

**Evaluation of the Third Judicial District Juvenile Drug Court:  
Quasi-Experimental Outcome Study Using Historical Information**

**prepared for:  
The Thirteenth Judicial District Court, the Children Youth and Families  
Department and the Administrative Office of the Court**

**prepared by:  
The Institute for Social Research, University of New Mexico  
Paul Guerin Ph.D.**

**December 2001**

## **Introduction**

The goal in conducting this preliminary outcome study was to better understand the effectiveness of drug courts in terms of whether they “work” in reducing the incidence of crime as measured by re-arrests of participants after they leave the program when compared to a matched comparison group. In a future study we would like to include additional measures of success. Additional measures of success would concentrate on changes in substance use and increases in measures of social stability (i.e. school improvement, family, employment). We were not able to include these types of outcome measures in this study. We are also interested in conducting a cost study.

Outcome studies are useful for a number of reasons. First, knowledge involving client success and a program can be used in an interactive manner to create a self-correcting system and to improve programs. Second, both funding sources and service providers have a vested interest in utilizing scarce resources in the most effective manner. Programs that are effective in reducing future contact with the criminal justice system should be replicated. Third, outcome evaluation findings, if valid and reliable, can be used to make programs more useful to the target population.

The methodology used in conducting this study follows guidelines suggested by the Drug Court Program Office (DCPO) in their publication “Drug Court Monitoring, Evaluation, and Management Information Systems” (June 1998) as well as generally accepted guidelines for impact/outcome evaluations. The design focuses on using a matched historical comparison group. Comparison group members were primarily matched on sex, race/ethnicity, age, type of referring offense, the presence of a substance abuse history, and drug court eligibility criteria (i.e. no violent felony convictions and the current offense is not a violent felony). Comparison group members are also matched in time. This means comparison group members are taken from the same time period as the drug court group so that we can control for what might be occurring in the larger community (e.g. a new District Attorney or change in laws) and we can control for exposure time for recidivism. Another matching variable was geographic location (i.e. Las Cruces and Anthony). Successful drug court graduates and those who did not successfully graduate were part of this study. This meant the study included any individual who had officially been accepted into the drug court program and did not take into account length of stay. The size of both groups was approximately the same and was dependent on the number of participants who had left the drug court program based on certain time parameters. Information collected in the drug court client management database was used for the drug court treatment group. Information collected in the drug court client management database includes referral information, demographic data, substance abuse history data, current offense data, school information, all services received, and exit information. Official chronological offense histories were collected in order to report referrals and petitions before entry into the drug court program, while in either in the drug court program or probation, and post drug court program and post probation.

The comparison group is comprised of drug court eligible individuals who for various reasons (e.g. were never referred) did not become drug court clients. These individuals

were under the supervision of the local probation department. Information collected for the comparison group was, to the extent possible, comparable. This consisted of demographic data, substance abuse history data, chronological offense history data, current offense data, and exit status from probation information. Information for both the drug court group and comparison group was composed of information that was available from official records and does not consist of any self-report information.

Using historical information only allowed us to collect official information that was available for the drug court and comparison group. It is our experience that historical information for the comparison group is much more limited than that which is available for the drug court group. This primarily occurs because each New Mexico drug court uses an Institute for Social Research designed client management information system database that routinely collects the information necessary to complete this type of study, while information for the comparison group is typically maintained in hard copy files which contain less information and often in different formats. The lack of available comparison group information limited the amount of data available for this study.

Outcome evaluation is typically the comparison of actual program outcomes with desired outcomes (goals). For criminal justice programs outcome evaluation measures typically focus on recidivism rates. Other types of outcomes that can be measured include changes in substance abuse and improvements in social indicators (e.g. employment, family relationships and living arrangements). Studies using historical information are limited to those measures that can be obtained through official sources, which is typically limited to official measures of recidivism. This is a weakness of this type of study. A strength of this type of study is it is relatively inexpensive to complete and requires much less time than other types of studies. We have chosen to focus on a number of different outcomes. These include:

- recidivism – defined as official new referrals and petitions (in-program and post-program) for any offense.
- time to re-arrest - in-program and post-program

Our primary goal is to help answer the broad question, which is not yet answerable, is do drug courts work? Perhaps as importantly, another question is: For which types of clients does drug court work best? or put another way: What is it about drug courts that work? This second question cannot be answered by this type of study.

This report contains several sections including the research design, the data analysis and discussion, and a conclusion. This report will be useful for the program in assessing its effectiveness and improving its operations and at the state and national level for further discovering if drug courts work and what it is about drug courts that are most effective.

## **Research Design**

This study was completed as part of a contract with the New Mexico Children Youth and Families Department. As part of this contract, for drug court programs where it is possible, we are obligated to complete a historical outcome study using a comparison group of individuals who did not participate in the juvenile drug court program. Originally we had hoped to conduct an outcome study using a contemporary comparison group of individuals who did not participate in the juvenile drug court program. Because of the small size of most juvenile drug courts regarding the number of clients who enter, are served and subsequently leave the programs it was not feasible to conduct this type of study within the time of the contract. This is further complicated by the difficulty in collecting a matched comparison group from probation files. This study includes all drug court clients between December 1997 and December 2000 who were clients for any period of time.

Drug Court clients who became part of the study entered and exited the program between December 1997 and December 2000. During this time, 134 clients entered and exited the program as indicated by the client management information database. These clients who had been accepted and received services became part of the treatment group.

Based on available data, we attempted to match the drug court graduates to a similar group of probation clients. In principle, we wanted a sample of probation clients who were similar in terms of chronological offense history, ethnicity and gender who also exited probation similarly (i.e. terminated and successfully completed probation). In other words, we wanted a comparison group of people who were otherwise eligible for drug court but for whatever reason did not participate in the program.

The comparison group originated from closed New Mexico Children Youth and Families Department (CYFD) Juvenile Justice Division (JJD) probation files. Closed files are files of juveniles who are no longer currently on probation and whose files are being stored. In this jurisdiction all the files were located at the local office in Albuquerque. We were granted access to these files by the local probation office and JJD.

After receiving permission to access closed files of clients we visited the office several times to become acquainted with the filing system. Next, we began reviewing individual probation files to determine eligibility for the comparison group. This was accomplished using an ISR designed eligibility criteria form (Appendix A). If an individual met all the criteria they were included in the comparison group and their file was coded using the ISR designed comparison group data collection codebook (Appendix B).

The following criteria were followed in the selection of the comparison group. A number of independent factors could exclude an offender from being included in the comparison group.

All Comparison Group Members:

- Were matched to the Third Judicial District Drug Court clients who entered and exited between December 1997 and December 2000.

- Were matched to the Third Judicial District Drug Court clients by gender, ethnicity, referring offense, and location of residence (Las Cruces or Anthony).
- Did not have prior violent felony convictions, referring offense was not a first degree felony, and had no prior convictions for a sex crime.
- Had never participated in the Third Judicial District Drug Court program.
- Were matched to the Third Judicial District Drug Court clients on status at discharge.

We excluded any potential comparison group member who had an indicated history of mental health problems or medical problems. We were not able to match participants on employment at intake into probation or years of education. We were also not able to completely match on length of stay because the average length of stay in drug court and probation vary. As will be shown later we were not able to match drug court clients as well as we would have liked

When possible, we attempted to include as similar a client as possible, although this was not always possible. This process of matching clients greatly improved the reliability of the data and hence the findings.

Once the two comparison groups were chosen, we requested a chronological offense history report on every study group member from the New Mexico Children Youth and Families Department (CYFD) Juvenile Justice Division (JJD) local probation office. These reports contain information pertaining to each referral to the JJD including incident date and charges, referral date to the local probation office, whether the incident was handled formally or informally and disposition information. In our review of the reports we discovered they were very difficult to read and interpret. In order to better understand the reports a meeting was scheduled with one of the supervising JPO's from the Thirteenth Judicial District to help us. As a result of this meeting we decided to keep our interpretation of the reports as simple as possible to reduce errors. We decided to include in our data collection the incident date of each referral, each charge associated with the incident and whether or not a petition was filed for a given referral. If we were not able to interpret a referral it was omitted from the data analysis.

### **Data Analysis and Discussion**

This study considers drug court clients who entered and exited the program between late December 1997 and December 2000, a thirty-six month period. During this time period 134 individuals entered and exited the program, and 126 of these individuals are included in the study. Eight individuals were not included because we did not receive a chronological offense history. A total of 142 of 146 comparison group individuals were matched to a chronological offense history and included in the study for a total of 268 cases. The findings are useful for documenting the on-going development of this particular program and serve as a starting point in reporting client level outcomes as they relate to re-arrest.

Table 1 – Referring Offense				
Referring Offense	Drug Court		Comparison	
	N	%	N	%
Drug Possession	14	12.7	12	8.6
Drug Distribution	1	0.9	3	2.1
Other Drug Related Offenses	10	9.1	8	5.7
DWI	19	17.3	17	12.1
Burglary	13	11.8	31	22.1
Property Crimes	12	10.9	17	12.1
All Assault Charges	5	4.5	14	10.0
All Other Offenses	36	32.7	38	27.1

missing=18, p=.158, df=7

Table 1 documents the referring offense for the drug court and comparison group. There were no statistical differences between the two groups. Individuals in the drug court group were referred to the drug court program with a variety of referring offenses. The largest number and percent of cases were in the other category. This category consisted of weapons charges, under age liquor, probation violations, fraud, and conspiracy.

Table 2 – Disposition at Exit				
Disposition at Exit	Drug Court		Comparison	
	N	%	N	%
Graduate/Complete Early	80	65.0	110	86.6
Absconded/Terminated	43	35.0	17	13.4

missing =18, p=<.001, df=1

The drug court and the comparison group were not similar in terms of the number of individuals who successfully completed either drug court or probation and those who did not. 65% of the drug court group successfully completed their probation term while only 13.1% of the comparison group completed successfully. These differences were statistically significant.

Table 3 – Length of Stay		
	Drug Court	Comparison
Mean Length of Stay In Months	6.5	9.9

The mean length of stay for the probation comparison group was greater by 3.4 months.

Table 4 - Prior Referrals and Petitions		
	Drug Court	Comparison
Mean Number of Referrals Prior to Entering Program	4.2	5.4
Mean Number of Petitions Prior to Entering Program	2.1	2.7

When prior referrals and petitions were compared we found that the comparison group clients have one more prior referral on average than drug court group clients. On average, comparison group clients also have a slightly greater number of prior petitions.

Table 5 – Primary Substance of Abuse at Intake				
Primary Substance	Drug Court		Comparison	
	N	%	N	%
Alcohol	46	36.8	63	45.3
Marijuana	64	51.2	65	46.8
Other	15	12.0	11	7.9

missing=4, p=.281, df=2

Similar percentages of individuals in both groups primary substance abuse at the time they entered their respective programs was marijuana and alcohol. There were not statistical differences. The other category is comprised of opiates, amphetamines, benzodiazepines, cocaine, and other/unknown.

Table 6 - City of Residence				
City of Residence	Drug Court		Comparison	
	N	%	N	%
Las Cruces	78	63.9	91	64.1
Outside of Las Cruces	44	36.1	51	35.9

We were able to match the groups on where they resided at the time they entered either probation or the drug court program.

Table 7 – Gender				
Gender	Drug Court		Comparison	
	N	%	N	%
Male	106	84.1	114	80.3
Female	20	15.9	28	19.7

The vast majority of individuals in both groups were male.

Table 8 – Race/Ethnicity				
Race/Ethnicity	Drug Court		Comparison	
	N	%	N	%
Anglo	24	19.0	28	19.9
Hispanic	99	78.6	112	79.4
Other	3	2.4	1	0.7

missing=1, p=.530, df=2

The majority of individuals served in both groups self-identified as Hispanic followed by Anglos. The “other” group consisted of one African-American and three Native-Americans.

Table 9 – Mean Age		
	Drug Court	Comparison
Mean Age at Intake	16.7	16.1
Mean Age at Exit	17.2	17.5

Mean age for the entire group was 16.4 years old at intake (range 10-19, sd 1.4) and 17.4 years old at exit (range 13-20, sd. 1.3). At intake the drug court group had a mean age of 16.7 years old (range 14-19, std. dev. 1.2) while the comparison groups mean age was 16.1 at intake (range 10-18, std. dev. 1.4). At exit the drug court group had a mean age of 17.2 years old (range 14-19, std. dev. 1.2) while the comparison groups mean age was 17.5 at exit (range 13-20, std. dev. 1.3). Due to a longer length of stay in probation, comparison group clients are older on average upon exiting the program, even though they were younger upon intake.

Table 10 – Mean Grade Completion		
	Drug Court	Comparison
Mean Grade	9.4	9.4

The average education in years of school completed was the same for both groups, a first year high school student.

Table 11 - Highest Grade Completed				
Highest Grade	Drug Court		Comparison	
	N	%	N	%
8 or less	33	26.6	44	33.1
9	40	32.3	31	23.3
10	30	24.2	32	24.1
11	13	10.5	20	15.0
12	8	6.5	6	4.5

missing=11, p=.375, df=4



The two groups were similar regarding the highest grade completed as indicated by this table and Table 7. There were no statistical differences between the two groups.

Table 12 – Enrolled in School				
Education	Drug Court		Comparison	
	N	%	N	%
Full-Time/Part-Time	99	79.8	89	68.5
Obtained GED	3	2.4	20	15.4
Not in School	22	17.7	21	16.2

missing=14, p=.002, df= 2

This table documents school enrollment at the time of entry into either the drug court program or probation. A larger percentage of clients in the drug court group were enrolled in school part-time or full-time when compared to the comparison group and a larger percentage of comparison group individuals had obtained their GED when compared to the drug court individuals. These differences were statistically significant.

Table 13 – Employment Status				
Employment Status	Drug Court		Comparison	
	N	%	N	%
Employed	25	20.2	34	24.5
Unemployed	99	79.8	105	75.5

missing=5 p=.588, df=1

More than 75% of the individuals in both groups were unemployed at the time they entered either the drug court program or probation. Differences between the two groups were not statistically significant.

Table 14 – Living Arrangements				
Living Arrangements	Drug Court		Comparison	
	N	%	N	%
Living with Parent(s)	116	93.5	123	87.2
Not Living with Parent(s) (i.e. alone, other family, boy/girl friend)	8	6.5	18	12.8

missing=3, p=.085, df=1

This table reports the living arrangements of both groups. Almost 93% of the drug court group lived with one or both of their parents at intake into the drug court program. A smaller percentage (86.8%) of the comparison group comprised of probationers lived with one or both of their parents. A large majority of drug court and probation group individuals lived with one or both parents.

Using the information presented in the above tables a useful profile of the drug court group can be developed and compared to the probation comparison group. This is necessary in order to better understand how comparable the two groups are and to place the recidivism findings in context to both groups.

Almost two-thirds of all drug court clients had either a drug possession, drug distribution or burglary offense that resulted in their becoming a drug court client while more than 50% of the comparison group had a drug possession, burglary or DWI offense. These differences while not statistically significant are substantive. Drug court clients spend in the drug court program on average 40% fewer days under supervision when compared to the probationers. When primary substance of abuse is reviewed drug court clients are statistically different and are more likely to use more serious drugs (cocaine and opiates) than comparison group members (alcohol and marijuana). The majority of individuals in both groups are male with a slightly larger percentage of females in the drug court group. The majority of individuals, in both groups, self-identified as Hispanic. A larger percentage of the clients in the probation comparison group identified as Anglo when compared to the drug court group. The drug court and comparison group were very similar when age is considered. Both groups on average were in their early thirties. The majority of individuals in both groups were employed, single/never married and had few dependents. Drug court individuals as a group were had more stable living arrangements and were more likely to have a high school education when compared to the comparison group. These differences were statistically significant.

The above tables and discussion point to a more serious drug court group when compared to the probation comparison group. This is indicated by primary substance of abuse, referring offense, school enrollment at intake, employment at intake, and disposition at exit. We were not able to create a better matched comparison group based upon the limited time frame (14 months) on which the comparison group had to be created. It may be that more serious offenders who do not get referred and accepted into the drug court program receive longer terms of probation.

### **Recidivism**

Recidivism can be defined in numerous ways, including a referral for any new offense, a referral for a similar offense or the same offense (i.e. drug possession), and a conviction. For this study we have chosen to define recidivism two ways. First, as an official referral, as indicated by chronological offense reports, for any offense following an individual's exit from the drug court program or comparison group of probationers. The following does not consider a referral while under supervision. Second, we consider petitions filed in court.

It is important to note exposure time for re-arrest varied for the study group from between approximately eleven months to forty-seven months. This occurs because individuals from both groups exited from either the drug court program or probation comparison group on different dates between January 1998 and December 2000.

Table 15 – Mean Exposure Time		
	Drug Court	Comparison
Mean Days	841.4	728.4
Median Days	918.0	695.0

Table 15 measures mean days for exposure and median days for exposure. The mean exposure day's for the drug court group was greater by 113 days (17.2%) when compared to the comparison group. Median day's measures the point in the distribution of the data below and above which half of the scores are located. The difference between the two groups in median days was 223 days.

Table 16 – New Referrals/Arrests				
New Referral	Drug Court		Comparison	
	N	%	N	%
Yes	46	36.5	19	13.4
No	80	63.5	123	86.6

$p < .001$ ,  $df = 1$

Differences in new referrals following exit from the programs between the drug court and probation comparison group were statistically significant. A larger number and percentage of drug court group members had new referrals when compared to the comparison group. Arrests that occurred after a client from either group became an adult are also included.

Considering that the comparison group has a much shorter exposure time (see Table 15), it seemed reasonable that the longer exposure time for drug court clients could account for the higher rate of recidivism. However, even when the lengthy exposure times are eliminated (>700 days), the drug court group still shows a higher incidence of new referrals. After controlling for exposure time, we found the number of new referrals in the drug court group decreased by 2 cases, falling to 34.9% having a new referral/arrest. The comparison group was unaffected when exposure time was controlled.

Table 17 – New Petitions				
New Petition	Drug Court		Comparison	
	N	%	N	%
Yes	30	23.8	6	4.2
No	96	76.2	136	95.8

$p < .001$ ,  $df = 1$

As indicated in Table 17, the drug court group had a substantially greater number of new petitions than the comparison group during the exposure time.

Table 18 – Program Graduates with New Referrals/Arrests				
New Referral/Arrest	Drug Court		Comparison	
	N	%	N	%
Yes	24	30%	12	10.9%
No	56	70%	98	89.1%

p=.001, df=1

Table 18 documents the recidivism of successful program graduates during the study period. Some 30% of drug court graduates were re-referred or arrested as adults while only about 11% of probation graduates were re-referred or arrested. The difference between the groups was statistically significant.

Table 19 – Program Graduates with New Petitions				
New Petition	Drug Court		Comparison	
	N	%	N	%
Yes	15	18.8%	4	3.6%
No	65	81.3%	106	96.4%

p=.001, df=1

Table 19 documents new petitions of successful program graduates during the study period. Only about 3.6% of probation graduates had new petitions while about 19% of drug court graduates were had new petitions after completing drug court. The difference between the groups was statistically significant.

## Conclusion

In conclusion, this study has shown that drug court individuals were re-referred as juveniles and arrested as adults at a higher rate than probation clients. It is worth noting, however, that the drug court group was a more serious group of offenders and used more serious drugs. This finding is counter to the finding in the studies for the Second Judicial District Court Juvenile Drug Court and Thirteenth Judicial District Court Juvenile Drug Court where we found the comparison group recidivated at a higher rate. Further attention should be focused on why this occurred in order to potentially make adjustments to the program.

This preliminary outcome study also provides a starting point for further study regarding the effectiveness of drug courts. Further time and attention should focus on “what about drug courts work”, more detailed and complete analyses and a detailed cost study.

More detailed analyses would focus on collecting more complete data on both drug court clients and a comparable group of probationers. This could include treatment information and self-report information regarding drug use after exit from drug court and probation/prison as well as improvements in living arrangements, education, employment, medical health and mental health. It would also be worthwhile to look at

longer time periods post-program than what was included this report. Benefits may increase with longer time periods.