sample through June 30, 2009. Further data was provided by the Department of Juvenile Justice for juvenile programs. Data are compared for several groups of individuals, including drug treatment court completers (Completers), drug treatment court participants who were terminated or withdrew from the program (Non-completers), and a comparison group who were referred to a drug treatment court but found to be ineligible or eligible but unwilling to participate (Non-participants).

Use of program referrals as a comparison group is not without limitations, as these groups may differ in their legal status, drug use histories, or motivation for change; however, this comparison group was readily available for preliminary examination. A review of key matching data suggested similar demographic and criminal history profiles between the participant and referral groups for both adult models. Criminal history and most demographics were likewise similar for juvenile referrals and participants, with modest exceptions for race and

education (participants were more commonly Caucasian and had slightly lower education levels as compared to referrals). Limited data were available for a comparison group of DUI offenders. While gender and race data were similar, the DUI program reports that criminal history is different for DUI offenders who do not participate in the program, therefore a comparable group of DUI referrals were not available. Accordingly, DUI program completers were compared to those who participated in, but did not complete, the program.

*Tracking drug court participants occurs most appropriately over a course of several years because successful participants generally receive services for an average of 1-2 years (sometimes longer) they must be followed for a reasonable time period after program exit. To this end, sample sizes for both the referral and participant samples in the family court model are very small and are not reported. The sample sizes for the adult and juvenile program models are larger and more viable for interpretation, allowing a 12-month standardized tracking period. Comparatively, the DUI sample occurred over a shorter timeframe; therefore, the maximum tracking period for this model was somewhat shorter, at 6 months.*

### **Prevalence of Rearrest/Reconviction By Model**

Table 13 examines the percentage of individuals rearrested and reconvicted for any new offense during a 12-month tracking period for adult and juvenile offenders, and a 6-month tracking period for DUI offenders. Several findings were notable:

- With respect to arrests for any new offense, drug court program completers consistently showed lower rearrest rates than non-participants. These results were found for both adult and juvenile programs. These results were more notable for adult diversionary and juvenile models.
- Similar findings emerged with conviction rates, which were consistently lower for program participants when compared to non-participants.
- Arrest rates for participants who did not complete the program were also consistently lower than non-participants, though these findings were much stronger for the juvenile model.
- Individuals who graduate from the DUI program demonstrate lower rearrest and conviction rates than those who participate but do not graduate.

<b>Program Type</b>	<b>Arrest</b>	<b>Conviction</b>
<b>Adult/Div (n=334)</b>		
<i>Participants (n=238)</i>	<b>23% (54)</b>	<b>13% (31)</b>
<i>Completers (n=123)</i>	17% (21)	12% (15)
<i>Non-Completers (n=115)</i>	29% (33)	14% (16)
<b>Non-Participants (n=96)</b>	<b>32% (31)</b>	<b>22% (21)</b>
<b>Adult/Post-Adj (n=174)</b>		
<i>Participants (n=108)</i>	<b>16% (17)</b>	<b>10% (11)</b>
<i>Completers (n=55)</i>	15% (8)	9% (5)
<i>Non-Completers (n=53)</i>	17% (9)	11% (6)
<b>Non-Participants (n=66)</b>	<b>21% (14)</b>	<b>18% (12)</b>
<b>Juvenile (n= 148)</b>		

<b>Participants (n=92)</b>	<b>28% (26)</b>	<b>26% (24)</b>
<i>Completers (n=40)</i>	28% (11)	25% (10)
<i>Non-Completers (n=52)</i>	29% (15)	27% (14)
<b>Non-Participants (n=56)</b>	<b>61% (34)</b>	<b>38% (21)</b>
<b>Family (n=18)</b>		
<b>Participants (n=17)</b>	***	***
<i>Completers (n=6)</i>	***	***
<i>Non-Completers (n=11)</i>	***	***
<b>Non-Participants(n=1)</b>	***	***
<b>Percent of Completers, Non-completers and Non-Participants Rearrested/Reconvicted 6 Month Tracking Interval</b>		
<b>DUI (n=149)</b>		
<b>Participants (n=149)</b>	<b>14% (21)</b>	<b>5% (8)</b>
<i>Completers (n=105)</i>	10% (10)	4% (4)
<i>Non-Completers (n=44)</i>	25% (11)	9% (4)
<b>Non-participants (na)</b>	---	---

NOTE: The family court sample for this analysis is too small to calculate meaningful percentages.

### **Rearrest for Varying Tracking Intervals By Model**

Table 14 presents rearrest data for all participants, comparing Completers versus Non-Completers for three tracking periods: within 6 months of program completion (representing either completion or non-completion for program participants) or referral (for non-participants), within 12 months of program completion or referral, and within 24 months of program completion or referral.

In considering rearrest patterns based upon the timing of first arrest, completers consistently show lower recidivism rates within the first six months as compared to non-participants, as well as during the within 12 month and within 24 month tracking period. The results potentially suggest maintenance of program effects over time. Again, the differences between completers and non-participants are most substantial for juvenile programs. Overall, individuals who have participated in the drug court programs, across both adult and juvenile models, have demonstrated lower recidivism rates than those who do not participate.

<b>Table 14: Percentage Rearrested By Tracking Interval and Model Type</b>			
	<b>Within 6 Months</b>	<b>Within 12 Months</b>	<b>Within 24 Months</b>
<b>Adult/Div (n=334)</b>			
<b>Participants (n=238)</b>	<b>13% (31)</b>	<b>23% (54)</b>	<b>32% (77)</b>
<i>Completers (n=123)</i>	10% (12)	17% (21)	27% (33)
<i>Non-Completers (n=115)</i>	17% (19)	29% (33)	38% (44)
<b>Non-Participants (n=96)</b>	<b>19% (18)</b>	<b>32% (31)</b>	<b>40% (38)</b>
<b>Adult/Post-Adj (n=174)</b>			
<b>Participants (n=108)</b>	<b>8% (9)</b>	<b>16% (17)</b>	<b>24% (26)</b>
<i>Completers (n=55)</i>	9% (5)	15% (8)	25% (14)
<i>Non-Completers (n=53)</i>	8% (4)	17% (9)	23% (12)
<b>Non-Participants (n=66)</b>	<b>17% (11)</b>	<b>21% (14)</b>	<b>39% (26)</b>
<b>Juvenile (n= 148)</b>			

<b>Participants (n=92)</b>	<b>17% (16)</b>	<b>28% (26)</b>	<b>49% (45)</b>
<i>Completers (n=40)</i>	20% (8)	28% (11)	40% (16)
<i>Non-Completers (n=52)</i>	15% (8)	29% (15)	56% (29)
<b>Non-Participants (n=56)</b>	<b>36% (20)</b>	<b>61% (34)</b>	<b>66% (37)</b>
<b>Family (n=18)</b>			
<b>Participants (n=17)</b>	***	***	***
<i>Completers (n=6)</i>	***	***	***
<i>Non-Completers (n=11)</i>	***	***	***
<b>Non-Participants (n=1)</b>	***	***	***
<b>Percentage Rearrested By Tracking Interval and Model Type 6 month follow up</b>			
<b>DUI (n=149)</b>			
<b>Participants (n=149)</b>	<b>14% (21)</b>	***	***
<i>Completers (n=105)</i>	10% (10)	***	***
<i>Non-Completers (n=44)</i>	25% (11)	***	***
<b>Non-participants (na)</b>	---	***	***

NOTE: The family court sample for this analysis is too small to calculate meaningful percentages.

### Within Program Substance Use

Drug testing data were analyzed to assess within-program substance use thereby determining how common relapses are while participants are active in drug treatment court program. Negative drug screens are those in which the participant was found to have used no substances while positive drug screens indicate evidence of use.

The adult drug treatment court programs (combined) conducted over 65,000 drug tests during the evaluation period, with an average of 69 drug screens per participant for adult diversionary programs and 89 per participant for post-adjudication programs. Of these screens, participants in the adult programs averaged a total of 5 positive drug screens while in the program. The juvenile drug treatment court programs conducted far less drug screens than the adult programs, at nearly 11,000 screens over this evaluation period, which is logical given the much smaller number of participants. Juvenile participants were administered an average of 55 drug screens per participant. Similarly, the juvenile population averaged a total of 5 positive drug screens while in the program. Finally, the family drug court programs conducted just over 3,700 drug screens, averaging a total of 75 drug screens per participant.

The average number of positive drug screens per participant was higher in the family courts (9 per participant) when compared to both the juvenile and adult programs. Clearly, the level of drug testing for participants across all programs is high, suggesting substantial supervision of substance-using behaviors during program participation. As shown in Table 15, a modest percentage of participants across all models demonstrated some level of substance relapse while active in the drug treatment court program.

<b>Table 15: Percentage of Participants with Positive Drug Screens During Participation</b>				
<b>Screening Results</b>	<b>Adult</b>		<b>Juvenile (n=186)</b>	<b>Family (n=45)</b>
	<b>Div (n=578)</b>	<b>Post- Adj. (n=295)</b>		



No positive drug screens				
<i>Successful Completers</i>	30%	35%	25%	9%
<i>Terminations/Withdrawals</i>	13%	18%	7%	9%
Between 1 – 3 positive drug screens				
<i>Successful Completers</i>	10%	14%	12%	13%
<i>Terminations/Withdrawals</i>	17%	16%	19%	4%
Between 4 – 6 positive drug screens				
<i>Successful Completers</i>	2%	1%	5%	4%
<i>Terminations/Withdrawals</i>	6%	10%	7%	11%
Between 7 – 15 positive drug screens				
<i>Successful Completers</i>	4%	<1%	2%	2%
<i>Terminations/Withdrawals</i>	6%	5%	15%	22%
Between 16 – 25 positive drug screens				
<i>Successful Completers</i>	2%	0%	2%	2%
<i>Terminations/Withdrawals</i>	2%	<1%	3%	13%
Over 25 positive drug screens				
<i>Successful Completers</i>	5%	0%	0%	0%
<i>Terminations/Withdrawals</i>	4%	0%	2%	9%
<b><i>Positive Drug Test Rate</i></b>				
<i>Successful Completers</i>	<b>7%</b>	<b>&lt;1%</b>	<b>4%</b>	<b>6%</b>
<i>Terminations/Withdrawals</i>	<b>13%</b>	<b>4%</b>	<b>12%</b>	<b>14%</b>

Primary findings from this analysis include:

- Across all program types, the positive drug test rate is consistently lower for successful completers when compared to those who withdraw or are terminated.
- About one-third of adult and one-quarter of juvenile graduates had no positive drug tests during program participation, compared to much lower percentages of terminated/withdrawn participants.
- Adult drug treatment court participants were more likely than juvenile and family participants to demonstrate no positive drug screens throughout the duration of the program.
- Very few participants across all models demonstrated over 25 positive drug screens (which may include tests repeated on a daily basis and therefore repeated positive tests for one usage incident.)

## **IV. COST OF VIRGINIA'S DRUG TREATMENT COURTS**

The premise behind cost-efficiency research is to identify services which provide the most value, or benefits, at the lowest level of expenditures (Belenko, Patapis, and French, 2005). For programs such as drug treatment courts, cost-benefit analyses are most typically conducted (1) after a program has been in place for some time, (2) when there is an interest in making it permanent or possibly expanding it, (3) for programs with sufficient maturity, and (4) as an extension of impact evaluation, that is, for programs that have been demonstrated effective (Boardman, Greenberg, Vining, and Weimer, 2006; Rossi et al., 1999).

### **Computing Costs**

To conduct a cost-comparison study for Virginia's drug treatment courts, evaluators have followed guidance on primary steps recommended by the Urban Institute (Lawrence and Mears, 2006), as well as input previously provided by the Evaluation Subcommittee of the Virginia Drug Treatment Court Advisory Committee. During the current cycle, evaluators attempted to begin this process by establishing baseline estimated costs for each drug treatment court model in Virginia, which was previously not available.

For the purposes of this cost information, a "cost-to-taxpayer" approach was utilized. 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). All non-taxpayer costs were omitted from this analysis, including participant fees, private donations, etc. Costs included in these analyses include both local and state funds combined. Due to data responses from local drug court coordinators, it was not possible to separate which costs were local and which were state funds.

### **Costs**

Using the estimates provided by the local drug court coordinators, a cost per participant and a cost per participant per day have been computed. Estimates of drug treatment court costs have been calculated based on data retrieved from all local drug treatment courts, as described below, in the following areas: drug court staffing and hearing costs, services costs, drug testing costs and jail/detention costs. All drug court costs were analyzed for the 2009 fiscal year, spanning from July 1, 2008 through June 30, 2009. More details on specific cost calculations can be found in Appendix B.

It is important to note that each locality operates differently, including some localities that provide far more treatment services than others. In this case, the cost of providing services to participants would naturally be higher than those courts that provide less intensive treatment services. In addition, per-day and per-participant costs of the drug treatment court could be dependent on several factors, including the number of participants, program duration, treatment modalities available, intensity of judicial oversight, number of staff, and program compliance. Because the key evaluation question concerns the costs of continuing operations, start-up costs will be excluded from this analysis.

## **Annual Cost Summary**

In Table 16 below, the total costs associated with operating each drug court program has been provided, including the annual costs of pre-court staffings, costs of hearings, costs of services, costs of drug screens, and costs of incarceration. These costs are not program budgets. The majority of costs for all drug treatment courts, with the exception of the DUI drug court, are spent on providing drug court services to participants. Such services include treatment services, social workers, probation and supervision services, etc.

### Adult Drug Treatment Court Programs

Statewide, adult drug treatment court programs spent over \$2.7M to provide drug court services to participants. The next largest cost for the adult programs statewide was the cost of staffings (\$442,196.12), followed by the cost of incarceration (\$334,162.34), the cost of drug tests (\$219,135.14), and finally the cost of status hearings (\$169,585.95). The cost of status hearings is expected to be a lower cost, as more time is usually spent on the other tasks, while the hearing process itself involves less time and therefore less funding. Overall, the post-adjudication model spent more money on drug treatment court costs than the diversion model.

### Juvenile Drug Treatment Court Programs

Statewide, juvenile drug treatment court programs spent over \$1,200,000 to provide drug court services to participants. The next largest cost for the juvenile programs statewide was the cost of incarceration (\$345,564.08). Incarceration is more expensive in the juvenile drug court programs simply because many participants are sent to detention as opposed to jail. This was followed by the cost of staffings (\$226,033.47), the cost of status hearings (\$105,142.86), and finally the cost of drug tests (\$69,846.50).

### Family Drug Treatment Court Program

Statewide, family drug treatment court programs spent over \$187,000 to provide drug court services to participant. This cost was followed by the cost of staffings (\$119,773.58), followed by the cost of status hearings (\$20,285.24), the cost of drug tests (\$15,494 .00) and the cost of incarceration (\$980.02).

### DUI Drug Treatment Court Program

The DUI drug treatment court program spent over \$30,000 on staffings, and around \$5,000 on status hearings. These were the only costs associated with the DUI program, as participant fees cover the costs of all the other aspects of the program.

**Table 16:**  
**Annual Cost Summary**  
(as reported by local program)

<b>Locality</b>	<b>Cost of Staffings</b>	<b>Cost of Hearings</b>	<b>Cost of Services</b>	<b>Cost of Drug Tests</b>	<b>Cost of Jail</b>	<b>Total Annual Costs</b>
<b>Adult Diversionary Model</b>						
Charlottesville	\$58,551.19	\$35,638.13	\$188,460.00	\$23,000.00	\$6,642.04	<b>\$312,291.36</b>
Chesterfield	\$18,332.68	\$21,132.46	\$178,311.24	\$27,600.00	\$103,996.90	<b>\$349,373.28</b>
Hampton	\$22,946.15	\$11,983.93	\$285,306.04	\$23,771.78	\$12,216.78	<b>\$356,224.68</b>
Hopewell	\$25,966.81	\$7,234.17	\$14,678.27	\$3,744.00	\$0.00	<b>\$51,623.25</b>
Rappahannock	\$54,267.85	\$7,940.84	\$79,827.60	\$22,812.75	\$30,199.60	<b>\$195,048.64</b>
Roanoke	\$5,727.35	\$6,141.97	\$137,407.14	\$3,600.00	\$11,711.81	<b>\$164,588.27</b>
Staunton	\$3,405.39	\$2,287.94	\$105,389.24	\$4,381.61	\$7,625.84	<b>\$123,090.02</b>
<i>Sub-Total</i>	<i>\$189,197.42</i>	<i>\$92,359.44</i>	<i>\$989,379.53</i>	<i>\$108,910.14</i>	<i>\$172,392.97</i>	<i>\$1,552,239.50</i>
<b>Adult Post-Adjudication Model</b>						
Chesapeake	\$35,256.96	\$2,999.36	\$82,322.95	\$7,056.00	\$15,974.40	<b>\$143,609.67</b>
Henrico	\$25,270.98	\$6,550.79	\$429,141.32	\$31,200.00	\$45,695.50	<b>\$537,858.59</b>
Loudoun County	\$24,956.81	\$19,315.75	\$180,766.90	\$3,840.00	\$21,867.48	<b>\$250,746.94</b>
Newport News	\$68,221.87	\$20,924.57	\$321,850.41	\$5,118.00	\$5,739.27	<b>\$421,854.12</b>
Norfolk	\$18,822.48	\$6,294.54	\$226,546.70	\$21,511.00	\$50,495.38	<b>\$323,670.10</b>
Portsmouth	\$20,259.29	\$4,402.85	\$157,688.46	\$10,000.00	\$210.28	<b>\$192,560.88</b>
Richmond	\$60,210.31	\$16,738.65	\$270,039.62	\$31,500.00	\$21,787.06	<b>\$400,275.64</b>
<i>Sub-Total</i>	<i>\$252,998.70</i>	<i>\$77,226.51</i>	<i>\$1,668,356.36</i>	<i>\$110,225.00</i>	<i>\$161,769.37</i>	<i>\$2,270,575.94</i>
<b>Adult Sub-Total</b>	<b>\$442,196.12</b>	<b>\$169,585.95</b>	<b>\$2,657,735.89</b>	<b>\$219,135.14</b>	<b>\$334,162.34</b>	<b>\$3,822,815.44</b>
<b>Juvenile Model</b>						
Chesterfield	\$21,376.40	\$17,031.68	\$109,061.70	\$29,400.00	\$112,882.50	<b>\$289,752.28</b>
Fairfax	\$31,021.71	\$4,970.16	\$136,654.81	\$800.00	\$10,382.58	<b>\$183,829.26</b>

**Table 16:  
Annual Cost Summary  
(as reported by local program)**

<b>Locality</b>	<b>Cost of Staffings</b>	<b>Cost of Hearings</b>	<b>Cost of Services</b>	<b>Cost of Drug Tests</b>	<b>Cost of Jail</b>	<b>Total Annual Costs</b>
Hanover	\$31,549.46	\$6,701.12	\$135,327.18	\$7,700.00	\$16,349.60	<b>\$197,627.36</b>
Newport News	\$36,658.99	\$32,950.35	\$128,231.08	\$3,239.50	\$32,212.50	<b>\$233,292.42</b>
Prince William	\$28,468.90	\$24,962.73	\$497,373.62	\$15,696.00	\$66,418.92	<b>\$632,920.17</b>
Rappahannock	\$33,802.66	\$5,884.02	\$24,263.40	\$7,800.00	\$35,153.04	<b>\$106,903.12</b>
Richmond	\$32,220.95	\$1,708.40	\$118,685.71	\$1,104.00	\$4,073.49	<b>\$157,792.55</b>
30 <sup>th</sup> District	\$10,934.40	\$10,934.40	\$114,532.98	\$4,107.00	\$68,091.45	<b>\$208,600.23</b>
<b>Sub-Total</b>	<b>\$226,033.47</b>	<b>\$105,142.86</b>	<b>\$1,264,130.48</b>	<b>\$69,846.50</b>	<b>\$345,564.08</b>	<b>\$2,010,717.39</b>
<b>Family Model</b>						
Alexandria	\$13,515.25	\$3,204.64	\$80,373.54	\$4,320.00	\$270.22	<b>\$101,683.65</b>
Charlottesville	\$82,748.27	\$14,866.65	\$66,744.43	\$4,204.00	\$0.00	<b>\$168,563.35</b>
Newport News	\$23,510.06	\$2,213.95	\$40,519.00	\$6,970.00	\$709.80	<b>\$73,922.81</b>
<b>Sub-Total</b>	<b>\$119,773.58</b>	<b>\$20,285.24</b>	<b>\$187,636.97</b>	<b>\$15,494.00</b>	<b>\$980.02</b>	<b>\$344,169.81</b>
<b>DUI Model</b>						
DUI	\$32,843.22	\$5,017.71	\$0.00	\$0.00	\$0.00	<b>\$37,860.93</b>
<b>Sub-Total</b>	<b>\$32,843.22</b>	<b>\$5,017.71</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$37,860.93</b>
<b>TOTAL</b>	<b>\$820,846.39</b>	<b>\$300,031.76</b>	<b>\$4,109,503.34</b>	<b>\$304,475.64</b>	<b>\$680,706.44</b>	<b>6,215,563.57</b>

## **Cost Per Participant Summary**

In Table 17 below, the average total cost-per-participant associated with each drug court program has been provided, including the breakdown of average cost-per-participant for staffings, status hearings, services, and drug tests. A cost-per-participant was not calculated for incarceration beds, because the costs are associated with the number of days each participant spends incarcerated, rather than the number of participants incarcerated. For this analysis, the cost-per-participant was calculated by dividing the total annual costs by each locality's FY2009 average daily population.

In considering cost-per-participant estimates, several factors exist which may impact cost variations among programs, including:

- Several programs are operating under capacity, but maintain a full-capacity drug court team.
- The size of the drug court team (i.e., number of members) varies across programs.
- The number of dedicated drug treatment court staff positions varies across programs, thereby impacting costs.
- In-kind resources, which are included in these estimates, also vary locally.

For some programs, costs-per-participant would decrease if the service population was larger, and closer to program capacity, because it would be more closely aligned with the available staff resources.

### Adult Drug Treatment Court Programs

Statewide, the average cost-per-participant for the adult programs was \$8,676.92, with an average cost-per-participant of \$6,173.64 for services, \$1,619.76 for staffing, \$476.08 for drug tests, and \$407.44 for hearings.

### Juvenile Drug Treatment Court Programs

Statewide, the average cost-per-participant for the juvenile programs was \$24,406.60, with an average cost-per-participant of \$19,179.65 for services, \$3,042.91 for staffing, \$1,322.48 for hearings, and \$861.56 for drug tests.

### Family Drug Treatment Court Program

Statewide, the average cost-per-participant for the family programs was \$14,318.86, with an average cost-per-participant of \$7,395.94 for services, \$5,336.97 for staffing, \$843.34 for hearings, and \$742.61 for drug tests.

### DUI Drug Treatment Court Program

The DUI drug treatment court program has an average cost-per-participant of \$48.54, with \$42.11 per participant spent on staffings and \$6.43 per participant spent on hearings. There are no other taxpayer costs associated with the DUI drug treatment court program.

**Table 17:  
Cost Per Participant**

<b>Locality</b>	<b>Staffings per Participant</b>	<b>Hearings per Participant</b>	<b>Services per Participant</b>	<b>Drug Screen per Participant</b>	<b>Total Annual Cost per Participant</b>
<b>Adult Diversionary Model</b>					
Charlottesville	\$1,428.08	\$869.22	\$4,596.59	\$560.98	\$7,454.87
Chesterfield	\$295.69	\$340.85	\$2,875.99	\$445.16	\$3,957.69
Hampton	\$849.86	\$443.85	\$10,566.89	\$880.44	\$12,741.04
Hopewell	\$2,596.68	\$723.42	\$1,467.83	\$374.40	\$5,162.33
Rappahannock	\$935.65	\$136.91	\$1,376.34	\$393.32	\$2,842.22
Roanoke	\$44.06	\$47.25	\$1,056.98	\$27.69	\$1,175.98
Staunton	\$261.95	\$176.00	\$8,106.87	\$337.05	\$8,881.87
<b>Average</b>	<b>\$916.00</b>	<b>\$391.07</b>	<b>\$4,292.50</b>	<b>\$431.29</b>	<b>\$6,030.86</b>
<b>Post-Adjudication Model</b>					
Chesapeake	\$5,876.16	\$499.89	\$13,720.49	\$1,176.00	\$21,272.54
Henrico	\$515.73	\$133.69	\$8,757.78	\$636.73	\$10,043.93
Loudoun County	\$5,934.80	\$1,207.23	\$11,297.93	\$240.00	\$18,679.96
Newport News	\$1,516.04	\$464.99	\$7,152.23	\$113.73	\$9,246.99
Norfolk	\$369.07	\$123.42	\$4,442.09	\$421.78	\$5,346.36
Portsmouth	\$547.55	\$119.00	\$4,261.85	\$270.27	\$5,198.67
Richmond	\$1,505.26	\$418.47	\$6,750.99	\$787.50	\$9,462.22
<b>Average</b>	<b>\$2,323.52</b>	<b>\$423.81</b>	<b>\$8,054.77</b>	<b>\$520.86</b>	<b>\$11,321.52</b>
<b>ADULT AVERAGE</b>	<b>\$1,619.76</b>	<b>\$407.44</b>	<b>\$6,173.64</b>	<b>\$476.08</b>	<b>\$8,676.92</b>
<b>Juvenile Model</b>					
Chesterfield	\$1,781.37	\$1,419.31	\$9,088.48	\$2,450.00	\$14,739.16
Fairfax	\$4,202.34	\$994.03	\$27,330.96	\$160.00	\$32,687.33
Hanover	\$3,503.62	\$1,116.85	\$22,554.53	\$1,283.33	\$28,458.33
Newport News	\$3,332.64	\$2,995.49	\$11,657.37	\$294.50	\$18,280.00
Prince William	\$3,163.21	\$2,773.64	\$55,263.74	\$1,744.00	\$62,944.59
Rappahannock	\$2,414.48	\$420.29	\$1,733.10	\$557.14	\$5,125.01
Richmond	\$5,370.16	\$284.73	\$19,780.95	\$184.00	\$25,619.84
30 <sup>th</sup> District	\$575.49	\$575.50	\$6,028.05	\$219.47	\$7,398.51
<b>AVERAGE</b>	<b>\$3,042.91</b>	<b>\$1,322.48</b>	<b>\$19,179.65</b>	<b>\$861.56</b>	<b>\$24,406.60</b>
<b>Family Model</b>					
Alexandria	\$965.38	\$228.90	\$5,740.97	\$308.57	\$7,243.82
Charlottesville	\$10,343.53	\$1,858.33	\$8,343.05	\$525.25	\$21,070.16
Newport News	\$4,702.01	\$442.79	\$8,103.80	\$1394.00	\$14,642.60
<b>AVERAGE</b>	<b>\$5,336.97</b>	<b>\$843.34</b>	<b>\$7,395.94</b>	<b>\$742.61</b>	<b>\$14,318.86</b>
<b>DUI Model</b>					
DUI	\$42.11	\$6.43	\$0.00	\$0.00	\$48.54
<b>AVERAGE</b>	<b>\$42.11</b>	<b>\$6.43</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$48.54</b>

## Comparison of Daily Costs to Other Offender Sanctions

The cost estimates shown in Table 18 below were collected for Virginia's drug treatment courts and are based upon the total number of participants, rather than only successful completers. Therefore, they may be compared to per day costs for other types of offender sanctions/services/placements for similar populations, as noted below. Based upon available data, drug treatment courts are considerably less costly per day than alternative Department of Corrections options, and considerably less expensive than commitment to DJJ.

<b>Table 18: Comparison of Daily Costs for Other Sanctions</b>		
<b>Type of Service/Program</b>	<b>Average Annual Cost Per Participant</b>	<b>Average Daily Cost Per Participant</b>
<i><b>Drug Courts</b></i>		
<b>Adult: Diversionary</b>	\$6,030.86	\$16.66/day
<b>Adult: Post-Adjudication</b>	\$11,321.52	\$31.02/day
<b>Juvenile</b>	\$24,406.60	\$66.87/day
<b>Family</b>	\$14,318.86	\$39.23/day
<b>DUI</b>	\$48.54	\$0.13/day
<i><b>Department of Corrections</b></i>		
<b>Compensation Board – Jail Report</b>	\$27,236	\$74.62/day
<b>DOC – Department Wide</b>	\$24,332	\$66.66/day
<b>DOC – Major institutions(lowest)</b>	\$17,322	\$47.46/day
<b>DOC – Field Units (lowest)</b>	\$20,204	\$55.35/day
<b>DOC – Work Centers (lowest)</b>	\$14,097	\$38.62/day
<b>DOC – Community Corrections facilities (lowest)</b>	\$25,994	\$71.22/day
<i><b>Department of Juvenile Justice</b></i>		
<b>Post-Dispositional Detention</b>	Not available	Not available
<b>Commitment to DJJ</b>	\$120,167.00	\$329.22/day

Sources: DOC data, Virginia Department of Corrections Management Information Summary Annual Report (Year Ended June 30, 2008)  
DJJ data, Virginia Department of Juvenile Justice, Research and Evaluation Unit

## Collected Fees

In considering the cost of drug court services, it is worthwhile to note that most drug courts also collect some type of fees to supplement operational budgets. An estimate of collected fees for Fiscal Year 2009 was gathered based upon figures entered into the Virginia Drug Treatment Court Database. The findings show that adult drug treatment court participants paid \$297,966.83 in court costs, fines and fees, as well as \$10,689.90 in restitution during FY2009. Juvenile drug treatment court participants paid \$25,130.96 in court costs, fines, treatment fees and drug court fees during FY2009. Finally, family drug treatment court participants paid \$6,954.00 in treatment fees, drug test fees and electronic monitoring fees during FY2009. Although not entered in this database, almost all operational costs for the DUI drug treatment court are based upon collection of fees from offenders.



## **Recent Prior Research on the Cost-Benefit of Drug Treatment Courts**

In addition to the developing research in Virginia on the cost-benefit of drug treatment courts, ongoing research in other states provides promising news. Generally, findings from credible, published studies suggest that drug treatment courts, on average, do result in substantial cost savings for localities. Nationally, adult drug court regimens produce about \$2.21 in benefits for every \$1.00 spent in costs (Bhati, Roman, and Chalfin, 2008). In a study of nine drug treatment courts in the state of California, researchers found that drug court completion produced about \$3.50 in benefits for every \$1.00 spent, reflecting an average cost savings per client of approximately \$11,000.00 (Carey et al., 2006). In Oregon, a study of one drug treatment court suggested a benefit of \$2.63 per \$1.00 spent in costs, reflecting a cost savings per client ranging from \$6,744.00 to \$12,218.00 (Finigan et al., 2007).

### **Ongoing Evaluation Activities to Assess Cost-Benefit**

Future cost-benefit analysis may be designed to focus primarily on estimating benefits (costs averted) due to a decrease in criminal activity among drug-involved offenders. Benefits in this category are measured by a decrease in the number of crimes committed by defendants in the drug treatment court programs as compared with defendants on the standard docket. These benefits are measured in terms of cost savings resulting from crimes not committed, referred to as “costs of averted crimes.” In order to capture the net benefit from each crime averted due to drug treatment court participation, the costs associated with various types of crimes need to be estimated. For this type of analysis, the primary benefits from averting crime generally are broken down into three areas:

- The commission of a crime (costs associated with victimization such as medical care, mental health expenditure, police response, etc.)
- The arrest for a crime (criminal justice system processing including investigation and arrest, booking, pretrial jail, screening, court costs) and
- Penalties associated with a crime (incarceration and probation)

Numerous data sources may be relevant for future cost-benefit analyses of Virginia drug treatment court programs, such as recidivism and probation officer caseload data (Department of Juvenile Justice and Department of Corrections); recidivism data from the Virginia State Police, and jail costs from the Compensation Board.

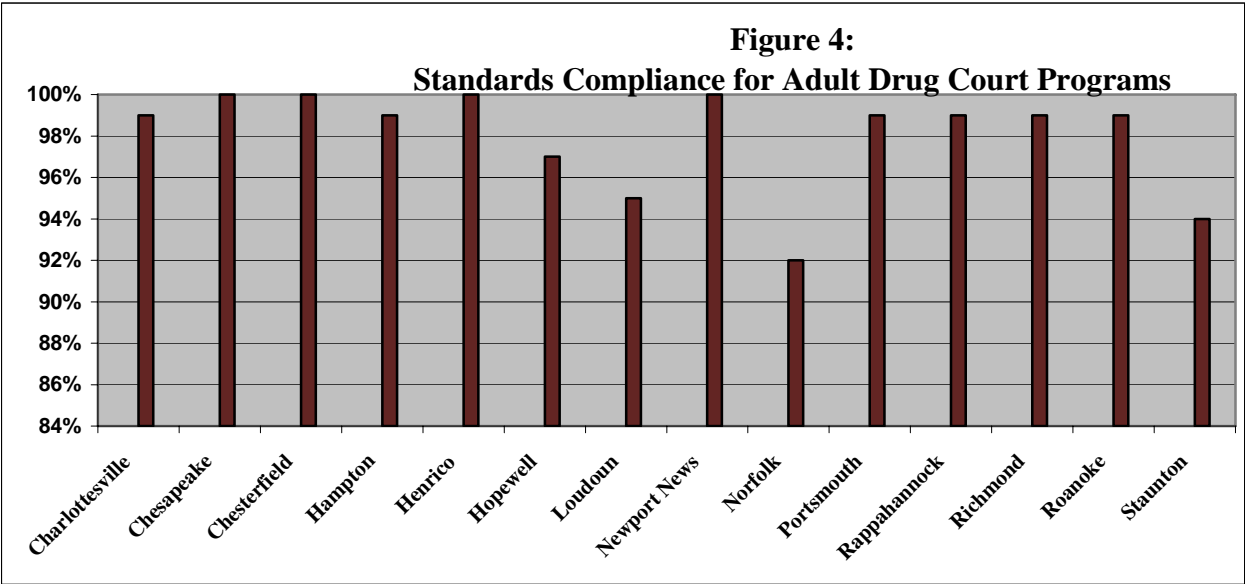
**V. DRUG TREATMENT COURTS STANDARDS COMPLIANCE REVIEW**

The Office of the Executive Secretary’s (OES) staff conducted Drug Treatment Court Standards Compliance Review visits with each of 26 operational drug treatment courts from March 24, 2009 to August 10, 2009. The visits included reviewing evidence to demonstrate compliance with each standard and practice, as well as attending the drug court staffing and status hearings with the drug court team.

In general, all Virginia Drug Treatment Courts are wholly or largely compliant with the established Virginia Drug Treatment Court Standards. Data entry is complete and thorough for all participants since July 1, 2007, with the exceptions noted below. In addition, Policy and Procedures Manuals contain the required program information. Programs with scores less than 100% will be reviewed again next year. Two new drug treatment courts in Tazewell and Franklin County will also be reviewed next year.

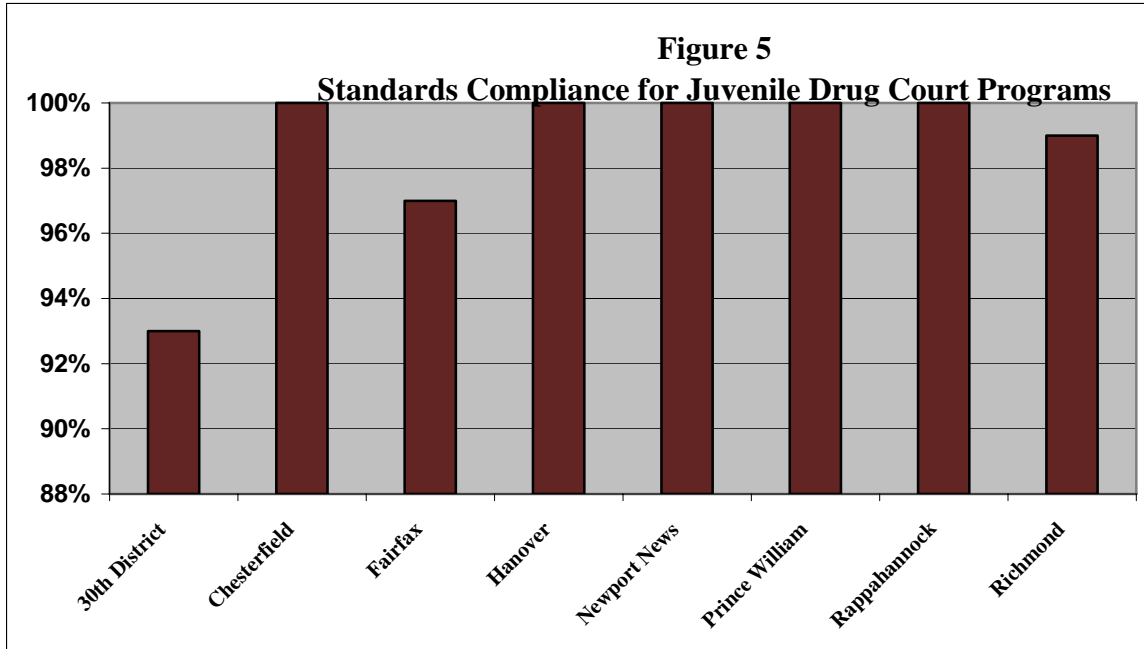
**Adult Drug Treatment Courts**

Fourteen Adult Drug Treatment Courts were visited and reviewed, as shown in Figure 4 with standards compliance scores ranged from 92% - 100%. Programs that were not 100% compliant lacked one or more of the following: (1) complete data entry into the drug treatment court database at SCV, (2) a statement of consent to enter data into the Drug Court Database on the confidentiality forms, or (3) a local advisory committee or a local advisory committee with all the members prescribed by statute 18.2-254.1.G. The Virginia Adult Drug Treatment Courts have no waiting period for treatment, meaning that participants are entered into treatment the same or next day they are accepted into drug treatment court.



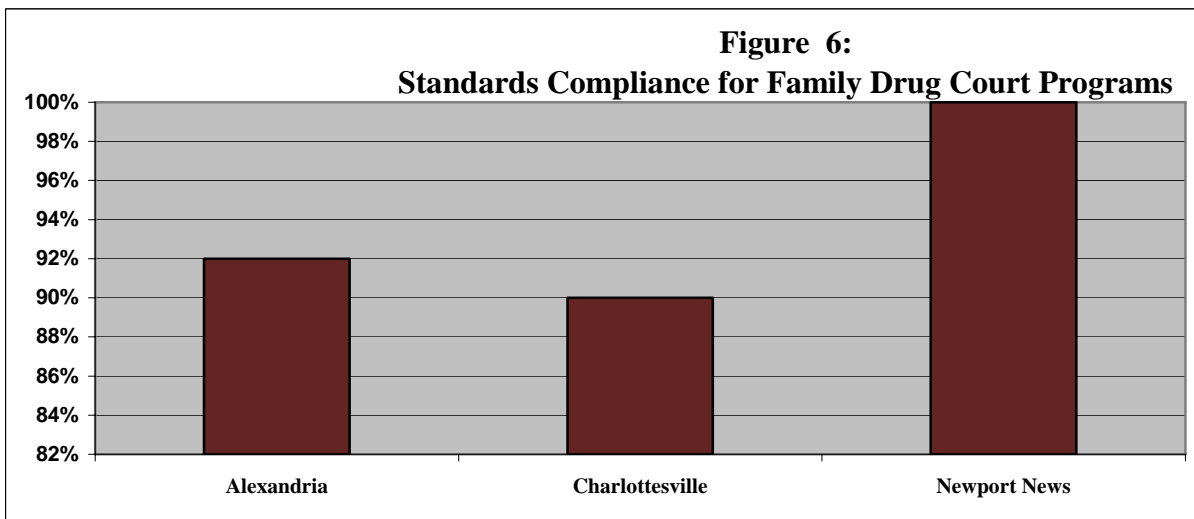
### Juvenile Drug Treatment Courts

In addition, eight Juvenile Drug Treatment Court were visited and reviewed. Standards compliance scores ranged from 93%-100% with half of programs attaining 100% compliance with Juvenile Drug Treatment Court Standards (see Figure 5). Programs that did not attain full compliance lacked complete data entry into the Drug Treatment Court Database.



### Family Drug Treatment Courts

Three Family Drug Treatment Courts were also visited and reviewed. Standards compliance scores for these programs ranged from 90% - 100%, as shown in Figure 6. Two programs did not attain 100% compliance primarily due to lack of complete data entry into the Drug Treatment Court Database.



## **DUI Drug Treatment Court**

Rappahannock Area Alcohol Safety Action Program (RAASAP) manages the DUI Drug Treatment Court in Fredericksburg General District Court, Spotsylvania General District Court & Stafford General District Court as one regional program. The Fredericksburg Regional DUI drug court is modeled after the “Drug Court” concept, coordinating substance abuse intervention with direct judicial support and imposing immediate sanctions for the probationer’s behavior throughout probation. RAASAP provided the operations manual, substance abuse assessment, coordination of intervention services and case management services for operation of the DUI drug court.

This regional DUI Drug Treatment Court was also visited and reviewed. Because this program is operated by RAASAP, all program participant data (including the DUI Drug Court participant data) are entered into the Inferno database as prescribed by Virginia Alcohol Safety Action Program data entry standards. OES has worked to develop a data migration from the Inferno database to the Drug Treatment Court Database, which has been unsuccessful thus far due to connectivity problems. This standard was therefore scored “not applicable”.

In addition, City Council appoints the Policy Board for the Rappahannock Area Alcohol Safety Action Program. Therefore, the standard regarding advisory committee composition was also exempted.

Taking these factors into consideration, the Fredericksburg Area DUI Drug Court attained 100% compliance.

## VI. SUMMARY

Drug treatment courts in Virginia are currently serving a wide range of individuals, possessing significant substance abuse and offense histories. By implementing four models (serving adults, juveniles, families, and DUI offenders), these programs strive to address the underlying impact of substance abuse on criminal offending and permanency for abuse/neglected children.

A total of 26 drug treatment courts were included in this evaluation effort, encompassing over 3,400 referred individuals and 2,352 who ultimately participated. Although the level of services is intensive, many programs currently operate under capacity.

Several interesting outcome findings have emerged which are consistent with prevailing drug treatment court trends in other states. Specifically, the prevalence of rearrests appears favorable for drug court graduates compared to non-participants, retention in substance abuse treatment for successful and unsuccessful participants is high, and the per-participant cost for drug court participants is lower than alternative sanctions for like populations. In addition, the majority of operational drug treatment courts are in full compliance with Virginia's established drug treatment court standards.

This effort also established a cost estimate for drug court costs, which was not previously available. Compared to per day costs for other types of offender sanctions/services/placements for similar populations, drug treatment courts are considerably less costly per day than alternative Department of Corrections options, and considerably less expensive than commitment to DJJ.

Future efforts should focus on examination of outcomes over a longer-period of time, as well as cost-benefit analyses.

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**Appendix A**

**The Virginia Drug Treatment Court Act**

§ 18.2-254.1. Drug Treatment Court Act.

A. This section shall be known and may be cited as the "Drug Treatment Court Act."

B. The General Assembly recognizes that there is a critical need in the Commonwealth for effective treatment programs that reduce the incidence of drug use, drug addiction, family separation due to parental substance abuse, and drug-related crimes. It is the intent of the General Assembly by this section to enhance public safety by facilitating the creation of drug treatment courts as means by which to accomplish this purpose.

C. The goals of drug treatment courts include: (i) reducing drug addiction and drug dependency among offenders; (ii) reducing recidivism; (iii) reducing drug-related court workloads; (iv) increasing personal, familial and societal accountability among offenders; and, (v) promoting effective planning and use of resources among the criminal justice system and community agencies.

D. Drug treatment courts are specialized court dockets within the existing structure of Virginia's court system offering judicial monitoring of intensive treatment and strict supervision of addicts in drug and drug-related cases. Local officials must complete a recognized planning process before establishing a drug treatment court program.

E. Administrative oversight for implementation of the Drug Treatment Court Act shall be conducted by the Supreme Court of Virginia. The Supreme Court of Virginia shall be responsible for (i) providing oversight for the distribution of funds for drug treatment courts; (ii) providing technical assistance to drug treatment courts; (iii) providing training for judges who preside over drug treatment courts; (iv) providing training to the providers of administrative, case management, and treatment services to drug treatment courts; and (v) monitoring the completion of evaluations of the effectiveness and efficiency of drug treatment courts in the Commonwealth.

F. A state drug treatment court advisory committee shall be established to (i) evaluate and recommend standards for the planning and implementation of drug treatment courts; (ii) assist in the evaluation of their effectiveness and efficiency; and (iii) encourage and enhance cooperation among agencies that participate in their planning and implementation. The committee shall be chaired by the Chief Justice of the Supreme Court of Virginia or his designee and shall include a member of the Judicial Conference of Virginia who presides over a drug treatment court; a district court judge; the Executive Secretary or his designee; the directors of the following executive branch agencies: Department of Corrections, Department of Criminal Justice Services, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Department of Social Services; a representative of the following entities: a local community-based probation and pretrial services agency, the Commonwealth's Attorney's Association, the Virginia Indigent Defense Commission, the Circuit Court Clerk's Association, the Virginia Sheriff's Association, the Virginia Association of Chiefs of Police, the Commission on VASAP, and two representatives designated by the Virginia Drug Court Association.



G. Each jurisdiction or combination of jurisdictions that intend to establish a drug treatment court or continue the operation of an existing one shall establish a local drug treatment court advisory committee. Jurisdictions that establish separate adult and juvenile drug treatment courts may establish an advisory committee for each such court. Each advisory committee shall ensure quality, efficiency, and fairness in the planning, implementation, and operation of the drug treatment court or courts that serve the jurisdiction or combination of jurisdictions. Advisory committee membership shall include, but shall not be limited to the following people or their designees: (i) the drug treatment court judge; (ii) the attorney for the Commonwealth, or, where applicable, the city or county attorney who has responsibility for the prosecution of misdemeanor offenses; (iii) the public defender or a member of the local criminal defense bar in jurisdictions in which there is no public defender; (iv) the clerk of the court in which the drug treatment court is located; (v) a representative of the Virginia Department of Corrections, or the Department of Juvenile Justice, or both, from the local office which serves the jurisdiction or combination of jurisdictions; (vi) a representative of a local community-based probation and pretrial services agency; (vii) a local law-enforcement officer; (viii) a representative of the Department of Behavioral Health and Developmental Services or a representative of local drug treatment providers; (ix) the drug court administrator; (x) a representative of the Department of Social Services; (xi) county administrator or city manager; and (xii) any other people selected by the drug treatment court advisory committee.

H. Each local drug treatment court advisory committee shall establish criteria for the eligibility and participation of offenders who have been determined to be addicted to or dependent upon drugs. Subject to the provisions of this section, neither the establishment of a drug treatment court nor anything herein shall be construed as limiting the discretion of the attorney for the Commonwealth to prosecute any criminal case arising therein which he deems advisable to prosecute, except to the extent the participating attorney for the Commonwealth agrees to do so. As defined in § [17.1-805](#) or [19.2-297.1](#), adult offenders who have been convicted of a violent criminal offense within the preceding 10 years, or juvenile offenders who previously have been adjudicated not innocent of any such offense within the preceding 10 years, shall not be eligible for participation in any drug treatment court established or continued in operation pursuant to this section.

I. Each drug treatment court advisory committee shall establish policies and procedures for the operation of the court to attain the following goals: (i) effective integration of drug and alcohol treatment services with criminal justice system case processing; (ii) enhanced public safety through intensive offender supervision and drug treatment; (iii) prompt identification and placement of eligible participants; (iv) efficient access to a continuum of alcohol, drug, and related treatment and rehabilitation services; (v) verified participant abstinence through frequent alcohol and other drug testing; (vi) prompt response to participants' noncompliance with program requirements through a coordinated strategy; (vii) ongoing judicial interaction with each drug court participant; (viii) ongoing monitoring and evaluation of program effectiveness and efficiency; (ix) ongoing interdisciplinary education and training in support of program effectiveness and efficiency; and (x) ongoing collaboration among drug treatment courts, public agencies, and community-based organizations to enhance program effectiveness and efficiency.

J. Participation by an offender in a drug treatment court shall be voluntary and made pursuant only to a written agreement entered into by and between the offender and the Commonwealth with the concurrence of the court.

K. Nothing in this section shall preclude the establishment of substance abuse treatment programs and services pursuant to the deferred judgment provisions of § [18.2-251](#).

L. Each offender shall contribute to the cost of the substance abuse treatment he receives while participating in a drug treatment court pursuant to guidelines developed by the drug treatment court advisory committee.

M. Nothing contained in this section shall confer a right or an expectation of a right to treatment for an offender or be construed as requiring a local drug treatment court advisory committee to accept for participation every offender.

N. The Office of the Executive Secretary shall, with the assistance of the state drug treatment court advisory committee, develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local drug treatment courts. A report of these evaluations shall be submitted to the General Assembly by December 1 of each year. Each local drug treatment court advisory committee shall submit evaluative reports to the Office of the Executive Secretary as requested.

O. Notwithstanding any other provision of this section, no drug treatment court shall be established subsequent to March 1, 2004, unless the jurisdiction or jurisdictions intending or proposing to establish such court have been specifically granted permission under the Code of Virginia to establish such court. The provisions of this subsection shall not apply to any drug treatment court established on or before March 1, 2004, and operational as of July 1, 2004.

P. Subject to the requirements and conditions established by the state Drug Treatment Court Advisory Committee, there shall be established a drug treatment court in the following jurisdictions: the City of Chesapeake and the City of Newport News.

Q. Subject to the requirements and conditions established by the state Drug Treatment Court Advisory Committee, there shall be established a drug treatment court in the Juvenile and Domestic Relations District Court for the County of Franklin, provided that such court is funded solely through local sources.

R. Subject to the requirements and conditions established by the state Drug Treatment Court Advisory Committee, there shall be established a drug treatment court in the County of Tazewell, provided that the court is funded within existing state and local appropriations.

(2004, c. [1004](#); 2005, cc. [519](#), [602](#); 2006, cc. [175](#), [341](#); 2007, c. [133](#); 2009, cc. [205](#), [281](#), [294](#), [813](#), [840](#).)

## **Appendix B**

### **Detailed Cost Information By Model**

## **CALCULATING DRUG COURT COST ELEMENTS**

Drug court costs were calculated based upon the procedures outlined below.

### **Drug Court Staffing & Hearing Costs**

Calculated based upon:

1. The annual salary(ies) of each individual that attended and/or prepared information for drug court staffing and hearings; and
2. The average number of hours spent on staffing and hearing tasks monthly.

The annual cost for each representative was calculated then summed together to obtain a total annual cost of drug court staffings, as well as drug court hearings. These annual costs were then divided by the average daily population reviewed in staffing or seen in hearings respectively, resulting in an annual cost per participant for each type of activity.

### **Drug Court Services Costs**

Calculated based upon:

1. The annual salary(ies) of each individual that provided services to drug treatment court participants;
2. The average number of hours spent providing services to drug treatment court participants monthly; and
3. The total operating costs for the program, excluding any personnel costs and including any costs that were in-kind donations.

The annual cost for each service provider was calculated, then summed together, then added to any other operations costs to obtain a total annual cost of providing services. This number was then divided by the average daily population that receives services annually, which resulted in an annual cost per participant for drug treatment court services.

### **Drug Testing Costs**

Coordinators provided costs related to in-house drug screens and lab screens, and all other costs associated with drug testing (i.e., personnel). These costs were then computed to obtain a total annual cost of drug testing and then divided by the average daily population of each locality reporting serving during the above timeframe.

### **Jail/Detention Costs**

Data were collected from individual program coordinators, as well as the most up-to-date information available through the drug treatment court database at SCV.

## Calculating Costs for Adult Drug Treatment Court Programs

During the 2008-2009 fiscal year, there were 15 adult drug treatment court programs operating in Virginia. The Suffolk Adult Drug Treatment Court program closed in December 2008 and was not included in this analysis. The costs associated with the adult drug treatment court models was analyzed based on the courts approach to processing cases, either by the diversion model or the post-adjudication model. Results were analyzed to determine any financial differences within these two approaches.

Based on the costs submitted by the coordinators of each court, adult drug court programs spent \$3,838,196.48 throughout the year to operate their programs. This includes all the costs associated with staffings, hearings, drug court services, drug testing, and jail days when used as a sanction. On average, adult drug court programs spent \$8,700.48 per participant annually.

### *Drug Court Staffings*

The majority of the adult drug treatment court programs have between 7 – 9 representatives attending and/or preparing information for drug court staffings on a regular basis. The number of representatives ranged from 3 in Roanoke and Staunton, to 18 in Rappahannock. Further, the number of individuals served in the drug court programs over the course of the year varied greatly, from 6 participants in Chesapeake to over 130 participants in Chesterfield, with an average of 42 participants served annually.

On average, adult drug treatment court programs spent approximately \$31,585.34 per year on drug treatment court staffings. Diversion models have a slightly less average cost than post-adjudication models (\$27,028.20 compared to \$36,142.67). Drug court staffings would typically include the Judge, the Commonwealth Attorney, and the coordinator, in addition to representatives from treatment, defense, probation, surveillance, case management, law enforcement and administrative representation.

The total annual cost of drug court staffings ranged from about \$3,405.39 per year in Staunton to \$68,221.87 per year in Newport News. The annual cost of drug treatment court staffings per participants ranged from \$44.06 in Roanoke to \$5,934.80 in Loudoun County, with an average annual cost per participant of \$1,619.76 (See Table 1). Further, the annual cost of drug treatment court staffings per participant for the diversion model was \$916.00, as compared to \$2,323.52 for the post-adjudication model.

It is important to note that many courts reported that the same number of representatives attend and participate in staffings, even when participant numbers are down. This would account for some of the higher costs per participant for drug court staffings and hearings.

<b>Table 1: Annual Cost of Drug Court Staffings – Adult Program by Model</b>			
<b>Locality</b>	<b>Total Annual Costs</b>	<b>Average Daily Population</b>	<b>Average Total Cost per Participant</b>
<b>Adult Diversionary Model</b>			
Charlottesville	\$58,551.19	41	\$1,428.08
Chesterfield	\$18,332.68	62	\$295.69
Hampton	\$22,946.15	27	\$849.86
Hopewell	\$25,966.81	10	\$2,596.68
Rappahannock	\$54,267.85	58	\$935.65
Roanoke	\$5,727.35	130	\$44.06
Staunton	\$3,405.39	13	\$261.95
<b>AVERAGE</b>	<b>\$27,028.20</b>	<b>49</b>	<b>\$916.00</b>
<b>Post-Adjudication Model</b>			
Chesapeake	\$35,256.96	6	\$5,876.16
Henrico	\$25,270.98	49	\$515.73
Loudoun County	\$94,956.81	16	\$5,934.80
Newport News	\$68,221.87	45	\$1,516.04
Norfolk	\$18,822.48	51	\$369.07
Portsmouth	\$20,259.29	37	\$547.55
Richmond	\$60,210.31	40	\$1,505.26
<b>AVERAGE</b>	<b>\$36,142.67</b>	<b>35</b>	<b>\$2,323.52</b>
<b>STATEWIDE AVERAGE</b>	<b>\$31,585.44</b>	<b>42</b>	<b>\$1,619.76</b>

### *Drug Court Status Hearings*

The majority of the adult drug treatment court programs have between 5 – 7 representatives attending and/or participating at drug court status hearings on a regular basis. The number of representatives ranged from 3 in Newport News, to 11 in Rappahannock.

On average, adult drug treatment court programs spent approximately \$12,113.28 per year on drug treatment court hearings. There was only a slight difference in the average amount adult courts spend on staffing between the diversion and post-adjudication models, with an average of \$13,194.21 in the diversion models and \$11,032.36 in the post-adjudication models. Drug court hearings would typically include the Judge, the Commonwealth Attorney, and the coordinator, in addition to representatives from treatment, defense, probation, surveillance, case management, law enforcement and administrative representation.

The total annual cost of drug court hearings ranged from about \$2,287.94 per year in Staunton to \$35,638.13 per year in Charlottesville. The annual cost of drug treatment court hearings per participants ranged from \$47.25 in Roanoke to \$1,207.23 in Loudoun County, with an average annual cost per participant of \$407.44 (See Table 2). The average cost of drug treatment court hearings per participant for the diversion model was \$391.07, as compared to \$423.81 for the post-adjudication model.

**Table 2: Annual Cost of Drug Court Status Hearings – Adult Program by Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
<b>Adult Diversionary Model</b>			
Charlottesville	\$35,638.13	41	\$869.22
Chesterfield	\$21,132.46	62	\$340.85
Hampton	\$11,983.93	27	\$443.85
Hopewell	\$7,234.17	10	\$723.42
Rappahannock	\$7,940.84	58	\$136.91
Roanoke	\$6,141.97	130	\$47.25
Staunton	\$2,287.94	13	\$176.00
<b>AVERAGE</b>	<b>\$13,194.21</b>	<b>49</b>	<b>\$391.07</b>
<b>Post-Adjudication Model</b>			
Chesapeake	\$2,999.36	6	\$499.89
Henrico	\$6,550.79	49	\$133.69
Loudoun County	\$19,315.75	16	\$1,207.23
Newport News	\$20,924.57	45	\$464.99
Norfolk	\$6,294.54	51	\$123.42
Portsmouth	\$4,402.85	37	\$119.00
Richmond	\$16,738.65	40	\$418.47
<b>AVERAGE</b>	<b>\$11,032.36</b>	<b>35</b>	<b>\$423.81</b>
<b>STATEWIDE AVERAGE</b>	<b>\$12,113.28</b>	<b>42</b>	<b>\$407.44</b>

### *Drug Court Services*

The majority of the adult drug treatment court programs have between 4 – 6 individuals providing services to drug treatment court participants on a regular basis. The number of providers ranged from 2 in Hopewell, to 9 in Rappahannock.

On average, adult drug treatment court programs spent approximately \$188,838.28 per year on providing drug court services to participants. The post-adjudication model spent an average of \$252,049.24, nearly double the average spent by the diversion models (\$127,627.32). Drug court services include case management, DSS services, treatment services, probation and/or supervision services, law enforcement services, detention outreach services, school services, and/or administrative services. The total annual cost of drug court services ranged from about \$15,000.00 per year in Hopewell to nearly \$430,000.00 per year in Henrico County.

The annual cost of providing drug treatment court services per participants ranged from \$1,056.98 in Roanoke to \$13,720.49 in Chesapeake, with an average annual cost per participant of \$6,173.64 (See Table 3). Again, on average, the post-adjudication model spent more per participant when providing services (\$8,054.77) when compared to the diversion model (\$4,292.50), even though the average number of participants served annually did not differ that much.

<b>Table 3: Annual Cost of Drug Court Services – Adult Program by Model</b>			
<b>Locality</b>	<b>Total Annual Costs</b>	<b>Average Daily Population</b>	<b>Average Total Cost per Participant</b>
<b>Adult Diversionary Model</b>			
Charlottesville	\$188,460.00	41	\$4,596.59
Chesterfield	\$178,311.24	62	\$2,875.99
Hampton	\$285,306.04	27	\$10,566.89
Hopewell	\$14,678.27	10	\$1,467.83
Rappahannock	\$79,827.60	58	\$1,376.34
Roanoke	\$137,407.14	130	\$1,056.98
Staunton	\$105,389.24	13	\$8,106.87
<b>AVERAGE</b>	<b>\$127,627.32</b>	<b>49</b>	<b>\$4,292.50</b>
<b>Post-Adjudication Model</b>			
Chesapeake	\$82,322.95	6	\$13,720.49
Henrico	\$429,131.32	49	\$8,757.78
Loudoun County	\$180,766.90	16	\$11,297.93
Newport News	\$321,850.41	45	\$7,152.23
Norfolk	\$226,546.70	51	\$4,442.09
Portsmouth	\$157,688.46	37	\$4,261.85
Richmond	\$270,039.62	40	\$6,750.99
<b>AVERAGE</b>	<b>\$252,049.24</b>	<b>35</b>	<b>\$8,054.77</b>
<b>STATEWIDE AVERAGE</b>	<b>\$188,838.28</b>	<b>42</b>	<b>\$6,173.64</b>

### *Drug Testing Costs*

On average, adult drug treatment court programs spent approximately \$15,652.00 per year on drug tests, with diversion programs averaging \$15,558.59 annually and post-adjudication programs averaging \$15,746.43 annually. The annual cost of drug tests ranged from \$3,600.00 per year in Roanoke to \$31,500.00 per year in Richmond. The annual cost of drug tests per participants ranged from \$27.69 in Roanoke to \$1,176.00 in Chesapeake, with an average annual cost of \$476.08 (See Table 4). The annual cost of drug tests per participants for the diversion model was slightly less than the same costs for the post-adjudication model (\$431.29 compared to \$520.86).



<b>Table 4: Annual Cost of Drug Tests – Adult Program by Model</b>			
<b>Locality</b>	<b>Total Annual Costs</b>	<b>Average Daily Population</b>	<b>Average Total Cost per Participant</b>
<b>Adult Diversionary Model</b>			
Charlottesville	\$23,000.00	41	\$560.98
Chesterfield	\$27,600.00	62	\$445.16
Hampton	\$23,771.78	27	\$880.44
Hopewell	\$3,744.00	10	\$374.40
Rappahannock	\$22,812.75	58	\$393.32
Roanoke	\$3,600.00	130	\$27.69
Staunton	\$4,381.61	13	\$337.05
<b>AVERAGE</b>	<b>\$15,558.59</b>	<b>49</b>	<b>\$431.29</b>
<b>Post-Adjudication Model</b>			
Chesapeake	\$7,056.00	6	\$1,176.00
Henrico	\$31,200.00	49	\$636.73
Loudoun County	\$3,840.00	16	\$240.00
Newport News	\$5,118.00	45	\$113.73
Norfolk	\$21,511.00	51	\$421.78
Portsmouth	\$10,000.00	37	\$270.27
Richmond	\$31,500.00	40	\$787.50
<b>AVERAGE</b>	<b>\$15,746.43</b>	<b>35</b>	<b>\$520.86</b>
<b>STATEWIDE AVERAGE</b>	<b>\$15,652.51</b>	<b>42</b>	<b>\$476.08</b>

### *Incarceration Costs*

The daily cost of a jail bed for adult drug treatment court programs ranged from \$47.57 per day in Richmond to \$191.82 per day in Loudoun County. On average, adult drug treatment courts spend \$69.92 for each day the participant spends in jail. Over 70% of the programs spend between \$50.00 and \$75.00 per day for jail costs. When jail bed costs were separated between diversion and post-adjudication programs, the average cost of a jail bed per day showed little difference between the diversion model (\$61.33) and the post-adjudication model (\$78.50).

The total number of days participants spend in jail as a result of sanctions also varies throughout the adult drug treatment court programs, ranging from zero days in Hopewell to 1645 days in Chesterfield County. On average, adult drug treatment court participants statewide are sanctioned to 375 days in jail per year. Participants in the diversion model were sanctioned to jail an average of 399 days throughout the year, compared to jail sanctions of 350 days for post-adjudication models.

The total costs of jail beds on an annual basis varies for each court, with Hopewell spending \$0.00 per year on jail bed costs, Portsmouth spending \$210.28 per year on jail bed costs, and Chesterfield spending \$103,996.90 per year on jail bed costs. The average cost of jail beds annually for the diversion models was \$24,627.57, compared to \$23,109.91 per year for the post-adjudication models.

It must be noted that each adult drug court program operates differently, with some using jail as a sanction more frequently than other courts. Further, the drug court programs with larger number of participants would be expected to spend more on jail costs than courts with fewer participants (See Table 5).

<b>Table 5: Annual Cost of Using Jail Beds as Sanction – Adult Program by Model</b>			
<b>Locality</b>	<b>Daily Cost of Jail Bed</b>	<b>Number of Days Participants Spent in Jail</b>	<b>Annual Costs of Jail Beds</b>
<b>Adult Diversionary Model</b>			
Charlottesville	\$70.66	94	\$6,642.04
Chesterfield	\$63.22	1645	\$103,996.90
Hampton	\$60.78	201	\$12,216.78
Hopewell	\$63.22	0	\$0.00
Rappahannock	\$58.64	515	\$30,199.60
Roanoke	\$62.63	187	\$11,711.81
Staunton	\$50.17	152	\$7,625.84
<b>AVERAGE</b>	<b>\$61.33</b>	<b>399</b>	<b>\$24,627.57</b>
<b>Post-Adjudication Model</b>			
Chesapeake	\$76.80	208	\$15,974.40
Henrico	\$77.45	590	\$45,695.50
Loudoun County	\$191.82	114	\$21,867.48
Newport News	\$50.79	113	\$5,739.27
Norfolk	\$52.49	962	\$50,495.38
Portsmouth	\$52.57	4	\$210.28
Richmond	\$47.57	458	\$21,787.06
<b>AVERAGE</b>	<b>\$78.50</b>	<b>350</b>	<b>\$23,109.91</b>
<b>STATEWIDE AVERAGE</b>	<b>\$69.92</b>	<b>375</b>	<b>\$23,868.74</b>

### **Calculating Costs for Juvenile Drug Treatment Court Programs**

During the 2007-2008 fiscal year, there were 8 juvenile drug treatment court programs operating in Virginia. Based on the costs submitted by the coordinators of each court, juvenile drug court programs spent \$1,936,545.86 throughout the year to operate their programs. On average, juvenile drug court programs spent \$24,406.60 per participant annually. Further, the number of individuals served in the drug court programs over the course of the year varied greatly, from 5 participants in Fairfax to 19 participants in the 30<sup>th</sup> District, with an average of 10 participants served annually.

#### *Drug Court Staffings*

Half of the juvenile drug treatment court programs have 7 or 8 representatives attending and/or preparing information for drug court staffings on a regular basis. The number of representatives ranged from 6 in Prince William County, to 23 in the 30<sup>th</sup> District.

On average, juvenile drug treatment court programs spent approximately \$28,254.18 per year on drug treatment court staffings. Drug court staffings would typically include the Judge, the

Commonwealth Attorney, and the coordinator, in addition to representatives from treatment, defense, probation, surveillance, case management, law enforcement, school representation, and administrative representation.

The total annual cost of drug court staffings ranged from about \$10,934.40 per year in the 30<sup>th</sup> District to \$36,658.39 per year in Newport News. The annual cost of drug treatment court staffings per participants ranged from \$575.49 in the 30<sup>th</sup> District to \$5,370.16 in Richmond, with an average annual cost per participant of \$3,042.91 (See Table 6).

<b>Table 6: Annual Cost of Drug Court Staffings – Juvenile Model</b>			
<b>Locality</b>	<b>Total Annual Costs</b>	<b>Average Daily Population</b>	<b>Average Total Cost per Participant</b>
Chesterfield	\$21,376.40	12	\$1,781.37
Fairfax	\$31,021.71	5	\$4,202.34
Hanover	\$31,549.46	6	\$3,503.62
Newport News	\$36,658.99	11	\$3,332.64
Prince William	\$28,468.90	9	\$3,163.21
Rappahannock	\$33,802.66	14	\$2,414.48
Richmond	\$32,220.95	6	\$5,370.16
30 <sup>th</sup> District	\$10,934.40	19	\$575.49
<b>AVERAGE</b>	<b>\$28,254.18</b>	<b>10</b>	<b>\$3,042.91</b>

### *Drug Court Status Hearings*

Half of the juvenile drug treatment court programs have 7 or 8 representatives attending and/or participating at drug court status hearings on a regular basis. Rappahannock juvenile drug treatment court program reports 12 representatives attending hearings, and the 30<sup>th</sup> District reports over 20; however, this is spread across three localities.

On average, juvenile drug treatment court programs spent approximately \$13,142.86 per year on drug treatment court hearings. Drug court hearings would typically include the Judge, the Commonwealth Attorney, and the coordinator, in addition to representatives from treatment, defense, probation, surveillance, case management, law enforcement, school representation, and administrative representation.

The total annual cost of drug court hearings ranged from about \$1,708.40 per year in Richmond to \$32,950.35 per year in Newport News. The annual cost of drug treatment court hearings per participant ranged from \$284.73 in Richmond to \$2,995.49 in Newport News, with an average annual cost per participant of \$1,322.48 (See Table 7).

**Table 7: Annual Cost of Drug Court Status Hearings – Juvenile Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Chesterfield	\$17,031.68	12	\$1,419.31
Fairfax	\$4,970.16	5	\$994.03
Hanover	\$6,701.12	6	\$1,116.85
Newport News	\$32,950.35	11	\$2,995.49
Prince William	\$24,962.73	9	\$2,773.64
Rappahannock	\$5,884.02	14	\$420.29
Richmond	\$1,708.40	6	\$284.73
30 <sup>th</sup> District	\$10,934.40	19	\$575.50
<b>AVERAGE</b>	<b>\$13,142.86</b>	<b>10</b>	<b>\$1,322.48</b>

### *Drug Court Services*

Half of the juvenile drug treatment court programs have between 2 – 3 individuals providing services to drug treatment court participants on a regular basis. The number of providers ranged from 2 in Newport News, to 8 in both Chesterfield and Hanover Counties. Further, the number of providers in the 30<sup>th</sup> district was reportedly 21, due to the services being provided across three large counties.

On average, juvenile drug treatment court programs spent approximately \$158,016.31 per year on providing drug court services to participants. The total annual cost of drug court services ranged from about \$24,000.00 per year in Rappahannock to nearly \$500,000.00 per year in Prince William County. The annual cost of providing drug treatment court services per participants ranged from \$1,733.10 in Rappahannock to over \$55,000.00 in Prince William County, with an average annual cost per participant of \$19,179.65 (See Table 8).

**Table 8: Annual Cost of Drug Court Services – Juvenile Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Chesterfield	\$109,061.70	12	\$9,088.48
Fairfax	\$136,654.81	5	\$27,330.96
Hanover	\$135,327.18	6	\$22,554.53
Newport News	\$128,231.08	11	\$11,657.37
Prince William	\$497,373.62	9	\$55,263.74
Rappahannock	\$24,263.40	14	\$1,733.10
Richmond	\$118,685.71	6	\$19,780.95
30 <sup>th</sup> District	\$114,532.98	19	\$6,028.05
<b>AVERAGE</b>	<b>\$158,016.31</b>	<b>10</b>	<b>\$19,179.65</b>

*Drug Testing Costs*

On average, juvenile drug treatment court programs spent approximately \$8,739.00 per year on drug tests. The annual cost of drug tests ranged from \$800.00 per year in Fairfax to \$29,400.00 per year in Chesterfield County. The annual cost of drug tests per participants ranged from \$160.00 in Fairfax to \$2,450.00 in Chesterfield, with an average annual cost of \$861.56 (See Table 9).

<b>Table 9: Annual Cost of Drug Tests – Juvenile Model</b>			
<b>Locality</b>	<b>Total Annual Costs</b>	<b>Average Daily Population</b>	<b>Average Total Cost per Participant</b>
Chesterfield	\$29,400.00	12	\$2,450.00
Fairfax	\$800.00	5	\$160.00
Hanover	\$7,700.00	6	\$1,283.33
Newport News	\$3,239.50	11	\$294.50
Prince William	\$15,696.00	9	\$1,744.00
Rappahannock	\$7,800.00	14	\$557.14
Richmond	\$1,104.00	6	\$184.00
30 <sup>th</sup> District	\$4,170.00	19	\$219.47
<b>AVERAGE</b>	<b>\$8,739.00</b>	<b>10</b>	<b>\$861.56</b>

*Incarceration Costs*

Juvenile drug treatment court programs have higher incarceration costs, due to participants being under the age of 18, and therefore being sent to detention as opposed to jail. All eight juvenile programs used detention for incarceration, with only two courts reporting that they also use jail for only those participants who are of age.

The daily cost of a detention bed for juvenile drug treatment court programs ranged from \$150.87 per day for Richmond to \$266.22 per day Fairfax. On average, juvenile drug treatment courts spend \$226.55 for each day the participant spends in detention.

The total number of days participants spend in jail or detention as a result of sanctions also varies throughout the adult drug treatment court programs, ranging from 27 days in Richmond to 450 days in Chesterfield County. On average, juvenile drug treatment court participants are sanctioned to 189 days in detention per year.

The total costs of detention beds on an annual basis varies for each court, with Richmond spending \$4,073.49 per year on detention bed costs and Chesterfield spending \$112,882.50 per year on detention bed costs. Further, the drug court programs with larger number of participants would be expected to spend more on detention costs than courts with fewer participants (See Table 10).

**Table 10: Annual Cost of Using Jail/Detention Beds as Sanction –  
Juvenile Model**

Locality	Daily Cost of Jail/Detention Bed	Number of Days Participants Spent in Jail/Detention	Annual Costs of Jail/Detention Beds
Chesterfield	\$250.85	450	\$112,882.50
Fairfax	\$266.22	39	\$10,382.58
Hanover	\$204.37	80	\$16,349.60
Newport News	\$214.75	150	\$32,212.50
Prince William	\$248.76	267	\$66,418.92
Rappahannock	\$225.34	156	\$35,153.04
Richmond	\$150.87	27	\$4,073.49
30 <sup>th</sup> District	\$251.26	271	\$68,091.45
<b>AVERAGE</b>	<b>226.55</b>	<b>189</b>	<b>\$43,195.51</b>

### Calculating Costs for Family Drug Treatment Court Programs

During the 2007-2008 fiscal year, there were 3 family drug treatment court programs operating in Virginia. Based on the costs submitted by the coordinators of each court, family drug court programs spent \$344,048.01 throughout the year to operate their programs. On average, family drug court programs spent \$14,318.86 per participant annually. The number of individuals served in the drug court programs over the course of the year varied from 5 participants in Newport News to 14 participants in Alexandria, with an average of 9 participants served annually.

#### *Drug Court Staffings*

All of the family drug treatment court programs have 6 or 7 representatives attending and/or preparing information for drug court staffings on a regular basis. On average, family drug treatment court programs spent approximately \$39,924.53 per year on drug treatment court staffings. Drug court staffings would typically include the Judge, the City Attorney, and the coordinator, in addition to representatives from treatment, DSS, CASA, and case management.

The total annual cost of drug court staffings ranged from \$13,515.25 per year in the Alexandria to \$82,748.27 per year in Charlottesville. The annual cost of drug treatment court staffings per participants ranged from \$965.38 in Alexandria to \$10,343.53 in Charlottesville, with an average annual cost per participant of \$5,336.97 (See Table 11).

**Table 11: Annual Cost of Drug Court Staffings – Family Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Alexandria	\$13,515.25	14	\$965.38
Charlottesville	\$82,748.27	8	\$10,343.53
Newport News	\$23,510.06	5	\$4,702.01
<b>AVERAGE</b>	<b>\$39,924.53</b>	<b>9</b>	<b>\$5,336.97</b>

*Drug Court Status Hearings*

Two of the three family drug treatment court programs have 6 representatives attending and/or participating at drug court status hearings on a regular basis, including the Judge, the coordinator, DSS, treatment or social worker, case management, and possibly the city attorney. While Court Appointed Special Advocates (CASA) volunteers may also attend, their costs are not included in this analysis because they are paid through private funding. Only in the cases where CASA volunteers are paid through taxpayer funds, were they included.

On average, family drug treatment court programs spent approximately \$6,761.75 per year on drug treatment court hearings. The total annual cost of drug court hearings ranged from about \$2,200.00 per year in Newport News to nearly \$15,000.00 per year in Charlottesville. The annual cost of drug treatment court hearings per participants ranged from \$228.90 in Alexandria to \$1858.33 in Charlottesville, with an average annual cost per participant of \$442.79 (See Table 12).

**Table 12: Annual Cost of Drug Court Status Hearings – Family Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Alexandria	\$3,204.64	14	\$228.90
Charlottesville	\$14,866.65	8	\$1,858.33
Newport News	\$2,213.95	5	\$442.79
<b>AVERAGE</b>	<b>\$6,761.75</b>	<b>9</b>	<b>\$843.34</b>

*Drug Court Services*

All three of the family drug treatment court programs have between only two individuals or agencies providing services to drug treatment court participants on a regular basis, including case manager and treatment or DSS services.

On average, family drug treatment court programs spent approximately \$62,545.66 per year on providing drug court services to participants. The total annual cost of drug court services ranged from about \$40,500.00 per year in Newport News to about \$80,000.00 per year in Alexandria. The annual cost of providing drug treatment court services per participants ranged from \$5,740.97 in Alexandria to over \$8,300.00 in Charlottesville, with an average annual cost per participant of \$7,395.94 (See Table 13).

**Table 13: Annual Cost of Drug Court Services – Family Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Alexandria	\$80,373.54	14	\$5,740.97
Charlottesville	\$66,744.43	8	\$8,343.05
Newport News	\$40,519.00	5	\$8,103.80
<b>AVERAGE</b>	<b>\$62,545.66</b>	<b>9</b>	<b>\$7,395.94</b>

*Drug Testing Costs*

On average, family drug treatment court programs spent approximately \$5,164.00 per year on drug tests. The annual cost of drug tests ranged from \$4,204.00 per year in Charlottesville to \$6,970.00 per year in Newport News. The annual cost of drug tests per participants ranged from \$308.57 in Alexandria to \$1,394.00 in Newport News, with an average annual cost of \$742.61 (See Table 14).

**Table 14: Annual Cost of Drug Tests – Family Model**

Locality	Total Annual Costs	Average Daily Population	Average Total Cost per Participant
Alexandria	\$4,320.00	14	\$308.57
Charlottesville	\$4,204.00	8	\$525.25
Newport News	\$6,970.00	5	\$1394.00
<b>AVERAGE</b>	<b>\$5,164.00</b>	<b>9</b>	<b>\$742.61</b>

*Incarceration Costs*

The daily cost of a jail bed for family drug treatment court programs ranged from \$50.70 per day in Newport News to \$135.11 per day in the Alexandria. On average, family drug treatment courts spend \$85.49 for each day the participant spends in jail.

The total number of days participants spend in jail as a result of sanctions also varies throughout the family drug treatment court programs, ranging from zero days in Charlottesville to 14 days in Newport News. On average, family drug treatment court participants are sanctioned to about 5 days in jail per year.

The total costs of jail beds on an annual basis varies for each court, with Charlottesville spending \$0.00 per year on jail bed costs and Newport News spending \$709.80 per year on jail bed costs. Again, it must be noted that each family drug treatment court program operates differently, with some using jail as a sanction more frequently than other courts (See Table 15).



**Table 15: Annual Cost of Using Jail/Detention Beds as Sanction –  
Family Model**

Locality	Daily Cost of Jail/Detention Bed	Number of Days Participants Spent in Jail/Detention	Annual Costs of Jail/Detention Beds
Alexandria	\$135.11	2	\$270.22
Charlottesville	\$70.66	0	\$0.00
Newport News	\$50.70	14	\$709.80
<b>AVERAGE</b>	<b>\$85.49</b>	<b>5</b>	<b>\$326.67</b>

**Calculating Costs for DUI Drug Treatment Court Programs**

During the 2007-2008 fiscal year, there was only one DUI drug treatment court program operating in Virginia. Based on the structure of the DUI program, the participant fees are used to cover most of the costs associated with the program, and therefore they have a very low ‘cost-to-taxpayer’ status. The only taxpayer cost associated with the DUI program is the salary of the Judge, which is what has been presented below. Based on the costs submitted by the coordinator, the DUI drug court program spent \$37,860.93 throughout the year to operate their program, which equals approximately \$48.54 per participant.

*Drug Court Staffings*

The taxpayer-only cost of drug court staffings for the DUI drug treatment court is the cost of the Judge. Based on information provided by the coordinator, the total annual cost of the Judge’s time in hearings is equal to approximately \$32,843.22. The total number of participants in court annually is about 780, resulting in an average annual cost per participant of \$42.11.

*Drug Court Hearings*

The taxpayer-only cost of drug court hearings for the DUI drug treatment court is the cost of the Judge. Based on information provided by the coordinator, the total annual cost of the Judge’s time in hearings is equal to approximately \$5,017.17. The total number of participants in court annual is about 780, resulting in an average annual cost per participant of \$6.43.

*Drug Court Services*

The cost of drug court services per year is not applicable to the DUI Drug Treatment Court Program because the participant pays for all drug court services. This is not a cost-to-taxpayer.

*Drug Testing Costs*

The cost of drug tests per year is not applicable to the DUI Drug Treatment Court Program because the participant pays for all drug tests. This is not a cost-to-taxpayer.

*Incarceration Costs*

The cost of jail beds per year is not applicable to the DUI Drug Treatment Court Program.

## ENDNOTES

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<sup>i</sup> The Drug Court Database at the Supreme Court of Virginia currently includes over 6,500 records for both past and current drug treatment court participants and referrals (many migrated from a previously-existing database) that have been confirmed unsuitable for analysis due to numerous interpretational difficulties.

<sup>ii</sup> The study sample excludes all cases with a completion date or a graduation date prior to July 1, 2007 were excluded. Cases with a referral date, accepted date, or assessment date prior to July 1, 2007, with the exception of cases that remain active, are on administrative probation, or have a graduation or completion date after July 1, 2007, were also excluded from the sample. Cases that revealed missing data for key variables or obvious errors were excluded as well.

<sup>iii</sup> Several of the analyses provided in this report do not account for all participants in the sample, due to unavailable data. Thus, analyses for reports are based only on the individuals in which data was entered into the Drug Court Database at the Supreme Court of Virginia.